

Senate Industry and Business-Committee
69th Legislative Session
Senator Jeff Barta-Chair

Chairman Barta and Senate Industry and Business Committee,

Please accept this testimony in support of SB 2046.

Intent of this bill:

To provide a one-time Workforce Safety Insurance credit of \$250 for new Veteran, National Guard, or Armed Forces member Owned organization / employer.

Need for bill:

- Incentive for entrepreneurship.
- Support for those who serve in our uniformed services.
- Attract and retain skilled services in ND.
- Promote ND as most military and veteran friendly state.

Outcome of bill:

One-time WSI credit for newly formed veteran/uniformed services owned business in ND.

Amendment requested: add eligibility for a “surviving spouse”.

Thank you for your consideration.

Lonnie Wangen Commissioner-NDDVA

Sixty-ninth Legislative Assembly
of North Dakota
Introduced by

**PROPOSED AMENDMENTS TO
SENATE BILL NO. 2046**

Industry and Business Committee
(At the request of Workforce Safety and Insurance)

1 A BILL for an Act to create and enact a new section to chapter 65-04 of the North Dakota
2 Century Code, relating to eligibility for a one-time premium credit for North Dakota national
3 guard, armed forces, ~~and~~ veterans, and a surviving spouse of a veteran; to amend and reenact
4 section 65-04-32 of the North Dakota Century Code, relating to decisions issued by electronic
5 means; and to provide for application.

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

7 **SECTION 1.** A new section to chapter 65-04 of the North Dakota Century Code is created
8 and enacted as follows:

9 **Premium credit.**

- 10 1. An active member of the North Dakota national guard or the armed forces as defined
11 under section 37-01-01, ~~or~~ a veteran as defined under section 37-01-40, or a surviving
12 spouse of a veteran, is eligible for a one-time premium credit of up to two hundred fifty
13 dollars. The premium credit is available to a new account with the organization having
14 active member, ~~or~~ veteran, or surviving spouse ownership of fifty percent or more.
15 2. The organization may implement rules for the administration of this section.

16 **SECTION 2. AMENDMENT.** Section 65-04-32 of the North Dakota Century Code is
17 amended and reenacted as follows:

18 **65-04-32. Decisions by organization - Disputed decisions.**

19 Notwithstanding any provisions to the contrary in chapter 28-32, the following procedures
20 apply when the organization issues a decision under this chapter or section 65-04-04.4:

- 21 1. The organization may issue a notice of decision based on an informal internal review
22 of the record and shall ~~serve~~ issue the notice of the decision on the parties by regular
23 mail or electronic means. The organization shall include with the decision a notice of
24 the employer's right to reconsideration.

- 1 2. An employer has forty-five days from the day the notice of decision was ~~mailed~~issued
2 by the organization by regular mail or electronic means to file a written request for
3 reconsideration. The request for reconsideration is considered filed only upon receipt
4 by the organization. The employer is not required to file the request through an
5 attorney. The request must state the reason for disagreement with the organization's
6 decision and the desired outcome. The request may be accompanied by additional
7 evidence not previously submitted to the organization. The organization shall
8 reconsider the matter by informal internal review of the information of record. Absent a
9 timely and sufficient request for reconsideration, the notice of decision is final and may
10 not be reheard or appealed.
- 11 3. After receiving a petition for reconsideration, unless settlement negotiations are
12 ongoing, the organization shall ~~serve on~~issue to the parties by regular mail or
13 electronic means, an administrative order including its findings of fact, conclusions of
14 law, and order, in response to the petition for reconsideration. The organization may
15 serve an administrative order on any decision made by informal internal review without
16 first issuing a notice of decision and receiving a request for reconsideration. If the
17 organization does not issue an order within sixty days of receiving a request for
18 reconsideration, a party may request, and the organization shall promptly issue, an
19 appealable determination.
- 20 4. A party has forty-five days from the date of ~~service~~issuance of an administrative order
21 to file a written request for rehearing. The request must state specifically each alleged
22 error of fact and law to be reheard and the relief sought. Absent a timely and sufficient
23 request for rehearing, the administrative order is final and may not be reheard or
24 appealed.
- 25 5. Rehearings must be conducted as hearings under chapter 28-32 to the extent that
26 chapter does not conflict with this section.
- 27 6. An employer may appeal a posthearing administrative order to district court in
28 accordance with chapter 65-10. Chapter 65-10 does not preclude the organization
29 from appealing to district court a final order issued by a hearing officer under this title.

30 **SECTION 3. APPLICATION.** Section 1 applies to new account applications received on or
31 after July 1, 2025.