

# MICROFILM DIVIDER

OMB/RECORDS MANAGEMENT DIVISION  
SFN 2053 (2/85) 5M



ROLL NUMBER

DESCRIPTION

1202

2005 HOUSE INDUSTRY, BUSINESS AND LABOR

HB 1202

2005 HOUSE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. HB 1202

House Industry, Business and Labor Committee

☐ Conference Committee

Hearing Date 1-19-05

Tape Number	Side A	Side B	Meter #
2	x		37.1-end
2		x	0-33.

Committee Clerk Signature



Minutes:

**Vice-Chairman Johnson:** Called the hearing to order on HB 1202. All committee members were present.

**Representative Keiser:** Appeared in support of bill and also was a sponsor. This is an issue that is at the heart of being fair and nondiscriminatory, employers in our state pay an unemployment tax based on their payroll. The reasons they do that is to provide a program that should they lay off an employee to no fault of the employee, say for significant reason, the employee and employer has rights, and is not held responsible. for those employees that are laid off to no fault of their own, we have a program unemployment insurance that provides them some income. This is one of the best programs that we have in our state, one of the best policies that we have for citizens, but the federal government many, many, years ago, made a decision that if an employee at the time that they are employed are receiving social security, and gets laid off there has to be an off set. We have one of the best work forces in the country, most people in our state

would love to retire, but people that have to be on Social Security work, most often there is a reason. Will this just simply become another program for retirement? It really becomes a supplemental retirement program? I say two things to that number 1 I laid them off, I'm responsible but more importantly those people are not job attached, they are required to meet all requirements that job service has to find employment. People that are working at that age want to work, or have to work, they are not doing it to find some loop hole in retirement benefits, they would much rather be doing other things with there time.

**Representative Ekstrom:** I like the bill a lot, but we have an aging workforce, and I can see baby boomers moving through the system right now, who will continue to work, far beyond what ever statutory age is placed, that bubble effect worries Rep. M. Ekstrom:.

**Senator Flakoll:** Appeared in support of HB 1202. Some of what the older workers bring to that work atmosphere, there is no way to measure that ability. The more experienced employee are great mentors to the work force, they have a great wealth of knowledge.

**Maren Daley, Executive Director, Job Service, ND:** Appeared in support of HB 1202 and provided written testimony (SEE ATTACHED TESTIMONY).

**John Graham, Job Service, ND:** To be eligible for full unemployment insurance benefit, you would have to earn in the base period, your total of your highest 2 1/2 quarters, 6.5 weeks, you would have to earn over \$21,060.00 in those 2 1/2 quarters. The minimum benefit which is \$43.00 you would have to earn between \$2795.00 and \$2859.00.

**Linda Wurtz, Association of State Directors of Advocacy and Communication, AARP:** Appeared in support of bill and provided testimony (SEE ATTACHED TESTIMONY).

**Robert Hintz testimony was presented who was unable to attend.**

Page 3

House Industry, Business and Labor Committee

Bill/Resolution Number HB 1202

Hearing Date 1-19-05

**Floyd Reigel:** Appeared in support of bill and provided written testimony (SEE ATTACHED TESTIMONY).

**John Jacobsen, Chairman, of the Legislative Committee of the ND Veterans Coordinating Council:** Appeared in support of HB 1202 and provided written testimony (SEE ATTACHED TESTIMONY).

**Dave Kemnitz, President, AFL-CIO:** Appeared in support of 1202 and so stated.

**Representative Nottestad:** I motion a **DO PASS** on HB 1202.

**Representative Dosch:** **SECOND** the motion on HB 1202.

No opposition

Motion carried. **VOTE: 14-YES 0-NO 0-Absent.**

**Representative N. Johnson will carry the bill on the floor.**

Meeting adjourned.

**FISCAL NOTE**  
**Requested by Legislative Council**  
01/07/2005

Bill/Resolution No.: HB 1202

**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.*

	2003-2005 Biennium		2005-2007 Biennium		2007-2009 Biennium	
	General Fund	Other Funds	General Fund	Other Funds	General Fund	Other Funds
Revenues	\$0	\$0	\$0	\$0	\$0	\$0
Expenditures	\$0	\$0	\$0	\$1,310	\$0	\$0
Appropriations	\$0	\$0	\$0	\$0	\$0	\$0

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

2003-2005 Biennium			2005-2007 Biennium			2007-2009 Biennium		
Counties	Cities	School Districts	Counties	Cities	School Districts	Counties	Cities	School Districts
\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0

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

This Bill would increase Job Service's expenditures by \$1310 to cover the cost of the programming changes which ITD would have to do to our telephonic and Internet claims systems to delete reference to receipt of Social Security benefits. In addition, we estimate that the impact to the Unemployment Insurance (UI) Trust Fund to be an increase in benefit expenditures of \$679,000 in the next year, and approximately that same amount in years thereafter.

**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.*

This Bill would not impact on revenues to the Agency, but would negatively impact the UI trust fund by an annual increase in benefit expenditures in the amount of \$679,000.

**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.*

This Bill would cause the Agency to incur unbudgeted costs of \$1310 to pay ITD for programming our automated claimstaging systems (Internet and IVR). We are not asking for an additional appropriation to cover this amount, as increasing our appropriation of federal funds does not result in our Agency getting increased funding from the Federal government.

**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.*

As noted in 3B above, we are not requesting additional appropriations, as our Appropriation Bill (SB 2016) already includes appropriation of all the Federal funds which we believe will be available for the biennium.



**Name:** John Graham **Agency:** Job Service



**Phone Number:**

701-328-2843

**Date Prepared:** 01/10/2005



Date: 1-19-05

Roll Call Vote #: 1

2005 HOUSE STANDING COMMITTEE ROLL CALL VOTES

BILL/RESOLUTION NO. HB 1202

House

INDUSTRY, BUSINESS AND LABOR

Committee

☐ Check here for Conference Committee

Legislative Council Amendment Number

Action Taken

Do Pass

Motion Made By

Rep. Dietrich

Seconded By

Rep. Dosch

Representatives	Yes	No	Representatives	Yes	No
G. Keiser-Chairman	X		Rep. B. Amerman	X	
N. Johnson-Vice Chairman	X		Rep. T. Boe	X	
Rep. D. Clark	X		Rep. M. Ekstrom	X	
Rep. D. Dietrich	X		Rep. E. Thorpe	X	
Rep. M. Dosch	X				
Rep. G. Froseth	X				
Rep. J. Kasper	X				
Rep. D. Nottestad	X				
Rep. D. Ruby	X				
Rep. D. Vigesaa	X				

Total (Yes)

14

No

0

Absent

0

Floor Assignment

Rep. Johnson

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



**REPORT OF STANDING COMMITTEE (410)**  
January 19, 2005 12:08 p.m.

**Module No: HR-12-0696**  
**Carrier: N. Johnson**  
**Insert LC: . Title: .**

**REPORT OF STANDING COMMITTEE**

**HB 1202: Industry, Business and Labor Committee (Rep. Keiser, Chairman)**  
recommends **DO PASS** (14 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING).  
HB 1202 was placed on the Eleventh order on the calendar.

