

HOUSE BILL NO. 1484

Introduced by

Representatives Boschee, Boe, Holman, Mock

Senators Grabinger, Heckaman, Mathern, Robinson

1 A BILL for an Act to create and enact a new section to chapter 57-51.1 and chapter 65-05.3 of
2 the North Dakota Century Code, relating to a health and human services stabilization fund and
3 a paid family medical leave program; to amend and reenact sections 15-10-48 and 15-10-49 of
4 the North Dakota Century Code, relating to matching grants for institutions under the control of
5 the state board of higher education; to provide an appropriation; to provide for transfers; to
6 provide statements of legislative intent; and to declare an emergency.

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

8 **SECTION 1. AMENDMENT.** Section 15-10-48 of the North Dakota Century Code is
9 amended and reenacted as follows:

10 **15-10-48. Advancement of academics - Matching grants - University of North Dakota**
11 **and North Dakota state university.**

- 12 1. a. Subject to legislative appropriations, each biennium during the period beginning
13 July first of each odd-numbered year and ending December thirty-first of each
14 even-numbered year, the state board of higher education shall award one dollar
15 in matching grants for every two dollars raised by the institutional foundations of
16 the university of North Dakota and North Dakota state university for projects
17 dedicated exclusively to the advancement of academics.
- 18 b. To be eligible for a matching grant, an institution must demonstrate that:
- 19 (1) Its foundation has raised at least fifty thousand dollars in cash or monetary
20 pledges for a qualifying project; and
- 21 (2) The project has been approved by the grant review committee established
22 in section 15-10-51.
- 23 c. The board may award ~~up to two hundred thousand dollars in matching grants to~~
24 each institution based on total completed credit-hours as determined under

1 section 15-18.2-01 and as set forth in this section. The available matching grant
2 award dollar amounts are:

3 (1) One million two hundred fifty thousand dollars for institutions with less than
4 one hundred thousand adjusted completed credit-hours;

5 (2) Three million dollars for institutions with at least one hundred thousand, but
6 less than six hundred thousand adjusted completed credit-hours; and

7 (3) Eleven million seven hundred fifty thousand dollars for institutions with at
8 least six hundred thousand adjusted completed credit-hours.

9 d. Projects at the university of North Dakota school of medicine and health sciences
10 are not eligible to receive a grant under this section.

11 2. a. If any available dollars have not been awarded by the board before January first
12 of each odd-numbered year, in accordance with subsection 1, either the
13 university of North Dakota or North Dakota state university may apply for an
14 additional matching grant.

15 b. An application submitted under this subsection must meet the same criteria as an
16 original application.

17 c. The board shall consider each application submitted under this subsection in
18 chronological order.

19 d. If the remaining dollars are insufficient to provide a matching grant in the amount
20 of one dollar for every two dollars raised by the institutional foundation, the board
21 shall award a lesser amount.

22 3. The state board of higher education shall retain up to one-quarter of one percent of
23 any grant awarded under this section to assist with administrative expenses incurred
24 in the grant review process.

25 **SECTION 2. AMENDMENT.** Section 15-10-49 of the North Dakota Century Code is
26 amended and reenacted as follows:

27 **15-10-49. Advancement of academics - Matching grants - Two-year and four-year**
28 **institutions of higher education.**

29 1. a. Subject to legislative appropriations, each biennium during the period beginning
30 July first of each odd-numbered year and ending December thirty-first of each
31 even-numbered year, the state board of higher education shall award one dollar

1 in matching grants for every two dollars raised by the institutional foundations of
2 Bismarck state college, Dakota college at Bottineau, Dickinson state university,
3 Lake Region state college, Mayville state university, Minot state university, North
4 Dakota state college of science, Valley City state university, and Williston state
5 college for projects dedicated exclusively to the advancement of academics.

6 b. To be eligible for a matching grant, an institution must demonstrate that:

7 (1) Its foundation has raised at least twenty-five thousand dollars in cash or
8 monetary pledges for a qualifying project; and

9 (2) The project has been approved by the grant review committee established
10 in section 15-10-51.

