

Sixty-fourth
Legislative Assembly
of North Dakota

ENGROSSED HOUSE BILL NO. 1018

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 exemptions; to provide for transfers; to amend and reenact section
3 54-60-17 of the North Dakota Century Code, relating to workforce development; to provide for a
4 legislative management study; and to declare an emergency.

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

6 **SECTION 1. 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, and from special funds derived from federal funds and
9 other income, to the department of commerce for the purpose of defraying the expenses of the
10 department of commerce, for the biennium beginning July 1, 2015, and ending June 30, 2017,
11 as follows:

	<u>Base Level</u>	<u>Adjustments or Enhancements</u>	<u>Appropriation</u>
14 Salaries and wages	\$12,361,114	\$846,420	\$13,207,534
15 <u>Salaries and wages</u>	<u>\$12,361,114</u>	<u>\$810,693</u>	<u>\$13,171,807</u>
16 Accrued leave payments	243,767	(243,767)	0
17 Operating expenses	15,635,749	2,680,125	18,315,874
18 <u>Operating expenses</u>	<u>15,635,749</u>	<u>3,036,541</u>	<u>18,672,290</u>
19 Capital assets	10,000	(10,000)	0
20 Grants	56,622,950	3,507,928	60,130,878
21 <u>Grants</u>	<u>56,622,950</u>	<u>12,364,121</u>	<u>68,987,071</u>
22 Discretionary funds	928,082	0	928,082
23 Workforce enhancement fund	0	1,000,000	1,000,000
24 Economic development initiatives	186,846	(186,846)	0

Sixty-fourth
Legislative Assembly

1	Flood impact grants/loans	0	12,859,869	12,859,869
2	Agricultural products utilization commission	3,240,494	79,524	3,320,018
3	Research North Dakota	0	4,000,000	4,000,000
4	<u>Agricultural products utilization commission</u>	<u>3,240,494</u>	<u>78,117</u>	<u>3,318,611</u>
5	<u>Research North Dakota</u>	<u>0</u>	<u>4,500,000</u>	<u>4,500,000</u>
6	North Dakota trade office	2,613,400	0	2,613,400
7	Entrepreneurship grants and vouchers	0	2,500,000	2,500,000
8	Partner programs	2,022,044	100,000	2,122,044
9	Total all funds	\$93,864,446	\$27,133,523	\$120,997,699
10	Less estimated income	51,707,386	16,820,311	68,527,697
11	Total general fund	\$42,157,060	\$10,312,942	\$52,470,002
12	<u>Entrepreneurship grants and vouchers</u>	<u>0</u>	<u>3,250,000</u>	<u>3,250,000</u>
13	<u>Partner programs</u>	<u>2,022,044</u>	<u>200,000</u>	<u>2,222,044</u>
14	<u>Total all funds</u>	<u>\$93,864,446</u>	<u>\$37,658,728</u>	<u>\$131,523,174</u>
15	<u>Less estimated income</u>	<u>51,707,386</u>	<u>22,812,087</u>	<u>74,519,473</u>
16	<u>Total general fund</u>	<u>\$42,157,060</u>	<u>\$14,846,641</u>	<u>\$57,003,701</u>
17	Full-time equivalent positions	69.25	0.15	69.40

SECTION 2. ONE-TIME FUNDING - EFFECT ON BASE BUDGET - REPORT TO

SIXTY-FIFTH LEGISLATIVE ASSEMBLY. The following amounts reflect the one-time funding items approved by the sixty-third legislative assembly for the 2013-15 biennium and the 2015-17 one-time funding items included in the appropriation in section 1 of this Act:

	<u>One-Time Funding Description</u>	<u>2013-15</u>	<u>2015-17</u>
23	Workforce enhancement fund	\$2,000,000	\$1,000,000
24	Flood impact grants/loans	18,358,866	12,859,869
25	Research North Dakota	12,000,000	4,000,000
26	<u>Research North Dakota</u>	<u>12,000,000</u>	<u>4,500,000</u>
27	Unmanned aircraft system	5,000,000	2,718,620
28	Base retention grants	1,500,000	1,500,000
29	Tourism large infrastructure grants	750,000	750,000
30	Visual North Dakota	250,000	0
31	Innovation grants	300,000	0