2005 SENATE INDUSTRY, BUSINESS AND LABOR

HB 1202

2005 SENATE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. HB 1202

Senate Industry, Business and Labor Committee

☐ Conference Committee

Hearing Date 03-07-05

Tape Number

3

Side A

xxx

Side B

Meter #

1360-3155

Committee Clerk Signature

*Lisa Van Berkorn*

Minutes: **Chairman Mutch** opened the hearing on HB 1202. **Senator Heitkamp** was absent.

**HB 1202** relates to **when individuals are disqualified for unemployment compensation benefits.**

**Rep. Keiser** introduced the bill.

**Rep. Keiser:** This bill deals with individuals who are disqualified for unemployment compensation and what we are saying is that once people go onto social security, there is an offset for unemployment compensation. This has been a major issue. Several years ago the federal government required states to have this offset provision. A few years ago, they recognized that the original policy was not so good and they reversed their position and various states have been moving toward eliminating this offset. There are about seventeen states that currently have this offset. I believe almost all of those have legislation similar to this before them. It is appropriate for North Dakota to address this issue at this time.

**Linda Wurtz**, Associate State Director for Advocacy and Communication, AARP of North Dakota, spoke in support of the bill. See attached testimony.

**Senator Klein:** You say both businesses and workers pay into unemployment insurance?

**Linda:** That is not right.

**Senator Klein:** When you set it up that way, I, as an employee, would think that it is owed to me.

**Linda:** Because it is viewed as a benefit to the employee, that phrasing was used.

**Senator Klein:** Certainly, if I saw that, I would feel strongly about getting my money back.

**Linda submitted testimony from Bob Hintz, and the North Dakota Veterans Coordinating Council, see attached testimony for both.**

**Maren Daley**, Job Service, spoke in support the bill.

**Daley:** The annual cost to the trust fund, based upon the current number of claimants collecting social security is about six-hundred seventy-nine thousand dollars. The effect on employer tax rate is, it takes about three-one hundredths of a percent of an increase to raise a million dollars in the trust fund. This would raise the tax rate.

**Chairman Mutch:** How long would a retired person have to work if they went back to work.

**Daley:** It is the same as any other worker.

**Senator Klein:** It's unfortunate that we have employers telling employees to go get unemployment.

**Floyd Reigel**, worker in Bismarck, stated his support for the bill. See attached.

**Dave Kemnitz**, AFL-CIO, spoke in support of the bill.

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Senate Industry, Business and Labor Committee

Bill/Resolution Number HB 1202

Hearing Date 3-07-05

**Senator Nething moved a DO PASS. Senator Espegard seconded.**

**Roll Call Vote: 6 yes. 0 no. 1 absent.**

**Carrier: Senator Espegard**

Date: 3-7-05  
Roll Call Vote #: 1

2005 SENATE STANDING COMMITTEE ROLL CALL VOTES  
BILL/RESOLUTION NO. 1202

Senate Industry, Business, and Labor

Committee

☐ Check here for Conference Committee

Legislative Council Amendment Number

Action Taken

Do Pass

Motion Made By

Nothing

Seconded By

Espesgaard

Senators	Yes	No	Senators	Yes	No
Chairman Mutch	X		Senator Fairfield	X	
Senator Klein	X		Senator Heitkamp	A	
Senator Krebsbach	X				
Senator Espesgaard	X				
Senator Nething	X				

Total (Yes)

6

No

0

Absent

1

Floor Assignment

Espesgaard

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

**REPORT OF STANDING COMMITTEE (410)**  
March 8, 2005 1:11 p.m.

**Module No: SR-42-4394**  
**Carrier: Espegard**  
**Insert LC: . Title: .**

**REPORT OF STANDING COMMITTEE**

**HB 1202: Industry, Business and Labor Committee (Sen. Mutch, Chairman) recommends DO PASS (6 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). HB 1202 was placed on the Fourteenth order on the calendar.**

2005 TESTIMONY

HB 1202



Testimony on House Bill 1202  
Presented by Maren Daley  
Job Service North Dakota  
To the  
House Industry, Business & Labor Committee  
Representative George Keiser, Chairman  
January 19, 2005

Mr. Chairman, members of the Committee, my name is Maren Daley, Executive Director of Job Service North Dakota, and I am here to testify in support of House Bill 1202.

The partial offset of unemployment insurance benefits to those receiving social security benefits is no longer required by federal law. Although this offset still remains in North Dakota law. The North Dakota legislature has the ability, by enacting HB 1202, to eliminate this offset.

Job Service North Dakota prepared a fiscal note for this bill. The cost of the additional benefits that would be paid out is estimated at \$679,000 per year. The administrative costs for computer programming to effectuate the changes proposed by this bill are minimal at \$1,310.

## North Dakota Veteran's Coordinating Council

My name is John L. Jacobsen. I am the chairman of the Legislative Committee of the North Dakota Veterans Coordinating Council. I am a member of both the VFW and the American Legion. I am also a member of the VFW National Legislative Committee. We work directly with our Members of Congress on legislation at the national level.

I served 29 years in the ND National Guard and the US Army Reserve, retiring in 1995 with the rank of Colonel. I served on active duty in 1991 in the Persian Gulf stationed in the United Arab Emirates.

The NDVCC membership is comprised of 15 members representing the five (5) veterans' organizations in the state. They are:

- American Legion
- AMVETS
- Disabled American Veterans (DAV)
- Veterans of Foreign Wars (VFW)
- Vietnam Veterans of America (VVA)

These organizations represent approximately 60,000 veterans currently living in North Dakota.

I am a member of the Legislative Committee of the NDVCC. I am not a member of the NDVCC but report directly to them. In order for the Legislative Committee to support any bill brought up before our Legislature, concurrence must be unanimous, that is all 15 members must agree that we should support the bill. A single negative response will kill our support.

## **Testimony of Floyd Reigel**

### **House Committee: Industry, Business, and Labor HB 1202**

Chairman Keiser and members of the Industry, Business, and Labor Committee. I'm Floyd Reigel from Bismarck and I'm 76 years old.

