

PROPOSED AMENDMENTS TO ENGROSSED SENATE BILL NO. 2017

That the House recede from its amendments as printed on pages 1126 and 1127 of the Senate Journal and pages 1232-1234 of the House Journal and that Engrossed Senate Bill No. 2017 be amended as follows:

Page 1, line 3, after "reenact" insert "subdivision a of subsection 3 of section 52-04-05 and"

Page 1, line 4, after "to" insert "unemployment compensation employer rates,"

Page 1, line 5, after the first "fund" insert a comma

Page 1, line 6, remove "and" and after "appropriation" insert "; to provide for retroactive application; and to declare an emergency"

Page 1, line 18, replace "2,250,356" with "2,100,356"

Page 1, line 19, replace "58,560,160" with "58,410,160"

Page 1, line 21, replace "2,250,356" with "2,100,356"

Page 2, line 2, replace "\$2,250,356" with "\$2,100,356"

Page 2, after line 5, insert:

**"SECTION 4. AMENDMENT.** Subdivision a of subsection 3 of section 52-04-05 of the North Dakota Century Code as amended in section 1 of House Bill No. 1471, as approved by the fifty-seventh legislative assembly, is amended and reenacted as follows:

3. a. Except as otherwise provided in this subsection, an employer's rate may not be less than the negative employer minimum 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. 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. During the building of the trust fund reserve, the rate assigned to an employer may not exceed one hundred thirty percent of the previous year's rate for that employer and an employer may not receive more than a ten percent decrease in that employer's rate from the previous year's rate, for the calendar years 2000, 2001, and 2002. However, this rate limitation provision for calendar years 2000, 2001, and 2002 does not apply to an experience-rated employer that was a new employer the previous

year, a negative employer that was a positive employer the previous year, a positive employer that was a negative employer the previous year, an employer that has failed to file a report, a new employer, and an employer that chose to make payments in lieu of contributions. ~~During the building of the trust fund reserve for calendar years 2000, 2001, and 2002, a negative employer that was a negative employer the previous year may not make excess contributions under subsection 4 of section 52-04-06 to become a positive employer.~~ The executive director may provide any negative employer whose contributions paid into the trust fund are greater than the benefit charges against that employer's account, for a minimum of three consecutive years immediately preceding the computation date or subject to the law as required, with up to a thirty percent reduction to that employer's rate for any year if that employer has in place a plan approved by the bureau which addresses substantive changes to that employer's business operation and ensures that any rate reduction provided will not put the employer account back into a negative status."

Page 3, line 19, after "appropriated" insert "on a continuing basis"

Page 4, after line 2, insert:

**"SECTION 8. RETROACTIVE APPLICATION.** Section 4 of this Act is retroactive in application to January 1, 2000.

**SECTION 9. EMERGENCY.** Section 4 of this Act is declared to be an emergency measure."

Re-number accordingly

**STATEMENT OF PURPOSE OF AMENDMENT:**

**Senate Bill No. 2017 - Job Service North Dakota - Conference Committee Action**

	EXECUTIVE BUDGET	SENATE VERSION	CONFERENCE COMMITTEE CHANGES	CONFERENCE COMMITTEE VERSION	HOUSE VERSION	COMPARISON TO HOUSE
Salaries and wages	\$33,830,614	\$33,830,614		\$33,830,614	\$33,830,614	
Operating expenses	13,420,143	13,420,143		13,420,143	13,420,143	
Equipment	786,830	786,830		786,830	786,830	
Capital improvements	453,545	453,545		453,545	453,545	
Grants	7,818,672	7,818,672		7,818,672	7,818,672	
Work Force 2000	<u>2,000,356</u>	<u>2,250,356</u>	(\$150,000)	<u>2,100,356</u>	<u>2,000,356</u>	\$100,000
Total all funds	\$58,310,160	\$58,560,160	(\$150,000)	\$58,410,160	\$58,310,160	\$100,000
Less estimated income	<u>56,309,804</u>	<u>56,309,804</u>		<u>56,309,804</u>	<u>56,309,804</u>	
General fund	\$2,000,356	\$2,250,356	(\$150,000)	\$2,100,356	\$2,000,356	\$100,000
FTE	389.78	389.78	0.00	389.78	389.78	0.00

**Dept. 380 - Job Service North Dakota - Detail of Conference Committee Changes**

	DECREASE FUNDING FOR WORK FORCE 2000 <sup>1</sup>	TOTAL CONFERENCE COMMITTEE CHANGES
Salaries and wages		
Operating expenses		
Equipment		
Capital improvements		
Grants		
Work Force 2000	(\$150,000)	(\$150,000)

Total all funds	(\$150,000)	(\$150,000)
Less estimated income	<u>                    </u>	<u>                    </u>
General fund	(\$150,000)	(\$150,000)
FTE	0.00	0.00

<sup>1</sup> This amendment decreases funding for Work Force 2000 by \$150,000, from \$2,250,356 which is the level of funding provided by the Senate and recommended in the Hoeven executive budget, to \$2,100,356 which is \$100,000 more than funding provided by the House. The proposed level of funding for Work Force 2000 for the 2001-03 biennium of \$2,100,356 represents an increase in funding from the general fund of \$850,356 from the 1999-2001 biennium.

This amendment also amends subdivision a of subsection 3 of Section 52-04-05 of the North Dakota Century Code as amended in Section 1 of House Bill No. 1471 to remove language relating to employer contributions.