

Fifty-fifth  
Legislative Assembly  
of North Dakota

## SENATE BILL NO. 2017

Introduced by

Appropriations Committee

(At the request of the Governor)

1 A BILL for an Act to provide an appropriation for defraying the expenses of job service North  
2 Dakota; to provide that job service North Dakota and the workers compensation bureau  
3 conduct mutual auditing assistance; to create and enact a new section to chapter 44-04 and a  
4 new section to chapter 52-02 of the North Dakota Century Code, relating to records of the  
5 North Dakota occupational information coordinating committee and audits of job service North  
6 Dakota; and to declare an emergency.

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

8 **SECTION 1. APPROPRIATION.** The funds provided in this section, or so much of the  
9 funds as may be necessary, are hereby appropriated out of any moneys in the general fund in  
10 the state treasury, not otherwise appropriated, and from special funds derived from federal  
11 funds and other income, to job service North Dakota for the purpose of defraying its expenses,  
12 for the biennium beginning July 1, 1997, and ending June 30, 1999, as follows:

13 Salaries and wages	\$31,989,975
14 Operating expenses	8,246,905
15 Equipment	483,766
16 Capital improvements	446,976
17 Grants	7,811,918
18 Work Force 2000	1,850,754
19 New jobs program	<u>83,261</u>
20 Total all funds	\$50,913,555
21 Less estimated income	<u>49,062,801</u>
22 Total general fund appropriation	\$ 1,850,754

1           **SECTION 2. APPROPRIATION.** All federal funds received by job service North  
2 Dakota in excess of those funds appropriated in section 1 of this Act are hereby appropriated to  
3 job service North Dakota for the biennium beginning July 1, 1997, and ending June 30, 1999.

4           **SECTION 3. WORK FORCE 2000 ALLOCATIONS.** For the year beginning July 1,  
5 1997, a minimum of \$150,000, of the \$1,850,754 provided for work force 2000, is to be  
6 available for projects in areas in the state that are not within five miles [8.05 kilometers] of any  
7 city with a population of more than eight thousand. Any work force 2000 funds remaining after  
8 June 30, 1998, may be used for projects in any area of the state.

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

25           **SECTION 5.** A new section to chapter 44-04 of the North Dakota Century Code is  
26 created and enacted as follows:

27           **Certain records of occupational information coordinating committee - Exempt.**  
28 Records provided to the North Dakota occupational information coordinating committee by any  
29 person for use in the followup information on North Dakota education and training system for  
30 research or statistical purposes may only be used to prepare aggregate data compilations that  
31 do not identify any individual and may not be disclosed to the public by the occupational

1 information coordinating committee. A request for disclosure of the records under section  
2 44-04-18 or section 6 of article XI of the Constitution of North Dakota must be directed to the  
3 person or entity that has provided the records to the occupational information coordinating  
4 committee.

5 **SECTION 6.** A new section to chapter 52-02 of the North Dakota Century Code is  
6 created and enacted as follows:

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

19 **SECTION 7. EMERGENCY.** Section 5 of this Act is declared to be an emergency  
20 measure.