

Fifty-eighth
Legislative Assembly
of North Dakota

SENATE BILL NO.

Introduced by

Senator T. Mathern

1 A BILL for an Act to amend and reenact sections 54-03-01.5 and 54-03-20 of the North Dakota
2 Century Code, relating to legislative redistricting requirements and compensation of members
3 of the legislative assembly.

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

5 **SECTION 1. AMENDMENT.** Section 54-03-01.5 of the 2001 Supplement to the North
6 Dakota Century Code is amended and reenacted as follows:

7 **54-03-01.5. Legislative ~~apportionment~~ redistricting requirements.** A legislative
8 ~~apportionment~~ redistricting plan based on any census taken after ~~1989~~ 1999 must meet the
9 following requirements:

- 10 1. The senate must consist of forty-nine members and the house must consist of
11 ninety-eight members.
- 12 2. Except as provided in subsection 3, one senator and two representatives must be
13 apportioned to each senatorial district. Representatives may be elected at large or
14 from subdistricts, except representatives must be elected from subdistricts in every
15 senatorial district having a geographical area of three thousand square miles
16 [777000 hectares] or more.
- 17 3. Multimember senate districts providing for two senators and four representatives
18 are authorized only when a proposed single member senatorial district includes a
19 federal facility or federal installation, containing over two-thirds of the population of
20 the proposed single member senatorial district.
- 21 4. Legislative districts and subdistricts must be compact and of contiguous territory.
- 22 5. Legislative districts and subdistricts must be as nearly equal in population as is
23 practicable. Population deviation from district to district and subdistrict to
24 subdistrict must be kept at a minimum. The total population variance of all districts,

and subdistricts if created, from the average district population may not exceed recognized constitutional limitations.

SECTION 2. AMENDMENT. Section 54-03-20 of the 2001 Supplement to the North Dakota Century Code is amended and reenacted as follows:

54-03-20. Compensation and expense reimbursement of members of the legislative assembly. Each member of the legislative assembly of the state of North Dakota is entitled to receive as compensation for services the sum of one hundred twenty-five dollars for each calendar day during any organizational, special, or regular legislative session and for each day that member attends a meeting of a legislative committee between the organizational session and the regular session as authorized by legislative rule. Each member of the legislative assembly is entitled to receive reimbursement for lodging, which may not exceed a maximum of six hundred fifty dollars per calendar month for lodging in state, at the rates and in the manner provided in section 44-08-04 for each calendar day during the period of any organizational, special, or regular session. Members of the legislative assembly who receive reimbursement for lodging are also entitled to reimbursement for travel for not to exceed one round trip taken during any calendar week, or portion of a week, the legislative assembly is in session, between their residences and the place of meeting of the legislative assembly, at the rate provided for state employees with the additional limitation that reimbursement for travel by common carrier may be only at the cost of coach fare and may not exceed one and one-half times the amount the member would be entitled to receive as mileage reimbursement for travel by motor vehicle. A member of the legislative assembly who does not receive reimbursement for lodging and whose place of residence in the legislative district that the member represents is not within the city of Bismarck is entitled to reimbursement at the rate provided for state employees for necessary travel for not to exceed one round trip taken per day between the residence and the place of meeting of the legislative assembly when it is in session and may receive reimbursement for lodging at the place of meeting of the legislative assembly as provided in section 44-08-04 for each calendar day for which round trip travel reimbursement is not claimed, provided that the total reimbursement may not exceed six hundred fifty dollars per month. The amount to which each legislator is entitled must be paid following the organizational session in December and following each month during a regular or special session.

1 A day, or portion of a day, spent in traveling to or returning from an organizational,
2 special, or regular session or a legislative committee meeting must be included as a calendar
3 day during a legislative session or as a day of a legislative committee meeting for the purposes
4 of this section.

5 In addition, each member is entitled to receive during the term for which the member
6 was elected, as compensation for the execution of public duties during the biennium, the sum of
7 two hundred fifty dollars a month, which is payable every six months or monthly, at the
8 member's option. A member who is a senator from a senatorial district having a geographical
9 area of three thousand square miles [777000 hectares] or more is entitled to an additional one
10 hundred dollars per month as compensation for the execution of public duties during the
11 biennium. If a member dies or resigns from office during the member's term, the member may
12 be paid only the allowances provided for in this section for the period for which the member was
13 actually a member. The majority and minority leaders of the house and senate and the
14 chairman of the legislative council, if the chairman is not a majority or minority leader, are each
15 entitled to receive as compensation, in addition to any other compensation or expense
16 reimbursement provided by law, the sum of two hundred fifty dollars per month during the
17 biennium for their execution of public duties.

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