



# North Dakota Legislative Council

Approved by the Legislative Management  
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## LEGISLATIVE ASSEMBLY EMPLOYEE POSITIONS AND COMPENSATION

This memorandum provides information on the number of employee positions during the 2021 legislative session and reviews the proposed number of employee positions for the 2023 legislative session. This memorandum also provides information on employee compensation during the 2021 legislative session and proposed compensation levels for the 2023 legislative session. Since the number of employee positions peaked at 136 in 1993, the number of employees has been reduced to 83 during the 2021 legislative session.

### SESSION EMPLOYEES 2021 Employment Positions

Table 1 lists the proposed and actual employment positions during the 2021 legislative session and the proposed employment positions for the 2023 legislative session.

During the 2019-20 interim, the Legislative Management recommended a total of 83 employment positions-- 37 Senate employees and 46 House employees--be employed during the 2021 legislative session. During the session, the House employed three pages rather than four; the Senate Majority Leader employed one staff assistant rather than two; the House Minority Leader employed one staff assistant rather than two; and the House did not employ an information kiosk attendant. Thus, during the 2021 legislative session, there were 36 Senate employees and 43 House employees.

### 2023 Proposed Positions

Table 1 lists the number of employment positions proposed for the 2023 legislative session, which includes 35 Senate employees and 44 House employees. The changes recommended by the Employment Committee Chairmen to the 2021 employment positions, and the rationale for the changes, include:

- Merging the bill clerk and recording clerk positions into a combined bill and recording clerk position.

Rationale: The bill clerk primarily works when the floor is not in session and the recording clerk primarily works when the floor is in session. Automation has reduced the workload for both positions substantially.

- Reclassifying existing clerk positions and reallocating eliminated positions so each committee will be staffed by a procedural clerk and a technological clerk, with the exception of the Senate Appropriations Committee, which will be staffed by two procedural clerks and one technological clerk.

Rationale: Some of the Legislative Assembly's long-term clerks who are well versed in the procedural and administrative aspects of staffing committees expressed discomfort with the increased audiovisual demands that resulted from the need to livestream and index meetings and offer remote attendance options. Dividing the clerk positions into a procedural clerk position and a technological clerk position might aid the Legislative Assembly in retaining long-term staff and attracting an additional pool of applicants for individuals interested in the technological aspect of staffing committees. The recommendation for two procedural clerks for the Senate Appropriations Committee is due to the Senate Appropriations Committee's large workload ([appendix](#)).

- Eliminating the two assistant committee clerk positions in the House and the assistant committee clerk position in the Senate and reallocating two of the eliminated positions to a newly created quality assurance clerk position.

Rationale: The COVID-19 pandemic necessitated a shift in the manner in which committees conducted business and the format in which legislative history documents were created and compiled. A number of errors were discovered after the adjournment of the 2021 regular legislative session which required correction. A dedicated individual in the House and Senate tasked with reviewing committee materials to verify the legislative history for each bill is complete and accurate will provide an invaluable service to the numerous members of the public and legal profession who rely on the legislative histories maintained by the Legislative Council.

- Eliminating two assistant sergeant-at-arms positions in the House.  
 Rationale: A number of duties assistant sergeant-at-arms have competed in the past, such as distributing newspapers and other printed documents now available online, are no longer required. Sergeant-at-arms often have a large amount of downtime.
- Potentially eliminating the parking lot attendant position in the House and Senate.  
 Rationale: The duties of the parking lot attendant potentially could be fulfilled by the assistant sergeant-at-arms.
- Potentially eliminating the information kiosk attendant position in the House and Senate.  
 Rationale: The duties of the information kiosk attendant potentially could be fulfilled by the pages on a rotating basis.

