

Fifty-fifth
Legislative Assembly
of North Dakota

SENATE BILL NO. 2051

Introduced by

Appropriations Committee

(At the request of the Legislative Compensation Commission)

1 A BILL for an Act to amend and reenact section 54-03-20 of the North Dakota Century Code,
2 relating to compensation and expense reimbursement of members of the legislative assembly.

3 **BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:**

4 **SECTION 1. AMENDMENT.** Section 54-03-20 of the 1995 Supplement to the North
5 Dakota Century Code is amended and reenacted as follows:

6 **54-03-20. Compensation and expense reimbursement of members of the**
7 **legislative assembly.** Each member of the legislative assembly of the state of North Dakota is
8 entitled to receive as compensation for services the sum of ninety dollars for each calendar day
9 during any organizational, special, or regular legislative session. Each member of the
10 legislative assembly is entitled to receive reimbursement for lodging, which may not exceed a
11 maximum of six hundred dollars per calendar month for lodging in state, at the rates and in the
12 manner provided in section 44-08-04 for each calendar day during the period of any
13 organizational, special, or regular session. Members of the legislative assembly who receive
14 reimbursement for lodging are also entitled to reimbursement for travel for not to exceed one
15 round trip taken during any calendar week, or portion of a week, the legislative assembly is in
16 session, between their residences and the place of meeting of the legislative assembly, at the
17 rate provided for state employees with the additional limitation that reimbursement for travel by
18 common carrier may not exceed thirty-five cents per mile based upon air mileage. A member of
19 the legislative assembly who does not receive reimbursement for lodging and whose place of
20 residence in the legislative district that the member represents is not within the city of Bismarck
21 is entitled to reimbursement at the rate provided for state employees for necessary travel for not
22 to exceed one round trip taken per day between the residence and the place of meeting of the
23 legislative assembly when it is in session and may receive reimbursement for lodging at the
24 place of meeting of the legislative assembly as provided in section 44-08-04 for each calendar

1 day for which round trip travel reimbursement is not claimed, provided that the total
2 reimbursement may not exceed six hundred dollars per month. The amount to which each
3 legislator is entitled must be paid following the organizational session in December and
4 following each month during a regular or special session.

5 A day, or portion of a day, spent in traveling to or returning from an organizational,
6 special, or regular session must be included as a calendar day during a legislative session for
7 the purposes of this section.

8 In addition, each member is entitled to receive during the term for which the member
9 was elected, as compensation for the execution of public duties during the biennium, the sum of
10 ~~one hundred eighty~~ two hundred eighty five dollars a month, which is payable ~~every six months~~ monthly. If a
11 member dies or resigns from office during the member's term, the member may be paid only
12 the allowances provided for in this section for the period for which the member was actually a
13 member.

14 Attendance at any organizational, special, or regular session of the legislative assembly
15 by any member is a conclusive presumption of entitlement as set out in this section and
16 compensation and expense allowances must be excluded from gross income for income tax
17 purposes to the extent permitted for federal income tax purposes under section 127 of the
18 Economic Recovery Tax Act of 1981 [Pub. L. 97-34; 95 Stat. 202; 26 U.S.C. 162(i)].