

# NORTH DAKOTA LEGISLATIVE COUNCIL

Minutes of the

## LEGISLATIVE MANAGEMENT COMMITTEE

Tuesday, June 26, 2001  
Roughrider Room, State Capitol  
Bismarck, North Dakota

Senator Bob Stenehjem, Chairman, called the meeting to order at 9:10 a.m.

**Members present:** Senators Bob Stenehjem, Bill Bowman, Randel Christmann, Joel C. Heitkamp, Aaron Krauter; Representatives Wesley R. Belter, LeRoy G. Bernstein, Merle Boucher

**Members absent:** Representatives Pam Gulle-son, David Monson, Mike Timm

**Others present:** Jill Berg, Spherion, Fargo  
Heidi Flath, Spherion, Bismarck

George Keiser, Quality Printing Service, Bismarck  
Dave Thompson, Prairie Public Radio, Bismarck  
Dale Wetzel, Associated Press, Bismarck

Maryann F. Trauger (by teleconference call),  
Karen J. Mund, Mary Janusz, John Dvorak; Legisla-  
tive Council, Bismarck

### SUPPLEMENTARY RULES OF OPERATION AND PROCEDURE

Each member received a copy of the *Supplemen-  
tary Rules of Operation and Procedure of the North  
Dakota Legislative Council*.

### SESSION ARRANGEMENTS Bill and Journal Room Services

At the request of Chairman Stenehjem, the assis-  
tant director reviewed the contract specifications for  
providing bill and journal room services during the  
2001 legislative session. He said the contract price  
during the 1999 session was \$440 per day for  
82 days, and the actual total cost was \$38,840. He  
said the contract price during the 2001 legislative  
session was \$510 per day for 88 days and \$440 per  
day for each day after the 67th legislative day, and the  
actual total cost was \$49,790.

Chairman Stenehjem called on Mr. George Keiser,  
Quality Printing Service, for a report on operation of  
the bill and journal room during the 2001 legislative  
session. Mr. Keiser said the contract is very specific  
and very clear, and this has worked well in dealing  
with members of the general public.

Mr. Keiser said one problem area during the 2001  
legislative session was the timelag between the  
on-line availability of introduced bills and the avail-  
ability of printed bills. He said bills became available  
on-line upon introduction. He said requests were

made for a copy of a bill immediately upon the bill  
being available on-line, but printing a bill takes time,  
especially depending on the length of the bill. He said  
all bills and resolutions were printed within the time  
parameters specified in the contract, e.g., bills of  
16 pages or less are to be delivered within 24 hours  
after the date of introduction and bills of 17 pages or  
more are to be delivered to the bill and journal room  
within 48 hours after the date of introduction. He said  
the concerns were resolved once this timelag was  
explained to the lobbyists who had requested copies  
of bills immediately after introduction.

Mr. Keiser distributed a revenue report for the bill  
and journal room, a copy of which is attached as  
Appendix A. The report shows cash receipts of  
\$237.16 for providing photocopies and \$30 for  
providing fax service. He said the photocopy and fax  
service is used primarily by lobbyists, and revenues  
are not significant, especially when considering the  
cost of renting the equipment. He said this is viewed  
more as a service provided by the bill and journal  
room.

In response to a question from Senator Heitkamp,  
Mr. Keiser said the number of bills needed to be  
printed depends on whether a school has scheduled a  
tour and what committee is scheduled to receive the  
students. He said students ask for and receive copies  
of the bill being heard by the committee they attend,  
and there may be 50 to 150 students on a particular  
day. He said the legislative rules and contract specifi-  
cations provide for printing 500 copies of each bill and  
resolution introduced and 100 copies of each bill and  
resolution engrossed.

The assistant director said the bill and journal  
room employees during the 2001 session recom-  
mended that for the 2003 session 300 to 350 copies  
of the bills as introduced and 150 to 200 copies of the  
bills as engrossed be printed. He said appropriate  
amendments will be prepared for Joint Rule 603 to  
reflect this suggestion as well as a revision of the invi-  
tation to bid for printing bills, resolutions, and journals  
for the 2003 legislative session, both of which will be  
presented to the committee for final approval later this  
interim.

