

Introduced by

1 A BILL for an Act to create and enact three new sections to chapter 54-06 of the North Dakota  
2 Century Code, relating to state employee service awards, employer-paid tuition, and  
3 employer-paid professional organization membership and service club dues.

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

5 **SECTION 1.** A new section to chapter 54-06 of the North Dakota Century Code is  
6 created and enacted as follows:

7 **State employee service awards.**

- 8 1. Each state agency, department, or institution shall recognize certain service  
9 anniversaries of employees by implementing and administering a service award  
10 program. Service awards may be postponed or withheld if there are documented  
11 problems with an employee's performance.
- 12 2. An employee must have completed three, five, ten, fifteen, twenty-five, thirty,  
13 thirty-five, forty, forty-five, fifty, fifty-five, sixty, sixty-five, or seventy years of  
14 employment with the state to receive a service award. An employee who leaves  
15 employment with the state and subsequently returns to employment with the state  
16 again begins to accumulate time that must be added to the employee;s previous  
17 service and applied to any future service award.
- 18 3. The types of service awards that an employee is entitled to receive are:
- 19 a. Following the completion of three years of service, a certificate or plaque, and  
20 an item not to exceed a value of twenty-five dollars.
- 21 b. Following the completion of five years of service, a certificate or plaque, and  
22 an item not to exceed a value of fifty dollars.
- 23 c. Following the completion of ten years of service, a certificate or plaque, and  
24 an item not to exceed a value of one hundred dollars.

- 1           d. Following the completion of fifteen years of service, a certificate or plaque,  
2                   and an item not to exceed a value of one hundred fifty dollars.
- 3           e. Following the completion of twenty years of service, a certificate or plaque,  
4                   and an item not to exceed a value of two hundred dollars.
- 5           f. Following the completion of twenty-five years of service, a certificate or  
6                   plaque, and an item not to exceed a value of two hundred fifty dollars.
- 7           g. Following the completion of thirty years of service, a certificate or plaque, and  
8                   an item not to exceed a value of three hundred dollars dollars dollars.
- 9           h. Following the completion of thirty-five years of service, a certificate or plaque,  
10                   and an item not to exceed a value of three hundred fifty dollars.
- 11          i. Following the completion of forty years of service, a certificate or plaque, and  
12                   an item not to exceed a value of four hundred dollars.
- 13          j. Following the completion of forty-five years of service, a certificate or plaque,  
14                   and an item not to exceed a value of four hundred fifty dollars.
- 15          k. Following the completion of fifty years of service and every five-year  
16                   increment thereafter, a certificate or plaque, and an item not to exceed a  
17                   value of five hundred dollars.
- 18          4. A retirement award shall be provided to an employee who has a minimum of fifteen  
19                   years of state service and who has not been previously recognized for a retirement  
20                   by the state as follows:
- 21           a. A retirement certificate signed by the governor, chief justice, or chairman of  
22                   the legislative council and a plaque.
- 23           b. An item with a value not to exceed two hundred dollars.
- 24           c. A farewell party may be provided upon agreement of the employee and the  
25                   agency, department, or institution.
- 26           d. Retirement awards may be withheld if there are documented problems with an  
27                   employees performance.
- 28          5. A state agency, department, or institution may not provide cash to an employee as  
29                   part of a service or retirement award program. However, a state agency,  
30                   department, or institution may provide a gift certificate.

1           A expenditure made under this section is deemed to be compensation for services  
2 provided to the state and is made for a public purpose and may not be construed as a gift for  
3 purposes of section 18 of article X of the Constitution of North Dakota.

4           **SECTION 2.** A new section to chapter 54-06 of the North Dakota Century Code is  
5 created and enacted as follows:

6           **Employer-paid tuition.** Each state agency, department, or institution may adopt rules  
7 or policies to provide training and educational opportunities to its employees to learn new  
8 required skills or to enhance their current skills, to increase the opportunity for advancement  
9 within the agency or state service, to increase proficiency and productivity, or to improve work  
10 performance. The cost of training or education courses, including tuition and fees, may be paid  
11 for, within budgetary constraints, by the state agency, department, or institution or reimbursed  
12 to the employee in accordance with rule or policy. Each state agency, department, or institution  
13 providing employer-paid training or tuition under this section, shall file annually with the office of  
14 management and budget a report indicating the individual receiving the employer-paid training  
15 or tuition, the amount paid, and a statement of the public purpose or public benefit of the  
16 employer-paid training or tuition. The office of management and budget shall submit to the  
17 legislative council a report that contains a summary of expenditures made pursuant to this  
18 section during the biennium and describes the statements of the public purpose or public  
19 benefit of the expenditures. An expenditure for employer-paid training or tuition under this  
20 section is deemed to be made for a public purpose and may not be construed as a gift for  
21 purposes of section 8 of article X of the Constitution of North Dakota.

22           **SECTION 3.** A new section to chapter 54-06 of the North Dakota Century Code is  
23 created and enacted as follows:

24           **Employer-paid membership dues for professional organizations or service clubs.**  
25 Each state agency, department, or institution may adopt rules or policies to provide for the  
26 payment of membership dues for professional organizations or service clubs, and organizations  
27 with a direct job relation to the employees work duties. The cost of membership dues may be  
28 paid for, within budgetary constraints, by the state agency, department, or institution or  
29 reimbursed to the employee in accordance with rule or policy. Within sixty days after the close  
30 of each fiscal year, each state agency, department, or institution making an expenditure under  
31 this section, shall file with the office of management and budget a report detailing the

Sixty-first  
Legislative Assembly

1 expenditure, the amount paid, and a statement of the public purpose or public benefit of the  
2 expenditure. Within ninety days after the close of each biennial period, the office of  
3 management and budget shall submit to the legislative council the a report that contains a  
4 summary of expenditures made pursuant to this section during the biennium and describes the  
5 statements of the public purpose or public benefit of the expenditures. An expenditure made  
6 under this section is deemed to be compensation for services provided to the state and is made  
7 for a public purpose and may not be construed as a gift under section 18 of article X of the  
8 Constitution of North Dakota.