

LEGISLATIVE PROCEDURE AND ARRANGEMENTS COMMITTEE

The Legislative Management delegated to the Legislative Procedure and Arrangements Committee the Legislative Management's authority under North Dakota Century Code Section 54-35-11 to make arrangements for the 2017 legislative session. Legislative rules also are reviewed and updated under this authority. The Legislative Management also delegated to the committee the Legislative Management's:

1. Duty under Section 54-03-26 to determine the computer usage fee for legislators, and the authority to establish a policy under which a legislator may purchase the computer used by that legislator upon replacement of the computer by the Legislative Council;
2. Power and duty under Section 54-35-02 to determine access to legislative information services and impose fees for providing such services and copies of legislative documents and to control permanent displays in Memorial Hall and use of the legislative chambers;
3. Duty under Section 54-35-25 to establish a policy regarding promotional expenses made on behalf of the Legislative Assembly;
4. Responsibility under Section 54-03-20 to make recommendations to adjust legislative compensation amounts;
5. Responsibility under Section 54-03-20 to establish guidelines on maximum reimbursement of legislators sharing lodging during a legislative session;
6. Responsibility under Section 54-60-03 to determine which standing committees will receive a report from the Commissioner of Commerce on goals and objectives of the Department of Commerce;
7. Responsibility under Section 46-02-05 to determine contents of contracts for printing of legislative bills, resolutions, journals, and Session Laws;
8. Responsibility under Section 4-24-10 to determine when agricultural commodity promotion groups must report to the standing Agriculture Committees;
9. Responsibility under Section 4-35.2-04 to determine when the Agriculture Commissioner must report to the Agriculture Committees on the status of the pesticide container disposal program; and
10. Authority under Section 54-06-26 to establish guidelines for use of state telephones by legislative branch personnel.

The Legislative Management also assigned to the committee the responsibilities under 2009 Session Laws, Chapter 29, Section 5, and 2011 Session Laws, Chapter 1, Section 6, to administer the appropriations for legislative wing equipment and improvements. The Legislative Management designated the committee as the Legislative Ethics Committee under Section 54-35-02.8 with the responsibility to consider or prepare a legislative code of ethics.

The Legislative Management also assigned to the committee the responsibility to receive periodic reports from the State Court Administrator under Section 10 of 2015 Senate Bill No. 2015 regarding the status of the facility space expansion authorized by 2015 House Bill No. 1002. The Legislative Management assigned to the committee the authority under Section 1 of 2015 Senate Bill No. 2304 to request reports from the Friends of the North Dakota Governor's Residence regarding the fundraising plans of the task force and the progress of fundraising efforts for a new Governor's residence.

Committee members were Representatives Al Carlson (Chairman), Wesley R. Belter, Corey Mock, Kenton Onstad, and Don Vigasaa and Senators Robert Erbele, Joan Heckaman, Ray Holmberg, Jerry Klein, Mac Schneider, and Rich Wardner.

LEGISLATIVE SPACE RENOVATION PROJECTS Electrical and Fire and Safety Upgrades in Legislative Wing

The committee received information regarding necessary upgrades in the legislative wing to address areas in which electrical code or fire inspections revealed potential code violations. Eighty electrical receptacles in the House and Senate Chambers were identified as not meeting the requirements of the electrical code. The required upgrades were completed at a cost of approximately \$90,000. The committee was informed the annual fire inspection identified several minor items that were in violation of code provisions. Most of the items, including the proper placement of fire extinguishers, installation of upgraded exit signs, posting of occupancy limits, and installation of approved door handles and latches, were scheduled to be addressed as renovation work is completed within the legislative wing.

Data and Electrical Receptacles in Chamber Desks

The committee received information regarding the pop-up data and electrical receptacles on the desks in the House and Senate Chambers. Many of the receptacles have broken and are inconvenient to use. The committee approved the expenditure of funds to replace the receptacles. However, because a feasible alternative for replacing the receptacles without further cutting into the desk drawers could not be identified and due to budget constraints, the receptacles were not replaced.

Committee Room Video and Audio

During previous interims, the audio systems in the Harvest, Roughrider, Prairie, and Missouri River Rooms were upgraded to provide permanent in-room systems. The committee was informed there were approximately 10 meeting rooms for which in-room audio systems had not been installed. The committee approved the upgrading of the remaining committee rooms with in-room audio systems that included conference call access capability. The system upgrades were completed during the interim.

Brynhild Haugland Room Renovation

The committee received reports regarding the potential for renovating the Brynhild Haugland Room to make the room more functional and to enhance accessibility for the disabled. The stage in the front of the room generally has been used as a storage area and is viewed as wasted space. Because the room is at a lower level than the outside hall, a lift is located in one of the entry areas to provide access for the disabled. The committee was informed installation of access ramps in the entries would require ramps with landings which would extend the length of the ramps to almost 40 feet. To preserve the existing stairwell, a ramp could begin in the coat room and extend along the back of the stage. However, that option would involve cutting through an existing grade beam, which required additional examination by a structural engineer. The committee expressed its support for further study of options to renovate the Brynhild Haugland Room to remove the stage and install ramps to meet accessibility guidelines.

