

**THIRD ENGROSSMENT
with House Amendments**

Sixty-first
Legislative Assembly
of North Dakota

REENGROSSED SENATE BILL NO. 2018

Introduced by

Appropriations Committee

(At the request of the Governor)

1 A BILL for an Act to provide an appropriation for defraying the expenses of the department of
2 commerce; to provide an appropriation to the office of management and budget; to provide an
3 appropriation to the department of emergency services; to provide a contingent appropriation;
4 to provide exemptions; to provide for transfers; to provide for legislative council studies; to
5 create and enact a new section to chapter 54-18, a new section to chapter 54-44.1, and a new
6 section to chapter 54-60 of the North Dakota Century Code, relating to the establishment of an
7 annual transfer from the state mill and elevator association, the establishment of a searchable
8 database of state expenditures, and the division of workforce development's strategic plan and
9 the North Dakota workforce development council; to amend and reenact subsections 1 and 4 of
10 section 15-69-02, subsections 2 and 3 of section 15-69-04, subsections 1, 3, 4, and 5 of section
11 15-69-05, and section 54-60-17 of the North Dakota Century Code, relating to centers of
12 excellence and higher education internships and work experience opportunities; and to declare
13 an emergency.

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

15 **SECTION 1. APPROPRIATION.** The funds provided in this section, or so much of the
16 funds as may be necessary, are appropriated out of any moneys in the general fund in the state
17 treasury, not otherwise appropriated, and from special funds derived from federal funds and
18 other income, to the department of commerce for the purpose of defraying the expenses of the
19 department of commerce, for the biennium beginning July 1, 2009, and ending June 30, 2011,
20 as follows:

	<u>Base Level</u>	<u>Adjustments or Enhancements</u>	<u>Appropriation</u>
21			
22			
23 Salaries and wages	\$8,826,879	\$1,193,961	\$10,020,840
24 Operating expenses	14,308,688	(180,416)	14,128,272

Sixty-first
Legislative Assembly

1	Capital assets	25,000	0	25,000
2	Grants	48,774,748	18,111,310	66,886,058
3	Discretionary funds	1,450,127	(522,044)	928,083
4	Economic development initiatives	1,296,846	(1,110,000)	186,846
5	Agricultural products utilization	3,008,193	(471,563)	2,536,630
6	North Dakota trade office	1,500,000	500,000	2,000,000
7	Partner programs	<u>50,000</u>	<u>1,972,044</u>	<u>2,022,044</u>
8	Total all funds	\$79,240,481	\$19,493,292	\$98,733,773
9	Less special funds	<u>55,758,516</u>	<u>13,907,954</u>	<u>69,666,470</u>
10	Total general fund	\$23,481,965	\$5,585,338	\$29,067,303
11	Full-time equivalent positions	66.00	2.00	68.00

SECTION 2. APPROPRIATION - FEDERAL FISCAL STIMULUS FUNDS -

13 ADDITIONAL FUNDING APPROVAL. The funds provided in this section, or so much of the
 14 funds as may be necessary, are appropriated from federal funds made available to the state
 15 under the federal American Recovery and Reinvestment Act of 2009, not otherwise
 16 appropriated, to the department of commerce, for the period beginning with the effective date of
 17 this Act and ending June 30, 2011, as follows:

18	Community development block grant program	\$1,300,000
19	Community services block grant	4,853,305
20	State energy program	24,585,000
21	Energy efficiency and conservation block grants	10,000,000
22	Weatherization assistance program	25,266,330
23	Emergency shelter grants	<u>2,590,000</u>
24	Total federal funds	\$68,594,635

25 The department of commerce may seek emergency commission and budget section
 26 approval under chapter 54-16 for authority to spend any additional federal funds received under
 27 the federal American Recovery and Reinvestment Act of 2009 in excess of the amounts
 28 appropriated in this section, for the period beginning with the effective date of this Act and
 29 ending June 30, 2011.

