

**FIRST ENGROSSMENT
with Conference Committee Amendments**

ENGROSSED SENATE BILL NO. 2001

Introduced by

Appropriations Committee

(At the request of the Legislative Council)

1 A BILL for an Act providing an appropriation for defraying the expenses of the legislative branch
2 of state government; to provide for governance of a legislative applications replacement system
3 project; to provide for applications and transfers; to provide for a legislative council study; to
4 amend and reenact section 54-03-20 of the North Dakota Century Code, relating to
5 compensation of members of the legislative assembly; to provide an effective date; and to
6 declare an emergency.

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

8 **SECTION 1. BASE LEVEL FUNDING INFORMATION.** The amounts identified in this
9 section represent the base level funding component appropriated to the legislative branch of
10 state government in section 3 of this Act as follows:

11 Subdivision 1.

12 FIFTY-NINTH AND SIXTIETH LEGISLATIVE ASSEMBLIES AND BIENNIUM

13 Salaries and wages	\$5,482,878
14 Operating expenses	2,904,850
15 Capital assets	6,000
16 National conference of state legislatures	<u>167,524</u>
17 Total general fund - Base level	\$8,561,252

18 Subdivision 2.

19 LEGISLATIVE COUNCIL

20 Salaries and wages	\$4,916,029
21 Operating expenses	2,209,827
22 Capital assets	57,000
23 Information technology study	<u>350,000</u>

Fifty-ninth
Legislative Assembly

1	Total general fund - Base level	\$7,532,856
2	Total general fund - Section 1	\$16,094,108

3 **SECTION 2. FUNDING ADJUSTMENTS OR ENHANCEMENTS INFORMATION.** The
4 amounts identified in this section represent the funding adjustments or enhancements to the
5 base funding level for the legislative branch of state government which are included in the
6 appropriation in section 3 of this Act as follows:

7 Subdivision 1.

8	FIFTY-NINTH AND SIXTIETH LEGISLATIVE ASSEMBLIES AND BIENNIUM	
9	Salaries and wages	\$601,739
10	Operating expenses	92,923
11	Capital assets	226,085
12	National conference of state legislatures	<u>10,226</u>
13	Total general fund - Adjustments/enhancements	\$930,973

14 Subdivision 2.

15	LEGISLATIVE COUNCIL	
16	Salaries and wages	\$251,007
17	Operating expenses	157,909
18	Capital assets	(16,000)
19	Information technology study	<u>(350,000)</u>
20	Total general fund - Adjustments/enhancements	\$42,916
21	Total general fund - Section 2	\$973,889

22 **SECTION 3. APPROPRIATION FOR THE LEGISLATIVE BRANCH OF STATE**
23 **GOVERNMENT.** The funds provided in this section, or so much of the funds as may be
24 necessary, are appropriated out of any moneys in the general fund in the state treasury, not
25 otherwise appropriated, to the legislative branch of state government for the purpose of
26 defraying the expenses of that branch, for the fiscal period beginning with the effective date of
27 this Act and ending June 30, 2007, as follows:

28 Subdivision 1.

29	FIFTY-NINTH AND SIXTIETH LEGISLATIVE ASSEMBLIES AND BIENNIUM	
30	Salaries and wages	\$6,084,617
31	Operating expenses	2,997,773

1 committee shall review and approve the deliverables from the completed phase before any
2 consideration may be made for a subsequent phase. The individual designated as the project
3 manager shall provide reports regarding the project as required by chapters 54-35 and 54-59.

4 **SECTION 6. LEGISLATIVE COUNCIL STUDY - PRINTING OF BILLS AND**

5 **RESOLUTIONS.** The legislative council, through its legislative management committee, shall
6 study, during the 2005-06 interim, the feasibility and desirability of arranging for the printing of
7 bills and resolutions for the sixtieth legislative assembly by using computers and high-speed
8 printers rather than printing multiple copies of all bills and having copies available in the bill and
9 journal room. The legislative council shall report its findings and recommendations, together
10 with any legislation necessary to implement the recommendations, to the sixtieth legislative
11 assembly.

12 **SECTION 7. LEGISLATIVE COUNCIL STUDY - LEGISLATIVE MEETING ROOMS.**

13 The legislative council, through its legislative management committee, shall study, during the
14 2005-06 interim, the need for additional legislative committee meeting rooms. The legislative
15 council may expend any funds available for the remodeling of legislative meeting rooms if the
16 study concludes that additional meeting rooms are needed. The legislative council shall report
17 its findings and recommendations, together with any legislation necessary to implement the
18 recommendations, to the sixtieth legislative assembly.