It is often said that senior citizens are excellent employees. Generally, older workers take great satisfaction in getting to work on time and putting in a full day's work. Many of us work past the standard retirement age because we want to, and many seniors do so because they need the added income.

I retired from sales in 1992. Now, in the summer, I work part-time at Hawktree Golf Course. I get laid off in the winter, but I know that in the spring my employer will be glad to have me back. I am usually eligible for a very small unemployment compensation benefit. But, because I receive a Social Security benefit, all of my unemployment compensation is cancelled out. I receive nothing, even though my employer pays unemployment premiums as part of my benefits.

I don't believe this is fair to the older worker and I think it should be changed.

Thank you and if you have any questions, I'd be happy answer them.

January 19, 2005

**Testimony of Robert Hintz on HB 1202**  
**House Committee: Industry, Business, and Labor**

Chairman Keiser and members of the Industry, Business, and Labor Committee. I'm Robert Hintz of Bismarck. I wish I could testify in person, but I will be at work when your committee is meeting on this bill.

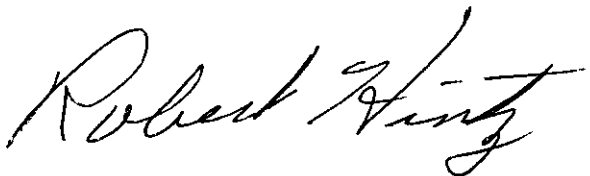
I'm a U.S. Veteran, a lifetime member of the AmVets, the American Legion, and the 40/8. I am 73 years old. I retired from my own business in 1989.

In the winter I work at West Dakota Meats in Bismarck. My employer has told me to apply for unemployment compensation so that I'd be available to help out in the fall and winter when the workload is heavier. In 2003, I applied for unemployment compensation and I was eligible for \$139 a week. I received only \$38 because of the offset. Last year I was eligible for \$185 a week in unemployment compensation, but I received just \$75 a week due to the offset.

I think it's unfair to take half of what I make in Social Security out of my unemployment compensation. I've paid into Social Security throughout my working lifetime, and my unemployment premiums were paid as part of the benefits of my job at West Dakota Meats. I think I am entitled to the protection that unemployment insurance provides.

I ask you to eliminate this unfair offset for all North Dakota older workers.

Thank you,

A handwritten signature in cursive script that reads "Robert Hintz". The signature is written in dark ink and is positioned above the printed name.

Robert Hintz



**House Committee: Industry, Business, and Labor**  
**HB 1202**  
**January 19, 2005**

Chairman Keiser and members of the committee, I am Linda Wurtz, Associate State Director for Advocacy and Communication, AARP North Dakota. I represent over 73,000 AARP members in North Dakota.

Thank you for this opportunity to support House Bill 1202, to eliminate the Social Security retirement offset against Unemployment Insurance benefits which is in state statute.

We've been discussing the offset issue at AARP North Dakota since I began my employment in 2001. At that time, AARP offices in several other states were actively working to eliminate their offsets. AARP has been instrumental in eliminating or reducing the Social Security/Unemployment Insurance offset in 6 states (AZ, CT, KS, UT, VA, WY) and the District of Columbia. Today, there are just 15 states that still have an offset, and in seven of those states we are actively working to eliminate it this year.

In the spring of 2004 we added two questions to our North Dakota member survey. Sixty-five percent of our members supported eliminating the offset. Sixty-four percent considered it important enough for us to make this the number one priority of our state office for 2005.

It is the policy position of AARP that Social Security and Unemployment Insurance are two distinct programs and workers who pay into both should receive benefits from both when they are eligible. Workers contribute to Social Security all of their working lives, along with a matching benefit from their employers. Social Security is a promise made to workers that serves as an economic base for retirement.

Workers are protected by Unemployment Insurance by virtue of their attachment to the labor force. They should be able to count on the protection that insurance provides, regardless of age or receipt of Social Security benefits.

In North Dakota, our population is aging. Our younger labor pool is projected to shrink, while the number of workers who are 60 and over is growing. (Attachments A & B) Employers are beginning to realize that they will become more dependent upon an older workforce in the coming years. In some professions, the impending brain drain is a real concern. Older workers have long been valued for their experience, maturity, and work ethic. In order to take advantage of the benefits of having older North Dakotans remain in

our work force, we should create an environment that is welcoming to the older worker, not penalize them for their age.

In addition to the fact that employers need our older workers, many North Dakotans are finding that they need to work past the traditional retirement age. The costs of health care, prescription drugs, and the irregularities of the investment market have changed their retirement horizon. Many of our seniors need the additional income to make ends meet, to pay their property taxes, to keep them healthy. We should not pull the rug out from under them when they need it the most.

Job Service has estimated that eliminating the offset would have an impact of approximately \$679,000 on the Unemployment Insurance Trust Fund. Of the 459 workers who were impacted by the offset in 2004, just 18.5% exhausted their benefits. Older workers prefer to get back to work.

On behalf of the 73,000 AARP members in North Dakota, we urge you to vote Do Pass on House Bill 1202.

**Introduction (continued)****Table B. Population Trends in North Dakota by Age Cohort: 1980 - 2020**

Age Cohort	Census Population Counts				Population Projections		
	1980	1990	2000	2005	2010	2015	2020
0 to 4	54,752	47,845	39,400	38,254	37,359	37,868	36,579
5 to 9	49,018	52,032	42,982	39,916	39,739	37,868	36,301
10 to 14	51,043	48,820	47,484	43,015	39,988	38,795	37,679
15 to 19	63,977	48,888	53,618	50,411	45,877	42,755	41,547
20 to 24	69,393	47,873	50,503	53,389	49,614	46,251	44,295
25 to 29	58,470	50,154	38,792	37,923	40,487	37,576	34,771
30 to 34	45,887	53,861	38,095	37,318	36,576	39,898	36,153
35 to 39	34,248	50,133	46,991	38,228	36,988	36,074	36,503
40 to 44	29,398	39,887	51,013	46,420	37,925	36,309	35,237
45 to 49	28,831	30,635	47,438	50,267	45,937	37,528	35,878
50 to 54	30,497	26,449	37,995	48,582	49,491	45,220	37,101
55 to 59	29,218	26,268	26,926	24,457	42,337	45,052	41,247
60 to 64	27,942	27,120	24,507	26,272	33,906	41,715	44,438
65 to 69	25,930	24,950	23,142	22,780	26,433	34,106	42,015
70 to 74	21,217	22,591	22,759	21,451	22,942	26,579	34,293
75 to 79	15,301	18,990	19,095	20,938	21,380	22,878	26,493
80 to 84	9,857	13,254	14,788	17,313	20,647	21,042	22,507
85 plus	8,140	11,240	14,728	15,289	19,927	22,860	24,258
Total	652,717	838,800	842,200	840,200	845,325	848,972	851,291