Employee Position	Proposed Number of Employee Positions 2021 Session Senate/House	Total	Actual Number of Employee Positions 2021 Session Senate/House	Total	Proposed Number of Employee Positions 2023 Session Senate/House	Total
Administrative Assistant to the Speaker	0/1	1	0/1	1	0/1	1
Administrative Assistant to the Majority Leader	1/1	2	1/1	2	1/1	2
Staff Assistant to the Majority Leader <sup>1</sup>	2/2	4	1/2	3	2/2	4
Administrative Assistant to the Minority Leader	1/1	2	1/1	2	1/1	2
Staff Assistant to the Minority Leader <sup>1</sup>	2/2	4	2/1	3	2/2	4
Secretary of the Senate/Chief Clerk of the House	1/1	2	1/1	2	1/1	2
Assistant Secretary/Assistant Chief Clerk	1/1	2	1/1	2	1/1	2
Journal Reporter	1/1	2	1/1	2	1/1	2
Calendar Clerk <sup>2</sup>	1/1	2	1/1	2	1/1	2
(Eliminated) Bill Clerk	1/1	2	1/1	2	-	-
(Eliminated) Recording Clerk <sup>3</sup>	1/1	2	1/1	2	-	-
(Merged Position) Bill and Recording Clerk	-	-	-	-	1/1	2
Chief Committee Clerk/Deputy Chief Clerk	1/1	2	1/1	2	1/1	2
(Eliminated) Assistant Committee Clerk	1/2	3	1/2	3	-	-
(New Position) Quality Assurance Clerk	-	-	-	-	1/1	2
(Eliminated) Committee Clerk	10/10	20	10/10	20	-	-
(Reclassified) Procedural Committee Clerk	-	-	-	-	5/5	10
(Reclassified) Technological Committee Clerk	-	-	-	-	5/5	10
(Eliminated) Appropriations Committee Clerk	1/1	2	1/1	2	-	-
(Reclassified) Procedural Appropriations Committee Clerk	-	-	-	-	1/1	2
(New Position) Technological Appropriations Committee Clerk	-	-	-	-	1/1	2
(Eliminated) Assistant Appropriations Committee Clerk	1/3	4	1/3	4	-	-
(Reclassified) Procedural Assistant Appropriations Committee Clerk	-	-	-	-	1/3	4
(New Position) Technological Assistant Appropriations Committee Clerk	-	-	-	-	0/3	3
Sergeant-at-Arms	1/1	2	1/1	2	1/1	2
Deputy Sergeant-at-Arms	1/1	2	1/1	2	1/1	2
Assistant Sergeant-at-Arms	2/6	8	2/6	8	2/4	6
Chief Page/Chief Legislative Assistant <sup>4</sup>	1/1	2	1/1	2	1/1	2
Legislative Assistant - Desk Page	0/1	1	0/1	1	0/1	1
Legislative Assistant - Page <sup>5</sup>	3/4	7	3/3	6	3/4	7
Legislative Assistant - Supply Room Coordinator <sup>6</sup>	1/0	1	1/0	1	1/0	1
(Possible Elimination) Legislative Assistant - Information Kiosk Attendant <sup>7</sup>	1/1	2	1/0	1	-	-
(Possible Elimination) Legislative Assistant - Parking Lot Attendant <sup>8</sup>	1/1	2	1/1	2	-	-
<b>Total</b>	<b>37/46</b>	<b>83</b>	<b>36/43</b>	<b>79</b>	<b>35/44</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 2 staff assistants being authorized for each leader since the 1995 legislative session.

**Table 1**  
**Employment Positions - 2021 Session and Proposed 2023 Session Employment Positions**

Although a total of 4 staff assistant positions for the Majority Leaders and 4 staff assistant positions for the Minority Leaders have been authorized beginning with the 1995 session, the Majority Leaders have employed from 1 to 3 staff assistants and the Minority Leaders usually have employed 3 staff assistants. The pay resolution authorizes reallocation of pay for the staff assistant and administrative assistant positions authorized among the positions filled.

<sup>2</sup>Beginning with the 1995 legislative session, the calendar clerk position was established to handle daily calendar responsibilities under the newly computerized calendar system.

<sup>3</sup>Beginning with the 2013 legislative session, the position of recording clerk was created to operate the chamber video system.

<sup>4</sup>The chief page and bill book clerks were replaced with legislative assistants in 2015.

<sup>5</sup>After the 1993 legislative session, page and bill book clerk positions were substantially reduced due to increased distribution of computer terminals, and ultimately personal computers, to legislators which in turn resulted in elimination of bill books and their necessary maintenance by page and bill book clerks. A total of 14 page and bill book clerks were employed in 1995, 9 in 1997, 5 in 1999, 6 in 2001 and 2003, and 7 beginning with the 2005 session through the 2013 session. In 2015, the position was designated as page.

<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 with the 2003 legislative 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>During the 2001 and 2003 legislative sessions, the information kiosk attendant position alternated between the Senate and House, but starting with the 2005 legislative session, each house again employed an information kiosk attendant.

<sup>8</sup>During the 2001 and 2003 legislative sessions, the parking lot attendant position was reduced to 1 position, which alternated between the House and Senate, but starting with the 2005 legislative session, each house again employed a parking lot attendant.

**NOTE:** The journal page position was eliminated beginning with the 1995 legislative session because the computerized journal reporting system was enhanced enough for the journal reporter to assume full responsibility for journal preparation rather than rely on a page to deliver reports to the Legislative Council staff for completion of the journal after each daily session.

