



North Dakota Legislative Council

Prepared for the Legislative Procedure and Arrangements Committee
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LEGISLATIVE COUNCIL WORKFORCE DEMOGRAPHICS

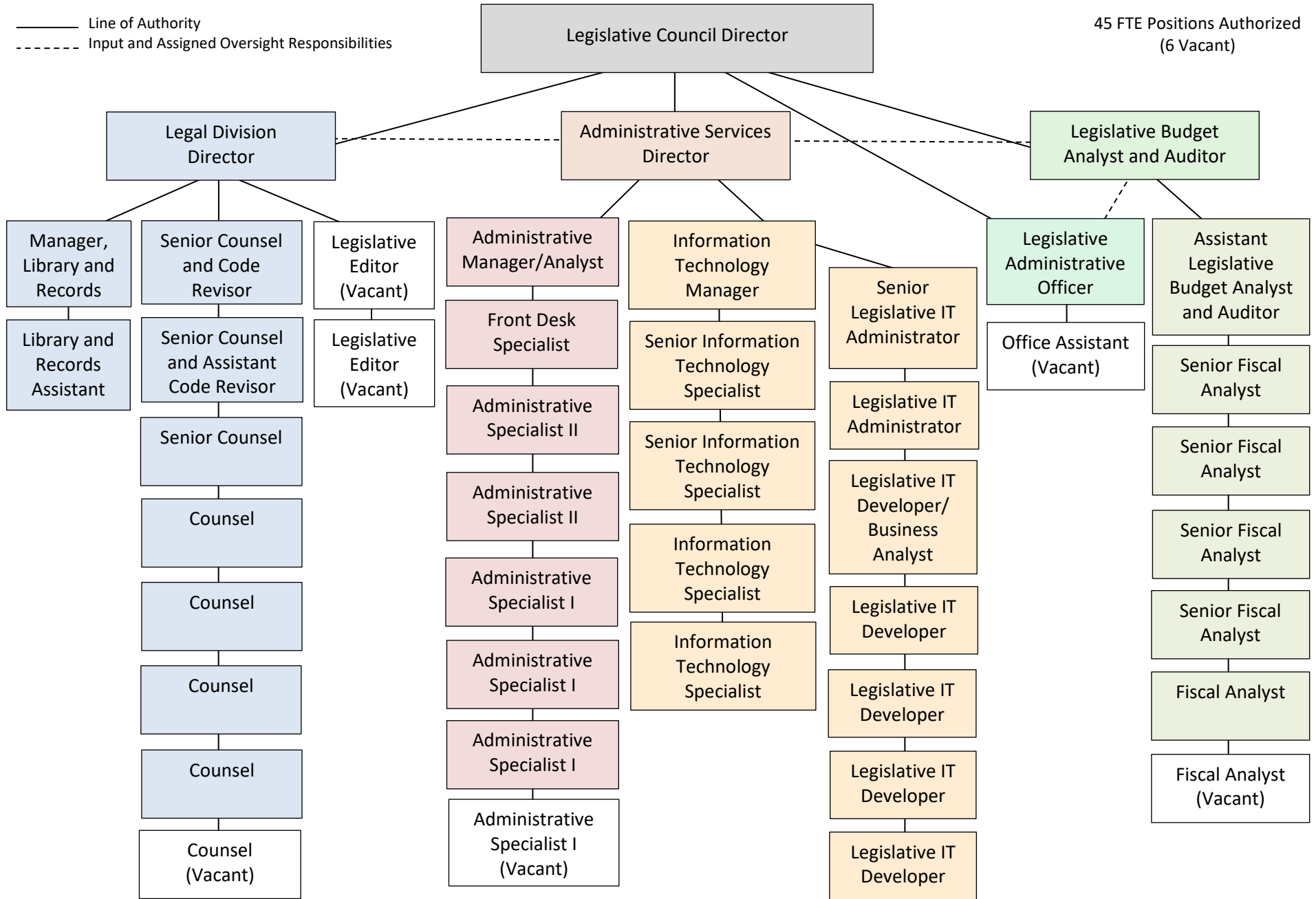
The Legislative Council was initially created in 1945 as the Legislative Research Committee (LRC). The LRC served primarily as a screening agency for proposed legislation submitted by state departments and organizations. In 1969, the LRC was renamed as the Legislative Council to reflect the scope of its duties more accurately. The Legislative Council is a comprehensive legislative service agency with various duties in addition to research. The Legislative Council consists of attorneys, accountants, researchers, information technology staff, and auxiliary personnel who are hired and who serve on a strictly nonpartisan basis.