Legislative Media Room

The committee received information regarding the condition of the legislative media room. Although the media room, previously referred to as the press studio, had occasional small improvements, the room had not been renovated since 1981. Therefore, the technology used in the room was very outdated and the appearance of the room was deteriorating. The committee approved plans for renovating the media room, including installation of upgraded audio systems, improved lighting, and new acoustical panels. In addition, the committee approved the purchase of new tables, chairs, and a podium for the room. The approved upgrades were completed.

Judicial Wing Meeting Rooms

The 2015 Legislative Assembly included over \$1 million in the judicial branch budget and the Office of Management and Budget appropriation to provide funds to renovate space in the judicial wing of the Capitol, which was vacated when the Information Technology Department moved to another facility. In addition, the Legislative Assembly appropriated \$160,000 to the legislative branch to purchase and install audio and visual equipment, tables, chairs, and other furnishings in meeting rooms within the facility space expansion for the purpose of using three of the rooms for legislative committee rooms. Section 26 of Senate Bill No. 2015 amended Section 48-08-04 to provide the three additional meeting rooms comprising approximately 4,000 square feet in the judicial wing are legislative committee rooms under the jurisdiction of the legislative branch and may not be used during the interim between legislative sessions without the authorization of the Legislative Council.

The committee received periodic updates regarding the renovation process and held its final meeting of the interim in one of the newly created meeting rooms. The renovated meeting rooms consist of a large meeting space that may be separated into two meeting rooms, one of which will accommodate a committee of 19 members and one of which will accommodate a committee of 22 members, and a smaller room that will accommodate a committee of 13 members. The committee requested the Legislative Council to work with the State Court Administrator to develop a procedure under which the Legislative Council will grant authorization to the judicial branch to use the meeting rooms when the Legislative Assembly is not in session. The Legislative Management approved naming the new smaller rooms the Sheyenne River Room and the larger meeting room the Coteau A and Coteau B Rooms.

LEGISLATIVE SPACE USE

Legislative Chambers and Memorial Hall

Since 1981 the Legislative Management has delegated to the committee the responsibility under Section 54-35-02(8) to control the legislative chambers and any permanent displays in Memorial Hall. In exercising this responsibility, the committee has adopted guidelines for use of the legislative chambers and displays in Memorial Hall.

During this interim, the committee approved requests for use of both chambers and legislative committee rooms by the North Dakota High School Activities Association State Student Congress on November 3-4, 2016, and November 2-3, 2017; use of the House Chamber by the Secretary of State for a statewide biennial election conference on February 17, 2016; use of the House and Senate Chambers for a bioterrorism training exercise on December 1, 2015; use of the House Chamber by the Department of Trust Lands for oil and gas lease auctions on February 2, May 3, August 2, and November 1, 2016; and use of the House balcony conference room by the Secretary of State for location of project management staff beginning in mid-February 2016 and ending by October 31, 2016.

The committee received a request to place an electronic device charging station in Memorial Hall. Although committee members were generally in favor of accepting the offer to install a charging station for use during the 2017 legislative session, committee members expressed concern with locating the charging station in Memorial Hall. The committee encouraged representatives of the Office of Management and Budget to work with the North Dakota Association of Rural Electric Cooperatives to find a suitable location, other than Memorial Hall, to place an electronic device charging station.

Under the guidelines, any permanent display in Memorial Hall is to be reviewed annually. Since removal of two statues and a replica of the Liberty Bell in 1984, Memorial Hall does not contain any permanent display. (The Liberty Bell is on display in the entrance/commons area of Century High School in Bismarck.)

Legislative Committee Rooms

Joint Rule 804 provides during a legislative session committee rooms may be used only for functions and activities of the legislative branch, but the Secretary of the Senate or the Chief Clerk of the House may grant a state agency permission to use a room at times and under conditions not interfering with the use of the room by the legislative branch. With respect to use during the interim, Section 48-08-04 applies and provides committee rooms may not be used without authorization of the Legislative Council.

The Legislative Management adopted the policy governing approval of use of committee rooms in 1998 and the committee has revised the policy as necessary to address issues that have arisen. The policy also applies to use of the legislative media room on the ground floor of the legislative wing whether during the session or during the interim. The policy is similar to that governing use of the chambers.

LEGISLATIVE RULES

The committee continued its tradition of reviewing and updating legislative rules. The committee reviewed specific questions or comments recorded during the 2015 legislative session regarding rules issues.

Senate and House Rules 203 - Deposit of Records with the Secretary of State

Senate and House Rules 203 require the Secretary of the Senate and the Chief Clerk of the House to deposit with the Secretary of State all books, bills, documents, resolutions, and papers in their possession. After the 2015 session, the Secretary of State questioned the need for the portion of the rule relating to deposit of the records because nothing has been delivered to him in all the years he has been in office.

