

25.0168.02001
Title.
Fiscal No. 1

Prepared by the Legislative Council
staff for House Appropriations -
Government Operations Division
Committee

April 7, 2025

Sixty-ninth
Legislative Assembly
of North Dakota

PROPOSED AMENDMENTS TO FIRST ENGROSSMENT

ENGROSSED SENATE BILL NO. 2001

Introduced by

Appropriations Committee

1 A BILL for an Act to provide an appropriation for defraying the expenses of the legislative branch
2 of state government; to amend and reenact sections 48-08-04, 54-03-10, 54-03-20, and
3 54-35-10 of the North Dakota Century Code, relating to use of legislative rooms and halls and
4 legislative compensation; to provide a statement of legislative intent; ~~to provide for a legislative-~~
5 ~~management study~~; to provide for a report; to provide an exemption; to provide for application,
6 transfer, and cancellation of unexpended appropriations; and to declare an emergency.

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

8 **SECTION 1. APPROPRIATION.** The funds provided in this section, or so much of the funds
9 as may be necessary, are appropriated out of any moneys in the general fund in the state
10 treasury, not otherwise appropriated, and from other funds derived from the insurance
11 regulatory trust fund ~~and other income~~, not otherwise appropriated, to the legislative branch of
12 state government for the purpose of defraying the expenses of the legislative branch of state
13 government, for the fiscal period beginning with the effective date of this Act, and ending
14 June 30, 2027, as follows:

15 Subdivision 1.

16 SIXTY-NINTH AND SEVENTIETH LEGISLATIVE ASSEMBLIES AND BIENNIUM

	Adjustments or		
	<u>Base Level</u>	<u>Enhancements</u>	<u>Appropriation</u>
18			
19	Salaries and wages	\$12,950,567	\$1,645,103
			\$14,595,670

Sixty-ninth
Legislative Assembly

1	Operating expenses	4,772,209	5,190,631	9,962,840
2	Capital assets	6,000	220,000	226,000
3	National conference of state legislatures	283,070	23,102	306,172
4	Total general fund	\$18,011,846	\$7,078,836	\$25,090,682
5	<u>Salaries and wages</u>	<u>\$12,950,567</u>	<u>\$1,645,103</u>	<u>\$14,595,670</u>
6	<u>Operating expenses</u>	<u>4,772,209</u>	<u>5,398,631</u>	<u>10,170,840</u>
7	<u>Capital assets</u>	<u>6,000</u>	<u>220,000</u>	<u>226,000</u>
8	<u>National conference of state legislatures</u>	<u>283,070</u>	<u>23,102</u>	<u>306,172</u>
9	<u>Total general fund</u>	<u>\$18,011,846</u>	<u>\$7,286,836</u>	<u>\$25,298,682</u>

10 Subdivision 2.

11 LEGISLATIVE MANAGEMENT AND LEGISLATIVE COUNCIL

12		Adjustments or		
13		<u>Base Level</u>	<u>Enhancements</u>	<u>Appropriation</u>
14	Salaries and wages	\$15,435,797	\$1,190,358	\$16,626,155
15	New and vacant FTE pool	0	5,088,515	5,088,515
16	Operating expenses	3,780,912	2,085,238	5,866,150
17	Capital assets	6,000	280,000	286,000
18	Total all funds	\$19,222,709	\$8,644,111	\$27,866,820
19	Less other funds	88,000	325,000	413,000
20	Total general fund	\$19,134,709	\$8,319,111	\$27,453,820
21	<u>Salaries and wages</u>	<u>\$15,435,797</u>	<u>\$1,190,358</u>	<u>\$16,626,155</u>
22	<u>New and vacant FTE pool</u>	<u>0</u>	<u>5,088,515</u>	<u>5,088,515</u>
23	<u>Operating expenses</u>	<u>3,780,912</u>	<u>1,435,238</u>	<u>5,216,150</u>
24	<u>Public printing</u>	<u>0</u>	<u>290,000</u>	<u>290,000</u>
25	<u>Capital assets</u>	<u>6,000</u>	<u>280,000</u>	<u>286,000</u>
26	<u>Total all funds</u>	<u>\$19,222,709</u>	<u>\$8,284,111</u>	<u>\$27,506,820</u>
27	<u>Less other funds</u>	<u>88,000</u>	<u>0</u>	<u>88,000</u>
28	<u>Total general fund</u>	<u>\$19,134,709</u>	<u>\$8,284,111</u>	<u>\$27,418,820</u>
29	Full-time equivalent positions	45.00	25.00	70.00

