

Sixtieth  
Legislative Assembly  
of North Dakota

## ENGROSSED SENATE BILL NO. 2257

Introduced by

Senators Heitkamp, Nething

Representatives Amerman, DeKrey

1 A BILL for an Act to amend and reenact section 65-02-03.1 of the North Dakota Century Code,  
2 relating to membership of the workforce safety and insurance board; and to provide for  
3 application.

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

5 **SECTION 1. AMENDMENT.** Section 65-02-03.1 of the North Dakota Century Code is  
6 amended and reenacted as follows:

7 **65-02-03.1. Workforce safety and insurance board of directors - Appointment.**

8 1. The board consists of eleven members. The appointment and replacement of the  
9 members must ensure that:

10 a. Six board members represent employers in this state which maintain active  
11 accounts with the organization, at least one of which must be a participant in  
12 the risk management program, at least two of which must be employers with  
13 annual premiums greater than twenty-five thousand dollars, at least one of  
14 which must be an employer with an annual premium of ten thousand dollars  
15 but less than twenty-five thousand dollars, at least one of which must be an  
16 employer with an annual premium of less than ten thousand dollars, and at  
17 least one employer at large representative. Except for the employer at large  
18 representative, each employer representative must be a principal owner, chief  
19 executive officer, or chief financial officer of the employer.

20 b. Three members represent employees; at least one member must have  
21 received workforce safety and insurance benefits; and at least one member  
22 must represent organized labor.

23 c. One member is a member of the North Dakota medical association.

d. One member is a member at large who must be a resident of this state and at least twenty-one years of age.

2. Board members shall serve four-year terms, ~~except the initial term of office of the member at large to be appointed on August 1, 2003, expires on December 31, 2006, and the term of office of the medical association member whose term of office became effective January 1, 2003, expires on December 31, 2006.~~ The governor shall make the necessary appointments to ensure the term of office of members begins on January first of each odd-numbered year. Board members may not serve more than three consecutive terms.

a. A departing member representing an employer must be replaced by a member representing an employer, most of whose employees are in a different rate classification than those of the employer represented by the departing member. The governor shall appoint the replacement member for a departing employer representative or medical association representative from a list of three candidates submitted by the ~~board~~ agriculture commissioner, attorney general, and insurance commissioner. The ~~board~~ agriculture commissioner, attorney general, and insurance commissioner shall conduct an interview of an employer representative or a medical representative before placing that candidate's name on the list of replacement member candidates submitted to the governor.

b. The governor shall select the replacement member for the departing organized labor employee representative from a list of three names of potential candidates submitted by an organization that is statewide in scope and which through ~~its~~ the organization's affiliates embraces a cross-section and a majority of organized labor in this state. The governor shall select the replacement member for a departing nonorganized labor employee representative.

c. The governor shall appoint the replacement member for the member at large from a list of three candidates submitted by the ~~board~~ agriculture commissioner, attorney general, and insurance commissioner.

- 1                    d.    Vacancies in the membership of the board must be filled for the unexpired  
2                    term by appointment by the governor as provided in this subsection.

3                    **SECTION 2. APPLICATION.** This Act applies to all workforce safety and insurance  
4    board appointments for replacements and vacancies that occur after July 31, 2007.