

FISCAL NOTE
Requested by Legislative Council
01/14/2019

Bill/Resolution No.: HB 1505

- 1 A. **State fiscal effect:** *Identify the state fiscal effect and the fiscal effect on agency appropriations compared to funding levels and appropriations anticipated under current law.*

	2017-2019 Biennium		2019-2021 Biennium		2021-2023 Biennium	
	General Fund	Other Funds	General Fund	Other Funds	General Fund	Other Funds
Revenues						
Expenditures			\$401,496		\$401,496	
Appropriations			\$401,496		\$401,496	

- 1 B. **County, city, school district and township fiscal effect:** *Identify the fiscal effect on the appropriate political subdivision.*

	2017-2019 Biennium	2019-2021 Biennium	2021-2023 Biennium
Counties			
Cities			
School Districts			
Townships			

- 2 A. **Bill and fiscal impact summary:** *Provide a brief summary of the measure, including description of the provisions having fiscal impact (limited to 300 characters).*

The bill allows legislators to claim meal reimbursement during legislative sessions.

- B. **Fiscal impact sections:** *Identify and provide a brief description of the sections of the measure which have fiscal impact. Include any assumptions and comments relevant to the analysis.*

The bill allows legislators to claim meal reimbursement during organizational, special, or regular legislative sessions.

3. **State fiscal effect detail:** *For information shown under state fiscal effect in 1A, please:*

- A. **Revenues:** *Explain the revenue amounts. Provide detail, when appropriate, for each revenue type and fund affected and any amounts included in the executive budget.*

- B. **Expenditures:** *Explain the expenditure amounts. Provide detail, when appropriate, for each agency, line item, and fund affected and the number of FTE positions affected.*

The bill allows legislators to claim meal reimbursement for each day of an organizational, special, and regular legislative session. The expenditure estimate is based on 127 legislators living outside of Bismarck claiming meal reimbursement of \$35 per day for 5 days during organizational session and \$35 per day for 5 days for 17 weeks during the regular session. Amounts were not included for any meals that could be claimed for Saturday or Sunday travel nor were any amounts deducted for meals provided at no cost to legislators during the session which would not be claimed.

- C. **Appropriations:** *Explain the appropriation amounts. Provide detail, when appropriate, for each agency and fund affected. Explain the relationship between the amounts shown for expenditures and appropriations. Indicate whether the appropriation or a part of the appropriation is included in the executive budget or relates to a continuing appropriation.*

The Legislative Assembly appropriation would need to be increased by the same amount as the additional estimated expenditures.

Name: Allen Knudson

Agency: Legislative Council

Telephone: 328-2916

Date Prepared: 01/18/2019

2019 HOUSE GOVERNMENT AND VETERANS AFFAIRS COMMITTEE

HB 1505

2019 HOUSE STANDING COMMITTEE MINUTES

Government and Veterans Affairs Committee Fort Union Room, State Capitol

HB 1505
1/24/2019
31448

- Subcommittee
 Conference Committee

Committee Clerk Signature Carmen Hart

Explanation or reason for introduction of bill/resolution:

Relating to reimbursement for members of the legislative assembly

Minutes:

Attachment 1, 2

Chairman Kasper opened the hearing on HB 1505.

Rep. Keith Kempenich appeared in support. Attachment 1 was handed out. The bill references 44-08-04 which is for interim food per diem allowance and that is \$35 per day. It sets it up for a regular session. The fiscal note is for about \$401,000. The handout shows that it is all over the board on what other states do. It starts in the next biennium.

Vice Chair Steiner: Is this in response to the ethics measure that passed and some of the critical editorials about how we love to be wined and dined?

Rep. Kempenich: In a way it is. You have seen a lot of the lobbying groups will want to meet with you, but you are going to buy your own meal. They aren't getting to know people anymore.

Rep. Schauer: Has this come up before?

Rep. Kempenich: There have been different approaches to this over the years.

Rep. P. Anderson: Would we get this in one lump sum?

Rep. Kempenich: No, it would be done the same way it is done for mileage.

Waylon Hedegaard, President of the ND AFL-CIO, appeared in support. I do not think \$35 is enough. If we want good people in a legislature, we have to pay them. You get a daily pay rate of \$177. That is ridiculous. If we do not pay our legislators enough, only rich people become legislators. Working class people cannot take these offices because they simply can't afford it.

House Government and Veterans Affairs Committee

HB 1505

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Attachment 2 from **Ellen Chaffee, Vice President, North Dakotans for Public Integrity, Inc.** was given out in support. She was unable to attend the hearing and testify.