30 Subdivision 3.

31 TOTAL - SECTION 1

		Adjustments or	
	Base Level	Enhancements	Appropriation
Grand total all funds	\$37,234,555	\$15,722,947	\$52,957,502
Less grand total other funds	88,000	325,000	413,000
Grand total general fund	\$37,146,555	\$15,397,947	\$52,544,502
Grand total all funds	\$37,234,555	\$15,570,947	\$52,805,502
Less grand total other funds	88,000	0	88,000
Grand total general fund	\$37,146,555	\$15,570,947	\$52,717,502

SECTION 2. ONE-TIME FUNDING - EFFECT ON BASE BUDGET - REPORT TO

SEVENTIETH LEGISLATIVE ASSEMBLY. The following amounts reflect the one-time funding items included in the appropriation in section 1 of this Act which are not included in each entity's base budget for the 2027-29 biennium and which each entity shall report to the appropriations committees of the seventieth legislative assembly regarding the use of this funding:

One-Time Funding Description	General Fund	Other Funds	Total Funds
Legislative Assembly			
Legislative chambers and system upgrades	\$4,451,000	\$0	\$4,451,000
Total legislative assembly	\$4,451,000	\$0	\$4,451,000
Legislative Management and Legislative Council			
Costs related to new positions	\$375,000	\$0	\$375,000
Legislative term limit study	225,000	0	225,000
Advanced nuclear energy study	325,000	325,000	650,000
Information technology equipment	280,000	0	280,000
Total legislative management and legislative council	\$1,205,000	\$325,000	\$1,530,000
Grand total	\$5,656,000	\$325,000	\$5,981,000
legislative council	\$880,000	\$0	\$880,000
Grand total	\$5,331,000	\$0	\$5,331,000

SECTION 3. NEW AND VACANT FTE POOL - BUDGET SECTION REPORT.

- 1 1. The legislative council may not spend funds from the new and vacant FTE pool line
2 item in subdivision 2 of section 1 of this Act, but may transfer funds from this line item
3 to the salaries and wages line item as necessary to provide funding for:
 - 4 a. Filling a new FTE position from the date of hire through the end of the biennium;
5 or
 - 6 b. Salaries and wages if actual salaries and wages savings from vacant positions
7 and employee turnover adjusted for other uses are less than the estimate used
8 by the sixty-ninth legislative assembly in the development of the appropriation.
- 9 2. The legislative council shall report to the budget section regarding the use of funding
10 in the pool including information on:
 - 11 a. New FTE positions, including the date hired;
 - 12 b. Vacant FTE positions, including information on positions that become vacant and
13 positions filled, salaries and wages savings resulting from vacant positions and
14 employee turnover, and the use of salaries and wages savings for other
15 purposes; and
 - 16 c. Additional salaries and wages funding needed due to savings from vacant
17 positions being less than anticipated.
- 18 3. If funding in the new and vacant FTE pool line item is insufficient to provide the
19 necessary salaries and wages funding for the biennium, the legislative council may
20 request a deficiency appropriation from the seventieth legislative assembly.

21 **SECTION 4. EXEMPTION - TRANSFERS.** Notwithstanding section 54-16-04, the director
22 of the office of management and budget shall transfer appropriation authority between line items
23 of the legislative management and legislative council as may be requested by the chairman of
24 the legislative management or the director of the legislative council upon the finding by the
25 chairman or the director that the nature of studies and duties assigned to the legislative
26 management or legislative council requires the transfers in properly carrying on the legislative
27 management's and legislative council's functions and duties. The director of the office of
28 management and budget shall similarly make transfers of appropriation authority between the
29 line items for the sixty-ninth and seventieth legislative assemblies, upon request by the
30 chairman of the legislative management or the director of the legislative council upon the finding

1 by the chairman or director that the transfers are required for the legislative assembly to carry
2 on its functions and duties.

