

2011 HOUSE GOVERNMENT AND VETERANS AFFAIRS

HB 1141

2011 HOUSE STANDING COMMITTEE MINUTES

House Government and Veterans Affairs Committee Fort Union Room, State Capitol

HB 1141
January 13, 2011
12899

☐ Conference Committee

Committee Clerk Signature

Carmen Hart

Explanation or reason for introduction of bill/resolution:

Housing reimbursement

Minutes:

Chairman Bette Grande opened the hearing on HB 1141.

Rep. Al Carlson, District 41, appeared. This bill has to do with reimbursement for lodging. One of the reasons this is before you is that if you were to survey and we did members of both chambers, there are more than 40 people who are paying more than the allotted amount they are given for housing in Bismarck. I believe that if we tie it to the index that is in this bill that hopefully it would not be an issue that we have to keep revisiting every time questioning whether or not we are going to pay or reimburse enough. I brought with me the editorial from The Bismarck Tribune today of which we surely would hate to confuse the media with the facts, because they didn't get anything right in the article. Some things smell sour when lawmakers attempt to put additional tax dollars in their own pockets. Wrong. As every representative in this room, the only money you are reimbursed for housing is the exact amount of the receipt that you paid to wherever you stayed. If you paid \$800, \$800 is paid, not \$1,220. There is no money to be made by any legislators. You are not voting for a pay increase when you vote for this bill. You are voting to have your expenses covered when there are a number of people that are paying \$1,200 and up for their rooms. It talks about how I want to increase this level to the US General Services Administration set for employees on the road. That is a good point to talk about. I will explain to you the difference, and you will see that we are not exactly overpaying for our rooms. It says for voters and taxpayers this is worse than troublesome. It smacks of arrogance. It doesn't smack of arrogance at all. This smacks of good common business sense. We did not get elected to come out here-- I don't believe our members came out here to have to pay \$200 out of their pocket to do the jobs of balancing an \$8 billion budget and to pass the laws that govern the state. I will give you some facts and figures. In the interim if you were out here for an interim committee meeting, the state would reimburse you \$69.30 every time you travel. During the session with this bill which puts it at 65% of the federal rate, 30 x 65% of the federal rate which will come out to about \$1,225. That is \$40.80 a night which you are going to paying for your room if you were to pay what was allotted in this bill. Some will be less. Some will be more. In South Dakota, for example, they

pay the state rate all through the session. They pay their \$69.30 all through the session, all 30 days for all of their members. South Dakota isn't exactly what you consider a liberal state that would throw money away. The average rate today in a Bismarck hotel if they were to rent to anybody but us is \$75.96. That is an accurate figure polling of all the hotels in town of what they get. They are running at a 78% occupancy rate. Even if you were to take 30 days x \$75.96 x 78% you would find that our number of \$40.80 is low. As a businessman, can you blame them for wanting to get the value of their room out of those rooms? I can't do that. What we haven't calculated or what nobody anticipated is how the oil boom has moved into the Bismarck area. People are staying here and they are driving two hours to their jobsites. This bill very simply says that we will raise that up to 65%. My assumption would be that as that federal rate changes, and I have talked to some of the hotel/motel people and they believe that this would be a number that could be lived with, and we wouldn't need to be back here every time adjusting that rate. This is not a pay raise. The fiscal note is about \$96,000. They assume that everybody was paying the maximum and that everybody was paying the \$1,225 which is not the case. There are many of them paying less than that so it is almost impossible to calculate the fiscal note exactly. I don't particularly like retroactive bills. This one is retroactive because I don't think anybody anticipated--there were a number of people that had commitments from various hotels that they stayed at before where they thought they had the state rate only to call back after the pre session and find out that rate wasn't going to be honored anymore. It is not the same as it used to be. You have to book early.

Rep. Bill Amerman: Where does it tie to if the federal rate goes up so we don't have to revisit it? Is that under your 44-08?

Rep. Carlson: If you go to Line 14, that would be 44-08-04 that designates what that federal rate will be. It is the GSA rate, what they pay all their federal employees. That changes every 3 or every 6 months. We work off of that. Ours used to be 63 and then it went to 69. That is why if you were here during the last interim, you notice that there was a difference in the reimbursement about half way through where it went up about \$6 for the rooms that you were in.

Rep. Glen Froseth: This \$1,229 which will be the new rate—in the past sessions, the motels I stayed at have always included the taxes in that flat rate they charged. I presume that \$1,229 would be inclusive of all the taxes involved in that room which is quite a few dollars?

Rep. Carlson: That is the total you are getting reimbursed. If that is part of the taxes, you have to pay it. If more than that you have to. My understanding was that it is an inclusive number, but that is not written in the law. Whatever the costs are including taxes, all you are going to get is that \$1,229 back. There are times when you come down here for interims where you have to pay \$81 for a room. You get \$69.50 reimbursed and you are going to pay the difference yourself. If we were to take the \$69.50 that we pay everybody for the interim and equate that out to the session that would be a very significant fiscal note that was on this bill.

Chairman Bette Grande: It has been brought to my attention by a number of members that we should maybe look at an amendment to this bill dealing with the fact that this reimbursement rate would be more or only used on the commercial rate versus those who rent from local housing, apartments, houses, and things from snowbirds or whatever in that it is a substantial amount for a monthly rent for someone, your prior probably left it vacant anyway because they went south. This is just kind of one of those extras that they get an opportunity to rent out to a legislator. This is nice for them to have the convenience of somebody house sitting and yet we are looking at reimbursing at a fairly high rate.

Rep. Carlson: I wouldn't rent my house for \$1,200 a month. I am not sure how many people would move another family into their house for \$1,200 a month whether it was going to be sitting empty or not because of the wear and tear on the house and somebody else living in your property. You can separate them if you want, but you would still have a number. I know that a lot of the houses that are being rented are costing more than \$1,040 and there are some that are costing less. I don't see any reason to separate them. If you do as a committee, obviously we have more people living in the hotels than we do in the houses, that is your choice. There are a number of people who are paying \$1,000 but then they have to pay for the internet service, telephone service, and cable TV service. To tie this to the formula is the biggest key and to get this off so we are not fighting this every time about whether we are going to have an extra \$5, \$10, or \$20 or whether or not we are having to pay out of our own pocket.

Josh Churchill from Comfort Inn appeared in support of HB 1141. At its current approximate rate of \$34.60 per day, it is difficult for a hotel operator to justify accepting legislators in any number given the expectations of the amenities of the average traveler including those of most legislators—in room amenities, exercise facility on property, indoor pool, complimentary breakfast, etc. Without taking any profit into consideration—of course, we are in business to make a profit—initial risk was taken to enter in to any sort of business—for our hotel the cost of a room sold, an occupied room per night, is in excess of \$20. This does not include fixed costs such as utilities and debt service. Return on owner's equity becomes a __point with all those things considered at the current rate of reimbursement. Current ADRs (average daily rates) in our competitive set—we are considered a limited service hotel—limited service would make up the majority of hotels that occupy Bismarck. By limited service we do not offer an onsite restaurant and some of the luxuries that a full service hotel would. Ourselves, Expressway Inn, Country Suites, American Inn, and so on are considered limited service hotels. ADR, contrary to Rep. Carlson's information, in our competitive set, approaches and exceeds \$90 per night. That is regardless of season. One thing I should touch on as well are corporate apartments. These have popped up around town. The driving factor there is again the oil and energy activity. A lot of apartment and rental companies have decided to furnish a lot of their units, call them corporate housing units, and essentially furnish them in the same fashion as a hotel. Those units on average are exceeding \$1,200 per month minimum. This is an apartment. This does not have an exercise facility, indoor pool, and a complimentary breakfast along with daily housekeeping service. They simply don't compare. A lease situation would most likely be in place on those

as well versus a no lease situation with a hotel room you can come and go as you please. Our business is volatile, and we need to tie a certain rate into that volatility. Our particular hotels that we operate, the Comfort Inn and the Comfort Suites in town here, we have a very close relationship with numerous state agencies. We want to maintain that relationship, and we feel that relationship necessitates taking on a certain number of legislators annually. Given our business model it does actually costs us money to take legislators' rooms for nights. You weigh the benefits with the downsize. We want to maintain that excellent rapport with the state. The bottom line is in order for us to maintain our facility the way the travelling public and the legislative session requires, a rate increase is justifiable.

Rep. Lonny Winrich: If you accept legislators at the Comfort Inn, it costs you money. Is that at the monthly rate or at the daily rate or both?

Josh Churchill: That would be at the monthly rate. I wasn't actually addressing state rate of \$69.30. We are in a situation where we are making a profit.

Rep. Lonny Winrich: You have no complaints about that?

Josh Churchill: Correct.

Rep. Lonny Winrich: Rep. Carlson indicated that the occupancy rate for hotels in Bismarck was about 78%. Do you agree with that number?

Josh Churchill: I do. That is correct.

Rep. Lonny Winrich: Do you have a measure of some sort of how often you have a sold out night?

Josh Churchill: I would have to be giving you proprietary information there. I can't actually address what our hotel specific occupancy is during the course of the year.

Rep. Lonny Winrich: But on average it is about 78%?

Josh Churchill: It is well in excess of 78% for our particular hotel.

Rep. Lonny Winrich: I see. Overall, in the city of Bismarck it is about 78%.

Josh Churchill: That is correct.

Rep. Vicky Steiner: Do you get together with other hotels and say okay you take 8 legislators? Is it informal agreement to take legislators? How does that work?

