

MICROFILM DIVIDER

OMB/RECORDS MANAGEMENT DIVISION

SFN 2053 (2/85) 5M



ROLL NUMBER

DESCRIPTION

1129

2001 HOUSE INDUSTRY, BUSINESS AND LABOR

HB 1129

2001 HOUSE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. HB 1129

House Industry, Business and Labor Committee

Conference Committee

Hearing Date 01-24-01

Tape Number	Side A	Side B	Meter #
1	x		5.0 - 15.1
2	x		7.5 - 13.7
Committee Clerk Signature <i>Lisa Johnson</i>			

Minutes: HB 1129

Chairman Berg opened the hearing.

Rep. Droydal gave written testimony on HB 1129. See attached.

Sen. Klein testified in favor of HB 1129. Attached is testimony from Lake Foods Inc.

Tom Woodmansee of ND Grocers Assn. Testified in favor of the bill.

Tammy Dolan testified in favor of HB 1129, see attached written testimony.

Rep. Ekstrom, How many of your employers are not covered?

Tammy Dolan, That would be difficult to estimate. There are 83 employers that have elected coverage in total. Only 19 of those have children that are 17 years or less.

Rep. Froseth, The bill currently states that employers cannot obtain workers comp. for children under the age of 22. Is there a discrepancy here with the ages?

Tammy Dolan, Currently that is right. All children under the age of 22 can be covered. This bill is only effecting those that are less than 17 years old. For that age group that remains, from 18 to 22 years old, we would still use the current premium calculation that is in place.

Rep. Thorpe, If there is an employee of 17 years or younger, what kind of coverage would they have?

Tammy Dolan, They would have the same coverage as any other employee.

Chairman Berg closed the hearing.

Tape 2, side A. No. 7.6

Chairman Berg reopened the hearing.

Rep. Klein, When did this go into effect? Evidently some of the employers didn't know this was happening and all of a sudden they got hit with it.

Julie Leer, We ended up with a situation where we are reviewing the way that the premiums are calculated for a lot of our optional coverage's. It was discovered that the way that we were calculating premiums for children was not consistent with the way the law was written. So we had to amend our practices to accommodate how the law read.

Rep. Pietsch, In section 1 the new language, for purposes of determining a premium, this really says that for an employer, or an employers spouse, over the age of 17 or a self employed person, the real issue there is that they pay at the payroll cap regardless of how much they earn in the business?

Julie Leer, Yes, that's correct.

Rep. Froseth made a motion for a Do Pass.

Rep. Pietsch second the motion.

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House Industry, Business and Labor Committee
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Rep. Klein, Why did we determine that 17 was the cutoff with this?

Julie Leer, The payroll cap is set in section 650404.2, in there it says that you will pay premium on the first out payroll up to 70% of the base wage. Once you are over the age of 18 you are considered an adult, 17 and under you are still a dependent.

Roll call vote: 12 yes, 0 no, 3 absent.

The motion carries.

Rep. Plotsch will carry the bill.

FISCAL NOTE
 Requested by Legislative Council
 12/18/2000

Bill/Resolution No.: HB 1129

Amendment to:

1A. **State fiscal effect:** *Identify the state fiscal effect and the fiscal effect on agency appropriations compared to funding levels and appropriations anticipated under current law.*

	1999-2001 Biennium		2001-2003 Biennium		2003-2005 Biennium	
	General Fund	Other Funds	General Fund	Other Funds	General Fund	Other Funds
Revenues						
Expenditures						
Appropriations						

1B. **County, city, and school district fiscal effect:** *Identify the fiscal effect on the appropriate political subdivision.*

1999-2001 Biennium			2001-2003 Biennium			2003-2005 Biennium		
Counties	Cities	School Districts	Counties	Cities	School Districts	Counties	Cities	School Districts

2. **Narrative:** *Identify the aspects of the measure which cause fiscal impact and include any comments relevant to your analysis.*

***NORTH DAKOTA WORKERS COMPENSATION
 2001 LEGISLATION
 SUMMARY OF ACTUARIAL INFORMATION***

BILL DESCRIPTION: Workers Compensation Coverage for Children of Employers

BILL NO: HB 1129

SUMMARY OF ACTUARIAL INFORMATION : North Dakota Workers Compensation, together with its actuary, Glenn Evans of Pacific Actuarial Consultants, has reviewed the legislation proposed in this bill in conformance with Section 54-03-25 of the North Dakota Century Code.

The proposed legislation requires the Bureau to use actual wages in calculating premium for children of employers under the age of 18.

FISCAL IMPACT: Anticipate no significant impact to existing rate levels.