## LEGISLATORS' NOTEBOOK COMPUTERS

At the request of Chairman Stenehjem, the assistant director reported the Legislative Council had delegated the issue of replacement of legislators' notebook computers to the committee. He said legislators' computers have been in service four to five years. He said the warranties on 60 computers expired before the session, and the warranties on 87 computers expired June 19. He said the computers are breaking down, and replacement parts are difficult to obtain. Although no record of repairs performed under warranty is available, he said, the cost of repairs and parts for nonwarranty work or for work after the warranty expired approximates \$9,897 for the past year. He said notebook computers not otherwise in use have been scavenged for parts. He said it would cost \$1,340 to replace the seven hard drives that do not work. He said the cost to replace needed display screens, motherboards, and keyboards would be more than the value of the computers. He said the Legislative Council staff has just about reached the end of the ability to salvage or scavenge parts from notebook computers that have not been assigned to legislators in order to keep computers used by legislators working.

Chairman Stenehjem called on Ms. Maryann F. Trauger, Information Technology Coordinator, Legislative Council, who made a presentation by teleconference call. Copies of two comparison lists for notebook computers were distributed to committee members, and the computers were on display for inspection by members of the committee. The comparison list dated June 12, 2001, was the list distributed to the Legislative Council at its June 14 meeting, and the comparison list dated June 26, 2001, reflects prices for computers with identical memory (RAM) and hard drive capacities. A copy of the lists is attached as Appendix B.

Ms. Trauger said the processors on the Gateway computers used by legislators are either Pentium 166 MMXs or Pentium II 233s. She said each computer has 48 megabytes (MB) of RAM and the hard drive is either two or four gigabytes (GB). She said the display is 13.3 inches and the operating system is Windows 95, which is no longer supported by Microsoft.

Ms. Trauger said during the legislative session there were many disconnects from the Legislator's Automated Work Station (LAWS) system and slow response on all systems, in addition to various hardware problems such as hard drive and battery failures. She said the limits on the Gateway computers have been reached as far as further software development and upgrades.

Ms. Trauger said the staff has been researching the requirements for the replacement of legislators' computers. During the legislative session, she said, it was noticed that legislators most frequently had the

LAWS system, Lotus Notes, and Internet Explorer open at the same time. She said 256-MB RAM would allow these systems, along with the operating system, to operate at an adequate speed when they are all in use. She said a 15-inch screen would accommodate future development in the LAWS system, particularly the need for legislators to see the text of measures while they were in the LAWS system. She said a 20-GB hard drive is recommended due to the amount of legislative software that needs to be loaded on the computers. She said the Windows 2000 operating system is recommended for use with Corridor application that provides access to LAWS via the Web. She said the Pentium III 900 megahertz processor speeds should be adequate for the future. She said because the notebooks are on a four-year replacement cycle, the cost of a four-year warranty was requested from vendors and that is reflected in the four-year warranty upgrade row on the comparison list. She said there are advantages in having warranties on the computers because in addition to covering the cost of repairs, the vendor is responsible for locating parts and supporting the computers from remote locations. She said the experience with the current Gateway computers is that it has become increasingly difficult to get parts, and there have been delays of up to six weeks. She said the staff has no experience with warranties or service work with the other vendors except for IBM. She said the Legislative Council staff has IBM notebook computers dating back to 1996 in usage, and only two repairs have been required, both of which were not warranty-type repairs.

Ms. Trauger referred to the five notebook computers on display--IBM ThinkPad A22m, Dell Inspiron 2500, Gateway Solo 9500, Compaq Armada E500, and HP OmniBook XE3. She suggested that in evaluating the notebook computers, committee members note the following:

1. The standard warranties for the IBM and Compaq computers are one year versus three years for the others.
2. The IBM model that fulfills the specifications includes a DVD drive, and there may be future applications that could use that technology. The Legislative Council has none at present. In order to make DVD an option, Compaq offers only a 14-inch screen.
3. The network connection on the IBM computer is on the back, while all other computers' network connections are on the sides. The side location of the network connection on the current Gateway computers resulted in a number of network disconnections during the legislative session.
4. The ease of access to the floppy drives and the CD-ROM drives differs among the computers.