Josh Churchill: There is no informal agreement, per say, but a conversation does take place about accepting legislator rooms. Our business model is quite a bit different than most in town in terms of how many sold out nights we have. From a general standpoint, when you are looking at how many sold out nights that you do expect to have occur during the legislative session and the cost for a room night

sold, you have to weigh those things and the revenue that you are sacrificing in sold out nights.

Rep. Bill Amerman: What is the occupancy rate to kick in the profit mark?

Josh Churchill: It depends upon a number of different factors, primarily ADR. Seasonally if you can secure an ADR higher than the off season or secure an ADR that is higher due to artificial activity like the energy activity that is taking place, I would say it is in the 50+% range.

Rep. Karen Rohr: Is it fair to say that when you determine how many legislators you have staying at your facility, you are already weighing what you need for a regular customer versus the legislator? Do you weigh that like you have 10 more other occupants to cover the additional cost that you are absorbing for the 5 legislators?

Josh Churchill: That is a mentality and that is a calculation that would exist at most if not all other hospitality entities in town. Our particular hotel specifically does not take that into consideration.

Rep. Gary Paur: I would imagine January and February are not peak season months in North Dakota and your occupancy rate is probably not 78%. We might just be tying you over until the summer season comes.

Josh Churchill: I need to address both the industry and Bismarck as a whole and our specific operations. We have many sold out nights during this period. Five to six nights per week during this period we are sold out. From an industry standpoint you need to weigh how many sold out nights you expect, the cost of an occupied room, and the revenue sacrificed accordingly and take those things into consideration.

Chairman Bette Grande: When a legislator moves into the hotel, we move in for the full four months. That means they lose their weekend even if we are not there. You are spreading that rate out at a lesser charge. That weekend might have been when they could have been getting that higher rate yet. Do you want to speak to that?

Josh Churchill: That is absolutely correct. It does lend to how many sold out nights that you are sacrificing that revenue difference. A guest staying 30+ days does receive tax exemption.

Vice Chairman Randy Boehning: Does that include February where we either have 28 or 29? Is that included in that or is it a strict 30 continuous days per month?

Josh Churchill: Thirty consecutive days and then we would retroactively adjust the tax.

Rep. Bill Amerman: As this bill was coming forward, of course there was a lot of discussion amongst many legislators staying in different places. In conversation it

come up in fact the managers of the hotels/motels whether they could take legislators or what they could charge is actually dictated from a corporate entity. Is that a true statement?

Josh Churchill: You are totally correct there. Therein lies an unique situation that we are in being locally owned. Most hotels that are going up today are either corporate or investor owned by out of state entities.

There was no one neutral or in opposition to this bill. The hearing was closed.

Rep. Lisa Meier: Were you going to submit an amendment to this bill, by chance?

Chairman Bette Grande: That would be up to the committee. I just reiterate to you what I was hearing and I don't know what anybody else was hearing. I don't have heartburn either direction on it.

Rep. Glen Froseth: Some past history on previous sessions. I am not sure which session it was. We had the same issue, and I had supported a different structure for home rentals. I thought they should be negotiated possibly at a lower rate. I felt we were setting the rate for this rent in the city of Bismarck by doing this. It was pointed out and convinced me that if you rent a home, more than likely you are being furnished a garage, snow removal, or whatever. There is a lot more space in a motel room. You are moving into somebody else's private domain and using all their personal household wares and so forth. It was pointed out that they maybe deserve that same rate too. My feeling about us setting the going rate for the city was kind of offset by those factors.

Rep. Vicky Steiner: I would agree with that. I would resist that amendment. I am renting a duplex from a landlord I just met in December. I don't agree that we should make it complicated and separate it out between a snowbird, and this landlord didn't want to rent to me for four months, he wanted six months. I had to negotiate with him. I had to pay him more than he normally gets because he didn't want to do it for four months. I am paying a little bit extra out of my pocket to get into this. It is adequate. It is not fancy. If we don't do something and I don't think we should separate out the snowbird houses--I don't think that makes sense.

Rep. Glen Froseth made a motion for a **Do Pass**.

Vice Chairman Randy Boehning seconded the motion.

Rep. Gary Paur: I don't fully understand parts of this like tying it to the federal. We aren't doing that now?

Chairman Bette Grande: Not the legislative rate, but we do tie it to it during the interim rate. Maybe you have the history.

Rudie Martinson, ND Hospitality Association, appeared and gave the history. I don't remember the exact percentage, but last session we took the state employee

reimbursement rate which is the \$69.30 that we have been talking about and the rate that you get during the interim and tied that to the federal reimbursement rate. We also did it with the legislative monthly reimbursement rate that you are getting. Right now it is at 55% which comes up with that roughly \$1,000 number. On August 1 of an even numbered year, we look at what the federal GSA rate is and then take the percentage that is in this bill which is now 55% and that becomes the legislative lodging. This year we got in a situation where August 1 came and so the legislative rate for this session was decided and then on October 1 the GSA rate actually went up from \$70 to \$77 but because under our current system that rate for legislative housing gets set on August 1, that is not compensated for in your current monthly rate.

Rep. Gary Paur: I feel a little bit uncomfortable with all this. I probably am going to vote against it.

DO PASS AND REREFER TO APPROPRIATIONS, 11 YEAS, 2 NAYS. Rep. Glen Froseth is the carrier of this bill.

FISCAL NOTE
Requested by Legislative Council
03/21/2011

Amendment to: HB 1141

1A. 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.*

	2009-2011 Biennium		2011-2013 Biennium		2013-2015 Biennium	
	General Fund	Other Funds	General Fund	Other Funds	General Fund	Other Funds
Revenues						
Expenditures			\$118,272		\$118,272	
Appropriations			\$118,272		\$118,272	

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

2009-2011 Biennium			2011-2013 Biennium			2013-2015 Biennium		
Counties	Cities	School Districts	Counties	Cities	School Districts	Counties	Cities	School Districts

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

House Bill No. 1141 with Senate amendments amends the formula for calculating the maximum monthly lodging expense reimbursement allowed during legislative session.

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.*

House Bill No. 1141 with Senate amendments amends the maximum monthly lodging expense reimbursement allowed during legislative sessions from 30 times 55 percent of the state daily lodging expense reimbursement rate to 30 times 65 percent of the state daily lodging expense reimbursement rate effective August 1, 2011.

The estimated impact is \$118,272 from the general fund for the 2011-13 biennium.

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.*

N/A

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 expenditure amounts reflect the estimated cost of the proposed increases for the 2011-13 biennium.

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 is also included in the executive budget or relates to a continuing appropriation.*

The appropriation for the Legislative Assembly is included in House Bill No. 1001.

Name:	Allen H. Knudson	Agency:	Legislative Council
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Phone Number: 701.328.2916

Date Prepared: 03/21/2011

FISCAL NOTE

Requested by Legislative Council
01/06/2011

Bill/Resolution No.: HB 1141

1A. 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.*

	2009-2011 Biennium		2011-2013 Biennium		2013-2015 Biennium	
	General Fund	Other Funds	General Fund	Other Funds	General Fund	Other Funds
Revenues						
Expenditures	\$96,768		\$118,272		\$118,272	
Appropriations	\$96,768		\$118,272		\$118,272	

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

2009-2011 Biennium			2011-2013 Biennium			2013-2015 Biennium		
Counties	Cities	School Districts	Counties	Cities	School Districts	Counties	Cities	School Districts

2A. 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 amends the formula for calculating the maximum monthly lodging expense reimbursement allowed during during legislative session.

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 amends the maximum monthly lodging expense reimbursement allowed during legislative sessions from 30 times 55 percent of the state daily lodging expense reimbursement rate to 30 times 65 percent of the state daily lodging expense reimbursement rate effective January 1, 2011.

Therefore, the bill increases the maximum monthly lodging expense reimbursement from \$1,040 (\$63 times 55% times 30) to \$1,229 (\$63 times 65% times 30) effective January 1, 2011.

The estimated impact is \$96,768 from the general fund for the 2009-11 biennium and \$118,272 from the general fund for the 2011-13 biennium.

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.*

N/A

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 expenditure amounts reflect the estimated cost of the proposed increases for the 2009-11 and 2011-13 bienniums.

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 is also included in the executive budget or relates to a continuing appropriation.

The appropriation for the Legislative Assembly would need to be increased by \$96,768 from the general fund for the 2009-11 biennium and \$118,272 from the general fund for the 2011-13 biennium.

Name:	Allen H. Knudson	Agency:	Legislative Council
Phone Number:	328-2916	Date Prepared:	01/06/2011

Date: 7-13-11
Roll Call Vote #: 1

2011 HOUSE STANDING COMMITTEE ROLL CALL VOTES
BILL/RESOLUTION NO. 1141

House GOVERNMENT AND VETERAN AFFAIRS Committee

☐ Check here for Conference Committee

Legislative Council Amendment Number _____

Action Taken ☒ Do Pass ☐ Do Not Pass ☐ Amended ☐ Adopt Amendment

☒ Rerefer to Appropriations ☐ Reconsider

Motion Made By Rep. Froese Seconded By Rep. Boehning

Representatives	Yes	No	Representatives	Yes	No
Chairman Bette Grande	✓		Bill Amerman		✓
Vice Chairman Randy Boehning	✓		Ron Guggisberg	✓	
Glen Froese	✓		Lonny Winrich	✓	
Karen Karls	✓				
Lisa Meier	✓				
Gary Paur	✓	✓			
Karen Rohr	✓				
Mark Sanford	✓				
Vicky Steiner	✓				
Roscoe Streyle	✓				

Total (Yes) 11 No 2

Absent 0

Floor Assignment Rep. Froese

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

REPORT OF STANDING COMMITTEE

HB 1141: Government and Veterans Affairs Committee (Rep. Grande, Chairman)
recommends **DO PASS** and **BE REREFERRED** to the **Appropriations Committee**
(11 YEAS, 2 NAYS, 0 ABSENT AND NOT VOTING). HB 1141 was rereferred to the
Appropriations Committee.

