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Deanna Halliwell
Operator's Signature

10/3/03
Date

2003 HOUSE INDUSTRY, BUSINESS AND LABOR

HB 1334

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10/3/03
Date

2003 HOUSE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. 1334

House Industry, Business and Labor Committee

☐ Conference Committee

Hearing Date February 3, 2003

Tape Number	Side A	Side B	Meter #
1		X	3175-end
2	X		0-259
Committee Clerk Signature <i>Bob Leier</i>			

Minutes: Chair Keiser opened hearing on HB 1334

Rep. Eckre introduced HB 1334.

Rep. Ekstrom asked if there needs to be fiscal note attached. Rep. Eckre said he had requested one, but has not seen it yet.

Rep. Johnson asked if the Job Service bill would be enough and Rep. Eckre said that bill would not track exactly.

Jane Priebe (Econ. Development Assoc. of ND/Wahpeton): Supports with written testimony.

Rep. Keiser asked why the 9 digit code is critical. Priebe noted that the Wahpeton zip code also includes Dwight.

Rep. Ekstrom asked what they do when people do not know their 9 digit code. Priebe said most times you can find it on your junk mail.

Dave MacIver (Bis-Man Chamber of Commerce): Supports. This is the kind of legislation that will really help developers.

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Page 2
House Industry, Business and Labor Committee
Bill/Resolution Number 1334
Hearing Date February 3, 2003

Dale Anderson (GNDA): Supports. This is also important to identify job needs and so we can survey what kind of work people are doing.

Rep. Ekstrom asked if they have given any consideration to classifying employees as to where they work, etc. Anderson said that would be valuable information.

Anne Jorgenson Green (WCB): Opposes with written testimony.

Rep. Ekstrom asked why this is such a huge problem when there are sophisticated computer systems that can find the 9 digit code easily. Green replied that the computer systems are available, but right now they do not require businesses to get the data (9 digit codes).

Rep. Severson asked what information the Bureau provides. Green said that HB 1149 broadened their ability to share state and local information. Rep. Severson questioned how that can help when she just said they do not know where people live because they do not have the codes. Green replied that they need to strike a balance. Rep. Severson asked why the Board objected to the 9 digits. Green said the concern was not the capturing of information. The concern was having to use confidential information.

Rep. Kasper said he was disappointed the WCB could not provide an amendment to solve the concerns. Green said they could adjust programs to capture the 9 digit codes, but felt 1149 is all they need. Kasper asked if the 9 digits were part of HB 1149 and Green said no. Kasper then asked whether adding the 9 digit codes to HB 1149 would bring the two bills together. Green said that preliminarily without seeing the bill, yes.

Rep. Keiser noted there is no fiscal note on 1149. If they wanted to add the 9 digit codes, who would pay? Green said it would most likely come out of the general fund and then be passed to ND employers. **Chair Keiser** closed hearing on HB 1334

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2003 HOUSE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. HB 1334

House Industry, Business and Labor Committee

☐ Conference Committee

Hearing Date 2/4/03

Tape Number	Side A	Side B	Meter #
3		x	30.7-36.0
Committee Clerk Signature <i>Judith Hammer</i>			

Minutes: Chairman Keiser called for committee work on HB 1334.

Rep. Klein distributed amendments for committee consideration. (See attached #1)

On line 31, "employer and employee" should be inserted. The bureau is in accord with these amendments.

Rep. Klein moved to adopt the amendments. **Rep. Severson** seconded the motion. A voice vote carried the motion.

Rep. Nottestad moved a Do Pass As Amended. **Rep. Zaiser** seconded the motion.

Results of the roll call vote were: 14-0-0.

Rep. Klein will carry this on the floor.

Chairman Keiser: The report from Job Service combined with this information will allow North Dakota to market itself like never before.

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10/3/03
Date

FISCAL NOTE
Requested by Legislative Council
02/13/2003

Amendment to: HB 1334

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.*

	2001-2003 Biennium		2003-2005 Biennium		2005-2007 Biennium	
	General Fund	Other Funds	General Fund	Other Funds	General Fund	Other Funds
Revenues						
Expenditures						
Appropriations						

1B. **County, city, and school district fiscal effect:** *Identify the fiscal effect on the appropriate political subdivision.*

2001-2003 Biennium			2003-2005 Biennium			2005-2007 Biennium		
Counties	Cities	School Districts	Counties	Cities	School Districts	Counties	Cities	School Districts

2. **Narrative:** *Identify the aspects of the measure which cause fiscal impact and include any comments relevant to your analysis.*

NORTH DAKOTA WORKERS COMPENSATION
2003 LEGISLATION
SUMMARY OF ACTUARIAL INFORMATION

BILL DESCRIPTION: Data Sharing with Department of Commerce

BILL NO: Engrossed HB 1334

SUMMARY OF ACTUARIAL INFORMATION: North Dakota Workers Compensation, 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 engrossed bill requires NDWC to furnish annually to the Department of Commerce employers' and employees' nine-digit zip code information; creates an additional reporting requirement for employers by requiring the 9 digit zip code of residence for each of their employees on their annual payroll report; and requires NDWC to collect 9 digit zip code information for each reported employee.