Source: North Dakota Population Projections: 2005 to 2020, page vii

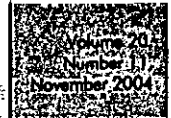
Issued September 2002

North Dakota State Data Center at North Dakota State University, Fargo, ND



# Population Bulletin

A Monthly Publication by the North Dakota State Data Center at North Dakota State University, an Equal Opportunity Institution



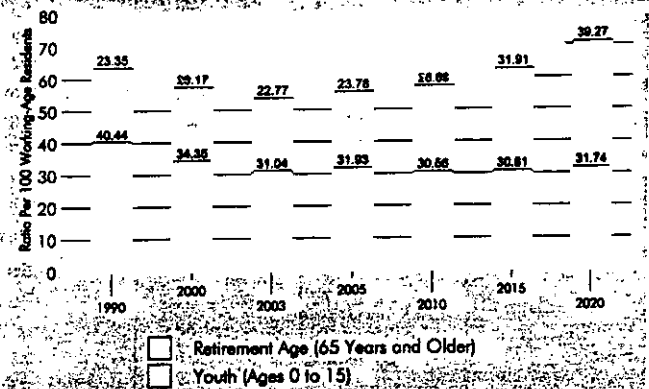
## North Dakota Age-Dependency Ratios

The total dependency ratio measures the dependence that non-working age people have on working-age people. It indicates the economic responsibility of those economically active in providing for those that are not. The dependency ratio combines the proportion of people who are not of working age, either because they are less than 16 years (youth) or because they are 65 years or older (retirement age), and compares this total with the proportion of people of working ages (16 to 64 years).

According to 2003 population estimates from the Census Bureau, for every 100 working-age residents in North Dakota, there were approximately 54 non-working age residents (Table 1). If the age-distribution patterns of the 1990s continue, 2020 projections indicate that this ratio will rise to 71 non-working age residents for every 100 residents of working age. In addition, 18 counties throughout the state are projected to have more dependents than workers by 2020.

While the dependency ratio does not accurately capture people who are economically inactive, it helps to show the changing age distribution of potential dependents throughout the state. In 1990, the majority of non-working age residents in North Dakota were youth less than 16 years (Figure 1). By 2020, retirement-age residents 65 years and older will capture the majority of non-working age residents in the state. This shift in age structure will impact the types of decisions needed to provide services to an older non-working population.

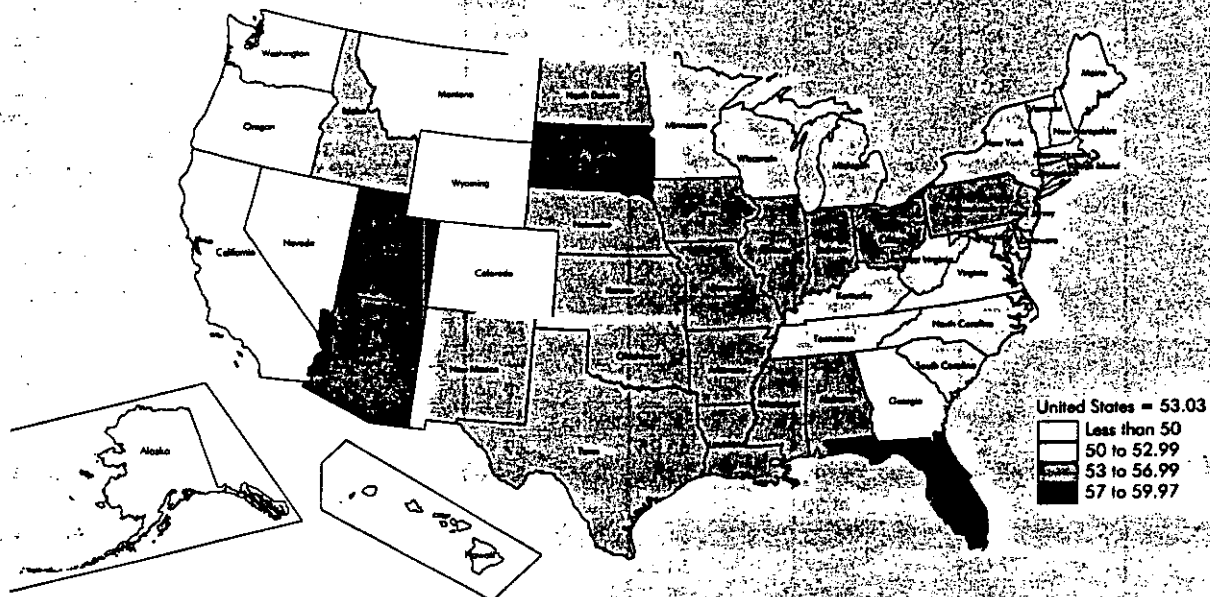
Figure 1. Dependency Ratios by Age in North Dakota, 1990 to 2020



Note: In 2003, there were 53.81 non-working age residents in North Dakota for every 100 working-age residents.  
Source: Age-distribution base data obtained from the U.S. Census Bureau <<http://www.census.gov>> and the North Dakota State Data Center <<http://www.ndsu.edu/sdc/data/projections.htm>>. Dependency ratios calculated by the North Dakota State Data Center.

Figure 2. Total Dependency Ratios by State: 2003

Note: Dependency Ratio equals the number of non-working age residents (0 to 15 plus 65 and older) per 100 working-age residents (ages 16 to 64).  
Source: Age-distribution base data obtained from the U.S. Census Bureau, Population Division, <http://www.census.gov/popest/estimates.php>. Dependency ratios calculated by the North Dakota State Data Center.



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URL: <<http://www.ndsu.edu/sdc>>



**Table 1. Total Dependency Ratios - Ratio of Youth and Elderly To 100 Working-Age Residents in North Dakota by County: 1990, 2000, 2003, 2005, 2010, 2015, and 2020**

Note: For every 100 residents ages 16 to 64 in North Dakota in 2003, there were 53.81 non-working age residents (ages 0 to 15 plus ages 65 and older).  
Source: Age-distribution base data obtained from the U.S. Census Bureau <<http://www.census.gov>> and the North Dakota State Data Center <<http://www.ndsu.edu/sdc/data/projections.htm>>. Dependency ratios calculated by the North Dakota State Data Center.

