

PROPOSED AMENDMENTS TO HOUSE BILL NO. 1001

Page 1, line 2, after the semicolon insert "to amend and reenact sections 54-03-20 and 54-35-10 of the North Dakota Century Code, relating to legislative compensation; to provide for a legislative management study; to provide a report;"

Page 1, replace lines 13 through 19 with:

"			
	<u>Base Level</u>	<u>Adjustments or</u>	<u>Appropriation</u>
Salaries and wages	\$11,430,094	\$1,399,505	\$12,829,599
Operating expenses	6,218,753	(668,594)	5,550,159
Capital assets	6,000	4,926,600	4,932,600
National conference of state legislatures	<u>271,333</u>	<u>11,737</u>	<u>283,070</u>
Total general fund	\$17,926,180	\$5,669,248	\$23,595,428"

Page 1, remove lines 22 through 24

Page 2, replace lines 1 through 6 with:

"			
	<u>Base Level</u>	<u>Adjustments or</u>	<u>Appropriation</u>
Salaries and wages	\$12,690,980	\$1,940,465	\$14,631,445
Operating expenses	3,045,430	890,982	3,936,412
Capital assets	<u>6,000</u>	<u>120,000</u>	<u>126,000</u>
Total all funds	\$15,742,410	\$2,951,447	\$18,693,857
Less estimated income	<u>70,000</u>	<u>18,000</u>	<u>88,000</u>
Total general fund	\$15,672,410	\$2,933,447	\$18,605,857
Full-time equivalent positions	44.00	1.00	45.00"

Page 2, replace lines 9 through 13 with:

"			
	<u>Base Level</u>	<u>Adjustments or</u>	<u>Appropriation</u>
Grand total general fund	\$33,598,590	\$8,602,695	\$42,201,285
Grand total special funds	<u>70,000</u>	<u>18,000</u>	<u>88,000</u>
Grand total all funds	\$33,668,590	\$8,620,695	\$42,289,285"

Page 2, line 14, after "FUNDING" insert "- EFFECT ON BASE BUDGET - REPORT TO SIXTY-NINTH LEGISLATIVE ASSEMBLY"

Page 2, line 16, after "biennium" insert "and the 2023-25 one-time funding items included in the appropriation for the legislative assembly in section 1 of this Act"

Page 2, replace lines 18 through 20 with:

"Redistricting session	\$316,284	\$0
Information technology expansion	1,450,000	0
Propylon core upgrade	0	4,816,600
Audio and video storage	0	110,000
Computer and iPad replacement	0	557,950

Chamber upgrades	0	220,000
Total general fund	\$1,766,284	\$5,704,550

The 2023-25 biennium one-time funding amounts are not part of the entity's base budget for the 2025-27 biennium. The legislative assembly shall report to the appropriations committees of the sixty-ninth legislative assembly on the use of this one-time funding for the biennium beginning July 1, 2023, and ending June 30, 2025."

Page 2, line 22, after "FUNDING" insert "- EFFECT ON BASE BUDGET - REPORT TO SIXTY-NINTH LEGISLATIVE ASSEMBLY"

Page 2, line 23, after "biennium" insert "and the 2023-25 one-time funding items included in the appropriation for legislative management and legislative council in section 1 of this Act"

Page 2, replace lines 25 through 28 with:

"Information technology expansion	\$48,000	\$0
Public website design	150,000	0
Acute psychiatric hospitalization study	500,000	0
Computer and iPad replacement	0	155,500
Secondary and backup servers	0	120,000
Total general fund	\$698,000	\$275,500

The 2023-25 biennium one-time funding amounts are not part of the entity's base budget for the 2025-27 biennium. The legislative council shall report to the appropriations committees of the sixty-ninth legislative assembly on the use of this one-time funding for the biennium beginning July 1, 2023, and ending June 30, 2025."

