

LEGISLATIVE PROMOTIONAL EXPENSE POLICY

INTRODUCTION

North Dakota Century Code Section 54-35-25 requires the Legislative Management to establish a policy regarding promotional expenses made on behalf of the Legislative Assembly. Any expenditure made under this requirement is to be reported to the Legislative Management. The section also provides that any expenditure under the section may not be construed as a gift for purposes of Section 18 of Article X of the Constitution of North Dakota. Section 18 prohibits the state from making "donations to or in aid of any individual, association or corporation except for reasonable support of the poor."

PROMOTIONAL EXPENSES

Promotional expenses are expenses that are incurred to make the Legislative Assembly, the Legislative Management, or the Legislative Management committees better known to or improve relationships with legislative entities of other states or provinces.

PROMOTIONAL EXPENSE POLICY

A promotional expense may be incurred and paid by the Legislative Council from the Legislative Council, the Legislative Management, or the Legislative Assembly funds upon approval of the Chairman of the Legislative Management. All promotional expenses incurred and paid by the Legislative Council under this policy must be reported to the Legislative Management.

NOTE: Office of Management and Budget Policy 207 - Promotional Expenses provides "promotional expenses will be permitted only if [t]hey promote North Dakota, its goods or services . . . [and the promotional expense request] was submitted by the agency director and approval was obtained from the Director of OMB. Agencies are expected to use restraint and common sense in authorizing these types of expenses."

The OMB policy does not apply to miscellaneous items under \$5 per unit (such as coffee mugs), career fairs, trade fairs, commodity groups for items used to promote their product, purchase of such items with federal funds if allowed as an allowable expense of the federal program, and expenses related to hosting a conference or training seminar where a registration fee was charged to cover the costs of the event.