

# NORTH DAKOTA LEGISLATIVE MANAGEMENT

Minutes of the

## LEGISLATIVE PROCEDURE AND ARRANGEMENTS COMMITTEE

Monday, June 21, 2010  
Harvest Room, State Capitol  
Bismarck, North Dakota

Representative Al Carlson, Chairman, called the meeting to order at 1:05 p.m.

**Members present:** Representatives Al Carlson, Merle Boucher, David Monson, Kenton Onstad; Senators Randel Christmann, Jerry Klein, Carolyn Nelson, David O'Connell, Bob Stenehjem

**Member absent:** Representative Don Vigesaa

**Others present:** Jason J. Steckler, Legislative Council, Bismarck

See [Appendix A](#) for additional persons present.

**It was moved by Senator O'Connell, seconded by Senator Nelson, and carried on a voice vote that the minutes of the March 10, 2010, meeting be approved as distributed.**

### CONTRACTS FOR SERVICES

#### Legislative Assembly Photography Services

The assistant director reviewed a proposed [Invitation to Bid - Legislative Assembly Photography Services](#). He said the invitation is based on the 2008 invitation to bid. He said the invitation provides for the receipt of the bid by Friday, September 17, 2010, and acceptance of the bid after review by the Legislative Procedure and Arrangements Committee, which tentatively is scheduled to meet on Tuesday, September 21, 2010 (the day before the Budget Section meets in September). He said there is no change in the specifications except for replacing dates with parallel timeframes in 2010 and 2011.

The assistant director said a question has arisen over the copyright to the photographs. He said the photographs are provided to legislators and are used for identification cards, if issued, and the legislator biographies on the legislative branch webpage. As such, he said, the uses are official uses, and the photographs are placed in the public domain. If a legislator requests a higher resolution photograph for use in campaign material or any other purpose, he said, the legislator must make payment arrangements with the photographer, who retains the copyright. He said this arrangement recognizes North Dakota Century Code Section 16.1-10-02.

**It was moved by Representative Monson, seconded by Senator Christmann, and carried on a roll call vote to approve the contents of the invitation to bid for Legislative Assembly photography services.** Representatives Carlson, Boucher, Monson, and Onstad and Senators

Christmann, Klein, Nelson, O'Connell, and Stenehjem voted "aye." No negative votes were cast.

#### Legislative Assembly Secretarial, Telephone Message, and Bill and Journal Room Services

The assistant director reviewed a proposed [Invitation to Bid - Legislative Assembly Secretarial, Telephone Message, and Bill and Journal Room Services](#). He said the invitation is based on the 2008 invitation to bid with these revisions:

1. The description of the numbers and the types of documents is updated with 2009 information.
2. The bill and journal room will be open starting Monday, December 13, 2010.
3. The bill and journal room will not be open Christmas Eve Day and New Year's Eve Day.

The assistant director said the proposed invitation to bid continues to provide for opening the bill and journal room beginning on the first Monday after the organizational session for purposes of organizing the room, receiving bills from the printer, and distributing bills.

In response to a question from Representative Boucher, the assistant director said there is no change in the number of contract employees--six. He said it would be difficult to operate the bill and journal room with one employee, and four employees seems to be the appropriate number to provide secretarial and telephone message services. He noted that the 2009 legislative session was the first session since 1993 in which the number of telephone calls to the Legislative Assembly increased from the previous session.

**It was moved by Senator Klein, seconded by Representative Monson, and carried on a roll call vote to approve the contents of the invitation to bid for Legislative Assembly secretarial, telephone message, and bill and journal room services.** Representatives Carlson, Boucher, Monson, and Onstad and Senators Christmann, Klein, Nelson, O'Connell, and Stenehjem voted "aye." No negative votes were cast.