30 Any federal funds appropriated under this section are not a part of the agency's 2011-13
 31 base budget. Any program expenditures made with these funds will not be replaced with state

1 funds after the federal American Recovery and Reinvestment Act of 2009 funds are no longer
2 available.

3 **SECTION 3. USE OF FEDERAL FISCAL STIMULUS FUNDS - ELECTRICAL**

4 **GENERATORS.** The department of commerce shall use \$2,000,000 of the funding
5 appropriated in section 2 of this Act for the purpose of establishing a grant program to assist in
6 the purchase and installation of electrical generators that consume at least seventy-five percent
7 of the gas from oil and gas well sites which would otherwise be flared or wasted, for the period
8 beginning with the effective date of this Act and ending June 30, 2011. The funding is
9 contingent upon approval from the United States department of energy of use of the funding for
10 the grant program. Before making a grant from the program established by this section, the
11 department of commerce shall obtain the recommendation of the oil and gas research program
12 administered by the industrial commission regarding the application's technical accuracy and
13 consistency with the oil and gas research program.

14 **SECTION 4. USE OF FEDERAL FISCAL STIMULUS FUNDS - BIOFUEL BLENDER**

15 **PUMP GRANTS.** The department of commerce shall use up to \$1,000,000 of the funding
16 appropriated in section 2 of this Act for biofuel blender pump grants.

17 **SECTION 5. CONTINGENT GENERAL FUND APPROPRIATION - BUDGET**

18 **SECTION APPROVAL.** If the federal funds appropriated under section 2 of this Act are not
19 available to provide the sum of \$1,000,000 for biofuel blender pump grants, there is
20 appropriated out of any moneys in the general fund in the state treasury, not otherwise
21 appropriated, the sum of \$1,000,000, or so much of the sum as may be necessary, to the
22 department of commerce for transfer to the biofuel blender pump incentive fund, for the
23 biennium beginning July 1, 2009, and ending June 30, 2011. The department of commerce
24 may spend the general fund moneys subject to budget section approval and only to the extent
25 that federal funds are not available to provide the \$1,000,000 appropriated under sections 2
26 and 4 of this Act. This funding is one-time funding for the 2009-11 biennium.

27 **SECTION 6. APPROPRIATION.** There is appropriated out of any moneys in the
28 general fund in the state treasury, not otherwise appropriated, the sum of \$1,594,567, or so
29 much of the sum as may be necessary, to the department of emergency services for the
30 purpose of providing grants to eligible political subdivisions for up to fifty percent of the costs
31 incurred by the political subdivisions in meeting the local cost-share required by the federal

1 emergency management agency for disaster, emergency response, and recovery costs, and
2 for up to fifty percent of the costs incurred by the political subdivisions for disaster, emergency
3 response, and recovery costs not covered by the federal emergency management agency, for
4 the period beginning with the effective date of this Act and ending June 30, 2011. For the
5 purposes of this section, an eligible political subdivision is one that experienced damage or
6 destruction due to a tornado during the summer of 2007.

7 **SECTION 7. APPROPRIATION - FEDERAL FISCAL STABILIZATION - OTHER**
8 **GOVERNMENT SERVICES.** There is appropriated from federal fiscal stabilization - other
9 government services funds made available to the governor under the federal American
10 Recovery and Reinvestment Act of 2009, not otherwise appropriated, the sum of \$400,000, or
11 so much of the sum as may be necessary, to the office of management and budget for the
12 purpose of establishing a searchable database of state expenditures as provided for in
13 section 31 of this Act, for the biennium beginning July 1, 2009, and ending June 30, 2011. Any
14 federal funds appropriated under this section are not a part of the agency's 2011-13 base
15 budget.