The committee recommends amendment of Senate and House Rules 203 to remove the requirement that the Secretary of the Senate and the Chief Clerk of the House deposit with the Secretary of State all books, bills, documents, resolutions, and papers in their possession.

Senate and House Rules 206 - Legislative Employees

Senate and House Rules 206 list the various classes and numbers of legislative employees. Upon changes in the number of Senate and House employees from previous sessions, corresponding changes become necessary in the rule listing the number of employees.

The committee recommends amendment of Senate and House Rules 206 to change the numbers of various Senate and House employees to reflect the number of employees approved by the committee for the 2017 legislative session.

Senate and House Rules 319 - Roll Call Vote on Division of Bills

Senate and House Rules 319 provide a bill may be divided if each resulting division is so distinct and separate it can stand as a complete proposition without being rewritten. During the 2015 session, a question arose as to whether a roll call vote is required when voting on the divisions of a bill.

The committee recommends amendment of Senate and House Rules 319 to require roll call votes on all divisions of bills.

Joint Rule 206 - Consent Calendar

Joint Rule 206 provides a standing committee may report an uncontested bill or resolution or a contested resolution out of committee and may include in its report a recommendation for placement on the consent calendar. Members in the House indicated there has been some confusion regarding placing contested resolutions on the consent calendar. Recent House Speakers have indicated contested resolutions should not be placed on the consent calendar.

The committee recommends amendment of Joint Rule 206 to remove contested resolutions from the list of items that may be placed on the consent calendar.

Legislative Deadlines

The committee considered methods to conserve legislative days during the first week of the 2017 legislative session. The committee recommends holding committee hearings during the entire day on Wednesday and Thursday, January 4-5, 2017, and not holding floor sessions those days. Under the proposal, the State of the Judiciary address and the Tribal-State Relationship address will be held on Friday, January 6, which is scheduled to be the second legislative day.

The committee also recommends the amendment of any applicable legislative rules to change references to particular legislative days to keep legislative deadlines on the same dates, including deadlines for the introduction of bills. Under the proposed rule changes, the bill introduction deadlines will remain on Mondays.

Other Rules Proposals Considered

The committee reviewed proposals to allow the prime sponsor of a bill to testify regarding the intent of the bill at a hearing upon rereferral to the Appropriations Committees and to require a bill to be rereferred to a policy committee if a bill referred to the Appropriations Committee is proposed to be amended other than an amendment to the appropriation.

LEGISLATIVE INFORMATION SERVICES

Beginning with the 1985-86 interim, the committee has reviewed the cost of providing various printed documents to persons outside the legislative branch. Subscription fees have been established which approximate the cost of printing a set of the relevant documents during the previous legislative session. Representatives of the media, as determined under Joint Rule 803, and state agencies and institutions are not charged the fees for copies of bills and resolutions, daily journals, daily calendars, and committee hearing schedules. All of these documents are available on the legislative branch website.

Bills, Resolutions, and Journals Subscription

During the 2015 legislative session, 15 entities paid to receive a set of bills and resolutions from the bill and journal room, 4 entities paid to receive a set of journals, and 1 entity paid to receive the journal index.

The committee established the following fees with respect to these documents during the 2017 legislative session-- \$350 for a set of bills and resolutions as introduced and printed or reprinted, including a set of all engrossed and re-engrossed bills and resolutions; \$175 for a set of daily journals of the Senate and House; and \$45 to receive the permanent index to the Senate and House journals.

The number of subscribers has been decreasing likely because all the documents are available on the legislative branch website. Because no subscriber has requested to have the documents mailed, the committee eliminated the option of mailing the documents to subscribers for a higher fee. The committee continued the policy provided under Joint Rule 603 that anyone can receive no more than five copies of a limited number of bills and resolutions without charge. The committee also requested the Legislative Council to communicate with representatives of state agencies to encourage the use of the electronic resources provided by the Legislative Council, including the use of documents available online and the use of the bill tracking service.

Bill Status Report Subscription

The printed version of the bill status system provides information on the progress of bills and resolutions, the sponsors of measures, and an index to the subject matter of measures. Two entities paid a \$395 subscription fee to receive these reports from the bill and journal room during the 2013 legislative session and no one paid the \$425 subscription fee to receive the reports in 2015.

The committee determined printed bill status reports should continue to be made available through the bill and journal room only to those who subscribe to the 2017 bill status reports and pay a \$565 subscription fee. The committee eliminated the option of having the bill status reports mailed to subscribers. After consultation with representatives of the press, the committee eliminated the delivery of two copies of the *Bill Status Report* to the press room.

Committee Hearing Schedules and Daily Calendars Subscription

The committee continued the practice of making committee hearing schedules and daily calendars available at no charge. The committee also eliminated the option for mailing the committee hearing schedules or daily calendars.