Area	Census		Census Bureau Estimate, 2003	Projections			
	1990	2000		2005	2010	2015	2020
North Dakota	63.79	57.52	53.81	55.70	57.45	62.72	71.01
Adams	79.83	77.85	76.41	75.50	78.09	91.60	114.63
Barnes	75.50	63.81	61.56	62.11	66.52	77.17	97.39
Benson	89.27	82.97	76.48	76.53	78.58	85.66	94.54
Billings	68.13	55.79	46.05	44.91	48.07	61.84	83.32
Bottineau	77.08	67.07	59.57	65.95	69.23	82.82	102.67
Bowman	75.07	73.18	64.77	62.82	65.30	70.71	84.34
Burke	80.84	73.40	66.11	69.91	65.37	80.16	90.25
Burleigh	55.59	51.63	48.27	49.59	50.27	53.06	58.73
Cass	47.94	43.89	42.62	44.58	46.78	51.62	58.86
Cavalier	77.83	78.79	73.06	75.56	79.52	92.23	110.61
Dickey	77.17	72.62	71.04	72.64	76.35	84.95	98.70
Divide	93.52	86.06	75.96	85.74	91.76	116.80	145.08
Dunn	80.24	68.70	60.43	71.17	74.02	82.28	102.50
Eddy	87.72	82.10	76.37	81.69	84.00	93.65	117.54
Emmons	79.15	88.47	84.99	91.17	96.02	106.60	121.65
Foster	81.21	78.91	71.58	78.18	77.60	85.44	95.64
Golden Valley	90.42	78.81	74.59	77.40	78.25	82.83	98.42
Grand Forks	48.27	44.30	41.74	43.74	44.16	46.89	50.40
Grant	80.79	79.36	68.14	79.20	90.69	109.44	131.45
Griggs	88.74	80.59	70.39	77.72	84.41	97.07	119.29
Hettinger	83.15	80.88	75.48	81.60	89.91	112.37	145.55
Kidder	79.04	75.57	69.87	76.11	84.20	91.68	109.91
LaMoure	85.81	77.53	71.17	75.52	76.73	85.73	102.18
Logan	79.62	87.79	89.54	93.16	105.82	110.26	115.13
McHenry	80.98	72.34	66.39	69.50	74.67	83.04	93.85
McIntosh	94.63	104.09	98.13	107.91	122.10	135.36	148.30
McKenzie	77.11	72.59	62.80	65.50	70.52	82.29	100.95
McLean	82.18	67.46	61.43	67.06	74.88	88.69	112.92
Mercer	72.71	63.37	52.81	56.08	59.05	72.42	90.90
Morton	67.01	60.75	56.41	57.87	57.84	62.21	71.44
Mountrail	80.86	72.73	67.36	66.41	68.74	75.55	87.90
Nelson	90.58	83.10	79.43	80.89	83.83	96.65	113.14
Oliver	72.04	58.72	50.59	56.45	59.80	72.36	90.37
Pembina	77.01	68.23	61.28	61.19	62.84	70.99	84.85
Pierce	86.70	80.15	75.55	76.34	78.21	78.96	87.72
Ramsey	72.41	67.77	63.98	62.03	64.36	71.20	81.47
Ransom	80.90	75.14	67.76	74.33	78.48	84.38	98.37
Renville	78.23	70.48	61.32	70.94	69.55	79.94	92.43
Richland	69.05	57.85	52.60	56.85	58.36	62.39	72.94
Rolette	82.46	72.33	67.00	63.88	65.65	72.12	81.96
Sargent	71.27	67.15	63.38	66.67	68.03	74.27	86.13
Sheridan	80.05	81.14	77.22	74.64	77.06	84.44	98.83
Sioux	82.93	70.42	63.06	62.94	62.27	62.83	64.45
Slope	65.21	61.47	56.39	58.36	58.01	67.98	89.18
Stark	66.26	60.36	57.40	57.10	58.09	65.54	76.12
Steele	77.42	74.63	65.95	69.95	70.61	72.55	82.06
Stutsman	65.59	59.83	56.11	60.10	65.87	73.35	81.85
Towner	87.64	78.30	65.96	69.81	72.79	76.00	90.10
Trail	76.42	68.73	61.55	67.60	68.98	71.67	78.58
Walsh	77.50	68.47	63.23	63.19	65.46	71.87	81.86
Ward	57.80	55.25	55.01	55.80	57.64	63.58	70.76
Wells	84.40	82.87	76.30	78.26	81.71	89.44	104.15
Williams	70.70	63.26	58.13	60.29	63.34	70.61	82.76

# 2004 AARP North Dakota Member Survey

A Publication of AARP Knowledge Management | July 2004

Represents the Views of 73,000+ AARP Members



## 2004 North Dakota Member Survey:

### Social Security and Unemployment Insurance Offset

By Susan L. Silberman, Ph.D.  
Senior Research Advisor, AARP  
<http://research.aarp.org>

#### AARP Survey Examines Support for Changes to North Dakota State Law Concerning Social Security and Unemployment Insurance Offset

AARP surveyed 2,000 randomly selected North Dakota AARP members in February and March 2004; 1,321 members responded. This mail survey shows that a majority supports changes to the North Dakota state law concerning the Social Security and Unemployment Insurance offset.

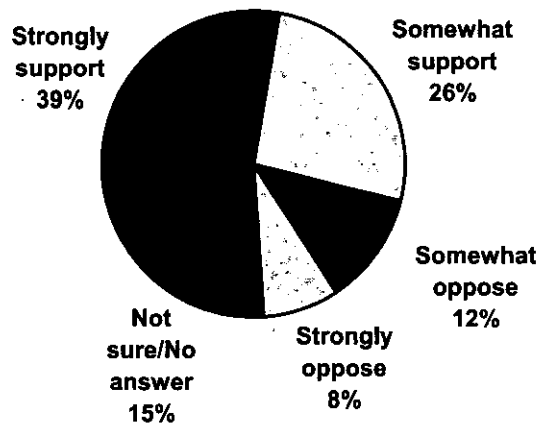
#### North Dakota members support changing the law to allow people to claim Social Security and unemployment benefits simultaneously.

Survey respondents were asked if they support changing North Dakota law to allow people to claim Social Security and unemployment benefits simultaneously.

Unemployment benefits are paid to workers who have lost their jobs. Employers pay into the Unemployment Insurance Fund for their workers. If older workers who are already collecting Social Security lose their jobs, federal law allows those who qualify to collect both Social Security and full employment benefits simultaneously. However, the state of North Dakota currently withholds an amount equal to 50 percent of a worker's Social Security benefit from their unemployment insurance payment.

Sixty-five percent of members would support North Dakota changing its law to allow individuals who qualify to receive Social Security and full unemployment benefits simultaneously.