#### Bill and Journal Photocopy Fee Policy

The assistant director reviewed a proposed [Bill and Journal Room - Photocopy Fee Policy](#). He said the policy is the same as that in place for the 2009

legislative session. He said the contract for bill and journal room services before the 2007 legislative session required the bill room services contractor to provide a copier, and the contractor was allowed to retain the photocopying fees. During the 2005-06 interim, he said, the bill and journal room was reduced in size, and the contract printer printed fewer copies of bills, resolutions, and journals in reliance on the bill and journal room personnel printing copies as needed through a network-connected copier being provided in the room. He compared the costs for printing 750 copies of daily journals and 325 copies of bills and resolutions in 2005; 250 copies of daily journals and 250 copies of bills and resolutions in 2007; and 170 copies of daily journals and 190 copies of bills and resolutions in 2009:

	2005 Session Cost	2007 Session Cost	2009 Session Cost
Daily journals	\$67,805	\$22,206.25	\$15,824.15
Bills and resolutions	\$79,668.95	\$63,831.25	\$59,958.77

The assistant director said the cost of the copier rental was \$2,624.62, network connection installation was \$300, and the network connection was \$123. He said the policy retains the 25 cents per page copying fee, which is not charged for photocopies of documents normally distributed to the public from the bill and journal room nor for making photocopies for legislators, House and Senate employees, and Legislative Council employees. He said the income from the photocopying fee was \$291.75 in 2009.

The assistant director said 94,793 photocopies were made in the bill and journal room during the 2009 legislative session. He said many of the copies were for committee clerks who requested "packets" of bills scheduled for hearing the following week for distribution to committee members for review during the weekend and were requested by Appropriations Committees clerks who requested "packets" containing copies of every amendment and every version of a bill for distribution to their committee members. He said seven copiers are placed in legislative areas for use during the session. He said a total of 478,371 copies were made during the 2009 session, at a total copier rental, setup, paper, and copy cost of \$26,007.07.

**It was moved by Senator Nelson, seconded by Representative Boucher, and carried on a roll call vote to approve the proposed photocopy fee policy for the bill and journal room.** Representatives Carlson, Boucher, Monson, and Onstad and Senators Christmann, Klein, Nelson, O'Connell, and Stenehjem voted "aye." No negative votes were cast.

### **Bills, Resolutions, and Journals**

The assistant director said the Central Services Division, Office of Management and Budget, prepares the invitation to bid for printing bills, resolutions, and journals and solicits the bids, but the contract is

awarded as directed by the Legislative Council under Section 46-02-05. He said the invitation to bid is in draft form and is based on the 2008 invitation to bid with these revisions:

1. Figures for the estimated volume of the contract are updated to reflect 2009 costs - \$90,000.
2. The number of daily journals printed is reduced from 170 to 150.
3. The number of daily journal indexes is reduced from 227 to 170.
4. The number of bills and engrossed bills printed is reduced from 190 to 175.
5. For journals, the paper quality of 20 pound recycled bond grade 4 was changed to 20 pound recycled bond; and for bills, the paper quality was changed from No. 2 - 50 pound to 20 pound recycled bond.
6. Twenty-eight rather than 27 sets of the permanent journals will be published.

The assistant director said the reduction in the number of journals and bills printed is based on the copies remaining after the 2009 legislative session. He said the change in paper quality is to eliminate requirements that limited options for paper, and the important requirement is weight, not grade. Although the Legislative Council can approve the contents of the invitation to bid, he said, the committee could affirm the decision to reduce the number of bills and journals printed as well as change the quality of the paper.

**It was moved by Senator O'Connell, seconded by Senator Christmann, and carried on a roll call vote to approve the reduction in the number of bills, journals, and journal indexes printed and to approve the change in the quality of paper used.** Representatives Carlson, Boucher, Monson, and Onstad and Senators Christmann, Klein, Nelson, O'Connell, and Stenehjem voted "aye." No negative votes were cast.

## **SESSION ARRANGEMENTS**

### **Session Employee Positions and Compensation**

The assistant director presented a memorandum entitled [Legislative Assembly Employee Positions and Compensation](#). The memorandum reviews the employee positions during the 2005, 2007, and 2009 legislative sessions and proposed the number of employee positions for the 2011 legislative session. The memorandum also provides information on employee compensation during the 2009 legislative session and the proposed compensation levels for the 2011 legislative session. The material also included a draft of a House concurrent resolution [[13009.0100](#)] containing the proposed compensation levels.

