

**2015 HOUSE APPROPRIATIONS**

**HB 1001**

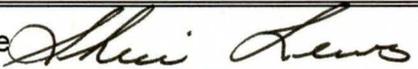
# 2015 HOUSE STANDING COMMITTEE MINUTES

Appropriations Committee - Government Operations Division  
Medora Room, State Capitol

HB1001  
1/19/2015  
Recording Job# 22086

- Subcommittee  
 Conference Committee

Committee Clerk Signature



## Explanation or reason for introduction of bill/resolution:

A BILL for an Act providing an appropriation for defraying the expenses of the legislative branch of state government; to provide for applications, transfers, and cancellation of unexpended appropriations; to amend and reenact sections 54-03-20 and 54-35-10 of the North Dakota Century Code, relating to legislative compensation; to provide an effective date; and to declare an emergency.

## Minutes:

See attachment A

**Chairman Thoreson:** Opened the hearing on HB1001.

**Senator Holmberg, Senate Appropriations, ND Legislative Assembly:** Explained the changes to the budget for HB1001.

**Chairman Brandenburg:** So the money we were putting in would be to help defray costs of having our members attend.

**Senator Holmberg:** That's part of it.

**Senator Holmberg:** Continued explaining the changes to the budget.

**Representative Al Carlson, House Majority Leader, ND Legislative Assembly:** Testified in support of HB1001.

**Jim Smith, Director, ND Legislative Council:** See testimony attachment A.

**Chairman Thoreson:** What is that being used for and what would the upgrades be?

**Jim Smith:** Part of that \$50,000.00 is for a one-time license/maintenance fee. The \$140,000.00 would be for consulting and implementation. They would update the new client and server components, there'd be an open office update, performance improvements.

**Kyle Forester, Information Technology Manager, ND Legislative Council:** This is the core drafting system; but it also maintains our daily journal from the chambers and bill status. We'll see definite improvements on the drafting side; where we're having some memory issues on the client and on the server.

**Chairman Thoreson:** When you say memory issues are you running into not having enough memory?

**Kyle Forester:** It's a memory leak. With the upgrade we'll get a new open office version and our client that we use for the drafting that will have an update also. One of those updates will allow us to do a better job coding these scripts.

**Representative Skarphol:** Do you see yourself or legislators utilizing the cloud more? If so, what kind of security issues give you?

**Kyle Forester:** At this point, the only thing we're using right now that's in the cloud is drop box; and that's on your iPads and laptops. We purchased a different product called Citrix mobile enterprise and it allows us to manage your iPads. There's another product that came with that purchase and it's called Citrix Share File and our plan is to move out of the cloud.

**Representative Skarphol:** As far as security are you seeing indications of increased activity that you're having to guard against?

**Kyle Forester:** As far as the legislative council side we really haven't seen that. Some of our systems are hosted at ITD; so ITD has gone through and they're doing intrusion detection on the network. It's our understanding that they are seeing an increase in attacks and things that are going on. So far it hasn't really affected us.

Jim Smith continued with his testimony.

**Chairman Thoreson:** I've sat in on that before where you bring in some of the vendors with the products.

**Jim Smith:** We have a four year replacement cycle on those.

Jim Smith continued with his testimony.

**Representative Skarphol:** What do we pay CSG bi-annually?

**Jim Smith:** This is the Midwest conference and we don't pay dues for that conference other than registration fees that we pay for legislators or staff to attend their annual conference. They do get money from the national CSG.

**Chairman Thoreson:** That's in a different budget.

**Allan Knudson, Fiscal Analyst, ND Legislative Council:** You're correct it's in the OMB budget. The amount they've included for the 2015-2017 biennium for CSG is \$188,000.00.

**Jim Smith:** That goes to support all the efforts of CSG. I think there's a separate fee for the national governor's association.

**Chairman Thoreson:** I recall that was put there because they're a function of all 3 branches of government.

Jim Smith continued with his testimony.

**Chairman Thoreson:** Have they looked at the Brynhild Haugland room and have kind of an idea of what's going to be done with it?

**Jim Smith:** I'd think we'd have to have that discussion. We work with the legislative procedure and arrangements committee on that. There has to be some decisions about the use of that. A permanent table would enhance the room; but it would also create problems with multiple uses.

**Chairman Thoreson:** How much input does John Boyle and the people with facilities management have with that? Are they involved in the process when we do the upgrades to the various facilities?

**Jim Smith:** We've taken the lead on that. We've included on discussions as far as electrical service, etc.

Jim Smith continued with his testimony.

**Chairman Thoreson:** Do you have a list of those?

**Jim Smith:** I can get that.

**Representative Skarphol:** Do all states pay the same?

**Jim Smith:** There's a two part formula. I think the first half of the rate is based on population and then the other half is more equalized than the population part of it. I can get you some background information on that as well.

**Representative Skarphol:** Can you provide us with information for the amounts paid by state?

**Jim Smith:** The chart lists each state, the dues, and the status of their dues.

**Representative Skarphol:** Is there any way that NCSL tracks the utilization of their services so that states that use it more could conceivably be paid more? The same thing applies with CSG, is there any kind of feedback that you get from them as to utilization so that we can find out if we're getting value as opposed to other states?

**Jim Smith:** NCSL does have documents and they do track utilization services; both in terms of contact from legislators and staff back to NCSL. Attendance at conferences would

be another item they track. NCSL is available to come out to states and speak on different issues; so they track that as well.

**Representative Skarphol:** It is being utilized somewhat equally by everyone?

**Jim Smith:** There are some states that you would expect to utilize it a lot that don't utilize it very much; and there are other states that utilize it quite a bit. Typically it's the smaller states that have smaller staff that utilize it proportionately.

Jim Smith continued with his testimony.

**Representative Hogan:** Have you much staff turnover?

**Jim Smith:** We have had some turnover; several retirements. Recruitment has been a problem.

**Representative Kempenich:** Who is our major competitor?

**Jim Smith:** When we look at how our salaries compare, we do look at state government. I think we consider state government and the private sector both as areas that we compete with.

**Representative Kempenich:** Where are you getting your applicants from?

**Jim Smith:** It depends on the position.

**Representative Kempenich:** Are we close on salaries?

**Jim Smith:** We're in a fairly good position right now. It's something you have to address constantly.

Jim Smith continued with his testimony.

**Chairman Thoreson:** Are you done with the remodeling of your offices?

**Jim Smith:** We are pretty much done. I think some of that \$50,000.00 could be used for new office furniture.

Jim Smith continued with his testimony.

**Representative Skarphol:** Does HB1199 have to do with renting apartments? Do they feel they need to pay that rent up front and they'd like to get compensated for it then?

**Jim Smith:** That is exactly the issue. It would allow them to be paid on the 5<sup>th</sup> of the month.

**Representative Skarphol:** It would almost have to be that because most of the motels don't give you the bill until the end.

Chairman Thoreson closed the hearing on HB1001.

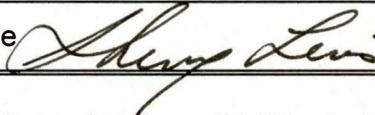
# 2015 HOUSE STANDING COMMITTEE MINUTES

Appropriations Committee - Government Operations Division  
Medora Room, State Capitol

HB1001  
2/6/2015  
Recording Job# 23378

- Subcommittee  
 Conference Committee

Committee Clerk Signature



## Explanation or reason for introduction of bill/resolution:

A BILL for an Act providing an appropriation for defraying the expenses of the legislative branch of state government; to provide for applications, transfers, and cancellation of unexpended appropriations; to amend and reenact sections 54-03-20 and 54-35-10 of the North Dakota Century Code, relating to legislative compensation; to provide an effective date; and to declare an emergency.

## Minutes:

See attachments A and B

**Chairman Thoreson:** Opened the discussion on HB1001

**Jim Smith, Director, ND Legislative Council:** See attachment A.

**Chairman Thoreson:** At the bottom of page 2 it says 90.5% of total; that would be all the associated states and other entities? That would be about the average of all the states belonging to the organization are paying about 90.5% of their dues?

**Jim Smith:** It's about 90.5%. That leaves about 9.5% that they don't plan on collecting. The previous year it was 16% and prior to that it was 12%.

**Chairman Thoreson:** Florida has \$360,000.00 that they don't expect to get from them?

**Jim Smith:** Yes.

**Vice Chairman Brandenburg:** I know there's some discussion about the ones that aren't paying and still letting them vote.

**Representative Kempenich:** How do they vote? Are their votes prorated?

**Chairman Thoreson:** Don't all the states come together and your delegation decides which way you're going and each state gets one vote?

**Jim Smith:** For each state present each state gets one vote.

Jim Smith continued with his presentation.

**Chairman Thoreson:** That base number is the same for us vs Florida?

**Jim Smith:** Right.

**Vice Chairman Brandenburg:** What is the association saying?

**Jim Smith:** NCSL's position is that they're trying to keep some of these states that are in arrears active so that they do have a 50 state participation.

**Chairman Thoreson:** This document is just for fiscal year 2015? Is that correct:

**Jim Smith:** That's correct.

**Chairman Thoreson:** Was California short in 2014, 2013, 2012 and that's still outstanding or do they just wipe that off the books?

**Jim Smith:** They were in arrears for the previous 5 years. I don't think they try to go back and collect that.

**Representative Kempenich:** I don't know why there aren't rules to at least pay half.

**Chairman Thoreson:** If you have been short a number of years and there's no penalty for not paying it back, there should be a penalty.

**Representative Hogan:** Do you know what percentage of the overall operating cost of NCSL is covered by dues?

**Jim Smith:** I don't know that off hand. They do get specific grants for studies and programs.

**Chairman Thoreson:** The annual meeting is going to be in Seattle; and according to this they're still short about \$54,000.00 on their dues.

**Jim Smith:** See attachment B.

**Chairman Thoreson:** Our budget is for how many days again?

**Jim Smith:** Seventy-seven.

**Representative Skarphol:** If we go beyond 80 days, we do not get paid. Is that correct?

**Jim Smith:** There's no provision to go beyond 80 days.

**Representative Skarphol:** We came really close last time.

**Jim Smith:** You would be done at 80 days.

**Representative Skarphol:** We can't do business after that even if we don't get paid?

**Jim Smith:** Right. The governor would have to call you back in and then there would be a special session; where there's no limit to it and we would need to find the funds for that.

**Chairman Thoreson:** If that did happen where we used up 80 days and we were still debating bills, do those bills die at the end of the 80<sup>th</sup> day? Do we have to come into a special session and start anew on those?

**Jim Smith:** We did that in 2003. What we did in that situation was the legislature had concluded its work and we had 3 bills introduced and the number sequence started from what we had left over from the last session.

**Chairman Thoreson:** If we were still fighting over the OMB bill and the 80<sup>th</sup> day and we ended, would we have to start over.

**Jim Smith:** We would have to figure that out.

**Chairman Thoreson:** The \$700,000.00 is assuming were 78 days. How much a day extra would it take if we run over 78?

**Jim Smith:** \$77,000.00/per day.

**Representative Boehning:** Where does CSG come in to our equation in here?

**Jim Smith:** CSG is in the OMB bill. The reason for that is they have all dues for agencies that affect all of state government; CSG is for all three branches.

**Chairman Thoreson:** Are we still members of Western?

**Jim Smith:** I don't know.

Jim Smith continued with his presentation.

**Chairman Thoreson:** How much was budgeted for travel this biennium for legislators?

**Jim Smith:** We have two categories; we have out of state and then we have the interim committees.

**Chairman Thoreson:** I'm looking for the out of state; how much as authorized and how much has been spent?

**Representative Skarphol:** Have you ever looked at what it would cost if every legislator were to attend 2 conferences during the interim?

**Jim Smith:** That has come up in the past and we've had amendments to our bill that would allow that. It's just a matter of calculating out per legislator.

**Representative Skarphol:** Can you tell us how many trips were made by how many legislators?

**Allan Knudson, Fiscal Analyst, ND Legislative Council:** For out of state travel we budgeted \$1.7 million through December and we spent \$1,335,000.00; and that's for travel and per diem.

**Chairman Thoreson:** That was through December. The period left is just until the end of the biennium.

**Allan Knudson:** We really don't budget anything during the session.

**Chairman Thoreson:** Does money come out of that if you're on NCOIL or one of those other organizations?

**Allan Knudson:** Yes. That comes out of there as well.

**Representative Vigesaa:** Do the number of interim committees stay fairly level through interim; or is management trying to keep it at a certain number?

**Jim Smith:** We budget for 26, that includes the legislative management committee as well; that's been pretty stable for the last few years.

**Representative Skarphol:** Do you turn back the money or do you carry it forward?

**Jim Smith:** We have the authority to carry over what's unspent in the bill.

**Representative Skarphol:** If you carry it forward, does it carry forward in the same category or do you have the flexibility to move it anywhere you want?

**Jim Smith:** It carries forward in the same category; but once that happens we can move it in the line items.

Jim Smith continued with his testimony.

**Vice Chairman Brandenburg:** There's a bill to pay for motels or apartments for legislators up front. What's happening with that?

**Jim Smith:** I think the House passed it.

**Representative Vigesaa:** Is there much left to do in the wing for refurbishing?

**Jim Smith:** I did identify a few items in my testimony. Some of those would be the press studio area, we're looking at different sound systems in the rooms.

**Chairman Thoreson:** You never could hear a thing in the Prairie Room.

**Jim Smith:** It helps the members hear each other as well as the people in the audience can hear the members.

**Chairman Thoreson:** In the press studio, the actual lighting would be changed?

**Jim Smith:** Yes.

**Representative Vigesaa:** Are we passed the major renovations in the wing?

**Jim Smith:** I think that's fair. At some point you have to start looking at carpet replacement in the chambers, chair replacement, etc.

**Representative Glassheim:** Let's say you have carryover of \$1 million. Wouldn't we subtract that from your request of next biennium's money? How does that get noticed on the green sheets?

**Jim Smith:** What we do with that money is spend it on things that aren't anticipated. It's fairly limited; but, we can't subtract it from our budget for the next biennium because we don't know what that turn back is going to be.

**Representative Skarphol:** When you gave your original presentation you talked about considering remodeling the Brynhild Haugland Room. I understand that the fire code says 149 people max; and they've had well over that at times. We have a request from the courts to remodel in the area that ITD had and they'd have a room that's capable of holding over 200 people. It would seem logical to me that that room would also be available for some of these hearings. Do you see that as holding potential value?

**Jim Smith:** That's not something I've thought about. If it would work with the court and they would make it available it would be great to have access to an additional larger room.

**Chairman Thoreson:** That's a bigger question. The rooms in the horseshoe behind us; those rooms are always standing room only.

**Representative Skarphol:** Has it ever been looked at expanding the size of those rooms?

**Jim Smith:** We've never looked at that.

**Representative Skarphol:** If that wing down the way gets remodeled there are going to be multiple rooms there.

**Chairman Thoreson:** I agree with that.

**Representative Vigesaa:** In regard to the iPad and computer replacements; where are these at right now?

**Jim Smith:** We're on a 4 year cycle for both laptops and iPads. Those will be replaced in 2016 and we would involve a legislator computer task force.

**Representative Vigesaa:** I know you're on that cycle; but can it be a longer cycle? Could it be 6 years before we did that laptop replacement?

**Kyle Forester, IT Manager, ND Legislative Council:** We're on a 4 year replacement plan for the laptops. Right now we're about 3 years into that and we're seeing some hardware failure. Once we go beyond that warranty period we would be responsible for paying for the cost to fix that issue. The warranty on the laptops will expire in 2016.

**Representative Vigesaa:** I know we're going to be looking through every budget for places we can save; and that's why I asked the question.

**Kyle Forester:** I wouldn't recommend

**Representative Skarphol:** Will the legislators be able to purchase the old legislative laptop or Ipad?

**Kyle Forester:** Yes. In statute it does state that legislator's may purchase those. Last time after the recycle, we talked to surplus property to find out what they were going to sell them for and then we offered that same price to the legislators.

**Representative Skarphol:** Do you have any how much?

**Kyle Forester:** No.

**Representative Skarphol:** When will you know?

**Kyle Forester:** Last time we didn't know that until we replaced them. Last time it was \$100.00 for the laptops.

**Representative Skarphol:** Do you reformat them before you send them out after we turned them in?

**Kyle Forester:** Yes. We zero out the drives. They are completely empty of any data or anything. When we surplus them, the power supply and the laptop goes out; we don't send any media along.

**Chairman Thoreson:** Closed the discussion.

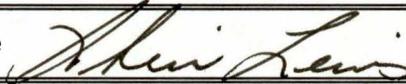
# 2015 HOUSE STANDING COMMITTEE MINUTES

Appropriations Committee - Government Operations Division  
Medora Room, State Capitol

HB1001  
2/10/2015  
Recording Job# 23548

- Subcommittee  
 Conference Committee

Committee Clerk Signature



## Explanation or reason for introduction of bill/resolution:

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## Minutes:

See attachments A and B

**Chairman Thoreson:** Opened the discussion on HB1001.

**Representative Skarphol:** To better understand the 3% and 3%; could you walk through and explain what happens?

**Adam Mathiak, Fiscal Analyst, ND Legislative Council:** Explained attachments A .

**Representative Kempenich:** This isn't going to affect us for two years.

**Jim Smith, Director, ND Legislative Council:** This will affect your legislative pay for the 2017 regular session as well as the 2016 organization session.

**Representative Kempenich:** I don't like treating us like other employees because we're not.

**Representative Skarphol:** The same thing applies to the state employees.

**Representative Kempenich:** They'll realize the increases or decreases.

**Representative Skarphol:** The first of July the change in the compensation takes place.

**Representative Kempenich:** I'm arguing about the \$211, 287.00.

**Representative Skarphol:** I don't disagree with Representative Kempenich that we are different than state employees.

**Representative Glassheim:** I think the point of this was to depoliticize this.

**Chairman Thoreson:** If you're up for re-election the next year, it's hard to vote yourself a pay increase.

**Representative Skarphol:** I didn't do this to make that motion; but I wanted it to happen in a clear environment so we could understand what needs to move across on the rest of the budget. I'd like Adam to do it on the council as well.

**Adam Mathiak:** Explained attachment B.

**Chairman Thoreson:** Exactly \$312,000.00?

**Adam Mathiak:** \$312,460.00.00

Adam Mathiak continued with his explanation.

**Chairman Thoreson:** So we would move across something that isn't there.

**Adam Mathiak:** Correct. Since you have been pulling out the market equity payments, there would have to be a reduction in this case.

**Representative Vigesaa:** Why was it combined in the base on this budget and not on others?

**Adam Mathiak:** Offhand I'm not sure.

**Representative Glassheim:** It's not in the base payroll changes; where is it at?

**Adam Mathiak:** It's in the \$12.487 million.

**Representative Kempenich:** Why do we have \$1.00 there?

**Adam Mathiak:** Sometimes the way IBARS calculates things, there end up being some rounding discrepancies.

**Representative Kempenich:** We have to move the dollar also?

**Adam Mathiak:** That's correct.

**Jim Smith:** That relates to NCOIL out of the insurance regulatory trust fund.

**Representative Skarphol:** Are you familiar with the remodeling work that the supreme court's talking about doing in the judicial wing?

**Jim Smith:** You referenced that at our work session awhile back.

**Representative Skarphol:** Those renovations are primarily to Brynhild Haudland? Then you talked about carpet and the press room?

**Jim Smith:** Those are the 2 or 3 main areas that we would look at doing.

**Representative Skarphol:** As far as technology, all the meeting rooms have the technological upgrades that we were anticipating?

**Jim Smith:** In this room we would look at bearing some of these rooms. The other issue is speakers in committee rooms. The Harvest and Roughrider have speakers in the ceiling as well as the Prairie Room and the Missouri River Room we did some upgrades.

**Chairman Thoreson:** In this room we can hear ok.

**Jim Smith:** We'd look at having speakers in the ceiling.

**Chairman Thoreson:** As for the bearing wires,, if that's possible, that's good.

**Representative Skarphol:** As far as the chambers, to the best of your knowledge, both of them are upgraded to the level that you're anticipating for now?

**Jim Smith:** We replaced the sound systems. In the Senate there's a closet that houses some of the computer systems. I mentioned the possibility of upgrading the carpet as well as chairs.

**Chairman Thoreson:** I came here in 1999 and I think the chairs were new or maybe one session old then.

**Representative Skarphol:** Do you know what the fire code is for the Brynhild Haugland room is? Mr. Boyle told me it was 49 people and we've had as high as 170.

**Jim Smith:** I've never heard reference to the fire code. There's no posted maximum occupancy.

**Representative Hogan:** On the assembly budget the increased funding for monthly lodging expenses; in most budgets would that just be part of the routine operating but because of the unique characteristics of the assembly it has its own line item?

**Jim Smith:** The other significance is the cost. It's a calculated statutory formula and what this number represents is the expected increase two years from now.

**Representative Hogan:** We may want to move those over like the rest of those.

**Adam Mathiak:** I did ask Sheila Sandness about the \$100,000.00 decrease related to market performance. She said that the 2013-2015 biennium it was not identified as one time; and that Senator Holmberg had approved it to be included in the 2015-2017 base level amount.

Adam Mathiak continued with his presentation.

**Chairman Thoreson:** What were the office improvements for \$50,000.00? Was that general upgrades or replacement of some things?

**Jim Smith:** The \$30,000.00 was for replacing a copier and the \$50,000.00 was for replacing desks, etc.

**Chairman Thoreson:** It's just general upkeep for things.

**Jim Smith:** Yes. I mentioned the new office space that we remodeled. Four or five offices just have the old style desks and we've gone to more of a contemporary desk.

**Chairman Thoreson:** Are some of those empty and not being used?

**Jim Smith:** We use them all during the session.

**Representative Glassheim:** Aren't these one-time things normally in everyone's budget?

**Jim Smith:** Relative to the computer replacement; we only do that every four years. We wouldn't want them to be part of our base two years from now.

**Representative Glassheim:** I don't remember seeing line items for computer replacements; everyone is on a four year replacement cycle.

**Lori Laschkewitsch, Fiscal Analyst, ND Office of Management and Budget:** The reason you don't see that as one time in most budgets is that they only replace 50% of computers at one time.

**Jim Smith:** We would advise that we never get into a situation where we're replacing half the computers every biennium.

**Chairman Thoreson:** You do twice the work for half the replacement.

Adam Mathiak continued with his presentation.

**Chairman Thoreson:** We would have to move those over on page 2 also?

**Adam Mathiak:** Yes,

**Representative Boehning:** In the budget for the CSG event coming up this summer; do we have anything in the budget?

**Chairman Thoreson:** It's under the one time funding for \$350,000.00.

**Representative Boehning:** That's the payment for the CSG to get them here; do we have any extra money for all the legislators to attend in here?

**Jim Smith:** We've budgeted for 110 legislators to attend the conference in July in Bismarck. That's in addition to the \$350,000.00

**Chairman Thoreson:** Is that where you still have to get approval from legislative management or is it anyone who wishes to attend can?

**Jim Smith:** Both. I'm working with Senator Holmberg to set up an allocation of the 110. The House Republicans would have 55 slots.

**Chairman Thoreson:** It would be my hope that anyone that wished to attend could.

**Representative Boehning:** I would like to see the whole 141 put in there.

**Chairman Thoreson:** You're saying the 110 based on an estimate. You're thinking that's the top number?

**Jim Smith:** That's 10 more than we had in Fargo. That's not an absolute limit.

**Chairman Thoreson:** If you hit the 110 or the dollar amount for that and some others would like to attend you'd be able to find the money for that?

**Jim Smith:** We would accommodate that.

**Chairman Thoreson:** That's in mid-July sometime?

**Jim Smith:** The 12<sup>th</sup>-15<sup>th</sup>.

**Representative Skarphol:** On the green sheet for legislative council, I'm confused by the top box where it says other funds. Why is there \$70,000.00 in other funds? That wasn't money coming was it; wasn't it an expenditure and why would it be in that box?

**Jim Smith:** That's the money we budget for NCOIL activities from the insurance regulatory trust fund. What was in the budget last biennium was the 69,999.00; that's the rounding issue. Now we're asking in our appropriation for \$70,000.00.

**Representative Skarphol:** I didn't realize it's revenue; isn't it an expenditure?

**Jim Smith:** It's both. We need the authority to spend from that special fund.

**Representative Skarphol:** Where are the special fund dollars coming from? Is that coming out of the insurance department?

**Jim Smith:** The insurance regulatory trust fund.

**Representative Vigesaa:** The \$500,000.00 for the renovations on the assembly budget; you have a carryover from this current biennium. Is that included in the \$500,000.00 or would that be added to what you're going to carry over?

**Jim Smith:** The carryover that we have from legislative wing improvements would be in addition to this \$500,000.00

**Representative Vigesaa:** What is the likelihood that it could be expended in the next biennium? That's going to be between \$700,000.00 and \$800,000.00 total.

**Jim Smith:** Not too likely. The reason for the carryover is due to unexpected things that come up. One of those could be a special session. We'd either need an additional appropriation or we'd need to use carryover. There are some uncertainties that we could be faced with.

**Representative Skarphol:** Do you have full transfer capability between line items?

**Jim Smith:** Yes we do. On page 1 of the bill it appropriates money for the 64<sup>th</sup> and 65<sup>th</sup> legislative session.

**Representative Kempenich:** Why do we have an emergency measure on the bill?

**Jim Smith:** It allows us that flexibility if we need to make some payments before July 1<sup>st</sup>.

**Chairman Thoreson:** I can't remember if our bills carried an emergency clause previously.

**Jim Smith:** It has.

**Representative Hogan:** In this biennium's budget we had \$250,000.00 for studies for education and higher education. You don't have anything budgeted in studies; will that come later?

**Jim Smith:** Last interim we had some special funding money for the higher education committee as well as the education finance funding committee. Some of that money was spent; but, in addition to that we have other un-earmarked study funds for \$300,000.00 in the budget.

**Representative Hogan:** Where would that be?

**Jim Smith:** There's a total of \$315,000.00 for professional services and that includes \$300,000.00 for these consulting services that we might need for interim committees; and then \$6,000.00 for the audit of our office and \$9,000.00 for an audit by the state auditor's office.

**Representative Kempenich:** Is the compensation 4% and 3% with the 1%?

**Jim Smith:** We ran this by the legislative procedure and arrangements committee and at that time we had no idea what the governor's budget recommendation was going to be.

**Representative Glassheim:** That means the employees are really getting 3% and 2%?

**Representative Kempenich:** They're getting 3% and 3%.

**Representative Glassheim:** I wonder if we should take out the \$500,000.00 for updating our committee rooms; and then if the forecast in March is more positive, we can put it back in.

**Representative Skarphol:** We have to allow to legislative council and legislative management some flexibility in the event of a special session or an unusual expenditure.

**Representative Glassheim:** When you have a line item for a specific purpose I understand you have flexibility to move it.

**Representative Skarphol:** I want to add some money to this budget and not subtract. I'd like to see every legislator attend two conferences during the interim.

**Jim Smith:** At our last hearing Allan responded to your question saying there was a certain amount in our budget for out of state travel for legislators. The amount is \$1.259 million and that includes out of state travel, registration fees, the per diem, hotels and airfare.

**Representative Skarphol:** What do you envision the number of legislators traveling would be? How many legislators attend a conference with \$1.2 million?

**Jim Smith:** What we do is we take each of the major meetings that we identify and we come up with an estimate of the numbers of legislators that might attend and try to project the cost.

**Representative Skarphol:** If we belong to an entity such as the energy producing states, Representative Wardner and I are the only ones that attended the meetings. Any legislator should be able to attend two. If we were to authorize, how much money would it take?

**Jim Smith:** If you look at the \$1.3 million; it's \$8,900.00 for every legislator for the biennium. When we talked about the status of our budgets and how we're having some projected turn back one of the major items is the savings that we have in out of state travel for legislators.

**Representative Skarphol:** Part of what I'm trying to get at is that I understand management likes to control who goes. I think legislators that want to go to conferences should have some options available to go to a conference if they so desire. If we want to do the right thing, we could double the amount of money you have and then we'd have both options available. I would make that motion to put some additional money in the budget.

**Representative Kempenich:** If you're going to double it, it would be \$2.6 million.

**Representative Skarphol:** I don't necessarily think we need to double it; I think some number short of doubling it would be fine.

**Chairman Thoreson:** If you have a number or if you want to wait to have an amended drafted, we can do that.

**Representative Skarphol:** Let's just do \$2.1 million.

**Jim Smith:** Are you talking \$2.1 million in total or additional?

**Chairman Thoreson:** In total.

**Representative Kempenich:** Would you need to increase the fees and professional services also?

**Jim Smith:** That would be budgeted in operating; professional services would be separate. The pay would be in salaries and the travel would be in operating expense.

**Representative Boehning:** We'll have to correct the compensation from 4% and 3% to 3% and 3%.

**Lori Laschkewitsch:** I believe there's a question about the compensation. The executive recommendation included a 4% and 4% salary increase with the 1% retirement the first year of the biennium.

**Chairman Thoreson:** It was a 4% and 4% to really a 4% minus 1% plus 4%.

**Lori Laschkewitsch:** Right. There's some confusion about the retirement being 1% by the employee and 1% by the employer. By removing the retirement out of the first year, there will be no retirement payment by anyone. Changing the first year to 3% would be no change, however reducing the second year to 3% is a 1% reduction.

