

# NORTH DAKOTA LEGISLATIVE COUNCIL

Minutes of the

## LEGISLATIVE MANAGEMENT COMMITTEE

Monday, April 12, 2004  
Harvest Room, State Capitol  
Bismarck, North Dakota

Senator Bob Stenehjem, Chairman, called the meeting to order at 9:00 a.m.

**Members present:** Senators Bob Stenehjem, Randel Christmann, Michael A. Every, David P. O'Connell, Herb Urlacher; Representatives Rick Berg, LeRoy G. Bernstein, Merle Boucher

**Members absent:** Representatives Eliot Glassheim, David Monson

**Others present:** Curtis L. Wolfe, Mike Ressler, Kevin Nosbusch, Gary Vetter; Information Technology Department, Bismarck

Roger Hertz, Department of Human Services, Bismarck

Loren Haid, Facility Management Division, Office of Management and Budget, Bismarck

Maryann F. Trauger, Karen J. Mund; Legislative Council, Bismarck

**It was moved by Senator O'Connell, seconded by Senator Christmann, and carried on a voice vote to approve the minutes of the November 18, 2003, meeting of the committee.**

### LEGISLATIVE BRANCH LOTUS NOTES E-MAIL AND APPLICATIONS ANALYSIS

#### E-Mail Return Receipt Responses

Chairman Stenehjem recognized Ms. Maryann F. Trauger, Manager, Information Technology Services, Legislative Council, for presentation of a number of memorandums relating to Lotus Notes e-mail and applications, copies of which are on file in the Legislative Council office.

Ms. Trauger reviewed a memorandum entitled *Timeliness of E-Mail Return Receipt Responses*. She said an e-mail message was sent on November 19, 2003, to the 137 legislators who have state-provided notebook computers. The message informed legislators that when the message was opened a return receipt would be sent to the Legislative Council office. On the first day the message was sent, 43 return receipts were received; on the following day 21 return receipts were received; on the next 4 days, 4 to 9 return receipts were received each day; from November 25, 2003, through January 22, 2004, 1 to 2 return receipts were received each day; 9 e-mail messages were deleted without being opened; and 20 e-mail messages have not been opened. She emphasized that these statistics are relevant to a

snapshot in time and may or may not reflect how often legislators use e-mail.

Ms. Trauger said Information Technology Department personnel have suggested that to manage legislators' e-mail, legislators' mailboxes be purged automatically so as to avoid accumulation of a large number of unopened messages, that legislators who do not regularly use e-mail be removed from the state's e-mail address book during the interim, and that "out of office" notices be used to inform e-mail senders that e-mail messages to legislators may not be reviewed on a timely basis.

Ms. Trauger suggested that Legislative Council staff should continue to provide training and written instructions to legislators on individual use of the "out of office" feature of e-mail rather than the committee adopting a policy of automatically deleting legislators' e-mail messages or periodically removing and adding legislators' e-mail addresses throughout their terms of office.

#### Remote Access

Ms. Trauger reviewed a memorandum entitled *Remote Access Survey*. The memorandum reviews the results of a survey of legislators with respect to access to the state network during the interim. She said legislators connect to the state network via telephone lines to receive and send e-mail messages, receive committee meeting information, and to access the Internet. She said the Information Technology Department provides 800# dial-up service at 10 cents per minute and local access points at no charge in larger cities (Bismarck, Devils Lake, Dickinson, Fargo, Grand Forks, Jamestown, Minot, Valley City, and Williston). Nevertheless, she said, slow connection speeds continue to be a major problem for legislators. Depending on location and telephone wiring, she said, connection speed ranges between 5 kilobits per second (kbps) and 28.8 kbps because voice lines are being used to transmit data. She emphasized connection speeds remain the same regardless of the e-mail software used, e.g., Lotus Notes or Microsoft Outlook 2003. When iNotes became available, she said, some legislators who have access to computers with Internet service in their offices or access to other computers when attending meetings or traveling began to use iNotes to access e-mail messages. She said iNotes does not provide the full functionality of

Lotus Notes but “feels” faster because of the different type of connection.

Ms. Trauger said 79 of 137 legislators responded to the survey. In summary, the responses indicate:

- Of the 65 legislators who use the state-provided dial-up connection to access e-mail, 24 use the connection daily and 27 use the connection several times a week.
- Forty-three legislators are satisfied with dial-up access and 26 are dissatisfied, with comments including “too slow” and “should be able to provide better than dial-up connection.”
- Sixty-six legislators have access to a local Internet service provider, with cost ranging from \$8.35 for 50 hours per month to \$59.95 per month for 1,000 kbps connection speed plus a \$5 modem rental. Thirty-eight legislators use local Internet service providers.
- Fifty-four legislators have access to telephone companies that provide digital subscriber line (DSL) service, with monthly cost ranging from \$27.95 to \$70. Fourteen legislators use DSL service.
- Thirty-three legislators have access to cable modem service, with cost ranging from \$28 to \$50. Eleven legislators use cable modem service.
- Thirty-six legislators have access to wireless service, with cost ranging from \$20 to \$80. Ten legislators use wireless service.

Ms. Trauger reviewed dial-up connection costs. In January 2004, she said, billable minutes for the 800# dial-up access totaled 32,078.14 and nonbillable minutes (the minutes of access through local access connections) totaled 29,232.34, for a cost of \$3,207.81 (10 cents per 800# minute). In February 2004, she said, billable minutes for the 800# dial-up access totaled 32,664.09 and nonbillable minutes totaled 29,941.99, for a cost of \$3,266.41. She said additional costs each month are \$5 per dial-up user ID charge (\$685 per month for 137 users).

