

NORTH DAKOTA LEGISLATIVE MANAGEMENT

Minutes of the

LEGISLATIVE PROCEDURE AND ARRANGEMENTS COMMITTEE

Thursday, September 26, 2019
Harvest Room, State Capitol
Bismarck, North Dakota

Senator Rich Wardner, Chairman, called the meeting to order at 8:00 a.m.

Members present: Senators Rich Wardner, John Grabinger, Joan Heckaman, Jerry Klein, Oley Larsen; Representatives Josh Boschee, Karla Rose Hanson, Lawrence R. Klemin, Scott Louser, Chet Pollert

Members absent: None

Others present: John Bjornson and Kyle W. Forster, Legislative Council, Bismarck
See [Appendix A](#) for additional persons present.

At the request of Chairman Wardner, the Legislative Council staff presented the [Supplementary Rules of Operation and Procedure of the North Dakota Legislative Management](#).

LEGISLATIVE INTERN PROGRAM

At the request of Chairman Wardner, the Legislative Council staff presented information regarding the legislative internship program. The Legislative Council staff said the University of North Dakota School of Law historically has provided at least 10 interns to assist the standing committees in researching and preparing amendments, and the stipend amount during the 2019 legislative session was \$3,500 per month.

It was moved by Representative Boschee, seconded by Senator Grabinger, and carried on a roll call vote that the legislative intern program be continued through the 2021 legislative session for at least 10 interns and that the intern stipend be \$3,500 per month. Senators Wardner, Grabinger, Heckaman, Klein, and Larsen and Representatives Boschee, Hanson, Klemin, Louser, and Pollert voted "aye." No negative votes were cast.

DISPLAYS IN LEGISLATIVE ASSEMBLY HALL AND MEMORIAL HALL AND USE OF LEGISLATIVE CHAMBERS AND COMMITTEE ROOMS

At the request of Chairman Wardner, the Legislative Council staff distributed [Guidelines for Use of Legislative Chambers and Displays in Legislative Assembly Hall and Memorial Hall](#) and [Guidelines for Use of Legislative Committee Rooms North Dakota State Capitol](#).

It was moved by Senator Klein, seconded by Representative Pollert, and carried on a roll call vote that the Guidelines for Use of Legislative Chambers and Displays in Legislative Assembly Hall and Memorial Hall and Guidelines for Use of Legislative Committee Rooms North Dakota State Capitol be approved. Senators Wardner, Grabinger, Heckaman, Klein, and Larsen and Representatives Boschee, Hanson, Klemin, Louser, and Pollert voted "aye." No negative votes were cast.

The Legislative Council staff reviewed a request ([Appendix B](#)) from Mr. Brian Bubach, Associate Director, North Dakota High School Activities Association, to use the House and Senate Chambers and committee rooms for the 2019 North Dakota High School Activities Association State Student Congress on Thursday and Friday, November 5-6, 2020.

It was moved by Representative Pollert, seconded by Senator Larsen, and carried on a roll call vote that the committee approve the request of the North Dakota High School Activities Association to use the House and Senate Chambers and committee rooms for the 2019 North Dakota High School Activities Association State Student Congress on Thursday and Friday, November 5-6, 2020. Senators Wardner, Grabinger, Heckaman, Klein, and Larsen and Representatives Boschee, Hanson, Klemin, Louser, and Pollert voted "aye." No negative votes were cast.

Chairman Wardner called on Mr. Scott J. Davis, Executive Director, Indian Affairs Commission, to present a request to add a literature stand ([Appendix C](#)) next to the tribal flags displayed outside the Governor's office in Memorial Hall. Mr. Davis distributed an illustration of the stand and said it would hold pamphlets describing the history and symbolism of the tribal flags.

In response to questions from Senator Klein, Mr. Davis said he would work with the committee to ensure the stand would not detract from the flags and would look appropriate in Memorial Hall. He said he would bring a proposal with more details to the next meeting of the committee.

In response to a question from Representative Pollert, the Legislative Council staff said the tribal flag display constituted a permanent display because it has been in place for more than 30 days, but had not been approved by the committee.

It was moved by Representative Klemin, seconded by Senator Heckaman, and carried on a roll call vote that the tribal flag display outside the Governor's office be approved as a permanent display in Memorial Hall. Senators Wardner, Grabinger, Heckaman, Klein, and Larsen and Representatives Boschee, Hanson, Klemin, Louser, and Pollert voted "aye." No negative votes were cast.

ENTRANCES TO STATE CAPITOL

Chairman Wardner called on Mr. John Boyle, Director, Facility Management Division, Office of Management and Budget, for a presentation regarding renovation of entrances to the Capitol. Mr. Boyle said the south entrance to the Capitol is being renovated with the \$2 million appropriated for that purpose during the last session. He said he met with four architects and selected J2 Studio, a Bismarck architecture and design firm, to design the new entrance. He said his office also is working with the Highway Patrol to ensure security measures at the entrance are updated. He said the renovations will improve accessibility to the Capitol. He said the Capitol Grounds Planning Commission will select a concept from the architect and will work on the design details. He said bids for the construction will be received this spring, and work should begin in April 2020. He said the renovations should be complete before the next legislative session.