The assistant director said the number of employment positions proposed for the 2011 legislative session--37.5 Senate employees and 41 House employees--recognizes:

- The four staff assistants authorized for the majority leaders and the four staff assistants authorized for the minority leaders, even though the leaders have employed fewer than the number authorized.
- Senate employment of the payroll clerk in recognition of alternating that position between the houses.
- Continued Senate employment of the supply coordinator.
- Continued House employment of two half-time assistant sergeants-at-arms (which was done in 2007).
- Continued employment of a parking attendant by each house (which was done in 2005 and 2007).

The assistant director said the total number of proposed positions is reduced by a one-half House assistant sergeant-at-arms position to recognize the actual number of assistants employed in 2007 and 2009.

The assistant director said the legislative session employee compensation proposal is based on daily salaries for the 2009 legislative session increased generally across the board by a cumulative 5 percent and 5 percent, which reflects the 5 percent and 5 percent average pay increases approved by the 61<sup>st</sup> Legislative Assembly for state employees in 2009 and 2010. As proposed, he said, compensation will range from \$98 to \$161 per day (\$12.25 to \$20.13 per hour based on an eight-hour day).

The assistant director said the committee usually makes its recommendations on employee positions and compensation at the committee meeting scheduled after the general election.

### LEGISLATIVE COMPENSATION COMMISSION DISCUSSION

Chairman Carlson recognized Mr. Charles Axtman, Chairman, Legislative Compensation Commission. Members of the commission in attendance included Mr. Ron Carlisle, Mr. John Mahoney, and Ms. Margaret Sitte. Mr. Axtman said the commission met at 1:00 p.m. and is recommending that the daily compensation during legislative sessions and interim meetings be increased at the same rate state employee compensation is increased by 2011 legislative action. He said the lodging reimbursement during the session and the mileage reimbursement were tied to federal reimbursement rates as a result of 2009 legislative action.

In response to a question from Senator Stenehjem, the director said the daily in-state meals allowance of \$25 was set in 2005. Because of the effect on all state agencies, he said, reliance has been on recommendations of the Office of Management and Budget with respect to any change in the meals allowance.

In response to a question from Representative Carlson, Mr. Axtman said tying any increase in daily

compensation to the rate of increase in state employee compensation should not affect how legislators vote on the proposal due to the minimal effect on daily compensation.

Chairman Carlson thanked the members of the commission for attending the meeting and reporting the commission's recommendation.

### LEGISLATIVE WING RENOVATION Status Update

The director reviewed a table entitled [Legislative Wing Improvements Status](#). With respect to the common areas, he said, the furniture for the secretarial services area remains to be ordered as does the carpeting for the ground floor and first floor legislative study areas. He said the committee will be requested to authorize carpet for the legislative study areas for \$7,300; furniture for the secretarial services area for \$25,245; and bronze signage replacement for the circular hallway so as to include the Medora Room on the signage for \$1,740. To date, he said, 54 percent of the House funding, 40 percent of the Senate funding, and 70 percent of the common funding has been spent--for a combined expenditure of 51 percent. He distributed a [schematic of proposed furniture layout](#) for the secretarial services area. The schematic depicts four workstations for secretarial services; two workspaces for interns; and three workstations for the tour guide, committee clerk, and payroll clerk. He said Mr. Jason J. Steckler, Information Technology Director, Legislative Council, would present the proposal for projectors and screens in the Harvest and Roughrider Rooms.

### Harvest and Roughrider Rooms Projectors and Screens

Mr. Steckler distributed a PowerPoint presentation ([Appendix B](#)), which described the sound systems previously approved for the Harvest and Roughrider Rooms and proposed projectors and screens for those rooms. He proposed two high lumen projectors, a seven-foot screen on the east and the west walls, and video inputs at the podium and chairman's area with keypad control inputs for the Harvest Room at a cost of \$5,040. He proposed two high lumen projectors, one seven-foot screen on the south wall, reuse of the seven-foot screen on the north wall, and video inputs at the podium and chairman's area with keypad control inputs for the Roughrider Room at a cost of \$4,850.