DATE: December 22, 2000

3. **State fiscal effect detail:** *For information shown under state fiscal effect in 1A, please:*

A. **Revenues:** *Explain the revenue amounts. Provide detail, when appropriate, for each revenue type and fund affected and any amounts included in the executive budget.*

B. **Expenditures:** *Explain the expenditure amounts. Provide detail, when appropriate, for each agency, line item, and fund affected and the number of FTE positions affected.*

C. **Appropriations:** *Explain the appropriation amounts. Provide detail, when appropriate, of the effect on the biennial appropriation for each agency and fund affected and any amounts included in the executive budget. Indicate the relationship between the amounts shown for expenditures and appropriations.*

Name:	Paul R. Kramer	Agency:	ND Workers Compensation
Phone Number:	328-3856	Date Prepared:	12/22/2000

HB 1129

Date: 01-24-01

Roll Call Vote #: /

2001 HOUSE STANDING COMMITTEE ROLL CALL VOTES
BILL/RESOLUTION NO. *Click here to type Bill/Resolution No.*

House Industry, Business and Labor Committee

Subcommittee on _____
or

Conference Committee

Legislative Council Amendment Number _____

Action Taken Do Pass

Motion Made By Rep Froseth Seconded By Rep Pietsch

Representatives	Yes	No	Representatives	Yes	No
Chairman- Rick Berg	\		Rep. Jim Kasper	\	
Vice-Chairman George Keiser			Rep. Matthew M. Klein	\	
Rep. Mary Ekstorm	\		Rep. Myron Koppang	\	
Rep. Rod Froelich			Rep. Doug Lemieux	\	
Rep. Glen Froseth	\		Rep. Bill Pietsch	\	
Rep. Roxanne Jensen	\		Rep. Dan Ruby	\	
Rep. Nancy Johnson	\		Rep. Dale C. Severson		
			Rep. Elwood Thorpe	\	

Total (Yes) 12 No 0

Absent 3

Floor Assignment Rep Pietsch

If the vote is on an amendment, briefly indicate intent:

REPORT OF STANDING COMMITTEE (410)
January 25, 2001 8:02 a.m.

Module No: HR-13-1561
Carrier: Pietsch
Insert LC: . Title: .

REPORT OF STANDING COMMITTEE

HB 1129: Industry, Business and Labor Committee (Rep. Berg, Chairman) recommends DO PASS (12 YEAS, 0 NAYS, 3 ABSENT AND NOT VOTING). HB 1129 was placed on the Eleventh order on the calendar.

2001 SENATE INDUSTRY, BUSINESS AND LABOR

HB 1129

2001 SENATE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. HB 1129

Senate Industry, Business and Labor Committee

Conference Committee

Hearing Date February 14, 2001.

Tape Number	Side A	Side B	Meter #
1	x		9.9 to 16.6
Committee Clerk Signature <i>Dois & Pines</i>			

Minutes:

The meeting was called to order. All committee members present. Hearing was opened on HB 1129 relating to workers' compensation coverage for children of employers.

Representative David Drovdal, District 39. Sponsor. I would hire my children, they were paid and treated like any other employee. Because of interpretation of the law children of employers were treated as co-owners, so would have to pay the established premium plus maximum. Very expensive coverage. We feel children under 18 should be treated like any other employee and not as co-owners.

Senator Klein distributed written testimony submitted by **William G. Liebel**, Lake Foods Inc. in favor of this bill.

Tammy Dolan, VP for Employer and Fiscal Services, Workers Compensation Bureau, in favor. Written testimony attached.

Chuck Peterson, ONDA, in favor. Written testimony attached.

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Senate Industry, Business and Labor Committee

Bill/Resolution Number HB 1129

Hearing Date February 14, 2001.

No opposing testimony. Hearing closed.

Discussion held. **Senator Krebsbach**: Motion: do pass. **Senator Every**: Second

Roll call vote: 7 yes; 0 no. Motion carried. Floor assignment : **Senator Klein**.

Date: 2/14/01
Roll Call Vote #: 1

2001 SENATE STANDING COMMITTEE ROLL CALL VOTES
BILL/RESOLUTION NO. 11.29

Senate Industry, Business and Labor Committee

- Subcommittee on _____
or
 Conference Committee

Legislative Council Amendment Number _____

Action Taken Do Pass

Motion Made By Sen Krebsbach Seconded By Sen Every

Senators	Yes	No	Senators	Yes	No
Senator Mutch - Chairman	✓		Senator Every	✓	
Senator Klein - Vice Chairman	✓		Senator Mathern	✓	
Senator Espegard	✓				
Senator Krebsbach	✓				
Senator Tollefson	✓				

Total (Yes) 7 No 0

Absent 0

Floor Assignment Sen Klein

If the vote is on an amendment, briefly indicate intent:

REPORT OF STANDING COMMITTEE (410)
February 14, 2001 10:47 a.m.

Module No: SR-27-3293
Carrier: Klein
Insert LC: . Title: .

REPORT OF STANDING COMMITTEE

HB 1129: Industry, Business and Labor Committee (Sen. Mutch, Chairman) recommends DO PASS (7 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1129 was placed on the Fourteenth order on the calendar.

2001 TESTIMONY

HB 1129