Bill and Journal Room Photocopy Policy

Under the contract for providing secretarial, telephone message, and bill and journal room services, the contractor is to collect photocopying fees and transmit those fees to the Legislative Council office. Fees are not charged for providing a photocopy of a legislative document available for distribution to the public by personnel in the bill and journal room (bills, journals, calendars, and committee hearing schedules) nor for providing a photocopy to a legislator, a House or Senate employee, or a Legislative Council employee. Under the policy, the fee for photocopying service is 25 cents per page.

Incoming WATS Line Service

Beginning with the 1985 legislative session, incoming WATS lines have been provided for residents in the state to contact legislators or obtain information concerning legislative proposals. If all lines are in use or the call is made after regular business hours, a caller is given two options--one for staying on the line (if the call is during regular business hours) and one for leaving a message for legislators from the caller's district. This message feature is available 24 hours a day, 7 days a week during regular legislative sessions. It has been the policy to allow a caller to leave a message for the caller's local legislators (legislators from the caller's district and legislators of the city of the caller) and for specifically named legislators identified by the caller.

The committee made no changes regarding the incoming WATS line telephone message service for the 65th Legislative Assembly. Because the volume of incoming calls has decreased significantly over the last 15 years, the committee authorized the Legislative Council to reduce the number of phone lines if appropriate. The WATS number will continue to be 1-888-ND-LEGIS (1-888-635-3447).

LEGISLATIVE COMPENSATION

Legislative Compensation Review

In 2011 the Legislative Assembly repealed the law providing for a Legislative Compensation Commission and amended Section 54-03-20 to provide the Legislative Management is to make recommendations and submit any necessary legislation to adjust legislative compensation amounts.

The committee received information on legislative compensation and expenses, the process for adjusting compensation, legislative compensation increases compared to inflation and state employee salary increases, and legislative compensation levels in other states.

The general consensus of committee members was that the 2017-19 biennium budget of the Legislative Assembly should include funding for changes to legislative compensation to provide for adjustments of 1 percent in each year of the 2017-19 biennium, subject to revision if necessary during the 2017 legislative session to equal the percentage changes provided for state employee salary increases, and the necessary related statutory changes.

Legislator Expense Reimbursement Policy

Section 26 of Article XI of the Constitution of North Dakota, provides payment for necessary expenses of legislators may not exceed that allowed for other state employees. Section 54-03-20 provides the maximum lodging reimbursement for legislators during a regular legislative session may not exceed 30 times 70 percent of the daily lodging reimbursement for state employees and officials. Under that formula, legislators may receive up to \$1,682 per month as reimbursement for lodging for the 2017 legislative session.

The committee made no changes to the legislative expense reimbursement policy that was in place for the previous three legislative sessions--reimbursable lodging expenses during a legislative session include utilities (electricity, heat, and water, including garbage collection and sewer charges), basic telephone service and telephone installation charges, snow removal expense, and furniture (rental of furniture and appliances and transit charges for moving rental furniture and appliances). In addition, the lodging expense reimbursement of two or more legislators sharing housing in a single dwelling is subject to approval by the Chairman of the Legislative Management, in accordance with Section 54-03-20.

LEGISLATIVE COMPUTERS

Legislator Data Plan Reimbursement

Before November 1, 2012, legislators received reimbursement for their mobile data plans two ways. The method for non-Verizon users required legislators to submit a voucher at least quarterly to the Legislative Council. The method for Verizon users required legislators to participate in split billing--their data costs associated with their plan were billed separately to the state of North Dakota.

During the 2011-12 interim, the committee approved a new method of reimbursing legislators for their data plans effective November 1, 2012. All participating legislators were required to submit a request form for reimbursement of their mobile data costs to the Legislative Council, identifying data costs associated with legislative business, along with a copy of their wireless carrier bill identifying the mobile data costs. The Legislative Council provided monthly reimbursement at that level until the legislator incurred a change in mobile data cost, contract, or vendor. At such time, the legislator was to submit a new request form to the Legislative Council for reimbursement of the legislator's mobile data costs, identifying data costs associated with legislative business, along with a new copy of the wireless carrier bill showing new mobile data costs.

During the 2013-14 interim, the committee reviewed the effects of the November 2012 policy. The "new" method of reimbursement was found to have its own problems. Plan configurations and options, as well as devices, change so frequently that legislators may not have selected the most cost-effective or friendly plan. In addition, constantly revising the policy to address every variation of plan configurations was not viewed as feasible. The committee approved discontinuance of the November 2012 policy and approved a \$90 per month information technology stipend for legislators who sign an agreement that they will use the stipend for technology-related costs. The policy eliminates the need for split billing and state involvement with reimbursements. The committee recognized a stipend would be included in a member's taxable income, but broadband and mobile data expenses are deductible expenses and this should be a wash for a member.

The committee made no changes to the data plan reimbursement policy.

