FIRST ENGROSSMENT
with Senate Amendments

Sixtieth
Legislative Assembly
of North Dakota

ENGROSSED HOUSE BILL NO. 1460

Introduced by

Representatives Skarphol, Carlson, Dosch

Senator Christmann

1   A BILL for an Act to amend and reenact section 65-02-03.1 of the North Dakota Century Code,

2   relating to the workforce safety and insurance board membership; and to provide for application

3   and transition.

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. Two of which the employer

13   members must be employers with annual premiums, which at the time of the

14   member's initial appointment were greater than twenty-five thousand dollars,

15   at least; one of which the employer members must be an employer with an

16   annual premium of, which at the time of the member's initial appointment was

17   at least ten thousand dollars but less than twenty-five thousand dollars, at

18   least; one of which the employer members must be an employer with an

19   annual premium of, which at the time of the member's initial appointment was

20   less than ten thousand dollars,; and at least one two of the employer

21   members must be employer at-large representative representatives. Except

22   for the employer at-large representative representatives, each employer

23   representative must be a principal owner, chief executive officer, or chief

24   financial officer of the employer.

1   b.   Three members represent employees~~; at least one member must have~~

2   ~~received workforce safety and insurance benefits; and at least~~. Of the three

3   employee members, one member must represent organized labor and one

4   member must have received workforce safety and insurance wage-loss

5   benefits at some time during the ten years before the member's initial

6   appointment.

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

8   d.   One member is a member at large who must be a resident of this state and at

9   least twenty-one years of age.

10   2.   Board members shall serve four-year terms~~, except the initial term of office of the~~

11   ~~member at large to be appointed on August 1, 2003, expires on December 31,~~

12   ~~2006, and the term of office of the medical association member whose term of~~

13   ~~office became effective January 1, 2003, expires on December 31, 2006~~. The

14   governor shall make the necessary appointments to ensure the term of office of

15   members begins on January first of each odd-numbered year. Board members

16   whose initial appointment was before August 1, 2007, may not serve more than

17   three consecutive terms and board members whose initial appointment was after

18   July 31, 2007, may not serve more than two consecutive terms.

19   a.   A departing member representing an employer must be replaced by a

20   member representing an employer, most of whose employees are in a

21   different rate classification than those of the employer represented by the

22   departing member. The governor shall appoint the ~~replacement~~ member for

23   ~~a departing~~ an employer representative ~~or medical association representative~~

24   from a list of three potential candidates submitted by ~~the board. The board~~

25   ~~shall interview an employer representative or a medical representative before~~

26   ~~placing that candidate's name on the list of replacement member candidates~~

27   ~~submitted to the governor~~ a coordinating committee appointed by the

28   governor, composed of representatives from the associated general

29   contractors of North Dakota, the North Dakota petroleum council, the greater

30   North Dakota chamber of commerce, the North Dakota motor carriers

31   association, the North Dakota healthcare association, the national federation

1   of independent business, the lignite energy council, and other statewide

2   business interests.

3   b.   The governor shall select the ~~replacement~~ member for the ~~departing~~

4   organized labor employee representative from a list of three ~~names of~~

5   potential candidates submitted by an organization that is statewide in scope

6   and which through ~~its~~ the organization's affiliates embraces a cross section

7   and a majority of organized labor in this state.

8   c.   The governor shall select the ~~replacement member for a departing~~ two

9   nonorganized labor employee ~~representative. The governor shall appoint the~~

10   ~~replacement member for~~ representatives and the member at large ~~from a list~~

11   ~~of three candidates submitted by the board~~.

12   d.   The governor shall select the member representing the North Dakota medical

13   association from a list of three potential candidates submitted by the North

14   Dakota medical association.

15   3.   Vacancies in the membership of the board must be filled for the unexpired term by

16   appointment by the governor as provided in this ~~subsection~~ section.

17   **SECTION 2. APPLICATION AND TRANSITION.** This Act applies to all board member

18 appointments occurring after July 31, 2007. The board member serving on August 1, 2007, as

19 the representative of the risk management program shall serve the remainder of the appointed

20 term as the employer at-large representative. The employee board member serving on

21 August 1, 2007, as the employee who has received workforce safety and insurance benefits

22 shall continue to serve through the expiration of the member's appointed term, regardless of the

23 member's wage-loss benefit history.