

PROPOSED AMENDMENTS TO SENATE BILL NO. 2017

Page 1, line 2, after "Dakota" insert "; to provide that job service North Dakota and the workers compensation bureau conduct mutual auditing assistance; to provide that student participation in school-to-work and work force 2000 is voluntary; to create and enact a new section to chapter 44-04 and a new section to chapter 52-02 of the North Dakota Century Code, relating to records of the North Dakota occupational information coordinating committee and audits of job service North Dakota; and to declare an emergency"

Page 1, line 10, replace "8,391,544" with "8,246,905"

Page 1, line 14, replace "2,000,754" with "1,700,754"

Page 1, line 16, replace "51,208,194" with "50,763,555"

Page 1, line 17, replace "49,207,440" with "49,062,801"

Page 1, line 18, replace "2,000,754" with "1,700,754"

Page 1, line 23, replace "\$2,000,754" with "\$1,700,754"

Page 2, after line 2, insert:

**"SECTION 4. WORKERS COMPENSATION BUREAU AND JOB SERVICE NORTH DAKOTA - MUTUAL AUDITING ASSISTANCE.** The workers compensation bureau and job service North Dakota shall establish a cooperative program under which each agency, during the performance of employer audits, gathers employer audit information relevant to the other agency. The workers compensation bureau shall coordinate training of the auditors of both agencies on the technical aspects and needs of the audit processes. The training must include training on the use of the form developed under section 2 of chapter 523 of the 1995 Session Laws for reporting workers' compensation and job service information on a single form. Training must be completed by December 31, 1997. The auditing program must begin in January 1998. The program must operate within federal funding requirements and any other applicable federal statutes and regulations affecting job service North Dakota, as well as within titles 52 and 65. The program's agreement must identify the amount and method of reimbursement between the workers compensation bureau and job service North Dakota for the mutual auditing services. The agreement also must identify a means by which the agencies will identify the employers to be audited by each to avoid a duplication of efforts by the agencies and to reduce the administrative burden on employers subject to the audits.

**SECTION 5. SCHOOL-TO-WORK - STUDENT PARTICIPATION VOLUNTARY.** Before any elementary or secondary school student may participate in any course, program, or project offered under the auspices of the School-to-Work Opportunities Act of 1994, Public Law No. 103-239 [108 Stat. 568; 20 U.S.C. 2394 et seq.], the student's school principal shall obtain the written consent of the student's parent or legal guardian. Participation by a student is voluntary and may not be deemed a condition of graduation. Neither school personnel, school district personnel, nor the superintendent of public instruction may impose any academic penalties or any other sanctions on a student for failure to participate. A student's participation in a

course, program, or project offered under the auspices of the School-to-Work Opportunities Act of 1994 is subject to all state and federal child labor laws.

**SECTION 6.** A new section to chapter 44-04 of the North Dakota Century Code is created and enacted as follows:

**Certain records of occupational information coordinating committee - Exempt.** Records provided to the North Dakota occupational information coordinating committee by any person for use in the followup information on North Dakota education and training system for research or statistical purposes may only be used to prepare aggregate data compilations that do not identify any individual and may not be disclosed to the public by the occupational information coordinating committee. A request for disclosure of the records under section 44-04-18 or section 6 of article XI of the Constitution of North Dakota must be directed to the person or entity that has provided the records to the occupational information coordinating committee.

**SECTION 7.** A new section to chapter 52-02 of the North Dakota Century Code is created and enacted as follows:

**Independent audit.** The state auditor shall appoint on a biennial basis an independent audit firm, with extensive expertise in job service practices and standards, to complete a performance audit of the divisions of job service North Dakota. The audit must evaluate divisions of job service North Dakota, as determined necessary by the state auditor, to determine whether the divisions are providing quality service in an efficient and cost-effective manner. The audit report must contain recommendations for divisional improvement or an explanation of why no recommendations are being made. The executive director of job service North Dakota and the auditor shall present the audit report and any action taken as a result of the audit to the legislative council's legislative audit and fiscal review committee and to the house and senate industry, business and labor standing committees during the next regular session of the legislative assembly following the audit. The executive director shall also provide a copy of the audit report to the state auditor.

**SECTION 8. EMERGENCY.** Section 6 of this Act is declared to be an emergency measure."

Renumber accordingly

#### **STATEMENT OF PURPOSE OF AMENDMENT:**

DEPARTMENT 380 - JOB SERVICE NORTH DAKOTA

HOUSE - This amendment reduces the operating expenses line item by \$144,639 of other funds due to the removal of risk management premiums. The amendment also reduces the general fund appropriation for Work Force 2000 by \$300,000, from \$2,000,754 to \$1,700,754.

This amendment also adds new Sections 4, 5, 6, 7, and 8 as follows:

Section 4 requires that Job Service North Dakota and the Workers Compensation Bureau begin a joint employer auditing program.

Section 5 provides that student participation in school-to-work programs is to be on a voluntary basis.

Section 6 creates a new section in North Dakota Century Code Chapter 44-04 relating to records provided to the North Dakota Occupational Information Coordinating Committee.

Section 7 creates a new section in North Dakota Century Code Chapter 52-02 relating to audits of Job Service North Dakota.

Section 8 makes Section 6 an emergency measure.