

Department 150 - Legislative Assembly  
House Bill No. 1001

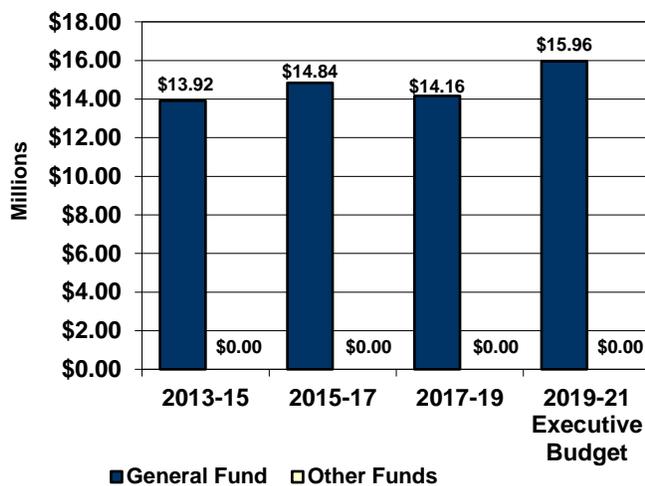
**Executive Budget Comparison to Prior Biennium Appropriations**

	FTE Positions	General Fund	Other Funds	Total
2019-21 Executive Budget	0.00	\$15,957,552	\$0	\$15,957,552
2017-19 Legislative Appropriations	0.00	14,159,170	0	14,159,170
Increase (Decrease)	0.00	\$1,798,382	\$0	\$1,798,382

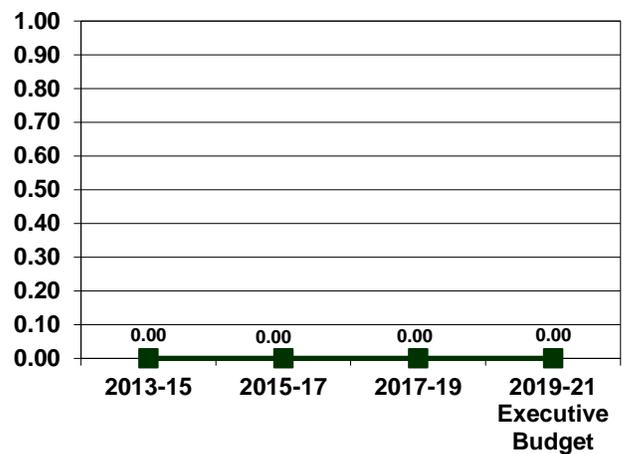
**Ongoing and One-Time General Fund Appropriations**

	Ongoing General Fund Appropriation	One-Time General Fund Appropriation	Total General Fund Appropriation
2019-21 Executive Budget	\$15,299,792	\$657,760	\$15,957,552
2017-19 Legislative Appropriations	14,159,170	0	14,159,170
Increase (Decrease)	\$1,140,622	\$657,760	\$1,798,382

**Agency Funding**



**FTE Positions**



**Executive Budget Comparison to Base Level**

	General Fund	Other Funds	Total
2019-21 Executive Budget	\$15,957,552	\$0	\$15,957,552
2019-21 Base Level	14,159,170	0	14,159,170
Increase (Decrease)	\$1,798,382	\$0	\$1,798,382

**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. Provides funding for proposed legislators' monthly compensation adjustments of 2 percent each year of the biennium, increasing from \$495 to \$505 effective July 2019 and to \$515 effective July 2020.	\$54,643	\$0	\$54,643
2. Provides funding for proposed adjustments to additional monthly compensation for legislative leaders of 2 percent each year of the biennium, increasing from \$355 to \$362 effective July 2019 and to \$369 effective July 2020.	\$1,358	\$0	\$1,358
3. Provides funding for proposed adjustments to legislative compensation for regular and organizational session compensation of 2 percent each year of the biennium, increasing	\$140,857	\$0	\$140,857

from \$177 per day to \$181 per day effective July 2019 and to \$185 per day effective July 2020.