**Chairman Thoreson:** The 1% was in the first year and the second year was just a full 4% increase.

**Lori Laschkewitsch:** Correct.

**Representative Glassheim:** So we're going from 4% to 2%?

**Lori Laschkewitsch:** We're going from 4% to 3%.

**Representative Skarphol:** Can you put something on a piece of paper that would help me understand what we're getting at here?

**Lori Laschkewitsch:** We can do that.

**Representative Boehning:** I'm a little confused on the 1%. I'm not sure exactly when the 1% for the increase in retirement starts; does that start the first year vs the budget cycle?

**Lori Laschkewitsch:** The biennium starts on July 1<sup>st</sup> and the retirement increase would have gone into effect in January of 2016.

**Representative Boehning:** So we're looking at .5% and .5%.

**Lori Laschkewitsch:** That's correct.

**Chairman Thoreson:** Closed the discussion.

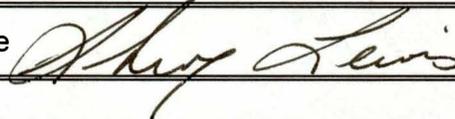
# 2015 HOUSE STANDING COMMITTEE MINUTES

Appropriations Committee - Government Operations Division  
Medora Room, State Capitol

HB1001  
2/16/2015  
Recording Job# 23907

- Subcommittee  
 Conference Committee

Committee Clerk Signature



## Explanation or reason for introduction of bill/resolution:

A BILL for an Act providing an appropriation for defraying the expenses of the legislative branch of state government; to provide for applications, transfers, and cancellation of unexpended appropriations; to amend and reenact sections 54-03-20 and 54-35-10 of the North Dakota Century Code, relating to legislative compensation; to provide an effective date; and to declare an emergency.

## Minutes:

See attachment A.

**Chairman Thoreson:** Opened the discussion on HB1001.

**Representative Vigesaa:** That \$350,000.00 for CSG will be offset by whatever funding is obtained from industry?

**Allan Knudson, Fiscal Analyst, ND Legislative Council:** Correct. The national CSG does provide some funding that's considered in the budget for CSG. In addition, there's a committee set up in state to raise money. The total amount we need from instate is the \$350,000.00; so whatever they raise will reduce the amount of the \$350,000.00 we need to provide.

**Representative Vigesaa:** Do you know what's usually raised through that effort and what the net might be to the state?

**Allan Knudson:** No. Jim has those numbers.

**Representative Vigesaa:** I'd like to not move over the \$500,000.00 for committee room renovations for this biennium. Then we'd be making a very meaningful reduction on this particular budget.

**Representative Vigesaa:** Made a motion to adopt the further amending the \$500,000.00 out on the renovations.

**Representative Boehning:** Seconded the motion.

Roll call vote taken 8 Yeas 0 Nays 0 Absent

The motion carried.

**Allan Knudson:** We had discussion at your last meeting about adding \$800,000.00 for out of state travel for legislators.

**Representative Skarphol:** I'm going to take that up in full committee.

**Representative Vigesaa:** The office equipment replacement; that was going to be one large copy machine that was going to be purchased.

**Allan Knudson:** Correct.

**Representative Vigesaa:** It's cheaper to buy rather than lease?

**Allan Knudson:** There's a comparison that we do between leasing vs buying. We did lease about 10 years; but lately it's been more efficient to buy.

**Representative Vigesaa:** The office improvements; could you remind us what the \$50,000.00 was?

**Allan Knudson:** Over the last couple of bienniums we've been upgrading the office furniture, desks and shelves.

**Vice Chairman Brandenburg:** On the desktop computers and the iPad replacement; the \$135,000.00, could you explain?

**Allan Knudson:** In the assembly budget there's money to replace the computers and iPads for legislators and staff.

**Vice Chairman Brandenburg:** It's actually computers?

**Allan Knudson:** Yes.

**Chairman Thoreson:** Does that cost just include legislators or also some other computers in the assembly?

**Allan Knudson:** It's for more than legislator's it's for the staff during the session as well; the computers the committee clerks will be using next session.

**Chairman Thoreson:** There was a question as to how much per legislator was being budgeted for a laptop and iPad.

**Allan Knudson:** We do have those numbers, I don't have them with me.

**Chairman Thoreson:** We might want that when we go to the full committee.

**Vice Chairman Brandenburg:** We had that conversation that computers were on a 4 year replacement and we're on the third year and if we go past the 4 years it ends up costing us more.

**Allan Knudson:** Our IT staff talked about that and they're under warranty for the four year period so after the four years they're no longer under warranty.

**Vice Chairman Brandenburg:** It just costs more.

**Representative Skarphol:** Obviously there's some new technology computers and some look to me like they'd provide the advantages of both in one device. Why wouldn't we ask if a legislator wants both?

**Allan Knudson:** Our IT staff would be much better to speak about this than I am. I know when we move forward with the replacement there will be a legislative committee involved in the determination of what's chosen. I don't know if the staff in coming up with this proposal looked at the idea of just buying one device or having one or the other.

**Representative Skarphol:** I'm assuming that this purchase won't take place until early 2016?

**Allan Knudson:** Right.

**Representative Boehning:** In the office improvements; how much carry over is left?

**Allan Knudson:** In regard to the \$50,000? I believe by the end of the biennium all of that will be spent.

**Representative Vigesaa:** Does the money that's received when you sell the old laptops; does that offset your budget or is that in a different area?

**Allan Knudson:** That's surplus property we transfer the laptops to and then they receive those funds when they sell them.

**Representative Vigesaa:** Made a motion to move the amendments.

**Representative Kempenich:** Seconded the motion.

Roll call vote: 8 Yeas 0 Nays 0 Absent.

Motion carried.

**Representative Vigesaa:** Made a motion for a "Do Pass as Amended"

**Representative Boehning:** Seconded the motion./

Roll call vote: "Do Pass as Amended" 8 Yeas 0 Nays 0 Absent.

Motion carried.

Representative Vigesaa carried the bill.

**Chairman Thoreson:** Closed the discussion

# 2015 HOUSE STANDING COMMITTEE MINUTES

Appropriations Committee  
Roughrider Room, State Capitol

HB 1001  
2/19/2015  
24164

- Subcommittee  
 Conference Committee

Committee Clerk Signature

*Mary Brucker*

## Explanation or reason for introduction of bill/resolution:

A bill providing an appropriation for defraying the expenses of the legislative branch of state government; relating to legislative compensation; and to declare an emergency.

## Minutes:

Proposed amendments #1, 2

**Representative Vigesaa:** Distributed proposed amendments .01002. See attachment #1. Explained the amendments. This is a budget for the legislative assembly and legislative council. They are divided into two sections on the bill. In the assembly there are no full time employees and the only thing we removed \$500,000 from the capital assets line which was for renovations to the legislative wing. The project they are looking at is the Brynhild Haugland renovation but at this point we felt we needed to take out that \$500,000 to show some effort to reduce the numbers. There's a significant amount of one-time spending in the legislative assembly section of this budget. Without the one-time spending the increase is 7.3% over last time. Explained page 5 to the committee. There's an increase in the monthly lodging for next session.

**Chairman Jeff Delzer:** Where did they expect that to be?

**Representative Vigesaa:** They expect the monthly lodging for next session to be \$1,680.

**Chairman Jeff Delzer:** 75% of the federal rate?

**Representative Vigesaa:** I'm assuming they kept that the same. \$603,050 is for upgrading our laptops and iPad; they are on a four year cycle and once the four year cycle ends the service contract also ends and there are issues then with hardware then. They felt strongly that they needed to remain on that four year cycle. There is \$191,760 for upgrades to the Legend program. There is \$350,000 for the CSG Midwest Conference being held in Bismarck in July. There is a fundraising committee that is looking to raise funds from within and outside the state and any monies taken in will offset that amount.

**Chairman Delzer:** So you didn't give them any authority for special funds on top of that if they happen to raise more than that?

**Representative Vigesaa:** On the bottom it states what the daily session pay, monthly session pay, and monthly compensation goes to in the next two years based on the three and three.

**Chairman Delzer:** I see we are funding Legend upgrades, not necessarily Legend improvements. I wish it was the other way around.

**Representative Vigesaa:** On page 6 it refers to the Legislative Council. The cost to continue is greatly reduced with ongoing information technology, data processing, and professional services all decreased from last time. In this section of the budget it has the legislative travel and the per diem which shows the increases they are expecting for the next biennium. They need a new copier for \$30,000; we asked them about leasing rather than buying but they found it was better to purchase the copier. The one-time IT is also for new computers, iPad, and laptops at \$50,000. For Legislative Council that is a 4.2% increase over the base.

**Representative Vigesaa:** Motioned to move the amendment .01002.

**Representative Skarphol:** Seconded

**Chairman Delzer:** Did we get into the number for 75% of the legislators for the Midwest and probably the same numbers for all of the other conferences we've had in the past?

**Representative Vigesaa:** Yes. They went back and looked at the history to see how many people attended those conferences and used those same percentages going forward.

**Voice vote:** Motion carries.

**Representative Skarphol:** Distributed amendment .01005 and explained it. See attached proposed amendments #2. I feel legislators are elected to serve their constituents and part of that service is dependent on them being as familiar as they can with the issues. In that capacity I've learned a great deal in networking with legislators from other states. Although there is money in the budget and we didn't change anything in the budget with going to conferences, amendment 1005 proposes to allow a legislator in their first term to attend one conference of their choice and any legislator in their second term or more to allow them to attend two conferences of their choice during an interim. It doesn't take away the ability of leadership to pick the people they want to go to different conferences. I realize it's an increase in cost but I think it's something we need to discuss occasionally and that's why I brought it forward. It's estimated to cost \$743,000 and that's based on an average number of first term legislators then after that it's \$2,850 per year for the number of legislators that would qualify under this category.

**Chairman Jeff Delzer:** Is that over and above what is currently in the budget; you're just adding that on to the current numbers?

**Representative Skarphol:** That's correct.

**Chairman Jeff Delzer:** \$743,000?

**Representative Skarphol:** That's correct.

**Chairman Delzer:** Does it name the conferences; is it limited to what we're talking about with the organizations that the other travel is for because they are basically limited too?

**Representative Skarphol:** I did not limit it because while we have money in the budget for energy producing states we do not pay any dues or anything to that organization and I wouldn't want to prohibit anyone from going to that one because it is a valuable resource in communicating with other energy states. I'm not sure we should select the conference; as long as it appears to be legitimate and council agrees.

**Chairman Jeff Delzer:** Do you have this limited to so many dollars per legislator?

**Representative Skarphol:** I allowed Legislative Council to make that estimate of dollars; we didn't discuss the incredible costs that could be incurred. I would assume to make that selection there would be an evaluation.

**Chairman Jeff Delzer:** What about the idea of them being able to pick two of their own and still possibly go to two or three of the current ones?

**Representative Skarphol:** If leadership felt that was appropriate but leadership has the option of deciding.

**Chairman Jeff Delzer:** Who has the ability to say yes or no to this?

**Representative Skarphol:** I would have no issue having it amended to give management the ability to say yes or no but they can't say no to someone who wants to go to a conference if they qualify and are under that maximum number.

**Chairman Delzer:** Somebody has to be able to approve it; is it going to be the Chairman of the Legislative Management Committee the way it is for others?

**Representative Skarphol:** I would ask council if there was anything in the existing statute or rules that would give us guidance.

**Allen Knudson, Legislative Council:** The Legislative Management Chairman approves them working with all the other leaders to determine who goes to which conference. I would assume that would be handled in a similar manner. Longest serving legislators would get \$2,850 each year for two years and \$2,850 for the biennium for first term legislators. We would just do it similar to this unless we get different direction.

**Representative Thoreson:** I believe now if travel takes place you do need to turn in receipts and a form to complete post travel explaining what the conference was and what was learned there. There is a level of identification as to whether you attended and what the issues were so if someone were to question the event it would be documented.

**Representative Monson:** Your intention is a minimum; one for new legislation and two conferences for veteran legislators so there could be two or three if they were appointed to something?

**Representative Skarphol:** That would be correct but we wouldn't require anyone to go.

**Chairman Jeff Delzer:** That's the question. The way you have it worded its wide open with a minimum of two. The way I see it in the amendment it's just a dollar figure. I don't think there's any language limiting that.

**Representative Skarphol:** My intent was that they could go to two.  
**Motion made to approve amendment .01005.**

**Representative Thoreson: Seconded.**

**Chairman Jeff Delzer:** I understand the purpose of it but I think we have quite a bit of travel in there. I don't know how many have requested but have been turned down. It's an additional amount of \$743,000. What was the current amount?

**Representative Vigesaa:** Travel increase was \$84,000.

**Allen Knudson:** Currently for out of state it is \$1,250,000.

**Chairman Jeff Delzer:** The Midwest would be considered in state?

**Allen Knudson:** That would be part of out of state. The other is the interim committee travel and that's about \$1,550,000.

**Chairman Delzer:** That's eight meetings for almost every interim committee?

**Allen Knudson:** We have a budget for seven meetings.

**Representative Skarphol:** Allen, how much out of state travel has been used?

**Representative Nelson:** Representative Skarphol, this is an interesting concept and I think it has some validity but given the fact that we have the Midwest Conference in Bismarck this year how does that relate to the people going as delegates but I'm assuming the rest of us are encouraged to attend that conference.

**Chairman Delzer:** They are planning on 75% of the sitting legislators going to that conference.

**Representative Nelson:** Would that count in your quota system?

**Chairman Delzer:** The money is in there for that.

**Allen Knudson:** We budget \$1.7 million and we spent about \$1,350,000.

**Chairman Jeff Delzer:** People would have to ask for this. Leadership should make sure and fill all the spots but I think in some ways it's meant to be asked for already.

**Representative Skarphol:** Some people don't feel they should have to ask.

**Chairman Jeff Delzer:** I understand. This is only for two years, correct?

**Allen Knudson:** Correct.

**Representative Silbernagel:** Would this include the Williston Basin Petroleum Council? That rotates between Bismarck and Regina. That's a great event but it's an international event so how does that fit in?

**Representative Skarphol:** It's a choice you can make as a legislator. This provides you with options.

**Chairman Jeff Delzer:** Seems pretty generous. This is a pretty major issue because it changes things a lot. When we do this and if it's wide open you're going to have things asked for that politically somebody else is going to object to so how do we handle that?

**Representative Skarphol:** If I want to go to a specific meeting then why shouldn't I be able to go just because somebody else doesn't approve?

**Chairman Delzer:** It's going to happen. There will be instances when it's questioned as to the value to the citizens.

**Representative Thoreson:** I think that's where I was going with the idea to file some paperwork afterwards as we do now. If we have a transparent processes where we put down where we went and how much we spent so if someone has an issue with that they could go to Legislative Council and get a copy of the report. If dollars are spent and we go to a meeting at least we'll know where it is.

**Chairman Jeff Delzer:** There currently are opportunities for people to go to some meetings that are not on any of the national lists; sometimes you're invited from your positions or past service.

**Representative Skarphol:** There have been times in my tenure that I've been appointed to committees and I didn't go to the meeting because I didn't know I could or should. I think I asked once and they didn't send me. Leadership has the ability to set the amount of money they want to spend on this.

**Representative Monson:** Have we ever paid anybody's expenses to go to ALEC?

**Chairman Jeff Delzer:** No. This would be wide open that you could pick whichever one you wanted to go to but you should be smart enough to pick something you can justify to your citizens.

**Representative Skarphol:** There would be nothing to prevent a legislator from going to the National Governor's Association meeting. The options are open so you could pick something that wouldn't typically qualify.

**Chairman Delzer:** I think we'll do a roll call vote on this because we'll want to have an idea if we take this to the floor what kind of support or non-support we have.

**Roll call vote for motion to further amend 1001 with amendment 1005 which is the same as 1002 with an additional \$743,000 for travel: 9 YES 12 NO 2 ABSENT  
MOTION FAILED**

**Representative Vigesaa:** Made a motion for a do pass as amended.

**Representative Brandenburg:** Seconded.

**Roll call vote: 21 YES 0 NO 2 ABSENT  
Motion carries.**

**Representative Vigesaa will carry this bill.**

AD  
107  
2-19-15

PROPOSED AMENDMENTS TO HOUSE BILL NO. 1001

Page 1, replace lines 17 through 21 with:

"Salaries and wages	\$9,205,759	\$987,174	\$10,192,933
Operating expenses	3,940,926	1,109,005	5,049,931
Capital assets	0	16,800	16,800
National conference of state legislatures	<u>233,286</u>	<u>7,977</u>	<u>241,263</u>
Total general fund	\$13,379,971	\$2,120,956	\$15,500,927"

Page 2, replace lines 3 through 10 with:

"Salaries and wages	\$8,660,860	\$765,097	\$9,425,957
Accrued leave payments	143,087	4,756	147,843
Operating expenses	3,753,527	(271,091)	3,482,436
Capital assets	0	<u>30,000</u>	<u>30,000</u>
Total all funds	\$12,557,474	\$528,762	\$13,086,236
Less estimated income	<u>69,999</u>	<u>1</u>	<u>70,000</u>
Total general fund	\$12,487,475	\$528,761	\$13,016,236
Full-time equivalent positions	37.00	0.00	37.00"

Page 2, replace lines 15 through 17 with:

"Grand total general fund	\$25,867,446	\$2,649,717	\$28,517,163
Grand total special funds	<u>69,999</u>	<u>1</u>	<u>70,000</u>
Grand total all funds	\$25,937,445	\$2,649,718	\$28,587,163"

Page 2, replace line 24 with:

"Legislative wing equipment and improvements	\$500,000	\$0"
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Page 2, replace line 29 with:

"Total general fund	\$542,000	\$1,144,810"
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Page 4, line 17, replace "seventy-four" with "seventy-two"

Page 6, line 10, replace "eighty-six" with "eighty-one"

Page 6, line 19, replace "forty-eight" with "forty-five"

Page 6, remove lines 30 and 31

Page 7, remove lines 1 through 31

Page 8, remove lines 1 through 29

Page 9, replace lines 1 through 18 with:

**"SECTION 7. AMENDMENT.** Section 54-03-20 of the North Dakota Century Code is amended and reenacted as follows:

2007

**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 ~~seventy-two~~seventy-seven dollars 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 following each month during a regular or special session.
- 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 four hundred ~~eighty-~~seventy-five dollars a 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 ~~forty-~~fifty-five dollars 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."

Page 9, line 25, replace "seventy-four" with "seventy-two"

Page 10, replace lines 3 through 17 with:

"SECTION 9. 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 ~~seventy-two~~ seventy-seven dollars 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."

Renumber accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

House Bill No. 1001 - Summary of House Action

Table with 4 columns: Description, Base Budget, House Changes, House Version. Rows include Legislative Assembly, Legislative Council, and Bill total.

House Bill No. 1001 - Legislative Assembly - House Action

Table with 4 columns: Description, Base Budget, House Changes, House Version. Rows include Salaries and wages, Operating expenses, Capital assets, National conf of state legislatures, Total all funds, Less estimated income, General fund, and FTE.

Department No. 150 - Legislative Assembly - Detail of House Changes

501

	Adds Funding for Base Payroll Changes <sup>1</sup>	Adds Funding for Salary and Benefit Increases <sup>2</sup>	Increases Funding for Monthly Lodging Reimbursement <sup>3</sup>	Adjusts Cost-to-Continue Funding <sup>4</sup>	Adds One-Time Funding for IT Equipment Replacement <sup>5</sup>	Adds One-Time Funding for LEGEND Upgrades <sup>6</sup>
Salaries and wages	\$66,855	\$920,319				
Operating expenses			84,520	(120,325)	603,050	191,760
Capital assets				16,800		
National conf of state legislatures				7,977		
<b>Total all funds</b>	<b>\$66,855</b>	<b>\$920,319</b>	<b>\$84,520</b>	<b>(\$95,548)</b>	<b>\$603,050</b>	<b>\$191,760</b>
Less estimated income	0	0	0	0	0	0
<b>General fund</b>	<b>\$66,855</b>	<b>\$920,319</b>	<b>\$84,520</b>	<b>(\$95,548)</b>	<b>\$603,050</b>	<b>\$191,760</b>
FTE	0.00	0.00	0.00	0.00	0.00	0.00

	Adds One-Time Funding for CSG Midwest Conference <sup>7</sup>	Total House Changes
Salaries and wages		\$987,174
Operating expenses	350,000	1,109,005
Capital assets		16,800
National conf of state legislatures		7,977
<b>Total all funds</b>	<b>\$350,000</b>	<b>\$2,120,956</b>
Less estimated income	0	0
<b>General fund</b>	<b>\$350,000</b>	<b>\$2,120,956</b>
FTE	0.00	0.00

<sup>1</sup> Funding is added for cost-to-continue 2013-15 biennium legislators' monthly compensation, additional monthly compensation for legislative leaders, and legislative compensation for regular and organizational sessions.

<sup>2</sup> Funding is added for increases in monthly health insurance premiums (\$657,154) and for 2015-17 biennium compensation adjustments of 3 percent per year for regular and organizational sessions, legislators' monthly compensation, and additional monthly compensation for legislative leaders (\$263,165).

The major compensation adjustments are as follows:

	Current Compensation Rate	Rate Effective July 1, 2015	Rate Effective July 1, 2016
Daily session pay	\$167	\$172	\$177
Monthly compensation	\$467	\$481	\$495
Leaders' additional monthly compensation	\$335	\$345	\$355

<sup>3</sup> Funding is added to increase the maximum monthly lodging expense reimbursement to \$1,680 anticipated for the 2017 legislative session. The maximum monthly lodging reimbursement is \$1,569 for the 2015 session.

<sup>4</sup> Funding for operating expenses, capital assets, and National Conference of State Legislatures dues is adjusted.

<sup>5</sup> One-time funding is added to replace computers and iPads.

<sup>6</sup> One-time funding is added for LEGEND core maintenance upgrades.

<sup>7</sup> One-time funding is added for the 2015 CSG Midwest Conference. Sections 6 and 7 are amended to adjust 2015-17 biennium compensation rates to provide 3 percent per

6 of 1

year increases for regular and organizational session pay, legislators' monthly compensation, and additional monthly compensation for legislative leaders.

The major compensation adjustments are as follows:

	Current Compensation Rate	Rate Effective July 1, 2015	Rate Effective July 1, 2016
Daily session pay	\$167	\$172	\$177
Monthly compensation	\$467	\$481	\$495
Leaders' additional monthly compensation	\$335	\$345	\$355

**House Bill No. 1001 - Legislative Council - House Action**

	Base Budget	House Changes	House Version
Salaries and wages	\$8,660,860	\$765,097	\$9,425,957
Operating expenses	3,753,527	(271,091)	3,482,436
Capital assets		30,000	30,000
Accrued leave payments	143,087	4,756	147,843
<b>Total all funds</b>	<b>\$12,557,474</b>	<b>\$528,762</b>	<b>\$13,086,236</b>
Less estimated income	69,999	1	70,000
<b>General fund</b>	<b>\$12,487,475</b>	<b>\$528,761</b>	<b>\$13,016,236</b>
FTE	37.00	0.00	37.00

**Department No. 160 - Legislative Council - Detail of House Changes**

	Adjusts Funding for Base Payroll and Cost to Continue <sup>1</sup>	Adds Funding for Salary and Benefit Increases <sup>2</sup>	Removes Market Equity Salary Funding <sup>3</sup>	Increases Funding for Legislator Per Diem <sup>4</sup>	Increases Funding for Travel <sup>5</sup>	Adds One-Time Funding for Equipment Replacement <sup>6</sup>
Salaries and wages	\$370,037	\$467,902	(\$100,000)	\$27,158		
Operating expenses	(522,718)				66,167	
Capital assets						30,000
Accrued leave payments	4,756					
<b>Total all funds</b>	<b>(\$147,925)</b>	<b>\$467,902</b>	<b>(\$100,000)</b>	<b>\$27,158</b>	<b>\$66,167</b>	<b>\$30,000</b>
Less estimated income	1	0	0	0	0	0
<b>General fund</b>	<b>(\$147,926)</b>	<b>\$467,902</b>	<b>(\$100,000)</b>	<b>\$27,158</b>	<b>\$66,167</b>	<b>\$30,000</b>
FTE	0.00	0.00	0.00	0.00	0.00	0.00

	Adds One-Time Funding for IT Equipment Replacement <sup>7</sup>	Adds One-Time Funding for Office Improvements <sup>8</sup>	Total House Changes
Salaries and wages			\$765,097
Operating expenses	135,460	50,000	(271,091)
Capital assets			30,000
Accrued leave payments			4,756
<b>Total all funds</b>	<b>\$135,460</b>	<b>\$50,000</b>	<b>\$528,762</b>
Less estimated income	0	0	1
<b>General fund</b>	<b>\$135,460</b>	<b>\$50,000</b>	<b>\$528,761</b>
FTE	0.00	0.00	0.00

<sup>1</sup> Funding is added for cost-to-continue 2013-15 biennium salaries and benefit increases and for other base payroll changes. Funding for operating expenses is reduced, including information technology - consulting, information technology - data processing, office supplies, and postage.

<sup>2</sup> Funding from the general fund is added for 2015-17 biennium performance salary adjustments of 2 to 4 percent per year (\$312,460) and increases in monthly health insurance premiums (\$155,442).

<sup>3</sup> Market equity salary funding is removed.

<sup>4</sup> Funding is added for 2015-17 biennium compensation adjustments of 3 percent per year for legislators' attendance at interim meetings.

The compensation adjustments are as follows:

	Current Compensation Rate	Rate Effective July 1, 2015	Rate Effective July 1, 2016
Interim meeting pay	\$167	\$172	\$177

<sup>5</sup> Funding for travel related to committee and other meetings is increased to reflect anticipated increases in registration fees, lodging rates, and other travel-related costs.

<sup>6</sup> One-time funding is added to replace a copier.

<sup>7</sup> One-time funding is added for desktop computer, laptop computer, monitor, and iPad replacements.

<sup>8</sup> One-time funding is added for office improvements.

Sections 8 and 9 are amended to adjust 2015-17 biennium compensation rates to provide a 3 percent per year increase for interim meeting pay.

The compensation adjustments are as follows:

	Current Compensation Rate	Rate Effective July 1, 2015	Rate Effective July 1, 2016
Interim meeting pay	\$167	\$172	\$177

PROPOSED AMENDMENTS TO HOUSE BILL NO. 1001

Page 1, replace lines 17 through 21 with:

"Salaries and wages	\$9,205,759	\$987,174	\$10,192,933
Operating expenses	3,940,926	1,109,005	5,049,931
Capital assets	0	16,800	16,800
National conference of state legislatures	<u>233,286</u>	<u>7,977</u>	<u>241,263</u>
Total general fund	\$13,379,971	\$2,120,956	\$15,500,927"

Page 2, replace lines 3 through 10 with:

"Salaries and wages	\$8,660,860	\$913,597	\$9,574,457
Accrued leave payments	143,087	4,756	147,843
Operating expenses	3,753,527	323,409	4,076,936
Capital assets	<u>0</u>	<u>30,000</u>	<u>30,000</u>
Total all funds	\$12,557,474	\$1,271,762	\$13,829,236
Less estimated income	<u>69,999</u>	<u>1</u>	<u>70,000</u>
Total general fund	\$12,487,475	\$1,271,761	\$13,759,236
Full-time equivalent positions	37.00	0.00	37.00"

Page 2, replace lines 15 through 17 with:

"Grand total general fund	\$25,867,446	\$3,392,717	\$29,260,163
Grand total special funds	<u>69,999</u>	<u>1</u>	<u>70,000</u>
Grand total all funds	\$25,937,445	\$3,392,718	\$29,330,163"

Page 2, replace line 24 with:

"Legislative wing equipment and improvements	\$500,000	\$0"
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Page 2, replace line 24 with:

"Total general fund	\$542,000	\$1,144,810"
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Page 4, line 17, replace "seventy-four" with "seventy-two"

Page 6, line 10, replace "eighty-six" with "eighty-one"

Page 6, line 19, replace "forty-eight" with "forty-five"

Page 6, remove lines 30 and 31

Page 7, remove lines 1 through 31

Page 8, remove lines 1 through 29

Page 9, replace lines 1 through 18 with:

**"SECTION 7. 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 ~~seventy-two~~seventy-seven dollars 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 following each month during a regular or special session.
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 four hundred eighty-~~one~~ninety-five dollars a 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 ~~forty-five~~fifty-five dollars 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."

Page 9, line 25, replace "seventy-four" with "seventy-two"

Page 10, replace lines 3 through 17 with:

"SECTION 9. 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 ~~seventy-two~~seventy-seven dollars 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."