Legislative Computer Replacement

The majority leaders appointed a Computer Replacement Workgroup that focused on the types of laptop computers and tablets to be provided to legislators to replace computers used by legislators. With respect to the laptop computers, the workgroup focused on issues that included screen size, screen resolution, and weight. The workgroup recommended purchase of HP EliteBook 850 (having the 15.6-inch screen with 1920x1080 resolution and weighing 4.1 pounds). With respect to tablets, the workgroup focused on whether to purchase the iPad Pro (12.9-inch screen and 1.57 pounds) or the iPad Air 2 (9.7-inch screen and 0.98 pounds). The workgroup recommended the purchase of the 128 GB iPad Pro, which included a smart connector interface to allow for two-way exchange of power and data and Wi-Fi and cellular capable. The iPad Pro also was designed to use a smart pencil, which would be an option that each legislator could choose to purchase. The workgroup members viewed the larger iPad Pro as a step toward potentially moving away from the purchase of laptops during the next replacement cycle and purchasing only one device for legislators.

The committee approved the recommendations of the workgroup to purchase HP EliteBook 850 and Apple iPad Pro. The purchased devices resulted in savings of \$110,582.

Personal Computer Use Policy

The committee reviewed the *Policy on Use of Personal Computers by Legislators*. The policy describes statutory restrictions on use of personal computers and governs use of state-owned personal computers and use of privately owned personal computers to access legislative information systems. The policy also addresses the use of tablet computers, provides for copying of legislator information to replacement computers, includes a procedure on purchase of old computers, and authorizes a fee for acquiring a replaced computer and a computer assistance fee.

The committee approved a change in the policy to reflect a statutory change in the definition of the term "political purpose." The committee also established the fees for purchase of replaced laptop computers (\$250) and for the purchase of replaced iPads (\$200).

Legislator Computer Training

The organizational session agenda approved by the committee continues the computer training classes for returning legislators beginning at 9:00 a.m. on Monday, December 5, 2016. The agenda also provides for a computer distribution and training session for new legislators at 3:15 p.m. on Monday, December 5, 2016, in addition to the traditional training sessions for new legislators on Wednesday, December 7, 2016. In addition, the agenda includes laptop computer and tablet training sessions on Tuesday and Wednesday, December 6-7, 2016, for returning legislators.

SESSION ARRANGEMENTS

Doctor of the Day Program

The committee accepted an offer by the North Dakota Medical Association to continue the doctor of the day program during the 2017 legislative session under the same arrangements as in the past. The association is planning to rely on physicians and residents from around the state to volunteer for the program and provide basic health care services and referrals on most days during which the Legislative Assembly is in session. The association also is planning to provide opportunities as in past sessions for legislators to participate in health screenings and other educational and wellness activities during the legislative session.

Legislator Wellness Program

Section 54-52.1-14 requires the Public Employees Retirement System (PERS) Board to develop an employer-based wellness program encouraging employers to adopt a board-approved program. The incentive for adoption of a program is a 1 percent of health insurance premium charge to agencies that do not participate in the program.

A wellness program must include the "mandatory activity" of communicating wellness materials provided by PERS and Sanford Health to individual employees on a monthly basis and promoting the PERS smoking cessation program to employees. In addition to this mandatory activity, different "optional" activities must be developed each year.

The comprehensive health assessment will be continued during the 2017 legislative session as provided through the doctor of the day program by the North Dakota Medical Association during previous legislative sessions.

Legislators' Supplies

Stationery

Before 2013, every legislator had been given the option of receiving 250 sheets of regular (8.5 inches by 11 inches) or Monarch (7.5 inches by 10.5 inches) stationery and envelopes, 250 sheets of each type of stationery and envelopes, 500 sheets of either type of stationery and envelopes, or 250 or 500 envelopes. A legislator also was allowed to request an additional 500 sheets of stationery and 500 envelopes, up to 1,000 sheets and envelopes total. The Speaker, each leader, and each assistant leader were entitled to as much regular and Monarch stationery as needed. In addition, an electronic letterhead was provided to all legislators to use as a template to print correspondence on regular paper and envelopes.

That policy was changed for the 2013 legislative session. In 2012 the committee determined legislators should be provided with an electronic letterhead for use in printing letters and envelopes rather than receive stationery and envelopes through a contract printer. Because computers are provided to all legislators, the committee concluded there was little need for continuing to provide individualized stationery and envelopes when templates are provided for legislators to use through software on their computers.

The committee approved continuation of the policy of providing electronic letterhead for use in printing letters and envelopes.

Brief Bags

The committee approved continuation of the policy, first established in 1984, of providing a brief bag to each legislator on request. With respect to newly elected legislators, the request form will be included in the information packets distributed to newly elected legislators during the organizational session. During the 2013-14 interim, the committee approved use of a saddle brown leather brief bag that includes an embossed Great Seal on the side, "North Dakota Legislative Assembly" on the outside of the name tag, and the name of the legislator on the inside of the name tag. The upgrade to the higher-quality leather brief bag was approved with the intent the bags would last 4 years. The committee approved the purchase of additional leather brief bags for new legislators.

Capitol Access Cards

Since October 1999 the Capitol has operated under a security card system. Access to the Capitol on weekdays before 6:45 a.m. or after 5:30 p.m. or on weekends requires use of a security card to present near a reader that unlocks the door and records use of the card. Each security card is coded and a computerized record is kept of use. Since 2008 security access cards have been provided to legislators on request. A security card will be provided to a legislator who requests one and signs a form acknowledging receipt of the card.

