

Fifty-seventh
Legislative Assembly
of North Dakota

ENGROSSED HOUSE BILL NO. 1035

Introduced by

Legislative Council

(Budget Committee on Government Services)

1 A BILL for an Act relating to a state employee telecommuting incentive program; and to provide
2 an expiration date.

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

4 **SECTION 1. Telecommuting incentive program for state employees.**

5 1. A state agency head may submit a proposal to the suggestion incentive committee
6 established under section 54-06-24 to locate a state employee away from a central
7 office setting of the agency. The proposal must be for a position that has been or
8 would be located in a central office setting within the agency. The proposal must
9 contain a comparison of the estimated annual costs of locating the employee away
10 from a central office setting within the agency to the estimated annual costs of
11 locating the employee in a central office setting within the agency. The
12 comparison must include supporting documentation.

13 2. a. The suggestion incentive committee shall consider the proposal and
14 determine whether:
15 (1) The proposal has been previously submitted and rejected.
16 (2) The proposal is beyond the reasonable expectations of job
17 performance for an employee.
18 (3) The proposal will increase employment opportunities in a part of the
19 state which is more rural than where the central office setting within the
20 agency is located.
21 (4) Implementation of the proposal is desirable and feasible.
22 (5) Implementation of the proposal will continue to provide the quality of
23 services presently provided by the employing state agency and any
24 other state agency affected by the proposal.

1 b. The suggestion incentive committee shall inform the state agency head in
2 writing of its decision on the proposal. For a proposal not approved, the
3 committee shall include its reasons for rejecting the proposal.

4 c. A state agency head who submits a proposal and also is a member of the
5 suggestion incentive committee shall abstain from voting on that agency
6 head's proposal.

7 3. A state agency head who submits a proposal that is approved by the suggestion
8 incentive committee and implemented by the state agency shall compare the
9 actual costs directly relating to the telecommuting program for the twelve-month
10 period beginning with the month the proposed change is instituted to the estimated
11 costs if the program would not have been implemented. The state agency head
12 shall submit the cost comparison to the suggestion incentive committee. Upon
13 approval of the cost comparison report by the suggestion incentive committee, the
14 state agency head is entitled to receive ten percent of any savings identified in the
15 report as resulting from implementing the telecommuting program for the
16 twelve-month period up to a maximum of two thousand dollars. A state agency
17 head may receive no more than two thousand dollars under this program
18 regardless of the number of employees that are located away from the central
19 office setting and the total savings that result. The state employee who is located
20 away from a central office setting of the agency is entitled to receive twenty
21 percent of any savings identified in the report up to a maximum of two thousand
22 dollars. The state agency head may use twenty percent of any savings identified
23 in the report for one-time technology, equipment, or capital improvement costs.

24 **SECTION 2. EXPIRATION DATE.** Section 1 of this Act is effective through June 30,
25 2005, and after that date is ineffective.