Sixty-sixth Legislative Assembly of North Dakota
In Regular Session Commencing Thursday, January 3, 2019

SENATE BILL NO. 2325
(Senators Kreun, Meyer, Schaible)
(Representatives O'Brien, Owens, Schreiber-Beck)

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

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

SECTION 1. 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.

1. 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.~~ a. Sets a date of commencement of the project.

~~2.~~ b. 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.~~ c. Provides for a guarantee by the employer of payment for program costs.

~~4.~~ d. Provides that any deferral of program cost payments may not exceed ten years from the date of commencement of the project.

~~5.~~ e. 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.~~ f. Provides the maximum amount of new jobs credit from withholding or tuition and fee payments allowed for a project.

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

2. 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.

3. For purposes of this section and section 52-02.1-04, an employer that is not a primary sector business, but contracts to provide employees to a primary sector business, may qualify for program services if:

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

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

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

President of the Senate

Speaker of the House

Secretary of the Senate

Chief Clerk of the House

This certifies that the within bill originated in the Senate of the Sixty-sixth Legislative Assembly of North Dakota and is known on the records of that body as Senate Bill No. 2325 and that two-thirds of the members-elect of the Senate voted in favor of said law.

Vote: Yeas 44 Nays 0 Absent 3

President of the Senate

Secretary of the Senate

This certifies that two-thirds of the members-elect of the House of Representatives voted in favor of said law.

Vote: Yeas 82 Nays 10 Absent 2

Speaker of the House

Chief Clerk of the House

Received by the Governor at 3:48 P.M. on March 21, 2019.

Approved at 5:15 P.M. on March 26, 2019.

Governor

Filed in this office this 27th day of March, 2019,

at 8:16 o'clock A. M.

Secretary of State