5. Fan noise substantially differs among the computers. The exhaust outlets on the Dell computer appear accessible by small objects.
6. The Hewlett Packard is the lightest at 5.9 pounds, and the Gateway is the heaviest at 7.2 pounds.
7. The evaluation HP model differs from the model quoted, which has an internal floppy drive.
8. Gateway has provided a signed letter guaranteeing better warranty and repair service. A copy of the letter from Gateway is on file in the Legislative Council office.

In response to a question from Senator Bowman, Ms. Trauger said the Legislative Council's experience with Gateway has been difficult. She said the staff's notebook warranty repair experience with IBM has been negligible due to the fact that of the IBM notebook computers in use by the Legislative Council staff, some since 1996, there has been no warranty service required and otherwise only two repairs that were not the result of equipment failure.

Senator Heitkamp inquired as to the impact of deferring selection until before the 2003 legislative session. Ms. Trauger said if a delay of even one year is made, there can be no further enhancements to the LAWS system or modifications to address the problems experienced during the 2001 legislative session. She said many of the problems associated with the LAWS system were due to use of Windows 95, rather than a newer operating system, because of its difficulty in handling the Corridor application for LAWS. She pointed out Windows 95 is no longer supported by Microsoft, and new software applications do not focus on Windows 95.

In response to a question from Senator Stenehjem, Ms. Trauger said if the computers are not replaced soon, many legislators will be without computers or will be experiencing difficulty with their computers.

In response to a question from Representative Boucher, Ms. Trauger said leasing is primarily a method of financing a purchase, and responsibility for repairs would either be under warranty or outside the warranty with the user. She said any option to purchase or trade in the computers at the end of the lease would be reflected in the lease payments or in the purchase or trade-in price.

In response to a question from Senator Heitkamp, Ms. Trauger estimated a potential value of \$100 to \$350 each for the Gateway computers used by legislators.

In response to a question from Senator Krauter, Ms. Trauger said she cannot recommend buying a limited number of computers now and the remaining computers later. She said problems were experienced when this was done in the past because of the different operating systems loaded onto the computers. Although Windows 95 is on all the computers,

she said, slightly different versions of Windows 95 caused problems with legislative applications.

In response to a question from Senator Christmann, Ms. Trauger said there is no particular benefit to the bundled software provided with the personal computers. She said the Legislative Council has the licenses for all its legislative applications.

In response to a question from Senator Bowman, the assistant director referred to North Dakota Century Code (NDCC) Section 54-44-04.6, relating to state surplus property. He said surplus property is transferred at fair market value to state agencies, political subdivisions, and nonprofit organizations eligible to receive federal surplus property, and the proceeds received from the transfer of surplus property are transferred to the agency from which the property is received, less administrative expenses of the sale (approximately \$10). He said the statute requires the proceeds to be deposited in the general fund of the state treasury, the fund from which the computers were purchased. He said the Surplus Property Division has reported there are 1,200 requests for computers by state agencies, schools, and other political subdivisions. He said most computers surplus are in the \$100 to \$150 range, and unless a price is set by the Legislative Council, the Surplus Property Division would set the market value at which those computers could be purchased by authorized buyers. Unless the committee decides otherwise, he said, the Gateway computers would be transferred to the Surplus Property Division for transfer as provided by law.

In response to a question from Representative Belter, Ms. Trauger said although 147 computers are needed to provide a computer to each legislator, the recommendation is to acquire 150 computers so computers are available for testing and providing help service when legislators call with computer-related problems.

In response to a question from Senator Heitkamp, Ms. Trauger said the new computers would be distributed as soon as the computers were received, the software is loaded, and legislators receive the training on the Windows 2000 operating system. She said a question, and potential problem, involves legislators who have selected the personal usage option and have loaded personal software on the computers. She said this may cause problems for scheduling replacement of computers if legislators are unable to remove that software or desire that software to be loaded on the new computers and that software is not compatible with Windows 2000. She said every effort will be made to distribute the computers as quickly as possible, but unforeseen difficulties may cause the final computers not being distributed until late fall.

