

**Sixty-fifth Legislative Assembly of North Dakota  
In Regular Session Commencing Tuesday, January 3, 2017**

HOUSE BILL NO. 1153  
(Representatives Delzer, Carlson, Kempenich, Lefor, Pollert, Seibel)  
(Senator G. Lee)

AN ACT to amend and reenact section 54-06-31 of the North Dakota Century Code, relating to state employee recruitment and retention bonus programs.

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

**SECTION 1. AMENDMENT.** Section 54-06-31 of the North Dakota Century Code is amended and reenacted as follows:

**54-06-31. State employee recruitment and retention bonus programs - Criteria - Limitations.**

State agencies may develop programs to provide bonuses to recruit or retain employees in hard-to-fill occupations.

1. State agencies may pay recruitment and retention bonuses under this section only if:
  - a. The agency has a written policy in place identifying eligible positions or occupations and provisions for providing and receiving bonuses;
  - b. The agency has filed a copy of the written policy with the North Dakota human resource management services; and
  - c. The agency reports to the North Dakota human resource management services each bonus provided to an employee under the program.
2. A bonus paid under this section to an employee in the governor's office or any state officer appointed by the governor may not exceed ten percent of the employee's annual salary or five thousand dollars, whichever is less.
3. State agencies must fund bonus programs from within the agency salaries and wages budget.
- ~~3-4.~~ The North Dakota human resource management services shall report periodically to the legislative management on the implementation, progress, and bonuses provided under agency recruitment and retention bonus programs.
- ~~4-5.~~ Bonuses paid under this section are not fiscal irregularities under section 54-14-03.1.
- ~~5-6.~~ As used in this section, a hard-to-fill occupation includes an occupation or position in which demand exceeds supply, special qualifications are required, competition with other employers is the strongest, there is a risk of losing an incumbent with rare skills, the position is filled by a highly skilled employee who is in high demand in the marketplace, loss of the employee would result in significant replacement costs, the position is filled by key personnel, or the position has other unique recruitment or retention issues identified and documented by the appointing authority.

\_\_\_\_\_  
Speaker of the House

\_\_\_\_\_  
President of the Senate

\_\_\_\_\_  
Chief Clerk of the House

\_\_\_\_\_  
Secretary of the Senate

This certifies that the within bill originated in the House of Representatives of the Sixty-fifth Legislative Assembly of North Dakota and is known on the records of that body as House Bill No. 1153.

House Vote:      Yeas 91              Nays 1              Absent 2

Senate Vote:      Yeas 36              Nays 10              Absent 1

\_\_\_\_\_  
Chief Clerk of the House

Received by the Governor at \_\_\_\_\_ M. on \_\_\_\_\_, 2017.

Approved at \_\_\_\_\_ M. on \_\_\_\_\_, 2017.

\_\_\_\_\_  
Governor

Filed in this office this \_\_\_\_\_ day of \_\_\_\_\_, 2017,

at \_\_\_\_\_ o'clock \_\_\_\_\_ M.

\_\_\_\_\_  
Secretary of State

Honorable Al Jaeger  
Secretary of State  
Bismarck, North Dakota

I certify this Act, House Bill No. 1153, together with the objections of Governor Burgum, was returned to the House, being the body in which it originated, on March 27, 2017; that the objections of the Governor were read at length on March 29, 2017, and entered upon the Journal; that the Bill was taken up for reconsideration; that the motion for reconsideration prevailed on March 29, 2017, at 1:22 p.m.; and the roll was called and the Bill did pass, with more than two-thirds of the members-elect voting in the affirmative.

Vote:	Yeas	84
	Nays	7
	Absent and not voting	3

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Speaker of the House

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Chief Clerk of the House

Honorable Al Jaeger  
Secretary of State  
Bismarck, North Dakota

I certify this Act, House Bill No. 1153, together with the objections of Governor Burgum, was received from the House, being the body in which it originated, on March 27, 2017; that the objections of the Governor were read at length on March 30, 2017, and entered upon the Journal; that the Bill was taken up for reconsideration; that the motion for reconsideration prevailed on March 30, 2017, at 1:06 p.m.; and the roll was called and the Bill failed to pass, with less than two-thirds of the members-elect voting in the affirmative.

Vote:	Yeas	13
	Nays	33
	Absent and not voting	1

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President of the Senate

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Secretary of the Senate