3 **SECTION 5. APPLICATION, TRANSFER AUTHORITY, AND CANCELLATION OF**

4 **UNEXPENDED APPROPRIATIONS.** Sections 54-16-04 and 54-44.1-11 do not apply to
5 chapter 1 of the 2023 Session Laws. The director of the office of management and budget shall
6 make transfers of appropriation authority between the line items and the agencies of the
7 legislative branch within section 1 of that chapter as requested by the chairman of the legislative
8 management or the director of the legislative council. The office of management and budget
9 shall cancel unexpended appropriations for the legislative assembly and legislative council
10 enacted prior to the 2023-25 biennium as directed by the chairman of the legislative
11 management or the director of the legislative council.

12 **SECTION 6. AMENDMENT.** Section 48-08-04 of the North Dakota Century Code is
13 amended and reenacted as follows:

14 **48-08-04. Use of legislative assembly rooms, ~~and halls,~~ and other space in the**
15 **capitol.**

16 During the interim between legislative sessions, the committee rooms, halls, passageways,
17 and other space in the capitol used by the legislative assembly, including the pioneer room, the
18 coteau room, the Sheyenne River room, judicial wing room 216, and judicial wing rooms 327 B,
19 C, and E, may not be used without authorization of the legislative council. The fifteenth floor of
20 the capitol is reserved for the exclusive use of the legislative council.

21 **SECTION 7. AMENDMENT.** Section 54-03-10 of the North Dakota Century Code is
22 amended and reenacted as follows:

23 **54-03-10. Compensation of speaker, majority and minority leaders, assistant majority**
24 **and minority leaders, committee chairmen, and employees.**

25 The speaker of the house, the house majority leader, the senate majority leader, the house
26 minority leader, and the senate minority leader shall each receive as compensation, in addition
27 to any other compensation or expense reimbursement provided by law, the sum of ~~fifteen~~twenty
28 dollars per day for each calendar day during any regular, special, or organizational session.
29 Chairmen of the substantive standing committees, the house assistant majority leader, the
30 senate assistant majority leader, the house assistant minority leader, and the senate assistant
31 minority leader shall receive additional compensation of ~~ten~~fifteen dollars for each calendar day

1 during any regular, special, or organizational session. The additional compensation provided by
2 this section must be paid in the manner provided in section 54-03-20. The legislative assembly,
3 by concurrent resolution, shall fix the compensation of the other officers and employees elected
4 or appointed.

5 **SECTION 8. AMENDMENT.** Section 54-03-20 of the North Dakota Century Code is
6 amended and reenacted as follows:

7 **54-03-20. Compensation and expense reimbursement of members of the legislative**
8 **assembly.**

9 1. Each member of the legislative assembly is entitled to receive as compensation for
10 services the sum of ~~two hundred fifty~~two hundred nineteen dollars through June 30,
11 ~~2024~~2026, and ~~two hundred thirteen~~two hundred twenty-six dollars thereafter for each
12 calendar day during any organizational, special, or regular legislative session and for
13 each day that member attends a meeting of a legislative committee between the
14 organizational session and the regular session as authorized by legislative rule.

15 2. a. Each member of the legislative assembly is entitled to receive reimbursement for
16 lodging, which may not exceed per calendar month the amount established under
17 this subdivision by the director of the office of management and budget for
18 lodging in state and which may not exceed the rate provided in section 44-08-04
19 for each calendar day during the period of any organizational, special, or regular
20 session. On August first of each even-numbered year, the director of the office of
21 management and budget shall set the maximum monthly reimbursement for the
22 subsequent two-year period at an amount equal to thirty times seventy percent of
23 the daily lodging reimbursement in effect on that date as provided under
24 subdivision d of subsection 2 of section 44-08-04.

