

PROPOSED AMENDMENTS TO SENATE BILL NO. 2001

Page 1, line 3, after the semicolon insert "to provide a report; to amend and reenact sections 54-03-20 and 54-35-10 of the North Dakota Century Code, relating to legislative compensation;"

Page 1, replace lines 13 through 19 with:

"	<u>Base Level</u>	<u>Adjustments or Enhancements</u>	<u>Appropriation</u>
Salaries and wages	\$11,190,844	\$505,800	\$11,696,644
Operating expenses	3,847,478	3,904,389	7,751,867
Capital assets	6,000	0	6,000
National conference of state legislatures	<u>263,433</u>	<u>7,900</u>	<u>271,333</u>
Total general fund	\$15,307,755	\$4,418,089	\$19,725,844"

Page 1, remove lines 22 through 24

Page 2, replace lines 1 through 6 with:

"	<u>Base Level</u>	<u>Adjustments or Enhancements</u>	<u>Appropriation</u>
Salaries and wages	\$9,965,717	\$2,465,563	\$12,431,280
Operating expenses	2,988,601	254,829	3,243,430
Capital assets	<u>6,000</u>	<u>0</u>	<u>6,000</u>
Total all funds	\$12,960,318	\$2,720,392	\$15,680,710
Less estimated income	<u>70,000</u>	<u>0</u>	<u>70,000</u>
Total general fund	\$12,890,318	\$2,720,392	\$15,610,710
Full-time equivalent positions	36.00	8.00	44.00"

Page 2, replace lines 9 through 13 with:

"	<u>Base Level</u>	<u>Adjustments or Enhancements</u>	<u>Appropriation</u>
Grand total general fund	\$28,198,073	\$7,138,481	\$35,336,554
Grand total special funds	<u>70,000</u>	<u>0</u>	<u>70,000</u>
Grand total all funds	\$28,268,073	\$7,138,481	\$35,406,554"

Page 2, line 14, after "FUNDING" insert "- EFFECT ON BASE BUDGET - REPORT TO SIXTY-EIGHTH LEGISLATIVE ASSEMBLY"

Page 2, line 16, after "biennium" insert "and the 2021-23 one-time funding items included in the appropriation for the legislative assembly in section 1 of this Act"

Page 2, replace lines 17 through 23 with:

"	<u>One-Time Funding Description</u>	<u>2019-21</u>	<u>2021-23</u>
	Digital signage replacement	\$40,000	\$0
	Voting system upgrades	100,000	0
	Computer and iPad replacement	517,760	0
	Redistricting session	0	317,536
	Information technology expansion	<u>0</u>	<u>1,450,000</u>

Total all funds	\$657,760	\$1,767,536
Less estimated income	<u>140,000</u>	<u>0</u>
Total general fund	\$517,760	\$1,767,536

The 2021-23 biennium one-time funding amounts are not part of the entity's base budget for the 2023-25 biennium. The legislative assembly shall report to the appropriations committees of the sixty-eighth legislative assembly on the use of this one-time funding for the biennium beginning July 1, 2021, and ending June 30, 2023."

Page 2, line 25, after "FUNDING" insert "- EFFECT ON BASE BUDGET - REPORT TO SIXTY-EIGHTH LEGISLATIVE ASSEMBLY"

Page 2, line 26, after "biennium" insert "and the 2021-23 one-time funding items included in the appropriation for legislative management and legislative council in section 1 of this Act"

Page 2, replace lines 27 through 31 with:

" <u>One-Time Funding Description</u>	<u>2019-21</u>	<u>2021-23</u>
Redistricting equipment	\$22,400	\$0
Computer replacement	124,856	0
Council of state governments conference	7,500	0
Information technology expansion	0	48,000
Public website design	<u>0</u>	<u>150,000</u>
Total general fund	\$154,756	\$198,000

The 2021-23 biennium one-time funding amounts are not part of the entity's base budget for the 2023-25 biennium. The legislative council shall report to the appropriations committees of the sixty-eighth legislative assembly on the use of this one-time funding for the biennium beginning July 1, 2021, and ending June 30, 2023."

