

Department 160 - Legislative Council
House Bill No. 1001

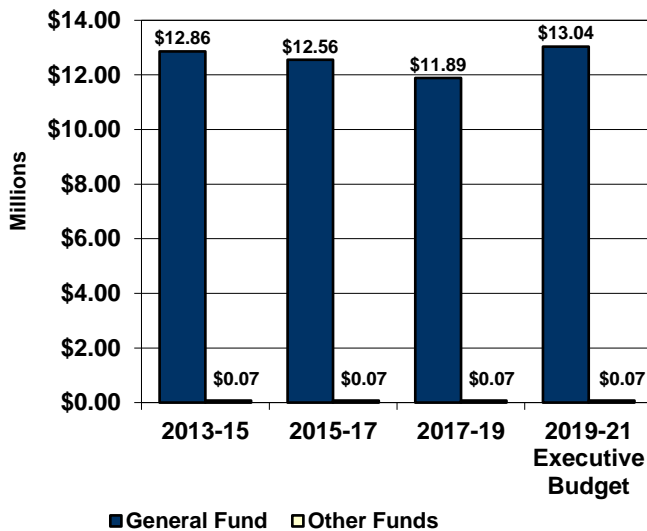
Executive Budget Comparison to Prior Biennium Appropriations

	FTE Positions	General Fund	Other Funds	Total
2019-21 Executive Budget	36.00	\$13,039,003	\$70,000	\$13,109,003
2017-19 Legislative Appropriations	36.00	11,891,138	70,000	11,961,138
Increase (Decrease)	0.00	\$1,147,865	\$0	\$1,147,865

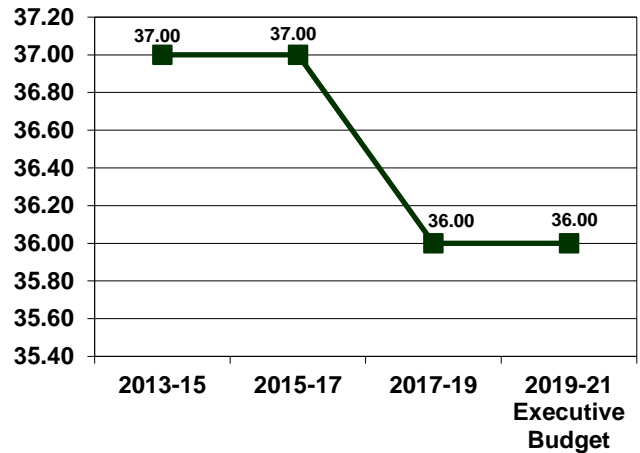
Ongoing and One-Time General Fund Appropriations

	Ongoing General Fund Appropriation	One-Time General Fund Appropriation	Total General Fund Appropriation
2019-21 Executive Budget	\$12,891,747	\$147,256	\$13,039,003
2017-19 Legislative Appropriations	11,891,138	0	11,891,138
Increase (Decrease)	\$1,000,609	\$147,256	\$1,147,865

Agency Funding



FTE Positions



Executive Budget Comparison to Base Level

	General Fund	Other Funds	Total
2019-21 Executive Budget	\$13,039,003	\$70,000	\$13,109,003
2019-21 Base Level	11,891,138	70,000	11,961,138
Increase (Decrease)	\$1,147,865	\$0	\$1,147,865

First House Action

Attached is a comparison worksheet detailing first house changes to base level funding and the executive budget.

