

## LEGISLATIVE ASSEMBLY EMPLOYEE POSITIONS AND COMPENSATION

This memorandum provides information on the number of employee positions during the 2003, 2005, and 2007 legislative sessions and reviews a proposed number of employee positions for the 2009 legislative session. This memorandum also provides information on employee compensation during the 2007 legislative session and proposed compensation levels for the 2009 legislative session.

In 1997 a generic "legislative assistant" position was created and replaced the positions of assistant sergeant-at-arms, supply room coordinator, desk page, page and bill book clerk, information desk attendant, parking lot attendant, telephone attendant, telephone page, bill room clerk, and journal room clerk. The purpose of the legislative assistant position is to allow employees in positions not requiring substantial technical skills to be transferred to other work assignments as needed. Although the pay resolution refers to legislative assistant, the Employment Committees' reports continue to refer to the old titles as a means to indicate initial assignments.

Service contracts with third parties eliminated 12 stenographer and typist positions starting in 1995, eliminated 12 bill room clerk and journal room clerk positions starting in 1997, and eliminated 11 telephone attendant and telephone page positions starting in 2001. The secretarial, telephone message, and bill and journal room services contract proposed for 2009 provides for 6 positions spread among those three areas.

### SESSION EMPLOYMENT TABLE

Table 1 lists employment positions during the 2003, 2005, and 2007 legislative sessions and proposed employment positions for the 2007 legislative session.

During the 2005-06 interim, the Legislative Management Committee recommended a total of

77.5 employment positions--36 Senate employees and 41.5 House employees--be employed during the 2007 legislative session. During the legislative session, the House employed three rather than four assistant Appropriations Committee clerks, added a one-half time assistant sergeant-at-arms, and added a one-half time information kiosk attendant; the majority leaders employed two staff assistants rather than four; and the minority leaders employed three staff assistants rather than four, with the second staff assistant in the House shared by the House and the Senate minority leaders. Thus, during the 2007 legislative session there were 34 Senate employees and 40.5 House employees.

### 2009 Proposed Positions

The number of employment positions proposed for the 2009 legislative session--36.5 Senate employees and 42.5 House employees--recognizes:

- The four staff assistants authorized for the majority leaders and the four staff assistants authorized for the minority leaders.
- House employment of the payroll clerk.
- Continued Senate employment of the supply room coordinator.
- House employment of two one-half time assistant sergeant-at-arms (which was done in 2007).
- Employment of a parking lot attendant by each house.
- Employment of an additional one-half time assistant sergeant-at-arms by the Senate and by the House for purposes of operating the video camera during floor sessions.
- Employment of one information kiosk attendant by the Senate and the House, rather than continuing to alternate between the houses and the House employing a one-half time attendant, for the purpose of taking telephone messages.

