

**Sixtieth Legislative Assembly of North Dakota  
In Regular Session Commencing Wednesday, January 3, 2007**

HOUSE BILL NO. 1016  
(Appropriations Committee)  
(At the request of the Governor)

AN ACT to provide an appropriation for defraying the expenses of job service North Dakota; and to amend and reenact section 52-02.1-02 of the North Dakota Century Code, relating to job service North Dakota program services.

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

**SECTION 1. BASE LEVEL FUNDING INFORMATION.** The amounts identified in this section represent the base level funding component appropriated to job service North Dakota in section 3 of this Act as follows:

Salaries and wages	\$34,960,037
Operating expenses	13,278,913
Capital assets	225,000
Grants	9,047,165
Workforce 20/20	1,480,231
Reed Act - Work first	254,925
Reed Act - Unemployment insurance computer modernization	<u>525,000</u>
Total all funds - Base level	\$59,771,271
Less estimated income - Base level	<u>58,270,259</u>
Total general fund - Base level	\$1,501,012

**SECTION 2. FUNDING ADJUSTMENTS OR ENHANCEMENTS INFORMATION.** The amounts identified in this section represent the funding adjustments or enhancements to the base funding level for job service North Dakota which are included in the appropriation in section 3 of this Act as follows:

Salaries and wages	(\$1,931,562)
Operating expenses	(126,432)
Capital assets	(205,000)
Grants	(608,945)
Workforce 20/20	19,769
Reed Act - Work first	(254,925)
Reed Act - Unemployment insurance computer modernization	<u>6,775,000</u>
Total all funds - Adjustments/enhancements	\$3,667,905
Less estimated income - Adjustments/enhancements	<u>3,421,832</u>
Total general fund - Adjustments/enhancements	\$246,073

**SECTION 3. APPROPRIATION.** The funds provided in this section, or so much of the funds as may be necessary, are appropriated out of any moneys in the general fund in the state treasury, not otherwise appropriated, and from special funds derived from federal funds and other income, to job service North Dakota, for the purpose of defraying the expenses of that agency, for the biennium beginning July 1, 2007, and ending June 30, 2009, as follows:

Salaries and wages	\$33,028,475
Operating expenses	13,152,481
Capital assets	20,000
Grants	8,438,220
Workforce 20/20	1,500,000

Reed Act - Unemployment insurance computer modernization	7,300,000
Total all funds	\$63,439,176
Less estimated income	<u>61,692,091</u>
Total general fund appropriation	\$1,747,085

**SECTION 4. APPROPRIATION - REED ACT FUNDS - UNEMPLOYMENT INSURANCE COMPUTER MODERNIZATION.** The special appropriation of \$7,300,000 in section 3 of this Act is from federal Reed Act funds made available to the state by the federal Reed Act distributions made in federal fiscal years 1957, 1958, 1999, and 2002, pursuant to section 903 of the Social Security Act. This sum, or so much of the sum as may be necessary, is for the purpose of developing a modernized unemployment insurance computer system, for the biennium beginning July 1, 2007, and ending June 30, 2009.

**SECTION 5. APPROPRIATION.** All federal funds received by job service North Dakota in excess of those funds appropriated in section 3 of this Act are appropriated, for the biennium beginning July 1, 2007, and ending June 30, 2009.

**SECTION 6. WORKFORCE 20/20 FUNDING.** Fifty percent of the workforce 20/20 funding in section 3 of this Act must be used for projects for new or expanding businesses in North Dakota.

**SECTION 7. AMENDMENT.** Section 52-02.1-02 of the North Dakota Century Code is amended and reenacted as follows:

**52-02.1-02. Job service North Dakota - Agreements.** Program services developed and coordinated by job service North Dakota must be provided to primary sector businesses found eligible for loans or grants under this chapter. Job service North Dakota may enter into an agreement to establish a project with an employer which meets the following conditions:

1. Sets a date of commencement of the project.
2. Identifies program costs, including deferred costs, which are to be paid from available sources including new jobs credit from withholding to be received or derived from new jobs resulting from the project.
3. Provides for a guarantee by the employer of payment for program costs.
4. Provides that any deferral of program cost payments may not exceed ten years from the date of commencement of the project.
5. Provides that on-the-job training costs for employees may not exceed fifty percent of the annual gross payroll costs of the new jobs in the first full year after the date of commencement of the project. For purposes of this subsection, "gross payroll" is the gross wages and salaries for the new jobs.
6. Provides the maximum amount of new jobs credit from withholding or tuition and fee payments allowed for a project.
7. Provides that every employee participating in the new jobs training program must be paid an income of at least ~~seven ten~~ ten dollars ~~and fifty cents~~ per hour, plus benefits, by the end of the first year of employment under the project and for the remaining life of the loan.

A project requiring a loan from the department or a community may not be approved, and an agreement may not be executed by job service North Dakota, until notification from the department or community that the employer has qualified for a loan. Upon execution of the agreement, job service North Dakota shall notify the state tax commissioner of the agreement and the identity of the employer. Job service North Dakota may adopt rules to implement this chapter. Job service North Dakota shall prepare an annual report for the governor and the legislative assembly with respect to the new jobs training program.

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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 Sixtieth Legislative Assembly of North Dakota and is known on the records of that body as House Bill No. 1016.

House Vote:      Yeas    92      Nays    0      Absent    2

Senate Vote:    Yeas    45      Nays    0      Absent    2

\_\_\_\_\_  
Chief Clerk of the House

Received by the Governor at \_\_\_\_\_ M. on \_\_\_\_\_, 2007.

Approved at \_\_\_\_\_ M. on \_\_\_\_\_, 2007.

\_\_\_\_\_  
Governor

Filed in this office this \_\_\_\_\_ day of \_\_\_\_\_, 2007,

at \_\_\_\_\_ o'clock \_\_\_\_\_ M.

\_\_\_\_\_  
Secretary of State