

SOCIAL SECURITY

CHAPTER 477

SENATE BILL NO. 2457

(Senators St. Aubyn, DeMers, Holmberg, W. Stenehjem)

JOB SERVICE PROPERTY SALE

AN ACT to amend and reenact section 1 of chapter 495 of the 1993 Session Laws, relating to the sale of property by job service North Dakota.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

SECTION 1. AMENDMENT. Section 1 of chapter 495 of the 1993 Session Laws is amended and reenacted as follows:

SECTION 1. Sale of property by job service North Dakota - Appropriation. The state of North Dakota acting through job service North Dakota is hereby authorized to sell and convey all of lot two of the replat of lots b and c of the replat of block 1, Drees second addition to Grand Forks, North Dakota, and the east two hundred feet of lot "C" replat of block 1 Drees second addition to Grand Forks, North Dakota. Job service North Dakota may cause the above-described real property to be sold in the manner prescribed by ~~sections~~ section 54-01-05.1 and 54-01-05.2. The provisions of ~~section~~ sections 54-01-05.2 and 54-01-05.5 do not apply to the sale and conveyance authorized by this Act. Proceeds from the sale must be used as authorized and directed by law. Proceeds from the sale are hereby appropriated for acquisition and renovation of land and a building to be used as an office facility by job service North Dakota in Grand Forks, North Dakota.

Approved March 17, 1995

Filed March 20, 1995

CHAPTER 478**HOUSE BILL NO. 1374**

(Representative Keiser)

**LANDMAN SERVICES EXCLUDED UNDER
UNEMPLOYMENT COMPENSATION**

AN ACT to create and enact a new subdivision to subsection 18 of section 52-01-01 of the North Dakota Century Code, relating to exclusions from the definition of employment for unemployment compensation purposes.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

SECTION 1. A new subdivision to subsection 18 of section 52-01-01 of the 1993 Supplement to the North Dakota Century Code is created and enacted as follows:

Service performed for a private for-profit person or entity by an individual as a landman if substantially all remuneration paid in cash or otherwise for the performance of the service is directly related to the completion by the individual of the specific tasks contracted for rather than to the number of hours worked by the individual, and the services are performed under a written contract between the individual and the person for whom the services are performed which provides that the individual is to be treated as an independent contractor and not as an employee with respect to the services provided under the contract. For purposes of this subdivision, "landman" means a land professional who has been engaged primarily in:

- (1) Negotiating the acquisition or divestiture of mineral rights;
- (2) Negotiating business agreements that provide for the exploration for or development of minerals;
- (3) Determining ownership of minerals through research of public and private records;
- (4) Reviewing the status of title, curing title defects, and otherwise reducing title risk associated with ownership of minerals;
- (5) Managing rights or obligations derived from ownership of interests and minerals; or
- (6) Activities to secure the unitization or pooling of interests in minerals.

Approved April 4, 1995
Filed April 4, 1995

CHAPTER 479

SENATE BILL NO. 2134

(Senator Krebsbach)

(At the request of Job Service North Dakota)

UNEMPLOYMENT COMPENSATION BENEFIT
ELIGIBILITY

AN ACT to amend and reenact sections 52-01-03 and 52-06-01 of the North Dakota Century Code, relating to disclosure of information and eligibility for unemployment compensation benefits.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

SECTION 1. AMENDMENT. Section 52-01-03 of the 1993 Supplement to the North Dakota Century Code is amended and reenacted as follows:

52-01-03. Disclosure of information. Except as otherwise provided in this section, information obtained from any employing unit or individual pursuant to the administration of the North Dakota Unemployment Compensation Law and determinations as to the benefit rights of any individual must be held confidential and may not be disclosed or be open to public inspection in any manner revealing the individual's or employing unit's identity. Any claimant or claimant's legal representative must be supplied with information from the records of the job insurance division, to the extent necessary for the proper presentation of the claimant's claim in any proceeding under the North Dakota Unemployment Compensation Law with respect to ~~such~~ the claim. Subject to ~~such~~ restrictions as the bureau by rule may prescribe, ~~such~~ the information may be made available to any agency of this or any other state, or any federal agency, charged with the administration of any unemployment compensation law or the maintenance of a system of public employment offices, or the bureau of internal revenue of the United States department of the treasury, and information obtained in connection with the administration of the employment service may be made available to persons or agencies for purposes appropriate to the operation of a public employment service. Upon a request, the bureau shall furnish to any agency of the United States charged with the administration of public works or assistance through public employment, and may furnish to any state agency similarly charged, the name, address, ordinary occupation, and employment status of each recipient of benefits and ~~such~~ the recipient's rights to further benefits under the North Dakota Unemployment Compensation Law. The bureau may request the comptroller of the currency of the United States to cause an examination of the correctness of any return or report of any national banking association, rendered pursuant to the North Dakota Unemployment Compensation Law, and in connection with ~~such~~ the request, may transmit any ~~such~~ report or return to the comptroller of the currency of the United States as provided in subsection c of section 3305 of the federal Internal Revenue Code. The bureau shall request and exchange information for purposes of income and eligibility verification to meet the requirements of section 1137 of the Social Security Act.

