

Introduced by

1 A BILL for an Act to amend and reenact section 54-03-20 of the North Dakota Century Code,
2 relating to compensation of members of the legislative assembly; to provide for retroactive
3 application; and to declare an emergency.

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

5 **SECTION 1. AMENDMENT.** Section 54-03-20 of the 1999 Supplement to the North
6 Dakota Century Code is amended and reenacted as follows:

7 **54-03-20. Compensation and expense reimbursement of members of the**
8 **legislative assembly.** Each member of the legislative assembly of the state of North Dakota is
9 entitled to receive as compensation for services the sum of one hundred eleven dollars for each
10 calendar day during any organizational, special, or regular legislative session and for each day
11 that member attends a meeting of a legislative committee between the organizational session
12 and the regular session as authorized by legislative rule. Each member of the legislative
13 assembly is entitled to receive reimbursement for lodging, which may not exceed a maximum of
14 six hundred fifty dollars per calendar month for lodging in state, at the rates and in the manner
15 provided in section 44-08-04 for each calendar day during the period of any organizational,
16 special, or regular session. Members of the legislative assembly who receive reimbursement
17 for lodging are also entitled to reimbursement for travel for not to exceed one round trip taken
18 during any calendar week, or portion of a week, the legislative assembly is in session, between
19 their residences and the place of meeting of the legislative assembly, at the rate provided for
20 state employees with the additional limitation that reimbursement for travel by common carrier
21 may be only at the cost of coach fare and may not exceed one and one-half times the amount
22 the member would be entitled to receive as mileage reimbursement for travel by motor vehicle.
23 A member of the legislative assembly who does not receive reimbursement for lodging and
24 whose place of residence in the legislative district that the member represents is not within the
25 city of Bismarck is entitled to reimbursement at the rate provided for state employees for

1 necessary travel for not to exceed one round trip taken per day between the residence and the
2 place of meeting of the legislative assembly when it is in session and may receive
3 reimbursement for lodging at the place of meeting of the legislative assembly as provided in
4 section 44-08-04 for each calendar day for which round trip travel reimbursement is not
5 claimed, provided that the total reimbursement may not exceed six hundred fifty dollars per
6 month. The amount to which each legislator is entitled must be paid following the
7 organizational session in December and following each month during a regular or special
8 session.

9 A day, or portion of a day, spent in traveling to or returning from an organizational,
10 special, or regular session or a legislative committee meeting must be included as a calendar
11 day during a legislative session or as a day of a legislative committee meeting for the purposes
12 of this section.

13 In addition, each member is entitled to receive during the term for which the member
14 was elected, as compensation for the execution of public duties during the biennium, the sum of
15 two hundred fifty dollars a month, which is payable every six months or monthly, at the
16 member's option. If a member dies or resigns from office during the member's term, the
17 member may be paid only the allowances provided for in this section for the period for which
18 the member was actually a member. The majority and minority leaders of the house and
19 senate are each entitled to receive as compensation, in addition to any other compensation or
20 expense reimbursement provided by law, the sum of two hundred fifty dollars per month during
21 the biennium for their execution of public duties.

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

27 **SECTION 2. RETROACTIVE APPLICATION.** Section 1 of this Act is retroactive in
28 application to December 7, 2000.

29 **SECTION 3. EMERGENCY.** This Act is declared to be an emergency measure.