FISCAL IMPACT: The engrossed bill results in no change to the fiscal impact for the bill as originally introduced. NDWC will need to modify each of its major business applications, its on-line payroll and claim reporting systems, as well as the many forms NDWC uses to accommodate the additional data. We have not conducted a thorough analysis to determine the increase in costs that would result from the proposed change, however, NDWC will incur additional administrative costs in collecting and processing the additional information.

DATE: February 14, 2003

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.*

see narrative

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10/3/03
Date

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.

see narrative

C. Appropriations: Explain the appropriation amounts. Provide detail, when appropriate, of the effect on the biennial appropriation for each agency and fund affected and any amounts included in the executive budget. Indicate the relationship between the amounts shown for expenditures and appropriations.

Name:	John Halvorson	Agency:	NDWC
Phone Number:	328-3760	Date Prepared:	02/14/2003

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Donna Halvorson
Operator's Signature

10/3/03
Date

FISCAL NOTE
Requested by Legislative Council
01/24/2003

Bill/Resolution No.: HB 1334

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.*

	2001-2003 Biennium		2003-2005 Biennium		2005-2007 Biennium	
	General Fund	Other Funds	General Fund	Other Funds	General Fund	Other Funds
Revenues						
Expenditures						
Appropriations						

1B. County, city, and school district fiscal effect: *Identify the fiscal effect on the appropriate political subdivision.*

2001-2003 Biennium			2003-2005 Biennium			2005-2007 Biennium		
Counties	Cities	School Districts	Counties	Cities	School Districts	Counties	Cities	School Districts

2. Narrative: *Identify the aspects of the measure which cause fiscal impact and include any comments relevant to your analysis.*

**NORTH DAKOTA WORKERS COMPENSATION
2003 LEGISLATION
SUMMARY OF ACTUARIAL INFORMATION**

BILL DESCRIPTION: Data Sharing with Department of Commerce

BILL NO: HB 1334

SUMMARY OF ACTUARIAL INFORMATION: North Dakota Workers Compensation, 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 bill requires NDWC to furnish annually to the Department of Commerce statistical data relating to the physical location of employers and employees and any other data the Department of Commerce deems necessary; creates an additional reporting requirement for employers by requiring the 9 digit zip code of residence for each of their employees on their annual payroll report; and requires NDWC to collect 9 digit zip code information for each reported employee.

FISCAL IMPACT: NDWC would need to modify each of its major business applications, its on-line payroll and claim reporting systems, as well as the many forms NDWC uses to accommodate the additional data. We have not conducted a thorough analysis to determine the increase in costs that would result from the proposed change, however, NDWC would incur additional administrative costs in collecting and processing the additional information.

DATE: January 31, 2003

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.*

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Operator's Signature

10/3/03
Date

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, of the effect on the biennial appropriation for each agency and fund affected and any amounts included in the executive budget. Indicate the relationship between the amounts shown for expenditures and appropriations.

Name:	John Halvorson	Agency:	NDWC
Phone Number:	328-3760	Date Prepared:	01/31/2003

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Deanne Halliwell
Operator's Signature

10/3/03
Date

30323.0201
Title.0300

Adopted by the Industry, Business and Labor
Committee

February 4, 2003

VR
2/11/03

HOUSE AMENDMENTS TO HOUSE BILL NO. 1334 IBL 2-12-03

Page 1, line 3, remove "employer"

Page 1, line 4, replace "information" with "and employer zip codes" and remove "workers' compensation and"

Page 1, line 8, replace "or otherwise" with "in aggregate form employers' and employees' nine-digit zip codes provided to the bureau by employers."

Page 1, remove lines 9 and 10

HOUSE AMENDMENTS TO HB 1334 IBL 2-12-03

Page 2, line 3, replace "statistical data relating to the physical" with "employers' and employees' nine-digit zip codes."