Senator Christmann said it appears that all options are similar, and he inquired whether legislators would be "surprised" with any of the computers. Ms. Trauger said comments concerning the Dell computer

are the fan noise, location of the exhaust fan outlets, the "noisy" keyboard and mouse buttons, the "firm" keyboard, and location of the network connection. She noted that during the legislative session, many network connections were lost from something as simple as laying a paper or other materials on the network cord of the Gateway computers. She said comments concerning the Gateway computer are the fan noise, the screen appears to be not as bright as the Dell and IBM computers, and the keyboard appears to get hot.

Representative Bernstein said it appears the choice is between the IBM, Dell, and Gateway computers. Although the least expensive option is not always the best, he said, there needs to be justification if another option is selected.

Ms. Trauger said a justification for selecting the IBM computer is the experience with reliability of IBM equipment; the display of the IBM computer is quite bright when compared to the others, which would help legislators view information while in the legislative chambers; and the network connection is on the back of the computer rather than on the side, which would alleviate problems experienced with side connections.

Representative Belter said an issue that needs discussion is the cost of the extended warranty. He said his personal experience is that an extended warranty is not needed because problems should appear in the first year of use.

Senator Krauter said the legislative session is a time when the computers are used to their fullest extent and that is the time when service needs would become apparent. He said his concern is that there needs to be warranty coverage at least through a legislative session. He said this does not mean that he prefers the Dell computer with its three-year warranty over the IBM computer with its one-year warranty. He said the IBM computer feels more substantive and has a keyboard with better "feel."

Senator Christmann said if a three-year warranty is viewed as good, a four-year extended warranty would appear to be better.

Senator Krauter said a number of legislators have questioned the use of Lotus e-mail versus the e-mail they have through private service providers. Ms. Trauger said Lotus Notes was selected to provide e-mail service when the computers were originally purchased for legislator use in 1995 because legislators are in remote locations (outside the Bismarck-Mandan local calling area) for 20 out of 24 months of the biennium. She said Lotus Notes has a replication feature that allows legislators to call in and download e-mail and other Lotus Notes data bases that include legislative information. Legislators can then disconnect (thus saving long-distance charges), work with their e-mail and the other data bases, and reconnect to send e-mail. She said Lotus Notes is more than an e-mail system. She said she is not aware of any other system that allows legislators local access to data

bases without being connected to the server. She said Lotus Notes provides notices to legislators concerning interim committee meetings and adds the meeting dates to the legislators' calendars when the notice is accepted; provides for preparation of vouchers when the meeting notices are prepared; provides for conference committee scheduling during the legislative session; provides for the telephone message system during the legislative session; and is a data base management system.

Senator Heitkamp inquired whether there is a way to take advantage of the full ability of the computers, especially with respect to reducing paperwork. He specifically inquired about the Appropriations Committees and the distribution of printed reports versus electronic reports or floppy disks. Ms. Trauger said there is a great deal that can be done and the Legislative Council staff is working to reduce paperwork and paper flow. She said the difficulty in relying solely on electronic media is that some legislators are more comfortable with paper media.

Senator Stenehjem announced that the committee would return to the topic of legislative computers after the luncheon break.

### **SESSION ARRANGEMENTS Secretarial and Telephone Message Center Services**

At the request of Chairman Stenehjem, the assistant director reviewed the history of contracting for Legislative Assembly secretarial services and Legislative Assembly telephone message service. He said secretarial services were provided by a private contractor for the first time in 1995. During the 1993 legislative session, secretarial services were provided by 10.5 legislative employees at a cost of \$56,629.20, which does not include the \$14,326.59 for the two chief stenographers and payroll clerks. During the 1995 legislative session, 10 employees were provided at a cost of \$46,053.50. During the 2001 legislative session, four employees were provided at a cost of \$24,975.97. (Payroll services are provided by a part-time Legislative Assembly employee.) He said the cost of secretarial services has gone down each session, as has the number of employees. He said Spherion provided secretarial services for the 1999 and 2001 legislative sessions.

The assistant director said the telephone message service was provided by a private contractor for the first time during the 2001 legislative session. He said the 1999 cost of operating the telephone room with 11 legislative employees was \$57,169.69, and the cost of operating the telephone message service during the 2001 session with nine employees was \$44,963.29.

