

PROPOSED AMENDMENTS TO ENGROSSED SENATE BILL NO. 2001

Page 1, line 2, after the semicolon insert "to provide a statement of legislative intent; to amend and reenact sections 54-03-10 and 54-03-20 of the North Dakota Century Code, relating to compensation of appropriations committee division chairmen and compensation of members of the legislative assembly; to provide for applications and transfers; to provide an effective date; to provide for retroactive application;"

Page 2, line 5, replace "253,551" with "415,913"

Page 2, line 9, replace "456,700" with "619,062"

Page 2, line 12, replace "255,125" with "251,007"

Page 2, line 16, replace "47,034" with "42,916"

Page 2, line 17, replace "503,734" with "661,978"

Page 2, line 26, replace "5,736,429" with "5,898,791"

Page 2, line 30, replace "9,017,952" with "9,180,314"

Page 3, line 2, replace "5,171,154" with "5,167,036"

Page 3, line 5, replace "7,579,890" with "7,575,772"

Page 3, line 6, replace "16,597,842" with "16,756,086"

Page 3, after line 16, insert:

**"SECTION 5. LEGISLATIVE APPLICATIONS REPLACEMENT SYSTEM GOVERNANCE.** The legislative council shall develop, during the 2005-06 interim, a design, an analysis, and a plan for implementation of a replacement system for legislative applications. The legislative council staff and the information technology department staff shall develop a project plan and manage the project. The legislative council's interim information technology committee shall review the project plan and may request revisions to the plan before adopting the plan. The project plan must include the appointment of an executive steering committee for the project which must consist of two members from the legislative council staff, two members from the information technology department staff, two legislators, and others as appointed by the legislative council chairman. The project plan must be developed in a phased approach and must include a process for soliciting suggestions from members of the legislative assembly regarding system functions. After completion of a project phase, the information technology committee shall review and approve the deliverables from the completed phase before any consideration may be made for a subsequent phase. The individual designated as the project manager shall provide reports regarding the project as required by chapters 54-35 and 54-59 and provide any additional information requested by the information technology committee.

**SECTION 6. LEGISLATIVE INTENT - PRINTING OF BILLS AND RESOLUTIONS.** It is the intent of the fifty-ninth legislative assembly that to provide for the space needs of the legislative assembly and to better utilize space in the legislative wing of the state capitol, the legislative council arrange for the printing of bills and resolutions for the sixtieth legislative assembly as requested using computers and high-speed printers rather than printing multiple copies of all bills and having them available in the bill and journal room for the biennium beginning July 1, 2005, and ending June 30, 2007.

**SECTION 7. AMENDMENT.** Section 54-03-10 of the North Dakota Century Code is amended and reenacted as follows:

**54-03-10. Compensation of speaker, majority and minority leaders, assistant majority and minority leaders, committee or division chairmen, and employees.** 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, chairmen of substantive standing committee divisions established by rule of the house or senate, 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.

**SECTION 8. 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.** Each member of the legislative assembly of the state of North Dakota is entitled to receive as compensation for services the sum of one hundred ~~twenty-five~~ thirty-five 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. Each member of the legislative assembly is entitled to receive reimbursement for lodging, which may not exceed a maximum of six hundred fifty dollars per calendar month for lodging in state, at the rates and in the manner provided in section 44-08-04 for each calendar day during the period of any organizational, special, or regular session. 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. 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 six hundred fifty dollars per month. 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.

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. 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.

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 two hundred fifty dollars a month, which is payable every six months or monthly, at the member's option. 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. The majority and minority leaders of the house and senate and the chairman of the legislative council, 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 two hundred fifty dollars per month during the biennium for their execution of public duties.

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)].

**SECTION 9. APPLICATION AND TRANSFER AUTHORITY.** North Dakota Century Code sections 54-16-04 and 54-44.1-11 do not apply to chapter 1 of the 2003 Session Laws. Any unexpended funds from the appropriations in chapter 1 of the 2003 Session Laws are available to assist in the cost of the legislative applications replacement project, including preplanning costs. The director of the office of management and budget and the state treasurer shall make transfers of funds between the line items and the agencies of the legislative branch within section 1 of that chapter as requested by the chairman of the legislative council or the chairman's designee.

