

Sixty-second
Legislative Assembly
of North Dakota

ENGROSSED HOUSE BILL NO. 1236

Introduced by

Representatives Weiler, Boehning, Headland, Kasper, Streyle, Thoreson

1 A BILL for an Act to create and enact a new section to chapter 54-06 of the North Dakota
2 Century Code, relating to the creation of a state employee compensation and retention bonus
3 program.

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

5 **SECTION 1.** A new section to chapter 54-06 of the North Dakota Century Code is created
6 and enacted as follows:

7 **State employee compensation and retention bonus program.**

- 8 1. The head of each state agency, including agencies within the legislative and judicial
9 branches of state government and institutions under the authority of the state board of
10 higher education, shall establish an employee compensation and retention committee
11 to review the necessity of filling each full-time or part-time employee position that is or
12 becomes vacant within the agency or branch.
- 13 2. If the employee compensation and retention committee of an agency or branch
14 determines it is not necessary to fill a vacant position, the agency or branch may not
15 use any general fund moneys saved by not filling the position for any purpose except
16 as provided in this section.
- 17 3. Any general fund moneys saved by an agency or branch during the current biennium
18 by not filling a vacant position must be allocated as follows:
- 19 a. Fifty percent of the savings must be deposited in the general fund.
- 20 b. Twenty percent of savings may be used by the agency or branch to provide
21 retention bonuses to employees of that agency or branch.
- 22 c. Thirty percent of savings must be deposited in a special account established by
23 the office of management and budget which must be used to make allocations of
24 funds to each agency and branch. The allocated funds may be used, subject to

- 1 the limits of the legislative appropriation to that agency or branch, to provide
2 retention bonuses to employees.
- 3 4. A bonus paid under this section may not be included in an employee's base salary for
4 purposes of calculating any wage or salary increase.
- 5 5. A bonus paid under this section is not a fiscal irregularity under section 54-14-03.1.