In response to a question from Senator Christmann, Mr. Steckler said wireless microphones could be used in the rooms, but there would still need to be cable for power, there would be a lag in the sound, and the microphones as planned are not permanently installed so they should not interfere with three-ring binders on the tables.

### **Legislative Studies, Chamber Brass, Chamber Desks, Wood Restoration**

Chairman Carlson recognized Mr. John Boyle, Director, Facility Management Division, Office of Management and Budget, for a presentation of proposals in response to requests by the Legislative Council staff. Mr. Boyle distributed written testimony ([Appendix C](#)) presenting the proposals.

Mr. Boyle described the proposal to construct a wall dividing the ground floor legislative study into two rooms--one with 245 square feet and one with 445 square feet. He said the plans show tables only for the purpose of illustration. He said the estimated cost is \$2,900.

Mr. Boyle described two proposals to construct a wall dividing the first floor legislative study into two rooms--one proposal for two rooms of 260 square feet and 285 square feet and one proposal for two rooms of 170 square feet and 380 square feet. He said the estimated cost of either proposal is \$3,650.

Mr. Boyle described the proposal to replace the wheelchair lift to the Brynhild Haugland Room. He said a lift similar to that used at the Bismarck Civic Center, whereby a "bridge" extends to a vertical lift would cost \$32,000; and a lift similar to that currently used would cost approximately \$15,000.

Chairman Carlson recognized Mr. Chuck Stebbins, North Dakota Center for Persons With Disabilities, Fargo, who said the lift as proposed by Mr. Boyle would be a substantial improvement. Mr. Stebbins said the current lift is noisy; is difficult to operate; requires the operator to track down a person with a key; and does not fit flush on the lower landing, which causes wheelchairs to "race" off the ramp and makes it difficult to get on the ramp from the lower level.

Mr. Boyle described the proposal to restore the copper alloy (brass/bronze) in the legislative chambers, including handrails, columns, grilles, edge trim, and door hardware, for \$421,800.

Mr. Boyle described the proposal to restore the desks in the chambers, including cleaning, stripping, repairing, staining, and refinishing, for \$154,500.

Mr. Boyle described the proposal to restore the wood walls, cornice, base, doors, and trim in the chambers and legislative hall for \$882,700.

Representative Boucher said there should be a designated area behind the brass rail in the House chamber for individuals in wheelchairs. During the 2009 legislative session, he said, the sergeant-at-arms reserved an area next to the chair where the sergeant-at-arms sits behind the brass rail.

Senator O'Connell said there should be wheelchairs available in the Capitol for visitors to use while they are in the building. During the 2009 legislative session, he said, it was difficult to find wheelchairs for visitors, and the ones that were available were aged, privately donated chairs.

Senator Nelson said there should be a ramp or some method of moving the piano from the main floor to the well in the Senate chamber.

Chairman Carlson recessed the meeting for a tour of the areas under discussion and reconvened the meeting in the Harvest Room.

In response to a question from Senator Nelson, Mr. Boyle said the estimate to refinish the desks in the chambers probably does not include replacing the grommets for network and power cords.

Senator Christmann suggested that the desks in the front rows of the Senate chamber be reworked to provide more space to the senators in those rows, assuming the Senate would not grow to the constitutional maximum of 54 senators.

**It was moved by Representative Monson, seconded by Representative Onstad, and carried on a roll call vote of House members that approval be given for the Roughrider Room projectors and screens as proposed.** Representatives Carlson, Boucher, Monson, and Onstad voted "aye." No negative votes were cast.

**It was moved by Senator Stenehjem, seconded by Senator Klein, and carried on a roll call vote of Senate members that approval be given for the Harvest Room projectors and screens as proposed.** Senators Christmann, Klein, Nelson, O'Connell, and Stenehjem voted "aye." No negative votes were cast.