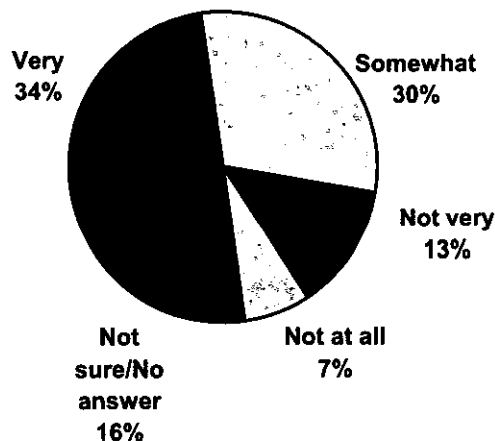
#### Support for ND Changing its Law to Allow People to Claim Social Security and Unemployment Benefits N = 1,321



**Nearly two-thirds of AARP members in North Dakota think it is important for AARP to work toward changing the law to allow people to claim Social Security and unemployment benefits simultaneously.**

Sixty-four percent of members think it is *very or somewhat important* for AARP North Dakota to work to change state law to allow individuals who qualify to receive Social Security and full unemployment benefits simultaneously.

**Importance for AARP ND to Change State Law to Allow Individuals to Receive Social Security and Unemployment Benefits**  
N = 1,321



## Survey Methodology

AARP conducted the North Dakota member survey in February through March 2004. A sample of 2,000 AARP members in North Dakota, proportionally stratified by three age segments—50 to 59, 60 to 74, and 75+, was selected from AARP's membership database. Each sampled member was contacted about the survey in four ways: a pre-notification postcard, the survey itself, a reminder postcard, and a second survey.

Sixty-six percent of the sampled North Dakota members returned surveys by the cut-off date, providing 1,321 useable surveys for analysis. Thus, the survey has a sampling error of plus or minus 2.7 percent. This means that in 95 out of 100 samples of this size, the results obtained in the sample would fall in a range of 2.7 percentage points of what would have been obtained if every AARP member in North Dakota age 50 or older had been surveyed. Responses to all Social Security and Unemployment Insurance and demographic survey questions are attached. The full survey with responses to all questions is available on the AARP website at <http://research.aarp.org> or by contacting Susan L. Silberman, Ph.D., AARP Knowledge Management, (202) 434-6339.

## Annotated Questions

Full survey available at  
<http://research.aarp.org>.

Sample = 1,321

Response Rate = 66%

Sampling Error = +/- 2.7%

NOTE: Percentages may not add to 100% due to rounding or multiple responses. A "\*" means less than 1%.

### Social Security Unemployment Insurance Questions

Unemployment benefits are paid to workers who have lost their jobs. Both businesses and workers pay into the Unemployment Insurance fund. If older workers who are already collecting Social Security lose their jobs, federal law allows those who qualify to collect both Social Security and full unemployment benefits simultaneously. However, the state of North Dakota currently withholds 50 percent of state residents' unemployment benefits if they are also collecting Social Security.

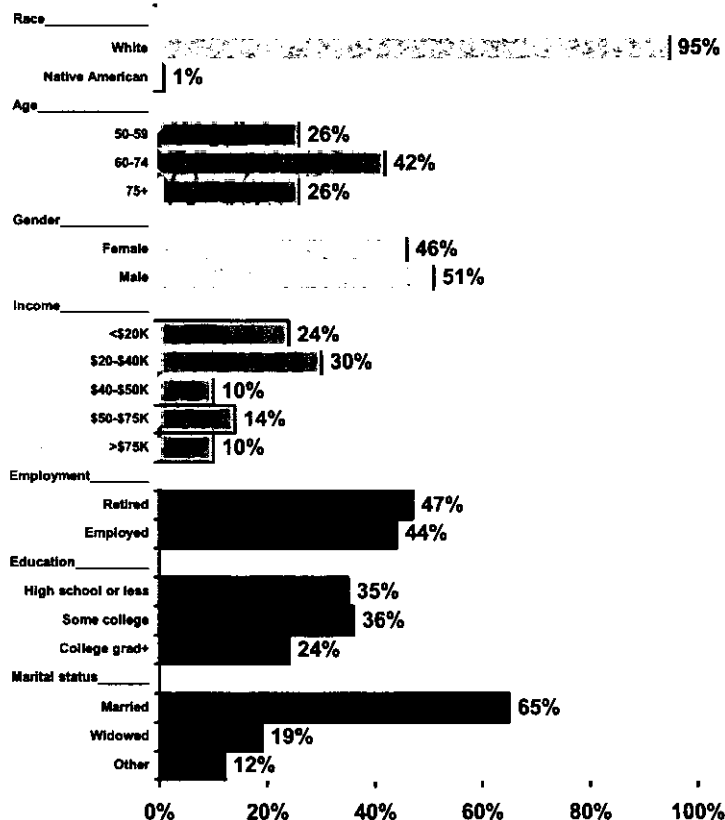
**9. Would you support or oppose North Dakota changing its law to allow individuals who qualify to receive Social Security and full unemployment benefits simultaneously?**

%	
39	Strongly Support
26	Somewhat Support
12	Somewhat Oppose
8	Strongly Oppose
13	Not Sure
2	No Response

**10. How important do you think it is for AARP North Dakota to work to change state law to allow individuals who qualify to receive Social Security and full unemployment benefits simultaneously?**

%	
34	Very important
30	Somewhat important
13	Not very important
7	Not at all important
12	Not Sure
4	No Response

### Members' Demographic Profile (n=1321)



## Acknowledgements

AARP staff from the North Dakota Office, State Affairs, and Knowledge Management contributed to the design and implementation of the study. Special thanks go to AARP staff including Janis Cheney, Linda Wurtz, Marlowe Kro, Debbie Best, Clare Hushbeck, Gretchen Straw, Rachelle Cummins, Erica Dinger, David Cicero, Darlene Matthews, and Cheryl Barnes.

AARP is a nonprofit, nonpartisan membership organization dedicated to making life better for people 50 and over. We provide information and resources; engage in legislative, regulatory and legal advocacy; assist members in serving their communities; and offer a wide range of unique benefits, special products, and services for our members. These include *AARP The Magazine*, published bimonthly; *AARP Bulletin*, our monthly newspaper; *AARP Segunda Juventud*, our quarterly newspaper in Spanish; *NRTA Live & Learn*, our quarterly newsletter for National Retired Teachers Association members; and our Web site, [www.aarp.org](http://www.aarp.org). We have staffed offices in all 50 states, the District of Columbia, Puerto Rico, and the U.S. Virgin Islands.

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For more information about the full report, contact Susan L. Silberman, Ph.D.  
(202) 434-6339.