11 c. The board may award ~~up to two hundred thousand dollars in~~ matching grants to
12 each institution based on total completed credit-hours as determined under
13 section 15-18.2-01 and as set forth in this section. The available matching grant
14 award dollar amounts are:

15 (1) One million two hundred fifty thousand dollars for institutions with less than
16 one hundred thousand adjusted completed credit-hours;

17 (2) Three million dollars for institutions with at least one hundred thousand, but
18 less than six hundred thousand adjusted completed credit-hours; and

19 (3) Eleven million seven hundred fifty thousand dollars for institutions with at
20 least six hundred thousand adjusted completed credit-hours.

21 2. a. If any available dollars have not been awarded by the board before January first
22 of each odd-numbered year, in accordance with subsection 1, any institution
23 listed in subsection 1 may apply for an additional matching grant.

24 b. An application submitted under this subsection must meet the same criteria as an
25 original application.

26 c. The board shall consider each application submitted under this subsection in
27 chronological order.

28 d. If the remaining dollars are insufficient to provide a matching grant in the amount
29 of one dollar for every two dollars raised by the institutional foundation, the board
30 shall award a lesser amount.

- 1 3. The state board of higher education shall retain up to one-quarter of one percent
2 of any grant awarded under this section to assist with administrative expenses
3 incurred in the grant review process.

4 **SECTION 3.** A new section to chapter 57-51.1 of the North Dakota Century Code is created
5 and enacted as follows:

6 **Health and human services stabilization fund - Deposits - Continuing appropriation.**

- 7 1. There is established a special fund in the state treasury to be known as the health and
8 human services stabilization fund. All moneys deposited in the health and human
9 services stabilization fund are available for the purposes identified in this section.
10 2. Moneys in the health and human services stabilization fund are appropriated and may
11 be expended only upon order of the governor to offset reductions in state general fund
12 appropriations for the state department of health and the department of human
13 services, which were made by executive action pursuant to law, due to a revenue
14 shortage.
15 3. Whenever the balance of the health and human services stabilization fund exceeds
16 fifteen percent of the general fund appropriation for the state department of health and
17 the department of human services, for the most recently completed biennium, as
18 determined by the office of management and budget, the legislative assembly may
19 appropriate or transfer any excess for health-related and human services-related
20 purposes, as provided by law.

21 **SECTION 4.** Chapter 65-05.3 of the North Dakota Century Code is created and enacted as
22 follows:

23 **65-05.3-01. Definitions.**

24 As used in this chapter:

- 25 1. "Eligible employee" means an employee who works for a single employer at least
26 twenty-five hours per week.
27 2. "Employee" means an individual, regardless of age, who performs part-time or
28 full-time services for an employer for remuneration. The term does not include
29 independent contractors as determined under the common-law test.
30 3. "Employer" means a person within the state which engages the services of employees
31 for remuneration. The term includes:

- 1 a. The state and its political subdivisions.
- 2 b. A public and quasi-public corporation in the state.
- 3 c. A partnership, limited liability company, association, and private corporation,
- 4 including a public service corporation.
- 5 4. "Family member" includes a child, stepchild, sibling, spouse, parent, grandparent, and
- 6 grandchild.
- 7 5. "Fund" means the paid family medical leave fund.

8 **65-05.3-02. Paid family medical leave program - Administration.**

9 The director shall establish a division to administer a mandatory paid family medical leave
10 program under this chapter. The organization shall adopt rules to administer the program under
11 this chapter.

12 **65-05.3-03. Paid family medical leave fund.**

13 The paid family medical leave fund is created within the workforce safety and insurance
14 fund, to which the organization shall deposit all moneys received from employers and
15 employees for contributions into the paid family medical leave program. The moneys in the fund
16 may only be expended to pay for wages of an eligible employee under the program.

17 **65-05.3-04. Program requirements.**

18 The paid family medical leave program must:

- 19 1. Require an employer with more than forty-nine eligible employees and an eligible
20 employee of that employer each to contribute to the fund two cents for every ten
21 dollars of wages earned for the benefit of eligible employees on leave for personal
22 medical reasons or to care for a family member;
- 23 2. Allow an employer who employs fewer than fifty eligible employees, and who does not
24 qualify as an employer under subsection 1, to participate in the program;
- 25 3. Allow an eligible employee to take leave for personal medical reasons or to care for a
26 family member if the eligible employee has been employed for at least twelve
27 consecutive months with the same employer and the employee has accrued at least
28 one thousand hours of service in the twelve months before taking leave;
- 29 4. Provide for sixty-six percent of an eligible employee's wages, up to a maximum of four
30 thousand dollars per month;

1 5. Provide up to twelve calendar weeks of coverage per calendar year for an eligible
2 employee on leave under the program.