**SECTION 10. EFFECTIVE DATE.** Section 8 of this Act becomes effective December 1, 2006.

**SECTION 11. RETROACTIVE APPLICATION.** Section 7 of this Act is retroactive in application to January 1, 2005."

Renumber accordingly

**STATEMENT OF PURPOSE OF AMENDMENT:**

**Senate Bill No. 2001 - Summary of House Action**

	EXECUTIVE BUDGET	SENATE VERSION	HOUSE CHANGES	HOUSE VERSION
Legislative Assembly				
Total all funds	\$13,117,952	\$9,017,952	\$162,362	\$9,180,314
Less estimated income				
General fund	\$13,117,952	\$9,017,952	\$162,362	\$9,180,314
Legislative Council				
Total all funds	\$7,598,596	\$7,579,890	(\$4,118)	\$7,575,772
Less estimated income				
General fund	\$7,598,596	\$7,579,890	(\$4,118)	\$7,575,772
Bill Total				
Total all funds	\$20,716,548	\$16,597,842	\$158,244	\$16,756,086
Less estimated income				

General fund	\$20,716,548	\$16,597,842	\$158,244	\$16,756,086
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**Senate Bill No. 2001 - Legislative Assembly - House Action**

	EXECUTIVE BUDGET	SENATE VERSION	HOUSE CHANGES	HOUSE VERSION
Salaries and wages	\$5,736,429	\$5,736,429	\$162,362	\$5,898,791
Operating expenses	2,997,773	2,997,773		2,997,773
Capital assets	6,000	106,000		106,000
National Conference of State Legislatures	177,750	177,750		177,750
Legislative applications replacement	<u>4,200,000</u>			
Total all funds	\$13,117,952	\$9,017,952	\$162,362	\$9,180,314
Less estimated income				
General fund	\$13,117,952	\$9,017,952	\$162,362	\$9,180,314
FTE	0.00	0.00	0.00	0.00

**Dept. 150 - Legislative Assembly - Detail of House Changes**

	REDUCES RECOMMENDED FUNDING FOR HEALTH INSURANCE	ADDS FUNDING FOR LEGISLATOR PAY INCREASE <sup>1</sup>	ADDS FUNDING FOR DIVISION CHAIRMEN PAY <sup>2</sup>	TOTAL HOUSE CHANGES
Salaries and wages	(\$16,100)	\$176,072	\$2,390	\$162,362
Operating expenses				
Capital assets				
National Conference of State Legislatures				
Legislative applications replacement				
Total all funds	(\$16,100)	\$176,072	\$2,390	\$162,362
Less estimated income				
General fund	(\$16,100)	\$176,072	\$2,390	\$162,362
FTE	0.00	0.00	0.00	0.00

<sup>1</sup> A section is added increasing legislator pay during legislative sessions by \$10 per day, from \$125 to \$135 per day, effective December 1, 2006.

<sup>2</sup> A section is added providing that chairmen of standing committee divisions receive an additional \$5 per day during legislative sessions, the same as standing committee chairmen, which is retroactive to January 1, 2005.

A section is added providing for the development of a project plan for the legislative applications replacement system computer project.

A section is added allowing for continuation of any unspent 2003-05 biennium appropriation authority of the legislative branch for costs of the legislative applications replacement system computer project.

A section of legislative intent is added that the Legislative Council arrange for bills and resolutions of the 2007 legislative session to be printed on-demand using computers and high-speed printers rather than through printing contract to reduce costs and make available space now used for the bill and journal room for other legislative uses.

**Senate Bill No. 2001 - Legislative Council - House Action**

	EXECUTIVE BUDGET	SENATE VERSION	HOUSE CHANGES	HOUSE VERSION
Salaries and wages	\$5,189,860	\$5,171,154	(\$4,118)	\$5,167,036
Operating expenses	2,367,736	2,367,736		2,367,736
Capital assets	<u>41,000</u>	<u>41,000</u>		<u>41,000</u>
Total all funds	\$7,598,596	\$7,579,890	(\$4,118)	\$7,575,772
Less estimated income				
General fund	\$7,598,596	\$7,579,890	(\$4,118)	\$7,575,772
FTE	33.00	33.00	0.00	33.00

**Dept. 160 - Legislative Council - Detail of House Changes**

	REDUCES RECOMMENDED FUNDING FOR HEALTH INSURANCE	TOTAL HOUSE CHANGES
Salaries and wages	(\$4,118)	(\$4,118)
Operating expenses		

Capital assets	_____	_____
Total all funds	(\$4,118)	(\$4,118)
Less estimated income	_____	_____
General fund	(\$4,118)	(\$4,118)
FTE	0.00	0.00