Page 3, after line 18, insert:

"SECTION 6. AMENDMENT. Section 54-03-20 of the North Dakota Century Code is amended and reenacted as follows:

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

1. Each member of the legislative assembly is entitled to receive as compensation for services the sum of ~~one hundred eighty-nine~~two hundred one dollars through June 30, ~~2022~~2024, and ~~one hundred ninety-three~~two hundred nine dollars thereafter for each calendar day during any organizational, special, or regular legislative session and for each day that member attends a meeting of a legislative committee between the organizational session and the regular session as authorized by legislative rule.
2. a. Each member of the legislative assembly is entitled to receive reimbursement for lodging, which may not exceed per calendar month the amount established under this subdivision by the director of the office of management and budget for lodging in state and which may not exceed the rate provided in section 44-08-04 for each calendar day during the period of any organizational, special, or regular session. On August first of each even-numbered year, the director of the office of management and budget shall set the maximum monthly reimbursement for the subsequent two-year period at an amount equal to thirty times seventy percent of the daily lodging reimbursement in effect on that date as provided under subdivision d of subsection 2 of section 44-08-04.

- b. Notwithstanding subdivision a:
 - (1) A member of the legislative assembly may elect to be reimbursed for less than the amount to which the legislator is entitled under this subsection by claiming the lesser amount on a voucher submitted with the receipt required by section 44-08-04.
 - (2) The legislative management may establish guidelines that may result in a reduced maximum reimbursement for a single dwelling in which two or more legislators share lodging and the total rent for that dwelling exceeds the amount to which a legislator is entitled under subdivision a.
- 3. a. Members of the legislative assembly who receive reimbursement for lodging are also entitled to reimbursement for travel for not to exceed one round trip taken during any calendar week, or portion of a week, the legislative assembly is in session, between their residences and the place of meeting of the legislative assembly, at the rate provided for state employees with the additional limitation that reimbursement for travel by common carrier may be only at the cost of coach fare and may not exceed one and one-half times the amount the member would be entitled to receive as mileage reimbursement for travel by motor vehicle.
- b. A member of the legislative assembly who does not receive reimbursement for lodging and whose place of residence in the legislative district that the member represents is not within the city of Bismarck is entitled to reimbursement at the rate provided for state employees for necessary travel for not to exceed one round trip taken per day between the residence and the place of meeting of the legislative assembly when it is in session and may receive reimbursement for lodging at the place of meeting of the legislative assembly as provided in section 44-08-04 for each calendar day for which round trip travel reimbursement is not claimed, provided that the total reimbursement may not exceed the maximum monthly reimbursement allowed under subdivision a of subsection 2.
- 4. The amount to which each legislator is entitled must be paid following the organizational session in December and each month upon submission of a voucher and appropriate documentation during a regular or special session, consistent with section 26 of article XI of the constitution of North Dakota.
- 5. If during a special session, the legislative assembly adjourns for more than three days, a member of the legislative assembly is entitled to receive compensation during those days only while in attendance at a standing committee if the legislator is a member of that committee, a majority or minority leader, or a legislator who is not on that committee but who has the approval of a majority or minority leader to attend.
- 6. A day, or portion of a day, spent in traveling to or returning from an organizational, special, or regular session or a legislative committee meeting must be included as a calendar day during a legislative session or

as a day of a legislative committee meeting for the purposes of this section.

7. a. In addition, each member is entitled to receive during the term for which the member was elected, as compensation for the execution of public duties during the biennium, the sum of five hundred ~~twenty-six~~fifty-eight dollars through June 30, ~~2022~~2024, and five hundred ~~thirty-seven~~eighty dollars thereafter per month, paid monthly.
- b. If a member dies or resigns from office during the member's term, the member may be paid only the allowances provided for in this section for the period for which the member was actually a member.
- c. The majority and minority leaders of the house and senate and the chairman of the legislative management, if the chairman is not a majority or minority leader, are each entitled to receive as compensation, in addition to any other compensation or expense reimbursement provided by law, the sum of ~~three hundred-seventy-seven~~four hundred dollars through June 30, ~~2022~~2024, and ~~three hundred-eighty-five~~four hundred sixteen dollars thereafter per month during the biennium for their execution of public duties.
8. Attendance at any organizational, special, or regular session of the legislative assembly by any member is a conclusive presumption of entitlement as set out in this section and compensation and expense allowances must be excluded from gross income for income tax purposes to the extent permitted for federal income tax purposes under section 127 of the Economic Recovery Tax Act of 1981 [Pub. L. 97-34; 95 Stat. 202; 26 U.S.C. 162(i)].
9. Before each regular legislative session, the legislative management shall make recommendations and submit any necessary legislation to adjust legislative compensation amounts.

