

2009 SENATE INDUSTRY, BUSINESS AND LABOR

SB 2056

## 2009 SENATE STANDING COMMITTEE MINUTES

Bill/Resolution No. 2056

Senate Industry, Business and Labor Committee

Check here for Conference Committee

Hearing Date: January 19, 2009

Recorder Job Number: 7184

Committee Clerk Signature

*Eva Lulett*

Minutes:

**Senator Klein** opened the hearing on SB 2056 relating to workers' compensation mileage reimbursement for injured employees' medical travel. This would bring them in line on how the state pays other state employees.

**Tim Wahlin**, Chief of Injury Services with WSI testified in support of SB 2056. Written testimony #1. The change will allow for greater accuracy in mileage calculations.

**Senator Potter** asked how they would pay for a trip to Grand Forks. If you go by Interstate, it is 270 miles, not all interstate, it is 245 miles. He asked which mileage they paid.

**Wahlin** said he was unsure. He said the way that they would calculate is off the ND state map. We would go zip code to zip code.

**Senator Klein** said that we could be giving some people additional revenue if they are living on right side of town.

**Wahlin** said that is correct and that is one of the reasons there will be no fiscal impact because some people will live on one side of the zip and another person will live on the other side of the zip. It will allow for greater accuracy.

**Senator Potter** asked if they were using the state highway map, Google, MapQuest or how they would determine the distance.

**Wahlin** said they will use the state map in most cases.

**Senator Andrist** asked if they would pay the mileage if they had unnecessary stops.

**Wahlin** said no. We would look at what was the necessary travel route.

**Bill Shalhoob** representing the ND Chamber of Commerce testified in support of SB 2056.

Written testimony #2. He said it would be fair business practice.

**Dave Kemnitz**, president of the AFL CIO testified in support of SB 2056. He had some friendly recommendations for the committee if they would like to consider. On line 17 the word fifty they would strike that and replace it with ten and line 18 the number word (two) strike that.

**Seibolt** said he supported the bill but could use some help from where he lived.

No opposition.

Closed hearing on SB 2056.

## 2009 SENATE STANDING COMMITTEE MINUTES

Bill/Resolution No. 2056

Senate Industry, Business and Labor Committee

Check here for Conference Committee

Hearing Date: January 28, 2009

Recorder Job Number: 8044

Committee Clerk Signature

*Eva Liebelt*

Minutes:

Chairman Klein: We will now go to Senate Bill 2056. I tried to work with WSI and couldn't come up with anything, so I like to leave this bill the way it is. We will be hearing another bill next week actually looking at the mileage reimbursement.

Motion by Senator Wanzek for a do pass. Seconded by Senator Nodland.

Roll Call Vote: Yes: 7 No: 0 Absent: 0

Floor Assignment: Senator Horne

**FISCAL NOTE**  
**Requested by Legislative Council**  
12/08/2008

Bill/Resolution No.: SB 2056

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
<b>Revenues</b>						
<b>Expenditures</b>						
<b>Appropriations</b>						

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 that the payment of mileage calculation for travel to and from medical appointments be based on miles actually used and necessarily traveled.

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: SB 2056

BILL DESCRIPTION: Payment of Mileage

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 that the payment of mileage calculation for travel to and from medical appointments be based on miles actually used and necessarily traveled.

FISCAL IMPACT: No significant fiscal impact is anticipated.

DATE: December 26, 2008

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.*

<b>Name:</b>	John Halvorson	<b>Agency:</b>	WSI
<b>Phone Number:</b>	328-6016	<b>Date Prepared:</b>	12/26/2008



**REPORT OF STANDING COMMITTEE**

**SB 2056: Industry, Business and Labor Committee (Sen. Klein, Chairman) recommends DO PASS (7 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2056 was placed on the Eleventh order on the calendar.**



2009 HOUSE INDUSTRY, BUSINESS AND LABOR

SB 2056

## 2009 HOUSE STANDING COMMITTEE MINUTES

Bill/Resolution No. 2056

House Industry, Business and Labor Committee

Check here for Conference Committee

Hearing Date: March 2, 2009

Recorder Job Number: 9889

Committee Clerk Signature

*Ellen DeTang*

**Chairman Keiser:** Opened the hearing on SB 2056 relating to workers' compensation mileage reimbursement for injured employees' medical travel and to provide for application.

**Jennifer Clark~Legislative Council.** This bill changes how WSI reimburse the injured worker for their travel expensed when they are going and receiving medical treatment. Under existing law, an injured worker submits their expensed based upon travel from the outside of city limits. If I'm going to travel from Bismarck to Fargo, I start on the outside of city limits to the east and my miles stop when I hit the city limits of Fargo. We are changing that to cover actual miles covered keyed into Map Quest and come up with the actual miles traveled. That's the number they are going to use. On page two you can see the application to travel that takes place on or after the effective date of this act.

**Representative Amerman:** What are they going to key into?

**JClark:** Map Quest.

**Tim Wahlin~Chief of Injury Services, WSI.** See testimony attachment.

**Chairman Keiser:** Just point out to the committee, the agency, the impact will be minimal, but so some of the claimants, the impact will be pretty significant.

**Wahlin:** That correct, especially in the rural areas.

**Bill Shalhoob~North Dakota Chamber of Commerce.** See testimony attachment.

**Sebald Vetter~Organization C.A.R.E.** I support this bill. It does help.

**Sylvan Loegering~North Dakota Injured Worker Support Group.** We support the bill.

**Chairman Keiser:** Is there anyone here to testify in opposition, neutral? Closes the hearing.

What are the wishes of the committee?