The bureau may provide the workers compensation bureau, the state ~~labor~~ commissioner of labor, the department of economic development and finance, ~~and~~ the state tax commissioner, and the North Dakota occupational information coordinating committee with information obtained pursuant to the administration of

the North Dakota Unemployment Compensation Law. Any information so provided may be used only for the purpose of administering the duties of the workers compensation bureau, the state ~~labor~~ commissioner of labor, the state department of economic development and finance, ~~and~~ the state tax commissioner, and the North Dakota occupational information coordinating committee. The bureau may provide any state agency or a private entity with the names and addresses of employing units for the purpose of jointly publishing or distributing publications or other information as provided in section 54-06-04.3. Any information so provided may only be used for the purpose of jointly publishing or distributing publications or other information as provided in section 54-06-04.3.

Whenever the bureau obtains information on the activities of a contractor doing business in this state of which officials of the secretary of state, workers compensation bureau, or the tax commissioner may be unaware and that may be relevant to duties of those officials, the bureau shall provide any relevant information to those officials for the purpose of administering their duties.

The bureau shall request and exchange information as required of the bureau under federal law with any specified governmental agencies. Any information so provided may be used only for the purpose of administering the duties of such governmental agencies.

SECTION 2. AMENDMENT. Section 52-06-01 of the North Dakota Century Code is amended and reenacted as follows:

52-06-01. Conditions required to be eligible for benefits. An unemployed individual is eligible to receive benefits with respect to any week only if the bureau finds that:

1. ~~He~~ The individual has made a claim for benefits with respect to such week in accordance with such regulations as the bureau may prescribe;
2. ~~He~~ The individual has registered for work at, and thereafter continued to report at, an employment office in accordance with such regulations as the bureau may prescribe, except that the bureau may, by regulation, waive or alter either or both of the requirements of this subsection as to individuals attached to regular jobs and as to such other types of cases or situations with respect to which it finds that compliance with such requirements would be oppressive, or would be inconsistent with the purposes of the North Dakota Unemployment Compensation Law; provided, that no such regulation shall conflict with section 52-06-03;
3. ~~He~~ The individual is able to work and is available for suitable work and actively seeking work; provided,
 - a. That notwithstanding any other provisions in this section, no otherwise eligible individual may be denied benefits for any week because the individual is in training with the approval of the bureau by reason of the application of provisions of this subsection relating to availability for work and to active search for work, or the provisions of subsection 3 of section 52-06-02 relating to disqualification for benefits for failure to apply for, or a refusal to accept, suitable work;
 - b. That no claimant may be considered ineligible in any week of unemployment for failure to comply with this subsection, if the

failure is due to an illness or disability not covered by workers' compensation insurance and which occurred after the claimant has registered for work and no work has been offered the claimant which is suitable;

4. ~~He~~ The individual has been unemployed for a waiting period of one week. No week may be counted as a week of unemployment for the purposes of this subsection:
 - a. Unless it occurs within the benefit year which includes the week with respect to which ~~he~~ the individual claims payment of benefits;
 - b. If benefits have been paid with respect thereto;
 - c. Unless the individual was eligible for benefits, with respect thereto as provided in this section and section 52-06-02;
5. The individual participates in reemployment services, such as job search assistance services, if the individual has been determined to be likely to exhaust regular benefits and to need reemployment services pursuant to a profiling system established by the bureau, unless the bureau determines that:
 - a. The individual has completed these services; or
 - b. There is justifiable cause for the claimant's failure to participate in these services.