2011 HOUSE APPROPRIATIONS

HB 1141

2011 HOUSE STANDING COMMITTEE MINUTES

House Appropriations Committee Roughrider Room, State Capitol

HB 1141
1/27/11
13531

☐ Conference Committee

Committee Clerk Signature

Meredith Traubolt

Explanation or reason for introduction of bill/resolution:

A BILL for an Act relating to housing reimbursement for members of the legislative assembly; to provide for retroactive application; and to declare an emergency.

Minutes:

You may make reference to "attached testimony."

Chairman Delzer advised this is not a hearing on HB 1141, it is further discussion on the bill, and the title was read.

Representative Al Carlson, District 41, House Majority Leader: This is not a hearing, but I thought I would explain some important facts about the bill. We're attempting to tie this to an index so this isn't constantly a battle. There were somewhere between 25-40 legislators, between the House and the Senate, paying more than the allotted amount today. We only get reimbursed for the exact amount of the receipt. This is not a raise for lawmakers. During the interim, if you were to come to town for a meeting, you would be paid \$69.30 for your lodging. If we come back in special session in November, which we will for a week for redistricting, you will be reimbursed \$69.30 or whatever the formula amounts to at the time. Last time we tied our mileage to a percentage of the federal GSA numbers. This does the same thing on the housing side. Right now if you were to take that percentage, it amounts to about \$1225 a month, at the 65%. That's about \$40.80 per day that you're renting a hotel room for in Bismarck. SD pays their per diem rate all through the session. They pay the same thing they pay for the interim, for all their people, all session. The average rate of the hotels around town is about \$75.96. If they rent to someone besides you, that's what they get, with about 78% occupancy. Even if they rent to you every day of the week, it doesn't offset their 22% average vacancy. To tie this to the right percentage would take this off the table and not keep coming back to this every time. The 55% agreed to last session is just not enough. The GVA committee did not amend the bill, they passed it out and sent it on to you. There are people paying more to live in houses, and hotel and motel rooms, than the allowance. If you want to pay more for a nicer room, that's your choice. But to set a benchmark is a smart thing to do. That is the rationale.

Chairman Delzer: The GVA was 11-2-0 vote Do Pass. Fiscal Note shows \$96,768 required to be put into the Legislative Council budget to cover for this biennium, \$118,000 next biennium.

Representative Carlson: That's if every member of the legislative assembly was paying that amount.

Chairman Delzer: With the retroactive application, what about those that are currently in for \$1000, and come back and say they want the \$1200?

Representative Carlson: The compensation is based on their receipt. Some of you probably moved from where you've stayed before because they wouldn't honor the current rate. This is not a pay raise. I don't believe as a citizen legislature we should have to pay out of our pockets to be out here. We're not getting overpaid for what we do.

Representative Bellew: When you drafted this bill, did you consider an inflator?

Representative Carlson: It's already in there, it's tied to the index. It's tied to the federal rate and adjusted every year to 65% of that rate. It's the same with our mileage.

Representative Glassheim: The last thing I want is having hotels not properly compensated. However, I think the occupancy rate in spring 2010 was closer to 60%. So by us buying a block of rooms, we are not depriving the hotels of money they could be getting. If it's lower occupancy, that means even at the lower rate we're giving them it's still more than they would have if we weren't here. When you buy big you get a discount, because they have a certainty of income. As this goes up, it will be more sensible for most of us to rent houses and apartments. I think by going up we're paying more than we should. If we keep going up this way, I'm going to put a study resolution in for a state motel.

Representative Carlson: The oil boom has moved to Bismarck. When we're in session, everyone wants to come see us. You try to get a room as an individual when we're in session. They could charge \$95 a night and get it. Hopefully we still allow free enterprise to function in this state. Establish fair compensation, stick with it, and we'll make a giant step forward. They're not making too much money. Even in the interim you need to book two weeks in advance or they are full when you call. It's not the same as it used to be.

Representative Nelson: There's many people that said if we went to this type of formula we wouldn't be revisiting this every year. Yet here we are, back again, because 55% isn't good enough. Now it's 65%. Why would we think that next session it won't be 75%?

Representative Carlson: I can't guarantee that, but I can tell you the index we're tied to on reimbursement for mileage, there was not one bill that came forward this time that said 'change that.' Nor did we change the rate that would happen in the interim. I'm not in favor of coming back and working on this next time. But it needs to be addressed.

Representative Wieland: I think the bill has some merit. I see it's retroactive. I would feel better if it was effective January 1, 2013. Why is it retroactive?

Representative Carlson: If you look over 4 months, you might be paying \$800 extra, and with what we get paid to be here and you have that expense out of pocket, I don't think

that's right. People in the industry have assured me if we had the right number last time we wouldn't be back here talking about this.

Representative Dosch: Last session we looked to tie the mileage reimbursement rate to the federal rate, which was done, and you don't see anyone back on that. We went to tie the state per diem rate to 90% of the federal, that was done, you don't see anyone back on that either. When this bill was submitted last session, the recommendation was 65%, as it is today. If that would have been the case, you wouldn't have this bill before you today. But it was changed at the last minute to 55%, even though the industry advised against it, and it was passed that way, so we're back here again.

Representative Klein: I'm one of those that ends up paying out of pocket. When I heard about the higher rate, I called six motels and couldn't get in anywhere. Even in the interim if you didn't call 2 weeks in advance, you might not get a place.

Chairman Delzer: Further questions or comments? Seeing none, this isn't a hearing, so any committee discussion on the bill?

Representative Bellow: I move Do Pass.

Representative Nelson: Second.

Chairman Delzer: We have a motion and a second. Discussion by the committee?

Representative Kaldor: I have concerns about the retroactive application.

Chairman Delzer: Further discussion? Clerk will call the roll for a Do Pass. Motion carries 12-3. Representative Nelson will carry the bill. Is there anything else that has come before the committee? Next week the sections will meet, and the following week, full committee will meet at least one day. We will receive a number of rereferred bills I would guess, they are due by the Monday after next week. If there's nothing further, we'll stand adjourned.

Date: 1/27/11
Roll Call Vote #: 1

2011 HOUSE STANDING COMMITTEE ROLL CALL VOTES
BILL/RESOLUTION NO. 1141

House Appropriations Committee

Legislative Council Amendment Number _____

Action Taken: ☒ Do Pass ☐ Do Not Pass ☐ Amended ☐ Adopt Amendment
☐ Rerefer to Appropriations ☐ Reconsider

Motion Made By Rep. Bellew Seconded By Rep. Nelson

Representatives	Yes	No	Representatives	Yes	No
Chairman Delzer		X	Representative Nelson	X	
Vice Chairman Kempenich			Representative Wieland	X	
Representative Pollert					
Representative Skarphol	X				
Representative Thoreson			Representative Glassheim		X
Representative Bellew	X		Representative Kaldor		X
Representative Brandenburg			Representative Kroeber	X	
Representative Dahl			Representative Metcalf	X	
Representative Dosch	X		Representative Williams	X	
Representative Hawken					
Representative Klein	X				
Representative Kreidt	X				
Representative Martinson	X				
Representative Monson	X				

Total (Yes) 12 No 3

Absent 6

Floor Assignment Rep. Nelson

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

REPORT OF STANDING COMMITTEE

HB 1141: Appropriations Committee (Rep. Delzer, Chairman) recommends DO PASS
(12 YEAS, 3 NAYS, 6 ABSENT AND NOT VOTING). HB 1141 was placed on the
Eleventh order on the calendar.

2011 SENATE GOVERNMENT AND VETERANS AFFAIRS

HB 1141

2011 SENATE STANDING COMMITTEE MINUTES

Senate Government and Veteran's Affairs Committee Missouri River Room, State Capitol

HB 1141
March 4, 2011
14937

☐ Conference Committee

Committee Clerk Signature

Katie Oliver

Explanation or reason for introduction of bill/resolution:

Relating to housing reimbursement for member of legislative assembly; to provide for retroactive application; and declare an emergency.

Minutes:

No testimony

Representative Al Carlson: District 41 South Fargo. The bill before you is simple; it changes the lodging reimbursement rate. The number when you figure it out would work out to \$1225 a month. That number changes once a year based on a federal index. We have tied our mileage to the federal level and we want to do that with the lodging rate. There was some information on who was paying what, in spite of what the paper said this is not a chance to make money. What this does is establishes the rate, we get reimbursed at \$69.30 when we come back during special session, the rate we are charged will be a percentage of the Federal Rate. \$75.96 is the average rate that hotels charge, the oil boom has affected Bismarck, there were places that are no longer taking legislators this session. If you look at the chart you can see people paying \$500 more than the rate. The occupancy rate is running at 78% in Bismarck hotels and there are a number of people paying more than that. The hotel industry would be in line with that is being proposed to charge.

Senator Berry: What has been your major if any blowback?