**It was moved by Senator Stenehjem and seconded by Senator Nelson that approval be given for the carpeting in the ground and first floor legislative studies (\$7,300), the furniture in the secretarial services area (\$25,245), the bronze signage including the Medora Room (\$1,740), and the "bridge" chairlift for the Brynhild Haugland Room (\$32,000).** Senator Christmann and Representative Monson said the cost for the bronze signage is high. Representative Carlson said the two signs are bronze, which is expensive, but the Medora Room should be recognized as are the other rooms in the semicircle, and the integrity of the bronze signage in the ground floor hallway of the Capitol should be maintained. After this discussion, **the motion carried on a roll call vote.** Representatives Carlson, Boucher, Monson, and Onstad and Senators Christmann, Klein, Nelson, O'Connell, and Stenehjem voted "aye." No negative votes were cast.

**It was moved by Representative Monson, seconded by Senator Klein, and carried on a roll call vote that approval be given to construct a wall in the ground floor legislative study as proposed, dividing the open area into two rooms of 245 square feet and 445 square feet.** Representatives Carlson, Boucher, Monson, and Onstad and Senators Christmann, Klein, Nelson, O'Connell, and Stenehjem voted "aye." No negative votes were cast.

**It was moved by Representative Boucher, seconded by Representative Monson, and carried on a roll call vote to approve two stands with handicapped reserved signage to be used by the House sergeant-at-arms to provide a designated area for wheelchairs, with the sergeant-at-arms to**

**monitor the area.** Representatives Carlson, Boucher, Monson, and Onstad and Senators Christmann, Klein, Nelson, O'Connell, and Stenehjem voted "aye." No negative votes were cast.

Senator Nelson requested the Legislative Council staff obtain a cost estimate for an electronic keyboard to be used in the chambers rather than a piano.

Chairman Carlson inquired about members' thoughts on the projects for restoration of the chamber desks, brass, and wood.

In response to a question from Representative Boucher, Mr. Boyle said his prioritization of the projects would be first the renovation of the desks, then renovation of the brass, and then renovation of the wood.

**It was moved by Representative Monson, seconded by Senator O'Connell, and carried on a roll call vote that the committee urge the Governor to include in the executive budget recommendation for the 2011-13 biennium funding from the Capitol building fund for projects to renovate the wood desks in the House and Senate chambers, to renovate the brass in the chambers and areas in the legislative wing not included in the prior brass renovation project, and to renovate the wood in the chambers and the legislative hall.** Representatives Carlson, Boucher, Monson, and Onstad and Senators Christmann, Klein, Nelson, O'Connell, and Stenehjem voted "aye." No negative votes were cast.

## SESSION ARRANGEMENTS

### Organizational Session Agenda

The assistant director reviewed the proposed [agenda for the legislative organizational session](#). He said the agenda was based on the 2008 organizational session agenda. He said the proposed agenda continues the convening of the organizational session at 1:00 p.m., which was first done in 2002 to allow legislators to travel to Bismarck on Monday morning rather than on Sunday. He said the agenda also provides orientation classes for freshman legislators and computer training classes for veteran legislators beginning at 9:00 a.m. on Monday as was done in 2008. He said one substantive change was made--the presentation on uniform laws was deleted.

**It was moved by Representative Monson, seconded by Senator Nelson, and carried on a roll call vote that the legislative organizational session agenda be approved.** Representatives Carlson, Boucher, Monson, and Onstad and Senators Christmann, Klein, Nelson, O'Connell, and Stenehjem voted "aye." No negative votes were cast.

### Addresses and Reports

The assistant director said the committee traditionally has authorized the Legislative Council staff to contact the Governor with respect to arrangements for the State of the State address to a joint session of the Legislative Assembly on the first

legislative day, to contact the Chief Justice with respect to a presentation of the State of the Judiciary address to a joint session on the second legislative day, and to extend an invitation to have a representative of the Indian tribes to address the Legislative Assembly on the third legislative day.