Page 3, after line 21, insert:

"**SECTION 6. AMENDMENT.** Section 54-03-20 of the North Dakota Century Code is amended and reenacted as follows:

54-03-20. Compensation and expense reimbursement of members of the legislative assembly.

1. Each member of the legislative assembly is entitled to receive as compensation for services the sum of ~~one hundred eighty-six~~ one hundred ninety dollars through June 30, 2022, and one hundred ninety-four dollars thereafter 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.
2. a. Each member of the legislative assembly is entitled to receive reimbursement for lodging, which may not exceed per calendar month the amount established under this subdivision by the director of the office of management and budget for lodging in state and which may not exceed the rate provided in section 44-08-04 for each calendar day during the period of any organizational, special, or regular session. On August first of each even-numbered year, the director of the office of management and budget shall set the maximum monthly reimbursement for the subsequent two-year period at an amount equal to thirty times seventy percent of the daily lodging

reimbursement in effect on that date as provided under subdivision d of subsection 2 of section 44-08-04.

- b. Notwithstanding subdivision a:
 - (1) A member of the legislative assembly may elect to be reimbursed for less than the amount to which the legislator is entitled under this subsection by claiming the lesser amount on a voucher submitted with the receipt required by section 44-08-04.
 - (2) The legislative management may establish guidelines that may result in a reduced maximum reimbursement for a single dwelling in which two or more legislators share lodging and the total rent for that dwelling exceeds the amount to which a legislator is entitled under subdivision a.
3. a. 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.
- b. 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 the maximum monthly reimbursement allowed under subdivision a of subsection 2.
4. The amount to which each legislator is entitled must be paid following the organizational session in December and each month upon submission of a voucher and appropriate documentation during a regular or special session, consistent with section 26 of article XI of the constitution of North Dakota.
5. If during a special session, the legislative assembly adjourns for more than three days, a member of the legislative assembly is entitled to receive compensation during those days only while in attendance at a standing committee if the legislator is a member of that committee, a majority or minority leader, or a legislator who is not on that committee but who has the approval of a majority or minority leader to attend.
6. A day, or portion of a day, spent in traveling to or returning from an organizational, special, or regular session or a legislative committee

meeting must be included as a calendar day during a legislative session or as a day of a legislative committee meeting for the purposes of this section.

7. a. In addition, each member is entitled to receive during the term for which the member was elected, as compensation for the execution of public duties during the biennium, the sum of ~~five hundred~~ eighteen five hundred twenty-eight dollars through June 30, 2022, and five hundred thirty-nine dollars thereafter a month, paid monthly.
 - b. If a member dies or resigns from office during the member's term, the member may be paid only the allowances provided for in this section for the period for which the member was actually a member.
 - c. The majority and minority leaders of the house and senate and the chairman of the legislative management, if the chairman is not a majority or minority leader, are each entitled to receive as compensation, in addition to any other compensation or expense reimbursement provided by law, the sum of ~~three hundred~~ seventy-one ~~three hundred seventy-eight~~ thirty dollars through June 30, 2022, and three hundred eighty-six dollars thereafter per month during the biennium for their execution of public duties.
8. Attendance at any organizational, special, or regular session of the legislative assembly by any member is a conclusive presumption of entitlement as set out in this section and compensation and expense allowances must be excluded from gross income for income tax purposes to the extent permitted for federal income tax purposes under section 127 of the Economic Recovery Tax Act of 1981 [Pub. L. 97-34; 95 Stat. 202; 26 U.S.C. 162(i)].
 9. Before each regular legislative session, the legislative management shall make recommendations and submit any necessary legislation to adjust legislative compensation amounts.

SECTION 7. AMENDMENT. Section 54-35-10 of the North Dakota Century Code is amended and reenacted as follows:

54-35-10. Compensation of members and leadership.

1. The members of the legislative management and the members of any committee of the legislative management are entitled to be compensated for the time spent in attendance at sessions of the legislative management and of its committees at the rate of ~~one hundred eighty-six~~ one hundred ninety dollars through June 30, 2022, and one hundred ninety-four dollars thereafter per day and must also be paid for expenses incurred in attending said meetings and in the performance of their official duties in the amounts provided by law for other state officers.
2. In addition to the compensation provided in subsection 1, the chairman of the legislative management is entitled to receive an additional five dollars for each day spent in attendance at sessions of the legislative management and of its committees, and the chairman of each of the legislative management's committees is entitled to receive five dollars for

each day spent in attendance at sessions of the legislative management or of the committee which the person chairs."