4. Provides funding to increase temporary salaries, including legislative employees and interns, 2 percent each year of the 2019-21 biennium.	\$24,000	\$0	\$24,000
5. Adds funding for the health insurance premium increase for legislators. <b>The House increased funding by \$594,255 for increases in health insurance premiums from \$1,241 to \$1,427 per month.</b>	\$616,599	\$0	\$616,599
6. Adds funding for proposed increase in daily lodging and maximum monthly lodging expense reimbursement allowed during legislative sessions from \$1,720 to \$1,796.	\$40,670	\$0	\$40,670
7. Adds funding to restore legislative compensation and travel for 2 legislative days removed in 2017 to provide for a total of 77 legislative days.	\$160,000	\$0	\$160,000
8. Decreases funding for information technology data processing.	(\$13,382)	\$0	(\$13,382)
9. Increases funding for service contracts and repairs, telecommunications, and information technology software.	\$92,914	\$0	\$92,914
10. Decreases funding for information technology equipment over \$5,000.	(\$9,300)	\$0	(\$9,300)
11. Decreases funding for other operating expenses.	(\$6,015)	\$0	(\$6,015)
12. Increases funding for National Conference of State Legislatures (NCSL) dues, including funding to restore the 10 percent reduction made in the 2017-19 biennium. <b>The House increased NCSL dues by \$11,935, to provide for 90 percent of the dues assessment, for a total of \$237,090.</b>	\$38,278	\$0	\$38,278
13. Adds <b>one-time funding</b> for digital signage replacement. <b>The House provided the same level of funding but provided the funding from the Capitol building fund.</b>	\$40,000	\$0	\$40,000
14. Adds <b>one-time funding</b> for voting system upgrade. <b>The House provided the same level of funding but provided the funding from the Capitol building fund.</b>	\$100,000	\$0	\$100,000
15. Adds <b>one-time funding</b> for information technology equipment under \$5,000 for laptop and Ipad replacement.	\$517,760	\$0	\$517,760

### 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 transfers 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

There are no continuing appropriations for the Legislative Assembly.

### **Deficiency Appropriation**

There are no deficiency appropriations for the Legislative Assembly.

### **Significant Audit Findings**

There are no significant audit findings for the Legislative Assembly.

### **Major Related Legislation**

**House Bill No. 1145** - Relates to limitations on the introduction of legislative bills prepared by executive branch agencies and the judicial branch.

**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. 1521** - Relates to reporting campaign contributions and expenditures, restrictions on public officials and lobbyists, and the North Dakota Ethics Commission. The bill appropriates \$300,000 from the general fund and authorizes 1.5 FTE positions to the Ethics Commission to provide for the operations of the commission.

**Senate Bill No. 2148** - Relates to disclosures of expenditures, restrictions on public officials and lobbyists, investigations of ethics violations, and implementing requirements of Article XIV of the Constitution of North Dakota. The bill appropriates \$517,155 from the general fund and authorizes 2.0 FTE positions to the North Dakota Ethics Commission for purposes of defraying the expenses of the commission.

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

**House Concurrent Resolution No. 3006** - This resolution is for a constitutional amendment that, if approved by the Legislative Assembly and voters, would require the legislative assembly to reconvene in special session for the sole purpose of considering an item or bill vetoed after adjournment of a regular or special legislative session, and provide any day spent in such a special session would not count toward the 80-day session limitation.

**House Concurrent Resolution No. 3049** - This resolution is for a constitutional amendment that, if approved by the Legislative Assembly and voters, would allow the Legislative Assembly to convene in special session, not to exceed 5 natural days each biennium, to amend state laws to comply with federal laws and to adjust budgets as necessary. The resolution also provides days spent in this special session would not count toward the 80-day session limitation.

**Legislative Assembly - Budget No. 150**  
**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
<b>2019-21 Biennium Base Level</b>	0.00	\$14,159,170	\$0	\$14,159,170	0.00	\$14,159,170	\$0	\$14,159,170
<b>2019-21 Ongoing Funding Changes</b>								
Health insurance increase		\$616,599		\$616,599		\$594,255		\$594,255
Adds funding for 2 percent annual increase in session pay		140,857		140,857		140,857		140,857
Adds funding for 2 percent annual increase in monthly compensation		56,001		56,001		56,001		56,001
Increases funding for temporary salaries		24,000		24,000		24,000		24,000
Restores funding for 2 legislative days removed in 2017		160,000		160,000		160,000		160,000
Adjusts funding for operating expenses		64,217		64,217		64,217		64,217
Adds funding for increase in monthly lodging		40,670		40,670		40,670		40,670
Increases funding for NCSL dues		38,278		38,278		11,935		11,935
Total ongoing funding changes	0.00	\$1,140,622	\$0	\$1,140,622	0.00	\$1,091,935	\$0	\$1,091,935
<b>One-time funding items</b>								
Adds one-time funding for digital signage replacement		\$40,000		\$40,000			\$40,000	\$40,000
Adds one-time funding for voting system upgrade		100,000		100,000			100,000	100,000
Adds one-time funding for computer and iPad replacement		517,760		517,760		\$517,760		517,760
Total one-time funding changes	0.00	\$657,760	\$0	\$657,760	0.00	\$517,760	\$140,000	\$657,760
<b>Total Changes to Base Level Funding</b>	0.00	\$1,798,382	\$0	\$1,798,382	0.00	\$1,609,695	\$140,000	\$1,749,695
<b>2019-21 Total Funding</b>	0.00	\$15,957,552	\$0	\$15,957,552	0.00	\$15,768,865	\$140,000	\$15,908,865