Attorneys on the staff provide legal advice and counsel on legislative matters to legislators and legislative committees. The Legislative Council supervises the publication of the Session Laws, the North Dakota Century Code, and the North Dakota Administrative Code. The Legislative Council has on its staff the Legislative Budget Analyst and Auditor and fiscal analysts who provide technical assistance to the Legislative Management committees and legislators and who review audit reports for the Legislative Audit and Fiscal Review Committee. The Legislative Council provides computer services to the legislative branch, including research and bill drafting capabilities. The Legislative Council's library contains a wide variety of materials and reference documents, many of which are not available from other sources. As of 2021, with only 34 permanent legislative staff, North Dakota had the smallest number of permanent legislative staff in the nation. In 2023, North Dakota's permanent staff increased to 45 following the 2023 legislative session.

The following organizational chart reflects the current positions that comprise the Legislative Council:

——— Line of Authority
 - - - - - Input and Assigned Oversight Responsibilities

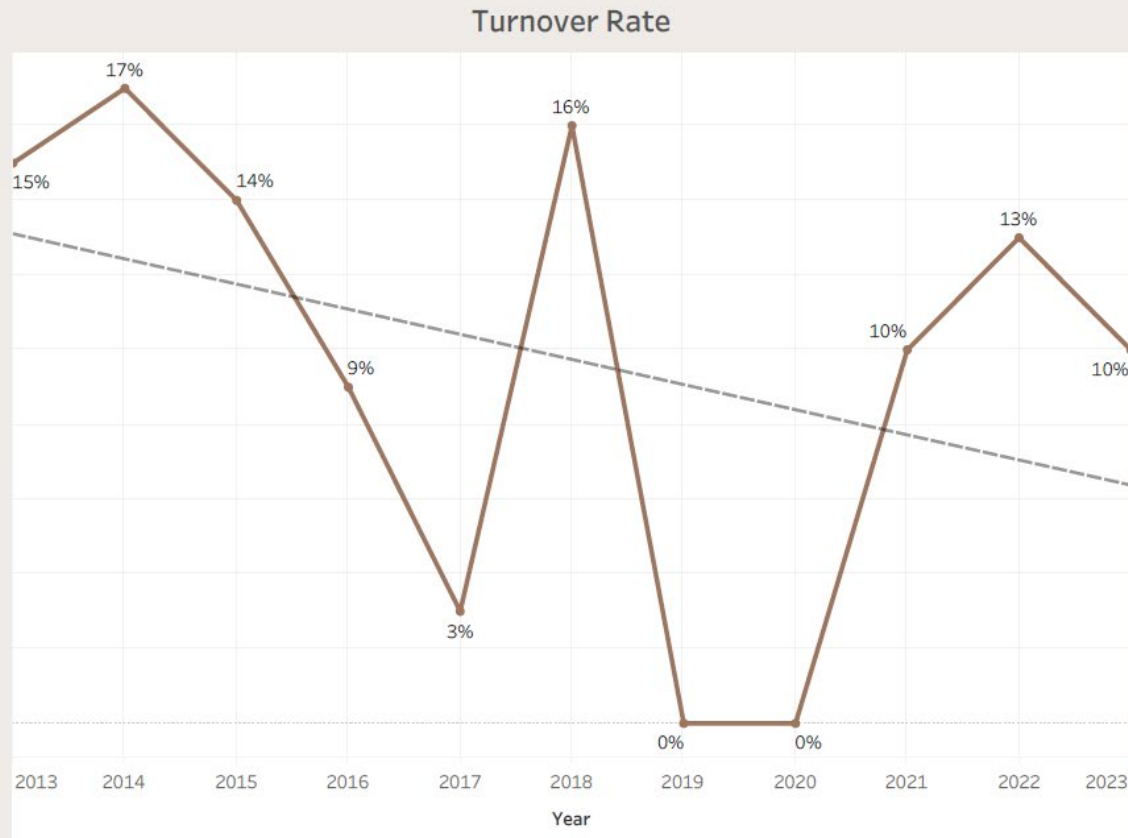
45 FTE Positions Authorized
 (6 Vacant)