Ms. Trauger said the Information Technology Department is planning on removing the local access connections in Devils Lake, Dickinson, Fargo, Grand Forks, Jamestown, Minot, Valley City, and Williston in July 2004. After the local access connections are removed, she said, the cost of the 800# dial-up access will be reduced from 10 cents per minute to 7 cents per minute and the \$5 per month user dial-up charge will be eliminated. Based on 7 cents per minute for the total usage (billable and nonbillable minutes, assuming legislators who otherwise used the local access connection used the 800# dial-up access) in January and February 2004, she said, access costs would have been \$4,291.73 for January and \$4,382.43 for February.

Ms. Trauger said the Information Technology Department has recommended that each legislator obtain a local Internet service provider with or without

DSL service in lieu of the local access connection provided by the Information Technology Department.

Ms. Trauger said the 800# dial-up access should continue to be available for use by legislators who have no other method of access or who travel outside their normal local phone service areas. She said a \$25 per month reimbursement for a legislator obtaining access through a local Internet service provider would approximate the new charge of seven cents per minute imposed on formerly nonbillable minutes. She said local access should be at least at the DSL level so that those legislators would not experience a severe degradation in connection speed.

### E-Mail File Quotas

Ms. Trauger presented a memorandum entitled *E-Mail File Quotas* which describes the e-mail file quota policy adopted by the Information Technology Department effective May 1, 2002. She said an e-mail file includes e-mail with respect to inbox, drafts, e-mail sent, attachments, and graphics as well as a legislator's calendar of meetings, appointments, events, anniversaries, reminders, and to do lists.

Ms. Trauger said the Legislative Management Committee, at its October 7, 2002, meeting, reviewed legislators' e-mail file sizes as they related to the 50 megabyte (MB) e-mail file quota established by the Information Technology Department for state officials and employees. As of that meeting, she said, the e-mail files of 21 legislators exceeded 50 MB. She said the Legislative Management Committee adopted the 50 MB e-mail file quota applicable to state officials and employees as applicable to legislators and requested the Legislative Council staff to seek arrangements with the Information Technology Department for additional MB or an unlimited quota for the period beginning the December before a legislative session and ending May 31 after the legislative session has adjourned. She said an unlimited quota during that time was to recognize that legislators receive substantial numbers of e-mail during a legislative session.

Ms. Trauger said the Information Technology Department removed the 50 MB quota for legislators during the 2003 legislative session but has not yet reimposed that quota on legislators using Lotus Notes e-mail. She said the effect of the e-mail file quota would be that a legislator whose e-mail file exceeded 50 MB could not send e-mail messages and a legislator whose e-mail file exceeded 150 MB would not be able to receive e-mail messages and senders would be informed that the legislator's mailbox has exceeded the quota limits.

Ms. Trauger said statistics gathered in March 2004 regarding the mailbox sizes for the 137 legislators who have state-provided notebook computers indicate:

- Seventy-three legislators were under 40 MB and 10 legislators were in the 40 to 50 MB range.
- Twenty-two legislators were in the 50 to 100 MB range, 13 legislators were in the 100 to 150 MB range, 5 legislators were in the 150 to 300 MB range and 2 legislators were over 300 MB.
- All 12 legislators in the Microsoft Outlook pilot project were under 50 MB.

Ms. Trauger said the Information Technology Department recommends that legislators who do not want to delete e-mail from their e-mail files should remove that e-mail from the e-mail files by archiving that e-mail to a folder outside the e-mail system. She said archiving is a relatively simple process in that an e-mail message is dragged to an archive folder that has been set up on the computer. The process could be manually done by the legislator or the computer can be set up so that e-mail messages will be automatically archived at a predetermined time, e.g., every two weeks.

Ms. Trauger said backup should be provided if a legislator elects to archive documents. She emphasized that if documents are deemed worthy of being archived, the documents are worthy of being safeguarded in case the computer's hard drive fails. She said if documents are archived on the computer's hard drive, the data is lost if the drive fails; if documents are archived to the e-mail server, the documents are not available unless the computer is connected to the server; if documents are archived to a CD, CD-ROM drives would be required as would be rewritable CDs and those documents would become read-only and not easily converted to other use; and if documents are archived to an external flash drive, flash drives would be required. She displayed a mini USB flash drive and said such a drive could be provided to 137 legislators at a cost of \$19,043.

Ms. Trauger said an alternative to archiving would be to increase the quota or not adopt a quota. She said the Information Technology Department provides for an additional 50 MB for \$3 per month. She said the Legislative Council staff planned to move legislative mailboxes back to the Legislative Council server from the Information Technology Department servers after the 2003 legislative session and propose elimination of the quota to the Legislative Management Committee. She said the Legislative Council server would handle foreseeable e-mail files without regard to any quota. She said this plan was not implemented because of the Microsoft Outlook pilot project.

Senator Every suggested that a CD readable/writable drive would have been more practical for legislators' computers than the DVD drive. Ms. Trauger said the DVD drive was selected for the legislators' computers in anticipation of legislators receiving training and educational materials through DVDs. Senator Every requested information

on the cost of swapping the legislators' DVD drives with CD writable drives.

Representative Berg said with assistance from the Legislative Council staff, it was relatively easy to set up an archive folder on his computer. He suggested that if the decision is to migrate legislators from Lotus Notes e-mail to Microsoft Outlook e-mail, all legislators be migrated to Microsoft Outlook without regard to e-mail file size and after the migration is complete the legislators could concentrate on managing their e-mail files under Microsoft Outlook.

In response to a question from Senator Stenehjem, Mr. Gary Vetter, Information Technology Department, said a folder within the e-mail system to which e-mail is dragged and placed does not remove that e-mail from the quota. He said a separate folder must be created outside the e-mail system.

In response to a question from Senator Christmann, Ms. Trauger said the \$3 per month charge is for an additional 50 MB for a legislator. She said to use this as building blocks to get to 150 MB then to 200 MB, etc., would be subject to a decision by the Information Technology Department.

Representative Berg said each legislator should receive training in how to archive e-mail so that they can better manage e-mail. Ms. Trauger said the issue with respect to archiving e-mail is the concern over the method for backing up the archived information.