Renumber accordingly

**STATEMENT OF PURPOSE OF AMENDMENT:**

**House Bill No. 1001 - Summary of House Action**

	Base Budget	House Changes	House Version
Legislative Assembly			
Total all funds	\$13,379,971	\$2,120,956	\$15,500,927
Less estimated income	0	0	0
General fund	\$13,379,971	\$2,120,956	\$15,500,927
Legislative Council			
Total all funds	\$12,557,474	\$1,271,762	\$13,829,236
Less estimated income	69,999	1	70,000
General fund	\$12,487,475	\$1,271,761	\$13,759,236
Bill total			
Total all funds	\$25,937,445	\$3,392,718	\$29,330,163
Less estimated income	69,999	1	70,000
General fund	\$25,867,446	\$3,392,717	\$29,260,163

**House Bill No. 1001 - Legislative Assembly - House Action**

	Base Budget	House Changes	House Version
Salaries and wages	\$9,205,759	\$987,174	\$10,192,933
Operating expenses	3,940,926	1,109,005	5,049,931
Capital assets		16,800	16,800
National conf of state legislatures	233,286	7,977	241,263
Total all funds	\$13,379,971	\$2,120,956	\$15,500,927
Less estimated income	0	0	0
General fund	\$13,379,971	\$2,120,956	\$15,500,927
FTE	0.00	0.00	0.00

**Department No. 150 - Legislative Assembly - Detail of House Changes**

	Adds Funding for Base Payroll Changes <sup>1</sup>	Adds Funding for Salary and Benefit Increases <sup>2</sup>	Increases Funding for Monthly Lodging Reimbursement <sup>3</sup>	Adjusts Cost-to-Continue Funding <sup>4</sup>	Adds One-Time Funding for IT Equipment Replacement <sup>5</sup>	Adds One-Time Funding for LEGEND Upgrades <sup>6</sup>
Salaries and wages	\$66,855	\$920,319				
Operating expenses			84,520	(120,325)	603,050	191,760
Capital assets				16,800		
National conf of state legislatures				7,977		
<b>Total all funds</b>	<b>\$66,855</b>	<b>\$920,319</b>	<b>\$84,520</b>	<b>(\$95,548)</b>	<b>\$603,050</b>	<b>\$191,760</b>
Less estimated income	0	0	0	0	0	0
<b>General fund</b>	<b>\$66,855</b>	<b>\$920,319</b>	<b>\$84,520</b>	<b>(\$95,548)</b>	<b>\$603,050</b>	<b>\$191,760</b>
FTE	0.00	0.00	0.00	0.00	0.00	0.00

	Adds One-Time Funding for CSG Midwest Conference <sup>7</sup>	Total House Changes
Salaries and wages		\$987,174
Operating expenses	350,000	1,109,005
Capital assets		16,800
National conf of state legislatures		7,977
<b>Total all funds</b>	<b>\$350,000</b>	<b>\$2,120,956</b>
Less estimated income	0	0
<b>General fund</b>	<b>\$350,000</b>	<b>\$2,120,956</b>
FTE	0.00	0.00

<sup>1</sup> Funding is added for cost-to-continue 2013-15 biennium legislators' monthly compensation, additional monthly compensation for legislative leaders, and legislative compensation for regular and organizational sessions.

<sup>2</sup> Funding is added for increases in monthly health insurance premiums (\$657,154) and for 2015-17 biennium compensation adjustments of 3 percent per year for regular and organizational sessions, legislators' monthly compensation, and additional monthly compensation for legislative leaders (\$263,165).

The major compensation adjustments are as follows:

	Current Compensation Rate	Rate Effective July 1, 2015	Rate Effective July 1, 2016
Daily session pay	\$167	\$172	\$177
Monthly compensation	\$467	\$481	\$495
Leaders' additional monthly compensation	\$335	\$345	\$355

<sup>3</sup> Funding is added to increase the maximum monthly lodging expense reimbursement to \$1,680 anticipated for the 2017 legislative session. The maximum monthly lodging reimbursement is \$1,569 for the 2015 session.

<sup>4</sup> Funding for operating expenses, capital assets, and National Conference of State Legislatures dues is adjusted.

<sup>5</sup> One-time funding is added to replace computers and iPads.

<sup>6</sup> One-time funding is added for LEGEND core maintenance upgrades.

<sup>7</sup> One-time funding is added for the 2015 CSG Midwest Conference.

Sections 6 and 7 are amended to adjust 2015-17 biennium compensation rates to provide 3 percent per year increases for regular and organizational session pay, legislators' monthly compensation, and additional monthly compensation for legislative leaders.

The major compensation adjustments are as follows:

	Current Compensation Rate	Rate Effective July 1, 2015	Rate Effective July 1, 2016
Daily session pay	\$167	\$172	\$177
Monthly compensation	\$467	\$481	\$495
Leaders' additional monthly compensation	\$335	\$345	\$355

**House Bill No. 1001 - Legislative Council - House Action**

	Base Budget	House Changes	House Version
Salaries and wages	\$8,660,860	\$913,597	\$9,574,457
Operating expenses	3,753,527	323,409	4,076,936
Capital assets		30,000	30,000
Accrued leave payments	143,087	4,756	147,843
Total all funds	\$12,557,474	\$1,271,762	\$13,829,236
Less estimated income	69,999	1	70,000
General fund	\$12,487,475	\$1,271,761	\$13,759,236
FTE	37.00	0.00	37.00

**Department No. 160 - Legislative Council - Detail of House Changes**

	Adjusts Funding for Base Payroll and Cost to Continue <sup>1</sup>	Adds Funding for Salary and Benefit Increases <sup>2</sup>	Removes Market Equity Salary Funding <sup>3</sup>	Increases Funding for Legislator Per Diem <sup>4</sup>	Increases Funding for Travel <sup>5</sup>	Adds One-Time Funding for Equipment Replacement <sup>6</sup>
Salaries and wages	\$370,037	\$467,902	(\$100,000)	\$27,158		
Operating expenses	(522,718)				66,167	
Capital assets						30,000
Accrued leave payments	4,756					
Total all funds	(\$147,925)	\$467,902	(\$100,000)	\$27,158	\$66,167	\$30,000
Less estimated income	1	0	0	0	0	0
General fund	(\$147,926)	\$467,902	(\$100,000)	\$27,158	\$66,167	\$30,000
FTE	0.00	0.00	0.00	0.00	0.00	0.00

	Adds One-Time Funding for IT Equipment Replacement <sup>7</sup>	Adds One-Time Funding for Office Improvements <sup>8</sup>	Increases Funding for Legislative Conferences <sup>9</sup>	Total House Changes
Salaries and wages			\$148,500	\$913,597
Operating expenses	135,460	50,000	594,500	323,409
Capital assets				30,000
Accrued leave payments				4,756
Total all funds	\$135,460	\$50,000	\$743,000	\$1,271,762
Less estimated income	0	0	0	1
General fund	\$135,460	\$50,000	\$743,000	\$1,271,761
FTE	0.00	0.00	0.00	0.00

<sup>1</sup> Funding is added for cost-to-continue 2013-15 biennium salaries and benefit increases and for other base payroll changes. Funding for operating expenses is reduced, including information technology -

consulting, information technology - data processing, office supplies, and postage.

<sup>2</sup> Funding from the general fund is added for 2015-17 biennium performance salary adjustments of 2 to 4 percent per year (\$312,460) and increases in monthly health insurance premiums (\$155,442).

<sup>3</sup> Market equity salary funding is removed.

<sup>4</sup> Funding is added for 2015-17 biennium compensation adjustments of 3 percent per year for legislators' attendance at interim meetings.

The compensation adjustments are as follows:

	Current Compensation Rate	Rate Effective July 1, 2015	Rate Effective July 1, 2016
Interim meeting pay	\$167	\$172	\$177

<sup>5</sup> Funding for travel related to committee and other meetings is increased to reflect anticipated increases in registration fees, lodging rates, and other travel-related costs.

<sup>6</sup> One-time funding is added to replace a copier.

<sup>7</sup> One-time funding is added for desktop computer, laptop computer, monitor, and iPad replacements.

<sup>8</sup> One-time funding is added for office improvements.

<sup>9</sup> Funding is added for per diem and travel reimbursement for each legislator to attend one conference per year, not to exceed \$2,850 per year. First-term legislators would be limited to one conference per biennium.

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Sections 8 and 9 are amended to adjust 2015-17 biennium compensation rates to provide a 3 percent per year increase for interim meeting pay.

The compensation adjustments are as follows:

	Current Compensation Rate	Rate Effective July 1, 2015	Rate Effective July 1, 2016
Interim meeting pay	\$167	\$172	\$177



**2015 HOUSE STANDING COMMITTEE  
ROLL CALL VOTES  
BILL/RESOLUTION NO. HB1001**

House Appropriations - Government Operations Divison Committee

Subcommittee

Amendment LC# or Description: 15.8007.01002

Recommendation:  Adopt Amendment  
 Do Pass     Do Not Pass     Without Committee Recommendation  
 As Amended     Rerefer to Appropriations  
 Place on Consent Calendar

Other Actions:  Reconsider     \_\_\_\_\_

Motion Made By Representative Vigessa    Seconded By Representative Kempenich

Representatives	Yes	No	Representatives	Yes	No
Chairman Thoreson	x		Representative Hogan	x	
Vice Chairman Brandenburg	x		Representative Glasheim	x	
Representative Kempenich	x				
Representative Vigessaa	x				
Representative Boehning	x				
Representative Skarphol	x				

Total (Yes) 8    No 0

Absent 0

Floor Assignment \_\_\_\_\_

If the vote is on an amendment, briefly indicate intent:  
To move the amendments.

**2015 HOUSE STANDING COMMITTEE  
ROLL CALL VOTES  
BILL/RESOLUTION NO. HB1001**

House Appropriations - Government Operations Divison Committee

Subcommittee

Amendment LC# or Description: \_\_\_\_\_

Recommendation:  Adopt Amendment  
 Do Pass     Do Not Pass     Without Committee Recommendation  
 As Amended     Rerefer to Appropriations  
 Place on Consent Calendar  
Other Actions:  Reconsider     \_\_\_\_\_

Motion Made By Representative Vigessa    Seconded By Representative Boehning

Representatives	Yes	No	Representatives	Yes	No
Chairman Thoreson	x		Representative Hogan	x	
Vice Chairman Brandenburg	x		Representative Glassheim	x	
Representative Kempenich	x				
Representative Vigessaa	x				
Representative Boehning	x				
Representative Skarphol	x				

Total (Yes) 8    No 0

Absent 0

Floor Assignment Representative Vigessa

If the vote is on an amendment, briefly indicate intent:

Date: 2/19/15

Roll Call Vote #: 1

2015 HOUSE STANDING COMMITTEE  
ROLL CALL VOTES  
BILL/RESOLUTION NO. 1001

House Appropriations Committee

Subcommittee

Amendment LC# or Description: 15.8007.01002

Recommendation:  Adopt Amendment  
 Do Pass     Do Not Pass     Without Committee Recommendation  
 As Amended     Rerefer to Appropriations  
 Place on Consent Calendar

Other Actions:  Reconsider     \_\_\_\_\_

Motion Made By: Vigessa                      Seconded By: Skarphol

Representatives	Yes	No	Absent	Representatives	Yes	No	Absent	Representatives	Yes	No	Absent
Chairman Jeff Delzer				Representative Nelson				Representative Boe			
Vice Chairman Keith Kempenich				Representative Pollert				Representative Glassheim			
Representative Bellew				Representative Sanford				Representative Guggisberg			
Representative Brandenburg				Representative Schmidt				Representative Hogan			
Representative Boehning				Representative Silbernagel				Representative Holman			
Representative Dosch				Representative Skarphol							
Representative Kreidt				Representative Streyle							
Representative Martinson				Representative Thoreson							
Representative Monson				Representative Vigessaa							

Totals	
Yes)	
No	
Absent	
Grand Total	

Voice Vote  
Motion Carries

Floor Assignment: \_\_\_\_\_

If the vote is on an amendment, briefly indicate intent: \_\_\_\_\_

Date: 2/19/15

Roll Call Vote #: 2

2015 HOUSE STANDING COMMITTEE  
ROLL CALL VOTES  
BILL/RESOLUTION NO. 1001

House Appropriations Committee

Subcommittee

Amendment LC# or Description: 15.8007.01005

Recommendation:  Adopt Amendment  
 Do Pass    Do Not Pass    Without Committee Recommendation  
 As Amended    Rerefer to Appropriations  
 Place on Consent Calendar

Other Actions:  Reconsider    \_\_\_\_\_

Motion Made By: Skarphol                      Seconded By: Thoreson

Representatives	Yes	No	Absent	Representatives	Yes	No	Absent	Representatives	Yes	No	Absent
Chairman Jeff Delzer		✓		Representative Nelson	✓			Representative Boe		✓	
Vice Chairman Keith Kempenich		✓		Representative Pollert		✓		Representative Glassheim			—
Representative Bellew	✓			Representative Sanford		✓		Representative Guggisberg		✓	
Representative Brandenburg		✓		Representative Schmidt		✓		Representative Hogan	✓		
Representative Boehning	✓			Representative Silbernagel	✓			Representative Holman		✓	
Representative Dosch		✓		Representative Skarphol	✓						
Representative Kreidt		✓		Representative Streyle	✓						
Representative Martinson			—	Representative Thoreson	✓						
Representative Monson	✓			Representative Vigesaa		✓					
<u>3</u> <u>5</u> <u>1</u>			<u>5</u> <u>9</u> <u>0</u>			<u>1</u> <u>3</u> <u>1</u>					

Totals	
Yes)	<u>9</u>
No	<u>12</u>
Absent	<u>2</u>
Grand Total	<u>23</u>

Motion to Approve  
Failed

Floor Assignment: \_\_\_\_\_

If the vote is on an amendment, briefly indicate intent: \_\_\_\_\_

Same as



REPORT OF STANDING COMMITTEE

HB 1001: Appropriations Committee (Rep. Delzer, Chairman) recommends AMENDMENTS AS FOLLOWS and when so amended, recommends DO PASS (21 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING). HB 1001 was placed on the Sixth order on the calendar.

Page 1, replace lines 17 through 21 with:

"Salaries and wages	\$9,205,759	\$987,174	\$10,192,933
Operating expenses	3,940,926	1,109,005	5,049,931
Capital assets	0	16,800	16,800
National conference of state legislatures	<u>233,286</u>	<u>7,977</u>	<u>241,263</u>
Total general fund	\$13,379,971	\$2,120,956	\$15,500,927"

Page 2, replace lines 3 through 10 with:

"Salaries and wages	\$8,660,860	\$765,097	\$9,425,957
Accrued leave payments	143,087	4,756	147,843
Operating expenses	3,753,527	(271,091)	3,482,436
Capital assets	0	<u>30,000</u>	<u>30,000</u>
Total all funds	\$12,557,474	\$528,762	\$13,086,236
Less estimated income	<u>69,999</u>	<u>1</u>	<u>70,000</u>
Total general fund	\$12,487,475	\$528,761	\$13,016,236
Full-time equivalent positions	37.00	0.00	37.00"

Page 2, replace lines 15 through 17 with:

"Grand total general fund	\$25,867,446	\$2,649,717	\$28,517,163
Grand total special funds	<u>69,999</u>	<u>1</u>	<u>70,000</u>
Grand total all funds	\$25,937,445	\$2,649,718	\$28,587,163"

Page 2, replace line 24 with:

"Legislative wing equipment and improvements \$500,000 \$0"

Page 2, replace line 29 with:

"Total general fund \$542,000 \$1,144,810"

Page 4, line 17, replace "seventy-four" with "seventy-two"

Page 6, line 10, replace "eighty-six" with "eighty-one"

Page 6, line 19, replace "forty-eight" with "forty-five"

Page 6, remove lines 30 and 31

Page 7, remove lines 1 through 31

Page 8, remove lines 1 through 29

Page 9, replace lines 1 through 18 with:

"SECTION 7. 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 ~~seventy-two~~seventy-

seven dollars 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 following each month during a regular or special session.

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 four hundred ~~eighty-one~~eighty-five dollars a 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 ~~forty-five~~fifty-five dollars 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."

Page 9, line 25, replace "seventy-four" with "seventy-two"

Page 10, replace lines 3 through 17 with:

**"SECTION 9. 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 ~~seventy-two~~seventy-seven dollars 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."

Renumber accordingly

**STATEMENT OF PURPOSE OF AMENDMENT:**

**House Bill No. 1001 - Summary of House Action**

	Base Budget	House Changes	House Version
Legislative Assembly			
Total all funds	\$13,379,971	\$2,120,956	\$15,500,927
Less estimated income	0	0	0
General fund	\$13,379,971	\$2,120,956	\$15,500,927
Legislative Council			
Total all funds	\$12,557,474	\$528,762	\$13,086,236
Less estimated income	69,999	1	70,000
General fund	\$12,487,475	\$528,761	\$13,016,236
Bill total			
Total all funds	\$25,937,445	\$2,649,718	\$28,587,163
Less estimated income	69,999	1	70,000
General fund	\$25,867,446	\$2,649,717	\$28,517,163

**House Bill No. 1001 - Legislative Assembly - House Action**

	Base Budget	House Changes	House Version
Salaries and wages	\$9,205,759	\$987,174	\$10,192,933
Operating expenses	3,940,926	1,109,005	5,049,931
Capital assets		16,800	16,800
National conf of state legislatures	233,286	7,977	241,263
Total all funds	\$13,379,971	\$2,120,956	\$15,500,927
Less estimated income	0	0	0
General fund	\$13,379,971	\$2,120,956	\$15,500,927
FTE	0.00	0.00	0

**Department No. 150 - Legislative Assembly - Detail of House Changes**

	Adds Funding for Base Payroll Changes <sup>1</sup>	Adds Funding for Salary and Benefit Increases <sup>2</sup>	Increases Funding for Monthly Lodging Reimbursement <sup>3</sup>	Adjusts Cost-to-Continue Funding <sup>4</sup>	Adds One-Time Funding for IT Equipment Replacement <sup>5</sup>	Adds One-Time Funding for LEGEND Upgrades <sup>6</sup>
Salaries and wages	\$66,855	\$920,319				
Operating expenses			84,520	(120,325)	603,050	191,760
Capital assets				16,800		
National conf of state legislatures				7,977		
Total all funds	\$66,855	\$920,319	\$84,520	(\$95,548)	\$603,050	\$191,760
Less estimated income	0	0	0	0	0	0
General fund	\$66,855	\$920,319	\$84,520	(\$95,548)	\$603,050	\$191,760
FTE	0.00	0.00	0.00	0.00	0.00	0.00
	Adds One-Time Funding for CSG Midwest Conference <sup>7</sup>	Total House Changes				
Salaries and wages		\$987,174				
Operating expenses	350,000	1,109,005				
Capital assets		16,800				

National conf of state legislatures		7,977
Total all funds	\$350,000	\$2,120,956
Less estimated income	0	0
General fund	\$350,000	\$2,120,956
FTE	0.00	0.00

<sup>1</sup> Funding is added for cost-to-continue 2013-15 biennium legislators' monthly compensation, additional monthly compensation for legislative leaders, and legislative compensation for regular and organizational sessions.

<sup>2</sup> Funding is added for increases in monthly health insurance premiums (\$657,154) and for 2015-17 biennium compensation adjustments of 3 percent per year for regular and organizational sessions, legislators' monthly compensation, and additional monthly compensation for legislative leaders (\$263,165).

The major compensation adjustments are as follows:

	Current Compensation Rate	Rate Effective July 1, 2015	Rate Effective July 1, 2016
Daily session pay	\$167	\$172	\$177
Monthly compensation	\$467	\$481	\$495
Leaders' additional monthly compensation	\$335	\$345	\$355

<sup>3</sup> Funding is added to increase the maximum monthly lodging expense reimbursement to \$1,680 anticipated for the 2017 legislative session. The maximum monthly lodging reimbursement is \$1,569 for the 2015 session.

<sup>4</sup> Funding for operating expenses, capital assets, and National Conference of State Legislatures dues is adjusted.

<sup>5</sup> One-time funding is added to replace computers and iPads.

<sup>6</sup> One-time funding is added for LEGEND core maintenance upgrades.

<sup>7</sup> One-time funding is added for the 2015 CSG Midwest Conference. Sections 6 and 7 are amended to adjust 2015-17 biennium compensation rates to provide 3 percent per year increases for regular and organizational session pay, legislators' monthly compensation, and additional monthly compensation for legislative leaders.

The major compensation adjustments are as follows:

	Current Compensation Rate	Rate Effective July 1, 2015	Rate Effective July 1, 2016
Daily session pay	\$167	\$172	\$177
Monthly compensation	\$467	\$481	\$495
Leaders' additional monthly compensation	\$335	\$345	\$355

**House Bill No. 1001 - Legislative Council - House Action**

	Base Budget	House Changes	House Version
Salaries and wages	\$8,660,860	\$765,097	\$9,425,957
Operating expenses	3,753,527	(271,091)	3,482,436
Capital assets		30,000	30,000
Accrued leave payments	143,087	4,756	147,843
Total all funds	\$12,557,474	\$528,762	\$13,086,236
Less estimated income	69,999	1	70,000
General fund	\$12,487,475	\$528,761	\$13,016,236
FTE	37.00	0.00	37.00

Department No. 160 - Legislative Council - Detail of House Changes

	Adjusts Funding for Base Payroll and Cost to Continue <sup>1</sup>	Adds Funding for Salary and Benefit Increases <sup>2</sup>	Removes Market Equity Salary Funding <sup>3</sup>	Increases Funding for Legislator Per Diem <sup>4</sup>	Increases Funding for Travel <sup>5</sup>	Adds One-Time Funding for Equipment Replacement <sup>6</sup>
Salaries and wages	\$370,037	\$467,902	(\$100,000)	\$27,158		
Operating expenses	(522,718)				66,167	
Capital assets						30,000
Accrued leave payments	4,756					
Total all funds	(\$147,925)	\$467,902	(\$100,000)	\$27,158	\$66,167	\$30,000
Less estimated income	1	0	0	0	0	0
General fund	(\$147,926)	\$467,902	(\$100,000)	\$27,158	\$66,167	\$30,000
FTE	0.00	0.00	0.00	0.00	0.00	0.00

	Adds One-Time Funding for IT Equipment Replacement <sup>7</sup>	Adds One-Time Funding for Office Improvements <sup>8</sup>	Total House Changes
Salaries and wages			\$765,097
Operating expenses	135,460	50,000	(271,091)
Capital assets			30,000
Accrued leave payments			4,756
Total all funds	\$135,460	\$50,000	\$528,762
Less estimated income	0	0	1
General fund	\$135,460	\$50,000	\$528,761
FTE	0.00	0.00	0.00

<sup>1</sup> Funding is added for cost-to-continue 2013-15 biennium salaries and benefit increases and for other base payroll changes. Funding for operating expenses is reduced, including information technology - consulting, information technology - data processing, office supplies, and postage.

<sup>2</sup> Funding from the general fund is added for 2015-17 biennium performance salary adjustments of 2 to 4 percent per year (\$312,460) and increases in monthly health insurance premiums (\$155,442).

<sup>3</sup> Market equity salary funding is removed.

<sup>4</sup> Funding is added for 2015-17 biennium compensation adjustments of 3 percent per year for legislators' attendance at interim meetings.

The compensation adjustments are as follows:

	Current Compensation Rate	Rate Effective July 1, 2015	Rate Effective July 1, 2016
Interim meeting pay	\$167	\$172	\$177

<sup>5</sup> Funding for travel related to committee and other meetings is increased to reflect anticipated increases in registration fees, lodging rates, and other travel-related costs.

<sup>6</sup> One-time funding is added to replace a copier.

<sup>7</sup> One-time funding is added for desktop computer, laptop computer, monitor, and iPad replacements.

<sup>8</sup> One-time funding is added for office improvements.

Sections 8 and 9 are amended to adjust 2015-17 biennium compensation rates to provide a 3 percent per year increase for interim meeting pay.

The compensation adjustments are as follows:

	Current Compensation Rate	Rate Effective July 1, 2015	Rate Effective July 1, 2016
Interim meeting pay	\$167	\$172	\$177

**2015 SENATE APPROPRIATIONS**

**HB 1001**

# 2015 SENATE STANDING COMMITTEE MINUTES

## Appropriations Committee Harvest Room, State Capitol

HB 1001  
3/5/2015  
Job # 24363

- Subcommittee  
 Conference Committee

Committee Clerk Signature

*Denise for Alice Pelzer*

### Explanation or reason for introduction of bill/resolution:

A BILL for an Act providing an appropriation for defraying the expenses of the Legislative Branch of state government; to provide for applications, transfers, and cancellation of unexpended appropriations; to amend and reenact NDCC, relating to legislative compensation; to provide an effective date; and to declare an emergency.

### Minutes:

Attachment # 1

**Chairman Holmberg** called the committee to order on Thursday, March 05, 2015, at 10:00 am in regards to HB 1001. All committee members were present. Sheila M. Sandness, Legislative Council, Becky Keller, OMB and Allen Knudson, Legislative Council were also present.

**Jim Smith, Director of Legislative Council:** Testified in favor of HB 1001 and provided written testimony attached # 1) Engrossed HB # 1001. (9.28)

**Senator Mathern:** I was disappointed to see that \$500,000 for capital projects. I think we have been making positive progress. I am wondering if we were to reinstate that \$500,000, how is it specifically determined which room. You were talking about the press studio but the actual room where the journalists are should really be upgraded so that they have proper tools in there. It is difficult for people to have staff here from these newspapers. If we had a better facility it would be helpful. Who makes those decisions if we were to get that \$500,000 back?

**Mr. Smith:** Basically the interim Legislative Procedure and Arrangements Committee have authority between sessions to deal with the preparations that are necessary to the upcoming session. We would take ideas to them for their approval. That would be in the list.

**Senator Heckaman:** There is \$214,000 left, do you need all the additional \$500,000, or are you looking just to supplement the difference between the two.

**Mr. Smith:** That is difficult to say; the history is that we have had \$500,000, so we don't have specific budgets for some of these upgrades. My personal opinion is we would need

all of the \$500,000. We do need some money for maintenance for things that come up expectedly. We had an issue in the Senate on Monday with the electrical panel; those things have to be updated. (He continued with his testimony regarding the appropriation.)  
Legislative Management and Legislative Council: Leg. Management is a 17 member committee that oversees our office, especially during the interim. The appropriation is just over \$13 million. Most of that is from the general fund. We are requesting the same number of employees, 37 FTE positions. The size of the interim committees was reduced. House bill 1199, 1015 and SB 2222 and 2012 are listed in his testimony they are related to the legislative branch. (19.38)

**Chairman Holmberg:** The mileage went down, it was 57.5 cents and now it's down to 56 cents. Is that an estimate?

**Mr. Smith:** The current rate is still 57½ cents per mile. We budgeted 56 cents/mile not knowing what is going to happen; it is subject to change by OMB, based on gas prices. The budget is based on 56 cents.

**Senator Robinson:** I want to commend you, you folks have done a great job, good people, great services, we are fortunate as a legislature to have your folks to work with.

**Mr. Smith:** We do have a lot of employees that put in a lot of time; we don't pay overtime. Hopefully the salaries reflect the demand that they have to put in during the session and other times. Some our support staff we do pay overtime.

**Senator Robinson:** The professional staff, regarding no overtime, are you in a position to provide some flexibility in terms of hours after the session? Are you able to do that?

**Mr. Smith:** We do that, except for 6 months; 2 months ahead of the session and 4 months of session. We try to provide some flexibility with comp time, holidays, at the end of the session we try to provide some comp days, it is done conservatively.

**Chairman Holmberg:** Anyone else is going to testify. Tell them about the new Ipads and that kind of information.

**Kyle Forester, IT Manager:** For the Legislative Assembly, there is \$603,050 budgeted for computer and iPad replacement. We do a four year life cycle on your equipment. Your laptops have four year warranty on them. New equipment will be significantly better performing. Later this fall we will request that leadership identify a committee that will designate what new equipment we should need. Ultimately that committee decides what equipment the Assembly will get. This isn't just for legislators; it is for Assembly staff, clerks, and chamber staff have the exact same laptops as the legislators have. Basically the budget for the tablets or iPads will move from 32 gb to 64 gb memory. There is additional cost there, more electronic document access for legislators. We want to push testimony and legislative documents onto your devices. This is a little increase for hardware and software from the 2012 budget. You all have 17" laptops and weigh 8.5 lbs. So the committee has to decide what we want to do there.

**Senator Mathern:** Is there any thought to have dummy terminals for laptops, better notepads?

**Mr. Forester:** We talked about virtual terminals in the chambers. Some of the difficulty is you have to have the back-end infrastructure to support that. You are running on a server someplace. You legislators have a personal use fee; a lot of the membership expects a device you can take home. It would cost us more money, because of the infrastructure that we would need to put in place. If the legislators didn't have the personal use, then it might make sense?

**Senator Mathern:** What if we just did the personal use with the iPads?

**Mr. Forester:** That is an option. We did monitor during the last interim to see what usage was on the laptops and about 85-90 legislators regularly used their laptops at home. The usage was high.

**Senator Kilzer:** These phish warnings come out pretty often, could you comment on those.

**Mr. Forester:** Yes they are often. The state IT department manages that and basically the way it works, identity thieves are trying to get access to your account, those attacks are never going to stop. When we see them or they report them to us, we report it to the state IT department and they block the outside website in that link. If someone did click on it, they can't get to the site anymore. They also block the sender's email address so they can't come into the state. ITD is hoping to implement some new technology in about a month or so. They hope it will decrease the phishing emails that actually make it into the state email system.

**Senator Wanzek:** We get certain emails, we don't recognize, do we just delete it?

Mr. Forester: Yes. If it is a phishing email, you can send it to us and we can look at it.

**V.Chairman Bowman:** What is the total amount of money we are spending on this biennium for technology? Every budget seems like it is loaded with money for technology. Are we taking money away from other things that we could be using those funds for.

**Mr. Forester:** I do have those numbers.

**Senator Robinson:** One of the issues that have increased the size of the budget is years ago when we moved into ITD, we combined a lot of services, such as phone services, we put that all under technology. We can't compare apples to apples, going back 15 years. The services are growing, but we keep asking for more capacity, that drives the cost up.