Page 2, remove line 4

Page 2, line 5, remove "commerce may request for purposes of furthering commerce in the state."

Page 2, line 31, after the second comma insert "employer's and"

Renumber accordingly

Page No. 1

30323.0201

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Dennis Halliwell
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10/3/03
Date

Date: 2/4/03
Roll Call Vote #: 1

2003 HOUSE STANDING COMMITTEE ROLL CALL VOTES
BILL/RESOLUTION NO. 1334

House Industry, Business & Labor Committee

☐ Check here for Conference Committee

Legislative Council Amendment Number _____

Action Taken Do Pass As Amended

Motion Made By Nottelstad Seconded By Zaiser

Representatives	Yes	No	Representatives	Yes	No
Chairman Kelser	✓		Rep.Boe	✓	
Rep.Severson, Vice-Chair	✓		Rep.Ekstrom	✓	
Rep.Dosch	✓		Rep.Thorpe	✓	
Rep. Froseth	✓		Rep. Zaiser	✓	
Rep. Johnson	✓				
Rep.Kasper	✓				
Rep. Klein	✓				
Rep. Nottelstad	✓				
Rep. Ruby	✓				
Rep.Tieman	✓				

Total (Yes) 14 No 0

Absent 0

Floor Assignment Klein

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

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Deanna Hall
Operator's Signature

10/3/03
Date

REPORT OF STANDING COMMITTEE (410)
February 12, 2003 8:34 a.m.

Module No: HR-27-2361
Carrier: M. Klein
Insert LC: 30323.0201 Title: .0300

REPORT OF STANDING COMMITTEE

HB 1334: Industry, Business and Labor Committee (Rep. Kelsor, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (14 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1334 was placed on the Sixth order on the calendar.

Page 1, line 3, remove "employer"

Page 1, line 4, replace "information" with "and employer zip codes" and remove "workers' compensation and"

Page 1, line 8, replace "or otherwise" with "In aggregate form employers' and employees' nine-digit zip codes provided to the bureau by employers."

Page 1, remove lines 9 and 10

Page 2, line 3, replace "statistical data relating to the physical" with "employers' and employees' nine-digit zip codes."

Page 2, remove line 4

Page 2, line 5, remove "commerce may request for purposes of furthering commerce in the state."

Page 2, line 31, after the second comma insert "employer's and"

Renumber accordingly

2003 SENATE INDUSTRY, BUSINESS AND LABOR

HB 1334

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Operator's Signature

10/3/03
Date

2003 SENATE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. 1334

Senate Industry, Business and Labor Committee

☐ Conference Committee

Hearing Date 03-12-03

Tape Number	Side A	Side B	Meter #
2	XXXX		980-2880
Committee Clerk Signature <i>Lisa Van Berken</i>			

Minutes: Vice Chairman Klein opened the hearing on HB 1334. All Senators were present.

HB 1334 relates to reporting of employee and employer zip codes for commerce purposes.

Testimony in support of HB 1334

Representative Eckre introduced the bill. This bill is known as the zip code bill. It will allow zip codes to be put on worker's compensation reports to track where employees live and where they work. This will show business looking at North Dakota that our workers are willing to travel to work. Ottertail county has 58,000 people. That would be huge for North Dakota. A lot of them are driving in Wahpeton to work in our factories. People drive to Fargo every day. Some people drive 100 miles to work at the power plants. A lot of our cities are much more populated in the day time than in the evening. If we can prove that, which this bill will do, we can attract businesses to North Dakota. The League of Cities likes this bill and there are people here to testify in support of this bill.

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Dorinda Hall
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10/3/03
Date

Page 2
Senate Industry, Business and Labor Committee
Bill/Resolution Number HB 1334
Hearing Date 03-12-03

Senator Espgaard: So this would allow zip code information to be available on worker's compensation forms?

Rep. Eckre: Yes, and it will help to sell the idea of moving business into North Dakota.

Senator Krebsbach: With worker's comp you are only going to get those people who submit claims.

Rep. Eckre: Everyone working has their name on worker's comp, not just injured people.

Arden Anderson of Wahpeton spoke in support of this bill. He is representing the Chamber of Commerce and the Economic Development Center. Even though people are not living in that town, if they are working there, they will be driving by those businesses and shopping there. Many people from South Dakota and Minnesota are driving into work in Wahpeton. We are providing a lot of employment and jobs.

Dave MacIver, Bismarck Chamber of Commerce and Greater North Dakota Association, spoke in support of the bill. This will help development aspect of business. The unemployment rate is 2.8% and that doesn't look good to a business wanting to offer the city 700 jobs. By having this, it will show that there is a market for that business in the city.