Chairman Kasper closed the hearing.

2019 HOUSE STANDING COMMITTEE MINUTES

Government and Veterans Affairs Committee
Fort Union Room, State Capitol

HB 1505
1/25/2019
31523

- Subcommittee
 Conference Committee

Committee Clerk Signature Carmen Hart

Explanation or reason for introduction of bill/resolution:

Relating to reimbursement for members of the legislative assembly

Minutes:

Chairman Kasper opened the meeting on HB 1505.

Rep. Louser made a motion for a **DO NOT PASS**.

Rep. Schneider seconded the motion.

Rep. Karls: I don't do one of those voucher sheets, because I live here and not eligible. I was under the impression that out-of-town legislators get a daily meal allowance.

Chairman Kasper: Not during the session. When we come in for interim committees, we do.

Rep. B. Koppelman: I am going to resist this motion. Long before Measure 1 or anything came up with that sort of thing, the daily grind out here is not conducive of having free meals all the time which is suggested when they don't pay the meal allowance and we can't go home for lunch like maybe some of the locals can. It is harder to pack if you are going to pack.

Rep. Hoverson: I am going with the do not pass.

A roll call vote was taken. 8-6, 0 absent.

Rep. C. Johnson will carry the bill.

Date: 1-25-19
 Roll Call Vote #: 1

**2019 HOUSE STANDING COMMITTEE
 ROLL CALL VOTES
 BILL/RESOLUTION NO. 1505**

House Government and Veterans Affairs Committee

Subcommittee

Amendment LC# or Description: _____

- Recommendation: Adopt Amendment
 Do Pass Do Not Pass Without Committee Recommendation
 As Amended Rerefer to Appropriations
 Place on Consent Calendar
 Other Actions: Reconsider _____

Motion Made By Rep. Louser Seconded By Rep. Schneider

Representatives	Yes	No	Representatives	Yes	No
Chairman Jim Kasper	X		Rep. Pamela Anderson	X	
Vice Chair Vicky Steiner		X	Rep. Mary Schneider	X	
Rep. Jeff Hoverson	X				
Rep. Craig Johnson	X				
Rep. Daniel Johnston		X			
Rep. Karen Karls	X				
Rep. Ben Koppelman		X			
Rep. Vernon Laning		X			
Rep. Scott Louser	X				
Rep. Karen Rohr		X			
Rep. Austen Schauer	X				
Rep. Steve Vetter		X			

Total (Yes) 8 No 6

Absent 0

Floor Assignment Rep. C. Johnson

If the vote is on an amendment, briefly indicate intent:

REPORT OF STANDING COMMITTEE

HB 1505: Government and Veterans Affairs Committee (Rep. Kasper, Chairman)
recommends **DO NOT PASS** (8 YEAS, 6 NAYS, 0 ABSENT AND NOT VOTING).
HB 1505 was placed on the Eleventh order on the calendar.

2019 TESTIMONY

HB 1505

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 APPENDIX
 Table 1

2018 Legislator Compensation Information

LEGISLATIVE SALARIES AND PER DIEM

STATE	BASE SALARY	PER DIEM
Alabama	\$46,257	Alabama legislators no longer receive a set per diem rate while in session. Legislators are reimbursed for in-state travel expenses which include mileage and per diem in accordance with rates and procedures applicable to state employees. All out-of-district reimbursable travel must be for official business and in the interests of the state or in the performance of official duties, as approved by the applicable presiding officer.
Alaska	\$50,400	\$275/day. Tied to the federal rate.
Arizona	\$24,000	\$35/d for legislators who live in Maricopa County; \$60/d for legislators who live outside of Maricopa County.
Arkansas	\$40,188	\$155 for legislators who live more than 50 miles from the Capitol; \$59 for legislators who live less than 50 miles from the Capitol.
California	\$107,241	\$192/d for each day in session.
Colorado	\$30,000	85 percent of federal per diem for members living outside Denver; \$45/d for members who live 50 or

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LEGISLATIVE SALARIES AND PER DIEM

STATE	BASE SALARY	PER DIEM
		fewer miles from the capitol (V). Set by the legislature.
Connecticut	\$28,000	No per diem is paid.
Delaware	\$45,291	No per diem is paid.
Florida	\$29,697	\$152/d based on the number of days in Tallahassee (V).
Georgia	\$17,342	\$173/d (U). Set by the Legislative Services Committee.
Hawaii	\$62,604	\$225/d
Idaho	\$17,358	\$129/d for members establishing a second residence in Boise; \$49/d if no second residence is established and up to \$25/d travel (V). Set by the compensation commission.
Illinois	\$67,836	\$111/session day.
Indiana	\$25,945	\$173/d (U)
Iowa	\$25,000	\$168/d
Kansas	\$88.66/day (C)	\$144/d
Kentucky	\$188.22/day (C)	158/d
Louisiana	\$22,800	\$164/d
Maine	\$10,131	\$38/d lodging (or mileage and tolls up to \$38/d in lieu of housing). \$32/d meals. Set by statute.
Maryland	\$50,330	\$47/d meals. \$106/d lodging.
Massachusetts	\$62,548	No per diem is paid.