In response to a question from Senator Stenehjem, Ms. Trauger said the previous plans to move legislative mailboxes back to the Legislative Council server would have allowed unlimited e-mail file sizes for legislators without any additional cost. She said she is not sure whether this could be accomplished if the Lotus Notes e-mail system is replaced with the Microsoft Outlook e-mail system.

### **Microsoft Outlook Pilot Project**

Ms. Trauger presented a memorandum entitled *Microsoft Outlook Pilot Project* which reviewed the e-mail pilot project in which selected legislators were migrated from Lotus Notes e-mail to Microsoft Outlook 2003 e-mail. Ms. Trauger said the Legislative Council staff implemented a pilot project in December 2003 with 12 legislators using Microsoft Outlook 2003 e-mail rather than Lotus Notes e-mail. She said a class on how to use Microsoft Outlook 2003 was offered to participants and a 35-page testing booklet was offered as an alternative to learn the features of Microsoft Outlook 2003. Of the 12 participants, she said, 7 chose to use the booklet in lieu of receiving training and those 7 made 35 calls for support compared to 8 calls by the 5 participants who received the training.

Ms. Trauger reviewed the effects of migrating all legislators from Lotus Notes e-mail to Microsoft Outlook 2003 e-mail. In Lotus Notes, she said, meeting notices are sent to legislators via e-mail and legislators can accept or decline the meeting. If the meeting is accepted, she said, the meeting is

automatically added to the legislator's calendar and when a meeting is accepted or declined a notice is sent to the Legislative Council staff regarding attendance. A legislator can decide to replicate meeting information materials, which then reside on the legislator's computer. In Microsoft Outlook 2003, she said, meeting notices are sent to legislators via e-mail with a link to the notice on the Internet. Legislators do not have the option to accept or decline, legislators who decide to add the meeting to their calendars must do so manually, and the Legislative Council staff is not notified regarding attendance. Meeting materials cannot be replicated in Microsoft Outlook 2003 and thus will not reside on a legislator's laptop.

Ms. Trauger said conference committee scheduling has been performed by the assistant to the House majority leader. She said conference committee meeting notices have been displayed on the hall monitors in the State Capitol and have been available on the Internet as soon as they have been scheduled. In Lotus Notes, she said, the automatic acceptance feature has been programmed for legislators' computers to automatically accept an "invitation" only from the assistant. When the assistant has scheduled a conference committee meeting and invited the members, she said, the conference committee meeting has been accepted and automatically scheduled on the committee members' calendars and that time has been blocked out so no further invitations could be made with respect to that time period. She said any legislator can use Lotus Notes to see conference committee schedules by "all," "by committee," "by person," or "today." The committee chairmen and meeting room information are also displayed. In Microsoft Outlook 2003, she said, the auto accept feature cannot be limited to the assistant to the House majority leader, so if that feature is activated anyone on the state network with Microsoft Outlook can tentatively schedule a meeting with a legislator. Without using the auto accept feature, she said, the assistant would not be able to schedule meetings with the assurance of no conflicts with other meetings until all conferees manually "accepted" each meeting. She said a meeting assigned by the assistant would be placed in the legislator's calendar as "tentative" so that more meetings could be scheduled by the assistant. She said the Lotus Notes features of viewing conference committees by "all," "by committee," "by person," or "today" will not be available.

Ms. Trauger said the estimated cost to develop the interfaces between Microsoft Outlook 2003 and the hall monitors and the Internet is \$1,970 and would require approximately one month development time. She said the estimated cost to provide the conference committee features in Microsoft Outlook 2003 which are available in Lotus Notes is \$26,652.50.

Ms. Trauger said the telephone message system in Lotus Notes consists of an "add to constituent views" component and a "telephone message notification" component. When a legislator receives an

e-mail message that the legislator wants added to the constituent information in the Legislator's Automated Work Station (LAWS) system, the legislator clicks the "Add to Constituent Views" button on the Lotus Notes task bar. This button automatically forwards the e-mail message to the telephone room staff who verify that the message is from the legislator's constituent and then update the constituent information in LAWS. In Microsoft Outlook 2003, she said, the "Add to Constituent Views" button will not be available and a legislator will need to manually add the telephone room's address as a forwarding address to an e-mail message and then forward that message to the telephone room.

Ms. Trauger said the telephone message system is the system through which telephone attendants route telephone messages to the constituent messages data base in LAWS. When the legislators want to see their telephone messages, they open "Today's Messages" in the LAWS constituent information option. Legislators are notified when they have a new telephone message by a telephone icon that appears on the Lotus Notes template. Legislators can click on the telephone icon and they are able to access both "Unreviewed Messages" and "Reviewed Messages." In addition, when a new telephone message comes for a legislator, a pop-up window informs the legislator that the legislator has a new telephone message. Ms. Trauger said the estimate for developing a telephone message notification system in Microsoft Outlook 2003 is \$54,073.75 and would require approximately four months' development time.

Ms. Trauger said if a decision is made to migrate from Lotus Notes e-mail to Microsoft Outlook 2003 e-mail, the most immediate need is to develop conference committee interfaces with the hall monitor displays and the Internet at an estimated cost of \$1,970. She suggested that any additional enhancements to provide equivalent features with respect to conference committee scheduling, adding telephone messages to constituent views, and notifying legislators of telephone messages be delayed until the results of the infrastructure analysis of legislative branch information technology systems is complete and the Legislative Assembly has made a decision as to replacing its legislative information systems. She said the infrastructure analysis is Phase 1 of a plan to replace legislative information systems before the 2007 legislative session.

In response to a question from Representative Berg, Ms. Trauger said telephone messages cannot be cut and pasted into the LAWS system because the e-mail system is a client-server based system and the LAWS system is an enterprise-server (mainframe) based system. She said information cannot easily be transferred between these two types of systems.

