

## LEGISLATIVE ASSEMBLY EMPLOYEE POSITIONS AND COMPENSATION

This memorandum provides information on the number of employee positions during the 2017 legislative session and reviews the proposed number of employee positions for the 2019 legislative session. This memorandum also provides information on employee compensation during the 2017 legislative session and proposed compensation levels for the 2019 legislative session. Since the number of employee positions peaked at 136 in 1993, the number of employees has been reduced to 81 during the 2017 legislative session.

### SESSION EMPLOYEES 2017 Employment Positions

Table 1 lists the proposed and actual employment positions during the 2017 legislative session.

During the 2015-16 interim, the Legislative Management recommended a total of 84 employment positions--37 Senate employees and 47 House employees--be employed during the 2017 legislative session. During the session, the House employed two assistant committee clerks rather than three; the Senate Majority Leader employed one staff assistant rather than two; and the House Minority Leader employed one staff assistant rather than two. Thus, during the 2017 legislative session, there were 36 Senate employees and 45 House employees.

### 2019 Proposed Positions

Table 1 lists the number of employment positions proposed for the 2019 legislative session--37 Senate employees and 46 House employees--recognizes:

- The four staff assistants authorized for the Majority Leaders and the four staff assistants authorized for the Minority Leaders.
- Continued Senate employment of the supply room coordinator.
- Employment of a parking lot attendant by each house.
- Employment of the number of assistant sergeants-at-arms at the 2017 level.
- Reduction of the number of House assistant committee clerks from three to two.

| Employee Position                                   | Proposed Number of Employee Positions 2017 Session |           | Actual Number of Employee Positions 2017 Session |           | Proposed Number of Employee Positions 2019 Session |           |
|---|--|-----------|--|-----------|--|-----------|
|   | Senate/House                                       | Total     | Senate/House                                     | Total     | Senate/House                                       | Total     |
| Secretary of the Senate/Chief Clerk of the House    | 1/1  | 2         | 1/1  | 2         | 1/1  | 2         |
| Assistant Secretary/Assistant Chief Clerk           | 1/1  | 2         | 1/1  | 2         | 1/1  | 2         |
| Journal reporter                                    | 1/1  | 2         | 1/1  | 2         | 1/1  | 2         |
| Calendar clerk <sup>1</sup>                         | 1/1  | 2         | 1/1 <sup>1</sup>                                 | 2         | 1/1  | 2         |
| Bill clerk  | 1/1  | 2         | 1/1  | 2         | 1/1  | 2         |
| Recording clerk <sup>2</sup>                        | 1/1  | 2         | 1/1  | 2         | 1/1  | 2         |
| Sergeant-at-arms                                    | 1/1  | 2         | 1/1  | 2         | 1/1  | 2         |
| Administrative assistant to the Speaker             | 0/1  | 1         | 0/1  | 1         | 0/1  | 1         |
| Administrative assistant to the Majority Leader     | 1/1  | 2         | 1/1  | 2         | 1/1  | 2         |
| Staff assistant to the Majority Leader <sup>3</sup> | 2/2  | 4         | 1/2  | 3         | 2/2  | 4         |
| Administrative assistant to the Minority Leader     | 1/1  | 2         | 1/1  | 2         | 1/1  | 2         |
| Staff assistant to the Minority Leader <sup>3</sup> | 2/2  | 4         | 2/1  | 3         | 2/2  | 4         |
| Deputy Chief Clerk                                  | 1/1  | 2         | 1/1  | 2         | 1/1  | 2         |
| Appropriations Committee clerk                      | 1/1  | 2         | 1/1  | 2         | 1/1  | 2         |
| Assistant Appropriations Committee clerk            | 1/3  | 4         | 1/3  | 4         | 1/3  | 4         |
| Committee clerk                                     | 10/10  | 20        | 10/10  | 20        | 10/10  | 20        |
| Assistant committee clerk                           | 1/3  | 4         | 1/2  | 3         | 1/2  | 3         |
| Deputy sergeant-at-arms                             | 1/1  | 2         | 1/1  | 2         | 1/1  | 2         |
| Assistant sergeant-at-arms                          | 2/6  | 8         | 2/6  | 8         | 2/6  | 8         |
| Supply room coordinator <sup>4</sup>                | 1/0  | 1         | 1/0  | 1         | 1/0  | 1         |
| Chief legislative assistant <sup>5</sup>            | 1/1  | 2         | 1/1  | 2         | 1/1  | 2         |
| Desk page   | 0/1  | 1         | 0/1  | 1         | 0/1  | 1         |
| Page <sup>6</sup>                                   | 3/4  | 7         | 3/4  | 7         | 3/4  | 7         |
| Information kiosk attendant <sup>7</sup>            | 1/1  | 2         | 1/1  | 2         | 1/1  | 2         |
| Parking lot attendant <sup>8</sup>                  | 1/1  | 2         | 1/1  | 2         | 1/1  | 2         |
| <b>Total</b>  | <b>37/47</b>                                       | <b>84</b> | <b>36/45</b>                                     | <b>81</b> | <b>37/46</b>                                       | <b>83</b> |