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LEGISLATIVE SALARIES AND PER DIEM

STATE	BASE SALARY	PER DIEM
Michigan	\$71,685	\$10,800/y expense allowance for session and interim (V). Set by the compensation commission.
Minnesota	\$45,000	\$86/d for senators; \$66/d for representatives.
Mississippi	\$23,500	\$144/day
Missouri	\$35,915	\$115.20/day
Montana	\$90.64/day (L)	\$114/d
Nebraska	\$12,000	\$144/d for members residing 50 miles or more from the capitol; \$51/d for members residing inside the 50-mile radius.
Nevada	\$150.71/day for legislators elected in 2016, \$146.29/day for midterm legislators	\$142/d.
New Hampshire	\$200/2-y term.	No per diem is paid.
New Jersey	\$49,000	No per diem is paid.
New Mexico	None	\$161/day
New York	\$79,500	\$174/d (including overnight) or \$59/d (no overnight).
North Carolina	\$13,951	\$104/d (U). Set by statute.
North Dakota	\$177/day (C)	Up to \$1,682/m lodging (V).
Ohio	\$60,584	No per diem is paid.

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LEGISLATIVE SALARIES AND PER DIEM

STATE	BASE SALARY	PER DIEM
Oklahoma	\$38,400	\$154/d
Oregon	\$24,216	\$144/d
Pennsylvania	\$87,180	\$183/d
Rhode Island	\$15,630	No per diem is paid.
South Carolina	\$10,400	\$202.03 (L)
South Dakota	\$6,000/session	\$144/d (L) (U).
Tennessee	\$22,667	\$229/d
Texas	\$7,200	\$190/d (U). Set by ethics commission.
Utah	\$273/day (C)	Up to \$100 plus tax/d (C) lodging; up to \$42/date meals (V). Tied to in-state lodging and meal reimbursement rates.
Vermont	723.27/week	\$125/d lodging (including overnight) or \$69/d (no overnight).
Virginia	\$18,000/y Senate; \$17,640/y House.	\$203/d
Washington	\$47,776/y; increases to \$48,731/y eff. 9/1/2018.	\$120/d.
West Virginia	\$20,000	\$131/d (U). Set by compensation commission.

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LEGISLATIVE SALARIES AND PER DIEM

STATE	BASE SALARY	PER DIEM
		Senate - up to \$115/d (\$57.50/d Senators living in Dane County).
Wisconsin	\$50,950	Assembly - up to \$157d (including overnight) or up to \$78.50/d (no overnight). The maximum number of days per year that per diem can be claimed is 90 days.
Wyoming	\$150/day	\$109/d (V). Set by legislature.

Source: National Conference of State Legislatures, 2018

(C) = Calendar Day, (L) = Legislative Day

(V) = Vouchered, (U) = Unvouchered

John Mahoney is a policy specialist in the NCSL Center for Legislative Strengthening.

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Government and Veterans Affairs Committee Hearing
House Bill 1505
January 24, 2019

Comments by
Ellen Chaffee, Ph.D.
Vice President, North Dakotans for Public Integrity, Inc.
Bismarck, ND

Chairman Kasper, Members of the Committee:

My name is Ellen Chaffee and I am vice-president of North Dakotans for Public Integrity (NDPI). We are pleased to support House Bill 1505. We strongly support the state providing sufficient compensation so that legislators can afford to serve, to sleep, and to eat!

We recognize the significant sacrifices legislators make to serve their constituents and the inconveniences to them, their families, and their work commitments. Effective legislators work nearly around the clock during sessions and countless hours between sessions. The state provides monthly and daily stipends, support for lodging, and health insurance. Meal reimbursement is a logical complement to these.

Recognizing the difficulty of legislators taking any action that some people may see as self-serving, we would like to go on record in support of a comprehensive review and renovation of the structure and compensation for legislative service. The state needs to enable people who are not retired, self-employed, seasonally available, or financially secure without a regular paycheck to offer their services to the public as well.

Thank you.