**Representative Clark:** Move a Do Pass on SN 2056 for a Do Pass with 12 ayes, 0 nays, 1 absent and Representative Amerman is the carrier.

Date: Mar 2 - 2009

Roll Call Vote # 1

**2009 HOUSE STANDING COMMITTEE ROLL CALL VOTES**

**BILL/RESOLUTION NO. 2056**

House House, Business & Labor Committee

Check here for Conference Committee

Legislative Council Amendment Number \_\_\_\_\_

Action Taken  Do Pass  Do Not Pass  As Amended

Motion Made By \_\_\_\_\_ Seconded By \_\_\_\_\_

Representatives	Yes	No	Representatives	Yes	No
Chairman Keiser	7		Representative Amerman	7	
Vice Chairman Kasper	7		Representative Boe		
Representative Clark	7		Representative Gruchalla	7	
Representative N Johnson	7		Representative Schneider	7	
Representative Nottestad	7		Representative Thorpe	7	
Representative Ruby	7				
Representative Sukut	7				
Representative Vigasaa	7				

Total (Yes) 12 No 0

Absent 1

Floor Assignment Amerman

If the vote is on an amendment, briefly indicate intent:

**REPORT OF STANDING COMMITTEE**

**SB 2056: Industry, Business and Labor Committee (Rep. Keiser, Chairman) recommends DO PASS (12 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). SB 2056 was placed on the Fourteenth order on the calendar.**

2009 TESTIMONY

SB 2056

# 1

**2009 Senate Bill No. 2056**  
**Testimony before the Senate Industry, Business, and Labor Committee**  
**Presented by: Tim Wahlin, Chief of Injury Services**  
**Workforce Safety & Insurance**  
**January 19, 2009**

*Same given  
to House.*

Mr. Chairman, Members of the Committee:

My name is Tim Wahlin, Chief of Injury Services with Workforce Safety and Insurance (WSI). On behalf of WSI, I am here to testify in support of SB 2056, a proposal submitted at the request of the Interim Legislative Workers' Compensation Review Committee. WSI's Board of Directors unanimously supports this bill.

SB 2056 changes the basis for calculation of mileage reimbursement for injured workers traveling by motor vehicle to and from medical appointments to miles actually and necessarily traveled.

Current law requires mileage reimbursement be based on actual map or atlas mileage from city limit to city limit and excludes intracity mileage. In the age of Google®, MapQuest® and the like, calculation of actual mileage within city limits is easily calculated, consistent and verifiable. This change will allow for greater accuracy in mileage calculations. No significant fiscal impact is anticipated.

WSI requests your favorable consideration of SB 2056. I would be happy to answer any questions you may have at this time.

#2



Testimony of Bill Shalhoob  
North Dakota Chamber of Commerce  
SB 2056  
January 19, 2009

Mr. Chairman and members of the committee, my name is Bill Shalhoob and am here today representing the ND Chamber of Commerce, the principle business advocacy group in North Dakota. Our organization is an economic and geographical cross section of North Dakota's private sector and also includes state associations, local chambers of commerce development organizations, convention and visitors bureaus and public sector organizations. For purposes of this hearing we are also representing six local chambers with total membership over 3,900 members ten employer associations. A list of those associations is attached. As a group we stand in support of SB 2056 and urge a do pass from the committee on this bill.

We believe the change in mileage calculation is a fairer way to reimburse claimants for travel to be reimbursed and ties to the standards used in most expenses of this kind.

Thank you for the opportunity to appear before you today in support of SB 2056. I would be happy to answer any questions.

*THE VOICE OF NORTH DAKOTA BUSINESS*





The following associations support our testimony and position on WSI issues:

AGC of ND  
ND Grocers Association  
ND Motor Carriers  
ND Hospitality Association  
ND Petroleum Council  
ND Automobile Dealers Association  
ND Implement Dealers Association  
ND Retail Association  
ND Petroleum Marketers  
ND Health Care Association

The following chambers are members of a coalition that support our 2009 Legislative Policy Statements:

Chamber of Commerce of Fargo Moorhead  
Greater Bottineau Area Chamber of Commerce  
Hettinger Area Chamber of Commerce  
Kenmare Association of Commerce  
Minot Chamber of Commerce  
Oakes Area Chamber of Commerce

*THE VOICE OF NORTH DAKOTA BUSINESS*

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Testimony of Bill Shalhoob  
North Dakota Chamber of Commerce  
SB 2056  
March 2, 2009

Mr. Chairman and members of the committee, my name is Bill Shalhoob and am here today representing the ND Chamber of Commerce, the principle business advocacy group in North Dakota. Our organization is an economic and geographical cross section of North Dakota's private sector and also includes state associations, local chambers of commerce development organizations, convention and visitors bureaus and public sector organizations. For purposes of this hearing we are also representing seven local chambers with total membership over 7,000 members and ten employer associations. A list of those chambers and associations is attached. As a group we stand in support of SB 2056 and urge a do pass from the committee on this bill.

We believe the change in mileage calculation is a fairer way to reimburse claimants for travel to be treated and ties to the standards used in most expense reimbursements of this kind.

Thank you for the opportunity to appear before you today in support of SB 2056. I would be happy to answer any questions.

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Oakes Area Chamber of Commerce  
Bismarck-Mandan Area Chamber of Commerce

*THE VOICE OF NORTH DAKOTA BUSINESS*

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