

**Department 150 - Legislative Assembly**  
**House Bill No. 1001**

**Executive Budget Comparison to Base Level**

	<b>General Fund</b>	<b>Other Funds</b>	<b>Total</b>
2023-25 Executive Budget	\$22,890,426	\$0	\$22,890,426
2023-25 Base Level	17,926,180	0	17,926,180
Increase (Decrease)	\$4,964,246	\$0	\$4,964,246

**Selected Budget Changes Recommended in the Executive Budget**

	<b>General Fund</b>	<b>Other Funds</b>	<b>Total</b>
1. Provides funding for proposed legislators' monthly compensation adjustments of 2 percent in the 1 <sup>st</sup> year and 3 percent in the 2 <sup>nd</sup> year of the biennium, increasing from \$537 to \$548 effective July 2023, and \$564 effective July 2024	\$69,215	\$0	\$69,215
2. Provides funding for proposed adjustments to additional monthly compensation for legislative leaders of 2 percent in the 1 <sup>st</sup> year and 3 percent in the 2 <sup>nd</sup> year of the biennium, increasing from \$385 to \$393 effective July 2023, and \$405 effective July 2024	\$2,614	\$0	\$2,614
3. Provides funding for proposed adjustments to legislative session compensation of 2 percent in the 1 <sup>st</sup> year and 3 percent in the 2 <sup>nd</sup> year of the biennium, increasing from \$193 to \$197 effective July 2023, and \$203 effective July 2024	\$237,698	\$0	\$237,698
4. Adds funding for the health insurance premium increase for legislators	\$683,088	\$0	\$683,088
5. Increases funding for operating expenses 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 session.	\$10,650	\$0	\$10,650
6. Adjusts funding for operating expense related to IT	(\$1,778,017)	\$0	(\$1,778,017)
7. Adds <b>one-time funding</b> for capital assets for Propylon Core upgrade	\$4,816,600	\$0	\$4,816,600
8. Adds <b>one-time funding</b> for capital assets for increased storage capacity for audio and video	\$110,000	\$0	\$110,000
9. Adds <b>one-time funding</b> for operating expenses related to laptop and iPad replacement	\$557,950	\$0	\$557,950
10. Adds <b>one-time funding</b> for operating expenses related to chamber upgrades	\$220,000	\$0	\$220,000

A summary of the executive budget changes to the agency's base level appropriations is attached as an appendix.

A copy of the draft appropriations bill containing the executive budget recommendations is attached as an appendix.

**Selected Bill Sections Recommended in the Executive Budget**

**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.

**Continuation of appropriation authority** - Section 5 would provide the unspent funds appropriated for the Legislative Assembly and the Legislative Council for the 2021-23 biennium be continued and unexpended appropriations enacted prior to the 2021-23 biennium may be canceled as directed by the Chairman of the Legislative Management or the Director of the Legislative Council.

**Compensation** - Section 6 would increase legislators' daily pay during legislative sessions, monthly compensation, and additional monthly compensation by 2 percent in the 1<sup>st</sup> year and 3 percent in the 2<sup>nd</sup> year of the 2023-25 biennium. Section 7 would increase legislators' interim meeting pay by 2 percent in the 1<sup>st</sup> year and 3 percent in the 2<sup>nd</sup> year of the 2023-25 biennium. The compensation adjustments are as follows:

	<b>Current Compensation Rate</b>	<b>Rate Effective July 1, 2023</b>	<b>Rate Effective July 1, 2024</b>
Daily session pay	\$193	\$197	\$203
Monthly compensation	\$537	\$548	\$564
Leaders' additional monthly compensation	\$385	\$393	\$405
Interim meeting pay	\$193	\$197	\$203

**Emergency** - Section 8 would declare the Act is an emergency measure.

**Continuing Appropriations**

There are no continuing appropriations for the Legislative Assembly.

**Deficiency Appropriations**

There are no deficiency appropriations for the Legislative Assembly.

**Significant Audit Findings**

There are no significant audit findings for the Legislative Assembly.