<sup>1</sup>Beginning with the 1995 legislative session, the calendar clerk position was established to handle daily calendar responsibilities under the newly computerized calendar system.

<sup>2</sup>Beginning with the 2013 legislative session, the position of recording clerk was created to operate the chamber video system.

<sup>3</sup>During the 1993-94 interim, the Legislative Management Committee recommended the "reassignment" of a legislative intern position for each caucus to each leader, resulting in 2 staff assistants being authorized for each leader since the 1995 legislative session. Although a total of 4 staff assistant positions for the Majority Leaders and 4 staff assistant positions for the Minority Leaders have been authorized beginning with the 1995 session, the Majority Leaders have employed from 1 to 3 staff assistants and the Minority Leaders usually have employed 3 staff assistants. The pay resolution authorizes reallocation of pay for the staff assistant and administrative assistant positions authorized among the positions filled.

<sup>4</sup>The supply room coordinator is a position that traditionally had alternated between the Senate and House from session to session, but starting with the 2003 legislative session, the Senate continued to employ the supply room coordinator as a means of obtaining an "additional" assistant sergeant-at-arms to help out during the floor session as necessary.

<sup>5</sup>The chief page and bill book clerks were replaced with legislative assistants in 2015.

<sup>6</sup>After the 1993 legislative session, page and bill book clerk positions were substantially reduced due to increased distribution of computer terminals, and ultimately personal computers, to legislators which in turn resulted in elimination of bill books and their necessary maintenance by page and bill book clerks. A total of 14 page and bill book clerks were employed in 1995, 9 in 1997, 5 in 1999, 6 in 2001 and 2003, and 7 beginning with the 2005 session through the 2013 session. In 2015 the position was designated as page and a total of 9 were employed. In 2017 a total of 7 were employed.

<sup>7</sup>During the 2001 and 2003 legislative sessions, the information kiosk attendant position alternated between the Senate and House, but starting with the 2005 legislative session, each house again employed an information kiosk attendant.

<sup>8</sup>During the 2001 and 2003 legislative sessions, the parking lot attendant position was reduced to 1 position, which alternated between the House and Senate, but starting with the 2005 legislative session, each house again employed a parking lot attendant.

**NOTE:** The journal page position was eliminated beginning with the 1995 legislative session because the computerized journal reporting system was enhanced enough for the journal reporter to assume full responsibility for journal preparation rather than rely on a page to deliver reports to the Legislative Council staff for completion of the journal after each daily session.

Beginning with the 1995 legislative session, secretarial services were first provided under contract with a private party. This resulted in elimination of 13 positions at that time--2 chief stenographer and payroll clerks, 9 stenographers, and 2 typists.

Beginning with the 1997 legislative session, bill and journal room services were first provided under contract with a private party. This resulted in elimination of 12 positions at that time--1 chief bill and journal room clerk, 6 bill room clerks, and 5 journal room clerks.

Beginning with the 2001 legislative session, telephone message services were first provided under contract with a private party. This resulted in elimination of 11 positions at that time--1 chief telephone attendant, 8 telephone attendants, and 2 telephone pages.

