

Introduced by

1 A BILL for an Act to amend and reenact section 65-02-30 of the North Dakota Century Code,
2 relating to the independent performance evaluation of workforce safety and insurance.

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

4 **SECTION 1. AMENDMENT.** Section 65-02-30 of the North Dakota Century Code is
5 amended and reenacted as follows:

6 **65-02-30. Independent performance evaluation - Organization development of**
7 **performance measurements - Continuing appropriation.** ~~Biennially~~ Once every four years,
8 the director shall request the state auditor to select a firm with extensive expertise in workers'
9 compensation practices and standards to complete a performance evaluation of the functions
10 and operations of the organization during that ~~biennium~~ evaluation period. This may not be
11 construed to require the firm to be a certified public accounting firm. The firm's report must
12 contain recommendations for departmental improvement or an explanation of why no
13 recommendations are being made. The director or the director's designee, the chairman of the
14 board or the chairman's designee, and a representative of the firm shall present the evaluation
15 report and any action taken to the legislative management's workers' compensation review
16 committee and to the governor. The director shall provide a copy of the performance evaluation
17 report to the state auditor. Except as otherwise provided in this section, the workers'
18 compensation review committee may select no more than four elements to be evaluated in the
19 performance evaluation and shall inform the state auditor of the selected items to be evaluated.
20 The state auditor shall include the elements selected by the committee in the performance
21 evaluation, but the state auditor may select additional elements to be evaluated. The total
22 number of elements, including those selected by the workers' compensation review committee,
23 may not exceed eight. In exceptional circumstances, the state auditor may include more than
24 eight elements for evaluation. If more than eight elements are selected, the state auditor shall

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1 report to the workers' compensation review committee the additional elements selected and the
2 exceptional circumstances to support the inclusion of the additional elements. Money in the
3 workforce safety and insurance fund is appropriated on a continuing basis for the payment of
4 the expense of conducting the performance evaluation. The organization shall develop and
5 maintain comprehensive, objective performance measurements. These measurements may be
6 evaluated as part of the independent performance evaluation under this section.