

Introduced by

1 A BILL for an Act to create and enact four new sections to chapter 54-06 of the North Dakota
2 Century Code, relating to state employee service awards, employer-paid tuition, and
3 employer-paid professional organization membership and service club dues.

4 **BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:**

5 **SECTION 1.** A new section to chapter 54-06 of the North Dakota Century Code is
6 created and enacted as follows:

7 **State employee service awards.** Each state agency, department, or institution may
8 establish rules or policies for employee recognition and service award programs. Classified
9 service agencies are subject to rules adopted by North Dakota human resource management
10 services and approved by the state personnel board and the legislative council's administrative
11 rules committee. Any other agency, department, or institution of the executive, legislative, or
12 judicial branch may adopt similar rules or policies to ensure uniformity and consistency in state
13 government. Within sixty days after the close of each biennial period, each state agency,
14 department, or institution providing an employee service award under this section shall file with
15 the office of management and budget a report indicating the individuals receiving a service
16 award, the amount paid, and a statement of the public purpose of benefits of the expenditures.
17 Within ninety days after the close of each biennial period, the office of management and budget
18 shall submit to the legislative council a report summarizing this information. An expenditure
19 made under this section is deemed to be compensation for services provided to the state and is
20 made for a public purpose and may not be construed as a gift for purposes of section 18 of
21 article X of the Constitution of North Dakota.

22 **SECTION 2.** A new section to chapter 54-06 of the North Dakota Century Code is
23 created and enacted as follows:

1 **Employer-paid tuition.** Each state agency, department, or institution may establish
2 rules or policies to provide employer-paid costs of training or educational courses, including
3 tuition and fees, within budgetary constraints. Classified service agencies are subject to rules
4 adopted by North Dakota human resource management services and approved by the state
5 personnel board and the legislative council's administrative rules committee. Any other state
6 agency, department, or institution of the executive, legislative, or judicial branch may adopt
7 rules or policies to ensure uniformity and consistency in state government. Within sixty days
8 after the close of each biennial period, each state agency, department, or institution providing
9 employer-paid costs of training or educational courses, including tuition and fees, shall file with
10 the office of management and budget a report indicating the individuals receiving employer-paid
11 costs of training or educational courses, including tuition and fees; the amount paid; and a
12 statement of the public purpose or benefit of the expenditure. Within ninety days after the close
13 of each biennial period, the office of management and budget shall submit to the legislative
14 council a report summarizing this information. An employee who receives employer-paid tuition
15 under this section who leaves employment with that employer within two years of receiving the
16 tuition must repay all tuition received under this section. An expenditure for employer-paid
17 training or educational courses, including tuition and fees, under this section is deemed to be
18 made for a public purpose and may not be construed as a gift for purposes of section 18 of
19 article X of the Constitution of North Dakota.

20 **SECTION 3.** A new section to chapter 54-06 of the North Dakota Century Code is
21 created and enacted as follows:

22 **Employer-paid professional organization membership and service club dues.**
23 Each state agency, department, or institution may pay employee membership dues for
24 professional organizations and membership dues for service clubs when required to do
25 business or if the membership is primarily for the benefit of the state. Within sixty days after the
26 close of each biennial period, each state agency, department, or institution providing
27 employer-paid professional organization membership and service club dues shall file with the
28 office of management and budget a report indicating the individuals receiving employer-paid
29 professional organization membership and service club dues, the amount paid, and a statement
30 of the public purpose or benefit of the expenditure. Within ninety days after the close of each
31 biennial period, the office of management and budget shall submit to the legislative council a

1 report summarizing this information. An expenditure made under this section is deemed to be
2 compensation for services provided to the state and is made for a public purpose and may not
3 be construed as a gift for purposes of section 18 of article X of the Constitution of North Dakota.

4 **SECTION 4.** A new section to chapter 54-06 of the North Dakota Century Code is
5 created and enacted as follows:

6 **Expenditure made pursuant to rule or policy.** An expenditure made pursuant to a
7 rule or policy adopted pursuant to sections 1 through 3 of this Act is not a criminal offense.