**V.Chairman Bowman:** How much is technology costing us this biennium?

**Mr. Forester:** That comes into the full budget, 2013-15 for budget for assembly was \$1.8M. That includes continuing to have staff at the ITD Dept. We want to enhance the drafting systems, created a new bill tracking system, starting next week we are rolling a

mobile app to legislators. We are continuing to make improvements. The room improvements are done through the wing improvements fund. Part of it is equipment, server infrastructure, storage, a lot of components that goes into the IT budget.

**V.Chairman Bowman:** In Human Services there were a lot of big requests for money for these programs; this goes back many years ago, when they first introduced this technology and we were going to have a program that was going to cost us \$20 million and now up to \$60-\$70 million. Do we ever have a limit on how much we are going to spend so that we can take care of some of the other needs that we have that might be more important than another report getting out a day early?

**Mr. Forester:** When we put in our budget, which essentially is what is needed to support the Legislative Assembly and the Council for the next two years. We do have some money in there to continue to make enhancements to systems and software, but we are not on the same scale as Human Services.

**V.Chairman Bowman:** I use the service myself, I get reports and it's nice to get them when you want them, but I'm thinking about the overall budget and how many dollars we're spending now on technology for everything and how many budgets were short of money to really take care of people's needs.

**Senator Robinson:** It would be interesting to see an analysis of how the technology budget has grown, and yet we have almost no one in the bill room anymore. Paper products have to be way down. When I first got here, we had any number of Legislative Pages on the floor, so that is an offset.

**Senator Sorvaag:** During the interim, I know Leg Council was feeding us information electronically. I didn't need the piece of paper people were handing out. I got it off the iPad. Was there much feedback. I enjoyed not having the paper. Did many committees use it?

**Mr. Smith:** That is something we started during the last interim. It was successful. Some people prefer the paper, we are making progress.

**Senator Sorvaag:** That is nice to see, we'd like to see the session go electronic.

Mr. Smith: We'd like to get there as well. It's a work in progress.

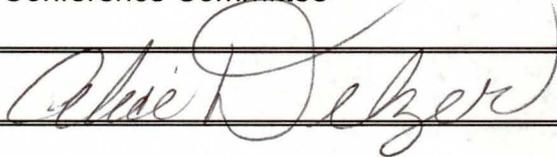
**V.Chairman Bowman:** Thank you. Any other testimony on this bill? The hearing was closed on HB 1001.

# 2015 SENATE STANDING COMMITTEE MINUTES

**Appropriations Committee**  
Harvest Room, State Capitol

HB 1001  
4/2/2015  
JOB # 25762

- Subcommittee  
 Conference Committee

Committee Clerk Signature 

## Explanation or reason for introduction of bill/resolution:

A BILL for an Act to defray the expenses of the Legislative Branch. (Do Pass as Amended)

## Minutes:

Amendment # 15.8007.02001

**Chairman Holmberg** called the committee to order on Thursday, April 02, 2015, at 11:00 am. All committee members were present. Adam Mathiak, Legislative Council and Sheila Peterson and Nick Creamer, OMB were also present.

**Chairman Holmberg** presented amendment #15.8007. 02001 and explained what the amendments would do. It does not have any of the merit and it had no targeted equity money in it. It adjusts the premium for health insurance, which we have done in all the budgets, and it adds one time funding for committee room renovations. If you recall, the original budget from legislative council was to have \$500,000 but they do have some reserves they can do. I don't know the specifics on everything they are doing; they are looking at sound systems and lighting. They are looking at Brynhild Haugland room. They did get an agreement with facilities management regarding some electrical work they are going to be doing. Other changes in here, the accrued leave payment is something we did last time and it was put in to all budgets. Then it ran into trouble, it couldn't be, and it was still in this budget so that was changed.

**Adam Mathiak, Legislative Council:** The accrued leave added by the legislative assembly last time to all the budgets. It was a separate line item. The governor vetoed a statement in the OMB bill at the end, based on the information that was provided that was determined that the accrued leave could be spent without being specifically subject to the requirement that it actually be accrued leave, it could be then spent as normal salaries and wages. (5.04)

**Chairman Holmberg:** This is the only budget that still had that line item in and they are putting it back in to salary and wages because that was the determination that is where it is was and that's where it should be.

**Senator Mathern:** Did we have the study here in the Senate?

**Chairman Holmberg:** That came from some legislators asked if we would consider putting this in here to look at the study. It is to study all kinds of bonding, to finance all kinds of projects. It came from Senator Laffin and someone else and they ask for your consideration. It is not a required study. It says shall.

**Senator Mathern:** We ought to actually be doing bonding when the economy is down. I don't know why we need a study. It was in the Moody's report. Every one suggests this when the economy is down.

**Senator Kilzer:** I have a question on the Council of State Government meeting this summer, there is a \$350,000 appropriation. Is that the only appropriation or are there other bills or other monies that will go into that?

**Chairman Holmberg** No. this is the only location of funding for that. Part of the reason it is there is because the host state encourages legislators to attend, registration fees are paid, we put in the budget an estimate of 110 legislators would attend, the registration fee is 3 or 4, I don't know the exact number. Not all of this money may be spent. There is a fund raising committee for this event that Senator Carlisle is head of. It would be great if they would raise money as some states do from all kinds of entities, corporation,, companies. The registration has to be spent, but none of the other has to be spent.

**Senator Carlisle:** We have about 70 entities in state and out of state, there will be some national folks that normally contribute. I am working in state, I've got 10,000, we'll have a little gift bag. Every dollar we raise goes against that too. In the next few days we will start making more personal calls. The bankers are in; the stockmen's are in; KLJ's in; and some are at \$2,500. That's what I have been pushing for instate. the REC's are putting together a package. That is what we are doing. We have a lot of corporate interest in this. We bank the money. 22 years ago we had it in Bismarck, 12 years ago we were in Fargo, we didn't have enough money, we want to do it right, so we want to raise the money. The figure will be less. (10.42)

**Chairman Holmberg:** We had to put this together. We had no idea how successful the fund raising would be. This appeared to be the number the committee agreed on.

**Senator Carlisle:** It was bipartisan. They did a motion and accepted it.

**Chairman Holmberg** It was put in the budget. OMB did not pass on it.

**Chairman Holmberg:** Could we have a motion on the amendment?

**Senator O'Connell moved the amendment. 2<sup>nd</sup> by V. Chairman Krebsbach.** A voice vote was taken. It passed. **V. Chairman Krebsbach moved a do pass as amended. 2<sup>nd</sup> by Senator O'Connell.**

**Chairman Holmberg:** Call the roll on a Do Pass as Amended on HB 1001.

A Roll Call vote was taken. Yea: 13; Nay: 0; Absent: 0. Chairman Holmberg will carry the bill. The hearing was closed on HB 1001.

PROPOSED AMENDMENTS TO ENGROSSED HOUSE BILL NO. 1001

Page 1, line 4, after the semicolon insert "to provide for a legislative management study;"

Page 1, replace lines 17 through 21 with:

"Salaries and wages	\$9,205,759	\$811,614	\$10,017,373
Operating expenses	3,940,926	1,109,005	5,049,931
Capital assets	0	416,800	416,800
National conference of state legislatures	<u>233,286</u>	<u>7,977</u>	<u>241,263</u>
Total general fund	\$13,379,971	\$2,345,396	\$15,725,367"

Page 2, replace lines 3 through 10 with:

"Salaries and wages	\$8,660,860	\$885,837	\$9,546,697
Accrued leave payments	143,087	(143,087)	0
Operating expenses	3,753,527	(271,091)	3,482,436
Capital assets	<u>0</u>	<u>30,000</u>	<u>30,000</u>
Total all funds	\$12,557,474	\$501,659	\$13,059,133
Less estimated income	<u>69,999</u>	<u>1</u>	<u>70,000</u>
Total general fund	\$12,487,475	\$501,658	\$12,989,133
Full-time equivalent positions	37.00	0.00	37.00"

Page 2, replace lines 15 through 17 with:

"Grand total general fund	\$25,867,446	\$2,847,054	\$28,714,500
Grand total special funds	<u>69,999</u>	<u>1</u>	<u>70,000</u>
Grand total all funds	\$25,937,445	\$2,847,055	\$28,784,500"

Page 2, replace lines 24 through 29 with:

"Legislative wing equipment and improvements	\$500,000	\$400,000
Information technology projects	42,000	0
Information technology equipment	0	603,050
LEGEND maintenance	0	191,760
Council of State Governments conference	<u>0</u>	<u>350,000</u>
Total general fund	\$542,000	\$1,544,810"

Page 10, after line 17, insert:

**"SECTION 10. LEGISLATIVE MANAGEMENT STUDY - FINANCING STATE CONSTRUCTION PROJECTS.** During the 2015-16 interim, the legislative management shall study the use of bonding to finance state building, road, and water construction projects. The study must include consideration of the effect that financing state construction projects with existing oil revenue has had on both the construction industry and the oil and gas industry. The legislative management shall report its findings and recommendations, together with any legislation required to implement the recommendations, to the sixty-fifth legislative assembly."

Renumber accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

**House Bill No. 1001 - Summary of Senate Action**

	Base Budget	House Version	Senate Changes	Senate Version
Legislative Assembly				
Total all funds	\$13,379,971	\$15,500,927	\$224,440	\$15,725,367
Less estimated income	0	0	0	0
General fund	\$13,379,971	\$15,500,927	\$224,440	\$15,725,367
Legislative Council				
Total all funds	\$12,557,474	\$13,086,236	(\$27,103)	\$13,059,133
Less estimated income	69,999	70,000	0	70,000
General fund	\$12,487,475	\$13,016,236	(\$27,103)	\$12,989,133
Bill total				
Total all funds	\$25,937,445	\$28,587,163	\$197,337	\$28,784,500
Less estimated income	69,999	70,000	0	70,000
General fund	\$25,867,446	\$28,517,163	\$197,337	\$28,714,500

**House Bill No. 1001 - Legislative Assembly - Senate Action**

	Base Budget	House Version	Senate Changes	Senate Version
Salaries and wages	\$9,205,759	\$10,192,933	(\$175,560)	\$10,017,373
Operating expenses	3,940,926	5,049,931		5,049,931
Capital assets		16,800	400,000	416,800
National conf of state legislatures	233,286	241,263		241,263
Total all funds	\$13,379,971	\$15,500,927	\$224,440	\$15,725,367
Less estimated income	0	0	0	0
General fund	\$13,379,971	\$15,500,927	\$224,440	\$15,725,367
FTE	0.00	0.00	0.00	0.00

**Department No. 150 - Legislative Assembly - Detail of Senate Changes**

	Adjusts Funding for Health Insurance Premium Increases <sup>1</sup>	Adds One-Time Funding for Committee Room Renovations <sup>2</sup>	Total Senate Changes
Salaries and wages	(\$175,560)		(\$175,560)
Operating expenses			
Capital assets		400,000	400,000
National conf of state legislatures			
Total all funds	(\$175,560)	\$400,000	\$224,440
Less estimated income	0	0	0
General fund	(\$175,560)	\$400,000	\$224,440
FTE	0.00	0.00	0.00

<sup>1</sup> Funding for employee health insurance premiums is adjusted to reflect the revised premium estimate of \$1,130.22 per month.

<sup>2</sup> One-time funding is added for committee room renovations.

**House Bill No. 1001 - Legislative Council - Senate Action**

	Base Budget	House Version	Senate Changes	Senate Version
Salaries and wages	\$8,660,860	\$9,425,957	\$120,740	\$9,546,697
Operating expenses	3,753,527	3,482,436		3,482,436
Capital assets		30,000		30,000

Accrued leave payments	143,087	147,843	(147,843)	
Total all funds	\$12,557,474	\$13,086,236	(\$27,103)	\$13,059,133
Less estimated income	69,999	70,000	0	70,000
General fund	\$12,487,475	\$13,016,236	(\$27,103)	\$12,989,133
FTE	37.00	37.00	0.00	37.00

**Department No. 160 - Legislative Council - Detail of Senate Changes**

	Adjusts Funding for Health Insurance Premium Increases <sup>1</sup>	Moves Funding for Accrued Leave <sup>2</sup>	Total Senate Changes
Salaries and wages	(\$27,103)	\$147,843	\$120,740
Operating expenses			
Capital assets			
Accrued leave payments		(147,843)	(147,843)
Total all funds	(\$27,103)	\$0	(\$27,103)
Less estimated income	0	0	0
General fund	(\$27,103)	\$0	(\$27,103)
FTE	0.00	0.00	0.00

<sup>1</sup> Funding for employee health insurance premiums is adjusted to reflect the revised premium estimate of \$1,130.22 per month.

<sup>2</sup> Funding provided in the accrued leave line item is moved to the salaries and wages line item.

This amendment also adds a section to provide for a Legislative Management study of the use of bonding to finance state building, road, and water construction projects.

Date: 4-2-15  
Roll Call Vote #: 1

2015 SENATE STANDING COMMITTEE  
ROLL CALL VOTES  
BILL/RESOLUTION NO. 1001

Senate Appropriations Committee

Subcommittee

Amendment LC# or Description: 15.8007.02001

Recommendation:  Adopt Amendment  
 Do Pass     Do Not Pass     Without Committee Recommendation  
 As Amended     Rerefer to Appropriations  
 Place on Consent Calendar  
Other Actions:  Reconsider     \_\_\_\_\_

Motion Made By O'Connell    Seconded By Krebsbach

Senators	Yes	No	Senators	Yes	No
Chairman Holmberg			Senator Heckaman		
Senator Bowman			Senator Mathern		
Senator Krebsbach			Senator O'Connell		
Senator Carlisle			Senator Robinson		
Senator Sorvaag					
Senator G. Lee					
Senator Kilzer					
Senator Erbele					
Senator Wanzek					

Total (Yes) \_\_\_\_\_ No \_\_\_\_\_

Absent \_\_\_\_\_

Floor Assignment \_\_\_\_\_

If the vote is on an amendment, briefly indicate intent:

*Voice Vote Carried*

Date: 4-2-15  
 Roll Call Vote #: 2

**2015 SENATE STANDING COMMITTEE  
 ROLL CALL VOTES  
 BILL/RESOLUTION NO. 1001**

Senate Appropriations Committee

Subcommittee

Amendment LC# or Description: \_\_\_\_\_

- Recommendation:  Adopt Amendment  
 Do Pass     Do Not Pass     Without Committee Recommendation  
 As Amended     Rerefer to Appropriations  
 Place on Consent Calendar  
 Other Actions:  Reconsider     \_\_\_\_\_

Motion Made By Krebsbach    Seconded By O'Connell

Senators	Yes	No	Senators	Yes	No
Chairman Holmberg	✓		Senator Heckaman	✓	
Senator Bowman	✓		Senator Mathern	✓	
Senator Krebsbach	✓		Senator O'Connell	✓	
Senator Carlisle	✓		Senator Robinson	✓	
Senator Sorvaag	✓				
Senator G. Lee	✓				
Senator Kilzer	✓				
Senator Erbele	✓				
Senator Wanzek	✓				

Total (Yes) 13    No 0

Absent 0

Floor Assignment Holmberg

If the vote is on an amendment, briefly indicate intent:

**REPORT OF STANDING COMMITTEE**

**HB 1001, as engrossed: Appropriations Committee (Sen. Holmberg, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (13 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). Engrossed HB 1001 was placed on the Sixth order on the calendar.

Page 1, line 4, after the semicolon insert "to provide for a legislative management study;"

Page 1, replace lines 17 through 21 with:

"Salaries and wages	\$9,205,759	\$811,614	\$10,017,373
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Total general fund	\$542,000	\$1,544,810"

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Re-number accordingly

**STATEMENT OF PURPOSE OF AMENDMENT:**

**House Bill No. 1001 - Summary of Senate Action**

Base Budget	House Version	Senate Changes	Senate Version
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Legislative Assembly				
Total all funds	\$13,379,971	\$15,500,927	\$224,440	\$15,725,367
Less estimated income	0	0	0	0
General fund	\$13,379,971	\$15,500,927	\$224,440	\$15,725,367
Legislative Council				
Total all funds	\$12,557,474	\$13,086,236	(\$27,103)	\$13,059,133
Less estimated income	69,999	70,000	0	70,000
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Less estimated income	0	0	0	0
General fund	\$13,379,971	\$15,500,927	\$224,440	\$15,725,367
FTE	0.00	0.00	0.00	0.00

**Department No. 150 - Legislative Assembly - Detail of Senate Changes**

	Adjusts Funding for Health Insurance Premium Increases <sup>1</sup>	Adds One-Time Funding for Committee Room Renovations <sup>2</sup>	Total Senate Changes
Salaries and wages	(\$175,560)		(\$175,560)
Operating expenses			
Capital assets		400,000	400,000
National conf of state legislatures			
Total all funds	(\$175,560)	\$400,000	\$224,440
Less estimated income	0	0	0
General fund	(\$175,560)	\$400,000	\$224,440
FTE	0.00	0.00	0.00

<sup>1</sup> Funding for employee health insurance premiums is adjusted to reflect the revised premium estimate of \$1,130.22 per month.

<sup>2</sup> One-time funding is added for committee room renovations.

**House Bill No. 1001 - Legislative Council - Senate Action**

	Base Budget	House Version	Senate Changes	Senate Version
Salaries and wages	\$8,660,860	\$9,425,957	\$120,740	\$9,546,697
Operating expenses	3,753,527	3,482,436		3,482,436
Capital assets		30,000		30,000
Accrued leave payments	143,087	147,843	(147,843)	
Total all funds	\$12,557,474	\$13,086,236	(\$27,103)	\$13,059,133
Less estimated income	69,999	70,000	0	70,000
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FTE	37.00	37.00	0.00	37.00

Department No. 160 - Legislative Council - Detail of Senate Changes

	Adjusts Funding for Health Insurance Premium Increases <sup>1</sup>	Moves Funding for Accrued Leave <sup>2</sup>	Total Senate Changes
Salaries and wages	(\$27,103)	\$147,843	\$120,740
Operating expenses			
Capital assets			
Accrued leave payments		(147,843)	(147,843)
Total all funds	(\$27,103)	\$0	(\$27,103)
Less estimated income	0	0	0
General fund	(\$27,103)	\$0	(\$27,103)
FTE	0.00	0.00	0.00

<sup>1</sup> Funding for employee health insurance premiums is adjusted to reflect the revised premium estimate of \$1,130.22 per month.

<sup>2</sup> Funding provided in the accrued leave line item is moved to the salaries and wages line item.

This amendment also adds a section to provide for a Legislative Management study of the use of bonding to finance state building, road, and water construction projects.

**2015 CONFERENCE COMMITTEE**

**HB 1001**

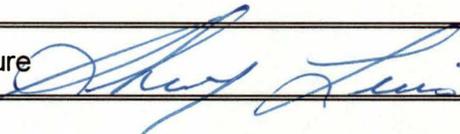
# 2015 HOUSE STANDING COMMITTEE MINUTES

Appropriations Committee - Government Operations Division  
Medora Room, State Capitol

HB1001  
4/15/2015  
Recording Job# 26140

Subcommittee  
 Conference Committee

Committee Clerk Signature



## Explanation or reason for introduction of bill/resolution:

A BILL for an Act providing an appropriation for defraying the expenses of the legislative branch of state government; to provide for applications, transfers, and cancellation of unexpended appropriations; to amend and reenact sections 54-03-20 and 54-35-10 of the North Dakota Century Code, relating to legislative compensation; to provide an effective date; and to declare an emergency.

## Minutes:

See attachment A.

**Chairman Vigesaa:** Opened the conference committee.

**Senator Holmberg:** Explained changes made to HB1001.

**Chairman Vigesaa:** When we had the hearing initially, Mr. Smith indicated that there are these things that pop up from time to time. They have carryover of about \$217,000.00; and so we had removed the funding initially because we were in that mode where we were trying to reduce the capital expenditures. There's about a \$320,000.00 appropriation that's going into the OMB budget to handle something that popped up during this session. Would any number lower than that be acceptable to the Senate?

**Representative Thoreson:** I'm not sure if you were aware of the changes that were made to SB2015.

**Representative Hogan:** Does this funding come through facilities management? Is this a free standing appropriation?

**Senator Holmberg:** It comes through the legislative council for upkeep and work in this area of the building.

**Representative Thoreson:** We're looking for places throughout budgets as we go forward making adjustments and those facilities do need some updating.

**Chairman Vigesaa:** Sitting on the legislative procedures and arrangements committee, this is one of the things that we talk about when we gather. I know Representative Carlson is very consistent that our wing is updated.

**Senator Bowman:** We need to continue to upgrade and update because it doesn't take long for inflation to take care of the extra money. If we do so much every two years, we're always going to have a nice facility to be proud of. If we wait two or three bienniums and we then we don't have the money to do it, then we're really in trouble.

**Representative Thoreson:** I think at some point we need to look at the space needs for the legislative assembly; especially with committee rooms. If you go into some of these committees, they're nice rooms but there's really never a case where it's not standing room only. At some point if there is a way to possible reconfigure some of those rooms to have some more space for the general public, or doing video.

**Chairman Vigesaa:** I want to point out one major project that was completed during this legislative session, there was a shield that was put over that particular cooling because Representative Brandenburg had to wear his coat during committee; it was so cold.

**Senator Heckaman:** In legislative procedures and arrangements or in the council is there a list of priorities of projects that need to be done? Has it been prioritized someplace along the way?

**Chairman Vigesaa:** Not to my knowledge. As a committee we have not set any priorities as far as projects.

**Jim Smith, Director, ND Legislative Council:** We work with legislative procedures and arrangements for all these kinds of improvements. We bring to the committee various projects that we see and get their approval; we don't have a list of things that haven't been completed other than the ones I've talked about in presentations to both appropriations committees. We develop a list at the start of the interim, bring it before the LP committee and decide how much work can be accomplished during an interim.

**Chairman Vigesaa:** Does anyone have any questions about the study that was added?

**Representative Thoreson:** Could we have some explanation by the Senate? I do notice that it is a mandatory study; not permissive language.

**Senator Holmberg:** I noticed that this was a mandatory study. If we were going to make any amendments to this bill I would support changing the language so that it gives legislative management the option; when you look at all the different studies that come in, rather than putting this particular one at the head of the line.

**Representative Thoreson:** So something like shall consider studying?

**Senator Holmberg:** Yes.

**Chairman Vigesaa:** Any questions about the study itself; what the goal is?

**Representative Thoreson:** We can read it and it may be worthwhile. I would be comfortable with the language otherwise.

**Chairman Vigesaa:** Any objections to agreeing with the Senate on the changes they made?

**Representative Thoreson:** I think I would like to see that change to make the study permissive language.

**Chairman Vigesaa:** See attachment A.

**Senator Holmberg:** You'll find the training that legislative council people get makes them a very valuable commodity to the headhunters that may be looking. I think this gives the director some flexibility that he needs to react to the market here.

**Senator Holmberg:** Made a motion that the Senate receded from its amendments and further amended to put in the Senate amendments plus the suggestion that it be a "consider" study and then add this amendment in.

**Senator Bowman:** Seconded the motion.

Roll call vote 6 Yeas 0 Nays 0 Absent

Representative Vigesaa and Senator Holmberg carried the bill.

**Chairman Vigesaa:** Closed the conference committee.

SLC  
4/20/15  
1/4

PROPOSED AMENDMENTS TO ENGROSSED HOUSE BILL NO. 1001

That the Senate recede from its amendments as printed on pages 1422-1424 of the House Journal and pages 1143-1145 of the Senate Journal and that Engrossed House Bill No. 1001 be amended as follows:

Page 1, line 3, after "54-03-20" insert ", 54-35-06,"

Page 1, line 4, after "compensation" insert "and expenditures"

Page 1, line 4, after the semicolon insert "to provide for a legislative management study;"

Page 1, replace lines 17 through 21 with:

"Salaries and wages	\$9,205,759	\$811,614	\$10,017,373
Operating expenses	3,940,926	1,109,005	5,049,931
Capital assets	0	416,800	416,800
National conference of state legislatures	<u>233,286</u>	<u>7,977</u>	<u>241,263</u>
Total general fund	\$13,379,971	\$2,345,396	\$15,725,367"

Page 2, replace lines 3 through 10 with:

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Accrued leave payments	143,087	(143,087)	0
Operating expenses	3,753,527	(271,091)	3,482,436
Capital assets	<u>0</u>	<u>30,000</u>	<u>30,000</u>
Total all funds	\$12,557,474	\$501,659	\$13,059,133
Less estimated income	<u>69,999</u>	<u>1</u>	<u>70,000</u>
Total general fund	\$12,487,475	\$501,658	\$12,989,133
Full-time equivalent positions	37.00	0.00	37.00"

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"Grand total general fund	\$25,867,446	\$2,847,054	\$28,714,500
Grand total special funds	<u>69,999</u>	<u>1</u>	<u>70,000</u>
Grand total all funds	\$25,937,445	\$2,847,055	\$28,784,500"

Page 2, replace lines 24 through 29 with:

"Legislative wing equipment and improvements	\$500,000	\$400,000
Information technology projects	42,000	0
Information technology equipment	0	603,050
LEGEND maintenance	0	191,760
Council of State Governments conference	<u>0</u>	<u>350,000</u>
Total general fund	\$542,000	\$1,544,810"

Page 9, after line 18, insert:

**"SECTION 8. AMENDMENT.** Section 54-35-06 of the North Dakota Century Code is amended and reenacted as follows:

2/4

**54-35-06. Officers - Accept funds - Expenditures.**

The legislative management shall select a chairman and a vice chairman from its own members and may prescribe its own rules of procedure. The legislative management may appoint a secretary who need not be a member, and shall appoint a director who must be in charge of the legislative council and who must be paid such salary as the legislative management may determine. The director may employ such persons and obtain the assistance of such research agencies as determined necessary. The director may use available funds for salary adjustments to assist with staff recruitment, retention, and recognition of exceptional performance. The legislative management and the legislative council may accept and use any funds made available through the terms of any agreement made with any agency whatsoever for the accomplishment of the purpose of this chapter. Expenditures of funds made available by legislative appropriation must be made in accordance with rules or motions duly approved by the legislative management."

Page 10, after line 17, insert:

**"SECTION 11. LEGISLATIVE MANAGEMENT STUDY - FINANCING STATE CONSTRUCTION PROJECTS.** During the 2015-16 interim, the legislative management shall consider studying the use of bonding to finance state building, road, and water construction projects. If conducted, the study must include consideration of the effect that financing state construction projects with existing oil revenue has had on both the construction industry and the oil and gas industry. The legislative management shall report its findings and recommendations, together with any legislation required to implement the recommendations, to the sixty-fifth legislative assembly."

Page 10, line 18, replace "8" with "9"

Page 10, line 19, replace "9" with "10"

Re-number accordingly

**STATEMENT OF PURPOSE OF AMENDMENT:**

**House Bill No. 1001 - Summary of Conference Committee Action**

	Base Budget	House Version	Conference Committee Changes	Conference Committee Version	Senate Version	Comparison to Senate
Legislative Assembly						
Total all funds	\$13,379,971	\$15,500,927	\$224,440	\$15,725,367	\$15,725,367	\$0
Less estimated income	0	0	0	0	0	0
General fund	\$13,379,971	\$15,500,927	\$224,440	\$15,725,367	\$15,725,367	\$0
Legislative Council						
Total all funds	\$12,557,474	\$13,086,236	(\$27,103)	\$13,059,133	\$13,059,133	\$0
Less estimated income	69,999	70,000	0	70,000	70,000	0
General fund	\$12,487,475	\$13,016,236	(\$27,103)	\$12,989,133	\$12,989,133	\$0
Bill total						
Total all funds	\$25,937,445	\$28,587,163	\$197,337	\$28,784,500	\$28,784,500	\$0
Less estimated income	69,999	70,000	0	70,000	70,000	0
General fund	\$25,867,446	\$28,517,163	\$197,337	\$28,714,500	\$28,714,500	\$0

**House Bill No. 1001 - Legislative Assembly - Conference Committee Action**

	Base Budget	House Version	Conference Committee Changes	Conference Committee Version	Senate Version	Comparison to Senate
Salaries and wages	\$9,205,759	\$10,192,933	(\$175,560)	\$10,017,373	\$10,017,373	

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Operating expenses	3,940,926	5,049,931		5,049,931	5,049,931	
Capital assets		16,800	400,000	416,800	416,800	
National conf of state legislatures	233,286	241,263		241,263	241,263	
<b>Total all funds</b>	<b>\$13,379,971</b>	<b>\$15,500,927</b>	<b>\$224,440</b>	<b>\$15,725,367</b>	<b>\$15,725,367</b>	<b>\$0</b>
Less estimated income	0	0	0	0	0	0
<b>General fund</b>	<b>\$13,379,971</b>	<b>\$15,500,927</b>	<b>\$224,440</b>	<b>\$15,725,367</b>	<b>\$15,725,367</b>	<b>\$0</b>
FTE	0.00	0.00	0.00	0.00	0.00	0.00

**Department No. 150 - Legislative Assembly - Detail of Conference Committee Changes**

	Adjusts Funding for Health Insurance Premium Increases <sup>1</sup>	Adds One-Time Funding for Committee Room Renovations <sup>2</sup>	Total Conference Committee Changes
Salaries and wages	(\$175,560)		(\$175,560)
Operating expenses			
Capital assets		400,000	400,000
National conf of state legislatures			
<b>Total all funds</b>	<b>(\$175,560)</b>	<b>\$400,000</b>	<b>\$224,440</b>
Less estimated income	0	0	0
<b>General fund</b>	<b>(\$175,560)</b>	<b>\$400,000</b>	<b>\$224,440</b>
FTE	0.00	0.00	0.00

<sup>1</sup> Funding for employee health insurance premiums is adjusted to reflect the revised premium estimate of \$1,130.22 per month.

