

Introduced by

Legislative Management

(Workers' Compensation Review Committee)

1 A BILL for an Act to amend and reenact section 65-02-30 of the North Dakota Century Code,  
2 relating to quadrennial performance evaluation of workforce safety and insurance; and to repeal  
3 section 54-35-22 of the North Dakota Century Code, relating to the workers' compensation  
4 review committee.

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

6 **SECTION 1. AMENDMENT.** Section 65-02-30 of the North Dakota Century Code is  
7 amended and reenacted as follows:

8 **65-02-30. Independent performance evaluation - Organization development of**  
9 **performance measurements - Continuing appropriation.**

10 Once every four years, the director shall request the state auditor to select a firm with  
11 extensive expertise in workers' compensation practices and standards to complete a  
12 performance evaluation of the functions and operations of the organization during that  
13 evaluation period. This may not be construed to require the firm to be a certified public  
14 accounting firm. The firm's report must contain recommendations for departmental improvement  
15 or an explanation of why no recommendations are being made. The director or the director's  
16 designee, the chairman of the board or the chairman's designee, and a representative of the  
17 firm shall present the evaluation report and any action taken to the ~~legislative management's~~  
18 ~~workers' compensation review committee~~management and to the governor. The director shall  
19 provide a copy of the performance evaluation report to the state auditor. Except as otherwise  
20 provided in this section, the ~~workers' compensation review committee~~legislative management  
21 may not select ~~no~~ more than four elements to be evaluated in the performance evaluation and  
22 shall inform the state auditor of the selected items to be evaluated. The state auditor shall  
23 include the elements selected by the ~~committee~~legislative management in the performance  
24 evaluation, but the state auditor may select additional elements to be evaluated. The total

1 number of elements, including those selected by the ~~workers' compensation review-~~  
2 ~~committee~~legislative management, may not exceed eight. In exceptional circumstances, the  
3 state auditor may include more than eight elements for evaluation. If more than eight elements  
4 are selected, the state auditor shall report to the ~~workers' compensation review-~~  
5 ~~committee~~legislative management the additional elements selected and the exceptional  
6 circumstances to support the inclusion of the additional elements. Money in the workforce  
7 safety and insurance fund is appropriated on a continuing basis for the payment of the expense  
8 of conducting the performance evaluation. The organization shall develop and maintain  
9 comprehensive, objective performance measurements. These measurements may be evaluated  
10 as part of the independent performance evaluation under this section.

11 **SECTION 2. REPEAL.** Section 54-35-22 of the North Dakota Century Code is repealed.