

**FIRST ENGROSSMENT
with House Amendments
ENGROSSED SENATE BILL NO. 2001**

Introduced by

Appropriations Committee

(At the request of the Legislative Management)

1 A BILL for an Act providing an appropriation for defraying the expenses of the legislative branch
2 of state government; to provide for applications, transfers, and cancellation of unexpended
3 appropriations; to create and enact a new section to chapter 54-35 of the North Dakota Century
4 Code, relating to hosting out-of-state dignitaries; to amend and reenact subsections 1, 2, and 7
5 of section 54-03-20 and section 54-35-10 of the North Dakota Century Code, relating to
6 legislative compensation and expense reimbursement; to provide legislative intent; to provide
7 an effective date; to provide for retroactive application; and to declare an emergency.

8 BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

9 **SECTION 1. APPROPRIATION.** The funds provided in this section, or so much of the funds
10 as may be necessary, are appropriated out of any moneys in the general fund in the state
11 treasury, not otherwise appropriated, and from special funds derived from the insurance
12 regulatory trust fund, not otherwise appropriated, to the legislative branch of state government
13 for the purpose of defraying the expenses of that branch, for the fiscal period beginning with the
14 effective date of this Act and ending June 30, 2015, as follows:

15 Subdivision 1.

16 SIXTY-THIRD AND SIXTY-FOURTH LEGISLATIVE ASSEMBLIES AND BIENNIUM

| | | Adjustments or | |
|--|-------------------|---------------------|----------------------|
| | <u>Base Level</u> | <u>Enhancements</u> | <u>Appropriation</u> |
| 18 Salaries and wages | \$8,524,133 | \$681,626 | \$9,205,759 |
| 19 Operating expenses | 3,268,968 | 683,958 | 3,952,926 |
| 20 Capital assets | 0 | 530,000 | 530,000 |
| 21 National conference of state legislatures | <u>232,110</u> | <u>1,176</u> | <u>233,286</u> |
| 22 Total general fund | \$12,025,211 | \$1,896,760 | \$13,921,971 |

24 Subdivision 2.

1 LEGISLATIVE MANAGEMENT AND LEGISLATIVE COUNCIL

| | | Adjustments or | | |
|----|--------------------------------|---------------------|----------------------|---------------|
| | <u>Base Level</u> | <u>Enhancements</u> | <u>Appropriation</u> | |
| 4 | Salaries and wages | \$7,574,331 | \$989,695 | \$8,564,026 |
| 5 | Accrued leave payments | | 143,087 | 143,087 |
| 6 | Operating expenses | 3,305,520 | 548,007 | 3,853,527 |
| 7 | Capital assets | <u>16,500</u> | <u>8,500</u> | <u>25,000</u> |
| 8 | Total all funds | \$10,896,351 | \$1,689,289 | \$12,585,640 |
| 9 | Less estimated income | <u>70,000</u> | (1) | <u>69,999</u> |
| 10 | Total general fund | \$10,826,351 | \$1,689,290 | \$12,515,641 |
| 11 | Full-time equivalent positions | 34.00 | 3.00 | 37.00 |

12 Subdivision 3.

13 BILL TOTAL

| | | Adjustments or | | |
|----|---------------------------|---------------------|----------------------|---------------|
| | <u>Base Level</u> | <u>Enhancements</u> | <u>Appropriation</u> | |
| 16 | Grand total general fund | \$22,851,562 | \$3,586,050 | \$26,437,612 |
| 17 | Grand total special funds | <u>70,000</u> | (1) | <u>69,999</u> |
| 18 | Grand total all funds | \$22,921,562 | \$3,586,049 | \$26,507,611 |

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

20 **BUDGET - REPORT TO SIXTY-FOURTH LEGISLATIVE ASSEMBLY.** The following amounts
 21 reflect the one-time funding items approved by the sixty-second legislative assembly for the
 22 2011-13 biennium and the 2013-15 one-time funding items included in the appropriation for the
 23 legislative assembly in section 1 of this Act:

| | <u>One-Time Funding Description</u> | <u>2011-13</u> | <u>2013-15</u> |
|----|---|----------------|----------------|
| 25 | Computer equipment replacement | \$510,750 | \$0 |
| 26 | Legislative wing equipment and improvements | 1,300,000 | 500,000 |
| 27 | Redistricting special session | 272,018 | 0 |
| 28 | Information technology projects | <u>159,938</u> | <u>42,000</u> |
| 29 | Total general fund | \$2,242,706 | \$542,000 |

30 The 2013-15 one-time funding amounts are not a part of the entity's base budget for the
 31 2015-17 biennium. The legislative assembly shall report to the appropriations committees of the

1 sixty-fourth legislative assembly on the use of this one-time funding for the biennium beginning
2 July 1, 2013, and ending June 30, 2015.

