

Introduced by

Senators Kreun, Meyer, Schaible

Representatives O'Brien, Owens, Schreiber-Beck

1 A BILL for an Act to amend and reenact section 52-02.1-02 of the North Dakota Century Code,
2 relating to new job training for certain businesses; and to declare an emergency.

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

4 **SECTION 1. AMENDMENT.** Section 52-02.1-02 of the North Dakota Century Code is
5 amended and reenacted as follows:

6 **52-02.1-02. Job service North Dakota - Agreements.**

- 7 1. Program services developed and coordinated by job service North Dakota must be
8 provided to primary sector businesses found eligible for loans or grants under this
9 chapter. Job service North Dakota may enter into an agreement to establish a project
10 with an employer which meets the following conditions:
- 11 ~~1.~~ a. Sets a date of commencement of the project.
 - 12 ~~2.~~ b. Identifies program costs, including deferred costs, which are to be paid from
13 available sources including new jobs credit from withholding to be received or
14 derived from new jobs resulting from the project.
 - 15 ~~3.~~ c. Provides for a guarantee by the employer of payment for program costs.
 - 16 ~~4.~~ d. Provides that any deferral of program cost payments may not exceed ten years
17 from the date of commencement of the project.
 - 18 ~~5.~~ e. Provides that on-the-job training costs for employees may not exceed fifty
19 percent of the annual gross payroll costs of the new jobs in the first full year after
20 the date of commencement of the project. For purposes of this subsection, "gross
21 payroll" is the gross wages and salaries for the new jobs.
 - 22 ~~6.~~ f. Provides the maximum amount of new jobs credit from withholding or tuition and
23 fee payments allowed for a project.

1 7. g. Provides that every employee participating in the new jobs training program must
2 be paid an income of at least ten dollars per hour, plus benefits, by the end of the
3 first year of employment under the project and for the remaining life of the loan.

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

12 3. ~~For purposes of this section, a business that otherwise qualifies as a primary sector~~
13 ~~business, except the business is not an employer because the business contracts with~~
14 ~~an employment agency that is the sole source provider of employees for the business,~~
15 ~~may qualify as a primary sector business. If a business qualifies for job training under~~
16 ~~this subsection, the employment agency must be a party to the agreement and the~~
17 ~~agreement may provide that the employment agency directly receive job training~~
18 ~~services; and section 52-02.1-04, an employer that is not a primary sector business,~~
19 ~~but contracts to provide employees to a primary sector business, may qualify for~~
20 ~~program services if:~~

21 a. The employer and the primary sector business are parties to the same
22 agreement under this section; and

23 b. The agreement under this section designates the employer as the recipient of the
24 program services.

25 **SECTION 2. EMERGENCY.** This Act is declared to be an emergency measure.