25 b. Notwithstanding subdivision a:

- 26 (1) A member of the legislative assembly may elect to be reimbursed for less
27 than the amount to which the legislator is entitled under this subsection by
28 claiming the lesser amount on a voucher submitted with the receipt required
29 by section 44-08-04.
30 (2) The legislative management may establish guidelines that may result in a
31 reduced maximum reimbursement for a single dwelling in which two or more

- 1 legislators share lodging and the total rent for that dwelling exceeds the
2 amount to which a legislator is entitled under subdivision a.
- 3 3. a. Members of the legislative assembly who receive reimbursement for lodging are
4 also entitled to reimbursement for travel for not to exceed one round trip taken
5 during any calendar week, or portion of a week, the legislative assembly is in
6 session, between their residences and the place of meeting of the legislative
7 assembly, at the rate provided for state employees with the additional limitation
8 that reimbursement for travel by common carrier may be only at the cost of coach
9 fare and may not exceed one and one-half times the amount the member would
10 be entitled to receive as mileage reimbursement for travel by motor vehicle.
- 11 b. A member of the legislative assembly who does not receive reimbursement for
12 lodging and whose place of residence in the legislative district that the member
13 represents is not within the city of Bismarck is entitled to reimbursement at the
14 rate provided for state employees for necessary travel for not to exceed one
15 round trip taken per day between the residence and the place of meeting of the
16 legislative assembly when it is in session and may receive reimbursement for
17 lodging at the place of meeting of the legislative assembly as provided in section
18 44-08-04 for each calendar day for which round trip travel reimbursement is not
19 claimed, provided that the total reimbursement may not exceed the maximum
20 monthly reimbursement allowed under subdivision a of subsection 2.
- 21 4. The amount to which each legislator is entitled must be paid following the
22 organizational session in December and each month upon submission of a voucher
23 and appropriate documentation during a regular or special session, consistent with
24 section 26 of article XI of the constitution of North Dakota.
- 25 5. If during a special session, the legislative assembly adjourns for more than three days,
26 a member of the legislative assembly is entitled to receive compensation during those
27 days only while in attendance at a standing committee if the legislator is a member of
28 that committee, a majority or minority leader, or a legislator who is not on that
29 committee but who has the approval of a majority or minority leader to attend.
- 30 6. A day, or portion of a day, spent in traveling to or returning from an organizational,
31 special, or regular session or a legislative committee meeting must be included as a

1 calendar day during a legislative session or as a day of a legislative committee
2 meeting for the purposes of this section.

3 7. a. In addition, each member is entitled to receive during the term for which the
4 member was elected, as compensation for the execution of public duties during
5 the biennium, the sum of ~~five hundred sixty-nine~~six hundred ten dollars through
6 June 30, ~~2024~~2026, and ~~five hundred ninety-two~~six hundred twenty-eight dollars
7 thereafter per month, paid monthly.

8 b. If a member dies or resigns from office during the member's term, the member
9 may be paid only the allowances provided for in this section for the period for
10 which the member was actually a member.

11 c. The majority and minority leaders of the house and senate and the chairman of
12 the legislative management, if the chairman is not a majority or minority leader,
13 are each entitled to receive as compensation, in addition to any other
14 compensation or expense reimbursement provided by law, the sum of ~~four-~~
15 ~~hundred-eight~~four hundred thirty-seven dollars through June 30, ~~2024~~2026, and
16 ~~four hundred twenty-four~~four hundred fifty dollars thereafter per month during the
17 biennium for their execution of public duties.

18 8. Attendance at any organizational, special, or regular session of the legislative
19 assembly by any member is a conclusive presumption of entitlement as set out in this
20 section and compensation and expense allowances must be excluded from gross
21 income for income tax purposes to the extent permitted for federal income tax
22 purposes under section 127 of the Economic Recovery Tax Act of 1981 [Pub. L. 97-34;
23 95 Stat. 202; 26 U.S.C. 162(i)].

24 9. Before each regular legislative session, the legislative management shall make
25 recommendations and submit any necessary legislation to adjust legislative
26 compensation amounts.

27 **SECTION 9. AMENDMENT.** Section 54-35-10 of the North Dakota Century Code is
28 amended and reenacted as follows:

29 **54-35-10. Compensation of members and leadership.**

30 1. The members of the legislative management and the members of any committee of
31 the legislative management are entitled to be compensated for the time spent in

1 attendance at sessions of the legislative management and of its committees at the rate
2 of ~~two hundred fifty~~two hundred nineteen dollars through June 30, ~~2024~~2026, and ~~two~~
3 ~~hundred thirteen~~two hundred twenty-six dollars thereafter per day and must also be
4 paid for expenses incurred in attending said meetings and in the performance of their
5 official duties in the amounts provided by law for other state officers.

