

LEGISLATIVE COMPENSATION INCREASES COMPARED TO INFLATION AND STATE EMPLOYEE SALARY INCREASES - 1981 THROUGH 2008

This memorandum compares actual legislative compensation rates and legislative compensation rates adjusted for inflation and state employee salary increases for the period 1981 through 2008.

LEGISLATIVE COMPENSATION RATES

North Dakota Century Code (NDCC) Section 54-03-20 provides that each member of the Legislative Assembly is entitled to receive compensation per calendar day during each regular, special, or organizational session. In addition, each legislator is entitled to receive monthly compensation during each legislator's term of office. The following is a schedule of daily legislative session compensation and monthly compensation rates:

| | Rate Effective August 1, 2007 | Rate Effective July 1, 2008 |
|--|-------------------------------|-----------------------------|
| Daily legislative session compensation | \$130 | \$135 |
| Monthly compensation | \$364 | \$378 |

North Dakota Century Code Section 54-35-10 provides that legislators are also entitled to receive compensation for attending interim meetings of the Legislative Council and its committees. The following is a schedule of interim meeting compensation rates:

| | Rate Effective August 1, 2007 | Rate Effective July 1, 2008 | Rate Effective July 1, 2009 |
|------------------------------|-------------------------------|-----------------------------|-----------------------------|
| Interim meeting compensation | \$104 | \$108 | \$135 |

CHANGES IN LEGISLATIVE COMPENSATION SINCE 1981

| Year of Change | Compensation for Each Calendar Day During Session | Expense Reimbursement During Session | | Expense Reimbursement or Compensation for Each Month During Term of Office | Compensation for Each Day Attending Interim Meetings |
|----------------|---|--------------------------------------|-------------------------------|--|--|
| | | For Each Day During Session | For Each Month During Session | | |
| 1981 | \$5 ¹ | \$85 ¹ | | \$180 | \$62.50 |
| 1983 | \$40 ² | \$50 ² | | \$180 | \$62.50 |
| 1985 | \$90 ³ | | \$600 ³ | \$180 ³ | \$62.50 |
| 1997 | \$111 | | \$650 | \$250 ⁴ | \$62.50 |
| 1999 | \$111 | | \$650 | \$250 | \$75.00 |
| 2001 | \$125 | | \$650 | \$250 | \$100.00 |
| 2005 | \$125 | | \$900 ⁵ | \$350 ⁵ | \$100.00 |
| 2007 | \$130 ⁶ | | \$900 | \$364 ⁶ | \$104.00 ⁶ |
| 2008 | \$135 ⁶ | | \$900 | \$378 ⁶ | \$108.00 ⁶ |
| 2009 | | | | | \$135.00 ⁶ |

¹Legislative session compensation was constitutionally limited to \$5 per calendar day, and the level of expense reimbursement during legislative sessions was set by statute at \$85 per calendar day for a total of \$90 per day.

²The constitutional provision limiting legislative compensation was repealed on June 8, 1982, by voter approval of measure No. 4, which created Article XI, Section 26, of the Constitution of North Dakota, and provides that:

The legislative, executive, and judicial branches are coequal branches of government. Elected members and officials of each branch shall receive as compensation for their services only such amounts as may be specifically set by law. Payment for necessary expenses shall not exceed those allowed for other state employees.

After the adoption of the 1982 constitutional amendment, the subsequent Legislative Assembly (1983) amended NDCC Section 54-03-20 to set the levels of legislative session compensation and expense reimbursement at \$40 per day and \$50 per day, respectively. As an exception to the compensation and expense reimbursement rates provided to other legislators, legislators from Bismarck received \$90 per day as compensation and no expense reimbursement. Consequently, the total of legislative session expense reimbursement and compensation for all legislators remained unchanged at \$90 per day.

³The 1995 Legislative Assembly amended NDCC Section 54-03-20 to provide that legislators receive compensation of \$90 per calendar day during the legislative session plus reimbursement for lodging up to \$600 per month. Section 54-03-20 was also amended to provide that the \$180 per month payment to legislators during their terms of office was compensation rather than reimbursement for expenses.

⁴The 1997 Legislative Assembly amended NDCC Section 54-03-20 to provide that compensation may be paid monthly, rather than every six months, at the option of each legislator.

⁵The 2005 Legislative Assembly increased legislators' monthly compensation from \$250 to \$350 per month, effective July 1, 2005, and increased the maximum lodging expense reimbursement allowed during legislative sessions from \$650 to \$900 per month, effective January 1, 2005.

⁶The 2007 Legislative Assembly increased legislators' daily pay during legislative sessions, monthly compensation, and interim meeting compensation by 4 percent for the first year of the 2007-09 biennium and by 3.85 percent for the second year of the biennium. In addition, Section 11 of 2007 House Bill No. 1001 increases legislators' interim meeting pay to \$135 per day beginning July 1, 2009.

| | Rate Effective August 1, 2007 | Rate Effective July 1, 2008 | Rate Effective July 1, 2009 |
|--|-------------------------------|-----------------------------|-----------------------------|
| Daily legislative session compensation | \$130 | \$135 | |
| Monthly compensation | \$364 | \$378 | |
| Interim meeting compensation | \$104 | \$108 | \$135 |

The schedule attached as an [appendix](#) provides a comparison of actual legislative compensation rates and legislative compensation rates adjusted for inflation and state employee salary increases for the period 1981 through 2008.

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