**Table 1  
Employment Positions - 2003-2007 and Proposed 2009 Legislative Sessions**

| Employee Position                                | Number of Employees 2003 |             | Number of Employees 2005 |           | Number of Employees 2007 |             | Proposed Number of Employees 2009 |           |
|--|--------------------------|-------------|--------------------------|-----------|--------------------------|-------------|-----------------------------------|-----------|
|  | Senate/<br>House         | Total       | Senate/<br>House         | Total     | Senate/<br>House         | Total       | Senate/<br>House                  | Total     |
| Secretary of the Senate/Chief Clerk of the House | 1/1                      | 2           | 1/1                      | 2         | 1/1                      | 2           | 1/1                               | 2         |
| Assistant secretary/assistant chief clerk        | 1/1                      | 2           | 1/1                      | 2         | 1/1                      | 2           | 1/1                               | 2         |
| Journal reporter                                 | 1/1                      | 2           | 1/1                      | 2         | 1/1                      | 2           | 1/1                               | 2         |
| Calendar clerk                                   | 1/1                      | 2           | 1/1                      | 2         | 1/1                      | 2           | 1/1                               | 2         |
| Bill clerk                                       | 1/1                      | 2           | 1/1                      | 2         | 1/1                      | 2           | 1/1                               | 2         |
| Sergeant-at-arms                                 | 1/1                      | 2           | 1/1                      | 2         | 1/1                      | 2           | 1/1                               | 2         |
| Administrative assistant to the Speaker          | 0/1                      | 1           | 0/1                      | 1         | 0/1                      | 1           | 0/1                               | 1         |
| Administrative assistant to the majority leader  | 1/1                      | 2           | 1/1                      | 2         | 1/1                      | 2           | 1/1                               | 2         |
| Staff assistant to the majority leader           | 1/1 <sup>1</sup>         | 2           | 1/1 <sup>1</sup>         | 2         | 1/1 <sup>1</sup>         | 2           | 2/2                               | 4         |
| Administrative assistant to the minority leader  | 1/1                      | 2           | 1/1                      | 2         | 1/1                      | 2           | 1/1                               | 2         |
| Staff assistant to the minority leader           | 1/2 <sup>2</sup>         | 3           | 1/2 <sup>2</sup>         | 3         | 1/2 <sup>2</sup>         | 3           | 2/2                               | 4         |
| Chief committee clerk                            | 1/1                      | 2           | 1/1                      | 2         | 1/1                      | 2           | 1/1                               | 2         |
| Appropriations Committee clerk                   | 1/1                      | 2           | 1/1                      | 2         | 1/1                      | 2           | 1/1                               | 2         |
| Assistant Appropriations Committee clerk         | 1/3                      | 4           | 1/4 <sup>3</sup>         | 5         | 1/3                      | 4           | 1/3                               | 4         |
| Committee clerk                                  | 10/10                    | 20          | 10/10                    | 20        | 10/10                    | 20          | 10/10                             | 20        |
| Assistant committee clerk                        | 1/1                      | 2           | 1/1                      | 2         | 1/1                      | 2           | 1/1                               | 2         |
| Payroll clerk <sup>4</sup>                       | 1/0                      | 1           | 0/1                      | 1         | 1/0                      | 1           | 0/1                               | 1         |
| Deputy sergeant-at-arms                          | 1/1                      | 2           | 1/1                      | 2         | 1/1                      | 2           | 1/1                               | 2         |
| Assistant sergeant-at-arms                       | 1/2.5 <sup>5</sup>       | 3.5         | 1/2.5 <sup>5</sup>       | 3.5       | 1/3 <sup>5</sup>         | 4           | 1.5/3.5 <sup>10</sup>             | 5         |
| Supply room coordinator <sup>6</sup>             | 1/0                      | 1           | 1/0                      | 1         | 1/0                      | 1           | 1/0                               | 1         |
| Chief page and bill book clerk                   | 1/1                      | 2           | 1/1                      | 2         | 1/1                      | 2           | 1/1                               | 2         |
| Desk page  | 1/1                      | 2           | 1/1                      | 2         | 1/1                      | 2           | 1/1                               | 2         |
| Page and bill book clerk                         | 3/5 <sup>7</sup>         | 8           | 3/4                      | 7         | 3/4                      | 7           | 3/4                               | 7         |
| Information kiosk attendant <sup>8</sup>         | 0/1                      | 1           | 1/5 <sup>8</sup>         | 1.5       | 0/1.5 <sup>8</sup>       | 1.5         | 1/1 <sup>11</sup>                 | 2         |
| Parking lot attendant <sup>9</sup>               | 1/0                      | 1           | 1 <sup>9</sup> /1        | 2         | 1/1                      | 2           | 1/1                               | 2         |
| <b>Total</b>                                     | <b>34/39.5</b>           | <b>73.5</b> | <b>34/41</b>             | <b>75</b> | <b>34/40.5</b>           | <b>74.5</b> | <b>36.5/42.5</b>                  | <b>79</b> |

<sup>1</sup>During the 1993-94 interim, the Legislative Management Committee recommended the "reassignment" of a legislative intern position for each caucus to each leader, resulting in two staff assistants being authorized for each leader since the 1995 session. Although a total of four staff assistant positions have been authorized beginning with the 1995 session, the majority leaders employed three staff assistants in the 1995 and 1997 sessions and employed two staff assistants (recorded in the total as one Senate and one House) during the 1999-2007 sessions. The pay resolution authorizes reallocation of pay for the five staff assistant and administrative assistant positions authorized among the positions filled.