6 2. In addition to the compensation provided in subsection 1, the chairman of the
7 legislative management is entitled to receive an additional ~~five~~ten dollars for each day
8 spent in attendance at sessions of the legislative management and of its committees,
9 and the chairman of each of the legislative management's committees is entitled to
10 receive ~~five~~ten dollars for each day spent in attendance at sessions of the legislative
11 management or of the committee which the person chairs.

12 **SECTION 10. LEGISLATIVE INTENT - LEGISLATIVE MANAGEMENT - CHAMBER**

13 **ACCESSIBILITY.** It is the intent of the sixty-ninth legislative assembly that the legislative
14 management review the accessibility of the legislative chambers and gather information
15 regarding options to improve access.

16 ~~— SECTION 10. LEGISLATIVE MANAGEMENT STUDY - ADVANCED NUCLEAR ENERGY -~~

17 ~~During the 2025-26 interim, the legislative management shall study the feasibility, siting, and~~
18 ~~deployment of advanced nuclear power plants in the state. The appropriation for the legislative~~
19 ~~management and legislative council, included in subdivision 2 of section 1 of this Act, includes~~
20 ~~one-time funding of \$650,000, of which \$325,000 is from the general fund and \$325,000 is from~~
21 ~~other funds derived from matching funds, for the purpose of contracting for consulting services~~
22 ~~for the advanced nuclear energy study. The legislative management shall seek matching funds~~
23 ~~from the private sector to the extent available to assist with the cost of the project.~~

24 ~~— 1. The study must include evaluation of:~~

- 25 ~~— a. Siting locations, including potential greenfield and brownfield sites, the~~
26 ~~identification and assessment of undeveloped land suitable for construction,~~
27 ~~developed land suitable for rehabilitation and reuse, geographical locations,~~
28 ~~environmental impacts, proximity to infrastructure, and community acceptance;~~
29 ~~— b. Electric grid connectivity, including the capacity of the electrical grid and~~
30 ~~integration of a nuclear power plant to the state, necessary upgrades and~~

- 1 ~~expansions to ensure reliability, and recommendations adhering to national and-~~
2 ~~state electric standards and regulations;~~
3 ~~c. Land use considerations, including long-term sustainability of proposed sites,~~
4 ~~environmental and social factors, land use patterns and zoning regulations,~~
5 ~~potential impacts on local land use, and proposed mitigation strategies;~~
6 ~~d. Economic impacts, including potential tax revenue, job creation during-~~
7 ~~construction and operation of a nuclear facility, economic impacts on local and-~~
8 ~~state economies, and investor appeal;~~
9 ~~e. Small modular and micro nuclear reactors, including the feasibility of constructing-~~
10 ~~and operating small modular and micro reactors to generate power in the state;~~
11 ~~and~~
12 ~~f. Provisions of the North Dakota Century Code that place restrictions on advanced-~~
13 ~~nuclear energy development, if any.~~
14 ~~2. The study must invite participation from an institution of higher education for-~~
15 ~~assistance in evaluating social interests and community acceptance of potential siting-~~
16 ~~locations.~~
17 ~~3. The committee must consist of members appointed by the legislative management.~~
18 ~~4. The legislative management shall report its findings and recommendations, together-~~
19 ~~with any legislation necessary to implement the recommendations, to the seventieth-~~
20 ~~legislative assembly.~~

21 **SECTION 11. EMERGENCY.** Sections 1 through ~~5 and section 10~~6 of this Act are declared
22 to be an emergency measure.