### Lotus Notes Applications Conversion

Ms. Trauger presented a memorandum entitled *Lotus Notes Applications Conversion Estimates*. The memorandum provides the following estimates by the Information Technology Department of the cost of programming for conversion of Lotus Notes applications:

- To develop an interface for the Internet and the hall monitor system - \$1,970.
- To develop a conference committee system and interfaces - \$26,652.50.
- To develop a constituent/telephone message system - \$54,073.75.
- To purchase Microsoft Office at \$551.79 per user for the 239 users in the legislative branch - \$131,877.81.
- To replace Lotus Notes e-mail with Microsoft Outlook e-mail in Lotus Notes applications used by the Legislative Council staff - \$21,468.25.
- To replace Lotus Notes applications, including meeting materials, expense vouchers, fiscal notes, the subject index, the memo index, and certain other processes - \$472,745, which includes development of the conference committee system and interfaces and the constituent/telephone message system.
- To replace Domino.doc (the document management system used in the legislative branch) - The cost is unknown because no estimates have been provided by the Information Technology Department.
- To host the converted applications on the Information Technology Department's server - \$500 per month for each of the seven applications.

Ms. Trauger said the Information Technology Department recommends that all state agencies comply with the department's enterprise architecture initiatives, which will effectively eliminate Lotus Notes applications in favor of Microsoft Exchange applications. She said it would be premature for the Legislative Assembly and the Legislative Council to begin immediate conversion of Lotus Notes applications because the Legislative Council is in the process of contracting for a legislative branch technology infrastructure analysis for the purpose of submitting a funding request during the 2005 legislative session and replacing information technology systems before the 2007 legislative session.

Ms. Trauger said legislators could be migrated from Lotus Notes e-mail to Microsoft Outlook 2003 e-mail before the 2005 legislative session and the one essential area of need is the development of the interface with the hall monitors and Internet. Without further conversion of applications, she said, scheduling conference committees and obtaining information on conference committee meetings would not be as convenient, legislators would not receive visual notification of new telephone messages, and

legislators would need to manually forward e-mail messages to the telephone attendants for inclusion in the constituent views component of LAWS.

### Information Technology Department - Groupware Topics

Chairman Stenehjem recognized Mr. Curtis L. Wolfe, Chief Information Officer, Information Technology Department, for a presentation on groupware topics. A copy of his presentation is attached as an appendix.

Mr. Wolfe said the Information Technology Department's office automation domain team has adopted the policy that "a single standardized set of technologies will be used across the enterprise for groupware functionality." He said Microsoft Outlook/Exchange is named as the standard enterprise software for e-mail and calendar purposes and Lotus Notes/Domino is not to be used in this capacity after June 2007. He said a policy in the draft stage is that all new applications are to be developed using specific tools and languages that do not include Lotus Notes/Domino. He reviewed the methodology for converting from Lotus Notes applications to Microsoft Exchange applications.

Mr. Wolfe said e-mail file quotas refer to the maximum size allowed for an electronic mailbox. He said quotas are intended to promote security, system integrity, business continuity, performance, manageability, and scalability. With respect to migration of legislators from Lotus Notes to Microsoft Outlook e-mail, he said, legislators would not be required to reduce their mailbox size before migrating to Microsoft Outlook. He said once the data has been transferred, archiving options within Microsoft Outlook could be used to bring the mailbox size within the applicable quota. He said archived e-mail should be stored on the legislators' laptops but legislators need a backup strategy for their laptops. He recommended proceeding with legislators' migration from Lotus Notes e-mail to Microsoft Outlook e-mail, uninstalling Lotus Notes from legislators' notebooks, freezing development of new Lotus Notes applications, eliminating or rewriting Lotus Notes applications that integrate with e-mail or calendaring, and eventually eliminating or rewriting all Lotus Notes applications in the legislative branch.

In response to a question with respect to the cost for removing Lotus Notes from legislators' notebooks, Mr. Vetter said the estimate of \$56,043 is the estimate for providing an interface for the hall monitors and the Internet and for developing a constituent/telephone message system. He said this is the recommended amount for Stage 1 to migrate legislators from Lotus Notes e-mail to Microsoft Outlook e-mail. Mr. Wolfe said if the decision is made to migrate legislators to Microsoft Outlook e-mail, legislators should be migrated without regard to the e-mail file size, and then legislators could work in Microsoft Outlook to meet the quota. He said the department's

recommendation is to archive e-mail, with a backup strategy for the e-mail archived on laptops.

In response to a question from Representative Boucher, Mr. Wolfe said the timeframe for state agencies to complete their migration from Lotus Notes applications to Microsoft Exchange applications is 2010. He said the main users of Lotus Notes are the Department of Human Services, Department of Transportation, Legislative Council, and Bank of North Dakota. Mr. Roger Hertz, Department of Human Services, said the Department of Human Services is working on a timetable for conversion of its Lotus Notes applications and the cost of the conversion will be quite high.

Senator Christmann questioned whether the cost of migrating from Lotus Notes e-mail and Lotus Notes applications offsets the benefits of having state government on the Microsoft Exchange platform. Representative Berg said the benefits will come in the future, when there is a single, statewide platform. He said it is clear that in the long term, the legislative branch needs to move to a Microsoft Exchange platform.

Representative Berg said the Legislative Council staff appears to be opposing conversion of legislative applications from the Lotus Notes platform to the Microsoft Exchange platform. The assistant director said the Legislative Council staff does not oppose converting legislative applications to Microsoft Exchange applications. He said the staff did not have any special relationship to IBM hardware nor to Lotus Notes applications when originally selected and does not have any vested interest in continuing use of IBM hardware or Lotus Notes applications. He said the staff is providing information on the cost of conversion as well as the effect on users so that decisions can be made on an informed basis.

Representative Boucher said there should be an incremental plan to move state government and political subdivisions to Microsoft Exchange. He said there should be assurances that the decision produces a positive result.