<sup>2</sup>Although a total of four staff assistant positions have been authorized since the 1995 session, the minority leaders employed, three staff assistants in the 2001-2007 sessions (recorded in the 2001 session as two Senate and one House and in the 2003, 2005, and 2007 sessions as one Senate and two House). The pay resolution authorizes reallocation of pay for the five staff assistant and administrative assistant positions authorized among the positions filled.

<sup>3</sup>During the 2005 session, the House established a fourth division of the Appropriations Committee and employed a fourth assistant Appropriations Committee clerk.

<sup>4</sup>The payroll clerk is a part-time position that replaced the chief stenographer and payroll clerk position of each house beginning with the 1995 session (when secretarial services were first provided under contract with a private party) and which alternates between the House and Senate from session to session.

<sup>5</sup>During the 2003 and 2005 sessions, the House employed a one-half time assistant sergeant-at-arms for approximately four hours per day during the floor session. During the 2007 session, the House employed two one-half time assistant sergeant-at-arms for approximately four hours per day.

<sup>6</sup>The supply room coordinator is a position that traditionally had alternated between the Senate and House from session to session, but starting in the 2003 session the Senate continued to employ the supply room coordinator as a means of obtaining an "additional" assistant sergeant-at-arms to help out during the floor session as necessary.

<sup>7</sup>In the 2003 session the House initially employed five page and bill book clerks rather than four, but on January 17 one page and bill book clerk was transferred to the House minority leader's office as a staff assistant in place of a staff assistant who terminated employment and a new page and bill book clerk was not employed for the remainder of the session.

<sup>8</sup>During the 2001 and 2003 sessions, the information kiosk attendant position alternated between the Senate and House but starting with the 2005 session the House employed a one-half time information kiosk attendant in addition to the alternating position.

<sup>9</sup>During the 2001 and 2003 sessions, the parking lot attendant position alternated between the House and Senate but starting with the 2005 session each house has employed a parking lot attendant.

<sup>10</sup>The 1.5 positions for the Senate include a one-half time position for operating the video camera during floor sessions. The 3.5 positions for the House include the two one-half time positions started in 2007 and a new one-half time position to operate the video camera during floor sessions.

<sup>11</sup>An information kiosk attendant is provided for each house rather than alternating the position between the House and Senate. The additional attendant is to assist in answering telephone inquiries and messages.

## **LEGISLATIVE SESSION EMPLOYEE COMPENSATION**

In 1999, employee compensation was increased generally across the board by 7 percent. In addition, a skills recognition adjustment was provided for certain legislative session employees to recognize supervisory, technical, and communications skills. The skills recognition adjustments ranged from an additional \$1 to \$11 per day. As a result, compensation ranged from \$62 to \$102 per day (\$7.75 to \$12.75 per hour based on an eight-hour day).

In 2001, employee compensation was increased generally across the board by 5 percent, rounded to the nearest dollar. The percentage was based on the fact that the 56<sup>th</sup> Legislative Assembly approved average pay increases of 2 percent for the first year of the biennium and 3 percent for the second year of the biennium for state employees. In addition, skills recognition adjustments ranging from an additional \$3 to \$11 per day were provided for desk force positions, which increasingly require greater technical abilities than most other employee positions. As a result, compensation ranged from \$65 to \$109 per day (\$8.13 to \$13.63 per hour).

In 2003 and 2005, employee compensation was increased generally across the board by 5 percent, rounded to the nearest dollar. As a result, compensation in 2005 ranged from \$71 to \$120 per day (\$8.88 to \$15 per hour).