The assistant director said Section 4-24-10 requires 14 agricultural commodity promotion groups to file a uniform report at a public hearing before the standing Agriculture Committee of each house. He said the report must be filed between the 1<sup>st</sup> and 10<sup>th</sup> legislative days. Since 2000, he said, the Legislative Procedure and Arrangements Committee has designated the second legislative day the Agriculture Committees meet as the day for a joint hearing by the Senate and House Agriculture Committees to receive this report. He said this day would be Friday, January 7, 2011.

The assistant director said Section 4-35.2-04 requires the Agriculture Commissioner to submit a biennial report to a joint meeting of the House and Senate Agriculture Committees on the status of the pesticide container disposal program. He said in 2009 this report was received on the same day the joint meeting was held to receive the agricultural commodity promotion groups report. He said this day would be Friday, January 7, 2011.

The assistant director said Section 54-60-03 requires the Commissioner of Commerce to report between the 1<sup>st</sup> and 10<sup>th</sup> legislative days to a standing committee of each house of the Legislative Assembly as determined by the Legislative Management with respect to the department's goals, objectives, activities, measurable results, and commerce benchmarks. Since 2003, he said, this report has been given to the Industry, Business and Labor Committees on the second day those committees met. He said this day would be Monday, January 10, 2011.

The assistant director said since 1993 the committee has indicated a preference for a report by the chairman of the Legislative Compensation Commission to each house of the Legislative Assembly in written form to the presiding officers.

**It was moved by Senator Nelson, seconded by Senator O'Connell, and carried on a roll call vote:**

- **The Legislative Council staff be requested to contact the Governor with respect to the time for a joint session to hear the State of the State address by the Governor on the first legislative day (Tuesday, January 4, 2011), to contact the Chief Justice to make plans for the State of the Judiciary address to a joint session on the second legislative day (Wednesday, January 5, 2011), and to invite a representative of the Indian tribes to address the Legislative Assembly on the third legislative day (Thursday, January 6, 2011);**
- **The second legislative day the Agriculture Committees meet (Friday, January 7, 2011)**

be designated as the day for a joint hearing by the Senate and House Agriculture Committees to receive the report of the agricultural commodity promotion groups under Section 4-24-10;

- The second legislative day the Agriculture Committees meet (Friday, January 7, 2011) be designated as the day for a joint meeting by the Senate and House Agriculture Committees to receive the biennial report of the Agriculture Commissioner on the status of the pesticide container disposal program under Section 4-35.2-04;
- The Commissioner of Commerce report to the Industry, Business and Labor Committees on the second day those committees meet (Monday, January 10, 2011); and
- The Legislative Council staff be requested to notify the chairman of the Legislative Compensation Commission that a written report of the commission should be submitted to the presiding officer of each house in lieu of an oral report to each house.

Representatives Carlson, Boucher, Monson, and Onstad and Senators Christmann, Klein, Nelson, O'Connell, and Stenehjem voted "aye." No negative votes were cast.

### Video Coverage of Floor Sessions

Chairman Carlson recognized Mr. Seth Arndorfer, Business Development Manager, Dakota Carrier Network (DCN), for a presentation regarding broadcast of floor sessions during the 2011 legislative session. Mr. Arndorfer said DCN consists of 15 independent telephone companies in North Dakota, 12 of which offer video to approximately 38,000 subscribers. He said DCN has a fiber optic system with access to the State Capitol, and its member companies are interested in broadcasting floor sessions of the Legislative Assembly. He requested access to the video and audio feeds originating from the chambers. He said BEK Communications Cooperative has volunteered to be the interface between the floor session and DCN members.

In response to a question, Mr. Steckler said providing access to the video feed would not diminish the signal.

Senator Christmann inquired whether there could be a restriction on the rebroadcast or reuse of the signal, similar to the restrictions professional sports place on their broadcasts. Senator Stenehjem said he is concerned over reuse of the signal. He said members may be subjected to use of video snippets during campaigns. Representative Carlson said city and park board meetings have been broadcast for years without negative uses. Senator Stenehjem requested the Legislative Council staff to review this issue.