Legislator Photo Identification Cards

Starting in 2010, each legislator was provided with a credit card-sized photo identification card containing the legislator's current legislative photograph, a current signature of the legislator, the legislative session WATS line number (1-888-635-3447), the Legislative Council telephone number, and the Legislative Council WATS line number. A photo identification card expires upon the expiration of the term of the legislator. New cards will be issued to newly elected legislators.

Legislator Photographs

The committee approved the invitation to bid for photography services to the 65th Legislative Assembly. The invitation to bid contained generally the same specifications as the contract for the 64th Legislative Assembly. The photographs of legislators are to be taken during the organizational session in 2016, and the photographs of the six elected legislative officers are to be taken during the first week of the regular session.

The photographer is to provide the digital image of the pose selected by the photographer to the Legislative Council by Wednesday, December 21, 2016, for use in updating the legislative branch website, and the photographer is to provide the digital image of the final pose to the Legislative Council by Friday, February 17, 2017.

The invitation to bid was sent to 263 photography firms in the state.

Eight photographers submitted bids--Glasser Images, Bismarck, \$3,900 and \$25 for each additional 11 x 14 inch frame; Anderson Photography, Crosby, \$4,000 and \$15 for each additional frame; and The Camera Lady Photography, Mandan, \$9,280 and \$25 for each additional frame; Gemar Photography, Minot, did not meet bid requirements; Kennedy's Photography, Jamestown, did not meet bid requirements; and J. Wooden Photography, Hebron, was received after the deadline. The committee awarded the contract to Anderson Photography.

Session Employee Positions

The committee reviewed the number of employee positions during the 2015 legislative session and historical changes in legislative employee positions since 1993. The 1993 legislative session was used as a base session because legislative employment peaked during that session, with 59 Senate employees and 77 House employees. During the 2013-14 interim, the committee recommended a total of 84 session employees--38 Senate employees and 46 House employees. The actual number of employee positions during the 2015 legislative session were 36 in the Senate and 48 in the House.

The committee reviewed and approved a legislative session employee position plan that proposed 37 Senate employee positions and 47 House employee positions during the 2017 legislative session. The plan:

- Continued the four staff assistants authorized for the majority leaders and the four staff assistants authorized for the minority leaders.
- Continued employment of a parking lot attendant by each house.
- Continued employment of the number of assistant sergeants-at-arms at the 2015 level.

Session Employee Compensation

The committee reviewed legislative session employee compensation levels during the 2015 legislative session. The committee received information on the effect of providing a general increase reflecting the increases of 3 percent and 3 percent approved by the 64th Legislative Assembly for state employees in 2015 and 2016. In addition, because of budget allotments and uncertainty with respect to the status of the state budget for the remainder of the 2015-17 biennium, the committee was provided options for a 3 percent increase and a 3 percent and 2 percent increase.

The committee recommends the daily compensation rates during the 2017 legislative session be increased to reflect an increase of 3 percent. As a result of this recommendation, compensation will range from \$115 to \$196 per day (\$14.38 to \$24.50 per hour based on an 8-hour day). The committee recommends continuation of the authorization for employees to receive an additional \$1 per day for each previous regular session employed, up to an additional \$10 per day.

The committee recommends the concurrent resolution establishing employee positions continue the practice of not including specific names or identifying specific individuals. This type of resolution was first adopted in 1997 as a means to provide flexibility in the hiring of employees after adoption of the concurrent resolution. By designating positions and compensation levels, and not naming employees, an employment committee report that names an employee and designates the position is sufficient to identify that employee, the position, and the compensation level. The committee also recommends the concurrent resolution continue to refer to the generic position of "legislative assistant" in place of employees formerly classified as assistant sergeant-at-arms, supply room coordinator, desk page, page and bill book clerk, information kiosk attendant, and parking lot attendant; continue to include provisions authorizing conversion of full-time positions to part-time positions; and continue to authorize the leaders to consolidate staff assistant positions.

Session Employee Orientation and Training

The Legislative Council staff will provide the orientation and training of legislative session employees. The training will be similar to that provided before the 2015 legislative session. Most employees needing specialized training will receive training in December.

Secretarial, Telephone Message, and Bill and Journal Room Services

Secretarial Services

In 1993 the joint secretarial pool consisted of the equivalent of 10.5 stenographers and typists and each house employed a chief stenographer and payroll clerk. Beginning with the 1995 legislative session, the Legislative Assembly has contracted with a third party to provide secretarial services. Beginning with the 2013 legislative session, the Legislative Council staff assumed the responsibility for handling payroll for the Legislative Assembly.

Telephone Message Services

In 1999 the Legislative Assembly employed a chief telephone attendant, eight telephone attendants, and two telephone pages. Beginning with the 2001 legislative session, the Legislative Assembly has contracted with a third party to provide telephone message services.

