

Fifty-sixth
Legislative Assembly
of North Dakota

SENATE BILL NO. 2431

Introduced by

Senator Christmann

Representative Dorso

1 A BILL for an Act relating to review of state agency applications for grants from the United
2 States government or foundations.

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

4 **SECTION 1. Definitions.** In this Act, unless the context otherwise requires:

- 5 1. "Application" includes any request for receipt of a grant, but does not include
6 inquiries concerning the availability of grants or any terms of a grant.
- 7 2. "Foundation" includes any person that may provide a grant other than a state
8 agency or the United States government.
- 9 3. "Grant" includes any conveyance of money or property, including gifts and
10 donations, which is not required to be repaid or which is not paid with full and
11 valuable consideration from the state agency or agencies receiving the grant and
12 which must be requested or applied for from the United States government or a
13 foundation. The term does not include the normal operations of any statutory
14 program, nor any grant that has been approved or appropriated by the legislative
15 assembly.
- 16 4. "State agency" includes any elected official or other entity of the state.

17 **SECTION 2. Applications for grants must be provided.** Before a state agency may
18 submit an application for a grant, the state agency must submit the application to the office of
19 intergovernmental assistance. The state agency may also submit any other pertinent
20 information.

21 **SECTION 3. Review process.** The office of intergovernmental assistance shall review
22 the application, consult with the applying state agency, and issue a report regarding the
23 application.

1 **SECTION 4. Contents of report.** The report of the office of intergovernmental
2 assistance must include:

- 3 1. A summary of the grant and its purpose, including an analysis of how the grant will
4 support existing state planning and policies;
- 5 2. Any conditions, terms, or requirements of the grant;
- 6 3. The amount of new funds to be obtained from the grant and the amount, if any, of
7 state funds required to fulfill any condition of the grant;
- 8 4. The number of new employees needed to fulfill any duties or responsibilities
9 created if the grant is received, and an explanation concerning plans to reduce or
10 eliminate any positions created at the end of the grant;
- 11 5. The effects of the grant on other state agencies or political subdivisions;
- 12 6. Whether the grant is duplicative of programs, policies, or other grants already
13 existing or which may be applied for by other state agencies or political
14 subdivisions;
- 15 7. The effects of the grant on individuals and private businesses or entities, including
16 any comments received concerning the grant;
- 17 8. Whether any state laws, rules, or contracts must be superseded, modified,
18 suspended, waived, or amended to obtain the grant or to fulfill the terms of the
19 grant;
- 20 9. The reputation, policies, and goals of any foundation involved with the grant;
- 21 10. Whether the legislative assembly has indicated an intent to reject the moneys or
22 the program fostered by the grant; and
- 23 11. Any other relevant or pertinent considerations.

24 **SECTION 5. Consideration of application.** The office of intergovernmental
25 assistance shall approve or reject the application within thirty days after receiving the
26 application. The state agency may not submit the application to the United States government
27 or the foundation if the office of intergovernmental assistance does not approve the application.

28 **SECTION 6. Effect of approval.** Approval to submit an application under this Act does
29 not bind the emergency commission or the budget section of the legislative council in exercising
30 responsibilities under chapter 54-16.

- 1 **SECTION 7. Effect of rejection.** Rejection of a state agency's request to submit an
- 2 application does not prevent that state agency from seeking legislative approval or an
- 3 appropriation concerning the grant application.