In response to a question from Senator Stenehjem, Ms. Trauger said migrating from Lotus Notes e-mail to Microsoft Outlook 2003 e-mail, along with providing an interface with the Internet and the hall monitor system at a cost of \$1,970, would result in legislators returning to the LAWS system as it was in 1999-2001, i.e., without the enhancements that added the telephone message icon and the add to constituent views button. She said legislators would still receive telephone messages but would not receive visual notification of a new message. She said messages could still be added to the constituent views by the telephone room but legislators would need to add the forwarding address to the message and then forward that message. She said the information would still be available but it would not be as efficient for legislators to access telephone messages or to forward messages to the telephone attendants.

Representative Berg said if the decision is made to migrate to Microsoft Outlook e-mail, it appears the minimally necessary conversion cost is the interface with the hall monitors and the Internet at \$1,970. By not spending more, he said, the conference committee system would not have the same features, nor would the telephone message system consist of an add to constituent views component and a telephone message system component.

In response to a question from Senator Stenehjem, Ms. Trauger said it would take from two to three months to receive the legislators' computers, install Microsoft Outlook, remove Lotus Notes, and train legislators on the use of Microsoft Outlook e-mail. She emphasized that Microsoft Outlook does not include Microsoft Office, which has Microsoft Word, Microsoft Excel, and Microsoft PowerPoint software, and thus migrating to Microsoft Outlook 2003 e-mail would not, in itself, eliminate the problem recipients of legislator-sent e-mail with attachments in Lotus Word Pro or Lotus 1-2-3 may have in opening those attachments.

**It was moved by Representative Berg and seconded by Senator Every that all legislators and appropriate Legislative Assembly employees be migrated from Lotus Notes e-mail to Microsoft Outlook e-mail, that the interfaces between Microsoft Outlook 2003 and hall monitors and the Internet be developed, and legislators receive training on Microsoft Outlook 2003, including training on e-mail management and archiving of records.** Representative Berg summarized the discussion to the effect that if the decision is made to migrate legislators from Lotus Notes e-mail to Microsoft Outlook e-mail, all e-mail should be migrated and legislators would receive training on managing the new e-mail system and archiving e-mail. He said after legislators have been migrated to Microsoft Outlook 2003, decisions on further conversion could be reviewed. He requested information on money available for conversion of additional applications before the 2005 legislative session. Senator Christmann requested this information be provided as a list of estimated costs as well as a timeframe for each item. After this discussion, **the motion carried on a roll call vote.** Senators Stenehjem, Christmann, Every, O'Connell, and Urlacher and Representatives Berg, Bernstein, and Boucher voted "aye." No negative votes were cast.

## SESSION ARRANGEMENTS

### Session Employee Orientation and Training

At the request of Chairman Stenehjem, Ms. Trauger reviewed a tentative agenda entitled *Orientation and Training Sessions for Certain Legislative Employees*. She said this training is scheduled to be provided between December 1, 2004, and January 5, 2005. She said the training is similar to that provided before the 2003 legislative session except the assistant House chief clerk and the assistant

secretary of the Senate rather than the bill clerks will receive training as backup to the journal reporters, the committee clerks will receive joint training over a one-week period rather than a separate week for House committee clerks and a separate week for Senate committee clerks, the journal reporters rather than the bill clerks will receive training as backup to the assistant House chief clerk and assistant secretary of the Senate, and the legislative interns will receive their training Wednesday and Thursday before the session convenes rather than after the session convenes.

**It was moved by Senator O'Connell, seconded by Representative Berg, and carried on a voice vote that the committee approve the proposed orientation and training sessions for certain legislative employees.**

### Legislator Training

Ms. Trauger also reviewed the proposed agenda entitled *Training for Legislators*. She said returning legislators will receive training on e-mail, Internet, and word processing during the organizational session similar to that provided in 2002. She said the schedule is different with respect to training for new legislators. In 2002, she said, new legislators were scheduled for training on Thursday and Friday after the organizational session adjourned. She said few legislators wanted to wait until Friday to receive training. She said the proposed schedule provides for the personal computers to be assigned and training to be received by new legislators with experience in use of computers immediately after the organizational session adjourns and continuing into Wednesday afternoon. She said new legislators with limited experience in use of computers would be provided training on Thursday.

Ms. Trauger said with respect to LAWS training for legislators, few legislators signed up for training during the Friday preceding the regular session in 2002. She said the proposed change is for legislators to receive LAWS training during one of three classes scheduled for Monday before the regular session convenes on Tuesday. The training has been reduced from three hours to two and one-half hours and has been scheduled over three classes rather than two (class size has been increased from 36 to 46).

**It was moved by Senator O'Connell, seconded by Representative Berg, and carried on a voice vote that the committee approve the proposed training schedule for legislators.**

### LEGISLATIVE CHAMBER USE

The assistant director reviewed a request from the Program Committee of the North Dakota Leadership Seminar for use of the House chamber on Saturday, June 5, 2004. He said the committee has approved prior requests for use of the chamber from the youth leadership seminar.

**It was moved by Senator Every, seconded by Senator O'Connell, and carried on a voice vote that the committee approve the request for use of the House chamber by the Program Committee of the North Dakota Leadership Seminar.**

### BRYNHILD HAUGLAND ROOM SOUND SYSTEM

The assistant director reported that on November 18, 2003, a proposal by Audio Systems Company to upgrade the sound system in the Brynhild Haugland Room for \$9,256 had been reviewed by the committee. He said that proposal was basically to repair problem areas with the current sound system, e.g., replace the mic mixer and any old, dried-out speakers. He said that proposal basically replaced the entire system, except for the wiring and the microphones. He said the committee approved the upgrade of the sound system and requested the Legislative Council staff to work with the Facility Management Division staff to solicit proposals for replacing the sound system in the Brynhild Haugland Room. He said the Facility Management Division received three proposals after the November meeting. He said the proposals ranged from \$8,384 to \$19,790. Because the proposals ranged from replacing the system with an equivalent system to replacing the system with a substantially improved system, he said, this issue is reappearing before the committee.