For more information about AARP North Dakota and the Social Security  
Unemployment offset issue, contact Linda Johnson Wurtz  
(701) 355-3642.

## **Testimony of Floyd Reigel**

**Senate Committee: Industry, Business, and Labor**

**HB 1202**

**March 7, 2005**

Chairman Mutch and members of the Industry, Business, and Labor Committee. I'm Floyd Reigel from Bismarck and I'm 76 years old.

It is often said that senior citizens are excellent employees. Generally, older workers take great satisfaction in getting to work on time and putting in a full day's work. Many of us work past the standard retirement age because we want to, and many seniors do so because they need the added income.

I retired from sales in 1992. Now, in the summer, I work part-time at Hawktree Golf Course. I get laid off in the winter, but I know that in the spring my employer will be glad to have me back. I am usually eligible for a very small unemployment compensation benefit. But, because I receive a Social Security benefit, all of my unemployment compensation is cancelled out. I receive nothing, even though my employer pays unemployment premiums as part of my benefits.

I don't believe this is fair to the older worker and I think it should be changed.

Thank you and if you have any questions, I'd be happy answer them.

*Submitted by Linda Hurty*

March 7, 2005

**Testimony of Robert (Bob) Hintz on HB 1202**  
**Senate Committee: Industry, Business, and Labor**

Chairman Mutch and members of the Industry, Business, and Labor Committee. I'm Robert (Bob) Hintz of Bismarck. I wish I could testify in person, but I will be at work when your committee is meeting on this bill.

I'm a U.S. Veteran, a lifetime member of the AmVets, the American Legion, and the 40/8. I am 73 years old. I retired from my own business in 1989.

In the winter I work at West Dakota Meats in Bismarck. My employer has told me to apply for unemployment compensation so that I'd be available to help out in the fall and winter when the workload is heavier. In 2003, I applied for unemployment compensation and I was eligible for \$139 a week. I received only \$38 because of the offset. Last year I was eligible for \$185 a week in unemployment compensation, but I received just \$75 a week due to the offset.

I think it's unfair to take half of what I make in Social Security out of my unemployment compensation. I've paid into Social Security throughout my working lifetime, and my unemployment premiums were paid as part of the benefits of my job at West Dakota Meats. I think I am entitled to the protection that unemployment insurance provides.

I ask you to eliminate this unfair offset for all North Dakota older workers.

Thank you,

*Robert Hintz*

Robert Hintz

*Submitted by Linda Wurtz*

# North Dakota Veterans Coordinating Council

P.O. Box 2047 • Williston, ND 58802-2047



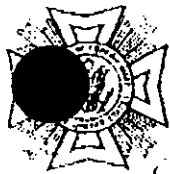
November 15, 2004

To: AARP



Subject: Resolution on North Dakota law pertaining to Unemployment Insurance & Social Security benefits.

Please be advised that the attached resolution was presented at the North Dakota Veterans Coordinating Council meeting of October 15, 2004 and passed unanimously.



Sincerely,

A handwritten signature in black ink, appearing to read "Robert L. Evans".



Robert L. Evans  
NDVCC Secretary



## RESOLUTION

September 14, 2004

WHEREAS Veterans and Veteran organizations across the country have joined forces to eliminate the laws which prevent a concurrent receipt of benefits which unfairly reduced earned retirement and disability for eligible Veterans, and

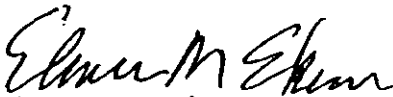
WHEREAS North Dakota Veterans over 62 years of age who are eligible to receive Social Security benefits as well as unemployment insurance when appropriate are also unfairly having payments reduced by an offset feature in North Dakota law, and

WHEREAS Older workers are increasingly more in need of additional income to survive requiring seeking employment in a labor market where employers are willing to utilize this ready pool of skilled, reliable workers, and

WHEREAS all but 15 states have already eliminated this discriminating feature which is still in North Dakota law.

NOW THEREFORE BE IT RESOLVED that Roy C. Wagner Post #9 of the North Dakota Department of AMVETS and the Posts, Chapters, and Departments of Veterans organizations, and the North Dakota Veterans Coordinating Council be encouraged to join forces with all other association groups such as AARP North Dakota, AFL-CIO, etc., in eliminating from North Dakota state law this unnecessary, discriminatory section with a bill which will be introduced in the 2005 Legislative Session.

This resolution was adopted by AMVETS Department of North Dakota at the State Executive Committee meeting September 25, 2004, and approved to be forwarded to the North Dakota Veterans Coordinating Council for consideration for legislative action.

  
Elmer M. Ekern  
Department Adjutant

  
Passed



**Senate Committee: Industry, Business, and Labor**  
**HB 1202**  
**March 7, 2005**

Chairman Mutch and members of the committee, I am Linda Johnson Wurtz, Associate State Director for Advocacy and Communication, AARP North Dakota. I represent over 73,000 AARP members in North Dakota.

Thank you for this opportunity to support House Bill 1202, to eliminate the Social Security retirement offset against Unemployment Insurance benefits which is in state statute.

We've been discussing the offset issue at AARP North Dakota since I began my employment in 2001. At that time, AARP offices in several other states were actively working to eliminate their offsets. AARP has been instrumental in eliminating or reducing the Social Security/Unemployment Insurance offset in 7 states (AZ, CT, KS, UT, VA, WY, VA) and the District of Columbia. Today, there are just 14 states that still have an offset, and in six of those states we are actively working to eliminate it this year.

In the spring of 2004 we added two questions about this issue to our North Dakota member survey. (Attachment A) Sixty-five percent of our members supported eliminating the offset. Sixty-four percent considered it important enough for us to make this the number one priority of our state office for 2005.

It is the policy position of AARP that Social Security and Unemployment Insurance are two distinct programs and workers who pay into both should receive benefits from both when they are eligible. Workers contribute to Social Security all of their working lives, along with a matching benefit from their employers. Social Security is a promise made to workers that serves as an economic base for retirement.

Workers are protected by Unemployment Insurance by virtue of their attachment to the labor force. They should be able to count on the protection that insurance provides, regardless of age or receipt of Social Security benefits.

In North Dakota, our population is aging. Our younger labor pool is projected to shrink, while the number of workers who are 60 and over is growing. (Attachments B & C) Employers are beginning to realize that they will become more dependent upon an older workforce in the coming years. In some professions, the impending brain drain is a real concern. Older workers have long been valued for their experience, maturity, and work ethic. In order to take advantage of the benefits of having older North Dakotans remain in

our work force, we should create an environment that is welcoming to the older worker, not penalize them for their age.