3 **65-05.3-05. Additional family medical leave benefits.**

4 This chapter does not preclude an employer from providing family medical leave benefits
5 that exceed the requirements of this chapter.

6 **SECTION 5. APPROPRIATION.** The funds provided in this section, or so much of the funds
7 as may be necessary, are appropriated out of any moneys in the general fund in the state
8 treasury, not otherwise appropriated, listed below, to the stated departments of the state of
9 North Dakota for the purposes identified for the period beginning with the effective date of this
10 Act, and ending June 30, 2021, as follows:

11 Subdivision 1.

12 NORTH DAKOTA UNIVERSITY SYSTEM OFFICE

13	Education challenge grants	<u>\$40,000,000</u>
14	Total general fund	\$40,000,000

15 Subdivision 2.

16 DEPARTMENT OF CAREER AND TECHNICAL EDUCATION

17	Career academies	<u>\$30,000,000</u>
18	Total general fund	\$30,000,000

19 Subdivision 3.

20 DEPARTMENT OF HUMAN SERVICES

21	Behavioral health acute care centers development	<u>\$40,000,000</u>
22	Total general fund	\$40,000,000

23 Subdivision 4.

24 DEPARTMENT OF COMMERCE

25	Research ND	\$30,000,000
26	Beyond visual line of sight unmanned aircraft systems	<u>\$30,000,000</u>
27	Total general fund	\$60,000,000

28 SECTION TOTAL

29	Grand total general fund	\$170,000,000
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30 **SECTION 6. APPROPRIATION - TRANSFER TO PAID FAMILY MEDICAL LEAVE FUND -**
31 **INTENT.** There is appropriated out of any moneys in the general fund in the state treasury, not

1 otherwise appropriated, the sum of \$5,000,000, or so much of the sum as may be necessary,
2 which the office of management and budget shall transfer to the North Dakota workforce safety
3 and insurance paid family medical leave fund for the purpose of administering a paid family
4 medical leave program, for the period beginning with the effective date of this Act, and ending
5 June 30, 2021. Workforce safety and insurance shall repay to the general fund any funds spent
6 under this section over a period not to exceed twenty years. It is the intent of the sixty-sixth
7 legislative assembly that the funds transferred be derived from legacy fund earnings transferred
8 to the general fund during the biennium beginning July 1, 2017, and ending June 30, 2019.

9 **SECTION 7. APPROPRIATION - TRANSFER TO HEALTH AND HUMAN SERVICES**

10 **STABILIZATION FUND - INTENT.** There is appropriated out of any moneys in the general fund
11 in the state treasury, not otherwise appropriated, the sum of \$100,000,000, or so much of the
12 sum as may be necessary, which the office of management and budget shall transfer to the
13 health and human services stabilization fund, for the biennium beginning July 1, 2019, and
14 ending June 30, 2021. It is the intent of the sixty-sixth legislative assembly that the funds
15 transferred be derived from legacy fund earnings transferred to the general fund during the
16 biennium beginning July 1, 2019, and ending June 30, 2021.

17 **SECTION 8. LEGISLATIVE INTENT - SOURCE OF FUNDS.** It is the intent of the
18 sixty-sixth legislative assembly that the funds appropriated in section 5 of this Act be derived
19 from earnings on moneys in the legacy fund transferred to the general fund during the biennium
20 beginning July 1, 2017, and ending June 30, 2019.

21 **SECTION 9. CAREER ACADEMIES - MATCHING FUNDS.** Subdivision 3 of section 5 of
22 this Act includes funding for career academies. The department of career and technical
23 education shall require two dollars of matching funds from nonstate sources for each one dollar
24 of career academies funding from the general fund provided for a project.

25 **SECTION 10. EMERGENCY.** Sections 1, 2, 4, 5, 6, 8, and 9 of this Act are declared to be
26 an emergency measure.