Sixty-fourth
Legislative Assembly

1	Federal fiscal stimulus	796,770	0
2	Enhanced use lease grant	2,500,000	2,500,000
3	Child care facility grants	0	1,875,000
4	Homeless shelter grants	0	1,000,000
5	<u>Enhanced use lease grant</u>	<u>2,500,000</u>	<u>7,500,000</u>
6	<u>Child care facility grants</u>	<u>0</u>	<u>2,250,000</u>
7	<u>Homeless shelter grants</u>	<u>0</u>	<u>1,500,000</u>
8	Rural health services grant	0	0
9	Tribal community college grants	0	2,000,000
10	<u>Tribal community college grants</u>	<u>0</u>	<u>3,000,000</u>
11	Nursing home grants	2,000,000	0
12	Value-added renewable energy study	500,000	0
13	Workplace safety training facility grant	0	2,000,000
14	<u>Workplace safety training facility grant</u>	<u>0</u>	<u>4,000,000</u>
15	<u>Workforce recruitment campaign</u>	<u>0</u>	<u>300,000</u>
16	Tourism midwest markets	0	1,000,000
17	Entrepreneurship grants and vouchers	0	1,000,000
18	Total all funds	\$45,955,636	\$34,203,489
19	Less estimated income	23,655,636	15,359,869
20	Total general fund	\$22,300,000	\$18,843,620
21	<u>Entrepreneurship grants and vouchers</u>	<u>0</u>	<u>1,750,000</u>
22	<u>Tourism international</u>	<u>0</u>	<u>247,836</u>
23	<u>Educators and industry externships</u>	<u>0</u>	<u>50,000</u>
24	<u>Total all funds</u>	<u>\$45,955,636</u>	<u>\$44,926,325</u>
25	<u>Less estimated income</u>	<u>23,655,636</u>	<u>21,359,869</u>
26	<u>Total general fund</u>	<u>\$22,300,000</u>	<u>\$23,566,456</u>

27 The 2015-17 one-time funding amounts are not a part of the entity's base budget for the
 28 2017-19 biennium. The department of commerce shall report to the appropriations committees
 29 of the sixty-fifth legislative assembly on the use of this one-time funding for the biennium
 30 beginning July 1, 2015, and ending June 30, 2017.

1 **SECTION 3. GRANT - CONTINGENCY - WORKPLACE SAFETY FACILITY.** The grants
2 line item in section 1 of this Act includes the sum of ~~\$2,000,000~~\$4,000,000 from the general
3 fund for providing a grant to an organization that provides workplace safety training for the
4 purpose of ~~acquiring land, site development, and design for~~constructing a workplace safety
5 training facility, for the biennium beginning July 1, 2015, and ending June 30, 2017. The grant is
6 contingent upon the organization providing \$800,000 of nonstate funds for the construction of
7 the workplace safety training facility.

8 **SECTION 4. BASE RETENTION GRANT PROGRAM.** The grants line item in section 1 of
9 this Act includes the sum of \$1,500,000 from the general fund for a base retention grant
10 program to be developed by the department of commerce, for the biennium beginning July 1,
11 2015, and ending June 30, 2017. The grant program must award direct grants and not cost
12 reimbursement grants. The department may award grants of up to \$500,000 to each community
13 with an air force base or air national guard facilities.