Chairman Stenehjem recognized Mr. Loren Haid, Physical Plant Director, Facility Management Division, Office of Management and Budget, regarding proposals for the sound system in the Brynhild Haugland Room. Mr. Haid said there are two proposals in play--replace the current system for approximately \$8,384 or install an improved system for approximately \$19,790. He said a third proposal was submitted by a company that is no longer in business. Mr. Haid distributed a letter from North Star Audio Consulting regarding an updated sound system in the Brynhild Haugland Room. A copy of the letter is on file in the Legislative Council office.

Mr. Haid said the low price proposal is for maintenance of the existing system, while the higher price proposal is for installation of an updated system, e.g., 16 rather than eight microphones, microphones with various features, all new speakers, and an enhanced media feed. He said the Facility Management Division schedules the room for 20 out of 24 months of the biennium and constantly receives requests for use of the sound system and inquiries as to when the existing sound system will be fixed. He said the main reason for appearing before the committee is to obtain an idea as to what would be an appropriate level of functionality for the sound system in the Brynhild Haugland Room.

Representative Berg said the Brynhild Haugland Room is one of the most important committee rooms in the State Capitol. He said it is important that

people can hear the discussion, the questions, and the testimony.

Senator Christmann said the room should be capable of providing for interactive video.

Senator Stenehjem said after the authorization by the committee to proceed with an upgrade of the Brynhild Haugland Room sound system, the information from vendors was reviewed with Legislative Council staff and Facility Management Division staff and the information indicated there are several additional features that are available with respect to the sound system. He said this issue was returned to the committee so that committee members could review the information and express an opinion as to appropriate features for the sound system.

In response to a question from Senator Stenehjem, Mr. Haid said based on discussion at this meeting, the Facility Management Division could prepare bid specifications that would provide for features requested by committee members. He said the specifications include either the requirement that the system be able to be enhanced in the future to add interactive video capability or other capabilities or an option for such features.

Representative Berg said there should be more microphones, probably 24. In response to a question from Representative Berg, Mr. Haid said wireless microphones have issues such as battery failure and wireless microphones are not as dependable as wired microphones.

Senator Stenehjem said the system should be able to provide jacks to allow PowerPoint presentations and interactive video. He said he would favor completely replacing the system with features suggested by Mr. Haid as described in the high-end bid proposal.

In response to a question from Representative Bernstein, Mr. Haid said the Facility Management Division would solicit bids from at least three vendors.

**It was moved by Representative Bernstein, seconded by Senator Urlacher, and carried on a roll call vote that the committee authorize a complete replacement of the sound system in the Brynhild Haugland Room for approximately \$17,000 to \$20,000, with alternates to include the infrastructure necessary for interactive video as well as other presentations.** Senators Stenehjem, Christmann, O'Connell, and Urlacher and Representatives Berg, Bernstein, and Boucher voted "aye." Senator Every voted "nay."

### **CHAMBER AND MEMORIAL HALL CHAIRS AND BRYNHILD HAUGLAND ROOM CHAIRS AND TABLES**

The assistant director said \$30,000 was appropriated for replacement of the chairs used to seat guests in the Senate and House chambers and used in Memorial Hall for various functions and replacement of the chairs and tables in the Brynhild Haugland

Room. He said the intent of the funding was to purchase chairs either folding or stacking that would be nicer and more color- and style-coordinated for use in Memorial Hall and in the chambers and to replace the chairs and tables in the Brynhild Haugland Room so they are nicer and more color- and style-coordinated. He said the Legislative Council staff contacted local vendors and he called attention to the two folding chairs and the five side chairs on display in the room. He said the price of the folding chairs on display ranges between \$25 to \$35, depending on quantity ordered, and the price of the side chairs ranges from \$150 to \$313, depending on quantity ordered. One of the chairs is very similar to the chairs currently in the Pioneer Room--stackable, with arms, and with movable seat and flexible back. He inquired as to the members' preferences.

**It was moved by Senator O'Connell and seconded by Senator Every to authorize the Legislative Council staff to select the chairs for the chambers and the Memorial Hall and the Brynhild Haugland Room.** Senator Christmann said the committee members should exercise the responsibility to select the chairs. Senator O'Connell said he remembers when the chairs in the chambers were selected and the comments and criticisms legislators made regarding those chairs.

In response to a question from Senator Christmann, Ms. Karen J. Mund, Legislative Administrator, Legislative Council, said the occupancy for the Brynhild Haugland Room as determined by the Facility Management Division is 100 to 150 seated and up to 300 standing. She said 150 folding chairs would provide a chair for each legislator to have a guest at the same time on the floor of each chamber.

Mr. Haid said the Facility Management Division has purchased tables for the Brynhild Haugland Room which are smaller and lighter and thus easier to move and rearrange, depending on uses of the room.

The assistant director suggested that the Legislative Council staff could review the options and present a proposed selection to the committee at its next meeting. After this discussion, **Senator O'Connell, with the consent of his second, withdrew his motion.** The chairman asked the Legislative Council staff to present a chair replacement proposal at the next meeting.