In 2007, employee compensation was increased generally across the board by 8.16 percent, which reflected the 4 percent and 4 percent average pay increases for state employees approved by the 59<sup>th</sup> Legislative Assembly in 2005 and 2006.

Table 2 illustrates the 2007 daily salary and the proposed 2009 daily salary for all positions proposed for the 2009 legislative session. The proposed daily salary for 2009 is based on the daily salaries for the 2007 legislative session increased generally across the board by 4 percent and 4 percent (or a total of 8.16 percent) which reflects the 4 percent and 4 percent average pay increases for state employees approved by the 60<sup>th</sup> Legislative Assembly for state employees in 2007 and 2008. As proposed, compensation will range from \$83 to \$141 per day (\$10.37 to \$17.62 per hour based on an eight-hour day).

The 2007 concurrent resolution setting compensation levels also provided for additional compensation of \$1 per day per session worked, up to a maximum of \$10 per day. During the 2007 legislative session, 1 employee had 13 sessions' experience; 1 employee - 10 sessions; 1 employee - 9 sessions; 3 employees - 8 sessions; 3 employees - 7 sessions; 3 employees - 6 sessions; 4 employees - 5 sessions; 6 employees - 4 sessions; 4 employees - 3 sessions; 11 employees - 2 sessions; and 11 employees - 1 session.

During the 2007 legislative session, the total daily compensation received by Legislative Assembly employees was \$8,090, which includes the \$181 per day cumulative resulting from the \$1 per day per session allowed for prior legislative session experience.

The total daily compensation proposed for Legislative Assembly employees in 2009 is \$8,804, which does not include the \$1 per day per session allowed for prior legislative session experience (which amounted to \$181 per day in 2007).

Any decisions to adjust compensation for any position can be made by the Legislative Management Committee by changing the amounts on the draft of the concurrent resolution designating employment positions and fixing compensation or by amending the resolution during the session.

North Dakota Century Code Section 54-03-10 requires the compensation of Legislative Assembly employees to be set by concurrent resolution. The concurrent resolution has traditionally been introduced by members of the Senate and House Employment Committees. Since 1997 the concurrent resolution establishing employee positions has not included specific names or identified specific individuals. This avoids special action to hire an employee after adoption of the resolution. By designating positions rather than naming employees, a report by an employment committee which names an employee and the position is sufficient to identify that employee, the position, and the compensation level. Since 1997 the concurrent resolution establishing employee positions also has authorized the Employment Committees to convert full-time positions to part-time positions, as appropriate, and has provided for a generic position of "legislative assistant" for employees not requiring technical skills so those employees can be transferred to work assignments as needed. The legislative assistant position covers positions formerly identified as assistant sergeant-at-arms, supply room coordinator, desk page, page and bill book clerk, information desk attendant, and parking lot attendant.

## **IMPACT OF CONTRACTING WITH THIRD PARTIES FOR EMPLOYEE SERVICES**

### **Secretarial Services**

During the 1993 legislative session, the Senate and House employed a total of 10.5 employees in 11 stenographer and typist positions at a cost of \$56,629.20 and the Senate and House each employed a chief stenographer and payroll clerk at a total cost of \$14,326.59. Beginning with the 1995 legislative session, the Senate and House shared a part-time payroll clerk and contracted with a private contractor to provide secretarial services. The contractor provided 10 employees in 1995 at a cost of \$46,053.50; 8 employees in 1997 at a cost of \$41,462.50; 4 employees in 1999 at a cost of \$32,564.47; 4 employees in 2001 at a cost of

\$24,975.97; and 4 employees in 2003 at a cost of \$23,634.13.