14 **SECTION 5. STRATEGIC INVESTMENT AND IMPROVEMENTS FUND - ENHANCED**
15 **USE LEASE GRANT PROGRAM.** The grants line item in section 1 of this Act includes the sum
16 of ~~\$2,500,000~~\$7,500,000 from the strategic investment and improvements fund for an
17 enhanced use lease grant program to be developed by the department of commerce, for the
18 biennium beginning July 1, 2015, and ending June 30, 2017. Grants are available for
19 constructing infrastructure required for an enhanced use lease private sector business
20 development project located on or adjacent to the Grand Forks air force base. The department
21 may award ~~funds~~up to \$3,100,000, or additional amounts as necessary, for taxi-way
22 reconnection and alert pad refurbishment after an agreement is reached ~~and construction-~~
23 ~~commences~~ for the first private sector single-tenant or multitenant building on the property.
24 ~~Funds~~Remaining funds may also be awarded either after an agreement is reached ~~and-~~
25 ~~construction commences~~ for a second private sector single-tenant or multitenant building on the
26 property or after an agreement is reached with any data intensive tenant for data connectivity
27 and redundancy infrastructure requirements, ~~such as fiber~~ or for data services, such as
28 analysis, modeling or storage, to be provided to tenants or prospective tenants. The department
29 of commerce shall establish accountability requirements for grants awarded under this section.

30 **SECTION 6. CHILD CARE FACILITY GRANT PROGRAM.** The grants line item in
31 section 1 of this Act includes the sum of ~~\$1,875,000~~\$2,250,000 from the general fund for a child

1 care facility grant program to be developed by the department of commerce, for the biennium
2 beginning July 1, 2015, and ending June 30, 2017. The department shall establish guidelines to
3 qualify for a grant under this section which must include a matching requirement one dollar of
4 matching funds for every three dollars of grant funds and a maximum grant amount of
5 \$187,500.

6 **SECTION 7. ENTREPRENEURSHIP GRANTS AND VOUCHER PROGRAM -**

7 **EXEMPTION.** Section 1 of this Act includes the sum of ~~\$2,500,000~~\$3,250,000, of which
8 ~~\$2,350,000~~\$3,100,000 is from the general fund and \$150,000 from special funds, for an
9 entrepreneurship grants and voucher program to be developed and administered by the
10 department of commerce, for the biennium beginning July 1, 2015, and ending June 30, 2017.
11 The department shall establish guidelines to provide grants to entrepreneurial centers certified
12 by the department. The department shall ~~use up to provide a~~ \$300,000 ~~to provide a~~ grant to a
13 nonprofit organization entrepreneurial center assisting individuals with business ideas located in
14 the city where the state capitol is located and provide a \$300,000 grant to each of the two
15 entrepreneurial centers associated with a research university located in a city with a population
16 of at least 50,000 according to the most recent decennial census. The department also shall
17 establish guidelines to award vouchers to entrepreneurs to procure business development
18 assistance from certified entrepreneurial centers or to provide grants to entrepreneurs working
19 with an entrepreneurial center. The amount appropriated for entrepreneurship grants in
20 section 1 of this Act is not subject to section 54-44.1-11 and any unexpended funds from this
21 line item are available during the biennium beginning July 1, 2017, and ending June 30, 2019.

22 **SECTION 8. UNMANNED AIRCRAFT SYSTEMS PROGRAM.** The grants line item in

23 section 1 of this Act includes the sum of \$2,718,620 from the general fund for operations of the
24 unmanned aircraft systems test site. Of the amount appropriated, \$1,200,000 may only be used
25 as matching funds to incentivize private sector business development related to the test site.
26 Matching funds provided under this section are not a business incentive under chapter 54-60.1.

27 **SECTION 9. TRIBAL COLLEGE GRANTS.** The grants line item in section 1 of this Act

28 includes the sum of \$3,000,000 for tribal college grants, \$2,000,000 of which is from the general
29 fund and \$1,000,000 is from the student loan trust fund, for the biennium beginning July 1,
30 2015, and ending June 30, 2017.

1 **SECTION 10. DEPARTMENT OF COMMERCE GRANT - ART AND GALLERY**

2 **ASSOCIATION.** Of the funds appropriated in the discretionary funds line item in section 1 of this
3 Act, the department shall use \$150,000 from the general fund to provide a grant to an arts and
4 gallery association located in the city where the state capitol is located.