Approved April 4, 1995

Filed April 4, 1995

CHAPTER 480

SENATE BILL NO. 2135

(Senator Tennefos)

(At the request of Job Service North Dakota)

JOB SERVICE ADMINISTRATION AND FUNDS

AN ACT to amend and reenact sections 52-02-09, 52-02-10, 52-02-11, 52-03-01, 52-03-03, 52-03-04, subsection 4 of section 52-03-07, and section 52-04-22 of the North Dakota Century Code, relating to the job service administration, unemployment compensation administration, and federal advance interest repayment funds; and to repeal section 52-03-02 of the North Dakota Century Code, relating to the state treasurer as treasurer of the unemployment compensation and federal advance interest repayment funds.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

SECTION 1. AMENDMENT. Section 52-02-09 of the North Dakota Century Code is amended and reenacted as follows:

52-02-09. Unemployment compensation Job service administration fund - Additional bond required of treasurer. There must be maintained in the state treasury a special fund to be known as the unemployment compensation administration fund. The job service administration fund consists of all money received from any other source for administrative and program purposes except for the funds created by sections 52-03-01, 52-04-22, and 52-09-05. All moneys accruing to this fund in any manner must be maintained in this separate interest-bearing account at the Bank of North Dakota. All money deposited or paid into this fund and the employment service account thereof must be continuously available to the bureau for expenditure in accordance with the provisions of this law, and may not lapse at any time or be transferred to any other fund. The fund must consist of any money appropriated by this state in accordance with section 52-02-11; all money received from the United States of America, or any agency thereof; and all money received from any other source for the administration of the North Dakota Unemployment Compensation Law; all money received from any agency of the United States or any other state as compensation for services or facilities supplied to such agency; all amounts received pursuant to any surety bond or any insurance policy or from other sources for losses sustained by the unemployment compensation job service administration fund or by reason of damage to property, equipment, or supplies purchased from money in such fund; and all proceeds realized from the sale or disposition of any such property, equipment, or supplies which may no longer be necessary for the proper administration of this law. Notwithstanding any provision of this section, all money requisitioned and deposited in this fund pursuant to subsection 4 of section 52-03-07 must remain a part of the unemployment compensation fund and must be used only in accordance with the conditions specified in section 52-03-07. All moneys in this fund must be deposited and administered in the same manner and under the same conditions and requirements as is provided by law for other special funds in the state treasury. The fund is subject to audit by the United States treasury department, or its representatives; and no audit by the state auditor shall be required. The state treasurer shall give a separate and additional bond conditioned for the faithful performance of his duties in connection with the unemployment compensation

administration fund in an amount to be fixed by the bureau and in a form prescribed by law or approved by the attorney general. The premiums for such bond must be paid from the moneys in the unemployment compensation administration fund:

SECTION 2. AMENDMENT. Section 52-02-10 of the North Dakota Century Code is amended and reenacted as follows:

52-02-10. Expenditure of moneys in fund. All moneys in the job service administration fund received from the United States or any agency thereof for the administration of the North Dakota Unemployment Compensation Law, or which may be appropriated by the state for any of the purposes described in the North Dakota Unemployment Compensation Law, must be expended solely for the purposes and in the amounts found necessary by the social security board of the United States or any other agency of the United States succeeding thereto, for the proper and efficient administration of the North Dakota Unemployment Compensation Law.

SECTION 3. AMENDMENT. Section 52-02-11 of the North Dakota Century Code is amended and reenacted as follows:

52-02-11. Reimbursement of funds. The state of North Dakota recognizes its obligation to replace, and hereby pledges the faith of this state that funds will be provided in the future and be applied to the replacement of, any moneys received after July 1, 1941, from the social security board under title III of the Social Security Act [42 U.S.C. 501 et seq.], any unencumbered balances relating to the administration of the North Dakota Unemployment Compensation Law in the ~~unemployment compensation~~ job service administration fund as of that date, any moneys thereafter granted to the state pursuant to the provisions of the Wagner-Peyser Act [48 Stat. 113; 29 U.S.C. 49-49k], and any moneys made available by the state or its political subdivisions and matched by such moneys granted to the state pursuant to the provisions of the Wagner-Peyser Act, which the social security board finds have been lost or have been expended because of any action or contingency for purposes other than or in amounts in excess of those found necessary for the proper administration of the North Dakota Unemployment Compensation Law by the social security board. Such moneys must be replaced promptly by moneys appropriated for such purpose from the general funds of this state to the ~~unemployment compensation~~ job service administration fund for expenditure as provided in section 52-02-09. The amount of money required for such replacement must be reported promptly by the bureau to the governor and the governor shall report the same to the legislative assembly. This section may not be construed to relieve the state of North Dakota of its obligation with respect to funds received prior to July 1, 1941, pursuant to the provisions of title III of the Social Security Act [42 U.S.C. 501 et seq.].