In response to a question from Chairman Wardner, Mr. Boyle said rent is not charged to groups that hold meetings at the Capitol.

In response to a question from Chairman Wardner, Mr. John Bjornson, Director, Legislative Council, said the Highway Patrol stand by the Governor's office is a permanent display because it has been in place for more than 30 days, but the committee has not approved it.

In response to a question from Senator Heckaman, Mr. Boyle said the south steps to the Capitol will remain accessible, but there will be signage directing people to the entrance to the Capitol. He also said the doors at the top of the steps probably were locked several years ago for security purposes.

In response to a question from Representative Boschee, Mr. Boyle said his office will work with the Legislative Council to ensure legislative meetings are accessible.

2021 LEGISLATIVE SESSION CALENDAR AND DEADLINES

At the request of Chairman Wardner, the Legislative Council staff presented the preliminary calendar and deadlines for the 2021 legislative session. The Legislative Council staff said the committee will need to review the deadlines later in the interim and recommend a calendar to the Legislative Management.

INFORMATION TECHNOLOGY UPDATE

At the request of Chairman Wardner, Mr. Kyle W. Forster, Information Technology Manager, Legislative Council, provided an update on information technology projects for the Legislative Council and Legislative Assembly. Mr. Forster said the wall monitors throughout the Capitol with information about legislative meetings and the hardware for the voting boards in the legislative chambers have been updated. He said servers and laptops are being backed up on the cloud to prevent loss, and servers for the digital signs throughout the Capitol will be updated next year. He said laptops and iPads are due to be replaced in 2020, and he will make a presentation to the Computer Replacement Workgroup to be appointed by legislative leaders regarding the replacement options. He said the workgroup will make recommendations to this committee and the Legislative Management. He said the pilot project for scanning electronic testimony into LAWS for select committees during the 2019 session went well, and electronic testimony for all committees will be scanned in to LAWS during the next session. He said a web-based application may be created for presenters to submit testimony online. He said other current information technology projects include an electronic process for obtaining bill sponsors, an automated process for assigning bill numbers, and a process for submitting bills electronically to leadership for committee assignment.

In response to a question from Representative Hanson, the Director said legislative histories will be made available online more quickly going forward.

VIDEO OF COMMITTEE MEETINGS

Chairman Wardner said the committee may wish to consider whether committee meetings should be broadcast or video recorded and whether committee members are permitted to broadcast or record their committee meetings.

Representative Pollert said the use of social media, including livestreaming, by committee members during committee meetings is not appropriate because committee members should attend to testimony and committee business.

Representative Klemin said the use of social media by committee members during committee meetings and by legislators in the legislative chambers is inappropriate and requested the Legislative Council staff draft a proposed rule to prohibit the activities.

Representative Boschee said livestreaming committee meetings is acceptable if no other video access to the meeting is available.

In response to a question from Chairman Wardner, the Director said both Senate Rule 362 and House Rule 362 prohibit the use of devices on the floor and in committee rooms during hearings. He said the rule can be updated to reflect current technology, and the Legislative Council will prepare a draft update to present at the next meeting.

In response to questions from Chairman Wardner, Mr. Forster said cameras were installed in the Roughrider and Harvest Rooms in 2014, but the state no longer has the licenses necessary to operate the cameras. He said the licenses may be obtained, and the cameras are not obsolete. He said there are many options available for providing video of committee meetings, and any video of meetings would need to be archived and indexed like the video of floor sessions. He said the Legislative Assembly pays \$5,200 per quarter for the video of the legislative chambers. He said providing video of meetings in the Roughrider and Harvest Rooms would require a one-time cost of about \$5,000 and an annual operating cost of about \$20,000 to \$25,000. He said to make all committee rooms video capable would cost about \$225,000 to set up and about \$200,000 per biennium in operating costs.

In response to a question from Chairman Wardner, the Legislative Council staff said the Legislative Council will provide additional information about technology options, costs, and funding at the next meeting.

It was moved by Senator Grabinger, seconded by Representative Boschee, and carried on a roll call vote that the Legislative Council implement video recording in the Roughrider and Harvest Rooms during the interim as a pilot study, and present options for doing so to the next committee meeting. Senators Wardner, Grabinger, Heckaman, and Klein and Representatives Boschee, Hanson, Klemin, Louser, and Pollert voted "aye." Senator Larsen voted "nay."

No further business appearing, Chairman Wardner adjourned the meeting at 10:00 a.m.

Claire Ness
Counsel

John Bjornson
Director

ATTACH:3