Senator Carlson: It passed in the House, the blowback came from people who went home and were told they were getting a raise. It's every state employee that gets the reimbursement rate every time they go out of town for work. If we establish a formula

Senator Cook: This doesn't affect me; how far away from the capitol do you have to live to get hotel reimbursement. Do you ever compare rates with AARP? Hotel rates are negotiable, last time we dealt with this I found out that the hotel said they couldn't make their ends meet if they housed legislators. I don't know if we can negotiate with them.

time we dealt with this I found out that the hotel said they couldn't make their ends meet if they housed legislators. I don't know if we can negotiate with them.

Senator Carlson: The rates for different hotels when you look at those numbers there are not of options that match the stipend.

Vice Chairman Sorvaag: The rates are not available.

Senator Carlson: Yes, there are 36 legislators paying over the rates

Senator Berry: The ones that don't house legislators why?

Senator Carlson: They feel like they can charge more and fill them w/out having legislators here.

Chairman Dever: It is a business decision for them. The rooms that they have will be 100% occupied for 4 months.

Senator Nelson: Fairfield Inn does not welcome legislators

Senator Carlson: The landscape has changed. Hopefully this works

Chairman Dever: When you look at the sheet the total number of legislators there is not the

Senator Carlson: When you look at the fiscal note some will pay less and some will pay more.

Bill Shaloo: We worked for years on percentages and this is the first time that here hasn't been a room bill in a number of sessions. As Representative Carlson said we tried to fix the legislative reimbursement rate, it's built on the theory that the state is the biggest user of hotels in the state. When Representative Carlson was talking about in reference to Bismarck, the average daily rate is from all hotels for a year. We are running between \$100 and \$130 Hampton Inn and Holiday Inn Express. The rate and discount that is available for AARP it is usually 90% of the average rate. We have management systems that drive the rate. I guess my comment is that I would hope that if we put this in we could never have this happen again.

Senator Nelson: This was part of a problem the last few years because people thought that it should be every year. Would we be better off to do it annually?

Bill Shaloo: The federal process is changed every year; there is no reason to change it yearly.

Chairman Dever Closed the public hearing on HB 1141.

Senator Cook: What was the reimbursement rate last session?

Chairman Dever: Well it came to us retroactive and then we took it out. We are looking for an increase from \$900 to \$1225.

Senator Cook: How much has the rate gone up in the last 2 years.

Chairman Dever: The daily rate went from \$63.50 to \$69.30

Senator Nelson: What is the rate we are going to max out on?

Chairman Dever: \$1,225

There was no further discussion.

2011 SENATE STANDING COMMITTEE MINUTES

Senate Government and Veteran's Affairs Committee
Missouri River Room, State Capitol

HB 1141
March 4, 2011
14938

☐ Conference Committee

Committee Clerk Signature

Kate O'Neil

Explanation or reason for introduction of bill/resolution:

Relating to housing reimbursement for member of legislative assembly; to provide for retroactive application; and declare an emergency.

Minutes:

No testimony

Senator Cook: The monthly rate went up \$104

Senator Berry: 30 multiplied by 6 would be \$180?

Senator Cook: Multiplied by .55

Senator Nelson: In some section we are not seeing.

Senator Cook: 44-08-04.

2011 SENATE STANDING COMMITTEE MINUTES

Senate Government and Veteran's Affairs Committee
Missouri River Room, State Capitol

HB 1141
March 17, 2011
15621

☐ Conference Committee

Committee Clerk Signature



Explanation or reason for introduction of bill/resolution:

Relating to housing reimbursement for members of the legislative assembly; to provide for retroactive application; and to declare an emergency.

Minutes:

No testimony attached

Senator Cook: There is one thing that I cannot support in this bill is the retroactive and emergency clauses. It's acceptable to raise the rates but I certainly don't believe in making it retroactive.

Chairman Dever: 30 legislators staying hotels are within \$4 of the rate that 53 of the 59 are below the rate.

Vice Chairman Sorvaag: I don't think that it needs to be retroactive and I am one of the 53. What I am confused about aren't we at 90%?

Chairman Dever: The daily lodging is at another part.

Senator Cook then made a motion to amend HB 1141 to remove sections 2 and 3 with a second by Senator Schaible, roll was taken and the motion passed 5-1-1. A motion was then made by Senator Cook for a do pass as amended with a re referral to appropriations with a second by Senator Schaible, roll was taken, the motioned passed 6-0-1 with Vice Chairman Sorvaag carrying the bill to the floor

Date: 3/17/11
Roll Call Vote # 1

2011 SENATE STANDING COMMITTEE ROLL CALL VOTES
BILL/RESOLUTION NO. 1147

Senate Government and Veterans Affairs Committee

☐ Check here for Conference Committee

Legislative Council Amendment Number _____

Action Taken: ☐ Do Pass ☐ Do Not Pass ☒ Amended ☐ Adopt Amendment

☐ Rerefer to Appropriations ☐ Reconsider

Motion Made By Cook Seconded By Schaible

Senators	Yes	No	Senators	Yes	No
Chairman Dever		X	Senator Marcellais	X	
Vice Chairman Sorvaag	X		Senator Nelson	X	
Senator Barry					
Senator Cook	X				
Senator Schaible	X				

Total (Yes) 5 No 1

Absent Benny

Floor Assignment _____

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

Date: 3/17/11
Roll Call Vote # 2

2011 SENATE STANDING COMMITTEE ROLL CALL VOTES
BILL/RESOLUTION NO. 1141

Senate Government and Veterans Affairs Committee

☐ Check here for Conference Committee

Legislative Council Amendment Number _____

Action Taken: ☒ Do Pass ☐ Do Not Pass ☒ Amended ☐ Adopt Amendment

☒ Rerefer to Appropriations ☐ Reconsider

Motion Made By Cook Seconded By Schaible

Senators	Yes	No	Senators	Yes	No
Chairman Dever	X		Senator Marcellais	✓	
Vice Chairman Sorvaag	X		Senator Nelson	X	
Senator Barry					
Senator Cook	X				
Senator Schaible	X				

Total (Yes) 6 No 0

Absent Berry

Floor Assignment Sorvaag

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

REPORT OF STANDING COMMITTEE

HB 1141: Government and Veterans Affairs Committee (Sen. Dever, Chairman)
recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends
DO PASS and **BE REREFERRED** to the **Appropriations Committee** (6 YEAS,
0 NAYS, 1 ABSENT AND NOT VOTING). HB 1141 was placed on the Sixth order on
the calendar.

Page 1, line 3, remove "; to provide for retroactive application; and to declare an emergency"

Page 1, remove lines 17 through 22

Renumber accordingly

2011 SENATE APPROPRIATIONS

HB 1141

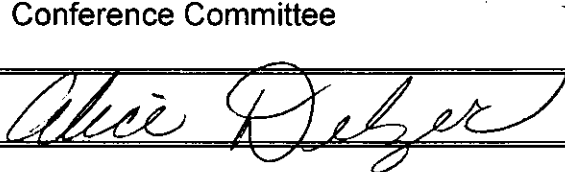
2011 SENATE STANDING COMMITTEE MINUTES

Senate Appropriations Committee Harvest Room, State Capitol

HB 1141
03-23-2011
Job # 15861

☐ Conference Committee

Committee Clerk Signature



Explanation or reason for introduction of bill/resolution:

Housing reimbursement for members of the legislative assembly

Minutes:

You may make reference to "attached testimony."

Chairman Holmberg called the committee to order in reference to HB1141. All committee members were present. Tammy R. Dolan, OMB and Brady Larson, Legislative Council we're also present. He announced the subcommittee would be Senator Christmann, Senator Holmberg and Senator O'Connell.

Representative Carlson, District 41, Very simple bill, refers to reimbursement for members of the legislative assembly and has retroactive application. I understand that may have been removed that part of it in the policy committee. Did this run through the Policy Committee? Response: No. I do believe that should go back, but I will explain the purpose for the bill. It is pretty straight forward. During the session we are reimbursed \$1040 and last session we established a formula that said that if you take the federal rate, 90% of that rate, and 55% of that, you would get a number of \$1040. That originally was 65% and then it amended down in the last days of the session to 55% which would establish \$1040 rate. So I did some checking as to what that amounts to, and that's basically a number that didn't have a lot of rhyme or reason. It was just that somebody didn't want it to be 65%. So what we are reimbursed today is \$1040. I did some checking and tried to figure out how many people are paying more than \$1040? I found out that of our legislatures, there is 27 that are paying the \$1040, and then there are of the balance of the 63 that are staying, which would be 35; 36 are paying more than the \$1040. Those in private housing there is only about 6 or 7 paying more than the \$1040 that are staying and renting a house or a condominium, twin home or whatever it happens to be. So there are people staying for that, but there are legislatures who went back to the spots they had rented before and were told we won't rent to you for that number anymore. What this does is it raised it up to 65%. What it does do is ties us to an index like we tied on mileage, meals, and tried to establish something here, not always back here adjusting that particular number on housing for example. The lodging people I've talked too said they would be satisfied to leave it at that number and that percentage and we wouldn't be dealing with this every time. When I introduced it in the House, he proceeded to read an article from the newspaper. Anybody with a brain at all knows that we only get reimbursed exactly what we turn in. This isn't a raise for legislatures. But I firmly believe that you shouldn't have to pay out of your own pocket to come out here and serve for the amount of money that we're paid to run

a \$7 or 8 Billion dollar budget and pass laws that for the state of North Dakota in 80 days. What this does is hopefully: 1) gets us up to what the market would be, 2) keeps us off of our plate so we're not dealing with it every time we come back to session trying to adjust these numbers. Example cited. Lodging should be tied to a formula and not be fighting this all the time. In the interim, if you come in here, for an interim meeting you're going to be reimbursed on a formula \$69.30 for your room. If you come back for the special session in November, you are going to be reimbursed \$69.30 a night. During the session this 65% will move it to about \$1225 that is \$40.80 that we pay for these rooms. South Dakota pays for example, they pay the \$69.30, or that rate, although the session. They don't have a special rate. Right now the average rate on a Bismarck hotel is \$75.96. So they are renting to us for \$40.80 where they can charge an average room like ours for \$75.96 and they are running at 78% occupancy. I don't know how many of you come in to town for interim meetings, you have to plan a little bit in advance now or you might find the rooms that you're looking for full. The oil boom also moved to Bismarck. There are rooms hard to get. I would hope Mr. Chairman, that you would pass this bill. I do think that it doesn't amount to a lot of money; I think it should be retroactive. I think it should go back to the point at the beginning of the session. If you don't do that, it is really important I think to tie this into an index and get it off the table.