Chairman Stenehjem called on Ms. Jill Berg, Spherion, Fargo. Ms. Berg said she was the franchise owner for Spherion in North Dakota and Spherion has offices in Fargo and Bismarck. She

introduced Ms. Heidi Flath, manager of the Bismarck office. Ms. Berg distributed a *2001 Legislative Session* report by Spherion, a copy of which is on file in the Legislative Council office.

Ms. Berg said one reason the number of secretarial service employees has been reduced to four is because Spherion does comprehensive testing of its employees and hires highly skilled employees. She pointed out that Spherion's bid of \$333.20 per day for secretarial services and \$711.20 per day for telephone message center service could have resulted in a total billing of \$25,656.40 for secretarial services and \$54,762.40 for telephone message center service. She said the actual billing was for \$24,975.97 for secretarial services and \$44,963.29 for telephone message service. She said the savings resulted from worker management and floating employees between the two areas as needed. She said Spherion maintained core employees and added additional employees on a flex schedule for a large part of the session. During the final weeks of the session, she said, Spherion utilized the message center to assist with proofreading and address validation.

In response to a question from Representative Boucher, Ms. Berg said the contract price is the maximum price per day, but Spherion billed only for the actual costs incurred. She emphasized that the billing of \$10,479.54 less than the contract price illustrates the effect of awarding the contract to a contractor who is willing to realize savings and pass that on to the Legislative Assembly.

Senator Krauter said he was required to sign authorizations for mail merges of 25 or more documents and in many instances was required to sign a number of mail merges for the same legislator for the same project. Ms. Karen J. Mund, Legislative Administrator, said a procedure was established based on the contract that if a mail merge of more than 25 names and addresses were requested, an authorization was required each time. Senator Heitkamp said the intent of the 25-name limitation is to ensure that the appropriate leader knows of a mail merge, and one authorization should be sufficient if the total number is indicated on the request. He said there is a need to retain this requirement, but one authorization with the number indicated as authorized should be sufficient.

Senator Heitkamp said his concern with messages is the lack of correct spelling of names. Ms. Mund said many of the problems with spelling resulted from people leaving messages after hours and not following the directions for spelling their names or clearly enunciating the spelling.

Representative Boucher requested that information be obtained on whether caller ID would be available to the telephone message center to better assist in correctly identifying callers.

Ms. Berg presented these recommendations and suggestions:

1. Continue to consider the secretarial services and telephone message center service as a total unit for staffing purposes.
2. Consider previous cost-savings and overall management when considering future bids rather than just the lowest price. The lowest bid may not always be the best replacement for management expertise and experience. Spherion's total combined bid was \$1,044.40 per day, which happened to be the lowest bid, but due to staff management by Spherion, the actual cost was \$908.30 per day, a substantial savings. The real value is in the bid price plus the cost-savings.
3. Consider other areas of staffing that could be privatized through a contractor who can move staff from one area to the other, e.g., the bill and journal room service, secretarial services, and telephone message center service could be provided by one contractor who manages all the employees and transfers employees to areas as needed.
4. The company that staffs the areas should provide a designated account manager to manage the communication process between the Legislative Council, the Legislative Assembly, and the areas under contract.
5. Be less optimistic on estimates for when the session ends to reduce staff turnover during the last weeks of the session.
6. The bid should include the pay rate or ranges in addition to a per diem billing rate because pay range is an important factor for recruiting a higher-caliber skill level and maintaining employees.
7. Cross-train two rather than one person between the telephone message center and the secretarial area for flexibility in coverage during peak periods.
8. Consider starting out with one to three fewer people during the first two to three weeks in the message center, increase it to nine, then down by one to three during the last two to three weeks of the legislative session, depending on workflow.

Senator Krauter expressed appreciation for the recommendations made by Ms. Berg to improve services and focus on savings. He inquired why the bill and journal room is not bid as a separate contract. The director said when the bill and journal room was first contracted to a private party, it was believed that a savings could be realized if the entity that printed the bills and resolutions also operated the bill and journal room. He said savings may or may not have resulted from a combined contract, but one effect may have been a reduction in the number of printing companies that were interested in bidding to print bills

and resolutions because of the need to also provide staffing for the bill and journal room.