**Executive Budget Highlights
(With First House Changes in Bold)**

	General Fund	Other Funds	Total
1. Adds funding for state employee salary and benefit increases, of which \$346,827 is for salary increases, \$132,272 is for health insurance increases, and \$46,729 is for retirement contribution increases. The House added funding for salary adjustments of 2 percent per year and increases in health insurance premiums from \$1,241 to \$1,427 per month. The House did not add funding for retirement contribution increases.	\$525,828	\$0	\$525,828
2. Adjusts base payroll.	\$39,069	\$0	\$39,069

3. Restores funding for one of two unfunded administrative positions.	\$125,579	\$0	\$125,579
4. Decreases funding for overtime salaries.	(\$5,091)	\$0	(\$5,091)
5. Adds funding for a session retention program. The House added an additional \$216,000 for a session retention program to provide a total of \$333,512.	\$117,512	\$0	\$117,512
6. Provides funding for proposed legislator per diem compensation adjustments of 2 percent for each year of the biennium, from \$177 per day to \$181 per day effective July 2019 and to \$185 per day effective July 2020.	\$19,731	\$0	\$19,731
7. Decreases funding to continue reduced committee sizes during the 2019-21 biennium, including per diem (\$20,200) and travel (\$39,257).	(\$59,457)	\$0	(\$59,457)
8. Increases funding for other meetings and out-of-state travel to restore 2017-19 biennium 10 percent reductions, including per diem \$30,188 and travel \$81,860.	\$112,048	\$0	\$112,048
9. Adds funding for estimated increases in the lodging rate.	\$11,600	\$0	\$11,600
10. Increases funding for professional services from \$140,000 to \$215,000. The House did not increase funding for professional services.	\$75,000	\$0	\$75,000
11. Increases funding for operating expenses. The House did not include this increase, but rather decreased funding for operating expenses by \$37,210.	\$32,790	\$0	\$32,790
12. Adds ongoing funding for capital assets for emergency equipment replacement.	\$6,000	\$0	\$6,000
13. Adds one-time funding for information technology (IT) equipment less than \$5,000 for computer replacement.	\$124,856	\$0	\$124,856
14. Adds one-time funding for IT equipment less than \$5,000 for redistricting.	\$22,400	\$0	\$22,400

Other Sections in House Bill No. 1001

Capitol building fund - Section 4 identifies \$140,000 from the Capitol building fund to the Legislative Assembly for digital signage replacement and voting system upgrades.

Transfers - Section 5 allows transfer of funds between line items of appropriations for the Legislative Assembly and Legislative Council as requested by the Chairman of the Legislative Management or the Director of the Legislative Council.

Continuation of appropriation authority - Section 6 provides the unspent funds appropriated for the Legislative Assembly and the Legislative Council for the 2017-19 biennium be continued and unexpended appropriations enacted prior to the 2017-19 biennium may be canceled as directed by the Chairman of the Legislative Management or the Director of the Legislative Council.

Compensation - Sections 7 and 8 increase legislators' daily pay during legislative sessions, monthly compensation, and additional monthly compensation by 2 percent each year of the 2019-21 biennium. Sections 9 and 10 of the bill increase legislators' interim meeting pay by 2 percent each year of the 2019-21 biennium.

The compensation adjustments are as follows:

	Current Compensation Rate	Rate Effective July 1, 2019	Rate Effective July 1, 2020
Daily session pay	\$177	\$181	\$185
Monthly compensation	\$495	\$505	\$515
Leaders' additional monthly compensation	\$355	\$362	\$369
Interim meeting pay	\$177	\$181	\$185

Effective date - Section 11 provides the effective dates of legislative compensation increases.

Emergency - Section 12 declares the Act is an emergency measure.

Continuing Appropriations

Legislative services fund - North Dakota Century Code Section 54-35-19 - This fund is used for depositing and spending funds relating to legislative information.

Deficiency Appropriation

There are no deficiency appropriations for this agency.

Significant Audit Findings

There are no significant audit findings for the Legislative Council.

Major Related Legislation

House Bill No. 1036 - In addition to an initiated measure, the bill requires the Legislative Council also coordinate the determination of the estimated fiscal impact of a referred measure.

House Bill No. 1363 - Requires the Department of Transportation to maintain records identifying the total of all costs related to the use of the department's air transportation services by each of the Governor, Lieutenant Governor, and all other elected officials each quarter and provide the records to the Legislative Council each quarter.

House Bill No. 1401 - Provides for a Legislative Management study of the use of technology to enable remote attendance at interim legislative committee meetings.