We went through a lot of the hotels and asked what would be your session rates. American Inn stated \$79.90, Candlewood Suites \$1240 month, Country Suites \$2370 month, Doublewood Inn \$1200, Expressway Inn \$1250, Fairfield North \$69.30, Fairfield South \$ 69.30 except they took very few people, but that was still that they wouldn't go over the daily rate; Hampton Inn \$114, Holiday Inn Express won't house legislatures, Kelly Inn \$100 day, Radisson \$ 1800 month, Ramada Limited Suites \$69.30 day, Ramkota won't House Legislators, Select Inn \$ 1039.50 month, Seven Seas won't House Legislators and Motel 8 will give you 10% discount; so that is what people found when they came to the session looking for rooms. Some of the freshmen we're obviously quite perplexed when the first time they look for a place and cannot find a room. I would hope that you would pass this bill and get it out and tie it to the index and hopefully I won't have to stand up here next time talking about this.

Chairman Holmberg: This will go by the way, the bill will be going into our subcommittee that is the same subcommittee that does the Legislative Branch and also will be the same subcommittee that will do 1426.

V. Chair Bowman: Is there a bonus in there for the people that are only charging the state \$400 month for housing?

Representative Carlson: I am not familiar with any of those but if there are. **V. Chair Bowman:** The condominium in Mandan is what I pay. **Representative Carlson:** Obviously those people like you. I can tell you that it's not by any mean typical Senator Bowman.

Senator Christmann: I like the bill. As far as the indexing this to the formula so that we don't have to deal with it every session. We already have it indexed just that there not accepting the index? **Representative Carlson:** The index is 55% which does not match up with what they are charging. **Senator Christmann:** So do we think that once we go to 65% are we pretty confident that the next time they will accept or that they will just say no, we should be at 75%.

Representative Carlson: In the first hearings we had in the House the hotel industry was there. Obviously it passed the House and that interest is waned. But, we had 3 or 4 that came and said we will live with number. That is an acceptable percentage because you see the federal adjusts there's once a year. Ours adjust to that percentage, so there will be some kind of increase at the federal level which would be an increase to them. And they said we prefer the index and will honor the index. Now is there some that won't? I suppose there could be, but the ones that came with me to this said, yes we will.

Chairman Holmberg: The key is the bill needs to pass otherwise next session we would be at \$1040 again. **Representative Carlson:** Yes we would. **Chairman Holmberg:** That would not be very smart.

Senator Wanzek: As I think about this, if that percentage is fairly close to what their occupancy rate is. If their occupancy is 70%, I would expect something close to 70% of my going rate.

Rep Carlson: Otherwise I am losing money. Most of the operators will tell you that is they are at 60%, and our bill for the hotel or two, if they can average 60% occupancy rate, they are really smiling because they are making money. These are running at 78% because of the demand for rooms which is really high. During basketball months the occupancy rate may be 90%. Obviously, during the state tournament they would love to have your room to rent. Instead of \$40.80 a night they would love to be renting the room for about \$100 night. The fiscal note assumed that everybody, all legislators would be paying the maximum amount and there is no way to figure that note. When you look at the fiscal not, it is going to show, that number because you assume that everybody was paying the maximum and that is what they would logically calculate.

Chairman Holmberg: My contract with my condo is \$1040 or whatever the final number is if the legislature makes any changes.

Representative Carlson: They are watching to see what we're doing.

Senator Christmann: Should we have an amendment prepared that requires Senator Bowman's landlord to bill at least 100 units at that price?

Chairman Holmberg: Yes that would be good. Remember we had bills in years ago to study a legislative dormitory by the capitol. That got nowhere. Whoever put that in; I think they lost the next election.

2011 SENATE STANDING COMMITTEE MINUTES

Senate Appropriations Committee Harvest Room, State Capitol

HB 1141
04-06-2011
Job #16392

☐ Conference Committee

Committee Clerk Signature



Explanation or reason for introduction of bill/resolution:

A ROLL CALL VOTE FOR A DO PASS RE: HOUSING REIMBURSEMENT FOR MEMBERS OF THE LEGISLATIVE ASSEMBLY

Minutes:

You may make reference to "attached testimony."

Chairman Holmberg called the committee to order in reference to HB 1141. Tammy R. Dolan, OMB and Roxanne Woeste, Legislative Council were also present.

Senator Christmann: This is a bill that sets our monthly motel rates. There were a lot fewer motels that were willing to house legislators because of vacancy rates and the bill originally sought, and our monthly rate is based on what a daily rate would be if we figured 55% of our daily rate and that just doesn't seem to be enough. This bill sought to take it up to 65% and make it retroactive for this session. Our policy committee agreed with the concept but took off the retroactive clause so we are talking about future sessions and I think that's a reasonable approach to it so my recommendation would be to give this a do pass. to amount but took off retroactive.

Senator Christmann moved a do pass on HB 1141. Seconded by Senator O'Connell.

Chairman Holmberg : So the bill would go back to GVA as they amended it. Would you call the roll on a DO PASS on 1141.

A ROLL CALL VOTE WAS TAKEN: YEA: 13; NAY: 0; ABSENT: 0. MOTION CARRIED.

Senator Sorvaag from GVA will carry the bill. The hearing was closed on HB 1141.

Date: 4-6-11Roll Call Vote # 1

2011 SENATE STANDING COMMITTEE ROLL CALL VOTES

BILL/RESOLUTION NO. 1141Senate APPROPRIATIONS Committee☐ Check here for Conference Committee

Legislative Council Amendment Number _____

Action Taken: ☒ Do Pass ☐ Do Not Pass ☐ Amended ☐ Adopt Amendment☐ Rerefer to Appropriations ☐ ReconsiderMotion Made By Christmann Seconded By O'Connell

Senators	Yes	No	Senators	Yes	No
Chairman Holmberg	✓		Senator Warner	✓	
Senator Bowman	✓		Senator O'Connell	✓	
Senator Grindberg	✓		Senator Robinson	✓	
Senator Christmann	✓				
Senator Wardner	✓				
Senator Kilzer	✓				
Senator Fischer	✓				
Senator Krebsbach	✓				
Senator Erbele	✓				
Senator Wanzek	✓				

Total (Yes) 13 No 0

Absent _____

Floor Assignment DeLoach Bovaag

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

REPORT OF STANDING COMMITTEE

HB 1141, as amended: Appropriations Committee (Sen. Holmberg, Chairman)
recommends **DO PASS** (13 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING).
HB 1141, as amended, was placed on the Fourteenth order on the calendar.

2011 HOUSE GOVERNMENT AND VETERANS AFFAIRS

CONFERENCE COMMITTEE

HB 1141

2011 HOUSE STANDING COMMITTEE MINUTES

House Government and Veterans Affairs Committee
Fort Union Room, State Capitol

HB 1141
April 14, 2011
16595

☒ Conference Committee

Committee Clerk Signature

Carmen Hart

Explanation or reason for introduction of bill/resolution:

Housing Reimbursement

Minutes:

Chairman Randy Boehning opened the conference committee on HB 1141. He asked the senate to explain their amendments.

Senator Ronald Sorvaag: We kept the bill the same except we took out the retroactive clause that would move it back to January 1, 2011. Then we took off the emergency because it had no purpose with the retroactive clause taken off. The reason for it is—it was pretty well a consensus—that everybody had made their agreements and deals. I know some are paying extra out of their pockets, but that was kind of the deals that were cut for this session. That was our rationale to take it off and this new 65% would go into effect the next session.

Rep. Lisa Meier: Are you aware how many are paying out of their pocket? (Some of the recording cut out.)

Chairman Randy Boehning: He had some numbers that he stated but did not get on the recording. The answer to Rep. Meier's question was 36. ...\$200 a month. There is one on here for \$560. I am guessing that is probably at the Radisson. There are quite a few on here that are substantially higher ranging anywhere from 10 cents—I don't know where the \$1040.10 came from. A lot of us are at 200. There are some at 185, 184. What are you paying, Rep. Winrich?

Rep. Lonny Winrich: About 200.

Chairman Randy Boehning: About 200 more.

Senator Ronald Sorvaag: We were very conscious of that, because we have members also on that list doing it. There are some of those that are a little bit extreme, and they made those choices. I know, too, when I looked for a hotel there wasn't much where you didn't have to pay a little in addition. I am in a townhome at the rate. I think the feeling was pretty consistent that these agreements were made and knew there just wasn't much

support to go retroactive back to the first of the year. To wait until the next session is what most of our body felt.