19 **SECTION 8. LEGISLATIVE COUNCIL STUDY - DIVISION CHAIRMEN PAY.**

20 The legislative council, through its legislative management committee, shall study, during the
21 2005-06 interim, the appropriateness of increasing the daily compensation for chairmen of
22 substantive standing committee divisions established by rule of the house or senate. The
23 legislative council shall report its findings and recommendations, together with any legislation
24 necessary to implement the recommendations, to the sixtieth legislative assembly.

25 **SECTION 9. APPLICATION AND TRANSFER AUTHORITY.**

26 North Dakota Century Code sections 54-16-04 and 54-44.1-11 do not apply to chapter 1 of the 2003 Session Laws.
27 Any unexpended funds from the appropriations in chapter 1 of the 2003 Session Laws may be
28 used to assist in the cost of the legislative applications replacement project, including
29 preplanning costs. The director of the office of management and budget and the state
30 treasurer shall make transfers of funds between the line items and the agencies of the

1 legislative branch within section 1 of that chapter as requested by the chairman of the
2 legislative council or the chairman's designee.

3 **SECTION 10. AMENDMENT.** Section 54-03-20 of the North Dakota Century Code is
4 amended and reenacted as follows:

5 **54-03-20. Compensation and expense reimbursement of members of the**
6 **legislative assembly.**

7 1. Each member of the legislative assembly of the state of North Dakota is entitled to
8 receive as compensation for services the sum of one hundred twenty-five dollars
9 for each calendar day during any organizational, special, or regular legislative
10 session and for each day that member attends a meeting of a legislative
11 committee between the organizational session and the regular session as
12 authorized by legislative rule.

13 2. Each member of the legislative assembly is entitled to receive reimbursement for
14 lodging, which may not exceed a maximum of six hundred fifty dollars per calendar
15 month for lodging in state, at the rates and in the manner provided in section
16 44-08-04 for each calendar day during the period of any organizational, special, or
17 regular session.

18 3. a. Members of the legislative assembly who receive reimbursement for lodging
19 are also entitled to reimbursement for travel for not to exceed one round trip
20 taken during any calendar week, or portion of a week, the legislative
21 assembly is in session, between their residences and the place of meeting of
22 the legislative assembly, at the rate provided for state employees with the
23 additional limitation that reimbursement for travel by common carrier may be
24 only at the cost of coach fare and may not exceed one and one-half times the
25 amount the member would be entitled to receive as mileage reimbursement
26 for travel by motor vehicle.

27 b. A member of the legislative assembly who does not receive reimbursement
28 for lodging and whose place of residence in the legislative district that the
29 member represents is not within the city of Bismarck is entitled to
30 reimbursement at the rate provided for state employees for necessary travel
31 for not to exceed one round trip taken per day between the residence and the

1 place of meeting of the legislative assembly when it is in session and may
2 receive reimbursement for lodging at the place of meeting of the legislative
3 assembly as provided in section 44-08-04 for each calendar day for which
4 round trip travel reimbursement is not claimed, provided that the total
5 reimbursement may not exceed six hundred fifty dollars per month.

6 4. 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
8 special session.

9 5. If during a special session, the legislative assembly adjourns for more than three
10 days, a member of the legislative assembly is entitled to receive compensation
11 during those days only while in attendance at a standing committee if the legislator
12 is a member of that committee, a majority or minority leader, or a legislator who is
13 not on that committee but who has the approval of a majority or minority leader to
14 attend.

15 6. A day, or portion of a day, spent in traveling to or returning from an organizational,
16 special, or regular session or a legislative committee meeting must be included as
17 a calendar day during a legislative session or as a day of a legislative committee
18 meeting for the purposes of this section.

19 7. a. In addition, each member is entitled to receive during the term for which the
20 member was elected, as compensation for the execution of public duties
21 during the biennium, the sum of ~~two~~ three hundred fifty dollars a month, which
22 is payable every six months or monthly, at the member's option.

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

26 c. The majority and minority leaders of the house and senate and the chairman
27 of the legislative council, if the chairman is not a majority or minority leader,
28 are each entitled to receive as compensation, in addition to any other
29 compensation or expense reimbursement provided by law, the sum of two
30 hundred fifty dollars per month during the biennium for their execution of
31 public duties.

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

7 **SECTION 11. EFFECTIVE DATE.** Section 10 of this Act becomes effective on July 1,
8 2005.

9 **SECTION 12. EMERGENCY.** This Act is declared to be an emergency measure.