Page 3, line 22, replace "This" with "Sections 1 through 5 of this"

Page 3, line 22, replace "is" with "are"

Renumber accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

Senate Bill No. 2001 - Summary of Senate Action

	Base Budget	Senate Changes	Senate Version
Legislative Assembly			
Total all funds	\$15,307,755	\$4,418,089	\$19,725,844
Less estimated income	0	0	0
General fund	\$15,307,755	\$4,418,089	\$19,725,844
FTE	0.00	0.00	0.00
Legislative Council			
Total all funds	\$12,960,318	\$2,720,392	\$15,680,710
Less estimated income	70,000	0	70,000
General fund	\$12,890,318	\$2,720,392	\$15,610,710
FTE	36.00	8.00	44.00
Bill total			
Total all funds	\$28,268,073	\$7,138,481	\$35,406,554
Less estimated income	70,000	0	70,000
General fund	\$28,198,073	\$7,138,481	\$35,336,554
FTE	36.00	8.00	44.00

Senate Bill No. 2001 - Legislative Assembly - Senate Action

	Base Budget	Senate Changes	Senate Version
Salaries and wages	\$11,190,844	\$505,800	\$11,696,644
Operating expenses	3,847,478	3,904,389	7,751,867
Capital assets	6,000		6,000
National Conf. of State Legislatures	263,433	7,900	271,333
Total all funds	\$15,307,755	\$4,418,089	\$19,725,844
Less estimated income	0	0	0
General fund	\$15,307,755	\$4,418,089	\$19,725,844
FTE	0.00	0.00	0.00

Department 150 - Legislative Assembly - Detail of Senate Changes

	Adds Funding for Cost-to-Continue Compensation ¹	Adds Funding for Salary and Benefit Increases ²	Increases Funding for Monthly Lodging Expenses ³	Increases Funding for Operating Expenses ⁴	Adds Funding for IT Expansion ⁵	Adds Funding for Microsoft Office 365 License Expenses ⁶
Salaries and wages	\$24,260	\$247,118				
Operating expenses			\$19,830	\$935,912	\$1,400,000	\$15,533
Capital assets						
National Conf. of State Legislatures						
Total all funds	\$24,260	\$247,118	\$19,830	\$935,912	\$1,400,000	\$15,533
Less estimated income	0	0	0	0	0	0
General fund	\$24,260	\$247,118	\$19,830	\$935,912	\$1,400,000	\$15,533
FTE	0.00	0.00	0.00	0.00	0.00	0.00

	Increases National Conference of State Legislatures Dues ⁷	Adds One- Time Funding for Special Session ⁸	Adds One- Time Funding for IT Expansion ⁹	Total Senate Changes
Salaries and wages		\$234,422		\$505,800
Operating expenses		83,114	\$1,450,000	3,904,389
Capital assets				
National Conf. of State Legislatures	\$7,900			7,900
Total all funds	\$7,900	\$317,536	\$1,450,000	\$4,418,089
Less estimated income	0	0	0	0
General fund	\$7,900	\$317,536	\$1,450,000	\$4,418,089
FTE	0.00	0.00	0.00	0.00

¹ Funding is added for cost-to-continue 2019-21 biennium legislators' monthly compensation.

² Funding is added for increases in monthly health insurance premiums from \$1,427 to \$1,429 (\$6,383) and for 2021-23 biennium compensation adjustments of 2 percent per year for temporary salaries (\$41,991) and for regular and organizational sessions, legislators' monthly compensation, and additional monthly compensation for legislative leaders (\$198,744).

The major compensation adjustments are as follows:

	Current Compensation Rate	Rate Effective July 1, 2021	Rate Effective July 1, 2022
Daily session pay	\$186	\$190	\$194
Monthly compensation	\$518	\$528	\$539
Leaders' additional monthly compensation	\$371	\$378	\$386

³ Funding is added to increase the maximum monthly lodging expense reimbursement to \$1,833 anticipated for the 2023 legislative session. The maximum monthly lodging reimbursement is \$1,814 for the 2021 session.