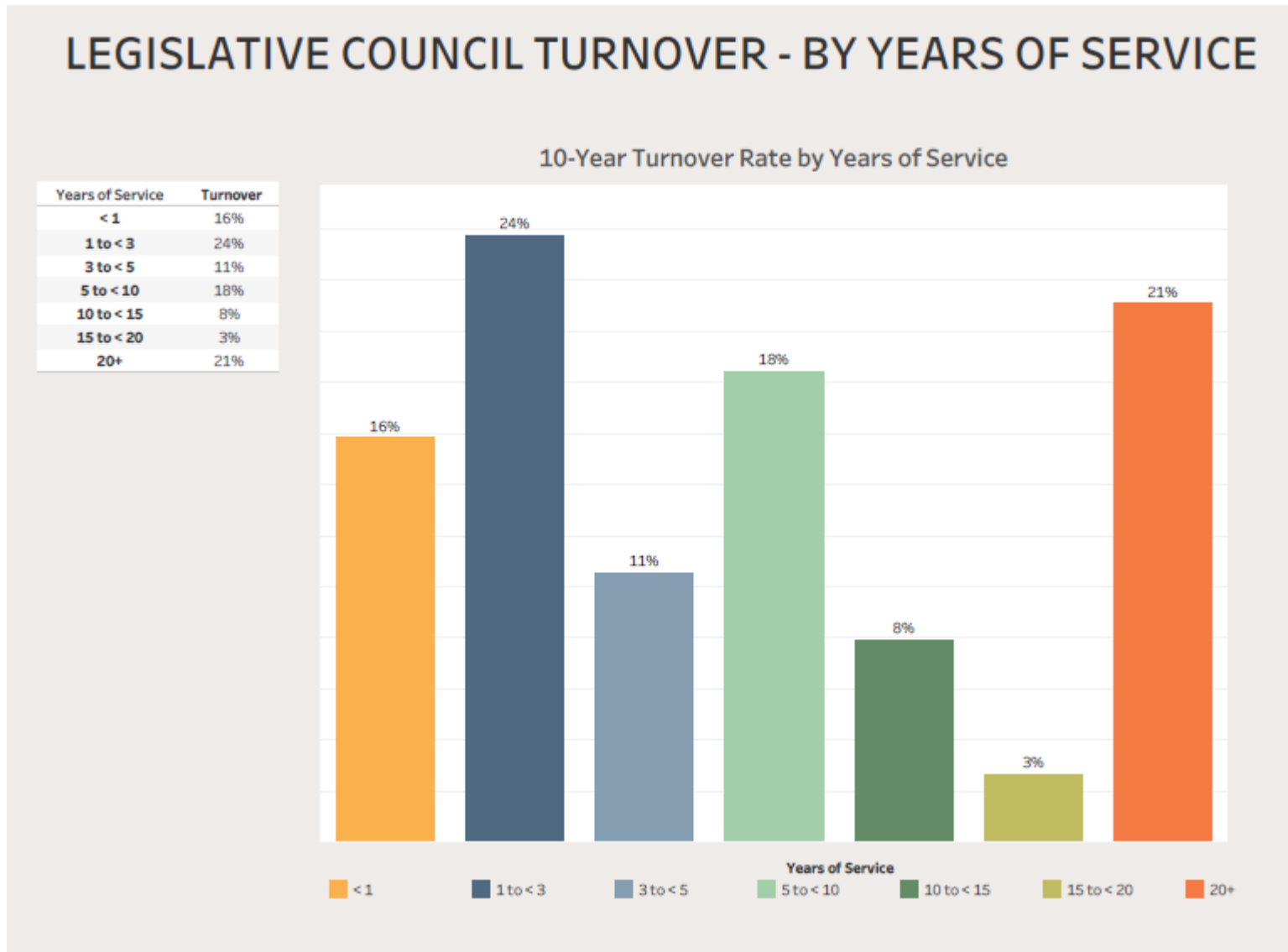
The Legislative Council has experienced a volatile rate of turnover in the past 10 years. Between 2013 and 2023, 38 staff members departed the agency due to retirements and other factors. These separations amounted to a loss to the agency of staff members with a combined total of 376 years of experience working at the Legislative Council. Eight of the individuals who separated from service had well over 20 years with the agency.