Beginning with the 1995 legislative session, secretarial services were first provided under contract with a private party. This resulted in elimination of 13 positions at that time--2 chief stenographer and payroll clerks, 9 stenographers, and 2 typists.

Beginning with the 1997 legislative session, bill and journal room services were first provided under contract with a private party. This resulted in elimination of 12 positions at that time--1 chief bill and journal room clerk, 6 bill room clerks, and 5 journal room clerks.

Beginning with the 2001 legislative session, telephone message services were first provided under contract with a private party. This resulted in elimination of 11 positions at that time--1 chief telephone attendant, 8 telephone attendants, and 2 telephone pages.

The payroll clerk was converted to a part-time position that replaced the chief stenographer and payroll clerk position of each house beginning with the 1995 legislative session (when secretarial services were first provided under contract with a private party) and which alternated between the House and Senate from session to session. This part-time position was eliminated in 2013 because anyone now accessing PeopleSoft--the payroll system software--is subject to criminal background checks, and after the Legislative Council staff enters information concerning new legislators and session employees, monthly payroll requirements are minimal.

## 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 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 8-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.

In 2003 and 2005, employee compensation was increased generally across the board by 5 percent, rounded to the nearest dollar.

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 authorized for state employees in 2005 and 2006 approved by the 59<sup>th</sup> Legislative Assembly.

In 2009, employee compensation was increased generally across the board from 11.8 to 14.3 percent to reach levels reflecting increases in the state's average weekly wage since 1999, rather than the 4 percent and 4 percent average pay increases authorized for state employees in 2007 and 2008 by the 60<sup>th</sup> Legislative Assembly.

In 2011, employee compensation was increased generally across the board by 5 percent and 5 percent, which reflected the 5 percent and 5 percent average pay increases authorized for state employees in 2009 and 2010 by the 61<sup>st</sup> Legislative Assembly.

In 2013, employee compensation was increased generally across the board by 3 percent and 3 percent, which reflected the 3 percent and 3 percent average pay increases authorized for state employees in 2011 and 2012 by the 62<sup>nd</sup> Legislative Assembly.

In 2015, employee compensation was increased generally across the board by 4 percent and 3 percent, which reflected the 4 percent and 3 percent average pay increases authorized for state employees in 2013 and 2014 by the 63<sup>rd</sup> Legislative Assembly.

In 2017, employee compensation was increased across the board by 3 percent. Because of budget allotments and uncertainty of the state budget, the increase did not follow the 3 percent and 3 percent authorized for state employees in 2015 and 2016 by the 64<sup>th</sup> Legislative Assembly.

The 2019 proposed salary was the same daily salary paid during the 2017 legislative session except the Secretary of the Senate and the Chief Clerk of the House received raises of \$5 per day. Neither state employees nor legislators were authorized salary increases in 2017 and 2018 by the 65<sup>th</sup> Legislative Assembly.

In 2021, employee compensation was increased generally across the board by 2 percent and 2.5 percent, which reflected the 2 percent and 2.5 percent average pay increase authorized for state employees in 2019 and 2020 by the 66<sup>th</sup> Legislative Assembly. The 2021 concurrent pay resolution included an additional \$10 per day for the House and Senate journal reporters. The resolution also set the pay for all committee clerks at the same rate as the assistant appropriations committee clerks for the 2021 legislative session.

Table 2 illustrates the 2019 and 2021 daily salary and the proposed 2023 daily salary for all positions proposed for the 2023 legislative session. The 2023 proposed salary represents an increase of 1.5 percent and 2 percent, each of which was authorized for state employees by the 67<sup>th</sup> Legislative Assembly.

The 2021 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. Depending on the extent employees return from session to session, the additional compensation for prior sessions varies. For the 2021 legislative session, the additional compensation was \$116 per day for House employees and \$83 per day for Senate employees.

The total daily compensation for Legislative Assembly employees in 2021 was \$13,431, which does not include the \$1 per day per session allowed for prior session experience. The proposed total daily compensation for Legislative Assembly employees in 2023, not including the \$1 per day allowance, is \$13,599.

### **Employee Position Resolution**

Any decision to adjust compensation for any position can be made by the Legislative Management 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, chief page, desk page, page, information kiosk attendant, and parking lot attendant.