House Bill No. 1422 - Requires the Legislative Council publish the North Dakota Administrative Code and code supplement on the legislative branch website and provide quarterly electronic updates.

Senate Bill No. 2033 - Allows the Legislative Council to provide drafting assistance to measure sponsoring committees pursuant to Legislative Management guidelines.

Senate Bill No. 2055 - Relates to the powers and duties of the Budget Section.

Senate Bill No. 2221 - Relates to exempting records of communications between legislators and public employees from open records laws.

Legislative Council - Budget No. 160
House Bill No. 1001
Base Level Funding Changes

	Executive Budget Recommendation				House Version			
	FTE Position	General Fund	Other Funds	Total	FTE Position	General Fund	Other Funds	Total
2019-21 Biennium Base Level	36.00	\$11,891,138	\$70,000	\$11,961,138	36.00	\$11,891,138	\$70,000	\$11,961,138
2019-21 Ongoing Funding Changes								
Base payroll changes		\$39,069		\$39,069		\$39,069		\$39,069
Salary increase		346,827		346,827		207,899		207,899
Health insurance increase		132,272		132,272		156,172		156,172
Retirement contribution increase		46,729		46,729				0
Restores funding for one of two unfunded administrative positions		125,579		125,579		125,579		125,579
Decreases funding for overtime salaries		(5,091)		(5,091)		(5,091)		(5,091)
Adds funding for a session retention program		117,512		117,512		333,512		333,512
Increases per diem 2 percent per year		19,731		19,731		19,731		19,731
Decreases funding to continue reduced committee sizes during the 2019-21 biennium, including per diem and travel		(59,457)		(59,457)		(59,457)		(59,457)
Increases funding for other meetings and out-of-state travel to restore 2017-19 biennium 10 percent reductions, including per diem and travel		112,048		112,048		112,048		112,048
Adds funding for estimated increases in the lodging rate		11,600		11,600		11,600		11,600
Increases funding for professional services from \$140,000 to \$215,000		75,000		75,000				0
Increases (Decreases) funding for other operating expenses		32,790		32,790		(37,210)		(37,210)
Adds funding for capital assets for emergency equipment replacement		6,000		6,000		6,000		6,000
Total ongoing funding changes	0.00	\$1,000,609	\$0	\$1,000,609	0.00	\$909,852	\$0	\$909,852

One-time funding items							
Adds one-time funding for IT equipment less than \$5,000 for computer replacement		\$124,856	\$124,856	124,856		124,856	
Adds one-time funding for IT equipment less than \$5,000 for redistricting		22,400	22,400	22,400		22,400	
Adds one-time funding for Council of State Governments conference			0	7,500		7,500	
Total one-time funding changes	0.00	\$147,256	\$0	\$147,256	0.00	\$154,756	\$0
Total Changes to Base Level Funding	0.00	\$1,147,865	\$0	\$1,147,865	0.00	\$1,064,608	\$0
2019-21 Total Funding	36.00	\$13,039,003	\$70,000	\$13,109,003	36.00	\$12,955,746	\$70,000