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

5 **ASSEMBLY.** The following amounts reflect the one-time funding items approved by the
6 sixty-second legislative assembly for the 2011-13 biennium and the 2013-15 one-time funding
7 items included in the appropriation for the legislative management and legislative council in
8 section 1 of this Act:

| 9 <u>One-Time Funding Description</u> | <u>2011-13</u> | <u>2013-15</u> |
|---|----------------|----------------|
| 10 Computer equipment replacement | \$76,000 | \$0 |
| 11 Information technology projects | 483,807 | 50,000 |
| 12 Office equipment replacement | 25,000 | 25,000 |
| 13 Office improvements | 50,000 | 50,000 |
| 14 Performance review of the state auditor's office | <u>100,000</u> | <u>0</u> |
| 15 Total general fund | \$734,807 | \$125,000 |

16 The 2013-15 one-time funding amounts are not a part of the entity's base budget for the
17 2015-17 biennium. The legislative council shall report to the appropriations committees of the
18 sixty-fourth legislative assembly on the use of this one-time funding for the biennium beginning
19 July 1, 2013, and ending June 30, 2015.

20 **SECTION 4. TRANSFERS.** Notwithstanding section 54-16-05, the director of the office of
21 management and budget and the state treasurer shall make transfers of funds between line
22 items of appropriations for the legislative management and legislative council as may be
23 requested by the chairman of the legislative management or the chairman's designee upon the
24 finding by the chairman or designee that the nature of studies and duties assigned to the
25 legislative management or legislative council requires the transfers in properly carrying on the
26 legislative management's and legislative council's functions and duties. The director of the office
27 of management and budget and the state treasurer shall similarly make transfers of funds
28 between the line items for the sixty-third and sixty-fourth legislative assemblies, upon request by
29 the chairman of the legislative management or the chairman's designee upon the finding by the
30 chairman or designee that the transfers are required for the legislative assembly to carry on its
31 functions and duties.

1 **SECTION 5. APPLICATION, TRANSFER AUTHORITY, AND CANCELLATION OF**
2 **UNEXPENDED APPROPRIATIONS.** Sections 54-16-04 and 54-44.1-11 do not apply to
3 chapter 1 of the 2011 Session Laws. The director of the office of management and budget and
4 the state treasurer shall make transfers of funds between the line items and the agencies of the
5 legislative branch within section 1 of that chapter as requested by the chairman of the legislative
6 management or the chairman's designee. The office of management and budget shall cancel
7 unexpended appropriations for the legislative assembly and legislative council enacted prior to
8 the 2011-13 biennium as directed by the chairman of the legislative management or the
9 chairman's designee.

10 **SECTION 6. AMENDMENT.** Subsections 1 and 7 of section 54-03-20 of the North Dakota
11 Century Code are amended and reenacted as follows:

- 12 1. Each member of the legislative assembly is entitled to receive as compensation for
13 services the sum of one hundred ~~fifty-seven~~sixty-two dollars for each calendar day
14 during any organizational, special, or regular legislative session and for each day that
15 member attends a meeting of a legislative committee between the organizational
16 session and the regular session as authorized by legislative rule.
- 17 7. a. In addition, each member is entitled to receive during the term for which the
18 member was elected, as compensation for the execution of public duties during
19 the biennium, the sum of four hundred ~~forty-five~~thirty-three dollars a month, paid
20 monthly.
- 21 b. If a member dies or resigns from office during the member's term, the member
22 may be paid only the allowances provided for in this section for the period for
23 which the member was actually a member.
- 24 c. The majority and minority leaders of the house and senate and the chairman of
25 the legislative management, if the chairman is not a majority or minority leader,
26 are each entitled to receive as compensation, in addition to any other
27 compensation or expense reimbursement provided by law, the sum of three
28 hundred ~~sixteen~~twenty-five dollars per month during the biennium for their
29 execution of public duties.

30 **SECTION 7. AMENDMENT.** Subsections 1 and 7 of section 54-03-20 of the North Dakota
31 Century Code are amended and reenacted as follows:

- 1 1. Each member of the legislative assembly is entitled to receive as compensation for
2 services the sum of one hundred ~~sixty-two~~sixty-seven dollars for each calendar day
3 during any organizational, special, or regular legislative session and for each day that
4 member attends a meeting of a legislative committee between the organizational
5 session and the regular session as authorized by legislative rule.
- 6 7. a. In addition, each member is entitled to receive during the term for which the
7 member was elected, as compensation for the execution of public duties during
8 the biennium, the sum of four hundred ~~fifty-three~~sixty-seven dollars a month, paid
9 monthly.
- 10 b. If a member dies or resigns from office during the member's term, the member
11 may be paid only the allowances provided for in this section for the period for
12 which the member was actually a member.
- 13 c. The majority and minority leaders of the house and senate and the chairman of
14 the legislative management, if the chairman is not a majority or minority leader,
15 are each entitled to receive as compensation, in addition to any other
16 compensation or expense reimbursement provided by law, the sum of three
17 hundred ~~twenty-five~~thirty-five dollars per month during the biennium for their
18 execution of public duties.