Bill and Journal Room Services

In 1995 the Legislative Assembly employed 12 bill and journal room clerks. Beginning with the 1997 legislative session, the Legislative Assembly has contracted with a third party to provide bill and journal room services.

Consolidated Services

Beginning with the 2001 legislative session, secretarial services and telephone message services were provided by the same contractor. Beginning with the 2003 legislative session, secretarial, telephone message, and bill and journal room services have been provided by one third-party contractor.

Since the first contract with a third party to provide services formerly provided by Legislative Assembly employees, the committee has reviewed workload to ensure appropriate levels of service. As a result of the decreasing number of documents prepared and the decreasing number of telephone calls received during recent legislative sessions, as well as recommendations of the third-party contractors to allow for cross-training of employees so they can be assigned among the areas as needed, the number of employees under contract to provide secretarial, telephone message, and bill and journal room services has been reduced as appropriate to meet workload.

The committee approved an invitation to bid for services during the 2017 legislative session to provide three and one-half employees for secretarial, telephone message, and bill and journal room services. Beginning with the 2015 legislative session, the secretarial and telephone message and the bill and journal room services were collocated in the bill and journal room.

The invitation to bid was sent to nine temporary personnel services. The committee received three bids--Labor Match Staffing Solutions, LLC bid \$510.88 per day; Dakota Staffing Solutions bid \$564.20 per day; and Spherion Staffing LLC bid \$585.72 per day for approximately 75 days during the legislative session for three and one-half employees. Each bidder also provided a bid for one employee for 14 days before the convening of the legislative session. For that portion of the bid, Labor Match Staffing Solutions, LLC bid \$144.48 per day, Dakota Staffing Solutions bid \$165.20 per day, and Spherion Staffing LLC bid \$164.72 per day. The hourly pay is at least \$14.50 for the employees and at least \$15 for the onsite supervisor.

The committee accepted the bid by Dakota Staffing Solutions to provide secretarial, telephone message, and bill and journal room services during the 2017 legislative session.

Secretarial Services Policy

To ensure proper use of secretarial services, the committee reviewed and approved the *Policy Regarding Secretarial Services to Legislators* last approved by the Legislative Management in November 2014. The policy points out secretarial service employees are not legislative employees; describes secretarial services as being available between 7:00 a.m. and 5:00 p.m.; provides for 24-hour turnaround of most projects; limits requests for transcripts of committee hearing tapes to the majority leader, as requested by the committee chairman when the committee clerk is unable to prepare minutes due to illness, disability, or absence; limits merge requests to 25 individual addresses unless otherwise approved by a majority leader or minority leader, as appropriate; and provides the procedure for any comment or complaint regarding the service. A copy of the policy is included in the legislators' information packets distributed during the organizational session.

Legislative Internship Program

Since 1969, the Legislative Assembly has sponsored a legislative internship program. During recent legislative sessions, the program has provided the Legislative Assembly with the assistance of law school students for a variety of tasks, especially the preparation of amendments, and has provided the students with a valuable educational experience. Although assigned to committees, the interns are supervised by the Legislative Council staff. Since the beginning of the program, each intern has received a stipend as a means of covering the expense of participating in the program.

The committee approved continuation of the program for the 65th Legislative Assembly, with up to 10 intern positions allocated to the University of North Dakota School of Law for assignment to the 3-day and 2-day standing committees. Because of concern the American Bar Association may not allow continuation of the stipend provided to law student interns, the committee authorized the Legislative Council to work with representatives of the School of Law to develop an approved reimbursement policy, with a maximum reimbursement of \$3,500 per month for the 4-month program, which is an increase from the 2015 monthly reimbursement of \$3,400.

The committee also approved the addition of up to four interns to be assigned to the Legislative Council fiscal staff under the same terms as the interns from the University of North Dakota School of Law.

Legislative Tour Guide Program

During the past 20 legislative sessions, the Legislative Council has operated a tour guide program that coordinates tours of the Legislative Assembly by high school groups. The tour guide program is used extensively by high school groups; however, upon request, other groups have been placed on the tour schedule. The committee approved the continuation of the tour guide program for the 2017 legislative session.

Chaplaincy Program

The Bismarck-Mandan Ministerial Association has coordinated the scheduling of a chaplain in each house to open the daily session with a prayer. Each chaplain receives a daily stipend of \$25. The committee authorized the Legislative Council staff to invite the local ministerial associations to continue to schedule chaplains for opening prayers for both houses each day of the 2017 legislative session.

The committee authorized the Legislative Council staff to notify all legislators that they have until December 31, 2016, to schedule out-of-town clergy to give the opening prayer any day of the legislative session for their respective houses during the 2017 legislative session.

Organizational Session Agenda

The committee approved a tentative agenda for the 2016 organizational session. Two major changes first made in 2002 were continued--convening the session on Monday rather than Tuesday and convening at 1:00 p.m. rather than 9:00 a.m. The agenda continues the provision of orientation classes for freshman legislators and computer training classes for returning legislators beginning at 9:00 a.m. on Monday. The agenda includes a computer distribution and training session for new legislators at 3:15 p.m. on Monday and additional computer distribution and training sessions on Tuesday and Wednesday.