16 **SECTION 8. ONE-TIME FUNDING - EFFECT ON BASE BUDGET - REPORT TO**
17 **SIXTY-SECOND LEGISLATIVE ASSEMBLY.** The following amounts reflect the one-time
18 funding items approved by the sixtieth legislative assembly for the 2007-09 biennium and the
19 2009-11 one-time funding items included in the appropriations in section 1 and section 14 of
20 this Act:

<u>One-Time Funding Description</u>	<u>2007-09</u>	<u>2009-11</u>
21 Transfer to development fund	\$3,000,000	\$0
22 Tax expenditure and business incentive reports	100,000	0
23 Transfer to workforce enhancement fund	0	1,000,000
24 Promotion and marketing of U.S.S.	0	100,000
25 North Dakota		
26		
27 Total general fund	\$3,100,000	\$1,100,000

28 The 2009-11 one-time funding amounts are not a part of the entity's base budget for the
29 2011-13 biennium. The department of commerce shall report to the appropriations committees
30 of the sixty-second legislative assembly on the use of this one-time funding for the biennium
31 beginning July 1, 2009, and ending June 30, 2011.

1 **SECTION 9. AGRICULTURE FUEL TAX REFUNDS.** The estimated income line item
2 in section 1 of this Act includes \$575,000 from refunds of tax for fuel used for agricultural
3 purposes, to be used by the agricultural products utilization commission, for the biennium
4 beginning July 1, 2009, and ending June 30, 2011.

5 **SECTION 10. EXEMPTION.** The amount appropriated for the agricultural products
6 utilization commission in section 3 of chapter 18 of the 2007 Session Laws is not subject to
7 section 54-44.1-11 and any unexpended funds from this line item for grants are available for
8 grants during the biennium beginning July 1, 2009, and ending June 30, 2011.

9 **SECTION 11. EXEMPTION.** The amount appropriated for the discretionary funds line
10 item in section 3 of chapter 18 of the 2007 Session Laws is not subject to section 54-44.1-11
11 and any unexpended funds from this line item are available during the biennium beginning
12 July 1, 2009, and ending June 30, 2011.

13 **SECTION 12. EXEMPTION.** The amount appropriated for internships contained in the
14 economic development initiative line item in section 3 of chapter 18 of the 2007 Session Laws
15 is not subject to section 54-44.1-11 and any unexpended funds from this line item are available
16 during the biennium beginning July 1, 2009, and ending June 30, 2011.

17 **SECTION 13. TRADE OFFICE - MATCHING FUND REQUIREMENT.** The total North
18 Dakota trade office special line and the general fund appropriation in section 1 of this Act
19 include \$2,000,000 of funding relating to the North Dakota trade office. The department of
20 commerce may spend sixty-two and a half percent of this amount without requiring any
21 matching funds from the trade office. Any additional amounts may be spent only to the extent
22 that the North Dakota trade office provides one dollar of matching funds from private or other
23 public sources for each one dollar provided by the department for the biennium beginning
24 July 1, 2009, and ending June 30, 2011. Matching funds may include money spent by
25 businesses or organizations to pay salaries to export assistants, provide training to export
26 assistants, or buy computer equipment as part of the North Dakota trade office's export
27 assistance program.

28 **SECTION 14. APPROPRIATION - TRANSFER - WORKFORCE ENHANCEMENT**
29 **FUND.** There is appropriated out of any moneys in the general fund in the state treasury, not
30 otherwise appropriated, the sum of \$1,000,000, which the office of management and budget
31 shall transfer to the workforce enhancement fund for the purpose of assisting two-year colleges

1 to respond to business and industry workforce training for the biennium beginning July 1, 2009,
2 and ending June 30, 2011.

3 **SECTION 15. APPROPRIATION - CENTERS OF EXCELLENCE.** There is
4 appropriated out of any moneys in the general fund in the state treasury, not otherwise
5 appropriated, the sum of \$15,000,000, or so much of the sum as may be necessary, to the
6 department of commerce for the purpose of providing funding to centers of excellence, for the
7 biennium beginning July 1, 2009, and ending June 30, 2011.