SECTION 4. AMENDMENT. Section 52-03-01 of the North Dakota Century Code is amended and reenacted as follows:

52-03-01. Unemployment compensation fund - Maintaining and administering - What constitutes. A special fund, separate and apart from all public moneys or funds of this state, ~~and~~ known as the "unemployment compensation fund", must be ~~maintained in the state treasury and must be~~ administered by the bureau exclusively for the purposes of the North Dakota Unemployment Compensation Law. This fund must consist of:

1. All contributions collected under the North Dakota Unemployment Compensation Law.
2. All fines collected pursuant to the provisions of the North Dakota Unemployment Compensation Law.
3. Interest earned upon any moneys in the fund.
4. Any property or securities acquired through the use of moneys belonging to the fund.
5. All earnings of such property or securities.
6. All money recovered on losses sustained by the fund.
7. All money received from the federal unemployment account in the unemployment trust fund in accordance with title XII of the Social Security Act [42 U.S.C. 1321 et seq.], as amended.
8. All money credited to this state's account in the unemployment trust fund pursuant to section 903 of the Social Security Act [42 U.S.C. 1103], as amended.
9. All money received from the federal government as reimbursements pursuant to section 204 of the Federal-State Extended Compensation Act of 1970 [Pub. L. 91-373; 84 Stat. 708-712; 26 U.S.C. 3304 note].
10. All money received for the fund from any other source.

All moneys in the fund must be mingled and undivided.

SECTION 5. AMENDMENT. Section 52-03-03 of the North Dakota Century Code is amended and reenacted as follows:

52-03-03. Accounts to be kept within unemployment compensation fund. The ~~state treasurer~~ bureau shall maintain within the unemployment compensation fund the following separate accounts:

1. The clearing account.
2. The unemployment trust fund account.
3. A benefit account.

All moneys payable to the fund, upon receipt thereof by the bureau, must be ~~forwarded to the state treasurer who shall deposit them~~ deposited immediately in the clearing account. Refunds payable pursuant to section 52-04-14 may be paid from the clearing account ~~upon warrants issued by the treasurer under the direction of the bureau.~~ After the clearance thereof, all other moneys in the clearing account must be deposited immediately with the secretary of the treasury of the United States of America to the credit of the account of this state in the unemployment trust fund established and maintained pursuant to section 904 of the Social Security Act [42 U.S.C. 1104], as amended, notwithstanding any provisions of law in this state relating to the deposit, administration, release, or disbursement of moneys in the possession or custody of this state to the contrary. The benefit account must consist of all moneys requisitioned from the state's account in the unemployment trust fund.

Except as otherwise provided in the North Dakota Unemployment Compensation Law, moneys in the clearing and benefit accounts ~~may~~ must be deposited by the ~~state treasurer, under the direction of the~~ bureau; in separate interest-bearing accounts at the Bank of North Dakota, but no public deposit insurance charge or premium may be paid out of the fund.

SECTION 6. AMENDMENT. Section 52-03-04 of the North Dakota Century Code is amended and reenacted as follows:

52-03-04. Requisitioning and expenditure of funds from various accounts. Moneys shall be requisitioned from this state's account in the unemployment trust fund solely for the payment of benefits and for refunds pursuant to subdivision f of subsection 18 of section 52-01-01 and section 52-04-14, except that money credited to this state's account pursuant to section 903 of the Social Security Act [42 U.S.C. 1103], as amended, must be used exclusively as provided in subsection 3 of section 52-03-07. From time to time, the bureau shall requisition from the unemployment trust fund such amounts, not exceeding the amounts standing to this state's account therein, as it deems necessary for the payment of benefits for a reasonable future period. Upon receipt thereof, the ~~state treasurer~~ bureau shall deposit such moneys in the benefit account and shall ~~issue his warrants for the payment of pay~~ benefits solely from such benefit account. Expenditures of such moneys in the benefit account and refunds from the clearing account are not subject to any provision of law requiring specific appropriations or other formal release by state officers of money in their custody. ~~All warrants issued by the treasurer for the payment of benefits and refunds must bear the signature of the treasurer and the countersignature of a member of the bureau or its duly authorized agent for that purpose.~~ Any balance of moneys requisitioned from the unemployment trust fund which remains unclaimed or unpaid in the benefit account after the expiration of the period for which such sums were requisitioned, either must be deducted from estimates for, and may be utilized for the payment of benefits during succeeding periods, or, in the discretion of the bureau, must be redeposited with the secretary of the treasury of the United States of America, to the credit of this state's account in the unemployment trust fund as provided in section 52-03-03.