The payroll clerk was converted to a part-time position that replaced the chief stenographer and payroll clerk position of each house beginning with the 1995 legislative session (when secretarial services were first provided under contract with a private party) and which alternated between the House and Senate from session to session. This part-time position was eliminated in 2013 because anyone now accessing PeopleSoft--the payroll system software--is subject to criminal background checks, and after the Legislative Council staff enters information concerning new legislators and session employees, monthly payroll requirements are minimal.

## SESSION EMPLOYEE COMPENSATION

In 1999 employee compensation was increased generally across the board by 7 percent. In addition, a skills recognition adjustment was provided for certain session employees to recognize supervisory, technical, and communications skills. The skills recognition adjustments ranged from an additional \$1 to \$11 per day. As a result, compensation ranged from \$62 to \$102 per day (\$7.75 to \$12.75 per hour based on an 8-hour day).

In 2001 employee compensation was increased generally across the board by 5 percent, rounded to the nearest dollar. The percentage was based on the fact that the 56<sup>th</sup> Legislative Assembly approved average pay increases of 2 percent for the first year of the biennium and 3 percent for the second year of the biennium for state employees. In addition, skills recognition adjustments ranging from an additional \$3 to \$11 per day were provided for desk force positions, which increasingly require greater technical abilities than most other employee positions.

In 2003 and 2005 employee compensation was increased generally across the board by 5 percent, rounded to the nearest dollar.

In 2007 employee compensation was increased generally across the board by 8.16 percent, which reflected the 4 percent and 4 percent average pay increases authorized for state employees in 2005 and 2006 approved by the 59<sup>th</sup> Legislative Assembly.

In 2009 employee compensation was increased generally across the board from 11.8 to 14.3 percent to reach levels reflecting increases in the state's average weekly wage since 1999, rather than the 4 percent and 4 percent average pay increases authorized for state employees in 2007 and 2008 by the 60<sup>th</sup> Legislative Assembly.

In 2011 employee compensation was increased generally across the board by 5 percent and 5 percent, which reflected the 5 percent and 5 percent average pay increases authorized for state employees in 2009 and 2010 by the 61<sup>st</sup> Legislative Assembly.

In 2013 employee compensation was increased generally across the board by 3 percent and 3 percent, which reflected the 3 percent and 3 percent average pay increases authorized for state employees in 2011 and 2012 by the 62<sup>nd</sup> Legislative Assembly.

In 2015 employee compensation was increased generally across the board by 4 percent and 3 percent, which reflected the 4 percent and 3 percent average pay increases authorized for state employees in 2013 and 2014 by the 63<sup>rd</sup> Legislative Assembly.

In 2017 employee compensation was increased across the board by 3 percent. Because of budget allotments and uncertainty of the state budget, the increase did not follow the 3 percent and 3 percent authorized for state employees in 2015 and 2016 by the 64<sup>th</sup> Legislative Assembly.

Table 2 illustrates the 2015 and 2017 daily salary and the proposed 2019 daily salary for all positions proposed for the 2019 legislative session. The 2019 proposed salary is the same daily salary paid during the 2017 legislative session. Neither state employees nor legislators were authorized salary increases in 2017 and 2018 by the 65<sup>th</sup> Legislative Assembly.

The 2017 concurrent resolution setting compensation levels also provided for additional compensation of \$1 per day per session worked, up to a maximum of \$10 per day. Depending on the extent employees return from session to session, the additional compensation for prior sessions varies. For the 2017 legislative session, the additional compensation was \$95 per day for House employees and \$98 per day for Senate employees.

The total daily compensation for Legislative Assembly employees in 2017 was \$12,772, which does not include the \$1 per day per session allowed for prior session experience.

### Employee Position Resolution

Any decision to adjust compensation for any position can be made by the Legislative Management by changing the amounts on the draft of the concurrent resolution designating employment positions and fixing compensation or by amending the resolution during the session.