8 **SECTION 16. EXEMPTION.** Any funding remaining at the end of the 2007-09
9 biennium of up to \$9,704,568 from the permanent oil tax trust fund appropriated to the office of
10 management and budget in section 14 of chapter 18 of the 2007 Session Laws is not subject to
11 section 54-44.1-11.

12 **SECTION 17. CENTERS OF EXCELLENCE STATE TAX REVENUE IMPACT STUDY**
13 **- REPORT.**

- 14 1. During the 2009-11 biennium, the state auditor, in consultation with the tax
15 commissioner and the department of commerce, shall conduct a study of the state
16 tax revenue impact of the centers of excellence program and shall calculate the
17 direct impact of the program on state tax revenues. The study must include an
18 analysis for each center of excellence of the actual matching funds received by
19 source; actual number of private sector jobs created, including information as to
20 whether the jobs would have been created without the center; and new private
21 sector facilities opened as the result of the center. The study must be based on
22 information available to the tax commissioner and the state auditor.
- 23 2. During the organizational session of the sixty-second legislative assembly, the
24 state auditor shall submit to the president pro tempore of the senate and the
25 speaker of the house a report on the findings and results of the centers of
26 excellence state tax revenue impact study.
- 27 3. The tax commissioner shall compile direct tax revenue and expenditure data and
28 provide this data to the state auditor. Notwithstanding the confidentiality provisions
29 contained in chapters 57-38 and 57-39.2, the tax commissioner shall provide the
30 state auditor the information necessary to accomplish and effectuate the study

1 required by this section. The tax commissioner may request the assistance of the
2 department of commerce as necessary to compile this data.

3 4. The tax commissioner may establish the procedure and format by which the tax
4 data will be provided to the state auditor. If additional information is needed by the
5 state auditor to calculate the tax impact of the centers of excellence program, the
6 state auditor may contact those taxpayers determined necessary to effectuate the
7 study required by this section.

8 5. Except as provided in subsection 6, the state auditor may establish the manner in
9 which the centers of excellence impact data will be analyzed, organized, and
10 presented in the report.

11 6. Confidential information the state auditor receives from the tax commissioner may
12 not be divulged by the state auditor unless the information is in the aggregate and
13 in a manner that will not divulge information specific to any taxpayer.

14 **SECTION 18. TOURISM MARKETING MATCHING GRANTS.** The grants line item in
15 section 1 of this Act includes the sum of \$500,000 from the general fund for providing tourism
16 marketing matching grants, for the biennium beginning July 1, 2009, and ending June 30, 2011.
17 The department of commerce may use the funds for awarding grants to tourism attraction
18 entities to the extent matching funds are available from nonstate sources on a dollar-for-dollar
19 basis.

20 **SECTION 19. LEGISLATIVE INTENT - DIVISION OF TOURISM - LARGE TOURISM**
21 **INFRASTRUCTURE GRANTS.** It is the intent of the sixty-first legislative assembly that the
22 department of commerce division of tourism develop criteria for large tourism infrastructure
23 grants and a method for setting funding priorities for such grants in future bienniums.

24 **SECTION 20. BASE REALIGNMENT PLAN - REPORT TO THE BUDGET SECTION.**
25 The department of commerce, with assistance from local economic development organizations
26 and national organizations specializing in developing alternative uses of former air force base
27 properties, shall develop a plan for the utilization of commercial space available at the Grand
28 Forks air force base, for the biennium beginning July 1, 2009, and ending June 30, 2011. The
29 plan must identify the potential use of existing economic development programs, including the
30 North Dakota development fund, incorporated, and Bank of North Dakota programs. The

1 department of commerce shall provide reports to the budget section on the status of
2 development of the plan.

3 **SECTION 21. TAX-EXEMPT PROPERTY - REPORT TO THE BUDGET SECTION.**

4 During the 2009-10 interim, the department of commerce shall compile information identifying
5 tax-exempt property by school district, including information on the related value of the property
6 based on soil survey, insured value, or other means and a categorization of the property by
7 whether or not it produces revenue based on its use. The department of commerce shall report
8 the information compiled at the first meeting of the budget section in 2010.