<sup>2</sup> One-time funding is added for committee room renovations.

**House Bill No. 1001 - Legislative Council - Conference Committee Action**

	Base Budget	House Version	Conference Committee Changes	Conference Committee Version	Senate Version	Comparison to Senate
Salaries and wages	\$8,660,860	\$9,425,957	\$120,740	\$9,546,697	\$9,546,697	
Operating expenses	3,753,527	3,482,436		3,482,436	3,482,436	
Capital assets		30,000		30,000	30,000	
Accrued leave payments	143,087	147,843	(147,843)			
<b>Total all funds</b>	<b>\$12,557,474</b>	<b>\$13,086,236</b>	<b>(\$27,103)</b>	<b>\$13,059,133</b>	<b>\$13,059,133</b>	<b>\$0</b>
Less estimated income	69,999	70,000	0	70,000	70,000	0
<b>General fund</b>	<b>\$12,487,475</b>	<b>\$13,016,236</b>	<b>(\$27,103)</b>	<b>\$12,989,133</b>	<b>\$12,989,133</b>	<b>\$0</b>
FTE	37.00	37.00	0.00	37.00	37.00	0.00

**Department No. 160 - Legislative Council - Detail of Conference Committee Changes**

	Adjusts Funding for Health Insurance Premium Increases <sup>1</sup>	Moves Funding for Accrued Leave <sup>2</sup>	Total Conference Committee Changes
Salaries and wages	(\$27,103)	\$147,843	\$120,740
Operating expenses			
Capital assets			
Accrued leave payments		(147,843)	(147,843)

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Total all funds	(\$27,103)	\$0	(\$27,103)
Less estimated income	0	0	0
General fund	(\$27,103)	\$0	(\$27,103)
FTE	0.00	0.00	0.00

<sup>1</sup> Funding for employee health insurance premiums is adjusted to reflect the revised premium estimate of \$1,130.22 per month.

<sup>2</sup> Funding provided in the accrued leave line item is moved to the salaries and wages line item.

This amendment also adds sections to:

- Amendment Section 54-35-06 relating to Legislative Council expenditures; and
- Provide a section to provide for a Legislative Management study of the use of bonding to finance state building, road, and water construction projects.

**2015 HOUSE CONFERENCE COMMITTEE  
 ROLL CALL VOTES**

BILL/RESOLUTION NO. HB1001 as (re) engrossed

**House Government Operations Committee**

- Action Taken
- HOUSE accede to Senate Amendments
  - HOUSE accede to Senate Amendments and further amend
  - SENATE recede from Senate amendments
  - SENATE recede from Senate amendments and amend as follows
  - Unable to agree, recommends that the committee be discharged and a new committee be appointed

Motion Made by: Senator Holmberg Seconded by: Senator Bowman

Representatives				Yes	No	Senators				Yes	No
Chairman Vigesaa				x		Senator Holmberg				x	
Rep Thoreson				x		Senator Bowman				x	
Rep Hogan				x		Senator Heckaman				x	
Total Rep. Vote				3		Total Senate Vote				3	

Vote Count Yes: 6 No: 0 Absent: 0

House Carrier Representative Vigesaa Senate Carrier Senator Holmberg

LC Number 15,8007 . 02003 of amendment

LC Number .04000 . \_\_\_\_\_ of engrossment

Emergency clause added or deleted

Statement of purpose of amendment - Change the wording of the study to shall consider

**REPORT OF CONFERENCE COMMITTEE**

**HB 1001, as engrossed:** Your conference committee (Sens. Holmberg, Bowman, Heckaman and Reps. Vigesaa, Thoreson, Hogan) recommends that the **SENATE RECEDE** from the Senate amendments as printed on HJ pages 1422-1424, adopt amendments as follows, and place HB 1001 on the Seventh order:

That the Senate recede from its amendments as printed on pages 1422-1424 of the House Journal and pages 1143-1145 of the Senate Journal and that Engrossed House Bill No. 1001 be amended as follows:

Page 1, line 3, after "54-03-20" insert ", 54-35-06,"

Page 1, line 4, after "compensation" insert "and expenditures"

Page 1, line 4, after the semicolon insert "to provide for a legislative management study;"

Page 1, replace lines 17 through 21 with:

"Salaries and wages	\$9,205,759	\$811,614	\$10,017,373
Operating expenses	3,940,926	1,109,005	5,049,931
Capital assets	0	416,800	416,800
National conference of state legislatures	<u>233,286</u>	<u>7,977</u>	<u>241,263</u>
Total general fund	\$13,379,971	\$2,345,396	\$15,725,367"

Page 2, replace lines 3 through 10 with:

"Salaries and wages	\$8,660,860	\$885,837	\$9,546,697
Accrued leave payments	143,087	(143,087)	0
Operating expenses	3,753,527	(271,091)	3,482,436
Capital assets	0	<u>30,000</u>	<u>30,000</u>
Total all funds	\$12,557,474	\$501,659	\$13,059,133
Less estimated income	<u>69,999</u>	<u>1</u>	<u>70,000</u>
Total general fund	\$12,487,475	\$501,658	\$12,989,133
Full-time equivalent positions	37.00	0.00	37.00"

Page 2, replace lines 15 through 17 with:

"Grand total general fund	\$25,867,446	\$2,847,054	\$28,714,500
Grand total special funds	<u>69,999</u>	<u>1</u>	<u>70,000</u>
Grand total all funds	\$25,937,445	\$2,847,055	\$28,784,500"

Page 2, replace lines 24 through 29 with:

"Legislative wing equipment and improvements	\$500,000	\$400,000
Information technology projects	42,000	0
Information technology equipment	0	603,050
LEGEND maintenance	0	191,760
Council of State Governments conference	<u>0</u>	<u>350,000</u>
Total general fund	\$542,000	\$1,544,810"

Page 9, after line 18, insert:

**"SECTION 8. AMENDMENT.** Section 54-35-06 of the North Dakota Century Code is amended and reenacted as follows:

**54-35-06. Officers - Accept funds - Expenditures.**

The legislative management shall select a chairman and a vice chairman from its own members and may prescribe its own rules of procedure. The legislative management may appoint a secretary who need not be a member, and shall appoint a director who must be in charge of the legislative council and who must be paid

such salary as the legislative management may determine. The director may employ such persons and obtain the assistance of such research agencies as determined necessary. The director may use available funds for salary adjustments to assist with staff recruitment, retention, and recognition of exceptional performance. The legislative management and the legislative council may accept and use any funds made available through the terms of any agreement made with any agency whatsoever for the accomplishment of the purpose of this chapter. Expenditures of funds made available by legislative appropriation must be made in accordance with rules or motions duly approved by the legislative management."

Page 10, after line 17, insert:

**"SECTION 11. LEGISLATIVE MANAGEMENT STUDY - FINANCING STATE CONSTRUCTION PROJECTS.** During the 2015-16 interim, the legislative management shall consider studying the use of bonding to finance state building, road, and water construction projects. If conducted, the study must include consideration of the effect that financing state construction projects with existing oil revenue has had on both the construction industry and the oil and gas industry. The legislative management shall report its findings and recommendations, together with any legislation required to implement the recommendations, to the sixty-fifth legislative assembly."

Page 10, line 18, replace "8" with "9"

Page 10, line 19, replace "9" with "10"

Renumber accordingly

**STATEMENT OF PURPOSE OF AMENDMENT:**

**House Bill No. 1001 - Summary of Conference Committee Action**

	Base Budget	House Version	Conference Committee Changes	Conference Committee Version	Senate Version	Comparison to Senate
Legislative Assembly						
Total all funds	\$13,379,971	\$15,500,927	\$224,440	\$15,725,367	\$15,725,367	\$0
Less estimated income	0	0	0	0	0	0
General fund	\$13,379,971	\$15,500,927	\$224,440	\$15,725,367	\$15,725,367	\$0
Legislative Council						
Total all funds	\$12,557,474	\$13,086,236	(\$27,103)	\$13,059,133	\$13,059,133	\$0
Less estimated income	69,999	70,000	0	70,000	70,000	0
General fund	\$12,487,475	\$13,016,236	(\$27,103)	\$12,989,133	\$12,989,133	\$0
Bill total						
Total all funds	\$25,937,445	\$28,587,163	\$197,337	\$28,784,500	\$28,784,500	\$0
Less estimated income	69,999	70,000	0	70,000	70,000	0
General fund	\$25,867,446	\$28,517,163	\$197,337	\$28,714,500	\$28,714,500	\$0

**House Bill No. 1001 - Legislative Assembly - Conference Committee Action**

	Base Budget	House Version	Conference Committee Changes	Conference Committee Version	Senate Version	Comparison to Senate
Salaries and wages	\$9,205,759	\$10,192,933	(\$175,560)	\$10,017,373	\$10,017,373	
Operating expenses	3,940,926	5,049,931		5,049,931	5,049,931	
Capital assets		16,800	400,000	416,800	416,800	
National conf of state legislatures	233,286	241,263		241,263	241,263	
Total all funds	\$13,379,971	\$15,500,927	\$224,440	\$15,725,367	\$15,725,367	\$0
Less estimated income	0	0	0	0	0	0
General fund	\$13,379,971	\$15,500,927	\$224,440	\$15,725,367	\$15,725,367	\$0
FTE	0.00	0.00	0.00	0.00	0.00	0.00

**Department No. 150 - Legislative Assembly - Detail of Conference Committee Changes**

	Adjusts Funding for Health Insurance Premium Increases <sup>1</sup>	Adds One-Time Funding for Committee Room Renovations <sup>2</sup>	Total Conference Committee Changes
Salaries and wages	(\$175,560)		(\$175,560)
Operating expenses			
Capital assets		400,000	400,000
National conf of state legislatures			
<b>Total all funds</b>	<b>(\$175,560)</b>	<b>\$400,000</b>	<b>\$224,440</b>
Less estimated income	0	0	0
<b>General fund</b>	<b>(\$175,560)</b>	<b>\$400,000</b>	<b>\$224,440</b>
FTE	0.00	0.00	0.00

<sup>1</sup> Funding for employee health insurance premiums is adjusted to reflect the revised premium estimate of \$1,130.22 per month.

<sup>2</sup> One-time funding is added for committee room renovations.

**House Bill No. 1001 - Legislative Council - Conference Committee Action**

	Base Budget	House Version	Conference Committee Changes	Conference Committee Version	Senate Version	Comparison to Senate
Salaries and wages	\$8,660,860	\$9,425,957	\$120,740	\$9,546,697	\$9,546,697	
Operating expenses	3,753,527	3,482,436		3,482,436	3,482,436	
Capital assets		30,000		30,000	30,000	
Accrued leave payments	143,087	147,843	(147,843)			
<b>Total all funds</b>	<b>\$12,557,474</b>	<b>\$13,086,236</b>	<b>(\$27,103)</b>	<b>\$13,059,133</b>	<b>\$13,059,133</b>	<b>\$0</b>
Less estimated income	69,999	70,000	0	70,000	70,000	0
<b>General fund</b>	<b>\$12,487,475</b>	<b>\$13,016,236</b>	<b>(\$27,103)</b>	<b>\$12,989,133</b>	<b>\$12,989,133</b>	<b>\$0</b>
FTE	37.00	37.00	0.00	37.00	37.00	0.00

**Department No. 160 - Legislative Council - Detail of Conference Committee Changes**

	Adjusts Funding for Health Insurance Premium Increases <sup>1</sup>	Moves Funding for Accrued Leave <sup>2</sup>	Total Conference Committee Changes
Salaries and wages	(\$27,103)	\$147,843	\$120,740
Operating expenses			
Capital assets			
Accrued leave payments		(147,843)	(147,843)
<b>Total all funds</b>	<b>(\$27,103)</b>	<b>\$0</b>	<b>(\$27,103)</b>
Less estimated income	0	0	0
<b>General fund</b>	<b>(\$27,103)</b>	<b>\$0</b>	<b>(\$27,103)</b>
FTE	0.00	0.00	0.00

<sup>1</sup> Funding for employee health insurance premiums is adjusted to reflect the revised premium estimate of \$1,130.22 per month.

<sup>2</sup> Funding provided in the accrued leave line item is moved to the salaries and wages line

item.

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This amendment also adds sections to:

- Amendment Section 54-35-06 relating to Legislative Council expenditures; and
- Provide a section to provide for a Legislative Management study of the use of bonding to finance state building, road, and water construction projects.

Engrossed HB 1001 was placed on the Seventh order of business on the calendar.

**2015 TESTIMONY**

**HB 1001**

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

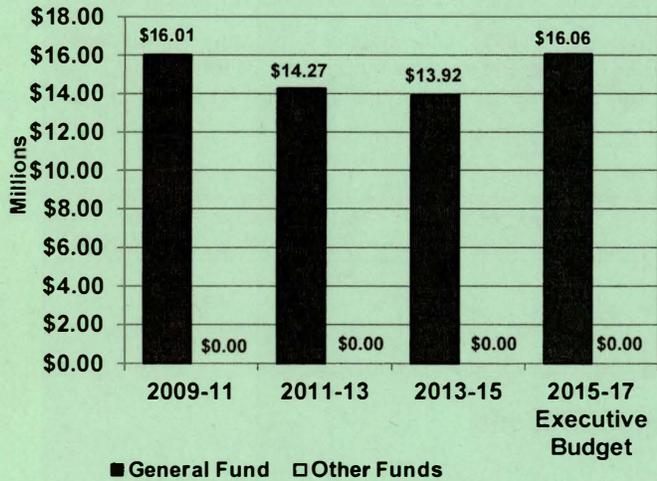
**Executive Budget Comparison to Prior Biennium Appropriations**

	FTE Positions	General Fund	Other Funds	Total
2015-17 Executive Budget	0.00	\$16,056,565	\$0	\$16,056,565
2013-15 Legislative Appropriations	0.00	13,921,971	0	13,921,971
Increase (Decrease)	0.00	\$2,134,594	\$0	\$2,134,594

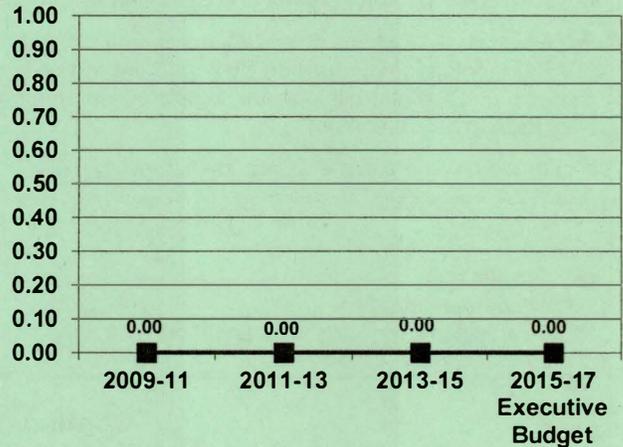
**Ongoing and One-Time General Fund Appropriations**

	Ongoing General Fund Appropriation	One-Time General Fund Appropriation	Total General Fund Appropriation
2015-17 Executive Budget	\$14,411,755	\$1,644,810	\$16,056,565
2013-15 Legislative Appropriations	13,379,971	542,000	13,921,971
Increase (Decrease)	\$1,031,784	\$1,102,810	\$2,134,594

**Agency Funding**



**FTE Positions**



**Executive Budget Comparison to Base Level**

	General Fund	Other Funds	Total
2015-17 Executive Budget	\$16,056,565	\$0	\$16,056,565
2015-17 Base Level	13,379,971	0	13,379,971
Increase (Decrease)	\$2,676,594	\$0	\$2,676,594

Attached as an appendix is a detailed comparison of the executive budget to the agency's base level appropriations.

**Executive Budget Highlights**

	General Fund	Other Funds	Total
1. Provides funding for proposed legislators' monthly compensation adjustments of 4 percent in the first year and 3 percent in the second year of the biennium, from \$467 to \$486 effective July 2015 and to \$501 effective July 2016	\$96,536	\$0	\$96,536
2. Provides funding for proposed additional monthly compensation for legislative leaders adjustments of 4 percent in the first year and 3 percent in the second year of the biennium, from \$335 to \$348 effective July 2015 and to \$358 effective July 2016	\$10,980	\$0	\$10,980
3. Provides funding for proposed legislative compensation for regular and organizational sessions of 4 percent in the first year and 3 percent in the second year of the biennium, from \$167 per day to \$174 per day effective July 2015 and to \$179 per day effective July 2016	\$211,287	\$0	\$211,287

4. Adds funding for legislators' health insurance coverage, including an increase in health insurance premiums from \$1,002 per month to \$1,185 per month	\$657,154	\$0	\$657,154
5. Adds funding for increasing the maximum monthly lodging expense reimbursement to \$1,680 anticipated for the 2017 legislative session	\$84,520	\$0	\$84,520
6. Adds <b>one-time funding</b> for computer and iPad replacement	\$603,050	\$0	\$603,050
7. Adds <b>one-time funding</b> for committee room renovations	\$500,000	\$0	\$500,000
8. Adds <b>one-time funding</b> for LEGEND core maintenance upgrades	\$191,760	\$0	\$191,760
9. Adds <b>one-time funding</b> for the 2015 Council of State Governments Midwest Conference	\$350,000	\$0	\$350,000

### Other Sections in Bill

**Transfers** - Section 4 allows transfers of funds between line items of appropriations for the Legislative Assembly and Legislative Council as requested by the Chairman of the Legislative Management.

**Continuation of appropriation authority** - Section 5 provides that the unspent funds appropriated for the Legislative Assembly and the Legislative Council for the 2013-15 biennium be continued and that unexpended appropriations enacted prior to the 2013-15 biennium may be cancelled as directed by the Chairman of the Legislative Management.

**Compensation** - Sections 6 and 7 increase legislators' daily pay during legislative sessions, monthly compensation, and additional monthly compensation by 4 percent in the first year and 3 percent in the second year of the 2015-17 biennium. Sections 8 and 9 of the bill increase legislator's interim meeting pay by 4 percent in the first year and 3 percent in the second year of the 2015-17 biennium.

The compensation adjustments are as follows:

	Current Compensation Rate	Rate Effective July 1, 2015	Rate Effective July 1, 2016
Daily session pay	\$167	\$174	\$179
Monthly compensation	\$467	\$486	\$501
Leaders' additional monthly compensation	\$335	\$348	\$358
Interim meeting pay	\$167	\$174	\$179

### Continuing Appropriations

There are no continuing appropriations for the Legislative Assembly.

### Significant Audit Findings

There are no significant audit findings for the Legislative Assembly.

### Major Related Legislation

**House Bill No. 1199** - Relates to housing reimbursement for members of the Legislative Assembly.

**House Bill No. 1342** - Requires the Legislative Assembly convene for 60 days in odd-numbered years and 20 days in even-numbered years.

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

	<u>Executive Budget Recommendation</u>			
	FTE Positions	General Fund	Other Funds	Total
<b>2015-17 Biennium Base Level</b>	0.00	\$13,379,971	\$0	\$13,379,971
<b>2015-17 Ongoing Funding Changes</b>				
Base payroll changes		\$66,855		\$66,855
Health insurance increase		657,154		657,154
Adjusts legislators' monthly compensation		96,536		96,536
Adjusts additional monthly compensation for legislative leaders		10,980		10,980
Adjusts legislative compensation for regular and organizational sessions		211,287		211,287
Increases funding for monthly lodging expense reimbursement		84,520		84,520
Cost to continue		(95,548)		(95,548)
<b>Total ongoing funding changes</b>	0.00	\$1,031,784	\$0	\$1,031,784
<b>One-time funding items</b>				
One-time funding for computer and iPad replacement		\$603,050		\$603,050
One-time funding for LEGEND core maintenance upgrades		191,760		191,760
One-time funding for committee room renovation		500,000		500,000
One-time funding for the CSG Midwest Conference		350,000		350,000
<b>Total one-time funding changes</b>	0.00	\$1,644,810	\$0	\$1,644,810
<b>Total Changes to Base Level Funding</b>	0.00	\$2,676,594	\$0	\$2,676,594
<b>2015-17 Total Funding</b>	0.00	\$16,056,565	\$0	\$16,056,565

**Other Sections in House Bill No. 1001**

	<u>Executive Budget Recommendation</u>
Transfers	Section 4 allows transfers of funds between line items of appropriations for the Legislative Assembly and Legislative Council as requested by the Chairman of the Legislative Management.
Continuation of appropriation authority	Section 5 provides that the unspent funds appropriated for the Legislative Assembly and the Legislative Council for the 2013-15 biennium be continued and that unexpended appropriations enacted prior to the 2013-15 biennium may be cancelled as directed by the Chairman of the Legislative Management.
Compensation	Sections 6 and 7 increase legislators' daily pay during legislative sessions, monthly compensation, and additional monthly compensation by 4 percent in the first year and 3 percent in the second year of the 2015-17 biennium. Sections 8 and 9 of the bill increase legislator's interim meeting pay by 4 percent in the first year and 3 percent in the second year of the 2015-17 biennium.

**Legislative Council - Budget No. 160**  
**House Bill No. 1001**  
**Base Level Funding Changes**

	Executive Budget Recommendation				House Version				House Changes to Executive Recommendation			
	FTE Positions	General Fund	Other Funds	Total	FTE Positions	General Fund	Other Funds	Total	FTE Positions	General Fund	Other Funds	Total
<b>2015-17 Biennium Base Level</b>	37.00	\$12,487,475	\$69,999	\$12,557,474	37.00	\$12,487,475	\$69,999	\$12,557,474	0.00	\$0	\$0	\$0
<b>2015-17 Ongoing Funding Changes</b>												
Base payroll changes		\$114,792	\$1	\$114,793	\$114,792	\$1	\$114,793					\$0
Salary increase - Performance		417,774		417,774	312,460		312,460		(105,314)			(105,314)
Removes market equity salary funding				0	(100,000)		(100,000)		(100,000)			(100,000)
Retirement contribution increase		44,634		44,634			0		(44,634)			(44,634)
Health insurance increase		155,442		155,442	155,442		155,442					0
Increase legislator per diem		34,594		34,594	27,158		27,158		(7,436)			(7,436)
Changes for committee meetings and other travel		66,167		66,167	66,167		66,167					0
Cost to continue		(262,718)		(262,718)	(262,718)		(262,718)					0
				0			0					0
<b>Total ongoing funding changes</b>	0.00	\$570,685	\$1	\$570,686	0.00	\$313,301	\$1	\$313,302	0.00	(\$257,384)	\$0	(\$257,384)
<b>One-time funding items</b>												
Office equipment replacement		\$30,000		\$30,000	\$30,000		\$30,000		\$0			\$0
Desktop computer, monitor, and iPad replacement		135,460		135,460	135,460		135,460		0			0
Office improvements		50,000		50,000	50,000		50,000		0			0
<b>Total one-time funding changes</b>	0.00	\$215,460	\$0	\$215,460	0.00	\$215,460	\$0	\$215,460	0.00	\$0	\$0	\$0
<b>Total Changes to Base Level Funding</b>	0.00	\$786,145	\$1	\$786,146	0.00	\$528,761	\$1	\$528,762	0.00	(\$257,384)	\$0	(\$257,384)
<b>2015-17 Total Funding</b>	37.00	\$13,273,620	\$70,000	\$13,343,620	37.00	\$13,016,236	\$70,000	\$13,086,236	0.00	(\$257,384)	\$0	(\$257,384)

**Other Sections in House Bill No. 1001**

	Executive Budget Recommendation	House Version
Transfers	Section 4 allows transfers of funds between line items of appropriations for the Legislative Assembly and Legislative Council as requested by the Chairman of the Legislative Management.	Section 4 allows transfers of funds between line items of appropriations for the Legislative Assembly and Legislative Council as requested by the Chairman of the Legislative Management.
Continuation of appropriation authority	Section 5 provides that the unspent funds appropriated for the Legislative Assembly and the Legislative Council for the 2013-15 biennium be continued and that unexpended appropriations enacted prior to the 2013-15 biennium may be cancelled as directed by the Chairman of the Legislative Management.	Section 5 provides that the unspent funds appropriated for the Legislative Assembly and the Legislative Council for the 2013-15 biennium be continued and that unexpended appropriations enacted prior to the 2013-15 biennium may be cancelled as directed by the Chairman of the Legislative Management.
Compensation	Sections 6 and 7 increase legislators' daily pay during legislative sessions, monthly compensation, and additional monthly compensation by 4 percent in the first year and 3 percent in the second year of the 2015-17 biennium. Sections 8 and 9 of the bill increase interim meeting pay by 4 percent in the first year and 3 percent in the second year of the 2015-17 biennium.	Sections 6 and 7 increase legislators' daily pay during legislative sessions, monthly compensation, and additional monthly compensation by 3 percent in each year of the 2015-17 biennium. Sections 8 and 9 of the bill increase interim meeting pay by 3 percent in each year of the 2015-17 biennium.

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

	Executive Budget Recommendation				House Version				House Changes to Executive Recommendation			
	FTE Positions	General Fund	Other Funds	Total	FTE Positions	General Fund	Other Funds	Total	FTE Positions	General Fund	Other Funds	Total
<b>2015-17 Biennium Base Level</b>	0.00	\$13,379,971	\$0	\$13,379,971	0.00	\$13,379,971	\$0	\$13,379,971	0.00	\$0	\$0	\$0
<b>2015-17 Ongoing Funding Changes</b>												
Base payroll changes		\$66,855		\$66,855		\$66,855		\$66,855				\$0
Health insurance increase		657,154		657,154		657,154		657,154				0
Adjusts legislators' monthly compensation		96,536		96,536		76,500		76,500		(20,036)		(20,036)
Adjusts additional monthly compensation for legislative leaders		10,980		10,980		10,593		10,593		(387)		(387)
Adjusts legislative compensation for regular and organizational sessions		211,287		211,287		176,072		176,072		(35,215)		(35,215)
Increases funding for monthly lodging expense reimbursement		84,520		84,520		84,520		84,520				0
Cost to continue		(95,548)		(95,548)		(95,548)		(95,548)				0
Other change				0				0				0
Other change				0				0				0
Other change				0				0				0
Other change				0				0				0
Other change				0				0				0
Other change				0				0				0
Other change				0				0				0
Other change				0				0				0
<b>Total ongoing funding changes</b>	0.00	\$1,031,784	\$0	\$1,031,784	0.00	\$976,146	\$0	\$976,146	0.00	(\$55,638)	\$0	(\$55,638)
<b>One-time funding items</b>												
One-time funding for computer and iPad replacement		\$603,050		\$603,050		\$603,050		\$603,050		\$0		\$0
One-time funding for LEGEND core maintenance upgrades		191,760		191,760		191,760		191,760		0		0
One-time funding for committee room renovation		500,000		500,000		500,000		500,000		0		0
One-time funding for the CSG Midwest Conference		350,000		350,000		350,000		350,000		0		0
<b>Total one-time funding changes</b>	0.00	\$1,644,810	\$0	\$1,644,810	0.00	\$1,644,810	\$0	\$1,644,810	0.00	\$0	\$0	\$0
<b>Total Changes to Base Level Funding</b>	0.00	\$2,676,594	\$0	\$2,676,594	0.00	\$2,620,956	\$0	\$2,620,956	0.00	(\$55,638)	\$0	(\$55,638)
<b>2015-17 Total Funding</b>	0.00	\$16,056,565	\$0	\$16,056,565	0.00	\$16,000,927	\$0	\$16,000,927	0.00	(\$55,638)	\$0	(\$55,638)

Other Sections in House Bill No. 1001

**Executive Budget Recommendation**

**House Version**

Transfers

Section 4 allows transfers of funds between line items of appropriations for the Legislative Assembly and Legislative Council as requested by the Chairman of the Legislative Management.

Section 4 allows transfers of funds between line items of appropriations for the Legislative Assembly and Legislative Council as requested by the Chairman of the Legislative Management.

Continuation of appropriation authority

Section 5 provides that the unspent funds appropriated for the Legislative Assembly and the Legislative Council for the 2013-15 biennium be continued and that unexpended appropriations enacted prior to the 2013-15 biennium may be cancelled as directed by the Chairman of the Legislative Management.

Section 5 provides that the unspent funds appropriated for the Legislative Assembly and the Legislative Council for the 2013-15 biennium be continued and that unexpended appropriations enacted prior to the 2013-15 biennium may be cancelled as directed by the Chairman of the Legislative Management.

Compensation

Sections 6 and 7 increase legislators' daily pay during legislative sessions, monthly compensation, and additional monthly compensation by 4 percent in the first year and 3 percent in the second year of the 2015-17 biennium. Sections 8 and 9 of the bill increase legislator's interim meeting pay by 4 percent in the first year and 3 percent in the second year of the 2015-17 biennium.

Sections 6 and 7 increase legislators' daily pay during legislative sessions, monthly compensation, and additional monthly compensation by 3 percent in each year of the 2015-17 biennium. Sections 8 and 9 of the bill increase legislator's interim meeting pay by 3 percent of the 2015-17 biennium.

January 19, 2015

# STATEMENT OF JIM W. SMITH, DIRECTOR, NORTH DAKOTA LEGISLATIVE COUNCIL, REGARDING HOUSE BILL NO. 1001, JANUARY 19, 2015

Mr. Chairman and members of the Government Operations Division of the House Appropriations Committee:

I am here this morning appearing on House Bill No. 1001 on behalf of the members of the Legislative Assembly and the members of the Legislative Management to explain the budget requests for the Legislative Assembly, the Legislative Management, and the Legislative Council for the 2015-17 biennium.