Senator Heitkamp: How do you alleviate the concerns of people who are going to say that this type of information could show too much as well?

MacIver: Those outlying communities wouldn't be asking for that kind of information.

Anne Jorgenson-Green, Workers Compensation staff attorney, said that they are in support of the bill. The nine digit zip code will help identify working populations much better. North Dakota Workers Compensation will change the software and report the information to commerce. This bill will support business.

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10/3/03
Date

Page 3

Senate Industry, Business and Labor Committee

Bill/Resolution Number HB 1334

Hearing Date 03-12-03

Senator Klein: Why was the bureau selected to gather this information instead of Job Service?

Green: There was legislation in the last session to do just that, but it didn't succeed.

Senator Klein: There is no fiscal impact?

Green: There will be some fiscal changes that will take place internally.

Senator Heitkamp: You guys are not going to do as much change as the computer?

Green: Exactly, the computer software will change.

Senator Krebsbach: What were the amendments?

Green: In it's original form there were language changes such as "shall". Workers Comp had some issues with the potential nature.

There was no opposition.

Hearing was closed.

Senator Heitkamp moved a DO PASS. Senator Krebsbach seconded.

Roll Call Vote: 7 yes. 0 no. 0 absent.

Carrier: Senator Heitkamp

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10/3/03
Date

Date: 3-12-03
Roll Call Vote #: 1

2003 SENATE STANDING COMMITTEE ROLL CALL VOTES
BILL/RESOLUTION NO.

Senate 1334 Committee

☐ Check here for Conference Committee

Legislative Council Amendment Number

Action Taken

Do Pass

Motion Made By

Heitkamp

Seconded By

Krebsbach

Senators	Yes	No	Senators	Yes	No
Sen. Mutch, Chairman	X				
Sen. Klein, Vice Chairman	X				
Sen. Krebsbach	X				
Sen. Nething	X				
Sen. Heitkamp	X				
Sen. Every	X				
Sen. Espgaard	X				

Total (Yes) 7 No 0

Absent 0

Floor Assignment

Heitkamp

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

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Deanna Hall

Date

10/3/03

REPORT OF STANDING COMMITTEE (410)
March 13, 2003 8:33 a.m.

Module No: SR-45-4633
Carrier: Heltkamp
Insert LC: . Title: .

REPORT OF STANDING COMMITTEE
HB 1334, as engrossed: Industry, Business and Labor Committee (Sen. Mutch, Chairman) recommends DO PASS (7 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). Engrossed HB 1334 was placed on the Fourteenth order on the calendar.

(2) DESK, (3) COMM

Page No. 1

SR-45-4633

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Donna Heltkamp
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10/3/03
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2003 TESTIMONY

HB 1334

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10/3/03
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Attachment 2/4/03
#1 Klein

PROPOSED AMENDMENTS TO HOUSE BILL NO. 1334

Page 1, line 3, remove "employer"

Page 1, line 4, replace "information" with "and employer zip codes" and remove "workers' compensation and"

Page 1, line 8, replace "or otherwise" with "in aggregate form"

Page 1, line 9, replace "make available in a useful format the commerce data" with "employer and employees' nine-digit zip codes provided to the bureau by employers"
~~DELETE REMINDER OF LINE 9 & ALL OF LINE 10~~

Page 2, line 3, replace "statistical data relating to the physical" with "employer and employees' nine-digit zip codes"

Page 2, remove line 4

Page 2, line 5, remove "commerce may request for purposes of furthering commerce in this state."

Page 2, line 31, after the second comma insert "employer and"

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10/3/03
Date

2003 HOUSE BILL 1334

**Fifty-Eighth Legislative Assembly
Before the House Industry Business and Labor Committee
Anne Jorgenson Green, Attorney
North Dakota Workers Compensation
February 3rd, 2003**

Mr. Chairman, Members of the Committee:

My name is Anne Jorgenson Green. I am the staff attorney for the Policyholder Services Department of North Dakota Workers Compensation. I am here today to testify in opposition to HB 1334. The North Dakota Workers Compensation Board of Directors, composed of both employer and employee representatives, unanimously opposes this bill.

NDWC is committed to sharing data with agencies. HB 1149, recently passed by this committee and the House of Representatives, amended the language of 65-04-15. HB 1334 also seeks amend 65-04-15. We believe the language already considered by this committee permits NDWC to share data with the Commerce Department while balancing the need to protect data contained in an employer's workers compensation account.