9 **SECTION 22. GRANT - LEWIS AND CLARK FOUNDATION.** The grants line item in
10 section 1 of this Act includes the sum of \$1,500,000 from the general fund for providing a grant
11 to the Lewis and Clark foundation, for the biennium beginning July 1, 2009, and ending
12 June 30, 2011. The department of commerce may spend the funds appropriated from the
13 general fund only to the extent matching funds have been secured from nonstate sources on a
14 dollar-for-dollar basis.

15 **SECTION 23. GRANT - THEODORE ROOSEVELT MEDORA FOUNDATION.** The
16 grants line item in section 1 of this Act includes the sum of \$500,000 from the general fund for
17 providing a grant to the Theodore Roosevelt Medora foundation, for the biennium beginning
18 July 1, 2009, and ending June 30, 2011. The department of commerce may only spend the
19 funds appropriated from the general fund to the extent matching funds of \$12,000,000 from
20 nonstate sources have been secured by the foundation.

21 **SECTION 24. LEGISLATIVE COUNCIL STUDY - TECHNOLOGY-BASED**
22 **ENTREPRENEURSHIP AND ECONOMIC DEVELOPMENT BEST PRACTICES.** During the
23 2009-10 interim, the legislative council shall consider studying technology-based
24 entrepreneurship and economic development best practices. The study should include a
25 review of best practices implemented by the department of commerce and the effectiveness of
26 the department of commerce foundation. The legislative council shall report its findings and
27 recommendations, together with any legislation required to implement the recommendations, to
28 the sixty-second legislative assembly.

29 **SECTION 25. LEGISLATIVE COUNCIL STUDY - WORKFORCE SYSTEM**
30 **INITIATIVE.** During the 2009-10 interim, the legislative council shall consider studying the
31 state's system for addressing workforce needs through a workforce system initiative. The study

1 should include a review of the alignment of taxpayer investment with programs, coordination of
2 programs, and the North Dakota workforce strategic plan. The legislative council shall report its
3 findings and recommendations, together with any legislation required to implement the
4 recommendations, to the sixty-second legislative assembly.

5 **SECTION 26. LEGISLATIVE INTENT - ACCOUNTABILITY.** It is the intent of the
6 sixty-first legislative assembly that the department of commerce establish and implement
7 appropriate accountability requirements relating to grants provided to the Lewis and Clark
8 foundation and the Theodore Roosevelt Medora foundation, for the biennium beginning July 1,
9 2009, and ending June 30, 2011.

10 **SECTION 27. AMENDMENT.** Subsections 1 and 4 of section 15-69-02 of the North
11 Dakota Century Code are amended and reenacted as follows:

- 12 1. The board shall establish a centers of excellence program relating to economic
13 development. ~~The program must distinguish among center designations for~~
14 ~~awards designated to address commercialization and infrastructure needs.~~
15 Workforce may not be the primary need addressed by a center. Through the
16 program the commission shall make funding award recommendations for
17 commission-approved applications to the board, the foundation, the emergency
18 commission, and the budget section of the legislative council. A center must be an
19 institution of higher education under the control of the board or a nonprofit
20 university-related or college-related foundation of an institution of higher education
21 under the control of the board. In order to be considered for center designation,
22 the institution of higher education or nonprofit foundation must be working in
23 partnership with the private sector. ~~For an application that includes infrastructure~~
24 ~~to be considered for center designation, the application must provide detailed~~
25 ~~information regarding how the future operational costs and maintenance costs~~
26 ~~related to the infrastructure will be provided and how the costs will not be provided~~
27 ~~from the general fund.~~ In addition to any center designated under this chapter, the
28 North Dakota state university center for technology enterprise and the university of
29 North Dakota center for innovation are centers.
- 30 4. The board rules adopted under subsection 9 of section 15-10-17, relating to
31 ownership of intellectual property, inventions, and discoveries, must address

1 activities and issues unique to centers. The rules must provide that in the case of
2 an agreement or other contract for private-public sharing of royalties or other
3 compensation from intellectual property resulting from center activities, the terms
4 must provide the private sector partner must receive the first royalties or other
5 compensation equal to four times the private sector partner's initial investment and
6 thereafter as agreed by the parties.