SECTION 7. AMENDMENT. Subsection 4 of section 52-03-07 of the North Dakota Century Code is amended and reenacted as follows:

4. Money requisitioned for the payment of expenses of administration pursuant to this section must be deposited in the ~~unemployment compensation~~ job service administration fund, but, until expended, must remain a part of the unemployment compensation fund. The bureau shall maintain a separate record of the deposit, obligation, expenditure, and return of funds so deposited. If any money so deposited is, for any reason, not to be expended for the purpose for which it was appropriated, or, if it remains unexpended at the end of the period specified by the law appropriating such money, it must be withdrawn and returned to the secretary of the treasury of the United States for credit to this state's account in the unemployment trust fund.

SECTION 8. AMENDMENT. Section 52-04-22 of the 1993 Supplement to the North Dakota Century Code is amended and reenacted as follows:

52-04-22. Federal advance interest repayment fund - Appropriation. There is created the federal advance interest repayment fund, to which will be credited all assessments collected by the division for the purpose of paying interest due on federal advances to the state trust fund. The fund must consist of all interest

collected on delinquent contributions, all penalties provided by the Unemployment Compensation Law, and funds borrowed from sources other than federal advances which are placed in this fund. All moneys accruing to this fund in any manner must be maintained in this separate interest-bearing account at the Bank of North Dakota or invested in deposits of the Bank of North Dakota.

Moneys in this fund may also be used for the purpose of repaying funds placed in this fund which are borrowed from sources other than federal advances and for the purpose of paying interest due on other than federal advances. However, moneys in this fund may not be expended or available for expenditure in any manner which would permit their substitution for, or a corresponding reduction in, federal funds which would in the absence of the moneys be available to finance expenditures for the administration of the bureau.

Moneys in this fund may also be used for the purpose of paying interest costs associated with the acquisition and renovation of land and a building to be used as an office facility by job service North Dakota in Grand Forks, North Dakota. Moneys in this fund may be used for the purpose of paying the costs of repair, renovation, or alteration of job service owned office facilities. Moneys in this fund may be used for the purpose of paying the replacement rate charged for use of state fleet vehicles. Moneys in this fund are hereby appropriated for the purposes specified in this section including the purpose of paying interest costs associated with the acquisition and renovation of land and a building to be used as an office facility by job service North Dakota in Grand Forks, North Dakota. Moneys in this fund are appropriated for the purpose of paying the costs of repair, renovation, or alteration of job service owned office facilities. Moneys in this fund are appropriated for the purpose of paying the replacement rate charged for use of state fleet vehicles.

SECTION 9. REPEAL. Section 52-03-02 of the North Dakota Century Code is repealed.

Approved March 24, 1995
Filed March 27, 1995

CHAPTER 481

SENATE BILL NO. 2466

(Senator Andrist)

UNEMPLOYMENT COMPENSATION CONTRIBUTION
RATES

AN ACT to amend and reenact subsection 3 of section 52-04-05 and subsection 3 of section 52-04-06 of the North Dakota Century Code, relating to determination of contribution rates and variations in the standard rate of contributions for unemployment compensation purposes.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

SECTION 1. AMENDMENT. Subsection 3 of section 52-04-05 of the 1993 Supplement to the North Dakota Century Code is amended and reenacted as follows:

3. a. Except as otherwise provided in this subsection, an employer's rate may not be ~~reduced below~~ less than the maximum rate for a calendar year unless the employer's account has been chargeable with benefits throughout the thirty-six-consecutive-calendar-month period ending on September thirtieth of the preceding calendar year. If an employer in construction services has not been subject to the law as required, that employer qualifies for a reduced rate if the account has been chargeable with benefits throughout the twenty-four-consecutive-calendar-month period ending September thirtieth of the preceding calendar year. However, an employer in construction services must be assigned the maximum rate or seven percent, whichever is greater, for any year if, as of the computation date, the cumulative benefits charged to the employer's account equal or exceed the cumulative contributions paid on or before October thirty-first with respect to wages paid by that employer before October first of that year. If an employer in nonconstruction services has not been subject to the law as required, the employer in nonconstruction services qualifies for a reduced rate if the account has been chargeable with benefits throughout the twelve-consecutive-calendar-month period ending September thirtieth of the preceding calendar year.
- b. An employer that does not qualify under subdivision a is subject to a rate determined as follows:
 - (1) For each calendar year new employers must be assigned a rate of two and ~~eight-tenths~~ two-tenths percent unless the employer is classified in construction services. However, an employer must be assigned the maximum rate for any year if, as of the computation date, the cumulative benefits charged to that employer's account equal or exceed the cumulative contributions paid on or before October thirty-first with respect to wages paid by that employer before October first of that year.