SECTION 7. AMENDMENT. Section 54-35-10 of the North Dakota Century Code is amended and reenacted as follows:

54-35-10. Compensation of members and leadership.

1. The members of the legislative management and the members of any committee of the legislative management are entitled to be compensated for the time spent in attendance at sessions of the legislative management and of its committees at the rate of ~~one hundred eighty-nine~~two hundred one dollars through June 30, ~~2022~~2024, and ~~one hundred ninety-three~~two hundred nine dollars thereafter per day and must also be paid for expenses incurred in attending said meetings and in the performance of their official duties in the amounts provided by law for other state officers.
2. In addition to the compensation provided in subsection 1, the chairman of the legislative management is entitled to receive an additional five dollars for each day spent in attendance at sessions of the legislative management and of its committees, and the chairman of each of the legislative management's committees is entitled to receive five dollars for each day spent in attendance at sessions of the legislative management or of the committee which the person chairs.

SECTION 8. LEGISLATIVE MANAGEMENT STUDY - IMPACT OF TERM LIMITS ON THE LEGISLATIVE ASSEMBLY. During the 2023-24 interim, the legislative management shall consider studying the impact of term limits on the manner in which the legislative assembly conducts business. The study must include an assessment of the desirability of providing increased educational opportunities for legislative members due to shortened tenures in the legislative assembly, increasing the number of legislative council policy staff available to assist new members, and holding legislative sessions on an annual basis. The legislative management shall report its findings and recommendations, together with any legislation required to implement the recommendations, to the sixty-ninth legislative assembly."

Page 3, line 19, replace "This Act is" with "Sections 1 through 5 of this Act are"

Renumber accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

House Bill No. 1001 - Summary of House Action

	Base Budget	House Changes	House Version
Legislative Assembly			
Total all funds	\$17,926,180	\$5,669,248	\$23,595,428
Less estimated income	0	0	0
General fund	\$17,926,180	\$5,669,248	\$23,595,428
FTE	0.00	0.00	0.00
Legislative Council			
Total all funds	\$15,742,410	\$2,951,447	\$18,693,857
Less estimated income	70,000	18,000	88,000
General fund	\$15,672,410	\$2,933,447	\$18,605,857
FTE	44.00	1.00	45.00
Bill total			
Total all funds	\$33,668,590	\$8,620,695	\$42,289,285
Less estimated income	70,000	18,000	88,000
General fund	\$33,598,590	\$8,602,695	\$42,201,285
FTE	44.00	1.00	45.00

House Bill No. 1001 - Legislative Assembly - House Action

	Base Budget	House Changes	House Version
Salaries and wages	\$11,430,094	\$1,399,505	\$12,829,599
Operating expenses	6,218,753	(668,594)	5,550,159
Capital assets	6,000	4,926,600	4,932,600
National Conf. of State Legislatures	271,333	11,737	283,070
Total all funds	\$17,926,180	\$5,669,248	\$23,595,428
Less estimated income	0	0	0
General fund	\$17,926,180	\$5,669,248	\$23,595,428
FTE	0.00	0.00	0.00

Department 150 - Legislative Assembly - Detail of House Changes

	Adjusts Funding for Cost to Continue Compensation ¹	Adds Funding for Salary and Benefit Increases ²	Increases Funding for Monthly Lodging Expenses ³	Adds Funding for Mileage Rate Increases ⁴	Adjusts Funding for IT Expense ⁵	Adds Funding to Increase Legislators' Technology Stipend ⁶
Salaries and wages	\$20,553	\$1,378,952				
Operating expenses			\$10,650	\$8,901	(\$1,778,017)	\$372,240
Capital assets						
National Conf. of State Legislatures						
Total all funds	\$20,553	\$1,378,952	\$10,650	\$8,901	(\$1,778,017)	\$372,240
Less estimated income	0	0	0	0	0	0
General fund	\$20,553	\$1,378,952	\$10,650	\$8,901	(\$1,778,017)	\$372,240
FTE	0.00	0.00	0.00	0.00	0.00	0.00