7 **SECTION 28. AMENDMENT.** Subsections 2 and 3 of section 15-69-04 of the North
8 Dakota Century Code are amended and reenacted as follows:

- 9 2. The commission shall meet as necessary to review all complete applications;
10 consider the potential need for independent, expert review of complete
11 applications; approve or disapprove complete applications; make funding award
12 recommendations for commission-approved proposed centers; direct the ~~office of~~
13 ~~management and budget~~ department of commerce to distribute funds to the
14 centers; monitor centers for compliance with award requirements; review changes
15 in assertions made in center applications; and conduct postaward monitoring of
16 centers.
- 17 3. In considering whether to approve or disapprove an application, the commission
18 shall determine whether the applicant has conducted the due diligence necessary
19 to put together a viable proposal, the commission shall determine whether the
20 applicant has provided information in the application which clearly outlines how the
21 matching fund requirement will be met, and the commission shall consider whether
22 the center will:
- 23 a. Use university or college research to promote private sector job growth and
24 expansion of knowledge-based industries or use university or college
25 research to promote the development of new products, high-tech companies,
26 or skilled jobs in this state;
- 27 b. Create high-value private sector employment opportunities in this state;
- 28 c. Provide for public-private sector involvement and partnerships;
- 29 d. Leverage other funding, including cash from the private sector;

- 1 e. Increase research and development activities that may involve federal funding
- 2 from the national science foundation experimental program to stimulate
- 3 competitive research;
- 4 f. Foster and practice entrepreneurship;
- 5 g. Promote the commercialization of new products and services in industry
- 6 clusters;
- 7 h. Become financially self-sustaining; and
- 8 i. Establish and meet a deadline for acquiring and expending all public and
- 9 private funds specified in the application.

10 **SECTION 29. AMENDMENT.** Subsections 1, 3, 4, and 5 of section 15-69-05 of the
11 North Dakota Century Code are amended and reenacted as follows:

- 12 1. A center shall use funds awarded under this chapter to enhance capacity; ~~enhance~~
13 ~~infrastructure~~; and leverage state, federal, and private sources of funding. A
14 center awarded funds under this chapter may not use the funds to enhance or
15 construct infrastructure, to supplant funding for current operations or academic
16 instructions, or to pay indirect costs.
- 17 3. Before the commission directs the ~~office of management and budget~~ department
18 of commerce to distribute funds awarded under this chapter, the center shall
19 provide the commission with detailed documentation of private sector participation
20 and the availability of two dollars of matching funds, of which one dollar must be
21 cash from the private sector, for each dollar of state funds to be distributed under
22 this chapter. The matching funds may include funds facilitated through the
23 collaboration of the private sector participants with other funding entities. The
24 noncash matching funds may include ~~a combination of cash and~~ in-kind assets
25 with itemized value. Private sector participation may be established through equity
26 investments or through contracts for services with private sector entities. In
27 making funding recommendations and designation determinations, the
28 commission, board, foundation, and budget section shall give major consideration
29 to the portion of the matching funds provided in cash by the private sector.
- 30 4. The commission shall direct the ~~office of management and budget~~ department of
31 commerce to distribute the funds awarded under this chapter in disbursements

1 consistent with the center's budget and timeframe outlined in the approved award.
2 The commission may not direct distribution of funds under this chapter if there are
3 no private sector partners participating or if the statutorily required matching funds
4 are not available.