5 **SECTION 11. APPROPRIATION - ADJUTANT GENERAL.** There is appropriated out of any
6 moneys in the general fund in the state treasury, not otherwise appropriated, the sum of
7 \$200,000, or so much of the sum as may be necessary, to the adjutant general for the purpose
8 of coordinating and conducting joint training, involving the department of emergency services,
9 federal health and human services' disaster mortuary operational response team, and other
10 state and local emergency personnel, for the biennium beginning July 1, 2015, and ending
11 June 30, 2017.

12 **SECTION 12. DAKOTA DAY TRIPS PUBLICATION.** The department of commerce shall
13 use up to \$15,000 of the funding appropriated in the operating expenses line item in section 1 of
14 this Act for expenses relating to the printing of the Dakota day trips publication.

15 **SECTION 13. TRADE OFFICE - MATCHING FUND REQUIREMENT.** The total North
16 Dakota trade office special line item and the general fund appropriation in section 1 of this Act
17 include \$2,613,400 of funding relating to the North Dakota trade office. The department of
18 commerce may spend seventy percent of this amount without requiring any matching funds
19 from the trade office. Any additional amounts may be spent only to the extent that the North
20 Dakota trade office provides one dollar of matching funds from private or other public sources
21 for each one dollar provided by the department for the biennium beginning July 1, 2015, and
22 ending June 30, 2017. Matching funds may include money spent by businesses or
23 organizations to pay salaries to export assistants, provide training to export assistants, or buy
24 computer equipment as part of the North Dakota trade office's export assistance program.

25 **SECTION 14. TRANSFER - WORKFORCE ENHANCEMENT FUND.** The office of
26 management and budget shall transfer the amount appropriated in the workforce enhancement
27 fund line item in section 1 of this Act to the workforce enhancement fund for the purpose of
28 implementing and administering sections 54-60-21 and 54-60-22, for the biennium beginning
29 July 1, 2015, and ending June 30, 2017.

30 **SECTION 15. TRANSFER - INTERNSHIP FUND.** The office of management and budget
31 shall transfer ~~\$1,500,000~~\$1,550,000 of the amount appropriated in the operating expenses line

1 item in section 1 of this Act to the internship fund for the purpose of administering the operation
2 intern program, for the period beginning with the effective date of this Act and ending June 30,
3 2017.

4 **SECTION 16. TRANSFER - RESEARCH NORTH DAKOTA FUND.** The office of
5 management and budget shall transfer the amount appropriated in the research North Dakota
6 line item in section 1 of this Act to the research North Dakota fund for the purpose of
7 implementing and administering the research North Dakota grant program, for the biennium
8 beginning July 1, 2015, and ending June 30, 2017. The department of commerce shall make
9 available \$1,000,000 of the funds transferred to the research North Dakota fund for research
10 North Dakota for grants to conduct research on and commercialization for the prevention of,
11 treatment of, or cure for viral diseases, cancer, and other pathogens, for the period beginning
12 July 1, 2015, and ending December 31, 2016. If the grants are not awarded by December 31,
13 2016, the funds must be made available for other authorized purposes of research North
14 Dakota.

15 **SECTION 17. TRANSFER - CENTERS OF EXCELLENCE FUND.** After the close of the
16 biennium ending June 30, 2015, the office of management and budget shall transfer any
17 unobligated funds remaining in the centers of excellence fund to the research North Dakota
18 fund.

19 **SECTION 18. EXEMPTION.** The amount appropriated for the agricultural products
20 utilization commission in section 1 of chapter 49 of the 2013 Session Laws is not subject to
21 section 54-44.1-11 and any unexpended funds from this line item for grants are available for
22 grants during the biennium beginning July 1, 2015, and ending June 30, 2017.

23 **SECTION 19. EXEMPTION.** The amount appropriated for the discretionary funds line item
24 in section 1 of chapter 49 of the 2013 Session Laws is not subject to section 54-44.1-11 and any
25 unexpended funds from this line item are available during the biennium beginning July 1, 2015,
26 and ending June 30, 2017.