<b>Table 2 2019 and 2021 Compensation and Proposed 2023 Compensation</b>				
<b>2023 Proposed Employees</b>	<b>Position</b>	<b>Salary Per Position</b>		
		<b>2019 Daily Salary</b>	<b>2021 Daily Salary</b>	<b>2023 Proposed Salary</b>
1	Administrative Assistant to the Speaker	\$174	\$181	\$188
2	Administrative Assistant to the Majority Leader	\$174	\$181	\$188
4	Staff Assistant to the Majority Leader	\$174	\$181	\$188
2	Administrative Assistant to the Minority Leader	\$174	\$181	\$188
4	Staff Assistant to the Minority Leader	\$174	\$181	\$188
2	Secretary of the Senate/Chief Clerk of the House	\$201	\$210	\$217
2	Assistant Secretary/Assistant Chief Clerk	\$177	\$186	\$193
2	Journal reporter	\$191	\$200	\$207
2	Calendar Clerk	\$177	\$186	\$193
-	(Eliminated) Bill Clerk	\$165	\$172	-
-	(Eliminated) Recording Clerk	\$160	\$167	-
2	(Merged Position) Bill and Recording Clerk	-	-	\$188 <sup>1</sup>
2	Chief Committee Clerk/Deputy Chief Clerk	\$184	\$193	\$200
-	(Eliminated) Assistant Committee Clerk	\$162	\$169	-
2	(New Position) Quality Assurance Clerk	-	-	\$188 <sup>2</sup>
-	(Eliminated) Committee Clerk	\$167 <sup>3</sup>	\$174 <sup>4</sup>	-
10	(Reclassified) Procedural Committee Clerk	-	-	\$181 <sup>5</sup>
10	(Reclassified) Technological Committee Clerk	-	-	\$181 <sup>5</sup>
-	(Eliminated) Appropriations Committee Clerk	\$174	\$181	-
2	(Reclassified) Procedural Appropriations Committee Clerk	-	-	\$188 <sup>2</sup>
2	(New Position) Technological Appropriations Committee Clerk	-	-	\$188 <sup>2</sup>
-	(Eliminated) Assistant Appropriations Committee Clerk	\$167	\$174	-
4	(Reclassified) Procedural Assistant Appropriations Committee Clerk	-	-	\$181 <sup>5</sup>
3	(New Position) Technological Assistant Appropriations Committee Clerk	-	-	\$181 <sup>5</sup>
2	Sergeant-at-Arms	\$160	\$167	\$173
2	Deputy Sergeant-at-Arms	\$122	\$127	\$145 <sup>6</sup>
6	Legislative Assistant - Assistant Sergeant-at-Arms	\$115	\$120	\$135 <sup>6</sup>
2	Chief Page/Chief Legislative Assistant	\$135	\$141	\$146
1	Legislative Assistant - Desk Page	\$115	\$120	\$124
7	Legislative Assistant - Page	\$115	\$120	\$124
1	Legislative Assistant - Supply Room Coordinator	\$115	\$120	\$135 <sup>6</sup>
-	(Possible Elimination) Legislative Assistant - Information Kiosk Attendant	\$115	\$120	-
-	(Possible Elimination) Legislative Assistant - Parking Lot Attendant	\$115	\$120	-
Total 79				
Total daily compensation			\$13,077	\$13,620

<sup>1</sup>The 2023 daily compensation for the merged bill and recording clerk position is derived by selecting the higher of the 2021 daily compensation rates for the two separate positions, adjusted by the percentage increase applied to all 2023 compensation rates, and applying a further increase approved by the Legislative Procedure and Arrangements Committee.

<sup>2</sup>The 2023 daily compensation for the new quality assurance clerk position, procedural appropriations committee clerk position, and technological appropriations committee clerk position is equivalent to the 2021 daily rate of \$181 provided for appropriations committee clerks, adjusted by the percentage increase applied to all 2023 compensation rates.

<sup>3</sup>During the 2019 legislative session, committee clerks were equally split between 3-day committee clerks and 2-day committee clerks. The pay for clerks classified as 3-day committee clerks was \$167 per day. The pay for clerks classified as 2-day committee clerks was \$162 per day.

<sup>4</sup>During the 2021 legislative session, the pay for the 3-day, 2-day, and assistant appropriations committee clerks was equalized at a daily rate of \$174 due to increased committee clerk duties required to accommodate a remote legislative session.

<sup>5</sup>The 2023 daily compensation for the new procedural committee clerk position, technological committee clerk position, procedural assistant appropriations committee clerk position, and technological assistant appropriations committee clerk position is equivalent to the 2021 daily rate of \$174 provided for the 3-day, 2-day, and assistant appropriations committee clerks, adjusted by the percentage increase applied to all 2023 compensation rates.

<sup>6</sup>The 2023 daily compensation for the Deputy Sergeant-at-Arms, Legislative Assistant - Assistant Sergeant-at-Arms, and the Legislative Assistant - Supply Room Coordinator is derived by selecting the 2021 daily compensation rates for the positions, adjusted by the percentage increase applied to all 2023 compensation rates, and applying a further increase approved by the Legislative Procedure and Arrangements Committee.

ATTACH:1