State of the State Address

During the 2015 legislative session, the House and Senate convened in joint session at 1:00 p.m. on the first legislative day. Three escort committees were appointed--one for the Lieutenant Governor, one for the Chief Justice of the Supreme Court, and one for the Governor and First Lady. The Governor then presented his State of the State address.

The committee authorized the Legislative Council staff to contact the Governor for presentation of the State of the State address on the first legislative day of the 2017 legislative session.

State of the Judiciary Address

The committee authorized the Legislative Council staff to make plans with the Chief Justice of the Supreme Court for the State of the Judiciary address to a joint session on the morning of the second legislative day, which is scheduled to be Friday, January 6, 2017.

Tribal-State Relationship Message

The committee authorized the Legislative Council staff to extend an invitation to representatives of the Indian tribes to make a presentation to the 65th Legislative Assembly on the afternoon of the second legislative day, which is scheduled to be Friday, January 6, 2017.

Agricultural Commodity Promotion Groups Report

The committee reviewed Section 4-24-10, which requires 14 agricultural commodity promotion groups to file a uniform report at a public hearing before the standing Agriculture Committee of each house. The committee designated the second legislative day the Agriculture Committees meet--Friday, January 6, 2017--as the day for a joint hearing by the Senate and House Agriculture Committees to receive this report.

Agriculture Commissioner Report

The committee reviewed Section 4-35.2-04, which 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. The committee determined the report should be made on the same day the committees receive the agricultural commodity promotion groups report--Friday, January 6, 2017.

Commissioner of Commerce Report

The committee reviewed Section 54-60-03, which requires the Commissioner of Commerce to report to a standing committee of each house as determined by the Legislative Management. The report is to be with respect to the

Department of Commerce's goals, objectives, and activities. The committee determined the report should be made to the Industry, Business and Labor Committees on the third legislative day--Monday, January 9, 2017.

LEGISLATIVE ETHICS COMMITTEE

Section 54-35-02.8 requires the Legislative Management to appoint an ethics committee to consider or prepare a legislative code of ethics. Since 1995, the Legislative Management has appointed the Legislative Management (now Legislative Procedures and Arrangements) Committee as the Legislative Ethics Committee.

During the 1995-96 interim, the Legislative Management Committee reviewed North Dakota laws affecting legislative ethics. That committee recommended legislative rules declaring a legislative ethics policy urging members to maintain ethical standards and recognize the importance of standards contained in the rules, urging members to apprise themselves of constitutional provisions and statutes that prohibit conduct for which criminal penalties may apply, and requiring the Legislative Council to conduct classes on legislative ethics and laws governing the activities and conduct of public officials. The Legislative Assembly adopted those rules as Joint Rules 1001 through 1004.

The committee makes no recommendation regarding changes to the legislative code of ethics.

TELEPHONE USAGE GUIDELINES

Under Section 54-06-26, a state official or employee may use a state telephone to receive or place a local call for essential personal purposes to the extent that use does not interfere with the functions of the official's or employee's agency. When a state official or employee is away from the official's or employee's residence for official state business and long-distance tolls would apply to a call to the city of residence, the official or employee is entitled to make at least one long-distance call per day at state expense. A state agency may establish guidelines defining reasonable and appropriate use of state telephones for essential personal purposes.

The committee makes no recommendation for guidelines defining reasonable and appropriate use of state telephones for essential personal purposes.

COUNCIL OF STATE GOVERNMENTS MIDWESTERN LEGISLATIVE CONFERENCE

The committee received a report regarding the 2015 Midwestern Legislative Conference which was hosted by North Dakota in Bismarck. The conference was held July 12-15, 2015. The 2015 Legislative Assembly appropriated \$350,000 to support the conference and approximately \$245,000 of that amount had been spent. Conference attendance was the second highest amount in recent years, with 453 persons attending. Private sector contributions to the conference exceeded the amount budgeted by approximately \$100,000 and funds for conference registrations came in about \$10,000 higher than expected.

CENSUS DATA REDISTRICTING PROJECT

The committee received a report regarding Phase I of the 2020 Census Redistricting Data Program, which provides the state the opportunity to provide updates to the United State Census Bureau relating to legislative district block boundaries. The committee approved state participation in Phase I of the 2020 Census Redistricting Data Program.

FRIENDS OF THE RESIDENCE FUNDRAISING REPORT

Senate Bill No. 2304 (2015) appropriated \$5 million for the construction of a new residence for the Governor. Of that appropriation, \$1 million was to come from donations. The committee received a report from a representative of the Friends of the North Dakota Governor's Residence regarding progress of the fundraising efforts for the Governor's residence. As of the date of the report in March 2016, the fundraising group had raised the first \$500,000 required by law to start the construction project. Donations had ranged in size from \$25 to \$100,000.