Rep. Lonny Winrich: I think probably a more significant observation than simply the number of people who are paying more than the going rate is the number of those people who are in the same hotel they were in last time and it was covered. There was a significant shift in the market for lodging in this part of the state. I think it is somewhat unreasonable to expect someone who is serving in the legislature probably at something of a sacrifice anyway to absorb costs that should be absorbed by the state.

Chairman Randy Boehning: I would tend to agree with him. I have been at the same motel for four sessions. You kind of like to stay at the same place if you can. It is like going home to your own bed. You know the people. It is more comfortable than trying to break yourself at a new hotel. The public thinks that legislators that live here in town get the lodging reimbursement as well. I don't think it is fair when you have to pay extra out of your pocket. I think the taxpayer should be picking up that extra. I know there is one or two that have chosen to stay at the Radisson. They are a lot more expensive, but most of us appointed to stay in the same hotel. When you drive around this town, the parking lots are full at most of these hotels.

Rep. Lisa Meier: Most of you might be aware of this, but the average hotel rate in Bismarck is \$75.98 a night. If you look at raising this even \$40.95 a day, it would be \$1,228.50. That is a little over half of what the average lodging rate is in Bismarck. I don't think it is unreasonable to up the rate.

Senator Dwight Cook: Obviously, I don't have a dog in the fight. I get to go home to my own bed every night. I can tell you our colleagues in the senate didn't take this action without having a lot of conversation with colleagues. Truly, this is where the senate is at. You made reference to the number of senators who are paying more than the rate that is being reimbursed. That happens every session. There is a choice in what you pick and you referenced that. To what degree somebody has to stay in a place that doesn't offer a whole lot of comfort based on the rate, I don't know. What I would be concerned about is the number of legislators who have negotiated a rate at the current state rate that will simply pay more if we make this retroactive. They negotiated and the hotel has said we will honor the state rate, but if it goes retroactive, you are going to give us more. We don't know that number, but there are a lot of them that have. I have a hard time with that. I don't think that is the sound way, and I don't think the people we represent would really think that is too sound of a practice either. We all know that there is going to be some of that going on. How much, I don't know. That is data you aren't going to collect, but you will know when we go home. We did this last session. We made it retroactive. To me, that is just bad policy, making something retroactive that is reimbursement. We struggle enough with the constituents. Rep. Meier, you are correct. I have constituents that think I get this. They watch it. This is one of those little issues that they can grasp and understand real quickly. That is why I voted no.

Chairman Randy Boehning: When you brought up the point if we do the retroactive and the hotels would say we are going to charge you and we are going to pick up this extra tab, I would be opposed to that myself. My billing comes out at about \$1,240 a month.

Whatever would be submitted to legislative council would be the only thing that would be reimbursed. The hotel wouldn't be able to go back and print out another bill and get retroactive pay on it. That wouldn't be fair to constituents. Rep. Winrich, when you get your bill they pay you for the \$1,250 or whatever? He nodded yes. That is what mine is too. Whatever bills were submitted would be the ones that would get the retroactive.

Rep. Lonny Winrich: I would be curious as to how that was arranged, because my understanding and what I have always done with the vouchers I turn in to legislative council is to report what the expense was. I get reimbursed for what the state allows, but the expense report that I turn in actually has the cost of the room on there and the room receipt, and so on. If they are currently turning in an expense report that complies with the state rate and that is what they are getting for their room, I am not sure how they are going to make that adjustment once it becomes retroactive unless the hotel is going to reissue the bill or something.

Chairman Randy Boehning: If they are only accepting \$1,040 or whatever it is now and all of a sudden say we are going up to the \$1,200, I don't think that would be fair. If that is the agreement that the hotel made and that is the billing that they sent out, that is the agreement they would have to work by.

Rep. Lonny Winrich: I just don't know how they would handle the mechanics.

Chairman Randy Boehning: I don't think they would be able to.

Senator Ronald Sorvaag: I am in a townhome and they were asking more. I negotiated it down to this rate. Obviously, that is not going to change. Next session if I stay in the same place, it is going to be a little harder to negotiate if they want more than what the rate is going to be. If they find out that we are going to change it, they might just hold it higher in the first place. They were willing to come down to accommodate. There are a lot of situations of others that were in homes and townhomes that were negotiated down to that rate solely because that is what they thought we were going to get. Part of the rationale is just the consistency. This is the rate. You go out and find your housing and this is what you are going to get compensated. It was a pretty strong feeling in the senate that opposed to having retroactive on there.

Rep. Lisa Meier: This is a question to the senators. Did you have a conversation over the fairness of this bill? Being that we look at compensating mileage at 100% of the federal level, I think to be fair to legislators is to actually pay for their lodging at reasonable rates of lodging to come down to serve in the legislature.

Senator Ronald Sorvaag: I think you are talking about the percentage of the rate. The issue is being retroactive. They are really two different things. I am driving a vehicle right now that is costing me more in my reimbursement for mileage to go back and forth to Fargo. I am not going to get that retroactive back, but I am still choosing to go back and forth even though the 51 cents we are getting is not enough. Could I have driven a different vehicle? Probably, but I have chosen to do that. That was the same discussion that came on the rooms. Quite a few of them that are paying more say the same thing. We

made a deal. We knew what we were getting into and this is where we chose to stay. We knew we were going to pay extra, and they were opposed to the retroactive part.

Senator Richard Marcellais: I guess I agree with the senators. I stayed in a hotel the last two sessions, and they let me know that they were going to raise the rates before this last session. I went and found another place. I was in a small room. I asked them for a suite. They said no, we are going to give you a regular room for that rate. To me, I think the hotels are gouging us. If we raise \$1,500, that is what they are going to charge us. I found a three bedroom, split level house for the same price. I took it for the \$200 extra. I am paying \$1,200 a month. I don't have a problem with that because it is more luxury to me. He mentioned many nice features. I take my mileage that I go back and forth and put it toward my lodging.

Chairman Randy Boehning: When you look at \$65 per day that comes up to about \$1,950 a month. The hotels are doing the state a favor. They are supporting legislators out here. They are losing money on us.

Senator Richard Marcellais: If we raise it higher to \$2,000 that is what they are going to charge us. No matter how high you raise it, that is what they are going to charge you.

Rep. Lonny Winrich: I agree with your statement, Senator Marcellais, that if we raise it to \$2,000 that is what they will charge. That is a little different than coming in, staying at the same place you stayed last year, and being told by the manager that the corporate headquarters had said this was the minimum they could charge this year. It is not a case of us setting the limit way up someplace and rates rising to that level. It is a case of rates having risen because of market pressures in this part of the state. It truly is an expense for the legislators. It is not some kind of benefit that we are lining our pockets with obviously.

Rep. Lisa Meier: Just to piggyback on that a little bit too. There has been increased demand for hotel usage in Bismarck too. We have had a very active state and with all the increased traffic in the western part of the state, I know that quite a few individuals are actually staying even down in Bismarck so that attributes to that as well.

Senator Richard Marcellais: It all relates to supply and demand.

There was a little joking around about building a dormitory for legislators and Senator Marcellais staying alone in this nice huge home this session.

Senator Ronald Sorvaag: We all agree it needs to be raised. Both sides agreed on the 65% for the next session, but it is still back to whether it should be retroactive.

Senator Dwight Cook: Maybe it would be best right now if we just adjourned and schedule a next meeting at Senator Marcellais' nice home.

Chairman Randy Boehning: When should we reschedule this for? I don't want to be here Saturday.

Rep. Lisa Meier: I can't be here on Saturday.

Senator Dwight Cook: I am going to give you your escape route so you don't need to worry about Saturday. I move that the **house concur with the senate amendments** on HB 1141.

Senator Ronald Sorvaag seconded the motion.

3 YEAS, 3 NAYS. MOTION FAILS.

The meeting was adjourned.

2011 HOUSE STANDING COMMITTEE MINUTES

House Government and Veterans Affairs Committee Fort Union Room, State Capitol

HB 1141
April 15, 2011
16675

☒ Conference Committee

Committee Clerk Signature

Carmen Hart

Explanation or reason for introduction of bill/resolution:

Housing Reimbursement

Minutes:

Chairman Randy Boehning opened the conference committee meeting on HB 1141. There was a quorum.

Senator Dwight Cook: There was a question asked at our first meeting relative to what do legislators do. I checked with legislative council. The last time we did anything retroactive was in 2005. At that time there were 111 legislators that simply received an extra voucher to fill out to get the retroactive compensation. I am sure that is what the fiscal note reflects. \$118,000 is what they project would be the cost of those extra vouchers. If you are staying in a hotel room right now and you are paying more than what the present reimbursement is, you would receive an extra voucher that you would fill out to get the necessary compensation within this retroactive pay. There were some in there who simply passed it on to the hotel, some of them whose actual reimbursement for expenses they incurred. I also remember the rate back then when we came into that session was \$650. It seems to me the new rate that was retroactive was \$900. If my memory is correct, that was done early in the session. I look at this as being different. I think it is bad policy to be setting a compensation level or an expense level after the fact you negotiated prices.

Rep. Lonny Winrich: The point that I raised is if you are currently staying in a hotel and paying more than what the limit is, then, yes, I understand that would be the procedure. You would simply get reimbursed for what you had paid. My question related to the assertion that was made that there are people who have agreements with the hotel that if there is a retroactive thing, then the hotel will go back and increase the rate for the months that they have already stayed there. I don't know that is appropriate.