**It was moved by Senator Krauter, seconded by Senator Heitkamp, and carried on a voice vote that the invitation for bid for operation of the bill and journal room be separated from the invitation for bid for the printing of bills, resolutions, and journals, but an alternative be provided in the invitation for bid for printing bills, resolutions, and journals to also operate the bill and journal room.**

Senator Krauter requested the Legislative Council to review the recommendations of Spherion and incorporate appropriate recommendations in the request for bid for secretarial and telephone message center services during the 2003 session.

### **Legislator Access to Printers During the Legislative Session**

Senator Christmann requested the Legislative Council staff to consider a simpler way for legislators to have access to a printer after hours or for print jobs of one or two letters. Senator Heitkamp said he purchased a printer to use with the notebook computer, but the problem is space on the legislator's desk. Representative Boucher said legislators could make arrangements with the appropriate leader's office staff for printing documents.

### **USE OF LEGISLATIVE CHAMBERS AND DISPLAYS IN MEMORIAL HALL**

At the request of Chairman Stenehjem, the assistant director reviewed the *Guidelines for Use of Legislative Chambers and Displays in Memorial Hall, North Dakota State Capitol*. The assistant director said the guidelines provide for the director of the Legislative Council to grant approval of use of the legislative chambers if the Legislative Management Committee is not meeting at a time appropriate for granting such approval. He said three requests for use of the chambers have been received from organizations that have had their requests approved in the past:

1. The Supreme Court--use of the Senate chamber from 1:00 p.m. to 5:00 p.m. on Monday, October 1, 2001, for the admission to the bar ceremony.
2. The North Dakota High School Activities Association--use of the Senate and House chambers and legislative committee rooms for a state student congress November 1-2, 2001.
3. The North Dakota Intercollegiate State Legislature--use of the Senate and House chambers either November 16-18 or November 30-December 2, 2001, for the Intercollegiate State Legislature.

**It was moved by Senator Bowman, seconded by Representative Bernstein, and carried on a voice vote that the committee approve the three**

**requests, subject to preemption in case of a legislative session during those dates.**

### **USE OF LEGISLATIVE COMMITTEE ROOMS**

At the request of Chairman Stenehjem, the assistant director reviewed the *Guidelines for Use of Legislative Committee Rooms, North Dakota State Capitol*.

### **SPECIAL SESSION RULES CONSIDERATIONS**

At the request of Chairman Stenehjem, the assistant director reviewed the procedures for a legislative session relating to redistricting. Under NDCC Section 54-03-02, he said, the Legislative Assembly is to reconvene as determined by the Legislative Council notwithstanding a motion to adjourn sine die. He said the number of natural days used may not exceed the number remaining which have not been used by the Legislative Assembly in regular session. Thus, he said, the Legislative Council could reconvene the Legislative Assembly for not more than three legislative days. He said the days need not be consecutive, e.g., committees could meet on Monday, the Legislative Assembly could convene on Tuesday, committees could meet on Wednesday, and the Legislative Assembly could meet on Thursday and Friday. If the Legislative Assembly were to be reconvened, he said, very few amendments to the legislative rules would be necessary because the session would begin on the 78th legislative day. Under Senate and House Rules 402, bills could not be introduced without approval of the Delayed Bills Committee. Under Senate and House Rules 601, amendments would be considered immediately after the report of the committee is received, and bills would be placed on the calendar for second reading and final passage immediately after action is taken on the amendment. Under Senate and House Rules 346, a measure could be messaged immediately upon adjournment of the day's session (with respect to notice of intention to reconsider a measure).

The assistant director said if the session is a special session called by the Governor, additional rules amendments may be necessary to address the issues of who may introduce bills, committee membership and responsibility, when committee hearings are to be held, when amendments are to be acted on, when second readings are to be made, and the length of time for reconsideration. He referred to a memorandum addressing House rules and joint rules amendments recommended by the Legislative Management Committee in 1994 with respect to the special session in 1994.

In response to a question from Representative Boucher, the assistant director said the Legislative Redistricting Committee will be receiving a timeline for dates that must be considered when enacting legislation establishing new legislative districts. He said that

information will be forwarded to members of the Legislative Management Committee.