North Dakota Century Code Section 54-03-10 requires the compensation of Legislative Assembly employees to be set by concurrent resolution. The concurrent resolution has traditionally been introduced by members of the Senate and House Employment Committees. Since 1997, the concurrent resolution establishing employee positions has not included specific names or identified specific individuals. This avoids special action to hire an employee after adoption of the resolution. By designating positions rather than naming employees, a report by an Employment Committee which names an employee and the position is sufficient to identify that employee, the position, and the compensation level. Since 1997, the concurrent resolution establishing employee positions also has authorized the Employment Committees to convert full-time positions to part-time positions, as appropriate, and has provided for a generic position of "legislative assistant" for employees not requiring technical skills so those employees can be transferred to work assignments as needed. The legislative assistant position covers positions formerly identified as assistant sergeant-at-arms, supply room coordinator, desk page, page and chief page and bill book clerk, information desk attendant, and parking lot attendant.

| 2019<br>Proposed<br>Employees | Position   | Salary Per Position     |                         |                            |
|-------------------------------|--|-------------------------|-------------------------|----------------------------|
|                               |  | 2015<br>Daily<br>Salary | 2017<br>Daily<br>Salary | 2019<br>Proposed<br>Salary |
| 2                             | Secretary of the Senate/Chief Clerk of the House | \$190                   | \$196                   | \$196                      |
| 2                             | Assistant Secretary/Assistant Chief Clerk        | \$172                   | \$177                   | \$177                      |
| 2                             | Journal reporter                                 | \$185                   | \$191                   | \$191                      |
| 2                             | Calendar clerk                                   | \$172                   | \$177                   | \$177                      |
| 2                             | Bill clerk                                       | \$160                   | \$165                   | \$165                      |
| 2                             | Video recording clerk                            | \$155                   | \$160                   | \$160                      |
| 2                             | Sergeant-at-arms                                 | \$155                   | \$160                   | \$160                      |
| 1                             | Administrative assistant to the Speaker          | \$169                   | \$174                   | \$174                      |
| 2                             | Administrative assistant to the Majority Leader  | \$169                   | \$174                   | \$174                      |
| 4                             | Staff assistant to the Majority Leader           | \$169                   | \$174                   | \$174                      |

| 2019<br>Proposed<br>Employees | Position  | Salary Per Position     |                         |                            |
|-------------------------------|---|-------------------------|-------------------------|----------------------------|
|                               |   | 2015<br>Daily<br>Salary | 2017<br>Daily<br>Salary | 2019<br>Proposed<br>Salary |
| 2                             | Administrative assistant to the Minority Leader     | \$169                   | \$174                   | \$174                      |
| 4                             | Staff assistant to the Minority Leader              | \$169                   | \$174                   | \$174                      |
| 2                             | Deputy Chief Clerk                                  | \$179                   | \$184                   | \$184                      |
| 2                             | Appropriations Committee clerk                      | \$169                   | \$174                   | \$174                      |
| 4                             | Assistant Appropriations Committee clerk            | \$162                   | \$167                   | \$167                      |
| 10                            | Committee clerk - 3 day                             | \$162                   | \$167                   | \$167                      |
| 10                            | Committee clerk - 2 day                             | \$157                   | \$162                   | \$162                      |
| 3                             | Assistant committee clerk                           | \$157                   | \$162                   | \$162                      |
| 2                             | Deputy sergeant-at-arms                             | \$118                   | \$122                   | \$122                      |
| 2                             | Chief legislative assistant                         | \$131                   | \$135                   | \$135                      |
| 8                             | Legislative assistant - Assistant sergeant-at-arms  | \$112                   | \$115                   | \$115                      |
| 1                             | Legislative assistant - Supply room coordinator     | \$112                   | \$115                   | \$115                      |
| 1                             | Legislative assistant - Desk page                   | \$112                   | \$115                   | \$115                      |
| 7                             | Legislative assistant - Page                        | \$112                   | \$115                   | \$115                      |
| 2                             | Legislative assistant - Information kiosk attendant | \$112                   | \$115                   | \$115                      |
| 2                             | Legislative assistant - Parking lot attendant       | \$112                   | \$115                   | \$115                      |
| Total 83                      |   |                         |                         |                            |
| Total daily compensation      |   |                         | \$12,965                | \$12,803                   |