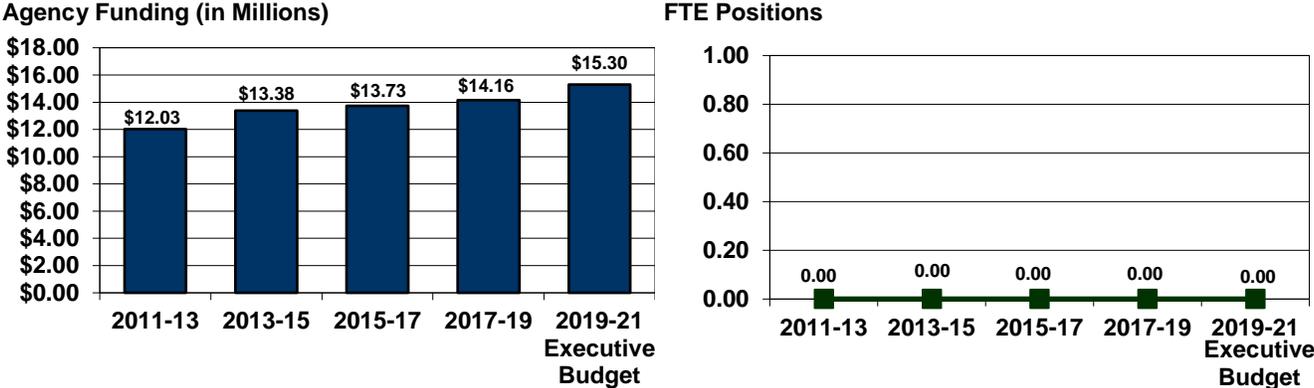
**Other Sections for Legislative Assembly - Budget No. 150**

	<u>Executive Budget Recommendation</u>	<u>House Version</u>
Capitol building fund		Section 4 provides \$140,000 from the Capitol building fund to the Legislative Assembly for digital signage replacement and voting system upgrades.
Transfers	Section 4 would allow transfers 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 transfers 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 that the unspent funds appropriated for the Legislative Assembly and the Legislative Council for the 2017-19 biennium be continued and that 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 that the unspent funds appropriated for the Legislative Assembly and the Legislative Council for the 2017-19 biennium be continued and that 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 150 - Legislative Assembly

# Historical Appropriations Information

## Ongoing General Fund Appropriations Since 2011-13



Ongoing General Fund Appropriations					
	2011-13	2013-15	2015-17	2017-19	2019-21 Executive Budget
Ongoing general fund appropriations	\$12,025,211	\$13,379,971	\$13,730,065	\$14,159,170	\$15,299,792
Increase (decrease) from previous biennium	\$1,013,984	\$1,354,760	\$350,094	\$429,105	\$1,140,622
Percentage increase (decrease) from previous biennium	N/A	11.3%	2.6%	3.1%	8.1%
Cumulative percentage increase (decrease) from 2011-13 biennium	N/A	11.3%	14.2%	17.7%	27.2%

### Major Increases (Decreases) in Ongoing General Fund Appropriations

**2013-15 Biennium**

- 1. Increased funding for information technology data processing, including LEGEND maintenance and support. \$485,640
- 2. Increased funding for costs associated with providing legislators with remote access to data, including broadband, data plans for cellular phones, and other methods as determined by the Legislative Management's Legislative Procedure and Arrangements Committee to provide a total of \$425,000. \$121,000

**2015-17 Biennium**

- 1. Adjusted funding for operating expenses, capital assets, and NCSL dues. (This item was affected by the August 2016 budget reductions.) (\$95,548)

**2017-19 Biennium**

- 1. Reduced funding for the 2019 legislative session to provide funding for an estimated 75 legislative days rather than 77 legislative days, including reductions to per diem (\$112,000) and travel expenses (\$48,000). (\$160,000)
- 2. Added funding to increase the maximum monthly lodging expense reimbursement to \$1,720 anticipated for the 2019 legislative session. The maximum monthly lodging reimbursement was \$1,682 for the 2017 legislative session. \$20,320
- 3. Reduced funding for NCSL dues to provide 90 percent of the estimated 2017-19 biennium billing, a total of \$225,155. (\$16,108)
- 4. Restored a portion of the funding for information technology and other operating expenses, reduced as part of the August 2016 budget reductions. \$254,642

**2019-21 Biennium (Executive Budget Recommendation)**

- 1. Restores legislative compensation and travel for 2 legislative days removed in 2017. To provide for a total of 77 legislative days. \$160,000
- 2. Adds funding for proposed increase in daily lodging and maximum monthly lodging expense reimbursement allowed during legislative sessions from \$1,720 to \$1,796 anticipated for the 2021 legislative session. \$40,670

3. Increases funding for NCSL dues, including funding to restore the 10 percent reduction made in the 2017-19 biennium. **The House increased NCSL dues by \$11,935, to provide for 90 percent of the dues assessment, for a total of \$237,090.** \$38,278

**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.