

FISCAL NOTE
Requested by Legislative Council
03/05/2009

Amendment to: Engrossed
SB 2059

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.*

	2007-2009 Biennium		2009-2011 Biennium		2011-2013 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.*

2007-2009 Biennium			2009-2011 Biennium			2011-2013 Biennium		
Counties	Cities	School Districts	Counties	Cities	School Districts	Counties	Cities	School Districts

2A. Bill and fiscal impact summary: *Provide a brief summary of the measure, including description of the provisions having fiscal impact (limited to 300 characters).*

The proposed legislation provides for attorney fees and costs for review of a claim after successful completion of the Office of Independent Review process or for review of a settlement offer and provides for a report to the Legislative Assembly. Attorney fees are capped at \$500 and costs at \$150.

B. Fiscal impact sections: *Identify and provide a brief description of the sections of the measure which have fiscal impact. Include any assumptions and comments relevant to the analysis.*

WORKFORCE SAFETY & INSURANCE
2009 LEGISLATION
SUMMARY OF ACTUARIAL INFORMATION

BILL NO: Engrossed SB 2059 w/ House Amendments

BILL DESCRIPTION: Post-OIR Attorney Fees Bill

SUMMARY OF ACTUARIAL INFORMATION: Workforce Safety & Insurance, 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 provides for attorney fees and costs for review of a claim after successful completion of the Office of Independent Review process or for review of a settlement offer and provides for a report to the Legislative Assembly. Attorney fees are capped at \$500 and costs at \$150.

FISCAL IMPACT: The proposed legislation will increase attorney fee payments, but the potential increase is not anticipated to be material in relation to current premium rate and reserve levels. Based on historical OIR utilization and resolution data, the anticipated attorney fee and cost increase could be up to \$120,000 per year. To the extent this provision increases future utilization; future premium rate levels will be adjusted accordingly.

DATE: March 5, 2009

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.*

B. **Expenditures:** *Explain the expenditure amounts. Provide detail, when appropriate, for each agency, line item, and fund affected and the number of FTE positions affected.*

C. **Appropriations:** *Explain the appropriation amounts. Provide detail, when appropriate, for each agency and fund affected. Explain the relationship between the amounts shown for expenditures and appropriations. Indicate whether the appropriation is also included in the executive budget or relates to a continuing appropriation.*

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