STATEMENT OF PURPOSE OF AMENDMENT:**Senate Bill No. 2001 - Summary of House Action**

	Base Budget	Senate Version	House Changes	House Version
Legislative Assembly				
Total all funds	\$18,011,846	\$25,090,682	\$208,000	\$25,298,682
Less estimated income	0	0	0	0
General fund	\$18,011,846	\$25,090,682	\$208,000	\$25,298,682
FTE	0.00	0.00	0.00	0.00
Legislative Council				
Total all funds	\$19,222,709	\$27,866,820	(\$360,000)	\$27,506,820
Less estimated income	88,000	413,000	(325,000)	88,000
General fund	\$19,134,709	\$27,453,820	(\$35,000)	\$27,418,820
FTE	45.00	70.00	0.00	70.00
Bill total				
Total all funds	\$37,234,555	\$52,957,502	(\$152,000)	\$52,805,502
Less estimated income	88,000	413,000	(325,000)	88,000
General fund	\$37,146,555	\$52,544,502	\$173,000	\$52,717,502
FTE	45.00	70.00	0.00	70.00

Senate Bill No. 2001 - Legislative Assembly - House Action

	Base Budget	Senate Version	House Changes	House Version
Salaries and wages	\$12,950,567	\$14,595,670		\$14,595,670
Operating expenses	4,772,209	9,962,840	\$208,000	10,170,840
Capital assets	6,000	226,000		226,000
National Conf. of State Legislatures	283,070	306,172		306,172
Total all funds	\$18,011,846	\$25,090,682	\$208,000	\$25,298,682
Less estimated income	0	0	0	0
General fund	\$18,011,846	\$25,090,682	\$208,000	\$25,298,682
FTE	0.00	0.00	0.00	0.00

Department 150 - Legislative Assembly - Detail of House Changes

	Increases Funding for Monthly Lodging Expenses ¹	Increases Funding for North Dakota Legislators' Forum Dues ²	Total House Changes
Salaries and wages			
Operating expenses	\$198,000	\$10,000	\$208,000
Capital assets			
National Conf. of State Legislatures			
Total all funds	\$198,000	\$10,000	\$208,000
Less estimated income	0	0	0
General fund	\$198,000	\$10,000	\$208,000
FTE	0.00	0.00	0.00

¹ Funding is added to increase the anticipated maximum monthly lodging expense reimbursement for the 2027 legislative session from \$2,079 in the Senate version to \$2,475 in the House version pursuant to the approval of Senate Bill No. 2084. The maximum monthly lodging reimbursement is \$2,022 for the 2025 legislative session.

² Funding is increased for North Dakota Legislators' Forum dues to provide a total of \$40,000 for the biennium.

Senate Bill No. 2001 - Legislative Council - House Action

	Base Budget	Senate Version	House Changes	House Version
Salaries and wages	\$15,435,797	\$16,626,155		\$16,626,155
New and vacant FTE pool		5,088,515		5,088,515
Operating expenses	3,780,912	5,866,150	(\$650,000)	5,216,150
Public printing			290,000	290,000
Capital assets	6,000	286,000		286,000
Total all funds	\$19,222,709	\$27,866,820	(\$360,000)	\$27,506,820
Less estimated income	88,000	413,000	(325,000)	88,000
General fund	\$19,134,709	\$27,453,820	(\$35,000)	\$27,418,820
FTE	45.00	70.00	0.00	70.00

Department 160 - Legislative Council - Detail of House Changes

	Adds Funding for Public Printing ¹	Removes One- time Funding for an Advanced Nuclear Energy Study ²	Total House Changes
Salaries and wages			
New and vacant FTE pool			
Operating expenses		(\$650,000)	(\$650,000)
Public printing	\$290,000		290,000
Capital assets			
Total all funds	\$290,000	(\$650,000)	(\$360,000)
Less estimated income	0	(325,000)	(325,000)
General fund	\$290,000	(\$325,000)	(\$35,000)
FTE	0.00	0.00	0.00

¹ Funding is added for public printing transferred from the Secretary of State to the Legislative Council in House Bill No. 1002.

² One-time funding from the general fund and other funds, derived from matching funds, for consulting services related to an advanced nuclear energy study added by the Senate is removed. The study and related funding are included in House Bill No. 1025.

This amendment also:

- Adds a section to amend Section 48-08-04, related to the use of legislative rooms and halls, to provide the 15th floor of the Capitol is reserved for the exclusive use of the Legislative Council.
- Removes the section related to an advanced nuclear energy study added by the Senate. The study and related funding are included in House Bill No. 1025.