It was moved by Senator Klein, seconded by Senator Nelson, and carried on a roll call vote to approve authorization of Dakota Carrier Network to access the video and audio feeds of floor sessions of the Legislative Assembly for purpose of broadcast by their member companies. Representatives Carlson, Boucher, Monson, and Onstad and Senators Christmann, Klein, Nelson, O'Connell, and Stenehjem voted "aye." No negative votes were cast.

## LEGISLATIVE INFORMATION SERVICES

### Legislative Document Subscription Program

The assistant director reviewed a memorandum entitled [Legislative Document Subscription Program](#). The memorandum reviews subscription fees for legislative documents during the 2009 legislative session and the cost of printing those documents. The memorandum also lists proposed fees for the 2011 legislative session. He said the practice has been to base subscription fees on the cost of printing the various documents during the previous session divided by the number of documents printed. The number of subscribers for the particular documents for 2009, the total number of subscribers (state agencies can receive the documents without charge), the 2009 subscription fees, and the cost of the number of legislative documents printed in 2009 are:

- Four out of 14 entities paid \$150 each to pick up a set of bills and resolutions, and no entity paid \$290 to receive a set by mail. Thirty-four out of 51 entities paid \$260 each to pick up a set of bills and resolutions which included engrossed bills and resolutions, and no one paid \$485 to receive a set by mail. The cost of printing 190 copies of introduced bills and resolutions and 190 copies of engrossed bills and resolutions was \$59,958.77, or approximately \$316 per set.
- Thirteen out of 30 entities paid \$90 each to pick up a set of journals, and one entity paid \$230 to receive a set by mail. The cost of printing 170 copies of the journals was \$15,824.15, or approximately \$93 per set.
- Five out of 17 entities paid \$30 each to receive the journal index. The cost of printing 227 copies of the journal index was approximately \$5,000, or \$22 per index.
- One entity paid \$350 to pick up the bill status report, seven copies were provided to state agencies, and no one paid \$490 to receive it by mail. The cost of printing 33 bill status reports was \$11,075.84, or approximately \$336 each.
- No charge was made for picking up daily calendars printed at a cost of \$32,515.56, 31 entities subscribed to pick up daily calendars, and no one paid \$70 to receive the calendars by mail.
- No charge was made for picking up committee hearing schedules printed at a cost of

\$13,609.02, 34 entities subscribed to pick up hearing schedules, and no one paid \$40 to receive the schedules by mail.

The assistant director said the proposed 2009 legislative document subscription fees reflect the cost of printing the documents in 2009 divided by the number of documents. He proposed eliminating the subscription option for a set of bills and resolutions as introduced (without the engrossed and reengrossed copies) because that option gives an incomplete view of initial legislative action, increasing the subscription fee for receiving a set of bills and resolutions as introduced and engrossed and reengrossed from \$260 to \$315, and maintaining the other fees at 2009 levels.

**It was moved by Senator Nelson, seconded by Representative Boucher, and carried on a roll call vote that the committee approve the 2011 distribution program and the applicable fees as follows:**

- **A complete set of bills and resolutions as introduced and printed or reprinted, including a set of all engrossed and reengrossed bills and resolutions, be available from the bill and journal room only after payment of a subscription fee of \$315, with a set to be mailed only after a payment of an additional fee of \$225.**
- **A complete set of daily journals of the Senate and House be available from the bill and journal room only after payment of a subscription fee of \$90, with a set to be mailed only after payment of an additional fee of \$140.**
- **The index to the House and Senate journals be available only after payment of a subscription fee of \$30.**
- **A printed bill status report be available from the bill and journal room only after payment of a subscription fee of \$350, with the report to be mailed only after payment of an additional fee of \$140.**
- **House and Senate daily calendars and weekly committee hearing schedules be available at no charge if picked up from the bill and journal room, but a set of House and Senate daily calendars be mailed by the bill and journal room only after payment of a fee of \$70 and a set of weekly committee schedules be mailed by the bill and journal room only after payment of a fee of \$40.**
- **State agencies and institutions and representatives of the media as determined under Joint Rule 802 be able to obtain copies of bills and resolutions, daily journals, daily calendars, and committee hearing schedules without payment of subscription fees.**
- **Two copies of the bill status report be provided to the press room in the State**