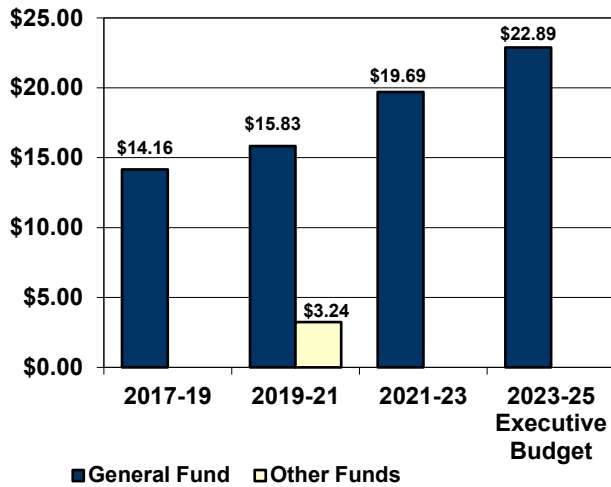
**Major Related Legislation**

**Senate Bill No. 2124** - increases the daily in-state meal allowance for state employees and legislators.

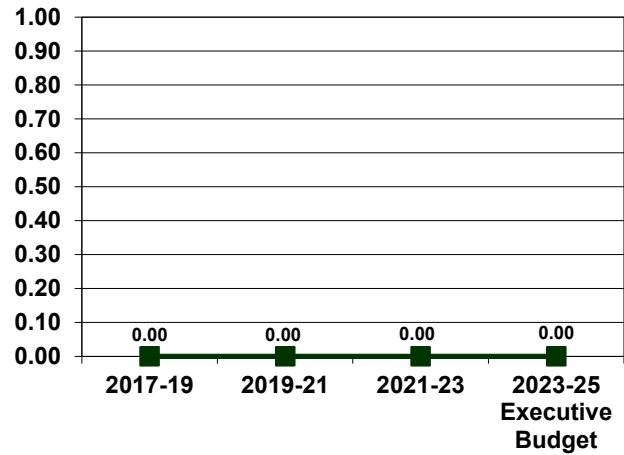
# Historical Appropriations Information

## Agency Appropriations and FTE Positions

Agency Funding (Millions)



FTE Positions



### Ongoing General Fund Appropriations

	2015-17	2017-19	2019-21	2021-23	2023-25 Executive Budget
Ongoing general fund appropriations	\$13,730,065	\$14,159,170	\$15,307,755	\$17,926,180	\$17,185,876
Increase (decrease) from previous biennium	N/A	\$429,105	\$1,148,585	\$2,618,425	(\$740,304)
Percentage increase (decrease) from previous biennium	N/A	3.1%	8.1%	17.1%	(4.1%)
Cumulative percentage increase (decrease) from 2015-17 biennium	N/A	3.1%	11.5%	30.6%	25.2%

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

#### 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 National Conference of State Legislatures (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 IT and other operating expenses, reduced as part of the August 2016 budget reductions \$254,642

#### 2019-21 Biennium

1. Restored legislative compensation and travel for 2 legislative days removed in 2017, to provide for a total of 77 legislative days \$160,000
2. Added 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. Increased funding for NCSL dues, including funding to restore the 10 percent reduction made in the 2017-19 biennium \$38,278

#### 2021-23 Biennium

1. Added funding to increase the maximum monthly lodging expense reimbursement to \$1,833 anticipated for the 2023 legislative session. The maximum monthly lodging reimbursement was \$1,814 for the 2021 session. \$19,830

- 2. Increased funding for operating expenses, including increases related to video streaming, archiving, indexing, and closed captioning for committee rooms and for adjustments related to the annual cost for voting system upgrades and the addition of virtual voting \$935,912
- 3. Increased funding for IT expansion \$1,400,000

**2023-25 Biennium (Executive Budget Recommendation)**

- 1. Increases funding for operating expenses 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. \$10,650
- 2. Adjusts funding for operating expense related to IT (\$1,778,017)

