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Domena Ballarín
Operator's Signature

10/2/03
Date

2003 HOUSE INDUSTRY, BUSINESS AND LABOR

HB 1150

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Dennis J. Baller
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10/2/03
Date

2003 HOUSE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. HB 1150

House Industry, Business and Labor Committee

Conference Committee

Hearing Date 1/21/03

Tape Number	Side A	Side B	Meter #
1		x	43.6-end
2	x		000-break
3	x		0.0-11.3
3	x		45.6-end
3		x	0.0-6.0
Committee Clerk Signature <i>Judith Hammer</i>			

Minutes: Chairman Keiser opened the hearing on H 1150.

Rep. Matthew Klein introduced the bill and introduced Dave Ystebo, Chairman of the Board of the North Dakota Workers Compensation Board, who requested the IBL Committee's favorable consideration of House Bills 1060, 1065, 1149 & 1150. He then introduced Brent Edison, Executive Director and CEO of ND Workers Compensation Bureau, who presented testimony in support of this legislation. (See attached)

Rep. Thorpe asked if "labor will be taken out of the loop?", to which Edison replied that the procedure has not changed.

Replying to Rep. Boe's question, Edison replied that the statewide labor union (AFL-CIO) will submit three names.

Rep. Zaiser asked about the evaluation process. (AT THIS POINT IN THE HEARING THE TAPE BROKE)

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Dorinda Ball
Operator's Signature

1/21/03
Date

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House Industry, Business and Labor Committee
Bill/Resolution Number HB 1150
Hearing Date 1/21/03

The hearing resumed after a fresh tape was placed in the recorder. Rep. Thorpe asked that for the record, he be allowed to reiterate his question and comments regarding lines 1-11, and mainly on line 6 of page 3. "If organized labor would that change in the language on that line be taken out of the loop and I understand his reply to be that no that is not the case, that it would be in the loop. That would be our legislative intent, I hope".

Chair Kelser: Sure. There will be no change in the general process in which members were selected and appointed to the board.

Chuck Peterson, Former Chairman of the Workers Compensation Board and chairman of Jobbers Moving & Storage, spoke in favor of all four bills presented by WCB for this legislative session. (See attached)

Dick Johnson, past board member of WCB, spoke in favor of HB 1150 as presented. His oral testimony addressed the importance of an eleventh member at large. Regarding the state auditor's office and the independent performance audit, during Johnson's term on the board, an internal audit department was established. He believes that particular areas identified by risk assessment should be written in the bid spec for the independent performance audit by the state auditors office. The amended language will cover that and it will assure the legislature that the Bureau is audited successfully.

As no one was present who wished to testify in opposition to HB 1150, the hearing was closed.

Rep. Klein presented his amendments for the committee's consideration: Line 1, Page 1, replace "section" with "sections" and remove 65-02-30; Page 3, remove lines 12-26; Page 4, line 3 overstrike "the" and insert "as determined necessary by the state auditor but at least once every other biennium, the biennial independence performance"; Line 4: remove "as determined

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Dorena G. Ballerath
Operator's Signature

1/21/03
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Hearing Date 1/21/03

necessary by the state auditor in consultation with the board"; on Line 5, overstrike "the"; Line 6, overstrike "the firm also shall conduct a performance evaluation of" then insert "evaluate the effectiveness of safety and loss prevention programs under 65-03-04 and evaluate". He stated that the meat of the amendment is on page 4, he doesn't want the auditor to lose control of what needs to be evaluated. In regard to the proposed amendment by Rep. Klein, Edlson stated that the board of Directors support and do not object to the amendment.

Klein moved to adopt the amendments. Rep. Ekstrom seconded the motion. A voice vote carried the motion to adopt the amendments.

Rep. Klein made a motion for a do pass as amended. Rep. Zaiser seconded the motion. Motion carried, 13-0-1.

Prior to opening the hearings scheduled for the afternoon's agenda, Chairman Keiser called for committee work on the bill before it is returned to the floor. A correction to the title adds the following: ;and to provide safety programs. A motion to reconsider the committee's action this morning was made by Rep. Johnson and seconded by Rep. Ekstrom. Rep. Severson moved to make the aforementioned correction to the title. Rep. Johnson seconded the motion. Rep. Froseth called attention the word "and" before the word to on line 4. A voice vote carried the adoption of the amendment. A motion to approve the bill so amended was made by Rep. Nottestad and seconded by Rep. Severson. The roll call vote carried the motion: 12-0-2. Rep. Zaiser will carry this bill on the floor.

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Deanna Holm
Operator's Signature

1/21/03
Date

FISCAL NOTE
 Requested by Legislative Council
 01/03/2003

Bill/Resolution No.: HB 1150

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.

	2001-2003 Biennium		2003-2005 Biennium		2005-2007 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.

2001-2003 Biennium			2003-2005 Biennium			2005-2007 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
 2003 LEGISLATION
 SUMMARY OF ACTUARIAL INFORMATION**

BILL DESCRIPTION: NDWC Board of Directors

BILL NO: HB 1150

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 adds an additional at-large member to the Board; makes the Board's medical representative a voting member; shortens Board member terms from 6 years to 4 years; limits terms of office to 3 consecutive 4 year terms; and allows the state auditor, in consultation with the Board, to determine upon which departments an independent performance evaluation is to be conducted.

FISCAL IMPACT: Anticipate no impact to rate and reserve levels.

DATE: January 6, 2003

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.

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Dorinda Ball...
 Operator's Signature

10/2/03
 Date