19 **SECTION 8. AMENDMENT.** Subsection 2 of section 54-03-20 of the North Dakota Century
20 Code is amended and reenacted as follows:

- 21 2. a. Each member of the legislative assembly is entitled to receive reimbursement for
22 lodging, which may not exceed per calendar month the amount established under
23 this subdivision by the director of the office of management and budget for
24 lodging in state and which may not exceed the rate provided in section 44-08-04
25 for each calendar day during the period of any organizational, special, or regular
26 session. On August first of each even-numbered year, the director of the office of
27 management and budget shall set the maximum monthly reimbursement for the
28 subsequent two-year period at an amount equal to thirty times
29 ~~sixty-five~~seventy-five percent of the daily lodging reimbursement in effect on that
30 date as provided under subdivision d of subsection 2 of section 44-08-04.
- 31 b. Notwithstanding subdivision a:

1 (1) A member of the legislative assembly may elect to be reimbursed for less
2 than the amount to which the legislator is entitled under this subsection by
3 claiming the lesser amount on a voucher submitted with the receipt required
4 by section 44-08-04.

5 (2) The legislative management may establish guidelines that may result in a
6 reduced maximum reimbursement for a single dwelling in which two or more
7 legislators share lodging and the total rent for that dwelling exceeds the
8 amount to which a legislator is entitled under subdivision a.

9 **SECTION 9. AMENDMENT.** Section 54-35-10 of the North Dakota Century Code is
10 amended and reenacted as follows:

11 **54-35-10. Compensation of members and leadership.**

12 1. The members of the legislative management and the members of any committee of
13 the legislative management are entitled to be compensated for the time spent in
14 attendance at sessions of the legislative management and of its committees at the rate
15 of one hundred ~~fifty-seven~~sixty-two dollars per day and must also be paid for
16 expenses incurred in attending said meetings and in the performance of their official
17 duties in the amounts provided by law for other state officers.

18 2. In addition to the compensation provided in subsection 1, the chairman of the
19 legislative management is entitled to receive an additional five dollars for each day
20 spent in attendance at sessions of the legislative management and of its committees,
21 and the chairman of each of the legislative management's committees is entitled to
22 receive five dollars for each day spent in attendance at sessions of the legislative
23 management or of the committee which the person chairs.

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

26 **54-35-10. Compensation of members and leadership.**

27 1. The members of the legislative management and the members of any committee of
28 the legislative management are entitled to be compensated for the time spent in
29 attendance at sessions of the legislative management and of its committees at the rate
30 of one hundred ~~sixty-two~~sixty-seven dollars per day and must also be paid for

1 expenses incurred in attending said meetings and in the performance of their official
2 duties in the amounts provided by law for other state officers.

3 2. In addition to the compensation provided in subsection 1, the chairman of the
4 legislative management is entitled to receive an additional five dollars for each day
5 spent in attendance at sessions of the legislative management and of its committees,
6 and the chairman of each of the legislative management's committees is entitled to
7 receive five dollars for each day spent in attendance at sessions of the legislative
8 management or of the committee which the person chairs.

9 **SECTION 11.** A new section to chapter 54-35 of the North Dakota Century Code is created
10 and enacted as follows:

11 **Legislative hosting of dignitaries.**

12 The legislative management or the chairman of the legislative management may approve
13 the hosting of out-of-state dignitaries on behalf of the legislative assembly and may authorize
14 the majority and minority leaders of the senate and the house of representatives or their
15 designees to assist in the hosting of such dignitaries. An expenditure for the purchase of items
16 to promote or to host a dignitary under this section may not be construed as a gift for purposes
17 of section 18 of article X of the Constitution of North Dakota. The provisions of chapter 44-08 do
18 not apply to expenditures made under this section.

19 **SECTION 12. LEGISLATIVE INTENT.** It is the intent of the sixty-third legislative assembly
20 that the legislative management not proceed with implementing a process to record and archive
21 video of standing committee meetings during the legislative session for the biennium beginning
22 July 1, 2013, and ending June 30, 2015.

23 **SECTION 13. LEGISLATIVE INTENT.** It is the intent of the sixty-third legislative assembly
24 that the legislative management consider implementing during the sixty-fourth legislative
25 assembly a limited bill analysis report pilot project to provide bill analysis reports similar to
26 analysis reports prepared in other states.

27 **SECTION 14. EFFECTIVE DATE.** Sections 6 and 9 of this Act become effective on July 1,
28 2013, and sections 7 and 10 become effective on July 1, 2014.

29 **SECTION 15. RETROACTIVE APPLICATION.** Section 8 of this Act applies retroactively to
30 January 1, 2013.

31 **SECTION 16. EMERGENCY.** This Act is declared to be an emergency measure.