Other Sections for Legislative Council - Budget No. 160

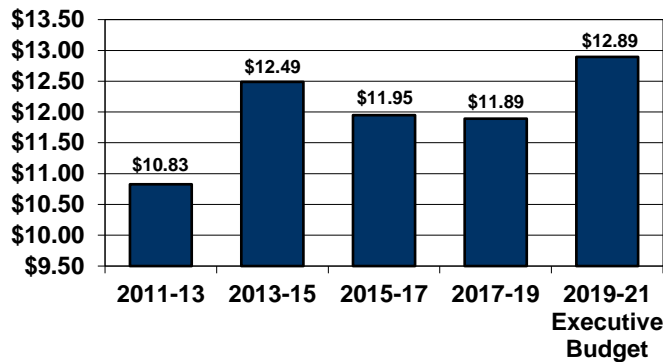
	<u>Executive Budget Recommendation</u>	<u>House Version</u>
Transfers	Section 4 would allow transfer of funds between line items of appropriations for the Legislative Assembly and Legislative Council as requested by the Chairman of the Legislative Management or the Director of the Legislative Council.	Section 5 allows the transfer of funds between line items of appropriations for the Legislative Assembly and Legislative Council as requested by the Chairman of the Legislative Management or the Director of the Legislative Council.
Continuation of appropriation authority	Section 5 would provide the unspent funds appropriated for the Legislative Assembly and the Legislative Council for the 2017-19 biennium be continued and unexpended appropriations enacted prior to the 2017-19 biennium may be canceled as directed by the Chairman of the Legislative Management or the Director of the Legislative Council.	Section 6 provides the unspent funds appropriated for the Legislative Assembly and the Legislative Council for the 2017-19 biennium be continued and unexpended appropriations enacted prior to the 2017-19 biennium may be canceled as directed by the Chairman of the Legislative Management or the Director of the Legislative Council.
Compensation	Sections 6 and 7 would increase legislators' daily pay during legislative sessions, monthly compensation, and additional monthly compensation by 2 percent each year of the 2019-21 biennium. Sections 8 and 9 of the bill would increase legislators' interim meeting pay by 2 percent each year of the 2019-21 biennium.	Sections 7 and 8 increase legislators' daily pay during legislative sessions, monthly compensation, and additional monthly compensation by 2 percent each year of the 2019-21 biennium. Sections 9 and 10 of the bill increase legislators' interim meeting pay by 2 percent each year of the 2019-21 biennium.
Effective date	Section 10 would provide the effective dates of legislative compensation increases.	Section 11 provides the effective dates of legislative compensation increases.
Emergency	Section 11 would declare the Act is an emergency measure.	Section 12 declares the Act is an emergency measure.

Department 160 - Legislative Council

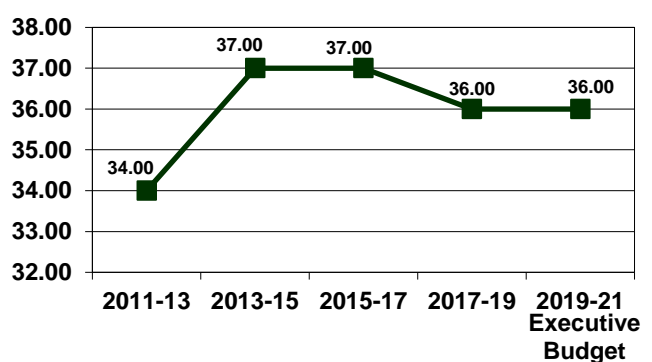
Historical Appropriations Information

Ongoing General Fund Appropriations Since 2011-13

Agency Funding (in Millions)



FTE Positions



Ongoing General Fund Appropriations					
	2011-13	2013-15	2015-17	2017-19	2019-21 Executive Budget
Ongoing general fund appropriations	\$10,826,351	\$12,487,475	\$11,948,410	\$11,891,138	\$12,891,747
Increase (decrease) from previous biennium	\$556,848	\$1,661,124	(\$539,065)	(\$57,272)	\$1,000,609
Percentage increase (decrease) from previous biennium	N/A	15.3%	(4.3%)	(0.5%)	8.4%
Cumulative percentage increase (decrease) from 2011-13 biennium	N/A	15.3%	10.4%	9.8%	19.1%

Major Increases (Decreases) in Ongoing General Fund Appropriations

2013-15 Biennium

1. Increased funding for IT consulting \$384,855
2. Added funding for 3 FTE fiscal analyst positions and related operating expenses, including IT and equipment \$525,000

2015-17 Biennium

1. Reduced funding for operating expenses, including IT--consulting, IT--data processing, office supplies, and postage (\$522,718)
2. Removed market equity salary funding (\$100,000)

