

**HOUSE BILL NO. 1415
with Senate Amendments**

Fifty-sixth
Legislative Assembly
of North Dakota

HOUSE BILL NO. 1415

Introduced by

Representatives Grosz, Mahoney

1 A BILL for an Act to amend and reenact section 54-03-20 of the North Dakota Century Code,
2 relating to compensation of members of the legislative assembly.

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

4 **SECTION 1. AMENDMENT.** Section 54-03-20 of the 1997 Supplement to the North
5 Dakota Century Code is amended and reenacted as follows:

6 **54-03-20. Compensation and expense reimbursement of members of the**
7 **legislative assembly.** Each member of the legislative assembly of the state of North Dakota is
8 entitled to receive as compensation for services the sum of one hundred eleven dollars for each
9 calendar day during any organizational, special, or regular legislative session. Each member of
10 the legislative assembly is entitled to receive reimbursement for lodging, which may not exceed
11 a maximum of six hundred fifty dollars per calendar month for lodging in state, at the rates and
12 in the manner provided in section 44-08-04 for each calendar day during the period of any
13 organizational, special, or regular session. Members of the legislative assembly who receive
14 reimbursement for lodging are also entitled to reimbursement for travel for not to exceed one
15 round trip taken during any calendar week, or portion of a week, the legislative assembly is in
16 session, between their residences and the place of meeting of the legislative assembly, at the
17 rate provided for state employees with the additional limitation that reimbursement for travel by
18 common carrier may be only at the cost of coach fare and may not exceed one and one-half
19 times the amount the member would be entitled to receive as mileage reimbursement for travel
20 by motor vehicle. A member of the legislative assembly who does not receive reimbursement
21 for lodging and whose place of residence in the legislative district that the member represents
22 is not within the city of Bismarck is entitled to reimbursement at the rate provided for state
23 employees for necessary travel for not to exceed one round trip taken per day between the
24 residence and the place of meeting of the legislative assembly when it is in session and may

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1 receive reimbursement for lodging at the place of meeting of the legislative assembly as
2 provided in section 44-08-04 for each calendar day for which round trip travel reimbursement is
3 not claimed, provided that the total reimbursement may not exceed six hundred fifty dollars per
4 month. The amount to which each legislator is entitled must be paid following the
5 organizational session in December and following each month during a regular or special
6 session.

7 A day, or portion of a day, spent in traveling to or returning from an organizational,
8 special, or regular session must be included as a calendar day during a legislative session for
9 the purposes of this section.

10 In addition, each member is entitled to receive during the term for which the member
11 was elected, as compensation for the execution of public duties during the biennium, the sum
12 of two hundred fifty dollars a month, which is payable every six months or monthly, at the
13 member's option. If a member dies or resigns from office during the member's term, the
14 member may be paid only the allowances provided for in this section for the period for which
15 the member was actually a member. The majority and minority leaders of the house and
16 senate are each entitled to receive as compensation, in addition to any other compensation or
17 expense reimbursement provided by law, the sum of two hundred fifty dollars per month during
18 the biennium for their execution of public duties.

19 Attendance at any organizational, special, or regular session of the legislative assembly
20 by any member is a conclusive presumption of entitlement as set out in this section and
21 compensation and expense allowances must be excluded from gross income for income tax
22 purposes to the extent permitted for federal income tax purposes under section 127 of the
23 Economic Recovery Tax Act of 1981 [Pub. L. 97-34; 95 Stat. 202; 26 U.S.C. 162(i)].