

HOUSE BILL NO. 1414

Introduced by

Representatives Berg, Pietsch, B. Thoreson, Weiler

Senator Espegard

1 A BILL for an Act to provide for the business products utilization commission; and to amend and
2 reenact sections 54-34.3-08 and 54-34.3-11 of the North Dakota Century Code, relating to
3 powers of the business products utilization commission.

4 **BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:**

5 **SECTION 1. AMENDMENT.** Section 54-34.3-08 of the 1999 Supplement to the North
6 Dakota Century Code is amended and reenacted as follows:

7 **54-34.3-08. Patents.** The department of economic development and finance, the North
8 Dakota development fund, incorporated, the business products utilization commission, and the
9 North Dakota agricultural products utilization commission may hold or assign for remuneration
10 all or a portion of their interest in patents or royalty rights acquired in the course of their
11 operation and performance of duties as provided by law.

12 **SECTION 2. AMENDMENT.** Section 54-34.3-11 of the 1999 Supplement to the North
13 Dakota Century Code is amended and reenacted as follows:

14 **54-34.3-11. Mutual fund capital pool - Authorization.** The department of economic
15 development and finance, in conjunction with the agricultural products utilization commission
16 and the business products utilization commission, may establish a mutual fund capital pool to
17 attract farm and nonfarm investments in value-added processing projects and to attract
18 investments in entrepreneurial startup projects.

19 **SECTION 3. Business products utilization commission - Composition -**
20 **Appointment.** The business products utilization commission shall administer the business
21 products utilization commission program. The director of the department of economic
22 development and finance may assign the duties of the commission to an existing board or
23 commission within the department. If the director does not assign the duties of the commission
24 to an existing board or commission, the commission consists of seven members; five of whom

1 are appointed by the governor for terms of two years each, arranged so that three terms expire
2 in odd-numbered years and two terms expire in even-numbered years. However, the terms of
3 two of the governor's initial appointees are for one year in order to begin the staggered cycle.
4 The director of the department of economic development and finance or the director's
5 representative and the president of the Bank of North Dakota or the president's authorized
6 representative are also members of the commission. Commission members appointed by the
7 governor may be reappointed to the commission. Terms of commissioners appointed by the
8 governor run from the first day of July. The commission shall elect one member as chairman.

9 **SECTION 4. Business products utilization commission - Powers.** The business
10 products utilization commission may apply for, accept, and expend any appropriation, grant,
11 gift, or service made available from public or private sources. The commission may administer
12 grant programs to assist entrepreneurs in research, development, testing, and marketing. The
13 grant programs may include a feasibility program, market evaluation program, legal
14 organization program, marketing and research grant program, cooperative marketing grant
15 program, business and product planning grant program, product prototype development grant
16 program, and a North American marketing grant program. The commission may require, by
17 contract, repayment of a grant, in whole or in part, if the grant recipient does not fulfill the
18 conditions under which the grant was awarded.

19 **SECTION 5. Business products utilization commission - Meetings - Personnel -**
20 **Reports.** The business products utilization commission is a division of the department of
21 economic development and finance. The commission shall meet as necessary and shall report
22 to each session of the legislative assembly. The commission may secure office space, employ
23 needed personnel for the performance of commission duties, hire consultants, spend any funds
24 appropriated to the commission, and contract with public entities or private parties for services.

25 **SECTION 6. Business products utilization commission - Reimbursement -**
26 **Compensation - Administrative expenses.** Members of the business products utilization
27 commission are entitled to reimbursement for actual and necessary expenses incurred in the
28 performance of commission duties, in the same manner as other state officials, according to
29 sections 44-08-04 and 54-06-09, and if not otherwise employed by the state of North Dakota,
30 may receive up to fifty dollars for each regular meeting attended. The commission chairman, if
31 not otherwise employed by the state of North Dakota, may receive an additional one hundred

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- 1 dollars for each regular meeting attended as payment for reviewing and evaluating grant
- 2 proposals.