**One-Time General Fund Appropriations**

	2015-17	2017-19	2019-21	2021-23	2023-25 Executive Budget
One-time general fund appropriations	\$1,704,810	\$0	\$517,760	\$1,766,284	\$5,704,550

**Major One-Time General Fund Appropriations**

**2017-19 Biennium**

None \$0

**2019-21 Biennium**

Added one-time funding for computer and iPad replacement \$517,760

**2021-23 Biennium**

- 1. Added one-time funding for redistricting special legislative session \$316,284
- 2. Added one-time funding for IT expansion \$1,450,000

**2023-25 Biennium (Executive Budget Recommendation)**

- 1. Adds one-time funding for capital assets for Propylon Core upgrade \$4,816,600
- 2. Adds one-time funding for capital assets for increased storage capacity for audio and video \$110,000
- 3. Adds one-time funding for operating expenses related to laptop and iPad replacement \$557,950
- 4. Adds one-time funding for operating expenses related to chamber upgrades \$220,000

**Legislative Assembly - Budget No. 150**  
**House Bill No. 1001**  
**Base Level Funding Changes**

	Executive Budget Recommendation			Total
	FTE Positions	General Fund	Other Funds	
<b>2023-25 Biennium Base Level</b>	0.00	\$17,926,180	\$0	\$17,926,180
<b>2023-25 Ongoing Funding Changes</b>				
Base budget increase for cost-to-continue 2021-23 biennium compensation increases		\$20,553		\$20,553
Provides funding for proposed legislators' monthly compensation adjustments of 2 percent in the 1st year and 3 percent in the 2nd year of the biennium, increasing from \$537 to \$548 effective July 2023, and \$564 effective July 2024		69,215		69,215
Provides funding for proposed adjustments to additional monthly compensation for legislative leaders of 2 percent in the 1st year and 3 percent in the 2nd year of the biennium, increasing from \$385 to \$393 effective July 2023, and \$405 effective July 2024		2,614		2,614
Provides funding for proposed adjustments to legislative session compensation of 2 percent in the 1st year and 3 percent in the 2nd year of the biennium, increasing from \$193 to \$197 effective July 2023, and \$203 effective July 2024		237,698		237,698
Adds funding for the health insurance premium increase for legislators		683,088		683,088
Increases funding for temporary session employee salaries		63,575		63,575
Increases funding for operating expenses 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.		10,650		10,650
Increases funding for operating expenses related to anticipated mileage rate increases		8,901		8,901
Adjusts funding for operating expense related to IT		(1,778,017)		(1,778,017)
Decreases funding for operating expenses		(70,318)		(70,318)
Increases funding for NCSL dues		11,737		11,737
Total ongoing funding changes	0.00	(\$740,304)	\$0	(\$740,304)
<b>One-time funding items</b>				
Adds one-time funding for capital assets for Propylon Core upgrade		\$4,816,600		\$4,816,600

Adds one-time funding for capital assets for increased storage capacity for audio and video	110,000	110,000		
Adds one-time funding for operating expenses related to laptop and iPad replacement	557,950	557,950		
Adds one-time funding for operating expenses related to chamber upgrades	220,000	220,000		
Total one-time funding changes	0.00	\$5,704,550	\$0	\$5,704,550
<b>Total Changes to Base Level Funding</b>	0.00	\$4,964,246	\$0	\$4,964,246
<b>2023-25 Total Funding</b>	0.00	\$22,890,426	\$0	\$22,890,426
<i>Federal funds included in other funds</i>			\$0	
<i>Total ongoing changes as a percentage of base level</i>		(4.1%)		(4.1%)
<i>Total changes as a percentage of base level</i>		27.7%		27.7%

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

**Executive Budget Recommendation**

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.
Continuation of appropriation authority	Section 5 would provide the unspent funds appropriated for the Legislative Assembly and the Legislative Council for the 2021-23 biennium be continued and unexpended appropriations enacted prior to the 2021-23 biennium may be canceled as directed by the Chairman of the Legislative Management or the Director of the Legislative Council.
Compensation	Section 6 would increase legislators' daily pay during legislative sessions, monthly compensation, and additional monthly compensation by 2 percent in the 1st year and 3 percent in the 2nd year of the 2023-25 biennium. Section 7 would increase legislators' interim meeting pay by 2 percent in the 1st year and 3 percent in the 2nd year of the 2023-25 biennium.
Emergency	Section 8 would declare the Act is an emergency measure.