⁴ Funding is added to increase operating expenses, including increases related to the ongoing cost of video streaming, archiving, indexing, and closed captioning for committee rooms and for adjustments related to the annual cost for voting system upgrades and the addition of virtual voting.

⁵ Funding is added to expand information technology services.

⁶ Funding is added for Microsoft Office 365 licensing expenses.

⁷ Funding is increased for National Conference of State Legislatures dues.

⁸ One-time funding is added for a redistricting special session, including funding for per diem, temporary salaries, and travel expenses.

⁹ One-time funding is added to expand information technology services.

This amendment also adds a section to adjust 2021-23 biennium compensation rates to provide 2 percent per year increases for regular and organizational session pay, legislators' monthly compensation, and additional monthly compensation for legislative leaders.

Senate Bill No. 2001 - Legislative Council - Senate Action

	Base Budget	Senate Changes	Senate Version
Salaries and wages	\$9,965,717	\$2,465,563	\$12,431,280
Operating expenses	2,988,601	254,829	3,243,430
Capital assets	6,000		6,000
Total all funds	\$12,960,318	\$2,720,392	\$15,680,710
Less estimated income	70,000	0	70,000
General fund	\$12,890,318	\$2,720,392	\$15,610,710
FTE	36.00	8.00	44.00

Department 160 - Legislative Council - Detail of Senate Changes

	Adjusts Funding for Base Payroll Changes ¹	Adds Funding for Salary and Benefit Increases ²	Increases Funding for Legislator Per Diem ³	Adds IT Expansion FTE Positions ⁴	Adjusts Funding for Operating Expenses ⁵	Adds Funding for Microsoft Office 365 License Expenses ⁵
Salaries and wages	\$440,357	\$275,148	\$34,439	\$1,715,619		
Operating expenses				24,000	\$29,084	\$3,745
Capital assets						
Total all funds	\$440,357	\$275,148	\$34,439	\$1,739,619	\$29,084	\$3,745
Less estimated income	0	0	0	0	0	0
General fund	\$440,357	\$275,148	\$34,439	\$1,739,619	\$29,084	\$3,745
FTE	0.00	0.00	0.00	8.00	0.00	0.00

	Adds One-Time Funding for Public Website Design ⁷	Adds One-Time Funding for IT Expansion ⁸	Total Senate Changes
Salaries and wages			\$2,465,563
Operating expenses	\$150,000	\$48,000	254,829
Capital assets			
Total all funds	\$150,000	\$48,000	\$2,720,392
Less estimated income	0	0	0
General fund	\$150,000	\$48,000	\$2,720,392
FTE	0.00	0.00	8.00

¹ Funding is adjusted for base payroll changes.

² The following funding is added for 2021-23 biennium salary adjustments of 2 percent on July 1, 2021, with a minimum monthly increase of \$80 and a maximum monthly increase of \$300 and 2 percent on July 1, 2022, and increases in health insurance premiums from \$1,427 to \$1,429 per month:

	<u>General Fund</u>
Salary increase	\$273,053
Health insurance increase	<u>2,095</u>
Total	\$275,148

³ Funding is added for 2021-23 biennium compensation adjustments of 2 percent per year for legislators' attendance at interim meetings. The compensation adjustments are as follows:

	<u>Current Compensation Rate</u>	<u>Rate Effective July 1, 2021</u>	<u>Rate Effective July 1, 2022</u>
Interim meeting pay	\$186	\$190	\$194

⁴ Funding is added for 8 FTE information technology positions for the expansion of IT services.

⁵ Funding is adjusted for operating expenses, including adjustments for travel related to continuing reduced

committee sizes during the 2021-23 biennium and estimated increases in the lodging rate.

⁶ Funding is added for Microsoft Office 365 licensing expenses.

⁷ One-time funding is added for public website design.

⁸ One-time funding is added to expand information technology services.

A section is added to adjust 2021-23 biennium compensation rates to provide a 2 percent per year increase for interim meeting pay.