	Adjusts Funding for Operating Expenses ⁷	Increases Funding for the International Legislators' Forum ⁸	Increases Funding for National Conference of State Legislatures Dues ⁹	Adds One- Time Funding for Propylon Core Upgrade ¹⁰	Adds One- Time Funding for Increased Audio and Video Storage ¹¹	Adds One- Time Funding for Computer and iPad Replacement ¹²
Salaries and wages						
Operating expenses	(\$70,318)	\$10,000				\$557,950
Capital assets				\$4,816,600	\$110,000	
National Conf. of State Legislatures			\$11,737			
Total all funds	(\$70,318)	\$10,000	\$11,737	\$4,816,600	\$110,000	\$557,950
Less estimated income	0	0	0	0	0	0
General fund	(\$70,318)	\$10,000	\$11,737	\$4,816,600	\$110,000	\$557,950
FTE	0.00	0.00	0.00	0.00	0.00	0.00

	Adds One- Time Funding for Chamber Upgrades ¹³	Total House Changes
Salaries and wages		\$1,399,505
Operating expenses	\$220,000	(668,594)
Capital assets		4,926,600
National Conf. of State Legislatures		11,737
Total all funds	\$220,000	\$5,669,248
Less estimated income	0	0
General fund	\$220,000	\$5,669,248
FTE	0.00	0.00

¹ Funding is added for cost to continue 2021-23 biennium compensation increases.

² Funding is added for increases in monthly health insurance premiums from \$1,429 to \$1,648 (\$699,048) and for 2023-25 biennium compensation adjustments of 4 percent per year for temporary salaries (\$214,393), legislators' daily pay for regular and organizational sessions, legislators' monthly compensation, and additional monthly compensation for legislative leaders (\$465,511).

The major compensation adjustments are as follows:

	Current Compensation Rate	Rate Effective July 1, 2023	Rate Effective July 1, 2024
Daily session pay	\$193	\$201	\$209
Monthly compensation	\$537	\$558	\$580
Leaders' additional monthly compensation	\$385	\$400	\$416

³ Funding is added to increase the maximum monthly lodging expense reimbursement to \$1,852 anticipated for the 2025 legislative session. The maximum monthly lodging reimbursement is \$1,814 for the 2023 legislative session.

⁴ Funding is added for anticipated increases in the mileage rate to 60 cents per mile.

⁵ Funding is adjusted for IT-related expenses.

⁶ Funding is added to increase legislators' technology stipend from \$90 to \$200 per month.

⁷ Funding is adjusted for various operating expenses.

⁸ Funding is increased for the International Legislators' Forum to provide a total of \$30,000.

⁹ Funding is increased for National Conference of State Legislatures dues to provide a total of \$283,070.

¹⁰ One-time funding is added for a Propylon Core computer system upgrade.

¹¹ One-time funding is added for increased storage capacity for audio and video.

¹² One-time funding is added for laptop and iPad replacement for legislators and legislative session staff.

¹³ One-time funding is added for chamber upgrades, including chairs, carpet, and woodwork refinishing.

This amendment also:

- Adds a section to adjust 2023-25 biennium compensation rates to provide 4 percent per year increases for legislators' regular and organizational session pay, legislators' monthly compensation, and additional monthly compensation for legislative leaders.