The budget requests for these agencies are prepared using zero-based budgeting, meaning all amounts requested are calculated from a starting point of zero.

The financial statements for the fiscal years ending June 30, 2013 and 2012, for the Legislative Assembly and Legislative Council had unqualified opinions. The Legislative Council had one finding in its 2012 financial statements relating to general ledger reconciliation. The finding was corrected.

## LEGISLATIVE ASSEMBLY

Subdivision 1 of Section 1 of the bill contains the 2015-17 biennium appropriation for the Legislative Assembly of \$16,056,565 from the general fund. This amount includes \$1,644,810 of one-time funding requests. The Legislative Assembly "ongoing" request is \$14,411,755, an increase of \$1,187,784, or 9.0 percent **more** than the 2011-13 "ongoing" appropriation of \$13,223,971. The amount requested is considered necessary for the organizational session and a **77-legislative-day** (111-calendar-day) regular **2017** legislative session. The following schedule presents the number of legislative days for previous sessions:

Legislative Session	Legislative Days
2013	80
2011	78
2009	79
2007	78
2005	76
2003	76*
2001	77
1999	71
1997	66
1995	67

\*Excludes the three legislative days relating to the May 2003 special session.

The Legislative Assembly in 2013 provided funding for an estimated 77-legislative-day 2015 legislative session.

## Salaries and Wages

The salaries and wages line item of approximately \$10.2 million includes funding for:

- Legislative employees' pay for the 2017 legislative session based on the number of employees anticipated to be employed for the 2015 legislative session of 84 and compensation increases equivalent to a 4 percent first year and 3 percent second year increase.
- Legislators' salary of \$179 per day for a 77-legislative-day regular session (111 calendar days). This includes a 4 percent first year and 3 percent second year increase as provided for in Sections 6 and 7 (an estimated cost of \$211,287).
- Continuing the additional compensation of \$15 per calendar day for the legislative leaders and \$10 per calendar day for chairmen of the standing committees and assistant legislative leaders. These compensation rates were each increased by \$5 by the Legislative Assembly in 2011.
- Legislators' monthly compensation of \$486 per month for the first year of the biennium, a \$19, or 4 percent, per month increase and \$501 per month for the second year of the biennium, a \$15, or 3 percent, per month increase (an estimated cost of \$96,536). These increases are provided for in Sections 6 and 7.
- Additional monthly compensation for House and Senate majority and minority leaders of \$348 per month for the first year of the biennium, a \$13, or 4 percent, per month increase and \$358 per month for the second year of the biennium, a \$10, or 3 percent, per month increase (estimated cost of \$10,980). These increases are provided for in Sections 6 and 7.
- Health insurance coverage for 133 legislators, three more than the number budgeted for the 2013-15 biennium. Current information indicates that 133 legislators have requested health insurance.

## Operating Expenses

The operating expenses line item of approximately \$5.0 million includes funding for:

- Legislators' travel costs for 16 trips at 56 cents per mile during the 2017 regular session and one trip for the 2016 organizational session.

The mileage rate is currently 57.5 cents per mile.

- Lodging costs for 127 legislators for four months during the 2017 legislative session at an estimated reimbursement rate of \$1,680 per month. The reimbursement rate for the 2015 legislative session is \$1,569. The budget includes an additional \$84,520 relating to lodging.
- Contribution of \$10,000 annually to the Legislator's Forum (Manitoba, Minnesota, North Dakota, and South Dakota).
- Ongoing information technology data processing of \$1,262,790, a decrease of \$10,850 compared to the 2013-15 biennium.
- Professional services of \$77,000, \$30,000 less than the 2013-15 biennium budget. The amount includes \$60,000 for the continued privatization of legislative secretarial, bill and journal, and telephone operations.
- One-time funding of \$191,760 for information technology consulting and software relating to LEGEND system upgrades.
- One-time funding of \$603,050 to replace legislator's laptops and iPads.

#### CSG Midwest Conference

The request includes one-time funding of \$350,000 for the CSG Midwest Conference to be held in Bismarck in July 2015. The Legislative Procedures and Arrangements Committee, Representative Al Carlson, Chairman, approved the following motion on September 24, 2014:

**It was moved by Senator Wardner, seconded by Representative Onstad, and carried on a roll call vote that the committee support the inclusion of funding of \$350,000 in the Legislative Assembly budget request for the 2015-17 biennium in support of the 2015 Council of State Government's Midwestern Legislative Conference to be held in Bismarck in July 2015, with the expectation that the amount budgeted will be reduced by any additional funds that are raised.** Representatives Carlson, Devlin, Mock, Onstad, and Vigesaa and Senators Heckaman, Holmberg, Klein, Schneider, and Wardner voted "aye." No negative votes were cast.

Attached as Appendix A is a copy of a) a letter; b) supporting budget information; and c) the 2015 Host Team from Senator Tim Flakoll, chair, 2015 Midwestern Legislative Conference, explaining and supporting the request, Senator Ron Carlisle is the chair of the fundraising team which has identified 62 potential sponsors. Contracts have been entered into for major speeches and events.

#### Capital Assets

The capital assets line item of \$516,800 includes one-time funding of \$500,000 for continuing legislative wing improvements. Areas of possible use include Brynhild Haugland Room upgrade, press studio upgrade, committee room sound upgrades, chamber improvements, and other renovations.

#### National Conference of State Legislatures

The National Conference of State Legislatures (NCSL) line item of \$241,263 is an increase of \$7,977 from the 2013-15 budget of \$233,286. This represents North Dakota's contribution to NCSL, and the amount is based on NCSL's estimate of North Dakota's share of the NCSL budget for fiscal years 2016 and 2017.

#### LEGISLATIVE MANAGEMENT AND LEGISLATIVE COUNCIL

Subdivision 2 of Section 1 contains the 2015-17 appropriation for the Legislative Management and the Legislative Council of \$13,343,620, of which \$13,273,620 is from the general fund and \$70,000 is from the insurance regulatory trust fund. The 2015-17 "ongoing" general fund request is \$13,058,160, an increase of \$570,685, or **4.6 percent more** than the 2013-15 "ongoing" general fund appropriation of \$12,487,475.

The \$70,000 is from the insurance regulatory trust fund and is for expenses relating to legislator involvement with the National Conference of Insurance Legislators (NCOIL).

The Legislative Council is requesting 37 full-time equivalent (FTE) positions, the same number authorized for the 2013-15 biennium. The organizational chart reflecting the current staff structure is attached as Appendix B.

#### Salaries and Wages

The salaries and wages line item of approximately \$9.7 million includes funding for:

- Thirty-seven authorized FTE positions.
- Funding for the Governor's recommended salary increase for state employees of \$417,774 (annual performance increases of from 3 to 5 percent).
- The Governor's recommended health insurance premium increase and retirement contribution increase of \$200,076.
- Funding for market equity salary increases of \$100,000, the same as the 2013-15 biennium.
- Temporary employees' pay for the 2017 legislative session.
- Legislators' per diem for meetings during the interim of \$1,088,809, \$85,117 more than the 2013-15 budgeted amount of \$1,003,692. This request is based on the same number of committees (26) budgeted for the 2013-14 interim and assumes an 87 percent attendance

rate at committee meetings. The budgeted amount includes a proposed increase for legislators' interim meeting pay from the current level of \$167 per day to \$174 per day effective July 1, 2015, and \$179 per day effective July 1, 2016 (an estimated cost of \$34,594). These increases are provided for in Sections 8 and 9.

- Funding of \$147,843 has been reallocated from the salaries and wages line item to an accrued leave payments line item in accordance with the action of the 2013 Legislative Assembly to designate a portion of salaries and wages funding for paying accrued leave.
- Our goals are recruitment of high quality employees, staff retention, and succession planning to address retirements of long-term employees. A challenge occurs when resignations and retirements happen near a legislative session.

### **Operating Expenses**

The operating expenses line item of approximately \$3.5 million includes funding for:

- Travel expenses relating to meetings during the interim of \$1,722,239, which is \$66,167 more than the 2013-15 budget of \$1,656,072. The funding request is based on the same number of committees (26) budgeted for the 2013-14 interim and assumes an 87 percent attendance rate at committee meetings. The increase is primarily related to anticipated increases in lodging reimbursement rates.
- Dues of \$38,400 annually to the Energy Council.
- Information technology consulting totals \$100,800, \$102,355 less than the 2013-15 budget.
- Professional services of \$315,000 is \$250,000 less than the 2013-15 budget due to removal of one-time funding provided for assistance with education funding and higher education

studies during the 2013-15 interim. Legislative Management chose not to hire a consultant for the higher education study; therefore, this amount was not spent. The \$315,000 includes \$300,000 for consulting services to assist with interim committee studies when required, \$6,000 for contracting for the Legislative Council audit, and \$9,000 for contracting for the State Auditor's office audit.

- One-time funding of \$135,460 for replacing the staff's laptops and iPads.
- One-time funding of \$50,000 for office improvements.
- Other operating expenses changes are based on the Office of Management and Budget's guidelines as they are applicable and anticipated needs in other areas.

### **Capital Assets**

The capital assets line item of \$30,000 includes one-time funding for replacing a copier.

### **OTHER AREAS**

Sections 4 and 5 relate to authorizing line item transfers as necessary and the cancelation of previous unspent appropriations. Attached as Appendix C is information regarding major budget changes.

### **RELATED BILLS**

Other bills under consideration that may affect the budget of the legislative branch include:

- House Bill No. 1199 relates to legislators receiving lodging reimbursement earlier.
- House Bill No. 1342 provides for annual legislative sessions.
- Senate Bill No. 2222 relates to open records requests of legislators and the Legislative Council.

ATTACH:3

# NORTH DAKOTA SENATE

STATE CAPITOL  
600 EAST BOULEVARD  
BISMARCK, ND 58505-0360



## Senator Tim Flakoll

District 44  
1350 Second Street North  
Fargo, ND 58102-2725

[tflakoll@nd.gov](mailto:tflakoll@nd.gov)

## COMMITTEES:

Education, Chairman  
Transportation

**TO:** Legislative Procedure and Arrangements Committee

**FROM:** Senator Tim Flakoll, Midwestern Legislative Conference First Vice Chair

**RE:** Council of State Governments 2015 Midwestern Legislative Conference Meeting in Bismarck

**DATE:** September 24, 2014

North Dakota is hosting the CSG Midwestern Legislative Conference in Bismarck next summer, July 12-15, 2015. The event will bring 500 to 600 legislators, spouses, and others from 10 states and 4 Canadian provinces to North Dakota. North Dakota has this opportunity every 12 years or so and the event was last held in Fargo 13 years ago and in Bismarck 23 years ago. We plan to have a premier event, showcasing the successes of North Dakota and focusing on energy and agriculture. Featuring these two areas will be vital for the ongoing support by state and provincial leaders as well as building a strong base for those who move on to federal positions, including Congress or agencies, such as the Environmental Protection Agency. The plan is to tie in local tourist destinations with the event for pre- or post-conference vacations. This conference will have significant economic impact on the area.

Planning efforts are well underway. North Dakota is responsible for planning the evening events, as well as the spouse and youth events. Main events are planned at the Heritage Center on Sunday evening, Fort Lincoln on Monday evening, and a state dinner on Tuesday evening. Attached is a summary of expense budgeted and income projected. The events in Nebraska and Minnesota for the last 2 years had a budget of around \$500,000. The Council of State Governments' out-of-state fundraising efforts should generate approximately \$90,000, as do the registration fees, for a total of \$180,000 from those sources, leaving around \$350,000 to be raised in North Dakota. We are beginning fundraising efforts, headed up by Senator Ron Carlisle. To have a premier North Dakota event, I believe we need state general fund support in the Legislative Assembly's budget for the 2015-17 biennium, and I request that the committee support, by motion, the inclusion of \$350,000 in the budget as a starting point, to be reduced by any funds raised by North Dakota's fundraising team.

**Expenses budgeted for Bismarck  
in July 11-15, 2015**

\$ 536,187

> note - energy and ag tours on the  
11th the day before the official start

**Income projected budget**

Registrations \$ 90,000

Out of state sponsors \$ 90,000

Total from CSG \$ 180,000

Needed to be raised in North  
Dakota

\$ 356,197

**Pledged to date**

Bismarck-Mandan CVB \$ 11,500

**North Dakota sponsorships in  
2002 when we hosted the MLC  
last time - in Fargo**

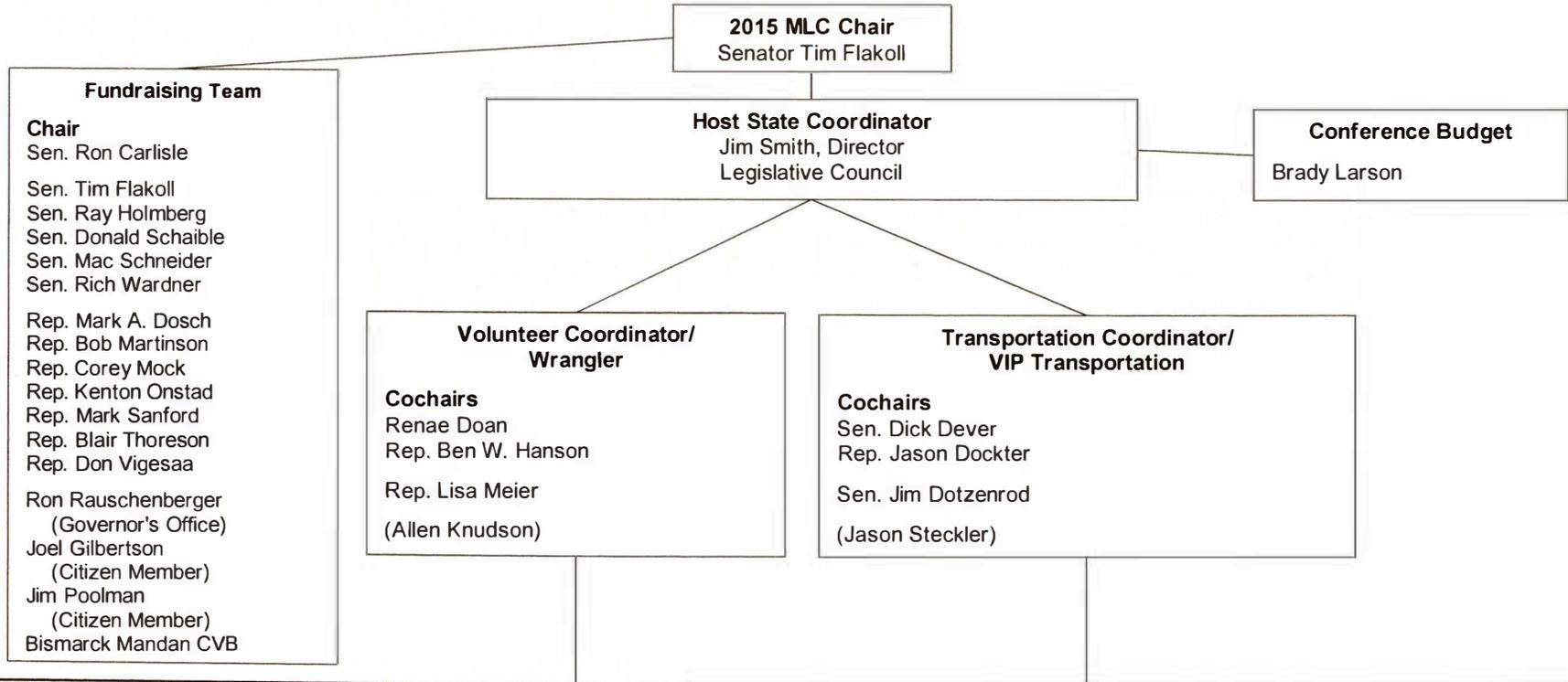
\$ 21,150

The average budget of Minnesota  
and Nebraska was \$510,350 (the last  
two host states). The budget for  
Nebraska rose by \$202,103 (74%)  
since the last time they hosted and  
they did nothing extravagant beyond  
the normal hosting this past summer

# MIDWESTERN LEGISLATIVE CONFERENCE

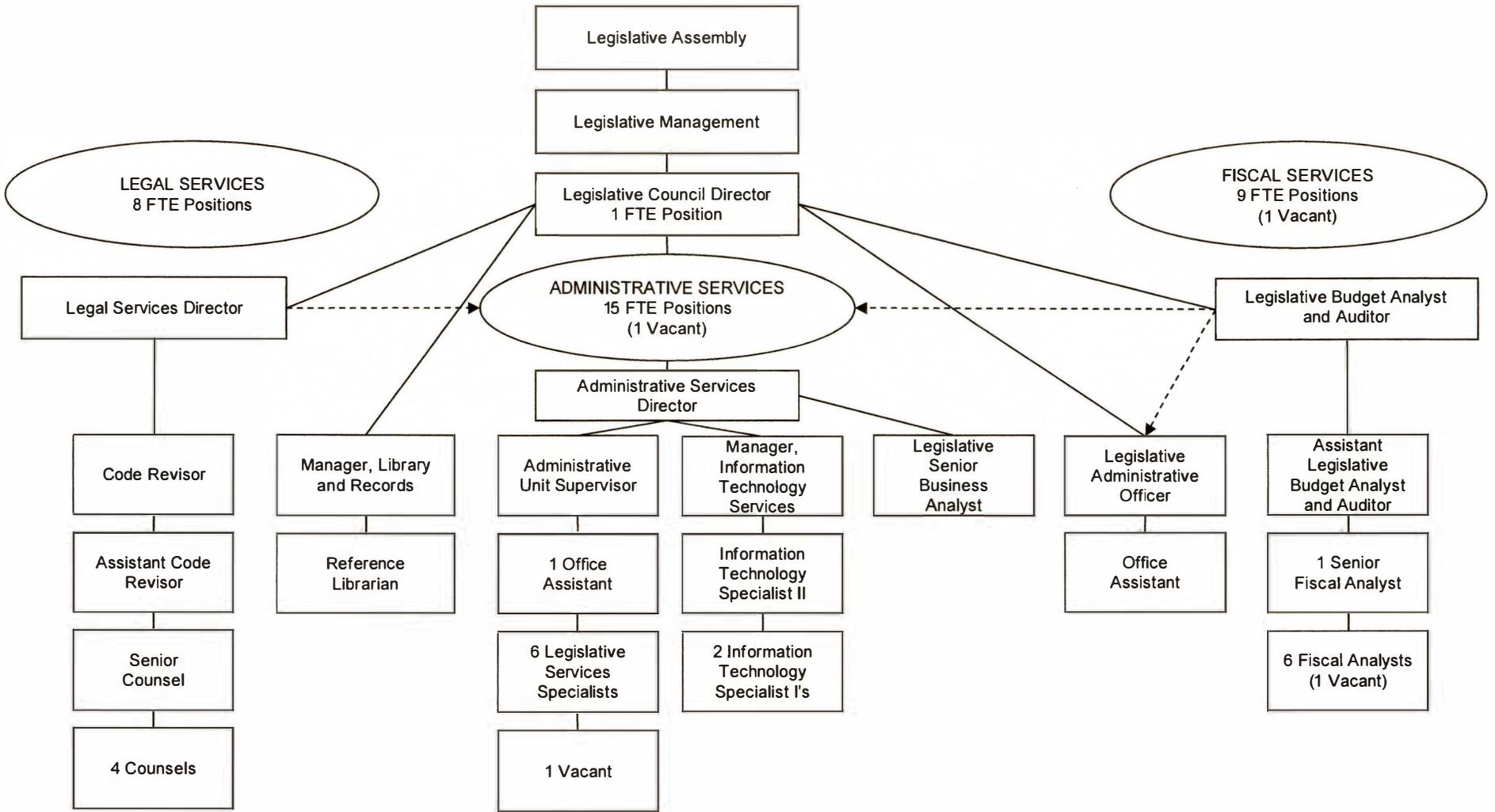
## Bismarck, ND

### 2015 Host State Team



Onsite Registration Coordinator	Spouse Event Coordinator	Youth Event Coordinator	Saturday Energy Patch Coordinator	Sunday Opening Reception Coordinator	Monday Night Family Coordinator	Tuesday State Dinner Coordinator
Bismarck Mandan Chamber (Donavan Klein & Staff)	<b>Cochairs</b> Sen. Joan Heckaman Sen. Carolyn C. Nelson  Sen. Rich Wardner  (Kylah Aull/Sheila Sandness)	<b>Chair</b> Rep. Kathy Hawken  Rep. Kylie Oversen Rep. Naomi Muscha  Tami Ternes (Governor's Office) Renaë Doan  (Andrea Cooper/Brad Metz)	<b>Cochairs</b> Sen. Kelly M. Armstrong Sen. Jessica K. Unruh  <b>Saturday Agriculture Committee Tour Liaisons</b>  Rep. Wes Belter  Julie Ellingson (ND Stockmen's Association)  (Anita Thomas)	<b>Chair</b> Sen. Nicole Poolman  Rep. Mark A. Dosch Rep. Ben W. Hanson Rep. Diane Larson Rep. Mike Nathe  Joel Gilbertson (Citizen Member)  (Vonette Richter)	<b>Chair</b> Sen. Dwight Cook  Sen. Larry J. Robinson Sen. Donald Schaible  Rep. Ben W. Hanson Rep. Karen Karls Rep. Mike Nathe Rep. Todd M. Porter Rep. Karen Rohr  Tami Ternes (Governor's Office)  (Tim Dawson)	<b>Cochairs</b> Sen. Judy Lee Sen. Karen K. Krebsbach Rep. Lois Delmore  Betsy Dalrymple - First Lady Julie McBride (Citizen Member) Marsha Lembke (Citizen Member) Jim Poolman (Citizen Member)  (Jim Smith/John Bjornson)

# LEGISLATIVE COUNCIL ORGANIZATIONAL CHART



7

37 FTE Positions Authorized  
(2 Vacant)

— Line of Authority      - - - - - Input and Assigned Oversight Responsibilities

## LEGISLATIVE ASSEMBLY AND LEGISLATIVE COUNCIL MAJOR BUDGET CHANGES SUMMARY

Major ongoing funding increases approved for the Legislative Assembly since 2011-13 include:

- Legislator compensation increases at the same percentage approved for state employees.
- Health insurance premium increases.
- Session lodging reimbursement rates.

Major ongoing funding increases approved for the Legislative Council since 2011-13 include:

- Salary and fringe benefit increases in accordance with state employee increases.
- Three additional fiscal staff positions.

Major ongoing funding requests for the Legislative Assembly for 2015-17 in priority order include:

1. Legislator compensation and health insurance premium increases - \$975,957.
2. Estimated lodging increase - \$84,520.
3. Other ongoing adjustments - (\$28,693).

Major one-time funding requests for the Legislative Assembly for 2015-17 in priority order include:

1. Legislator laptop and iPad replacement - \$603,050.
2. LEGEND upgrade - \$191,760.
3. CSG Midwest conference - \$350,000.
4. Legislative wing improvements - \$500,000.

Major ongoing funding requests for the Legislative Council for 2015-17 in priority order include:

1. State employee compensation package - \$617,850.
2. Legislator interim per diem and travel increase - \$100,761.
3. Other ongoing adjustments - (\$147,925).

Major one-time funding requests for the Legislative Council for 2015-17 in priority order include:

1. Laptop and iPad replacement for staff - \$135,460.
2. Office equipment replacement - \$30,000.
3. Office improvements - \$50,000.

**National Conference of State Legislatures  
Appropriations Schedule  
FY2015**

Current as of

12/5/2014

	Amount Billed	Amount Paid	Amount Due	Amount Expected	Amount not Expected
Alabama	\$ 182,382	\$ -	\$ 182,382	182,382	\$ -
Alaska	117,265	117,265	-	0	-
Arizona	209,195	209,195	-	0	-
Arkansas	152,616	152,616	-	0	-
California	707,290	400,000	307,290	115,499	191,791
Colorado	187,393	187,393	-	0	-
Connecticut	162,879	162,879	-	0	-
Delaware	120,202	119,500	702	0	702
District of Columbia	115,589	115,589	-	0	-
Florida	409,892	-	409,892	50,000	359,892
Georgia	262,373	262,373	-	0	-
Hawaii	127,671	127,671	-	0	-
Idaho	131,023	131,023	-	0	-
Illinois	311,115	-	311,115	311,115	-
Indiana	209,737	209,737	-	0	-
Iowa	154,596	154,596	-	0	-
Kansas	151,547	151,547	-	0	-
Kentucky	175,455	175,455	-	0	-
Louisiana	178,743	178,743	-	0	-
Maine	126,921	126,921	-	0	-
Maryland	198,741	198,741	-	0	-
Massachusetts	210,870	210,870	-	0	-
Michigan	263,347	-	263,347	141,750	121,597
Minnesota	191,032	191,032	-	0	-
Mississippi	153,271	-	153,271	153,271	-
Missouri	201,662	-	201,662	201,662	-
Montana	121,654	121,654	-	0	-
Nebraska	135,140	135,140	-	0	-
Nevada	149,185	149,185	-	0	-
New Hampshire	126,761	126,761	-	0	-
New Jersey	246,509	184,000	62,509	0	62,509
New Mexico	138,955	69,300	69,655	69,655	-
New York	416,387	416,387	-	0	-
North Carolina	259,836	259,836	-	0	-
North Dakota	116,643	116,643	-	0	-
Ohio	289,984	144,992	144,992	0	144,992
Oklahoma	166,246	166,246	-	0	-
Oregon	167,523	167,523	-	0	-
Pennsylvania	309,104	309,104	-	0	-
Puerto Rico	164,890	164,890	-	0	-
Rhode Island	122,500	122,500	-	0	-

**National Conference of State Legislatures  
Appropriations Schedule  
FY2015**

Current as of 12/5/2014

	Amount Billed	Amount Paid	Amount Due	Amount Expected	Amount not Expected
South Carolina	180,403	180,403	-	0	-
South Dakota	118,877	118,877	-	0	-
Tennessee	207,918	207,918	-	0	-
Texas	515,499	515,499	-	0	-
Utah	150,685	-	150,685	150,685	-
Vermont	115,717	115,717	-	0	-
Virgin Islands	107,418	26,855	80,564	80,564	-
Virginia	234,954	-	234,954	197,957	36,997
Washington	214,733	-	214,733	161,050	53,683
West Virginia	135,332	135,332	-	0	-
Wisconsin	196,890	196,000	890	0	890
Wyoming	114,791	114,791	-	0	-
American Samoa	21,957	-	21,957	0	21,957
Guam	23,521	23,521	-	0	-
North Marianas	22,149	-	22,149	0	22,149
Quebec, Canada	36,788	36,788	-	0	-
Scotland	10,000	-	10,000	10,000	-
<b>Grand Total</b>	<b>\$ 10,751,756</b>	<b>\$ 7,909,008</b>	<b>\$ 2,842,749</b>	<b>1,825,590</b>	<b>\$ 1,017,159</b>
<i>per cent of total</i>		74%	26%	17%	9%

**Summary:**

<b>Paid to date</b>	7,909,008
<b>Expected</b>	1,825,590

**Projected for FY15**

	<u>9,734,597</u>
<i>per cent of total</i>	90.5%

HB/001

February 6, 2015

Attachment B

## Appropriation Status

As of December 31, 2014

### LEGISLATIVE ASSEMBLY

	Current Appropriation	Adjustments	Adjusted Appropriation	Expenditures This Month	Expenditures to Date	Percent Expended	Remaining Appropriation
<b>Current Biennium</b>							
Salaries and Wages	9,205,759.00		9,205,759.00	335,291.38	3,803,782.93	41%	5,401,976.07
Operating Expenses	3,952,926.00		3,952,926.00	170,589.36	1,154,064.35	29%	2,798,861.65
Capital Assets	530,000.00		530,000.00	0.00	315,603.64	60%	214,396.36
NCSL	233,286.00		233,286.00		233,286.00	100%	0.00
<b>Total Expenditures</b>	<b>13,921,971.00</b>	<b>0.00</b>	<b>13,921,971.00</b>	<b>505,880.74</b>	<b>5,506,736.92</b>	<b>40%</b>	<b>8,415,234.08</b>

**Notes:**

- Approximately 50 percent of Legislative Assembly expenditures occur during the legislative session.
- 2013-15 biennium savings are anticipated in:
  - Information technology data processing, consulting, and telecommunications; and
  - Legislative wing improvements.
- Unspent appropriation authority for the biennium may be approximately \$700,000, but is subject to change depending on the length of the session and other decisions affecting spending.