5 5. If, before funds are distributed by the ~~office of management and budget~~
6 department of commerce, a center undergoes a change in the terms of or
7 assertions made in its application, the commission may direct that the ~~office of~~
8 ~~management and budget~~ department of commerce withhold all or a portion of any
9 undistributed funds pending commission review of the changes.

10 **SECTION 30.** A new section to chapter 54-18 of the North Dakota Century Code is
11 created and enacted as follows:

12 **Annual transfer.** Within thirty days after the conclusion of each fiscal year, the state
13 industrial commission shall transfer five percent of the net income earned by the state mill and
14 elevator association during that fiscal year to the agricultural fuel tax fund.

15 **SECTION 31.** A new section to chapter 54-44.1 of the North Dakota Century Code is
16 created and enacted as follows:

17 **Searchable database of expenditures.**

18 1. By January 1, 2010, the director of the budget shall develop and make publicly
19 available an aggregate and searchable budget database website that includes the
20 following information for the biennium ending June 30, 2009:

- 21 a. Each budget unit making expenditures.
- 22 b. The name and city of the recipient of each expenditure.
- 23 c. The amount of funds expended.
- 24 d. The source of the funds expended.
- 25 e. The budget program of the expenditure.
- 26 f. A descriptive purpose for the expenditure.
- 27 g. The result or report of any state audit or review relating to any recipient of
28 expenditures or the budget unit or program.
- 29 h. Any other information determined relevant by the director of the budget.

30 2. The director of the budget may not include in the database any information that is
31 confidential under state or federal law.

- 1 3. The director of the budget may update the budget database website as new data
2 becomes available. Each state agency shall provide to the director of the budget
3 any data required to be included in the budget database website no later than thirty
4 days after the data becomes available to the agency.
- 5 4. By January first of each even-numbered year, the director of the budget shall add
6 data for the previous biennium to the budget database website. The director of the
7 budget shall ensure that all data added to the budget database website remains
8 accessible to the public for a minimum of ten years.
- 9 5. The budget database website may not redirect users to any other government
10 website, unless the website has information from all budget units and each
11 category of information required can be searched electronically by field in a single
12 search.

13 **SECTION 32. AMENDMENT.** Section 54-60-17 of the North Dakota Century Code is
14 amended and reenacted as follows:

15 **54-60-17. Division of workforce development - Higher education internships and**
16 **work experience opportunities.** The division of workforce development shall administer a
17 program to increase use of higher education internships and work experience opportunities for
18 higher education students. The primary focus of this program must be higher education
19 internships in target industries. This program shall provide services to employers,
20 communities, and business organizations to increase higher education internship and work
21 experience opportunities. Funding awarded under this section is limited to a lifetime maximum
22 of thirty thousand dollars per recipient.

23 **SECTION 33.** A new section to chapter 54-60 of the North Dakota Century Code is
24 created and enacted as follows:

25 **Division of workforce development - Annual reports - North Dakota workforce**
26 **development council - Budget acceptance.**

- 27 1. Annually, job service North Dakota, the department of career and technical
28 education, the department, and the state board of higher education each shall
29 submit a report to the division of workforce development relating to the respective
30 agency's current workforce initiatives and activities and that agency's plan for
31 future workforce initiatives and activities. The division of workforce development

1 shall consider these reports in preparing the consolidated biennial statewide
2 strategic plan for the state's system for workforce development, workforce training,
3 and talent attraction required under section 54-60-19.

4 2. Before November first of each even-numbered year, job service North Dakota, the
5 department of career and technical education, the department, and the state board
6 of higher education each shall submit for acceptance the respective agency's
7 biennial budget request to the North Dakota workforce development council,
8 created by governor's executive order 1995-01, dated January 3, 1996.

9 **SECTION 34. EMERGENCY.** Funding of \$1,200,000 in the operating expenses line
10 item in section 1 of this Act relating to the operation intern program and sections 2 and 6 of this
11 Act are declared to be an emergency measure.