House Bill No. 1001 - Legislative Council - House Action

	Base Budget	House Changes	House Version
Salaries and wages	\$12,690,980	\$1,940,465	\$14,631,445
Operating expenses	3,045,430	890,982	3,936,412
Capital assets	6,000	120,000	126,000
Total all funds	\$15,742,410	\$2,951,447	\$18,693,857
Less estimated income	70,000	18,000	88,000
General fund	\$15,672,410	\$2,933,447	\$18,605,857
FTE	44.00	1.00	45.00

Department 160 - Legislative Council - Detail of House Changes

	Adjusts Funding for Cost to Continue Salaries ¹	Adds Funding for Salary and Benefit Increases ²	Increases Funding for Legislator Per Diem ³	Increases Funding for Overtime Salaries ⁴	Restores Funding for Office Assistant Position ⁵	Adds 1 FTE Attorney Position ⁶
Salaries and wages	\$233,217	\$802,779	\$50,131	\$4,338	\$180,000	\$270,000
Operating expenses						
Capital assets						
Total all funds	\$233,217	\$802,779	\$50,131	\$4,338	\$180,000	\$270,000
Less estimated income	0	0	0	0	0	0
General fund	\$233,217	\$802,779	\$50,131	\$4,338	\$180,000	\$270,000
FTE	0.00	0.00	0.00	0.00	0.00	1.00

	Adds Funding for Salary Equity ¹	Adjusts Funding for Operating Expenses ⁸	Reallocates Funding from Travel to Conference Expense ⁹	Adds One- Time Funding for Computer and iPad Replacement ¹⁰	Adds One- Time Funding for Servers ¹¹	Total House Changes
Salaries and wages	\$400,000					\$1,940,465
Operating expenses		\$735,482		\$155,500		890,982
Capital assets					\$120,000	120,000
Total all funds	\$400,000	\$735,482	\$0	\$155,500	\$120,000	\$2,951,447
Less estimated income	0	18,000	0	0	0	18,000
General fund	\$400,000	\$717,482	\$0	\$155,500	\$120,000	\$2,933,447
FTE	0.00	0.00	0.00	0.00	0.00	1.00

¹ Funding is added for cost to continue salary increases.

² The following funding is added for 2023-25 biennium salary adjustments of 4 percent on July 1, 2023, and 4 percent on July 1, 2024, and increases in health insurance premiums from \$1,429 to \$1,648 per month:

	<u>General Fund</u>	<u>Other Funds</u>	<u>Total</u>
Salary increase	\$576,499	\$0	\$576,499
Health insurance increase	226,280	0	226,280
Total	\$802,779	\$0	\$802,779

³ Funding is added for 2023-25 biennium compensation adjustments of 4 percent per year for legislators' attendance at interim meetings. The compensation adjustments are as follows:

	<u>Current Compensation Rate</u>	<u>Rate Effective July 1, 2023</u>	<u>Rate Effective July 1, 2024</u>
Interim meeting pay	\$193	\$201	\$209

⁴ Funding is increased for overtime salaries.

⁵ Funding is restored for an office assistant position.

⁶ Funding is added for 1 FTE attorney position.

⁷ Funding is added for salary equity.

⁸ Funding for operating expenses is adjusted as follows:

	<u>General Fund</u>	<u>Special Funds</u>	<u>Total</u>
Decreases funding for travel related to continued interim committee sizes	(\$76,717)	\$0	(\$76,717)
Increases funding for out-of-state travel fees, lodging, and mileage	38,407	0	38,407
Increases funding for operating expenses related to IT	565,876	0	565,876
Increases funding for professional services to provide a total of \$270,000	65,000	0	65,000
Increases funding for other operating expenses	124,916	18,000	142,916
Total	\$717,482	\$18,000	\$735,482

⁹ This amendment reallocates \$35,000 of operating expenses in the Legislative Council budget from travel expense to conference expense for costs associated with hosting the Energy Council conference in North Dakota.

¹⁰ One-time funding is added for computer and iPad replacement for the Legislative Council staff.

¹¹ One-time funding is added for secondary and backup servers.

This amendment also:

- Adds a section to adjust 2023-25 biennium compensation rates to provide a 4 percent per year increase for interim meeting pay; and
- Adds a section to provide for a Legislative Management study of the impact of term limits, including an assessment of the desirability of providing increased educational opportunities for legislative members due to shortened tenures in the Legislative Assembly, increasing the number of Legislative Council policy staff available to assist new members, and holding legislative sessions on an annual basis.