### LEGISLATIVE COUNCIL

	Current Appropriation	Adjustments	Adjusted Appropriation	Expenditures This Month	Expenditures to Date	Percent Expended	Remaining Appropriation
<b>Current Biennium</b>							
Salaries and Wages	8,660,860.00	260,000.00	8,920,860.00	348,255.39	5,894,063.80	66%	3,026,796.20
Accrued Leave Payments	143,087.00		143,087.00	0.00	78,309.74	55%	64,777.26
Operating Expenses	3,853,527.00	(460,000.00)	3,393,527.00	80,031.70	1,798,176.47	53%	1,595,350.53
Capital Assets	25,000.00	200,000.00	225,000.00	0.00	10,000.00	4%	215,000.00
Higher Education Study	150,000.00		150,000.00	0.00	0.00	0%	150,000.00
Education Funding Study	100,000.00		100,000.00	0.00	89,610.59	90%	10,389.41
<b>Total Expenditures</b>	<b>12,932,474.00</b>	<b>0.00</b>	<b>12,932,474.00</b>	<b>428,287.09</b>	<b>7,870,160.60</b>	<b>61%</b>	<b>5,062,313.40</b>

**Notes:**

- Expenses during the last six months of the biennium vary substantially depending on the length of the legislative session and how quickly interim committees begin meeting
- 2013-15 biennium savings are anticipated in:
  - Staff salaries due to delays in filling new fiscal staff positions and vacant positions;
  - Legislator interim and out-of-state travel primarily relating to:
    - The total number of legislators serving on interim committee meetings being less than anticipated in the budget;
    - Interim committees being held back-to-back with other committee meetings reducing travel costs;
    - Travel stipends being provided for some out-of-state meetings by NCSL;
    - Professional services due to fewer consultants being hired to assist interim committees, including the higher education funding committee.
- Unspent appropriation authority for the biennium may be approximately \$950,000, but is subject to change depending on the length of the session, other decisions affecting spending, and how quickly interim committees begin meeting.

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

	Executive Budget Recommendation				House Version			
	FTE Positions	General Fund	Other Funds	Total	FTE Positions	General Fund	Other Funds	Total
<b>2015-17 Biennium Base Level</b>	0.00	\$13,379,971	\$0	\$13,379,971	0.00	\$13,379,971	\$0	\$13,379,971
<b>2015-17 Ongoing Funding Changes</b>								
Base payroll changes		\$66,855		\$66,855				\$0
Health insurance increase		657,154		657,154				0
Adjusts legislators' monthly compensation		96,536		96,536				0
Adjusts additional monthly compensation for legislative leaders		10,980		10,980				0
Adjusts legislative compensation for regular and organizational sessions		211,287		211,287				0
Increases funding for monthly lodging expense reimbursement		84,520		84,520				0
Cost to continue		(95,548)		(95,548)				0
Other change				0				0
Other change				0				0
Other change				0				0
Other change				0				0
Other change				0				0
Other change				0				0
Other change				0				0
<b>Total ongoing funding changes</b>	<b>0.00</b>	<b>\$1,031,784</b>	<b>\$0</b>	<b>\$1,031,784</b>	<b>0.00</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
<b>One-time funding items</b>								
One-time funding for computer and iPad replacement		\$603,050		\$603,050				\$0
One-time funding for LEGEND core maintenance upgrades		191,760		191,760				0
One-time funding for committee room renovation		500,000		500,000				0
One-time funding for the CSG Midwest Conference		350,000		350,000				0
Other one-time funding item				0				0
Other one-time funding item				0				0
Other one-time funding item				0				0
Other one-time funding item				0				0
Other one-time funding item				0				0
<b>Total one-time funding changes</b>	<b>0.00</b>	<b>\$1,644,810</b>	<b>\$0</b>	<b>\$1,644,810</b>	<b>0.00</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
<b>Total Changes to Base Level Funding</b>	<b>0.00</b>	<b>\$2,676,594</b>	<b>\$0</b>	<b>\$2,676,594</b>	<b>0.00</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
<b>2015-17 Total Funding</b>	<b>0.00</b>	<b>\$16,056,565</b>	<b>\$0</b>	<b>\$16,056,565</b>	<b>0.00</b>	<b>\$13,379,971</b>	<b>\$0</b>	<b>\$13,379,971</b>

**Other Sections in House Bill No. 1001**

**Executive Budget Recommendation**

**House Version**

Transfers

Section 4 allows transfers of funds between line items of appropriations for the Legislative Assembly and Legislative Council as requested by the Chairman of the Legislative Management.

Continuation of appropriation authority

Section 5 provides that the unspent funds appropriated for the Legislative Assembly and the Legislative Council for the 2013-15 biennium be continued and that unexpended appropriations enacted prior to the 2013-15 biennium may be cancelled as directed by the Chairman of the Legislative Management.

Compensation

Sections 6 and 7 increase legislators' daily pay during legislative sessions, monthly compensation, and additional monthly compensation by 4 percent in the first year and 3 percent in the second year of the 2015-17 biennium. Sections 8 and 9 of the bill increase legislator's interim meeting pay by 4 percent in the first year and 3 percent in the second year of the 2015-17 biennium.

**Legislative Council - Budget No. 160  
House Bill No. 1001  
Base Level Funding Changes**

	Executive Budget Recommendation				House Version			
	FTE Positions	General Fund	Other Funds	Total	FTE Positions	General Fund	Other Funds	Total
<b>2015-17 Biennium Base Level</b>	37.00	\$12,487,475	\$69,999	\$12,557,474	37.00	\$12,487,475	\$69,999	\$12,557,474
<b>2015-17 Ongoing Funding Changes</b>								
Base payroll changes		\$114,792	\$1	\$114,793				\$0
Salary increase - Performance		417,774		417,774				0
Retirement contribution increase		44,634		44,634				0
Health insurance increase		155,442		155,442				0
Increase Legislator per diem		34,594		34,594				0
Changes for committee meetings and other travel		66,167		66,167				0
Cost to continue		(262,718)		(262,718)				0
Other change				0				0
Other change				0				0
Other change				0				0
Other change				0				0
<b>Total ongoing funding changes</b>	0.00	\$570,685	\$1	\$570,686	0.00	\$0	\$0	\$0
<b>One-time funding items</b>								
Office equipment replacement		\$30,000		\$30,000				\$0
Desktop computer, monitor, and iPad replacement		135,460		135,460				0
Office improvements		50,000		50,000				0
Other one-time funding item				0				0
Other one-time funding item				0				0
<b>Total one-time funding changes</b>	0.00	\$215,460	\$0	\$215,460	0.00	\$0	\$0	\$0
<b>Total Changes to Base Level Funding</b>	0.00	\$786,145	\$1	\$786,146	0.00	\$0	\$0	\$0
<b>2015-17 Total Funding</b>	37.00	\$13,273,620	\$70,000	\$13,343,620	37.00	\$12,487,475	\$69,999	\$12,557,474

**Other Sections in House Bill No. 1001**

Transfers

**Executive Budget Recommendation**  
Section 4 allows transfers of funds between line items of appropriations for the Legislative Assembly and Legislative Council as requested by the Chairman of the Legislative Management.

**House Version**

**Executive Budget Recommendation**

**House Version**

Continuation of appropriation authority

Section 5 provides that the unspent funds appropriated for the Legislative Assembly and the Legislative Council for the 2013-15 biennium be continued and that unexpended appropriations enacted prior to the 2013-15 biennium may be cancelled as directed by the Chairman of the Legislative Management.

Compensation

Sections 6 and 7 increase legislators' daily pay during legislative sessions, monthly compensation, and additional monthly compensation by 4 percent in the first year and 3 percent in the second year of the 2015-17 biennium. Sections 8 and 9 of the bill increase interim meeting pay by 4 percent in the first year and 3 percent in the second year of the 2015-17 biennium.

Attachment #1  
2/19/15

15.8007.01002  
Title.

Prepared by the Legislative Council staff for  
House Appropriations - Government  
Operations Committee

Fiscal No. 2

February 16, 2015

PROPOSED AMENDMENTS TO HOUSE BILL NO. 1001

Page 1, replace lines 17 through 21 with:

"Salaries and wages	\$9,205,759	\$987,174	\$10,192,933
Operating expenses	3,940,926	1,109,005	5,049,931
Capital assets	0	16,800	16,800
National conference of state legislatures	<u>233,286</u>	<u>7,977</u>	<u>241,263</u>
Total general fund	\$13,379,971	\$2,120,956	\$15,500,927"

Page 2, replace lines 3 through 10 with:

"Salaries and wages	\$8,660,860	\$765,097	\$9,425,957
Accrued leave payments	143,087	4,756	147,843
Operating expenses	3,753,527	(271,091)	3,482,436
Capital assets	<u>0</u>	<u>30,000</u>	<u>30,000</u>
Total all funds	\$12,557,474	\$1,328,762	\$13,086,236
Less estimated income	<u>69,999</u>	<u>1</u>	<u>70,000</u>
Total general fund	\$12,487,475	\$528,761	\$13,016,236
Full-time equivalent positions	37.00	0.00	37.00"

Page 2, replace lines 15 through 17 with:

"Grand total general fund	\$25,867,446	\$2,649,717	\$28,517,163
Grand total special funds	<u>69,999</u>	<u>1</u>	<u>70,000</u>
Grand total all funds	\$25,937,445	\$2,649,718	\$28,587,163"

Page 2, replace line 24 with:

"Legislative wing equipment and improvements	\$500,000	\$0"
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Page 2, replace line 29 with:

"Total general fund	\$542,000	\$1,144,810"
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Page 4, line 17, replace "seventy-four" with "seventy-two"

Page 6, line 10, replace "eighty-six" with "eighty-one"

Page 6, line 19, replace "forty-eight" with "forty-five"

Page 6, remove lines 30 and 31

Page 7, remove lines 1 through 31

Page 8, remove lines 1 through 29

Page 9, replace lines 1 through 18 with:

**"SECTION 7. 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 ~~seventy-two~~seventy-seven dollars 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 following each month during a regular or special session.
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 four hundred ~~eighty-~~eighty-nine-five dollars a 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 ~~forty-~~forty-five-five dollars 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."

Page 9, line 25, replace "seventy-four" with "seventy-two"

Page 10, replace lines 3 through 17 with:

**"SECTION 9. 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 ~~seventy-two~~seventy-seven dollars 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."

Renumber accordingly

**STATEMENT OF PURPOSE OF AMENDMENT:**

**House Bill No. 1001 - Summary of House Action**

	Base Budget	House Changes	House Version
Legislative Assembly			
Total all funds	\$13,379,971	\$2,120,956	\$15,500,927
Less estimated income	0	0	0
General fund	\$13,379,971	\$2,120,956	\$15,500,927
Legislative Council			
Total all funds	\$12,557,474	\$528,762	\$13,086,236
Less estimated income	69,999	1	70,000
General fund	\$12,487,475	\$528,761	\$13,016,236
Bill total			
Total all funds	\$25,937,445	\$2,649,718	\$28,587,163
Less estimated income	69,999	1	70,000
General fund	\$25,867,446	\$2,649,717	\$28,517,163

**House Bill No. 1001 - Legislative Assembly - House Action**

	Base Budget	House Changes	House Version
Salaries and wages	\$9,205,759	\$987,174	\$10,192,933
Operating expenses	3,940,926	1,109,005	5,049,931
Capital assets		16,800	16,800
National conf of state legislatures	233,286	7,977	241,263
Total all funds	\$13,379,971	\$2,120,956	\$15,500,927
Less estimated income	0	0	0
General fund	\$13,379,971	\$2,120,956	\$15,500,927
FTE	0.00	0.00	0

**Department No. 150 - Legislative Assembly - Detail of House Changes**

	Adds Funding for Base Payroll Changes <sup>1</sup>	Adds Funding for Salary and Benefit Increases <sup>2</sup>	Increases Funding for Monthly Lodging Reimbursement <sup>3</sup>	Adjusts Cost-to-Continue Funding <sup>4</sup>	Adds One-Time Funding for IT Equipment Replacement <sup>5</sup>	Adds One-Time Funding for LEGEND Upgrades <sup>6</sup>
Salaries and wages	\$66,855	\$920,319				
Operating expenses			84,520	(120,325)	603,050	191,760
Capital assets				16,800		
National conf of state legislatures				7,977		
<b>Total all funds</b>	<b>\$66,855</b>	<b>\$920,319</b>	<b>\$84,520</b>	<b>(\$95,548)</b>	<b>\$603,050</b>	<b>\$191,760</b>
Less estimated income	0	0	0	0	0	0
General fund	\$66,855	\$920,319	\$84,520	(\$95,548)	\$603,050	\$191,760
FTE	0.00	0.00	0.00	0.00	0.00	0.00

	Adds One-Time Funding for CSG Midwest Conference <sup>7</sup>	Total House Changes
Salaries and wages		\$987,174
Operating expenses	350,000	1,109,005
Capital assets		16,800
National conf of state legislatures		7,977
<b>Total all funds</b>	<b>\$350,000</b>	<b>\$2,120,956</b>
Less estimated income	0	0
General fund	\$350,000	\$2,120,956
FTE	0.00	0.00

<sup>1</sup> Funding is added for cost-to-continue 2013-15 biennium legislators' monthly compensation, additional monthly compensation for legislative leaders, and legislative compensation for regular and organizational sessions.

<sup>2</sup> Funding is added for increases in monthly health insurance premiums (\$657,154) and for 2015-17 biennium compensation adjustments of 3 percent per year for regular and organizational sessions, legislators' monthly compensation, and additional monthly compensation for legislative leaders (\$263,165).

The major compensation adjustments are as follows:

	Current Compensation Rate	Rate Effective July 1, 2015	Rate Effective July 1, 2016
Daily session pay	\$167	\$172	\$177
Monthly compensation	\$467	\$481	\$495
Leaders' additional monthly compensation	\$335	\$345	\$355

<sup>3</sup> Funding is added to increase the maximum monthly lodging expense reimbursement to \$1,680 anticipated for the 2017 legislative session. The maximum monthly lodging reimbursement is \$1,569 for the 2015 session.

<sup>4</sup> Funding for operating expenses, capital assets, and National Conference of State Legislatures dues is adjusted.

<sup>5</sup> One-time funding is added to replace computers and iPads.

<sup>6</sup> One-time funding is added for LEGEND core maintenance upgrades.

<sup>7</sup> One-time funding is added for the 2015 CSG Midwest Conference.

Sections 6 and 7 are amended to adjust 2015-17 biennium compensation rates to provide 3 percent per

year increases for regular and organizational session pay, legislators' monthly compensation, and additional monthly compensation for legislative leaders.

The major compensation adjustments are as follows:

	Current Compensation Rate	Rate Effective July 1, 2015	Rate Effective July 1, 2016
Daily session pay	\$167	\$172	\$177
Monthly compensation	\$467	\$481	\$495
Leaders' additional monthly compensation	\$335	\$345	\$355

**House Bill No. 1001 - Legislative Council - House Action**

	Base Budget	House Changes	House Version
Salaries and wages	\$8,660,860	\$765,097	\$9,425,957
Operating expenses	3,753,527	(271,091)	3,482,436
Capital assets		30,000	30,000
Accrued leave payments	143,087	4,756	147,843
Total all funds	\$12,557,474	\$528,762	\$13,086,236
Less estimated income	69,999	1	70,000
General fund	\$12,487,475	\$528,761	\$13,016,236
FTE	37.00	0.00	37.00

**Department No. 160 - Legislative Council - Detail of House Changes**

	Adjusts Funding for Base Payroll and Cost to Continue <sup>1</sup>	Adds Funding for Salary and Benefit Increases <sup>2</sup>	Removes Market Equity Salary Funding <sup>3</sup>	Increases Funding for Legislator Per Diem <sup>4</sup>	Increases Funding for Travel <sup>5</sup>	Adds One-Time Funding for Equipment Replacement <sup>6</sup>
Salaries and wages	\$370,037	\$467,902	(\$100,000)	\$27,158		
Operating expenses	(522,718)				66,167	
Capital assets						30,000
Accrued leave payments	4,756					
Total all funds	(\$147,925)	\$467,902	(\$100,000)	\$27,158	\$66,167	\$30,000
Less estimated income	1	0	0	0	0	0
General fund	(\$147,926)	\$467,902	(\$100,000)	\$27,158	\$66,167	\$30,000
FTE	0.00	0.00	0.00	0.00	0.00	0.00

	Adds One-Time Funding for IT Equipment Replacement <sup>7</sup>	Adds One-Time Funding for Office Improvements <sup>8</sup>	Total House Changes
Salaries and wages			\$765,097
Operating expenses	135,460	50,000	(271,091)
Capital assets			30,000
Accrued leave payments			4,756
Total all funds	\$135,460	\$50,000	\$528,762
Less estimated income	0	0	1
General fund	\$135,460	\$50,000	\$528,761
FTE	0.00	0.00	0.00

<sup>1</sup> Funding is added for cost-to-continue 2013-15 biennium salaries and benefit increases and for other base payroll changes. Funding for operating expenses is reduced, including information technology - consulting, information technology - data processing, office supplies, and postage.

<sup>2</sup> Funding from the general fund is added for 2015-17 biennium performance salary adjustments of 2 to 4 percent per year (\$312,460) and increases in monthly health insurance premiums (\$155,442).

<sup>3</sup> Market equity salary funding is removed.

<sup>4</sup> Funding is added for 2015-17 biennium compensation adjustments of 3 percent per year for legislators' attendance at interim meetings.

The compensation adjustments are as follows:

	<b>Current Compensation Rate</b>	<b>Rate Effective July 1, 2015</b>	<b>Rate Effective July 1, 2016</b>
Interim meeting pay	\$167	\$172	\$177

<sup>5</sup> Funding for travel related to committee and other meetings is increased to reflect anticipated increases in registration fees, lodging rates, and other travel-related costs.

<sup>6</sup> One-time funding is added to replace a copier.

<sup>7</sup> One-time funding is added for desktop computer, laptop computer, monitor, and iPad replacements.

<sup>8</sup> One-time funding is added for office improvements.

Sections 8 and 9 are amended to adjust 2015-17 biennium compensation rates to provide a 3 percent per year increase for interim meeting pay.

The compensation adjustments are as follows:

	<b>Current Compensation Rate</b>	<b>Rate Effective July 1, 2015</b>	<b>Rate Effective July 1, 2016</b>
Interim meeting pay	\$167	\$172	\$177

15.8007.01005  
Title.  
Fiscal No. 4

Prepared by the Legislative Council staff for  
Representative Skarphol  
February 17, 2015

Attachment #2  
HB 1001  
2/19/15

PROPOSED AMENDMENTS TO HOUSE BILL NO. 1001

Page 1, replace lines 17 through 21 with:

"Salaries and wages	\$9,205,759	\$987,174	\$10,192,933
Operating expenses	3,940,926	1,109,005	5,049,931
Capital assets	0	16,800	16,800
National conference of state legislatures	<u>233,286</u>	<u>7,977</u>	<u>241,263</u>
Total general fund	\$13,379,971	\$2,120,956	\$15,500,927"

Page 2, replace lines 3 through 10 with:

"Salaries and wages	\$8,660,860	\$913,597	\$9,574,457
Accrued leave payments	143,087	4,756	147,843
Operating expenses	3,753,527	323,409	4,076,936
Capital assets	<u>0</u>	<u>30,000</u>	<u>30,000</u>
Total all funds	\$12,557,474	\$1,271,762	\$13,829,236
Less estimated income	<u>69,999</u>	<u>1</u>	<u>70,000</u>
Total general fund	\$12,487,475	\$1,271,761	\$13,759,236
Full-time equivalent positions	37.00	0.00	37.00"

Page 2, replace lines 15 through 17 with:

"Grand total general fund	\$25,867,446	\$3,392,717	\$29,260,163
Grand total special funds	<u>69,999</u>	<u>1</u>	<u>70,000</u>
Grand total all funds	\$25,937,445	\$3,392,718	\$29,330,163"

Page 2, replace line 24 with:

"Legislative wing equipment and improvements	\$500,000	\$0"
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Page 2, replace line 24 with:

"Total general fund	\$542,000	\$1,144,810"
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Page 4, line 17, replace "seventy-four" with "seventy-two"

Page 6, line 10, replace "eighty-six" with "eighty-one"

Page 6, line 19, replace "forty-eight" with "forty-five"

Page 6, remove lines 30 and 31

Page 7, remove lines 1 through 31

Page 8, remove lines 1 through 29

Page 9, replace lines 1 through 18 with:

**"SECTION 7. 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 ~~seventy-two~~seventy-seven dollars 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 following each month during a regular or special session.
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 four hundred ~~eighty-~~seventy-five dollars a 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 ~~forty-~~fifty-five dollars 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."

Page 9, line 25, replace "seventy-four" with "seventy-two"

Page 10, replace lines 3 through 17 with:

"SECTION 9. 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 ~~seventy-two~~seventy-seven dollars 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."

Renumber accordingly

**STATEMENT OF PURPOSE OF AMENDMENT:**

**House Bill No. 1001 - Summary of House Action**

	Base Budget	House Changes	House Version
Legislative Assembly			
Total all funds	\$13,379,971	\$2,120,956	\$15,500,927
Less estimated income	0	0	0
General fund	\$13,379,971	\$2,120,956	\$15,500,927
Legislative Council			
Total all funds	\$12,557,474	\$1,271,762	\$13,829,236
Less estimated income	69,999	1	70,000
General fund	\$12,487,475	\$1,271,761	\$13,759,236
Bill total			
Total all funds	\$25,937,445	\$3,392,718	\$29,330,163
Less estimated income	69,999	1	70,000
General fund	\$25,867,446	\$3,392,717	\$29,260,163

**House Bill No. 1001 - Legislative Assembly - House Action**

	Base Budget	House Changes	House Version
Salaries and wages	\$9,205,759	\$987,174	\$10,192,933
Operating expenses	3,940,926	1,109,005	5,049,931
Capital assets		16,800	16,800
National conf of state legislatures	233,286	7,977	241,263
Total all funds	\$13,379,971	\$2,120,956	\$15,500,927
Less estimated income	0	0	0
General fund	\$13,379,971	\$2,120,956	\$15,500,927
FTE	0.00	0.00	0.00

**Department No. 150 - Legislative Assembly - Detail of House Changes**

	<b>Adds Funding for Base Payroll Changes<sup>1</sup></b>	<b>Adds Funding for Salary and Benefit Increases<sup>2</sup></b>	<b>Increases Funding for Monthly Lodging Reimbursement<sup>3</sup></b>	<b>Adjusts Cost-to-Continue Funding<sup>4</sup></b>	<b>Adds One-Time Funding for IT Equipment Replacement<sup>5</sup></b>	<b>Adds One-Time Funding for LEGEND Upgrades<sup>6</sup></b>
Salaries and wages	\$66,855	\$920,319				
Operating expenses			84,520	(120,325)	603,050	191,760
Capital assets				16,800		
National conf of state legislatures				7,977		
<b>Total all funds</b>	<b>\$66,855</b>	<b>\$920,319</b>	<b>\$84,520</b>	<b>(\$95,548)</b>	<b>\$603,050</b>	<b>\$191,760</b>
Less estimated income	0	0	0	0	0	0
<b>General fund</b>	<b>\$66,855</b>	<b>\$920,319</b>	<b>\$84,520</b>	<b>(\$95,548)</b>	<b>\$603,050</b>	<b>\$191,760</b>
FTE	0.00	0.00	0.00	0.00	0.00	0.00

	<b>Adds One-Time Funding for CSG Midwest Conference<sup>7</sup></b>	<b>Total House Changes</b>
Salaries and wages		\$987,174
Operating expenses	350,000	1,109,005
Capital assets		16,800
National conf of state legislatures		7,977
<b>Total all funds</b>	<b>\$350,000</b>	<b>\$2,120,956</b>
Less estimated income	0	0
<b>General fund</b>	<b>\$350,000</b>	<b>\$2,120,956</b>
FTE	0.00	0.00

<sup>1</sup> Funding is added for cost-to-continue 2013-15 biennium legislators' monthly compensation, additional monthly compensation for legislative leaders, and legislative compensation for regular and organizational sessions.

<sup>2</sup> Funding is added for increases in monthly health insurance premiums (\$657,154) and for 2015-17 biennium compensation adjustments of 3 percent per year for regular and organizational sessions, legislators' monthly compensation, and additional monthly compensation for legislative leaders (\$263,165).

The major compensation adjustments are as follows:

	<b>Current Compensation Rate</b>	<b>Rate Effective July 1, 2015</b>	<b>Rate Effective July 1, 2016</b>
Daily session pay	\$167	\$172	\$177
Monthly compensation	\$467	\$481	\$495
Leaders' additional monthly compensation	\$335	\$345	\$355

<sup>3</sup> Funding is added to increase the maximum monthly lodging expense reimbursement to \$1,680 anticipated for the 2017 legislative session. The maximum monthly lodging reimbursement is \$1,569 for the 2015 session.

<sup>4</sup> Funding for operating expenses, capital assets, and National Conference of State Legislatures dues is adjusted.

<sup>5</sup> One-time funding is added to replace computers and iPads.

<sup>6</sup> One-time funding is added for LEGEND core maintenance upgrades.

<sup>7</sup> One-time funding is added for the 2015 CSG Midwest Conference.

Sections 6 and 7 are amended to adjust 2015-17 biennium compensation rates to provide 3 percent per year increases for regular and organizational session pay, legislators' monthly compensation, and additional monthly compensation for legislative leaders.

The major compensation adjustments are as follows:

	Current Compensation Rate	Rate Effective July 1, 2015	Rate Effective July 1, 2016
Daily session pay	\$167	\$172	\$177
Monthly compensation	\$467	\$481	\$495
Leaders' additional monthly compensation	\$335	\$345	\$355

**House Bill No. 1001 - Legislative Council - House Action**

	Base Budget	House Changes	House Version
Salaries and wages	\$8,660,860	\$913,597	\$9,574,457
Operating expenses	3,753,527	323,409	4,076,936
Capital assets		30,000	30,000
Accrued leave payments	143,087	4,756	147,843
Total all funds	\$12,557,474	\$1,271,762	\$13,829,236
Less estimated income	69,999	1	70,000
General fund	\$12,487,475	\$1,271,761	\$13,759,236
FTE	37.00	0.00	37.00

**Department No. 160 - Legislative Council - Detail of House Changes**

	Adjusts Funding for Base Payroll and Cost to Continue <sup>1</sup>	Adds Funding for Salary and Benefit Increases <sup>2</sup>	Removes Market Equity Salary Funding <sup>3</sup>	Increases Funding for Legislator Per Diem <sup>4</sup>	Increases Funding for Travel <sup>5</sup>	Adds One-Time Funding for Equipment Replacement <sup>6</sup>
Salaries and wages	\$370,037	\$467,902	(\$100,000)	\$27,158		
Operating expenses	(522,718)				66,167	
Capital assets						30,000
Accrued leave payments	4,756					
Total all funds	(\$147,925)	\$467,902	(\$100,000)	\$27,158	\$66,167	\$30,000
Less estimated income	1	0	0	0	0	0
General fund	(\$147,926)	\$467,902	(\$100,000)	\$27,158	\$66,167	\$30,000
FTE	0.00	0.00	0.00	0.00	0.00	0.00

	Adds One-Time Funding for IT Equipment Replacement <sup>7</sup>	Adds One-Time Funding for Office Improvements <sup>8</sup>	Increases Funding for Legislative Conferences <sup>9</sup>	Total House Changes
Salaries and wages			\$148,500	\$913,597
Operating expenses	135,460	50,000	594,500	323,409
Capital assets				30,000
Accrued leave payments				4,756
Total all funds	\$135,460	\$50,000	\$743,000	\$1,271,762
Less estimated income	0	0	0	1
General fund	\$135,460	\$50,000	\$743,000	\$1,271,761
FTE	0.00	0.00	0.00	0.00

<sup>1</sup> Funding is added for cost-to-continue 2013-15 biennium salaries and benefit increases and for other base payroll changes. Funding for operating expenses is reduced, including information technology -

consulting, information technology - data processing, office supplies, and postage.

<sup>2</sup> Funding from the general fund is added for 2015-17 biennium performance salary adjustments of 2 to 4 percent per year (\$312,460) and increases in monthly health insurance premiums (\$155,442).

<sup>3</sup> Market equity salary funding is removed.

<sup>4</sup> Funding is added for 2015-17 biennium compensation adjustments of 3 percent per year for legislators' attendance at interim meetings.

The compensation adjustments are as follows:

	Current Compensation Rate	Rate Effective July 1, 2015	Rate Effective July 1, 2016
Interim meeting pay	\$167	\$172	\$177

<sup>5</sup> Funding for travel related to committee and other meetings is increased to reflect anticipated increases in registration fees, lodging rates, and other travel-related costs.

<sup>6</sup> One-time funding is added to replace a copier.

<sup>7</sup> One-time funding is added for desktop computer, laptop computer, monitor, and iPad replacements.

<sup>8</sup> One-time funding is added for office improvements.

<sup>9</sup> Funding is added for per diem and travel reimbursement for each legislator to attend one conference per year, not to exceed \$2,850 per year. First-term legislators would be limited to one conference per biennium.

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Sections 8 and 9 are amended to adjust 2015-17 biennium compensation rates to provide a 3 percent per year increase for interim meeting pay.

The compensation adjustments are as follows:

	Current Compensation Rate	Rate Effective July 1, 2015	Rate Effective July 1, 2016
Interim meeting pay	\$167	\$172	\$177

March 5, 2015

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STATEMENT OF JIM W. SMITH, DIRECTOR,  
NORTH DAKOTA LEGISLATIVE COUNCIL,  
REGARDING ENGROSSED HOUSE BILL NO. 1001,  
MARCH 5, 2015

Mr. Chairman and members of the Senate Appropriations Committee:

I am here this morning appearing on Engrossed House Bill No. 1001 on behalf of the members of the Legislative Assembly and the members of the Legislative Management to explain the budget requests for the Legislative Assembly, the Legislative Management, and the Legislative Council for the 2015-17 biennium.

The budget requests for these agencies are prepared using zero-based budgeting, meaning all amounts requested are calculated from a starting point of zero.

The financial statements for the fiscal years ending June 30, 2013 and 2012, for the Legislative Assembly and Legislative Council had unqualified opinions. The Legislative Council had one finding in its 2012 financial statements relating to general ledger reconciliation. The finding was corrected.