The current language of 65-04-15 protects North Dakota employers from disclosure of their premium information. Indeed, the statute does not permit the disclosure of "any information that would reveal the amount of payroll upon which that employer's premium is being paid...." HB 1334 would require NDWC to provide data on employer location, employee location and any other information requested by the department of commerce. Section 1 of the bill then mandates publication of the data. The net result is the potential dissemination of information

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Dennis Hallmark
Operator's Signature

10/3/03
Date

through the department of commerce that would otherwise be considered confidential and unavailable to the public.

HB 1334 seeks to obtain from NDWC the nine-digit zip code of North Dakota employees. That data is currently not a reporting requirement for North Dakota employers, nor is it a field of information that our current systems are programmed to capture. NDWC would need to modify each of its major business applications, its on-line payroll and claim reporting systems, as well as the many forms NDWC uses. We have not conducted a thorough analysis to determine the exact increase in cost, however, NDWC would incur additional administrative costs in collecting and processing the data. Additionally, there will be an increased reporting burden on North Dakota employers.

Without violating the privacy of our employers, NDWC will work with agencies to provide data which betters our state's ability to attract business. We believe we have accomplished this in HB 1149.

I thank you for your time. I am happy to answer any questions that you may have.

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Deanna Hallmark
Operator's Signature

10/3/03
Date

February 3, 2003

To: Members of the House Industry, Business and Labor Committee

RE: **HB 1334**

Honorable Members of the Committee:

The City of Wahpeton has been successful in utilizing local, State and Federal programs to assist businesses in creating new wealth. This activity creates new and better jobs which is good for us and for the State of North Dakota. The Economic Development Association of North Dakota also supports this activity and HB 1334.

In order to assist businesses in their decision to start-up, re-locate, or expand, it would be very helpful to obtain a statistical report of worker 9-digit zip codes specific to our employers.

Eight years ago our office conducted a zip code survey. It was a slow and time consuming project that entailed contacting each employer and getting permission to run a list of zip codes of their employees. As with most surveys, there was not 100% participation.

Even though the report was incomplete, we learned employees were commuting from 15 counties in Minnesota, 7 counties in ND and Roberts County in SD. When we ran the report by "community", the zip codes showed the majority of workers came from the Wahpeton/Breckenridge area. This we already knew or assumed. But what we didn't know is that 90 people commuted from Fergus Falls, MN to Wahpeton to work in manufacturing, 10 from West Fargo, 29 from Fargo, and 16 from Rosholt, SD. The report revealed that Wahpeton was indeed a generator of jobs for ND residents and the tri-state area.

We feel that regular receipt of this information will assist us in our recruitment of industry and business to ND cities. With seemingly low unemployment figures, this report could show our business community that we have a large daytime population and that there are people willing to commute to work in our cities.

We urge your consideration of a favorable recommendation of **HB 1334**.

Sincerely,

Jane P. Priebe
Economic Development Coordinator for the City of Wahpeton, ND
Economic Development Association of North Dakota

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Dan Hall
Operator's Signature

10/3/03
Date

2003 ENGROSSED HOUSE BILL 1334

**Fifty-Eighth Legislative Assembly
Before the Senate Industry Business and Labor Committee
Anne Jorgenson Green, Attorney
North Dakota Workers Compensation
March 12th, 2003**

Mr. Chairman, Members of the Committee:

My name is Anne Jorgenson Green. I am the staff attorney for the Policyholder Services Department of North Dakota Workers Compensation. After amendments were submitted by NDWC, the North Dakota Workers Compensation Board of Directors, composed of both employer and employee representatives, supports this bill.

A number of issues were discussed when crafting amendments to HB 1334. This legislation places an increased reporting burden on North Dakota employers in terms of not only supplying their employees nine-digit zip codes annually, but also identifying what each employee's nine-digit zip code is.

In its engrossed form, HB 1334 will require systems adjustments from NDWC. Currently, the major data field which the Department of Commerce seeks, the nine-digit zip code of North Dakota employees, is currently not a reporting requirement for North Dakota employers, nor is it a field of information that NDWC's systems are programmed to capture. NDWC can re-program its system, obtain the data, and report to the Department of Commerce the information that NDWC receives from North Dakota employers on their annual payroll report.

The engrossed version of HB 1334 strikes a good balance between NDWC's statutory obligation to protect the confidential information of North Dakota employers and the needs of the Department of Commerce to obtain data which betters our state's ability to attract business.

Thank you for your time. I am happy to answer any questions that you may have.

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