LEGISLATIVE COUNCIL TURNOVER - ANNUAL RATE

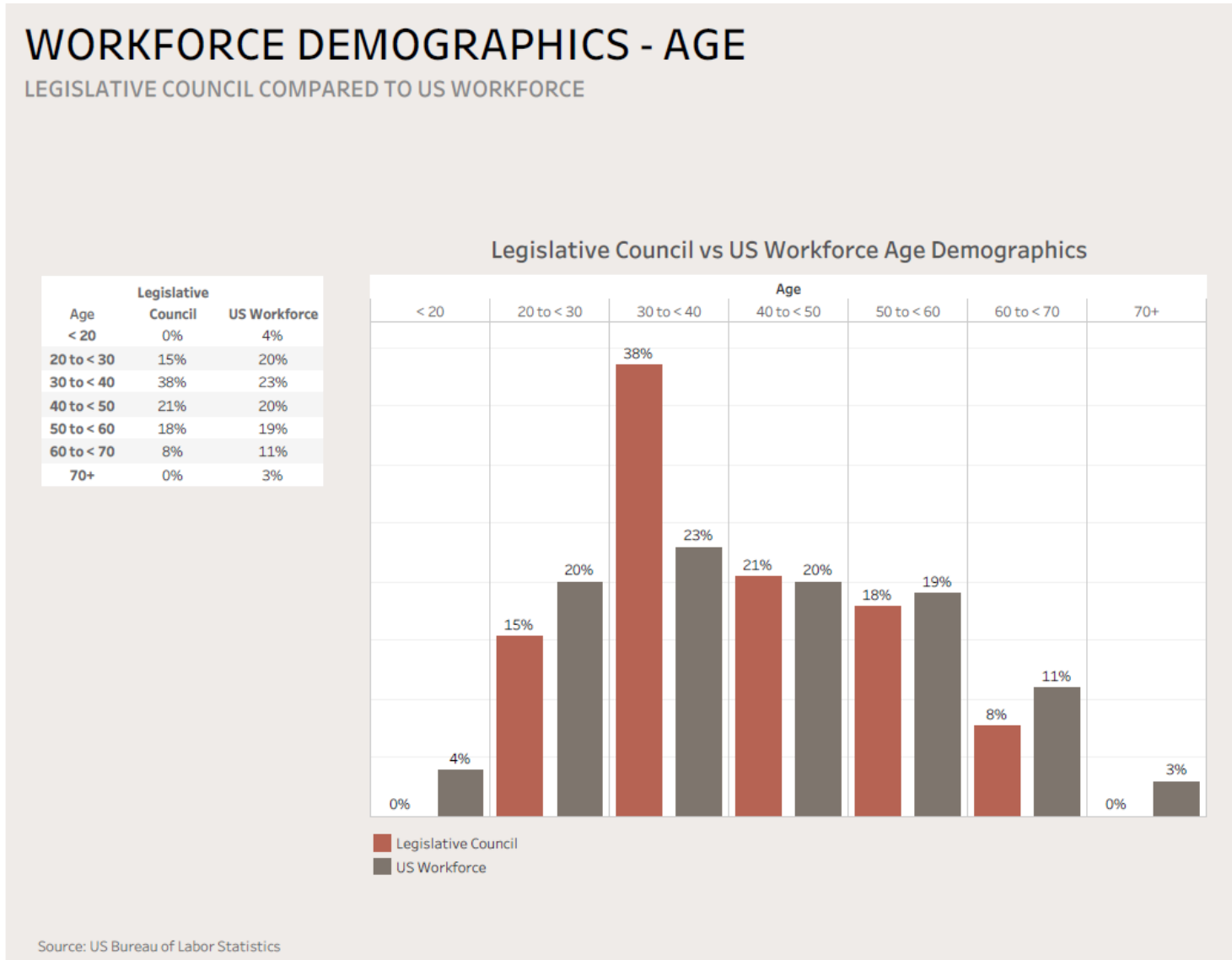
| Year | Turnover Rate | Separations |
|------|---------------|-------------|
| 2013 | 15% | 5 |
| 2014 | 17% | 6 |
| 2015 | 14% | 5 |
| 2016 | 9% | 3 |
| 2017 | 3% | 1 |
| 2018 | 16% | 5 |
| 2019 | 0% | 0 |
| 2020 | 0% | 0 |
| 2021 | 10% | 4 |
| 2022 | 13% | 5 |
| 2023 | 10% | 4 |