27 **SECTION 20. EXEMPTION.** The amount appropriated for the technology-based
28 entrepreneurship grant program contained in the grants line item in section 1 of chapter 49 of
29 the 2013 Session Laws is not subject to section 54-44.1-11 and any unexpended funds from
30 this line item are available during the biennium beginning July 1, 2015, and ending June 30,
31 2017.

1 **SECTION 21. EXEMPTION.** The amount appropriated for the child care facility grants in
2 section 14 of chapter 45 of the 2013 Session Laws is not subject to section 54-44.1-11 and any
3 unexpended funds from this line item are available during the biennium beginning July 1, 2015,
4 and ending June 30, 2017.

5 **SECTION 22. EXEMPTION.** The amount appropriated for the unmanned aircraft systems
6 program in section 1 of chapter 49 of the 2013 Session Laws is not subject to section
7 54-44.1-11 and any unexpended funds from this line item are available during the biennium
8 beginning July 1, 2015, and ending June 30, 2017.

9 **SECTION 23. EXEMPTION.** The amount appropriated for the tribal college grants in
10 section 6 of chapter 437 of the 2013 Session Laws is not subject to section 54-44.1-11 and any
11 unexpended funds from this line item are available during the biennium beginning July 1, 2015,
12 and ending June 30, 2017.

13 **SECTION 24. EXEMPTION.** Any amount continued pursuant to section 27 of chapter 49 of
14 the 2013 Session Laws, relating to the antiballistic missile site acquisition grant and base
15 realignment grant, that is unexpended as of June 30, 2015, up to \$600,000, is not subject to
16 section 54-44.1-11 and is available during the biennium beginning July 1, 2015, and ending
17 June 30, 2017. The department of commerce may use funds only for the purpose awarding a
18 grant to assist in the acquisition and development of the antiballistic missile site at the
19 Stanley R. Mickelson safeguard complex in Nekoma.

20 **SECTION 25. AMENDMENT.** Section 54-60-17 of the North Dakota Century Code is
21 amended and reenacted as follows:

22 **54-60-17. Division of workforce development - Internships, apprenticeships, and work**
23 **experience opportunities.**

24 The division of workforce development shall administer a program to increase use of
25 internships, apprenticeships, and work experience opportunities for higher education students
26 ~~and~~, high school students enrolled in grade eleven or twelve, ~~and~~ educators. The primary focus
27 of this program must be higher education internships in target industries. This program shall
28 provide services to employers, communities, and business organizations to increase internship,
29 apprenticeship, and work experience opportunities. The department shall maintain records of
30 the number of internship, apprenticeship, and work experience opportunities subsidized within
31 each funding recipient.

1 **SECTION 26. LEGISLATIVE MANAGEMENT STUDY - CIVILIAN GROUND CENTER**
2 **FOR PROCESSING FIRST RESPONDER DATA.** During the 2015-16 interim, the legislative
3 management shall consider studying issues related to the state's development of a civilian
4 ground center. The issues include: deployable pilots, sensor operators, and aircraft; a central
5 location for processing first responder data, including high definition, high-spectral, infrared and
6 thermal imagery, as well as electronic signals through cell phones and internet service,
7 generated from the deployment of unmanned aircraft and unmanned systems by first
8 responders during federal, state, and local government responses to emergencies, natural
9 disasters, emergency preparedness and law enforcement activities; training services; data
10 management, data analysis, data interpretation and information routing approximating a
11 real-time basis; and a repository of data and best practices for first responders at federal, state,
12 and local levels. The legislative management shall report its findings and recommendations,
13 together with any legislation required to implement the recommendations, to the sixty-fifth
14 legislative assembly.

15 **SECTION 27. EMERGENCY.** Funding of ~~\$1,500,000~~\$1,550,000 in the operating expenses
16 line item in section 1 relating to the operation intern program, and section ~~40~~15 of this Act,
17 ~~relating to the operation intern program~~, are declared to be an emergency measure.