Senator Dwight Cook: That is what would happen. That hotel would increase the rate, and the legislator staying at that hotel then would get a bill for the increased rate for the months they stayed there. They would take their extra voucher and turn it in to get compensated for that extra rate that they charged. That is what happened in 2005.

Chairman Randy Boehning: There are 39 that are paying a total of \$27,000 extra which comes to about \$695 a piece. The only ones that would turn the voucher in every time—

they can't go back retroactive. As far as I am concerned, that isn't fair to the taxpayer and if the hotel should see the wisdom to jack up the price right away in case they would have the bill in there. If they are billing \$1,040 and they wanted \$1,500, they are not going to get it. It is going to get really hard to recruit good candidates to come out here. Otherwise, we are going to end up having rich and retired people. There won't be the assortment of people out here if they have to pay extra out of their pocket. We don't want to kill the conference committee report on the floor and then possibly vote the bill down either.

Senator Ronald Sorvaag: I don't know if this is a fact either, but I have been told that possibly some of the contracts with townhomes and homes have a clause built into them if we raise it at anytime during the session, they would automatically go up. My lease doesn't have that. My lease is \$1,040 no matter what happens. I was told that some do write that into the lease. All of a sudden you are going to have to go back and look at leases. Where do you start and stop on something like that? We don't want just make it a selected few that chose hotels and paid a little more.

Chairman Randy Boehning: It is not a selected few. There are 39 or 40 of us.

Rep. Lonny Winrich: It seems to me it should be relatively easy to document what you have actually paid because you turn in a receipt every month with your voucher. I think it should be relatively easy to prohibit somebody coming back and saying I really should have paid this even though I turned in the receipt that said something else. If you have actually paid the expense and you have turned in the receipt that says you paid more than what the allowance is, that is documented, and that is fair for reimbursement. It is an expense that was incurred. I don't think it is fair to go back and say it should have been a greater expense and now I want to get reimbursed for that.

Senator Ronald Sorvaag: If it is in your lease, they have to pay it. If they signed a lease that said if we did this specifically, they are going to have to go back and pay that to those townhomes.

Rep. Lisa Meier: Do you have a concrete number on how many individuals?

Senator Ronald Sorvaag: I have none for sure. As I said, I just have been told this. Is it factual or not? I don't know, but I have been told that some of them do have in the lease.

Chairman Randy Boehning: With that we should write an amendment such that says it is only ones that turned in the total amount. I don't think we want to go look at 53 contracts that are under \$1,040.

Senator Dwight Cook: If you want to pursue that, you should pursue the language. You should pursue what that would do to the fiscal note. I think you should pursue some sort of legal advice that will address Senator Sorvaag's question about what to do with those who have contracts, whether it is a contract with a private homeowner or a contract with a hotel that says this is made retroactive. I am not insinuating that I think it would make it better. We would want to make sure we knew exact consequences of such an amendment before we considered it.

Rep. Lisa Meier: I agree with the previous comments. I think you could easily go up to legislative council and check with them and see. I think that would be a very fair amendment on this bill.

Chairman Randy Boehning: It is right around \$27,000-\$28,000 for those that we have known are paying over and above the \$1,040. I think we should be able to write some kind of legislation that would bring that fiscal note down to \$27,000 for last biennium versus the 96. We will close the meeting and reschedule.

2011 HOUSE STANDING COMMITTEE MINUTES

House Government and Veterans Affairs Committee Fort Union Room, State Capitol

HB 1141
April 18, 2011
16732

☒ Conference Committee

Committee Clerk Signature

Carmen Hart

Explanation or reason for introduction of bill/resolution:

Housing Reimbursement

Minutes:

Chairman Randy Boehning opened the conference committee on HB 1141.

Senator Ronald Sorvaag made a motion that the **house accede to the senate amendments**.

Senator Dwight Cook seconded the motion.

Rep. Lonny Winrich: I don't know if it has any effect at this point or if anyone is interested anymore, but I have been talking to some of the senators from our caucus. I found that there was an impression, at least among the senators—I don't know whether this is prevalent in the house or not—that one of the reasons there is opposition to this bill is because it is perceived as doing something for members of the legislature that we don't do for state employees. In fact, quite the opposite is true. The members of the legislature are the only members under the reimbursement rules who are subject to a monthly limit on a housing allowance. In the unlikely event that a regular state employee goes on a job related trip that lasts longer than 30 days, they are eligible to be reimbursed for the daily rate for the whole trip. It is simply because we are here every two years for four months or so that there is a special section of the law that relates only to legislators.

Rep. Lisa Meier: I know that we are here today because of some unique situations that occurred in Bismarck. I know the housing rates were just not available for the \$1,040 rate in a lot of hotels this session. There is a reason why legislators are paying as much as they are out of pocket and that is an unfortunate event. I don't foresee that going away. I foresee that next session the legislators coming into town are going to pay above and beyond again. I still think to look at a retroactive is fair.

Senator Ronald Sorvaag: Just to clarify one thing. I really can't see how anybody could misunderstand. The title is housing reimbursements for members of the legislative assembly. It should be pretty clear that they are dealing with ours and not public employees. It was presented to our floor at least that way clearly. The reading I am getting

from most people in our caucus and on our side of the hall is this is the way they are all leaning. That is why I made the motion.

Chairman Randy Boehning: Last session I remember we had some flooding issues in Fargo and up and down the valley. There was a delayed bill because a lot of people were losing their personal housing. At that point we took and passed a bill to cover the people that were being kicked out of their homes so they could get reimbursed when they are staying in a hotel. I don't see that as any different than what this would actually do. I know one thing if we don't get retroactive, the reimbursement, in the OMB bill which is in 20-15, Section 18, I think it is going to be really hard to sit down with Joe Blow and say we would really like to have you run for the legislature, but remember it is going to cost money out of your own pocket to come out here and stay in a hotel because we don't reimburse at a favorable rate.

Senator Dwight Cook: I hope legislators aren't looking at reimbursement for hotel rates when they are considering serving their people. I didn't even look at what the salary was when I decided to run. What was the reimbursement rate for 2009?

Chairman Randy Boehning: \$900

Senator Dwight Cook: Right now without retroactive, it is \$1,020?

Chairman Randy Boehning: \$1,040

Senator Dwight Cook: If we made it retroactive, it would be what?

Chairman Randy Boehning: Approximately \$1,228

Senator Dwight Cook: In effect, with the retroactive, you are giving them two raises in one session.

Senator Richard Marcellais: \$1,229

Senator Dwight Cook: You are going from \$900 to \$1,229.

Chairman Randy Boehning: You can probably say that but I guess...

Senator Dwight Cook: That is a fact.

Chairman Randy Boehning: Yes, it is. When you look at all your expenses for your personal house, I am guessing your expenses for your house have gone up substantially in two years.

Senator Dwight Cook: My property taxes went down. I would say that my overall expenses for my home went down in the last two years.

Chairman Randy Boehning: I would probably beg on that one because there are quite a few of them that received an increase as well.

Rep. Lonny Winrich: Legislators are not getting two raises. What they are getting or should get is reimbursement of expenses that they incur in serving in the legislature.

5 YEAS, 1 NAY. HOUSE ACCEDE TO SENATE AMENDMENTS.

The meeting was adjourned.

2011 HOUSE STANDING COMMITTEE MINUTES

House Government and Veterans Affairs Committee
Fort Union Room, State Capitol

HB 1141
April 20, 2011
16809

☒ Conference Committee

Committee Clerk Signature

Carmen Hart

Explanation or reason for introduction of bill/resolution:

Housing Reimbursement

Minutes:

Chairman Randy Boehning opened the conference committee on HB 1141. Rep. Grande was substitute for Rep. Meier.

Senator Ronald Sorvaag moved that the **senate recede from its amendments.**

Senator Dwight Cook seconded the motion.

6 YEAS, 0 NAYS. SENATE RECEDE FROM ITS AMENDMENTS.

The meeting was adjourned.

2011 HOUSE CONFERENCE COMMITTEE ROLL CALL VOTES

Committee: GOVERNMENT AND VETERAN AFFAIRS

Bill/Resolution No. 1141 as (re) engrossed

Date: 4-14-11

Roll Call Vote #: 1

- Action Taken**
- ☒ HOUSE accede to Senate amendments
 - ☐ HOUSE accede to Senate amendments and further amend
 - ☐ SENATE recede from Senate amendments
 - ☐ SENATE recede from Senate amendments and amend as follows

House/Senate Amendments on HJ/SJ page(s) --

- ☐ Unable to agree, recommends that the committee be discharged and a new committee be appointed

((Re) Engrossed) _____ was placed on the Seventh order of business on the calendar

Motion Made by: Cook Seconded by: Sorvaag

Representatives				Yes	No	Senators				Yes	No
Boehning	✓				✓	Sorvaag	✓			✓	
Meier	✓				✓	Cook	✓			✓	
Windich	✓				✓	Marcellais	✓			✓	

Vote Count Yes: 3 No: 3 Absent: 0

House Carrier _____ Senate Carrier _____

LC Number _____ of amendment

LC Number _____ of engrossment

Emergency clause added or deleted

Statement of purpose of amendment

motion fails

2011 HOUSE CONFERENCE COMMITTEE ROLL CALL VOTES

Committee: GOVERNMENT AND VETERAN AFFAIRS

Bill/Resolution No. 1141 as (re) engrossed

Date: 4-18-11

Roll Call Vote #: 1

Action Taken

- ☒ HOUSE accede to Senate amendments
☐ HOUSE accede to Senate amendments and further amend
☐ SENATE recede from Senate amendments
☐ SENATE recede from Senate amendments and amend as follows

House/Senate Amendments on HJ/SJ page(s) 1514 ..