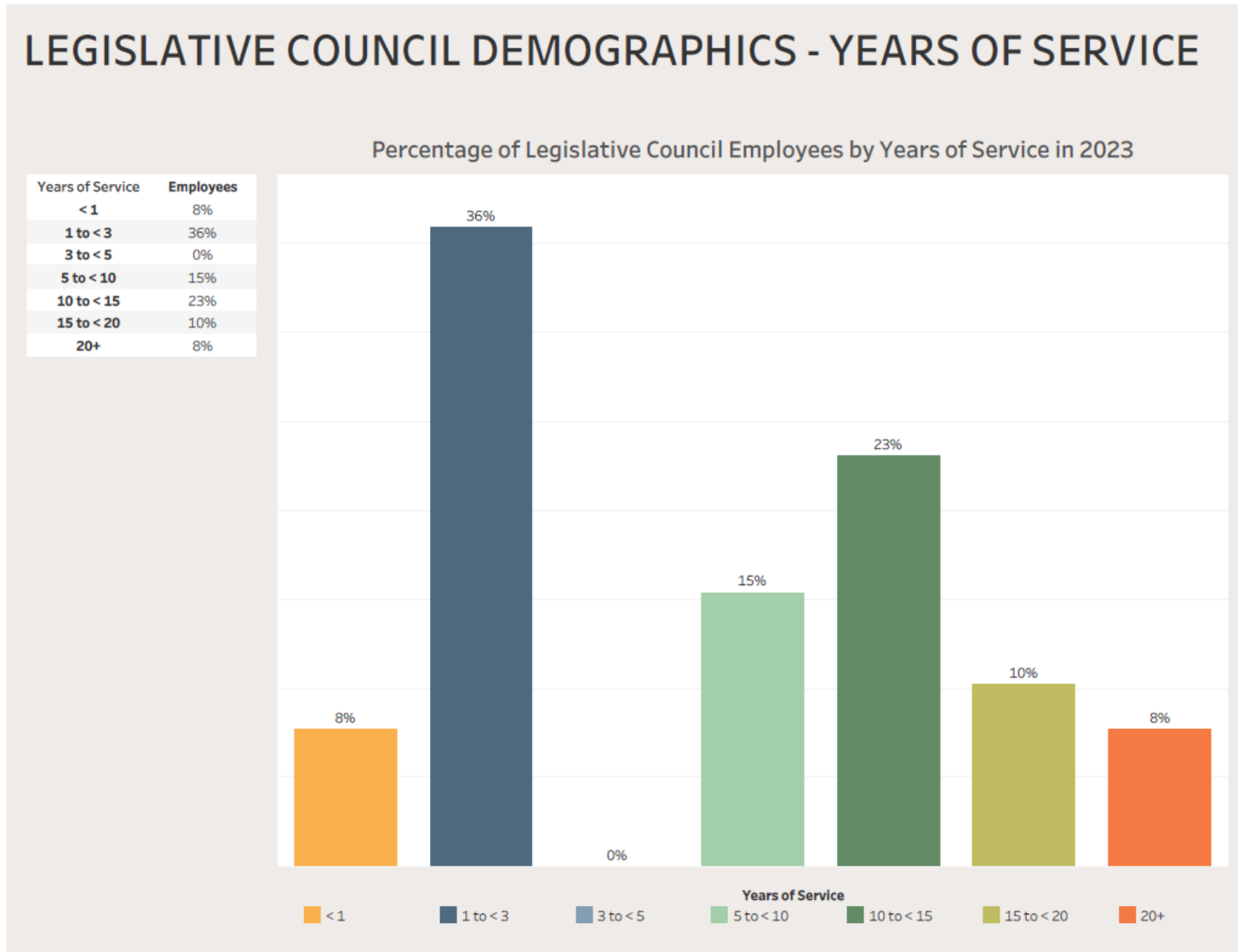
The following table breaks down the rates of turnover from 2013 to 2023 to illustrate which categories of years of service are experiencing the highest percentage of loss. Data recorded over the last decade shows the highest percentage of staff separating from the agency are those with less than 3 years of service, followed by those with 20 or more years of service.