**LEGISLATIVE ASSEMBLY**

Subdivision 1 of Section 1 of the bill contains the 2015-17 biennium appropriation for the Legislative Assembly of \$15,500,927 from the general fund. This amount includes \$1,144,810 of one-time funding requests. The Legislative Assembly "ongoing" request is \$14,356,117, an increase of \$976,146, or 7.3 percent more than the 2011-13 "ongoing" appropriation of \$13,379,971. The amount requested is considered necessary for the organizational session and a 77-legislative-day (111-calendar-day) regular 2017 legislative session. The following schedule presents the number of legislative days for previous sessions:

Legislative Session	Legislative Days
2013	80
2011	78
2009	79
2007	78
2005	76
2003	76*
2001	77
1999	71
1997	66
1995	67

\*Excludes the three legislative days relating to the May 2003 special session.

The Legislative Assembly in 2013 provided funding for an estimated 77-legislative-day 2015 legislative session.

**Salaries and Wages**

The salaries and wages line item of approximately \$10.2 million includes funding for:

- Legislative employees' pay for the 2017 legislative session based on the number of employees anticipated to be employed for the 2015 legislative session of 84.
- Legislators' salary of \$177 per day for a 77-legislative-day regular 2017 session (111 calendar days). This includes a 3 percent first year and 3 percent second year increase as provided for in Sections 6 and 7 (an estimated cost of \$176,072).
- Continuing the additional compensation of \$15 per calendar day for the legislative leaders and \$10 per calendar day for chairmen of the standing committees and assistant legislative leaders. These compensation rates were each increased by \$5 by the Legislative Assembly in 2011.
- Legislators' monthly compensation of \$481 per month for the first year of the biennium, a \$14, or 3 percent, per month increase and \$495 per month for the second year of the biennium, a \$14, or 3 percent, per month increase (an estimated cost of \$76,500). These increases are provided for in Sections 6 and 7.
- Additional monthly compensation for House and Senate majority and minority leaders of \$345 per month for the first year of the biennium, a \$10, or 3 percent, per month increase and \$355 per month for the second year of the biennium, a \$10, or 3 percent, per month increase (estimated cost of \$10,593). These increases are provided for in Sections 6 and 7.
- Health insurance coverage for 133 legislators, three more than the number budgeted for the 2013-15 biennium. Current information indicates that 133 legislators have requested health insurance.

**Operating Expenses**

The operating expenses line item of approximately \$5 million includes funding for:

- Legislators' travel costs for 16 trips at 56 cents per mile during the 2017 regular session and one trip for the 2016 organizational session. The mileage rate is currently 57.5 cents per mile.
- Lodging costs for 127 legislators for four months during the 2017 legislative session at

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an estimated reimbursement rate of \$1,680 per month. The reimbursement rate for the 2015 legislative session is \$1,569. The budget includes an additional \$84,520 relating to lodging.

- Contribution of \$10,000 annually to the Legislator's Forum (Manitoba, Minnesota, North Dakota, and South Dakota).
- Ongoing information technology data processing of \$1,262,790, a decrease of \$10,850 compared to the 2013-15 biennium.
- Professional services of \$77,000, \$30,000 less than the 2013-15 biennium budget. The amount includes \$60,000 for the continued privatization of legislative secretarial, bill and journal, and telephone operations.
- One-time funding of \$191,760 for information technology consulting and software relating to LEGEND system upgrades.
- One-time funding of \$603,050 to replace legislator's laptops and iPads.

#### CSG Midwest Conference

The request includes one-time funding of \$350,000 for the CSG Midwest Conference to be held in Bismarck in July 2015. The Legislative Procedures and Arrangements Committee, Representative Al Carlson, Chairman, approved the following motion on September 24, 2014:

**It was moved by Senator Wardner, seconded by Representative Onstad, and carried on a roll call vote that the committee support the inclusion of funding of \$350,000 in the Legislative Assembly budget request for the 2015-17 biennium in support of the 2015 Council of State Government's Midwestern Legislative Conference to be held in Bismarck in July 2015, with the expectation that the amount budgeted will be reduced by any additional funds that are raised.** Representatives Carlson, Devlin, Mock, Onstad, and Vigesaa and Senators Heckaman, Holmberg, Klein, Schneider, and Wardner voted "aye." No negative votes were cast.

Attached as Appendix A is a copy of a) a letter; b) supporting budget information; and c) the 2015 Host Team from Senator Tim Flakoll, chair, 2015 Midwestern Legislative Conference, explaining and supporting the request, Senator Ron Carlisle is the chair of the fundraising team which has identified 62 potential sponsors. Contracts have been entered into for major speeches and events.

#### Capital Assets

The capital assets line item of \$16,800. The bill as introduced included one-time funding of \$500,000 for continuing legislative wing improvements; however, the House did not include this funding. Areas of

possible use of this funding could have been Brynhild Haugland Room upgrade, press studio upgrade, committee room sound upgrades, chamber improvements, and other renovations.

#### National Conference of State Legislatures

The National Conference of State Legislatures (NCSL) line item of \$241,263 is an increase of \$7,977 from the 2013-15 budget of \$233,286. This represents North Dakota's contribution to NCSL, and the amount is based on NCSL's estimate of North Dakota's share of the NCSL budget for fiscal years 2016 and 2017.

### LEGISLATIVE MANAGEMENT AND LEGISLATIVE COUNCIL

Subdivision 2 of Section 1 contains the 2015-17 appropriation for the Legislative Management and the Legislative Council of \$13,086,236, of which \$13,016,236 is from the general fund and \$70,000 is from the insurance regulatory trust fund. The 2015-17 "ongoing" general fund request is \$12,800,776, an increase of \$313,301, or **2.5 percent more** than the 2013-15 "ongoing" general fund appropriation of \$12,487,475.

The \$70,000 is from the insurance regulatory trust fund and is for expenses relating to legislator involvement with the National Conference of Insurance Legislators.

The Legislative Council is requesting 37 full-time equivalent (FTE) positions, the same number authorized for the 2013-15 biennium. The organizational chart reflecting the current staff structure is attached as Appendix B.

#### Salaries and Wages

The salaries and wages line item of approximately \$9.4 million includes funding for:

- Thirty-seven authorized FTE positions.
- Funding for salary increases for state employees of \$312,460 (annual performance increases of from 2 to 4 percent).
- The Governor's recommended health insurance premium increase of \$155,442.
- Funding was removed by the House for market equity salary increases of \$100,000, which was the same level of funding as the 2013-15 biennium.
- Temporary employees' pay for the 2017 legislative session.
- Legislators' per diem for meetings during the interim of \$1,081,373, \$77,681 more than the 2013-15 budgeted amount of \$1,003,692. This request is based on the same number of committees (26) budgeted for the 2013-14 interim and assumes an 87 percent attendance rate at committee meetings. The budgeted amount includes a proposed increase for legislators' interim meeting pay from the

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current level of \$167 per day to \$172 per day effective July 1, 2015, and \$177 per day effective July 1, 2016 (an estimated cost of \$27,158). These increases are provided for in Sections 8 and 9.

- Funding of \$147,843 has been reallocated from the salaries and wages line item to an accrued leave payments line item in accordance with the action of the 2013 Legislative Assembly to designate a portion of salaries and wages funding for paying accrued leave.
- Our goals are recruitment of high quality employees, staff retention, and succession planning to address retirements of long-term employees. A challenge occurs when resignations and retirements happen near a legislative session. We plan to address salary levels as necessary to recruit and retain quality employees to serve the Legislative Assembly and its committees and members.

### Operating Expenses

The operating expenses line item of approximately \$3.5 million includes funding for:

- Travel expenses relating to meetings during the interim of \$1,722,239, which is \$66,167 more than the 2013-15 budget of \$1,656,072. The funding request is based on the same number of committees (26) budgeted for the 2013-14 interim and assumes an 87 percent attendance rate at committee meetings. The increase is primarily related to anticipated increases in lodging reimbursement rates.
- Dues of \$38,400 annually to the Energy Council.
- Information technology consulting totals \$100,800, \$102,355 less than the 2013-15 budget.
- Professional services of \$315,000 is \$250,000 less than the 2013-15 budget due to removal of one-time funding provided for assistance with education funding and higher education studies during the 2013-15 interim. Legislative Management chose not to hire a consultant for the higher education study; therefore, this amount was not spent. The \$315,000 includes

\$300,000 for consulting services to assist with interim committee studies when required, \$6,000 for contracting for the Legislative Council audit, and \$9,000 for contracting for the State Auditor's office audit.

- One-time funding of \$135,460 for replacing the staff's laptops and iPads.
- One-time funding of \$50,000 for office improvements.
- Other operating expenses changes are based on the Office of Management and Budget's guidelines as they are applicable and anticipated needs in other areas.

### Capital Assets

The capital assets line item of \$30,000 includes one-time funding for replacing a copier.

### OTHER AREAS

Sections 4 and 5 relate to authorizing line item transfers as necessary and the cancelation of previous unspent appropriations.

### RELATED BILLS

Other bills under consideration that may affect the budget of the legislative branch include:

- House Bill No. 1199 relates to legislators receiving session lodging reimbursement earlier.
- Senate Bill No. 2222 relates to open records requests of legislators and the Legislative Council.
- House Bill No. 1015 includes a \$50,000 general fund appropriation to obtain consulting services to assist with a Legislative Management study of incarceration issues.
- Senate Bill No. 2012 includes a \$50,000 general fund appropriation to obtain consulting services to assist with a Legislative Management study of the delivery system for children with special health care needs.

ATTACH:2

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1001 3/5/15

## NORTH DAKOTA SENATE



STATE CAPITOL  
600 EAST BOULEVARD  
BISMARCK, ND 58505-0360

**Senator Tim Flakoll**

District 44  
1350 Second Street North  
Fargo, ND 58102-2725

*tflakoll@nd.gov*

**COMMITTEES:**

Education, Chairman  
Transportation

**TO:** Legislative Procedure and Arrangements Committee

**FROM:** Senator Tim Flakoll, Midwestern Legislative Conference First Vice Chair

**RE:** Council of State Governments 2015 Midwestern Legislative Conference Meeting in Bismarck

**DATE:** September 24, 2014

North Dakota is hosting the CSG Midwestern Legislative Conference in Bismarck next summer, July 12-15, 2015. The event will bring 500 to 600 legislators, spouses, and others from 10 states and 4 Canadian provinces to North Dakota. North Dakota has this opportunity every 12 years or so and the event was last held in Fargo 13 years ago and in Bismarck 23 years ago. We plan to have a premier event, showcasing the successes of North Dakota and focusing on energy and agriculture. Featuring these two areas will be vital for the ongoing support by state and provincial leaders as well as building a strong base for those who move on to federal positions, including Congress or agencies, such as the Environmental Protection Agency. The plan is to tie in local tourist destinations with the event for pre- or post-conference vacations. This conference will have significant economic impact on the area.

Planning efforts are well underway. North Dakota is responsible for planning the evening events, as well as the spouse and youth events. Main events are planned at the Heritage Center on Sunday evening, Fort Lincoln on Monday evening, and a state dinner on Tuesday evening. Attached is a summary of expense budgeted and income projected. The events in Nebraska and Minnesota for the last 2 years had a budget of around \$500,000. The Council of State Governments' out-of-state fundraising efforts should generate approximately \$90,000, as do the registration fees, for a total of \$180,000 from those sources, leaving around \$350,000 to be raised in North Dakota. We are beginning fundraising efforts, headed up by Senator Ron Carlisle. To have a premier North Dakota event, I believe we need state general fund support in the Legislative Assembly's budget for the 2015-17 biennium, and I request that the committee support, by motion, the inclusion of \$350,000 in the budget as a starting point, to be reduced by any funds raised by North Dakota's fundraising team.

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**Expenses budgeted for Bismarck  
in July 11-15, 2015**

\$ 536,187

> note - energy and ag tours on the  
11th the day before the official start

**Income projected budget**

Registrations

\$ 90,000

Out of state sponsors

\$ 90,000

Total from CSG

\$ 180,000

Needed to be raised in North  
Dakota

\$ 356,197

**Pledged to date**

Bismarck-Mandan CVB

\$ 11,500

North Dakota sponsorships in  
2002 when we hosted the MLC  
last time - in Fargo

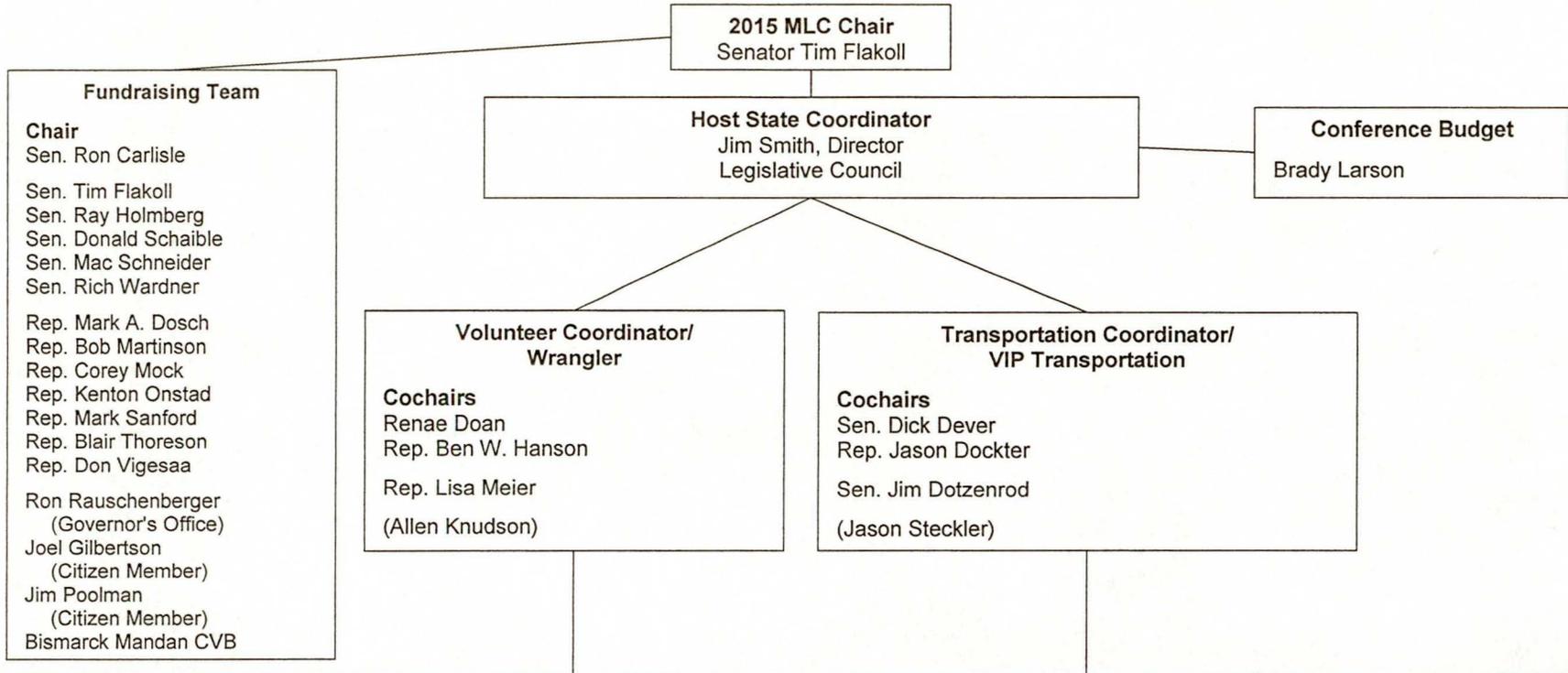
\$ 21,150

The average budget of Minnesota  
and Nebraska was \$510,350 (the last  
two host states). The budget for  
Nebraska rose by \$202,103 (74%)  
since the last time they hosted and  
they did nothing extravagant beyond  
the normal hosting this past summer

# MIDWESTERN LEGISLATIVE CONFERENCE

## Bismarck, ND

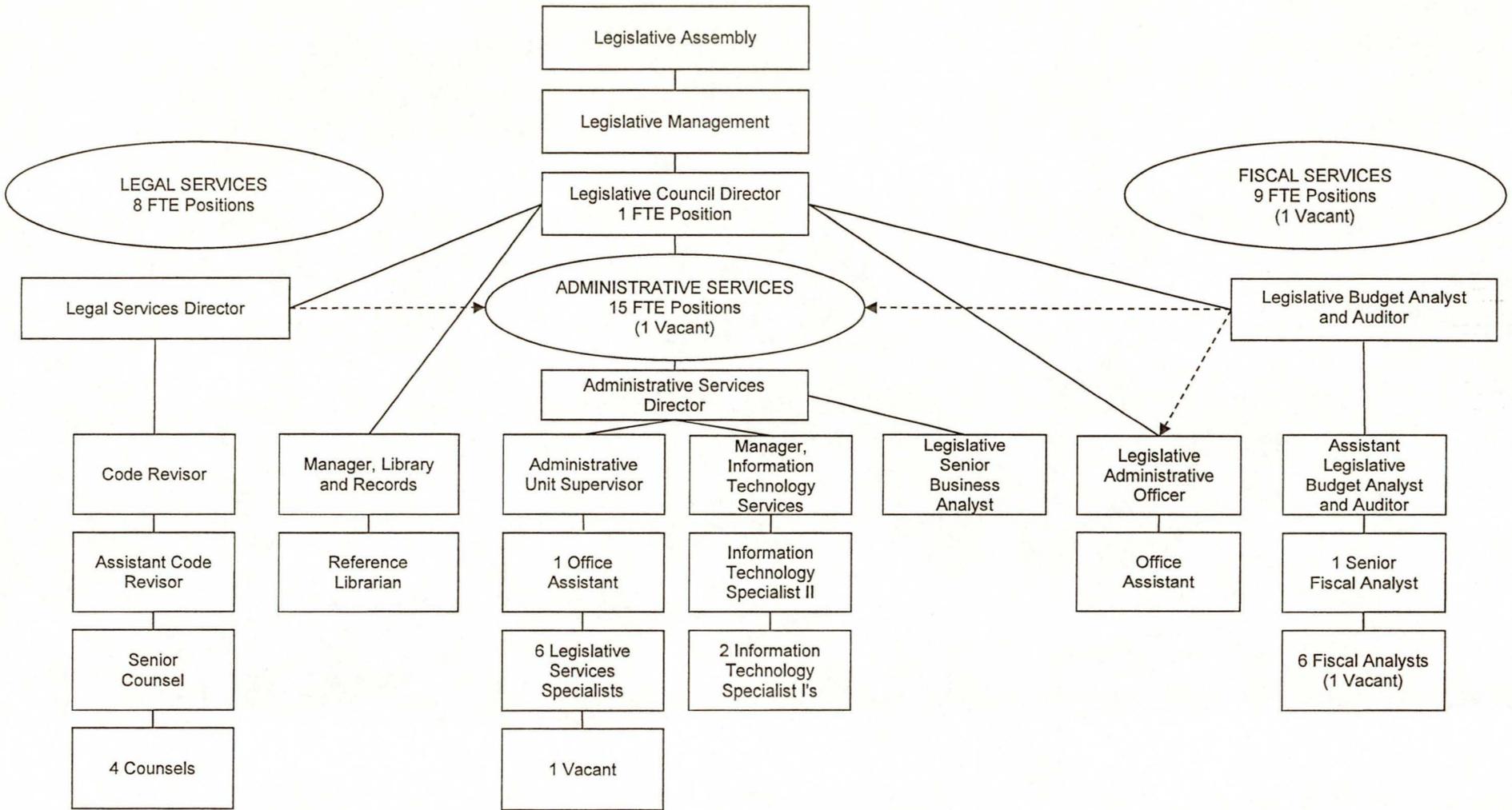
### 2015 Host State Team



Onsite Registration Coordinator	Spouse Event Coordinator	Youth Event Coordinator	Saturday Energy Patch Coordinator	Sunday Opening Reception Coordinator	Monday Night Family Coordinator	Tuesday State Dinner Coordinator
Bismarck Mandan Chamber (Donavan Klein & Staff)	<b>Cochairs</b> Sen. Joan Heckaman Sen. Carolyn C. Nelson  Sen. Rich Wardner (Kylah Aull/Sheila Sandness)	<b>Chair</b> Rep. Kathy Hawken  Rep. Kylie Oversen Rep. Naomi Muscha  Tami Ternes (Governor's Office) Renaee Doan (Andrea Cooper/Brad Metz)	<b>Cochairs</b> Sen. Kelly M. Armstrong Sen. Jessica K. Unruh  <b>Saturday Agriculture Committee Tour Liaisons</b>  Rep. Wes Belter  Julie Ellingson (ND Stockmen's Association) (Anita Thomas)	<b>Chair</b> Sen. Nicole Poolman  Rep. Mark A. Dosch Rep. Ben W. Hanson Rep. Diane Larson Rep. Mike Nathe  Joel Gilbertson (Citizen Member) (Vonette Richter)	<b>Chair</b> Sen. Dwight Cook  Sen. Larry J. Robinson Sen. Donald Schaible  Rep. Ben W. Hanson Rep. Karen Karls Rep. Mike Nathe Rep. Todd M. Porter Rep. Karen Rohr  Tami Ternes (Governor's Office) (Tim Dawson)	<b>Cochairs</b> Sen. Judy Lee Sen. Karen K. Krebsbach Rep. Lois Delmore  Betsy Dalrymple - First Lady Julie McBride (Citizen Member) Marsha Lembke (Citizen Member) Jim Poolman (Citizen Member) (Jim Smith/John Bjornson)

3/5/15  
HB1001  
1-6

# LEGISLATIVE COUNCIL ORGANIZATIONAL CHART



37 FTE Positions  
Authorized  
(2 Vacant)

1-7  
HB 1001  
9/5/15

— Line of Authority      - - - - - Input and Assigned Oversight Responsibilities

PROPOSED AMENDMENTS TO ENGROSSED HOUSE BILL NO. 1001

Page 1, line 4, after the semicolon insert "to provide for a legislative management study;"

Page 1, replace lines 17 through 21 with:

"Salaries and wages	\$9,205,759	\$811,614	\$10,017,373
Operating expenses	3,940,926	1,109,005	5,049,931
Capital assets	0	416,800	416,800
National conference of state legislatures	<u>233,286</u>	<u>7,977</u>	<u>241,263</u>
Total general fund	\$13,379,971	\$2,345,396	\$15,725,367"

Page 2, replace lines 3 through 10 with:

"Salaries and wages	\$8,660,860	\$885,837	\$9,546,697
Accrued leave payments	143,087	(143,087)	0
Operating expenses	3,753,527	(271,091)	3,482,436
Capital assets	0	<u>30,000</u>	<u>30,000</u>
Total all funds	\$12,557,474	\$501,659	\$13,059,133
Less estimated income	<u>69,999</u>	<u>1</u>	<u>70,000</u>
Total general fund	\$12,487,475	\$501,658	\$12,989,133
Full-time equivalent positions	37.00	0.00	37.00"

Page 2, replace lines 15 through 17 with:

"Grand total general fund	\$25,867,446	\$2,847,054	\$28,714,500
Grand total special funds	<u>69,999</u>	<u>1</u>	<u>70,000</u>
Grand total all funds	\$25,937,445	\$2,847,055	\$28,784,500"

Page 2, replace lines 24 through 29 with:

"Legislative wing equipment and improvements	\$500,000	\$400,000
Information technology projects	42,000	0
Information technology equipment	0	603,050
LEGEND maintenance	0	191,760
Council of State Governments conference	<u>0</u>	<u>350,000</u>
Total general fund	\$542,000	\$1,544,810"

Page 10, after line 17, insert:

**"SECTION 10. LEGISLATIVE MANAGEMENT STUDY.** During the 2015-16 interim, the legislative management shall study the use of bonding to finance state building, road, and water construction projects. The study must include consideration of the effect that financing state construction projects with existing oil revenue has had on both the construction industry and the oil and gas industry. The legislative management shall report its findings and recommendations, along with any legislation required to implement the recommendations, to the sixty-fifth legislative assembly."

Renumber accordingly

**STATEMENT OF PURPOSE OF AMENDMENT:**

**House Bill No. 1001 - Summary of Senate Action**

	Base Budget	House Version	Senate Changes	Senate Version
<b>Legislative Assembly</b>				
Total all funds	\$13,379,971	\$15,500,927	\$224,440	\$15,725,367
Less estimated income	0	0	0	0
General fund	\$13,379,971	\$15,500,927	\$224,440	\$15,725,367
<b>Legislative Council</b>				
Total all funds	\$12,557,474	\$13,086,236	(\$27,103)	\$13,059,133
Less estimated income	69,999	70,000	0	70,000
General fund	\$12,487,475	\$13,016,236	(\$27,103)	\$12,989,133
<b>Bill total</b>				
Total all funds	\$25,937,445	\$28,587,163	\$197,337	\$28,784,500
Less estimated income	69,999	70,000	0	70,000
General fund	\$25,867,446	\$28,517,163	\$197,337	\$28,714,500

### House Bill No. 1001 - Legislative Assembly - Senate Action

	Base Budget	House Version	Senate Changes	Senate Version
Salaries and wages	\$9,205,759	\$10,192,933	(\$175,560)	\$10,017,373
Operating expenses	3,940,926	5,049,931		5,049,931
Capital assets		16,800	400,000	416,800
National conf of state legislatures	233,286	241,263		241,263
Total all funds	\$13,379,971	\$15,500,927	\$224,440	\$15,725,367
Less estimated income	0	0	0	0
General fund	\$13,379,971	\$15,500,927	\$224,440	\$15,725,367
FTE	0.00	0.00	0.00	0.00

### Department No. 150 - Legislative Assembly - Detail of Senate Changes

	Adjusts Funding for Health Insurance Premium Increases <sup>1</sup>	Adds One-Time Funding for Committee Room Renovations <sup>2</sup>	Total Senate Changes
Salaries and wages	(\$175,560)		(\$175,560)
Operating expenses			
Capital assets		400,000	400,000
National conf of state legislatures			
Total all funds	(\$175,560)	\$400,000	\$224,440
Less estimated income	0	0	0
General fund	(\$175,560)	\$400,000	\$224,440
FTE	0.00	0.00	0.00

<sup>1</sup> Funding for employee health insurance premiums is adjusted to reflect the revised premium estimate of \$1,130.22 per month.

<sup>2</sup> One-time funding is added for committee room renovations.

### House Bill No. 1001 - Legislative Council - Senate Action

	Base Budget	House Version	Senate Changes	Senate Version
Salaries and wages	\$8,660,860	\$9,425,957	\$120,740	\$9,546,697
Operating expenses	3,753,527	3,482,436		3,482,436
Capital assets		30,000		30,000
Accrued leave payments	143,087	147,843	(147,843)	

Total all funds	\$12,557,474	\$13,086,236	(\$27,103)	\$13,059,133
Less estimated income	69,999	70,000	0	70,000
General fund	\$12,487,475	\$13,016,236	(\$27,103)	\$12,989,133
FTE	37.00	37.00	0.00	37.00

**Department No. 160 - Legislative Council - Detail of Senate Changes**

	Adjusts Funding for Health Insurance Premium Increases <sup>1</sup>	Moves Funding for Accrued Leave <sup>2</sup>	Total Senate Changes
Salaries and wages	(\$27,103)	\$147,843	\$120,740
Operating expenses			
Capital assets			
Accrued leave payments		(147,843)	(147,843)
Total all funds	(\$27,103)	\$0	(\$27,103)
Less estimated income	0	0	0
General fund	(\$27,103)	\$0	(\$27,103)
FTE	0.00	0.00	0.00

<sup>1</sup> Funding for employee health insurance premiums is adjusted to reflect the revised premium estimate of \$1,130.22 per month.

<sup>2</sup> Funding provided in the accrued leave line item is moved to the salaries and wages line item.

This amendment also adds a section to provide for a Legislative Management study of the use of bonding to finance state building, road, and water construction projects.

15.8007.02002  
Title.

Prepared by the Legislative Council staff for  
Representative Carlson  
April 13, 2015

PROPOSED AMENDMENTS TO ENGROSSED HOUSE BILL NO. 1001

That the Senate recede from its amendments as printed on pages 1422-1424 of the House Journal and pages 1143-1145 of the Senate Journal and that Engrossed House Bill No. 1001 be amended as follows:

Page 1, line 3, after "54-03-20" insert ", 54-35-06,"

Page 1, line 4, after "compensation" insert "and expenditures"

Page 9, after line 18, insert:

**"SECTION 8. AMENDMENT.** Section 54-35-06 of the North Dakota Century Code is amended and reenacted as follows:

**54-35-06. Officers - Accept funds - Expenditures.**

The legislative management shall select a chairman and a vice chairman from its own members and may prescribe its own rules of procedure. The legislative management may appoint a secretary who need not be a member, and shall appoint a director who must be in charge of the legislative council and who must be paid such salary as the legislative management may determine. The director may employ such persons and obtain the assistance of such research agencies as determined necessary. The director may use available funds for salary adjustments to assist with staff recruitment, retention, and recognition of exceptional performance. The legislative management and the legislative council may accept and use any funds made available through the terms of any agreement made with any agency whatsoever for the accomplishment of the purpose of this chapter. Expenditures of funds made available by legislative appropriation must be made in accordance with rules or motions duly approved by the legislative management."

Page 10, line 18, replace "8" with "9"

Page 10, line 19, replace "9" with "10"

Renumber accordingly