2017-19 Biennium

1. Removed 1 vacant FTE fiscal analyst position. The related funding for salaries and wages was removed as part of the August 2016 budget reductions. \$0
2. Reduced funding for base level salaries and wages due to staff turnover. (\$126,558)
3. Removed funding for 1 FTE office assistant position (\$147,071)
4. Reduced funding for per diem (\$92,251) and travel expenses (\$15,140) related to smaller committee sizes anticipated for the 2017-18 interim. (\$107,391)
5. Reduced funding for out-of-state travel 5 percent, including reductions to per diem salaries (\$14,299) and travel expenses (\$44,865). The base budget for out-of-state travel was reduced by an additional 5 percent for a total reduction of 10 percent. (\$59,164)
6. Reduced funding for professional fees to provide a total of \$140,000 for audit fees (\$15,000) and interim committee consulting services (\$125,000) during the 2017-18 interim. (\$75,000)
7. Restored a portion of the funding for IT and other operating expenses, reduced as part of the August 2016 budget reductions. \$210,385

2019-21 Biennium (Executive Budget Recommendation)

1. Restores funding for one of two unfunded administrative positions \$125,579
2. Adds funding for a session retention program. **The House added an additional \$216,000 for a session retention program to provide a total of \$333,512.** \$117,512

- | | |
|--|------------|
| 3. Decreases funding to continue reduced committee sizes during the 2019-21 biennium, including per diem (\$20,200) and travel (\$39,257). | (\$59,457) |
| 4. Increases funding for other meetings and out-of-state travel to restore 2017-19 biennium 10 percent reduction, including per diem \$30,188 and travel \$81,860. | \$112,048 |
| 5. Increases funding for professional services from \$140,000 to \$215,000. The House did not increase funding for professional services. | \$75,000 |

**LEGISLATIVE BRANCH REQUEST WITH THE GOVERNOR'S RECOMMENDATION
FOR STATE EMPLOYEE COMPENSATION CHANGES**

SECTION 1. APPROPRIATION. The funds provided in this section, or so much of the funds as may be necessary, are appropriated out of any moneys in the general fund in the state treasury, not otherwise appropriated, and from special funds derived from the insurance regulatory trust fund, not otherwise appropriated, to the legislative branch of state government for the purpose of defraying the expenses of the legislative branch of state government, for the fiscal period beginning with the effective date of this Act and ending June 30, 2021, as follows:

Subdivision 1.

SIXTY-SIXTH AND SIXTY-SEVENTH LEGISLATIVE ASSEMBLIES AND BIENNIUM

	<u>Base Level</u>	Adjustments or <u>Enhancements</u>	<u>Appropriation</u>
Salaries and wages	\$10,233,424	\$949,457	\$11,182,881
Operating expenses	3,694,591	710,647	4,405,238
Capital assets	6,000	100,000	106,000
National conference of state legislatures	<u>225,155</u>	<u>38,278</u>	<u>263,433</u>
Total general fund	\$14,159,170	\$1,798,382	\$15,957,552

Subdivision 2.

LEGISLATIVE MANAGEMENT AND LEGISLATIVE COUNCIL

	<u>Base Level</u>	Adjustments or <u>Enhancements</u>	<u>Appropriation</u>
Salaries and wages	\$9,049,530	\$832,616	\$9,882,146
Operating expenses	2,911,608	309,249	3,220,857
Capital assets	<u>0</u>	<u>6,000</u>	<u>6,000</u>
Total all funds	\$11,961,138	\$1,147,865	\$13,109,003
Less estimated income	<u>70,000</u>	<u>0</u>	<u>70,000</u>
Total general fund	\$11,891,138	\$1,147,865	\$13,039,003
Full-time equivalent positions	36.00	0.00	36.00

Subdivision 3.

