

**Fifty-seventh Legislative Assembly of North Dakota
In Regular Session Commencing Tuesday, January 9, 2001**

HOUSE BILL NO. 1035
(Legislative Council)
(Budget Committee on Government Services)

AN ACT relating to a state employee telecommuting incentive program; and to provide an expiration date.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

SECTION 1. Telecommuting incentive program for state employees.

1. A state agency head may submit a proposal to the suggestion incentive committee established under section 54-06-24 to locate a state employee away from a central office setting of the agency. The proposal must be for a position that has been or would be located in a central office setting within the agency. The proposal must contain a comparison of the estimated annual costs of locating the employee away from a central office setting within the agency to the estimated annual costs of locating the employee in a central office setting within the agency. The comparison must include supporting documentation.
2. a. The suggestion incentive committee shall consider the proposal and determine whether:
 - (1) The proposal has been previously submitted and rejected.
 - (2) The proposal is beyond the reasonable expectations of job performance for an employee.
 - (3) The proposal will increase employment opportunities in a part of the state which is more rural than where the central office setting within the agency is located.
 - (4) Implementation of the proposal is desirable and feasible.
 - (5) Implementation of the proposal will continue to provide the quality of services presently provided by the employing state agency and any other state agency affected by the proposal.
- b. The suggestion incentive committee shall inform the state agency head in writing of its decision on the proposal. For a proposal not approved, the committee shall include its reasons for rejecting the proposal.
- c. A state agency head who submits a proposal and also is a member of the suggestion incentive committee shall abstain from voting on that agency head's proposal.
3. A state agency head who submits a proposal that is approved by the suggestion incentive committee and implemented by the state agency shall compare the actual costs directly relating to the telecommuting program for the twelve-month period beginning with the month the proposed change is instituted to the estimated costs if the program would not have been implemented. The state agency head shall submit the cost comparison to the suggestion incentive committee. Upon approval of the cost comparison report by the suggestion incentive committee, the state agency head is entitled to receive ten percent of any savings identified in the report as resulting from implementing the telecommuting program for the twelve-month period up to a maximum of two thousand dollars. A state agency head may receive no more than two thousand dollars under this program regardless of the number of employees that are located away from the central office setting

and the total savings that result. The state employee who is located away from a central office setting of the agency is entitled to receive twenty percent of any savings identified in the report up to a maximum of two thousand dollars. The state agency head may use twenty percent of any savings identified in the report for one-time technology, equipment, or capital improvement costs.

SECTION 2. EXPIRATION DATE. Section 1 of this Act is effective through June 30, 2005, and after that date is ineffective.

Speaker of the House

President of the Senate

Chief Clerk of the House

Secretary of the Senate

This certifies that the within bill originated in the House of Representatives of the Fifty-seventh Legislative Assembly of North Dakota and is known on the records of that body as House Bill No. 1035.

House Vote: Yeas 93 Nays 5 Absent 0

Senate Vote: Yeas 47 Nays 0 Absent 2

Chief Clerk of the House

Received by the Governor at _____ M. on _____, 2001.

Approved at _____ M. on _____, 2001.

Governor

Filed in this office this _____ day of _____, 2001,

at _____ o'clock _____ M.

Secretary of State