# 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, 2025, as follows:

Subdivision 1.

### SIXTY-EIGHTH AND SIXTY-NINTH LEGISLATIVE ASSEMBLIES AND BIENNIUM

	<u>Base Level</u>	Adjustments or <u>Enhancements</u>	<u>Appropriation</u>
Salaries and wages	\$11,430,094	\$1,076,743	\$12,506,837
Operating expenses	6,218,753	(1,050,834)	5,167,919
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	\$4,964,246	\$22,890,426

Subdivision 2.

### LEGISLATIVE MANAGEMENT AND LEGISLATIVE COUNCIL

	<u>Base Level</u>	Adjustments or <u>Enhancements</u>	<u>Appropriation</u>
Salaries and wages	\$12,690,980	\$1,266,047	\$13,957,027
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	\$2,277,029	\$18,019,439
Less estimated income	<u>70,000</u>	<u>18,000</u>	<u>88,000</u>
Total general fund	\$15,672,410	\$2,259,029	\$17,931,439
Full-time equivalent positions	44.00	0.00	44.00

Subdivision 3.

### TOTAL - SECTION 1

	<u>Base Level</u>	Adjustments or <u>Enhancements</u>	<u>Appropriation</u>
Grand total general fund	\$33,598,590	\$7,223,275	\$40,821,865
Grand total special funds	<u>70,000</u>	<u>18,000</u>	<u>88,000</u>
Grand total all funds	\$33,668,590	\$7,241,275	\$40,909,865

**SECTION 2. LEGISLATIVE ASSEMBLY ONE-TIME FUNDING - EFFECT ON BASE BUDGET - REPORT TO SIXTY-NINTH LEGISLATIVE ASSEMBLY.** The following amounts reflect the one-time funding items approved by the sixty-seventh legislative assembly for the 2021-23 biennium and the 2023-25 one-time funding items included the appropriation for the legislative assembly in section 1 of this Act:

<u>One-Time Funding Description</u>	<u>2021-23</u>	<u>2023-25</u>
Redistricting session	\$316,284	\$0
Information technology expansion	1,450,000	0
Audio and video storage capacity	0	110,000
Chamber upgrades	0	220,000
Computer and iPad replacement	0	557,950
Drafting system upgrade	<u>0</u>	<u>4,816,600</u>
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.

**SECTION 3. LEGISLATIVE MANAGEMENT AND LEGISLATIVE COUNCIL ONE-TIME FUNDING - EFFECT ON BASE BUDGET - REPORT TO SIXTY-NINTH LEGISLATIVE ASSEMBLY.** The following amounts reflect the one-time funding items approved by the sixty-seventh legislative assembly for the 2021-23 biennium and the 2023-25 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>2021-23</u>	<u>2023-25</u>
Information technology expansion	\$48,000	\$0
Public website design	150,000	0
Backup servers	0	120,000
Computer and iPad replacement	<u>0</u>	<u>155,500</u>
Total general fund	\$198,000	\$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.

**SECTION 4. EXEMPTION - TRANSFERS.** Notwithstanding section 54-16-04, 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-eighth and sixty-ninth 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 29 of the 2021 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 2021-23 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 eighty-nine~~one hundred ninety-seven dollars through June 30, 2022, and ~~one hundred ninety-three~~two hundred three 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~~five hundred forty-eight dollars through June 30, 2022, and ~~five hundred thirty-seven~~through June 30, 2024, and five hundred sixty-four 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~~three hundred ninety-three dollars through June 30, 2022, and ~~three hundred eighty-five~~through June 30, 2024, and four hundred five 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~~one hundred ninety-seven dollars through June 30, 2022, and ~~one hundred ninety-three~~through June 30, 2024, and two hundred three 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. EMERGENCY.** This Act is declared to be an emergency measure.