### **LEGISLATIVE INFORMATION SERVICES Legislative Document Subscription Program**

The assistant director reviewed a memorandum entitled *Legislative Document Subscription Program*. The memorandum reviews subscription fees for legislative documents during the 2003 legislative session and the cost of printing those documents. The memorandum also lists proposed fees for the 2005 legislative session. He said the practice has been to base subscription fees on the cost of printing the various documents during the previous session divided by the number of documents printed. The number of

subscribers for the particular documents in 2003, the total number of subscribers (state agencies can receive documents without charge), the 2003 subscription fees, and cost and number of legislative documents printed in 2003 are:

- Fourteen (out of 43) entities paid \$120 each to pick up a set of bills and resolutions, and no entity paid \$230 to receive a set by mail. Thirty-nine (out of 73) entities paid \$280 each to pick up a set of bills and resolutions, which included engrossed bills and resolutions, and two paid \$455 each to receive a set by mail. The cost of printing 350 copies of introduced bills and resolutions and 200 copies of engrossed bills and resolutions was \$79,608.
- Twenty-two (out of 60) entities paid \$70 each to pick up a set of journals, and one entity paid \$170 to receive a set by mail. The cost of printing 850 copies of the journals and providing pressboard covers was \$83,750.76, or approximately \$99 per set.
- Twelve (out of 23) entities paid \$30 each to receive the journal index. The cost of printing 227 copies of the journal index was \$6,148.50, or approximately \$27 per index.
- Seven entities paid \$325 each to pick up the bill status report, and one entity paid \$435 to receive it by mail. The cost of printing 37 bill status reports was \$13,702.02, or approximately \$370 each.
- No charge was made for picking up daily calendars (printed at a cost of \$28,456.30), 52 entities subscribed to pick up daily calendars, and one entity paid \$55 to receive the calendars by mail.
- No charge was made for picking up committee hearing schedules (printed at a cost of \$9,751.50), 59 entities subscribed to pick up hearing schedules, and one entity paid \$30 to receive the schedules by mail.

The assistant director said the proposed 2005 legislative document subscription fees reflect the cost of printing the documents in 2003 divided by the number of documents, except that the proposed introduced bill price is increased from \$120 to \$150 while the proposed price to receive introduced and engrossed bills remains the same at \$280 based on attribution of two-thirds of the 2003 print cost divided by 350 sets (\$150) to introduced bills and one-third of the 2003 print cost divided by 200 sets (\$130) to engrossed bills. He said the proposed price for subscribing to the daily journals was increased from \$70 to \$80 rather than \$100 to limit the increase to \$10 and the proposed price to receive the printed bill status report was increased from \$325 to \$350 rather than \$370 to limit the increase to one-half of the difference between price and cost.

**It was moved by Senator Christmann, seconded by Senator Every, and carried on a roll call vote that for the 59th Legislative Assembly:**

- **A complete set of bills and resolutions as introduced and printed or reprinted be available from the bill and journal room only after payment of a subscription fee of \$150, with a set to be mailed after payment of an additional fee of \$110.**
- **A complete set of bills and resolutions as introduced and printed or reprinted, including a set of all engrossed and reen-grossed bills and resolutions, be available from the bill and journal room only after payment of a subscription fee of \$280, with a set to be mailed after payment of an additional fee of \$175.**
- **A complete set of daily journals of the Senate and House be available from the bill and journal room only after payment of a subscription fee of \$80, with a set to be mailed after payment of an additional fee of \$110.**
- **The index to the House and Senate journals be available only after payment of a subscription fee of \$30.**
- **A printed bill status report be available from the bill and journal room only after payment of a subscription fee of \$350, with the report to be mailed after payment of an additional fee of \$110.**
- **House and Senate daily calendars and weekly committee hearing schedules be available at no charge if picked up from the bill and journal room, but a set of House and Senate daily calendars be mailed by the bill and journal room only after payment of a fee of \$55 and a set of weekly committee schedules be mailed by the bill and journal room only after payment of a fee of \$30.**
- **State agencies and institutions and representatives of the media as determined under Joint Rule 802 be able to obtain copies of bills and resolutions as introduced and printed, daily journals, daily calendars, and committee hearing schedules without payment of subscription fees.**
- **Two copies of the bill status report be provided to the press room in the State Capitol without payment of subscription fees.**
- **No more than five copies of a limited number of bills and resolutions be obtained without charge as provided by Joint Rule 603.**

Senators Stenehjem, Christmann, Every, and Urlacher and Representatives Berg and Bernstein voted "aye." Senator O'Connell voted "nay."

## CONTRACTS FOR SERVICES

### Legislative Assembly Secretarial, Telephone Message, and Bill Room Service

The assistant director reviewed a proposed *Invitation to Bid - Legislative Assembly Secretarial, Telephone Message, and Bill and Journal Room Services*. He said the invitation is based on the 2002 invitation to bid secretarial, telephone message, and bill and journal room services, with these revisions:

1. The description of the numbers and types of documents is updated with 2003 information.
2. The total number of employees to be provided under the contract is reduced from 18 to 12.
3. A section is added describing how the 2003 contractor billed less than the contract price due to flexible scheduling and workflow management.
4. A description of the work area was added to explain the telephone message service employees will be colocated with the secretarial service employees in the secretarial service area behind the Senate balcony.

The assistant director said the proposed invitation to bid continues the combination secretarial, telephone message, and bill and journal room services first awarded as a single bid in 2002. He said the number of employees was reduced from 18 to 12 based on recommendations of the contractor in 2003 as well as review of the workload and work assignments during the 2003 session. He said the invitation to bid describes that of the 12 employees, nine are to be in the secretarial and telephone message service area and three are to be in the bill and journal room area, that three of the secretarial and telephone message service area employees are to be trained in secretarial services as well as telephone messages, and that during the first three weeks of the session the contractor should be prepared to assign one or two of the employees from the secretarial and telephone message service area to the bill and journal room area to handle the workload during the bill introduction period.

The assistant director gave these examples of reduced workload in these areas:

- During the 2003 legislative session, 10,021 telephone messages were received compared to 62,320 in 1993.
- During the 2003 legislative session, 424 letters were produced compared to 11,842 in 1993.
- During the 1995 legislative session, 19 libraries subscribed to a legislative document distribution program and the library document distribution program was discontinued in 2003 after only three libraries participated during the 2001 legislative session.

