

**Sixty-second Legislative Assembly of North Dakota
In Regular Session Commencing Tuesday, January 4, 2011**

SENATE BILL NO. 2205
(Senators Nodland, Klein, Schneider)
(Representatives Gruchalla, Keiser, Vigesaa)

AN ACT to amend and reenact subsections 4 and 6 section 65-01-16 and subsection 2 of section 65-04-32 of the North Dakota Century Code, relating to attorney representation in a request for workforce safety and insurance reconsideration, who may file a request for assistance from the decision review office, and service of an employer.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

SECTION 1. AMENDMENT. Subsection 4 of section 65-01-16 of the North Dakota Century Code is amended and reenacted as follows:

4. A party has thirty days from the day the notice of decision was mailed by the organization in which to file a written request for reconsideration. The employer is not required to file the request through an attorney. ~~The request must state the alleged errors in the decision and the relief sought~~ reason for disagreement with the organization's decision and the desired outcome. The request may be accompanied by additional evidence not previously submitted to the organization. The organization shall reconsider the matter by informal internal review of the information of record. Absent a timely and sufficient request for reconsideration, the notice of decision is final and may not be reheard or appealed.

SECTION 2. AMENDMENT. Subsection 6 of section 65-01-16 of the North Dakota Century Code is amended and reenacted as follows:

6. ~~A party~~ An employee has thirty days from the ~~date of service of and~~ day the administrative order ~~was mailed~~ in which to file a request for assistance from the decision review office under section 65-02-27.

SECTION 3. AMENDMENT. Subsection 2 of section 65-04-32 of the North Dakota Century Code is amended and reenacted as follows:

2. An employer has thirty days from the ~~date of service~~ day the notice of decision was mailed to file a written petition for reconsideration. The employer is not required to file the request through an attorney. ~~The request must state specifically the alleged errors in the decision and the relief sought~~ reason for disagreement with the organization's decision and the desired outcome. The request may be accompanied by additional evidence not previously submitted to the organization. The organization shall reconsider the matter by informal internal review of the information of record. Absent a timely and sufficient request for reconsideration, the notice of decision is final and may not be reheard or appealed.

President of the Senate

Speaker of the House

Secretary of the Senate

Chief Clerk of the House

This certifies that the within bill originated in the Senate of the Sixty-second Legislative Assembly of North Dakota and is known on the records of that body as Senate Bill No. 2205.

Senate Vote: Yeas 45 Nays 0 Absent 2

House Vote: Yeas 79 Nays 0 Absent 15

Secretary of the Senate

Received by the Governor at _____ M. on _____, 2011.

Approved at _____ M. on _____, 2011.

Governor

Filed in this office this _____ day of _____, 2011,

at _____ o'clock _____ M.

Secretary of State