- (2) ~~New employers in construction services must be assigned the maximum rate. However, an employer who becomes subject to the North Dakota Unemployment Compensation Law after December 31, 1989, who is classified in construction services pursuant to subdivision C of the standard industrial classification manual must be assigned a rate of nine seven percent or the maximum rate, whichever is greater.~~
- (3) Assignment by the bureau of an employer's industrial classification for the purposes of this ~~paragraph~~ section must be the two digit major group provided in the standard industrial classification manual, in accordance with established classification practices found in the standard industrial classification manual issued by the executive office of the president, office of management and budget.

SECTION 2. AMENDMENT. Subsection 3 of section 52-04-06 of the North Dakota Century Code is amended and reenacted as follows:

3. Employers must be assigned to the groups in the rate schedule in the rank order of their reserve ratios, as determined in subsection 1, with the highest reserve ratio employers assigned to the first rate group. Each successively ranked employer must be assigned to the groups in the rate schedule so that those employers reporting seventy-eight percent of the eligible employer's prior year's taxable wages are equally distributed in those rate groups at or below the average rate required of employers eligible for experience rating or the minimum rate group, whichever is greater, and twenty-two percent of those wages are equally distributed in those the remaining rate groups above the average rate.

Approved April 17, 1995
Filed April 18, 1995

CHAPTER 482**HOUSE BILL NO. 1125**

(Representative Martinson)

(At the request of Job Service North Dakota)

OASIS BENEFITS AND INVESTMENTS

AN ACT to amend and reenact subsection 2 of section 52-09-06 and subsection 9 of section 52-09-20 of the North Dakota Century Code, relating to the investment of funds and the calculation of primary insurance benefits under the old-age and survivor insurance system.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

SECTION 1. AMENDMENT. Subsection 2 of section 52-09-06 of the North Dakota Century Code is amended and reenacted as follows:

2. To invest ~~such any~~ any portion of ~~said~~ the trust funds ~~as that~~ as that are not needed for current payment of benefits under this chapter and costs of administration of this chapter and chapter 52-10 in ~~interest-bearing bonds issued by, treasury bills, notes, or other securities that are direct obligations of the treasury of the United States; or by the state of North Dakota; or in bonds, certificates of indebtedness, or warrants of any political subdivision of the state which constitute the general or contingent general obligations of the issuing tax authority; bonds, debentures, or notes issued by a federal farm credit bank, the federal national mortgage association, or the federal home loan mortgage corporation; deposits of the Bank of North Dakota; or deposits of any federally insured bank, federal savings bank, or savings and loan association in an amount not exceeding the maximum insurance available for each deposit~~ and to sell and dispose of the same when needed for the payment of benefits under this chapter and costs of administration of this chapter and chapter 52-10.

SECTION 2. AMENDMENT. Subsection 9 of section 52-09-20 of the 1993 Supplement to the North Dakota Century Code is amended and reenacted as follows:

9. "Primary insurance benefit" means the sum of the following:
 - a. (1) Fifty percent of the amount of an individual's average monthly wage if the average monthly wage does not exceed seventy-five dollars; or
 - (2) If the average monthly wage exceeds seventy-five dollars, thirty-seven dollars and fifty cents, plus fifteen percent of the amount by which the average monthly wage exceeds seventy-five dollars and does not exceed two hundred fifty dollars;
 - b. One percent of the amount computed under subdivision a, multiplied by the number of years in which two hundred dollars or more of wages were paid to the individual; and

- c. (1) Effective ~~July~~ August 1, ~~1993~~ 1995, three hundred ~~forty~~ eighty dollars; or
- (2) Effective ~~July~~ August 1, ~~1994~~ 1996, ~~three~~ four hundred ~~sixty~~ dollars.

Approved March 14, 1995

Filed March 14, 1995