

**FIRST ENGROSSMENT
with House Amendments
ENGROSSED SENATE BILL NO. 2218**

Introduced by

Senators Wardner, Schaible, Warner

Representatives D. Johnson, Kasper, Boe

1 A BILL for an Act to provide workforce development grants to tribally controlled community
2 colleges through the North Dakota department of commerce; and to provide an appropriation.

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

4 **SECTION 1.**

5 **Definitions.**

6 In this Act, unless the context otherwise requires:

7 1. "Institutional support" includes any ordinary and customary expenses associated with
8 the operation of the college, including space and utility costs, the cost of providing
9 financial services for any program or project funded by grants awarded under this Act
10 and programs that operate to provide assistance between colleges.

11 2. "Tribally controlled community college" means an accredited institution of higher
12 education in this state which is formally controlled or has been formally sanctioned or
13 chartered by the governing body of a federally recognized Indian tribe or by any
14 combination of any federally recognized Indian tribes.

15 **SECTION 2.**

16 **Establishment of workforce development grant for tribally controlled community**
17 **colleges.**

18 There is established within the division of workforce development of the department of
19 commerce a program to provide workforce development grants to tribally controlled community
20 colleges in North Dakota. A tribally controlled community college in this state may apply to the
21 department of commerce for a noncompetitive job training grant in such manner as the
22 department of commerce prescribes. The funds appropriated under this Act must be divided
23 equally among the tribally controlled community colleges that apply for a grant.

24 **SECTION 3.**

1 **Purpose of grants.**

2 Any grant awarded under section 2 of this Act may be used at the discretion of the college:

3 1. For development of programs that assist in providing certificates or degrees to North
4 Dakota students attending the college that qualify the student to obtain jobs for which
5 applicants are being sought within the state, as identified by the department of
6 commerce, job service North Dakota, or any of the federally recognized Indian tribes
7 within North Dakota; or

8 2. To assist any North Dakota student attending the college to establish, or to assist in
9 establishing, a new business operating within North Dakota that will employ North
10 Dakota citizens.

11 Any funds provided to tribally controlled community colleges must be used to supplement, not
12 supplant, any existing program or funding source of the college.

13 **SECTION 4.**

14 **Cooperation and collaboration with other agencies.**

15 To the maximum extent possible, tribally controlled community college that receives a grant
16 under this Act must endeavor to cooperate, collaborate, or partner with other tribal, state, or
17 federal agencies or institutions that are providing economic development assistance or
18 workforce training and development within the state, and the department of commerce must
19 assist in facilitating such cooperation and partnerships.

20 **SECTION 5.**

21 **Use of grants.**

22 A grant awarded under this Act may be used for:

- 23 1. Maintenance and operation of the program; including development costs; costs of
24 basic and special instruction, including special programs for individuals with
25 disabilities; academic instruction; materials; student costs; administrative expenses;
26 boarding costs; transportation; student services; day care and family support programs
27 for students and their families, including contributions to the costs of education for
28 dependents; and student stipends;
- 29 2. Capital expenditures, including operations, maintenance, improvements, repair, and
30 capital construction projects for the improvement of the college;

- 1 3. Costs associated with improvement, repair, upkeep, replacement, and upgrade of the
- 2 instructional equipment;
- 3 4. Institutional support of the college, including assistance with any business
- 4 development of the college that is operating in North Dakota and employing North
- 5 Dakota citizens that is intended to assist the students of the college; and
- 6 5. Scholarships for students attending the college.

7 **SECTION 6.**

8 **Reports to the department of commerce.**

9 On an annual basis, within sixty days of the end of each fiscal year of the biennium for
10 which funds are appropriated under this Act, each tribally controlled community college
11 receiving a grant under this Act must provide a report to the department of commerce that
12 states:

- 13 1. How the funds received by the college were spent during the previous twelve months;
- 14 2. The number of students assisted by the grants, either directly or indirectly;
- 15 3. The graduation rate of students assisted by the grants;
- 16 4. The kind of jobs for which training programs were developed by the college;
- 17 5. The placement rate of all graduates of the college in jobs needed in North Dakota in
- 18 relation to all jobs in which graduates were placed;
- 19 6. The rate of students graduating from the tribal college who pursue further degrees;
- 20 and
- 21 7. The number of jobs and businesses created or which were assisted in being created
- 22 or maintained with funds provided under this Act.

23 **SECTION 7. APPROPRIATION.** There is appropriated out of any moneys in the general
24 fund in the state treasury, not otherwise appropriated, the sum of \$5,000,000, to the North
25 Dakota department of commerce for the purpose of providing grants to tribally controlled
26 community colleges under this Act for the biennium beginning July 1, 2013, and ending
27 June 30, 2015.