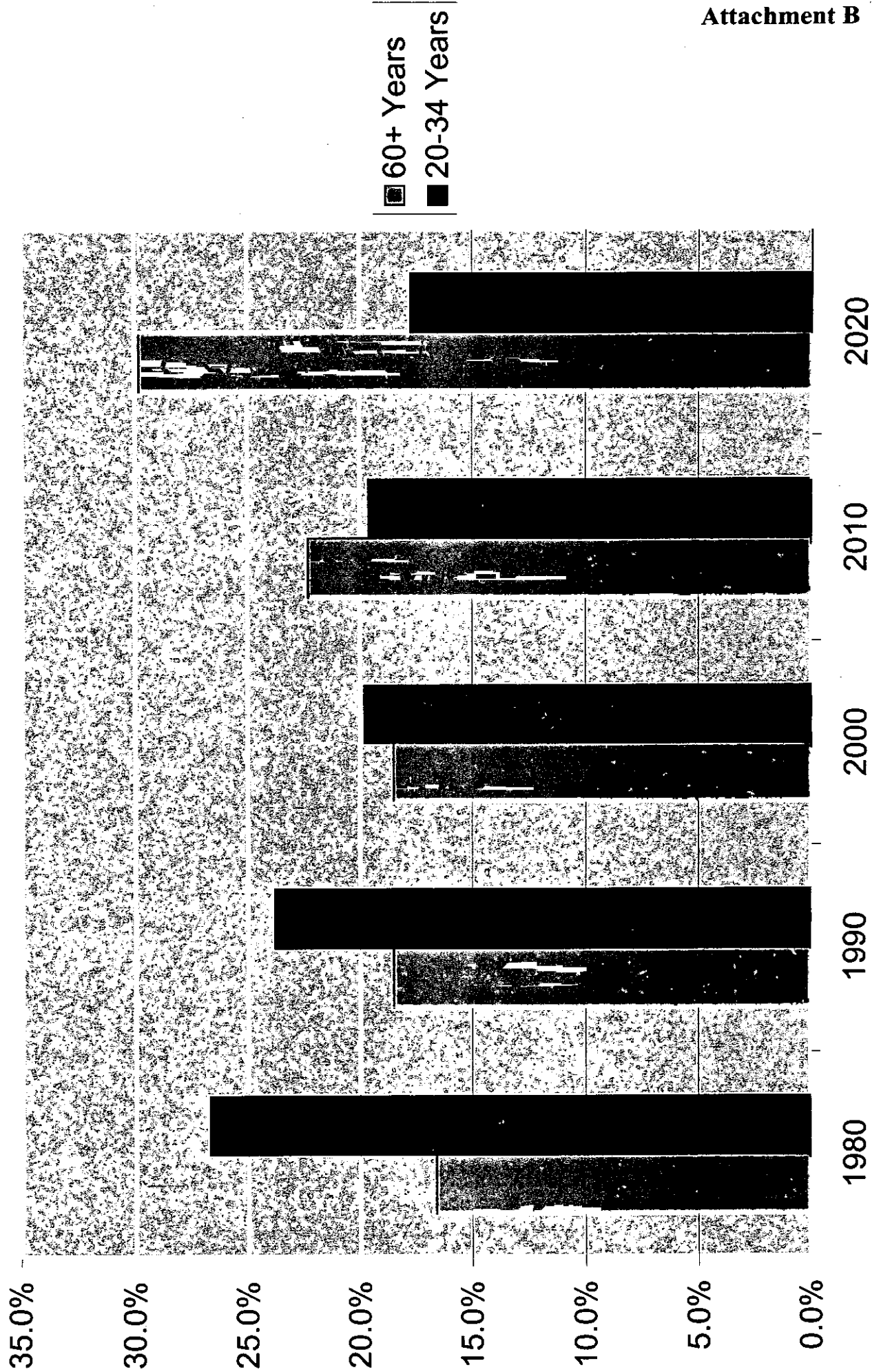
In addition to the fact that employers need our older workers, many North Dakotans are finding that they need to work past the traditional retirement age. The costs of health care, prescription drugs, and the irregularities of the investment market have changed their retirement horizon. Many of our seniors need the additional income to make ends meet, to pay their property taxes, to keep them healthy. We should not pull the rug out from under them when they need it the most.

Job Service has estimated that eliminating the offset would have an impact of approximately \$679,000 on the Unemployment Insurance Trust Fund. Of the 459 workers who were impacted by the offset in 2004, just 18.5% exhausted their benefits. Older workers prefer to get back to work.

On behalf of the 73,000 AARP members in North Dakota, I urge you to recommend Do Pass on House Bill 1202.

# An Aging Labor Pool

Attachment B



**Introduction (continued)****Table B. Population Trends in North Dakota by Age Cohort: 1980 - 2020**

Age Cohort	Census Population Counts			Population Projections			
	1980	1990	2000	2005	2010	2015	2020
0 to 4	54,752	47,845	39,400	38,254	37,359	37,868	36,579
5 to 9	49,018	52,032	42,982	39,815	38,739	37,668	36,391
10 to 14	51,043	48,820	47,484	43,015	39,988	38,795	37,879
15 to 19	63,977	48,668	53,818	50,411	45,877	42,755	41,547
20 to 24	69,393	47,873	50,503	53,389	49,814	46,251	44,285
25 to 29	58,470	50,154	38,782	37,923	40,487	37,578	34,771
30 to 34	45,687	53,861	38,095	37,316	36,576	38,898	36,153
35 to 39	34,248	50,133	46,991	38,228	36,988	36,074	38,503
40 to 44	29,398	39,887	51,013	46,420	37,925	36,309	35,237
45 to 49	28,631	30,635	47,436	50,297	45,837	37,528	35,876
50 to 54	30,497	28,449	37,995	46,582	49,481	45,220	37,101
55 to 59	29,218	28,288	28,926	34,457	42,337	45,052	41,247
60 to 64	27,942	27,120	24,507	26,272	33,908	41,715	44,438
65 to 69	25,930	24,950	23,142	22,780	26,433	34,108	42,015
70 to 74	21,217	22,591	22,759	21,451	22,942	28,579	34,283
75 to 79	15,301	18,090	18,085	20,938	21,380	22,876	26,483
80 to 84	9,857	13,284	14,768	17,313	20,847	21,042	22,507
85 plus	8,140	11,240	14,726	15,289	18,827	22,680	24,258
Total	652,717	638,800	642,200	640,200	645,325	648,972	651,291

Source: North Dakota Population Projections: 2005 to 2020, page vii  
 Issued September 2002

North Dakota State Data Center at North Dakota State University, Fargo, ND