BILL TOTAL

	<u>Base Level</u>	Adjustments or <u>Enhancements</u>	<u>Appropriation</u>
Grand total general fund	\$26,050,308	\$2,946,247	\$28,996,555

Sixty-sixth
Legislative Assembly

Grand total special funds	<u>70,000</u>	<u>0</u>	<u>70,000</u>
Grand total all funds	\$26,120,308	\$2,946,247	\$29,066,555

SECTION 2. LEGISLATIVE ASSEMBLY ONE-TIME FUNDING - EFFECT ON BASE

BUDGET - REPORT TO SIXTY-SEVENTH LEGISLATIVE ASSEMBLY. The following amounts reflect the 2019-21 biennium one-time funding items included in the appropriation for the legislative assembly in section 1 of this Act:

<u>One-Time Funding Description</u>	<u>2017-19</u>	<u>2019-21</u>
Digital signage replacement	\$0	\$40,000
Voting system upgrade	0	100,000
Computer and iPad replacement	<u>0</u>	<u>517,760</u>
Total general fund	\$0	\$657,760

The 2019-21 biennium one-time funding amounts are not part of the entity's base budget for the 2021-23 biennium. The legislative assembly shall report to the appropriations committees of the sixty-seventh legislative assembly on the use of this one-time funding for the biennium beginning July 1, 2019, and ending June 30, 2021.

SECTION 3. LEGISLATIVE MANAGEMENT AND LEGISLATIVE COUNCIL ONE-TIME FUNDING - EFFECT ON BASE BUDGET - REPORT TO SIXTY-SEVENTH LEGISLATIVE

ASSEMBLY. The following amounts reflect the 2019-21 biennium one-time funding items included in the appropriation for the legislative management and legislative council in section 1 of this Act:

<u>One-Time Funding Description</u>	<u>2017-19</u>	<u>2019-21</u>
Redistricting equipment	\$0	\$22,400
Computer replacement	<u>0</u>	<u>124,856</u>
Total general fund	\$0	\$147,256

The 2019-21 biennium one-time funding amounts are not part of the entity's base budget for the 2021-23 biennium. The legislative council shall report to the appropriations committees of the sixty-seventh legislative assembly on the use of this one-time funding for the biennium beginning July 1, 2019, and ending June 30, 2021.

SECTION 4. TRANSFERS. Notwithstanding section 54-16-05, the director of the office of management and budget shall transfer appropriation authority between line items of the legislative management and legislative council as may be requested by the chairman of the

legislative management or the director of the legislative council upon the finding by the chairman or the director that the nature of studies and duties assigned to the legislative management or legislative council requires the transfers in properly carrying on the legislative management's and legislative council's functions and duties. The director of the office of management and budget shall similarly make transfers of appropriation authority between the line items for the sixty-sixth and sixty-seventh legislative assemblies, upon request by the chairman of the legislative management or the director of the legislative council upon the finding by the chairman or director that the transfers are required for the legislative assembly to carry on its functions and duties.

SECTION 5. APPLICATION, TRANSFER AUTHORITY, AND CANCELLATION OF UNEXPENDED APPROPRIATIONS. Sections 54-16-04 and 54-44.1-11 do not apply to chapter 26 of the 2017 Session Laws. The director of the office of management and budget shall make transfers of appropriation authority between the line items and the agencies of the legislative branch within section 1 of that chapter as requested by the chairman of the legislative management or the director of the legislative council. The office of management and budget shall cancel unexpended appropriations for the legislative assembly and legislative council enacted prior to the 2017-19 biennium as directed by the chairman of the legislative management or the director of the legislative council.

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 ~~seventy-seventy~~eighty-one dollars 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 ~~four~~five hundred ~~ninety-five~~five dollars a 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 ~~fifty-five~~sixty-two dollars 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 54-03-20 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-one~~eighty-five dollars 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 ~~five~~fifteen dollars a 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 ~~sixty-two~~sixty-nine dollars 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 8. 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 ~~seventy-seven~~eighty-one dollars 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 9. 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-one~~eighty-five dollars 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 10. EFFECTIVE DATE. Sections 6 and 8 of this Act become effective on July 1, 2019, and sections 7 and 9 of this Act become effective on July 1, 2020.

SECTION 11. EMERGENCY. This Act is declared to be an emergency measure.