The assistant director said the reduction in services could be attributed to the increased use of technology by legislators to respond to constituents through e-mail rather than prepared letters, the

receipt of e-mail from constituents rather than telephone messages, and the availability of legislative documents on the Internet. Because of the reduction in total number of employees proposed under contract, he said, it is proposed that the telephone message employees be located in the secretarial service area behind the Senate balcony.

**It was moved by Representative Berg, seconded by Senator Christmann, and carried on a voice vote to approve the contents of the invitation to bid for providing Legislative Assembly secretarial, telephone message, and bill and journal room services.**

### Bills, Resolutions, and Journals

The assistant director reviewed an *Invitation for Bid* prepared by the Central Services Division, Office of Management and Budget, for solicitation of bids for printing bills, resolutions, and journals. A copy of the invitation is on file in the Legislative Council office. He said the bid is prepared and advertised by the Central Services Division, but the contract is awarded as directed by the Legislative Council under North Dakota Century Code (NDCC) Section 44-06-02. He said the invitation is based on the 2002 invitation to bid, with these revisions:

1. Figures for the estimated volume of the contract are updated to reflect 2003 costs.
2. The number of introduced bills printed is reduced from 350 to 325 based on the surplus bills remaining in the bill and journal room after the 2003 legislative session.
3. The number of journals printed is reduced from 850 to 750, based on the surplus of journals remaining in the bill and journal room after the 2003 legislative session.

**It was moved by Senator Christmann, seconded by Representative Berg, and carried on a voice vote to approve the contents of the invitation to bid for printing bills, resolutions, and journals.**

### Legislative Assembly Photography Services

The assistant director reviewed a proposed *Invitation to Bid - Legislative Assembly Photography Services*. He said this invitation is based on the 2002 invitation to bid. He said the invitation provides for the receipt of the bid by October 1, 2004, and acceptance of the bid after review by the Legislative Management Committee. He said there is no change in the specifications except for the timeframe for providing digital images to the Legislative Council and for providing the larger composite pictures to the Legislative Council. He said the timeframe to provide the digital images to the Legislative Council is shortened from two weeks to one and one-half weeks because there is a one-week shorter timeframe between the organizational session and the regular session in 2005. He said two extra weeks are given for delivery of the

larger composite pictures to reflect the actual practice of delivering the larger composites in late February.

**It was moved by Representative Berg, seconded by Senator Urlacher, and carried on a voice vote to approve the contents of the invitation to bid for Legislative Assembly photography services.**

### **SESSION ARRANGEMENTS Legislative Internship Program**

The assistant director reviewed the legislative internship program. He said 12 interns were authorized for the 2003 program. He said the allocation of interns is eight from the University of North Dakota School of Law, two from the University of North Dakota graduate school, and two from the North Dakota State University graduate school. He said the critical element of an intern's duties is preparation of amendments. He said this duty as performed by law school students is especially important to the Legislative Council staff.

The assistant director reviewed the stipend provided to the participants in the legislative internship program. He said the interns are not "employees" but are students participating in a program for course credit. He said the program is a three and one-half month program and the stipend was \$1,550 per month (\$5,425 for three and one-half months) in 2003. He said the Legislative Council staff recommends that the stipend be increased to \$1,600 per month (\$5,600 for three and one-half months). He said reports from the School of Law indicate that several students are applying for the program. Because of the difficulty in the past of filling slots allocated to the graduate programs, he said, the committee may wish to authorize reallocation of interns to individual schools as needed to fill the program.

The assistant director said the committee traditionally has authorized employment of a director of interns to be paid from Legislative Assembly funds. He said the Legislative Council staff has absorbed the responsibilities of a director of interns during recent legislative sessions and this authority would be used only if circumstances warranted and a person can be found with adequate experience with respect to the legislative process.

**It was moved by Senator O'Connell, seconded by Senator Urlacher, and carried on a roll call vote that the legislative internship program be continued for the 2005 legislative session on the same basis as it was for the 2003 session, that the stipend for each intern be increased to \$1,600 per month, that the director of the Legislative Council be authorized to reallocate intern positions among the three participating entities as needed, and that the director of the Legislative Council be authorized to employ a director of interns to be paid**

**from Legislative Assembly funds.** Senators Stenehjem, Christmann, O'Connell, and Urlacher and Representatives Berg, Bernstein, and Boucher voted "aye." No negative votes were cast.

### **LEGISLATIVE BRANCH E-MAIL Dial-Up Access**

Senator Stenehjem said he cannot receive DSL and cannot get cable modem access to the Internet at his residence. He said his only option is dial-up access which is very slow compared to other access methods. He also referred to the dial-up access survey responses that indicated slow connection speed. He asked for comments from committee members.

Representative Berg said after July 1, the cost to the Legislative Assembly for dial-up access will go up even though the charge per minute will be reduced from 10 cents to 7 cents because the Information Technology Department is eliminating local access in the larger cities of the state. He said there are alternatives for faster access in many communities. He said legislators should be encouraged to obtain access through local service providers. He said use of local Internet service providers rather than the 800# dial-up access could reduce the anticipated increase in cost. He said at least two options include providing a fixed amount to legislators who then can obtain access without regard to total cost or reimbursing legislators up to a maximum amount for the cost they incur in obtaining local access.

In response to a question from Senator Christmann, the assistant director said the proposed \$25 per month reimbursement was based on what the equivalent increase in cost is going to be as a result of the Information Technology Department eliminating local access in the larger cities and requiring those legislators who formerly used local access to use the 800# dial-up access.

Senator Stenehjem said there may be a compensation issue if an amount is provided to legislators without regard to actual expense. The assistant director said if receipts are provided, an amount up to the cost of the Internet service provider could be reimbursed as an allowable expense.

Senator Stenehjem requested the Legislative Council staff to review the information obtained from legislators who responded to the dial-up access survey and develop alternatives for providing local access to legislators.

No further business appearing, Chairman Stenehjem adjourned the meeting at 3:30 p.m.

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Jay E. Buringrud  
Assistant Director

ATTACH:1