### Bill and Journal Room Services

During the 1995 legislative session, the Senate and House employed a chief bill and journal room clerk and 11 bill and journal room clerks at a cost of \$57,170.61. Beginning with the 1997 legislative session, the Senate and House contracted with a private contractor to provide bill and journal room services. The 2 contractors who have held these contracts provided 6 employees in 1997 at a cost of \$39,160; 6 employees in 1999 at a cost of \$38,840; 6 employees in 2001 at a cost of \$49,750; and 5 employees in 2003 at a cost of \$29,559.59.

### Telephone Message Services

During the 1999 legislative session, the Senate and House employed a chief telephone attendant, 8 telephone attendants, and 2 telephone pages, for a total of 11 employees at a cost of \$57,169.69. Beginning with the 2001 legislative session, the Senate and House contracted with a private contractor to provide telephone message services.

The contractor provided 9 employees in 2001 at a cost of \$44,963.29 and 9 employees in 2003 at a cost of \$41,265.60.

### Combined Secretarial, Bill and Journal Room, and Telephone Message Services

Based on recommendations of the contractor that provided secretarial, bill and journal room, and telephone message services during the 2003 legislative session and on a review of the workload in those areas by the Legislative Council staff, the Senate and House contracted with a private contractor to provide a total of 12 employees for secretarial, bill and journal room, and telephone message services during the 2005 legislative session at a cost of \$76,848.79 and 8 employees in 2007 at a cost of \$50,658.03.

The recommendation to the Legislative Management Committee is to contract with a private contractor to provide a total of 6 employees for secretarial, bill and journal room, and telephone message services during the 2009 legislative session. This compares to a total of 34.5 employees in those areas during the last sessions those positions were filled by Senate and House employees.

| 2009<br>Proposed<br>Employees | Position  | Salary Per Position  |                               |
|-------------------------------|---|----------------------|-------------------------------|
|                               |   | 2007<br>Daily Salary | 2009<br>Proposed Daily Salary |
| 2                             | Secretary of the Senate/Chief Clerk of the House    | \$130                | \$141                         |
| 2                             | Assistant secretary/assistant chief clerk           | \$114                | \$123                         |
| 2                             | Journal reporter                                    | \$127                | \$137                         |
| 2                             | Calendar clerk                                      | \$114                | \$123                         |
| 2                             | Bill clerk  | \$108                | \$117                         |
| 2                             | Sergeant-at-arms                                    | \$100                | \$108                         |
| 1                             | Administrative assistant to the Speaker             | \$100                | \$108                         |
| 2                             | Administrative assistant to the majority leader     | \$118                | \$128                         |
| 4                             | Staff assistant to the majority leader              | \$118                | \$128                         |
| 2                             | Administrative assistant to the minority leader     | \$118                | \$128                         |
| 4                             | Staff assistant to the minority leader              | \$118                | \$128                         |
| 2                             | Chief committee clerk                               | \$118                | \$128                         |
| 2                             | Appropriations Committee clerk                      | \$118                | \$128                         |
| 4                             | Assistant Appropriations Committee clerk            | \$114                | \$123                         |
| 10                            | Committee clerk - Three day                         | \$114                | \$123                         |
| 10                            | Committee clerk - Two day                           | \$105                | \$114                         |
| 2                             | Assistant committee clerk                           | \$105                | \$114                         |
| 1                             | Payroll clerk                                       | \$95                 | \$103                         |
| 2                             | Deputy sergeant-at-arms                             | \$83                 | \$90                          |
| 2                             | Chief page and bill book clerk                      | \$92                 | \$100                         |
| 5                             | Legislative assistant - Assistant sergeant-at-arms  | \$77                 | \$83                          |
| 1                             | Legislative assistant - Supply room coordinator     | \$77                 | \$83                          |
| 2                             | Legislative assistant - Desk page                   | \$77                 | \$83                          |
| 7                             | Legislative assistant - Page and bill book clerk    | \$77                 | \$83                          |
| 2                             | Legislative assistant - Information kiosk attendant | \$77                 | \$83                          |
| 2                             | Legislative assistant - Parking lot attendant       | \$77                 | \$83                          |
| 79                            |   |                      |                               |