

STANDING COMMITTEE DIVISION CHAIRMEN COMPENSATION - BACKGROUND INFORMATION

Section 8 of Senate Bill No. 2001 (2005) directed the Legislative Council, through the Legislative Management Committee, to study the appropriateness of increasing the daily compensation for chairmen of substantive standing committee divisions established by rule of the House or Senate. During the 2005 legislative session, an issue arose as to whether chairmen of the divisions of the House Appropriations Committee should be entitled to receive additional compensation as chairmen.

North Dakota Century Code Section 54-03-20 provides for compensation and expense reimbursement of members of the Legislative Assembly. Each member of the Legislative Assembly is entitled to receive compensation in the sum of \$125 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. A day or portion of a day spent in traveling to or returning from an organizational, special, or regular legislative session or a legislative committee meeting is considered a calendar day during a legislative session or as a day of a legislative committee meeting. In addition to the per diem compensation, each member is entitled to receive as compensation \$350 per month.

North Dakota Century Code Section 54-03-10 provides additional daily compensation for members serving in certain positions:

The speaker of the house, the house majority leader, the senate majority leader, the house minority leader, and the senate minority leader shall each receive as compensation, in addition to any other compensation or expense reimbursement provided by law, the sum of ten dollars per day for each calendar day during any regular, special, or organizational session. **Chairmen of the substantive standing committees**, the house assistant majority leader, the senate assistant majority leader, the house assistant minority leader, and the senate assistant minority leader **shall receive additional compensation of five dollars for each calendar day during any regular, special, or organizational session.** The additional compensation provided by this section must be paid in the manner provided in section 54-03-20. The legislative assembly, by concurrent resolution, shall fix the compensation of the other officers and employees elected or appointed. (emphasis supplied)

Under House and Senate Rules 501, the substantive standing committees are:

1. The five-day standing committee is Appropriations.
2. The three-day standing committees are:
 - a. Education.
 - b. Finance and Taxation.
 - c. Human Services.
 - d. Industry, Business and Labor.
 - e. Judiciary.
3. The two-day standing committees are:
 - a. Agriculture.
 - b. Government and Veterans Affairs.
 - c. Natural Resources.
 - d. Political Subdivisions.
 - e. Transportation.

House Rule 501(6) provides for a House Constitutional Revision Committee appointed in the same manner as the members of other standing committees are appointed.

House Rule 501(2) establishes the House Appropriations Committee and four divisions of the committee:

1. Education and Environment.
2. Government Operations.
3. Government Performance.
4. Human Resources.

North Dakota Century Code Section 54-03-10 limits extra compensation for committee positions to chairmen of the substantive standing committees. There is no extra compensation under the existing law for division chairmen, subcommittee chairmen, or vice chairmen of standing committees.

Each house determines by rule which committees that house will have. During the 2005 legislative session, the House of Representatives had one more committee--the Constitutional Revision Committee--and thus had one more member than the Senate who was entitled to the additional compensation provided by law. Prior to the 1973 legislative session, the House of Representatives and the Senate had quite different committee structures. In 1971 the House had 12 standing committees and the Senate had 11, and in 1969 the House had 14 standing committees and the Senate had 11.

It would take a change in statute to provide additional compensation for division chairmen, which requires passage by both houses. Each house has control over the number of members who are designated as standing committee chairmen because each house decides its own standing committee structure.