**Capitol without payment of subscription fees.**

- **No more than five copies of a limited number of bills and resolutions be obtained without charge as provided by Joint Rule 603.**

Representatives Carlson, Boucher, Monson, and Onstad and Senators Christmann, Klein, Nelson, O'Connell, and Stenehjem voted "aye." No negative votes were cast.

## **USE OF LEGISLATIVE CHAMBERS AND COMMITTEE ROOMS**

The assistant director reviewed a request by Mr. Brian Bubach, Assistant to the Executive Secretary, North Dakota High School Activities Association (NDHSAA), to use the House and Senate chambers and legislative committee rooms for the NDHSAA State Student Congress on Thursday and Friday, November 3-4, 2011. He noted that authorizations to use the chambers contain a proviso that any use is subject to a legislative session. He said redistricting activities will be taking place in 2011, and a special legislative session may be held in November to approve a redistricting plan. He said the 2001 legislative redistricting plan was approved during a special session held Monday through Friday, November 26-30, 2001.

**It was moved by Representative Boucher, seconded by Representative Monson, and carried on a roll call vote that the committee approve the request by the North Dakota High School Activities Association to use the House and Senate chambers and relevant legislative committee rooms on Thursday and Friday, November 3-4, 2011.** Representatives Carlson, Boucher, Monson, and Onstad and Senators Christmann, Klein, Nelson, O'Connell, and Stenehjem voted "aye." No negative votes were cast.

## **LEGISLATIVE RULES**

### **Permanent Journals and**

#### **Publication of Legislative Documents**

The assistant director reviewed the second draft of [Proposed Amendments of Senate and House Rules 204\(4\) and \(5\) and Creation of Joint Rule 604.](#) He said the first draft addressed the ambiguity as to whether the website contains an "unofficial" version of legislative documents. He said the second draft includes that clarification and also amends the rules concerning the number of permanent journals. He said the proposed amendment increases the number of permanent journals from 27 to 28 to allow the Legislative Council to receive an additional copy. He said this change would parallel a similar change in the invitation to bid for printing bills, resolutions, and journals.

**It was moved by Senator O'Connell, seconded by Senator Nelson, and carried on a roll call vote that the committee approve the second draft of**

**proposed amendments of Senate and House Rules 204(4) and (5) and creation of Joint Rule 604 relating to permanent journals and publication of legislative documents.** Representatives Carlson, Boucher, Monson, and Onstad and Senators Christmann, Klein, Nelson, O'Connell, and Stenehjem voted "aye." No negative votes were cast.

### **OTHER MATTERS**

Representative Onstad said he would like an explanation of the sequence of events with respect to the legislative information technology applications project, particularly the status of the project. The director said the current status of the project is that the project is ahead of the timeline schedule and under budget.

Representative Boucher said the question involves the authority to contract with the developers of the legislative enterprise system North Dakota (LEGEND) project--Propylon and the Information Technology Department. Representative Onstad said his request is that members of the committee be provided with information regarding the total costs of the LEGEND project, information concerning the bidding process for selecting Propylon, information regarding which

committee approved the contract with Propylon or the authority of the chairman of the Legislative Management or the director of the Legislative Council to approve a contract expending funds for the project, and information on any agreements between the Legislative Council and the Information Technology Department with respect to the LEGEND project and the cost of those agreements.

No further business appearing, Chairman Carlson adjourned the meeting at 4:00 p.m. The next meeting of the committee is tentatively scheduled for September 21, the day before the Budget Section is scheduled to meet.

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Jay E. Buringrud  
Assistant Director

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Jim W. Smith  
Director

ATTACH:3