The past decade of turnover has resulted in the majority of Legislative Council staff being under the age of 40, with the greatest concentration of staff falling within the 30-to-39-year age range. This differs markedly from national workforce demographics, where the concentration of employees within each age bracket is more evenly distributed. Assuming the staff in the Legislative Council's age 30 to 39 bracket are able to be retained, the agency might be facing another large wave of retirements close in proximity in the future.



The change in the Legislative Council's demographics in terms of long-term staff members at the agency is in stark contrast to the demographics of the agency 10 years ago. The current demographics show 40 percent of those employed at the agency have been with the Legislative Council for less than 3 years, with only 28 percent of those employed being with the agency for 15 years or more. This can be contrasted with the demographics of the agency in 2013, when 35 percent of those employed had 15 or more years of service.



Although the Legislative Council has been lucky to have recruited many highly qualified new employees, those newly onboarded employees are less equipped to juggle the variety of advanced tasks previously handled by more senior staff due to those staff members' many years of experience. The result is a staff replacement ratio that is not necessarily 1:1. It may take the manpower of two staff members to replace the productivity of one lost senior staff member due to the loss of that senior member's many years of experience.

Although the challenge of recruitment and retention is not unique to the legislative branch, the nature of the work is more specialized than that conducted by the United States workforce in general. This is why some states have been offering large increases to retain existing legislative staff members. For instance, Utah's Office of Legislative Research and General Counsel, which is staffed with 24 attorneys serving the state's 104 members, recently awarded raises of nearly 35 percent in an effort to retain its workforce.

The size of Utah's staff is notable when considering the impact of staff turnover. In Utah, a loss of 4 staff members would leave the state with 20 other attorneys to assist the legislature in conducting its business; whereas the actual loss of 4 of the Legislative Council's 8 attorneys preceding the 2023 legislative session left North Dakota operating with only 4 attorneys who had previously experienced a legislative session. When operating with a small staff, the loss of a small number of individuals has a much larger impact as a percentage of the agency's staff and places the agency in a more tenuous position in terms of operational consistency and succession planning.