- ☐ Unable to agree, recommends that the committee be discharged and a new committee be appointed

((Re) Engrossed) _____ was placed on the Seventh order of business on the calendar

Motion Made by: SorVaag Seconded by: Cook

Representatives				Yes	No	Senators				Yes	No
Chairman Boehning	✓	✓	✓	✓		SorVaag	✓	✓	✓	✓	
L. Meier	✓	✓	✓	✓		Cook	✓	✓	✓	✓	
Winrich	✓	✓	✓		✓	Marcellais	✓	✓	✓	✓	

Vote Count Yes: 5 No: 1 Absent: 0

House Carrier _____ Senate Carrier _____

LC Number _____ of amendment

LC Number _____ of engrossment

Emergency clause added or deleted

Statement of purpose of amendment

2011 HOUSE CONFERENCE COMMITTEE ROLL CALL VOTES

Committee: GOVERNMENT AND VETERAN AFFAIRS

Bill/Resolution No. 1141 as (re) engrossed

Date: 4-20-11

Roll Call Vote #: _____

Action Taken

- ☐ HOUSE accede to Senate amendments
☐ HOUSE accede to Senate amendments and further amend
☒ SENATE recede from Senate amendments
☐ SENATE recede from Senate amendments and amend as follows

House/Senate Amendments on HJ/SJ page(s) 1514 ..

- ☐ Unable to agree, recommends that the committee be discharged and a new committee be appointed

((Re) Engrossed) _____ was placed on the Seventh order of business on the calendar

Motion Made by: Lowaag Seconded by: Cook

Representatives				Yes	No	Senators				Yes	No
Chairman Boehning				✓		Solvay				✓	
L. Meier (Grande)				✓		Cook				✓	
Winrich (Sub 4-20)				✓		Marcellais				✓	

Vote Count Yes: 6 No: 0 Absent: 0

House Carrier _____ Senate Carrier _____

LC Number _____ of amendment

LC Number _____ of engrossment

Emergency clause added or deleted

Statement of purpose of amendment

REPORT OF CONFERENCE COMMITTEE

HB 1141: Your conference committee (Sens. Sorvaag, Cook, Marcellais and Reps. Boehning, L. Meier, Winrich) recommends that the **HOUSE ACCEDE** to the Senate amendments as printed on HJ page 1514 and place HB 1141 on the Seventh order.

HB 1141 was placed on the Seventh order of business on the calendar.

REPORT OF CONFERENCE COMMITTEE

HB 1141: Your conference committee (Sens. Sorvaag, Cook, Marcellais and Reps. Boehning, Grande, Winrich) recommends that the **SENATE RECEDE** from the Senate amendments as printed on HJ page 1514 and place HB 1141 on the Seventh order.

HB 1141 was placed on the Seventh order of business on the calendar.

2011 TESTIMONY

HB 1141

LEGISLATIVE COMPENSATION COMMISSION

The Legislative Compensation Commission was originally established by the 1969 Legislative Assembly. Consisting of five members appointed by the Governor, the commission was responsible for determining appropriate levels of expense allowance and compensation to be paid to members of the North Dakota Legislative Assembly. In 1979 after 10 years of existence, the law that created the original Legislative Compensation Commission was repealed.

The Legislative Compensation Commission was recreated by passage of Senate Bill No. 2360 (1983). The bill, codified as North Dakota Century Code Sections 54-03-19.1 and 54-03-19.2, once again established a Legislative Compensation Commission to determine appropriate levels of expense allowance and compensation to be paid to members of the Legislative Assembly.

In 1993, Section 54-03-19.1 was amended to direct the Legislative Compensation Commission to develop recommendations for a long-term policy on legislative compensation, expense allowance, and insurance benefits. In addition, the 1993 Legislative Assembly amended Section 54-03-19.2 to allow the commission to

file with the Legislative Council a bill incorporating its recommendations.

The membership of the Legislative Compensation Commission has traditionally been bipartisan. The 1995-96 Legislative Compensation Commission recommended a bill draft to make bipartisan membership a requirement of the commission. The 1997 Legislative Assembly adopted the commission's recommendation and amended Section 54-03-19.1 to provide that no more than three of the five appointees to the Legislative Compensation Commission can represent the same political party.

Commission members are Charles Axtman (Chairman), Ron Carlisle, Meyer Kinnoin, John Mahoney, and Margaret Sitte. The commission met on June 21, 2010.

BACKGROUND INFORMATION

History of Legislative Compensation and Expense Reimbursement Rates

The commission reviewed information on legislative compensation and expense reimbursement rates in effect from 1889 to 2010 summarized as follows:

Year	Compensation for Each Calendar Day During Session	Expense Reimbursement During Session			Expense Reimbursement or Compensation for Each Month During Term of Office	Compensation for Each Day Attending Interim Meetings
		Per Session	For Each Day During Session	For Each Month During Session		
1889	\$5	10 cents per mile				
1945	\$5	\$300				\$5.00
1949	\$5	\$600				\$10.00
1957	\$5	\$1,200 ¹				\$10.00
1965	\$5	\$1,200 ²			\$35 ²	\$10.00
1967	\$5		\$25		\$35	\$20.00
1969	\$5		\$35		\$35	\$30.00
1971	\$5		\$40		\$50	\$30.00
1973	\$5		\$50		\$50	\$30.00
1975	\$5		\$60		\$75	\$45.00
1977	\$5		\$60		\$150	\$45.00
1979	\$5		\$70		\$150	\$52.00
1981	\$5		\$85		\$180	\$62.50
1983	\$40 ³		\$50 ³		\$180	\$62.50
1985	\$90			\$600 ⁴	\$180 ⁵	\$62.50
1997	\$111			\$650	\$250	\$62.50
1999	\$111			\$650	\$250	\$75.00
2001	\$125			\$650	\$250	\$100.00
2005	\$125			\$900 ⁶	\$350 ⁶	\$100.00
2007	\$130			\$900	\$364	\$104.00 ⁷
2008	\$135			\$900	\$378	\$108.00 ⁷
2009	\$141			\$1,040 ⁸	\$396	\$141.00 ^{7,9}
2010	\$148			\$1,040 ⁸	\$415	\$148.00 ^{7,9}

¹Section 54-03-20 was amended in 1959 to provide that the \$1,200 payment was reimbursement for expenses incurred during the interim and during the session.

²Section 54-03-20 was amended in 1965 to provide that the \$1,200 payment was reimbursement for expenses incurred during the session only and to provide for payments of \$35 per month during each legislator's term of office for uncompensated expenses.

³Bismarck legislators received \$90 per day during session as compensation and did not receive any amount for daily expense reimbursement.

⁴Section 54-03-20 was amended to provide that legislators receive reimbursement for lodging or mileage at the rates provided for state employees, to a maximum of \$600 per month.

⁵House Bill No. 1243 (1985) amended Section 54-03-20 to provide that the monthly amount paid to legislators during the interim was compensation, not reimbursement for expenses.



U.S. General Services Administration

FY 2011 Per Diem Rates for North Dakota
(October 2010 - September 2011)

Cities not appearing below may be located within a county for which rates are listed.
To determine what county a city is located in, visit the [National Association of Counties \(NACo\) website \(a non-federal website\)](#).

The following rates apply for North Dakota														
Primary Destination* (1)	County (2, 3)	Max lodging by Month (excluding taxes)												Meals & Inc. Exp.**
		2010			2011									
		Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug		
Standard Rate		77	77	77	77	77	77	77	77	77	77	77	77	46

* NOTE: Traveler reimbursement is based on the location of the work activities and not the accommodations.
** Meals and Incidental Expenses, see [Breakdown of M&IE Expenses](#) for important information on first and last days of travel.



U.S. General Services Administration

FY 2010 Per Diem Rates for North Dakota

(October 2009 - September 2010)

Cities not appearing below may be located within a county for which rates are listed.

To determine what county a city is located in, visit the [National Association of Counties \(NACo\) website](#) (a non-federal website).

The following rates apply for North Dakota															
Primary Destination* (1)	County (2, 3)	Max lodging by Month (excluding taxes)												Meals & Inc. Exp.**	
		2009			2010										
		Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug			
Standard Rate		70	70	70	70	70	70	70	70	70	70	70	70	70	48

* NOTE: Traveler reimbursement is based on the location of the work activities and not the accommodations.

** Meals and Incidental Expenses, see [Breakdown of M&IE Expenses](#) for important information on first and last days of travel.



U.S. General Services Administration

North Dakota - FY 2009

(October 1, 2008 through September 30, 2009)

Cities not appearing below may be located within a county for which rates are listed. To determine what county a city is located in, visit the [National Association of Counties](#).

NOTE: If neither the city nor the county is listed, the location is a standard CONUS destination with a rate of \$70.00 for lodging and \$39.00 for meals and incidental.

[State Tax Rates & Exemption Forms](#)[Properties at Per Diem \(FedRooms\)](#)[Select another State](#)

Primary Destination (1)	County (2-3)	Max Lodging (occ. taxes)	+	Max Rate (M&IE)	=	Max Per Diem Rate	First & Last Day (75% of M&IE)
THE STANDARD CONUS RATE APPLIES TO ALL LOCALITIES IN THE STATE.		70		39		109	29.25