In response to a question from Senator Krauter, the director said the Legislative Council has acquired four computers with legislative redistricting software. One is scheduled for use for training purposes, one is scheduled for use by the Legislative Council attorney assigned to the Legislative Redistricting Committee, and two are being held for assignment--probably one to the caucuses of each political party.

Senator Krauter suggested the Legislative Management Committee rather than the Legislative Redistricting Committee make the decision as to the number and assignment of computers with legislative redistricting software.

Representative Belter said he will review the issue of the number of computers with legislative redistricting software with Representative Timm, Chairman of the Legislative Redistricting Committee.

### LEGISLATORS' NOTEBOOK COMPUTERS

Chairman Stenehjem called for continuation of the discussion of legislators' notebook computers.

Senator Bowman said he reviewed the warranty provided by Dell Computer Corporation and pointed out the computers are manufactured from parts or components that are new or equivalent to new. He referred to a listing of notebook computers in the July 2001 issue of *PC World* magazine which described the performance of the IBM ThinkPad and the Gateway Solo 9500 as outstanding and the Dell Inspiron 2500 as satisfactory. Copies of the warranty and the article are on file in the Legislative Council office.

Representative Bernstein said he prefers the keyboard of the IBM over the keyboard of the Dell because the letters on the IBM keyboard are in sharper contrast to the keys, are bolder in style, and thus are easier to read.

Representative Belter said the Dell computer has a wider wrist rest than the IBM computer and the other computers. When he keyed information on the Dell computer, he said, it was more difficult to key because the edge of the keyboard cut into the area above his wrists. He said the IBM keyboard is much more visible than the Dell keyboard. He said IBM has the reputation of manufacturing a quality product, which is evident by the experience of the Legislative Council staff with IBM equipment.

Senator Heitkamp said the Dell computer has a three-year warranty, while the IBM computer has a one-year warranty. He said for the difference in cost between the two computers, a number of additional replacement computers could be purchased.

Senator Krauter said his concern is the one-year warranty for the IBM computer does not extend through a legislative session.

Senator Bowman said the committee needs to look beyond the use legislators make of their computers to determine whether purchase of a better quality machine now will result in better computers being made available in the future to other public agencies.

Representative Belter said companies provide extended warranties primarily for revenue. He said he doubts that many computers of the 150 purchased would fail.

**It was moved by Representative Belter and seconded by Representative Bernstein that the committee authorize the purchase of 150 IBM ThinkPad A22m computers without the extended four-year warranty.** Senator Heitkamp said he cannot support the added cost of the IBM computers over the Dell computers. **The motion failed on a 4-4 roll call vote.** Senators Stenehjem and Bowman and Representatives Belter and Bernstein voted in favor of the motion, and Senators Christmann, Heitkamp, and Krauter and Representative Boucher voted against the motion.

**It was moved by Senator Christmann and seconded by Senator Heitkamp that the committee authorize the purchase of 150 Dell Inspiron 2500 computers with the extended four-year warranty and without the DVD player.** Representative Belter said he favors the IBM computer because of the better feel of its keyboard and the better location of the network connection.

In response to a question from Senator Christmann, Ms. Mary H. Janusz, Information Technology Support Specialist, Legislative Council, said the DVD drive is interchangeable with the CD-ROM drive and thus it should be possible to acquire that item later.

Senator Bowman recommended that the Legislative Council staff keep track of the repair records for the Dell computers so as to be able to compare the record of maintenance with that of other notebook computers in use by the legislative branch and to see if the extended warranty is worth the additional cost. After this discussion, **the motion carried on a 5-3 roll call vote.** Senators Bowman, Christmann, Heitkamp, and Krauter and Representative Boucher voted in favor of the motion, and Senator Stenehjem and Representatives Belter and Bernstein voted against the motion.

### SESSION ARRANGEMENTS

Senator Krauter requested the Legislative Council staff provide information at the next committee meeting concerning staffing levels during the 2001 session, including before and after the session and for previous legislative sessions, as well as training provided to legislative session employees.

No further business appearing, Chairman Stenehjem adjourned the meeting at 2:30 p.m.

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Jay E. Buringrud  
Assistant Director

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John D. Olsrud  
Director

ATTACH:2