

Fifty-seventh
Legislative Assembly
of North Dakota

REENGROSSED HOUSE BILL NO. 1414

Introduced by

Representatives Berg, Pietsch, B. Thoreson, Weiler

Senator Espegard

1 A BILL for an Act to provide for the business products utilization commission; to amend and
2 reenact sections 54-34.3-08 and 54-34.3-11 of the North Dakota Century Code, relating to
3 powers of the business products utilization commission; and to provide an appropriation.

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

5 **SECTION 1. AMENDMENT.** Section 54-34.3-08 of the 1999 Supplement to the North
6 Dakota Century Code is amended and reenacted as follows:

7 **54-34.3-08. Patents.** The department of economic development and finance, the
8 North Dakota development fund, incorporated, the business products utilization commission,
9 and the North Dakota agricultural products utilization commission may hold or assign for
10 remuneration all or a portion of their interest in patents or royalty rights acquired in the course
11 of their operation and performance of duties as provided by law.

12 **SECTION 2. AMENDMENT.** Section 54-34.3-11 of the 1999 Supplement to the North
13 Dakota Century Code is amended and reenacted as follows:

14 **54-34.3-11. Mutual fund capital ~~pool~~ pools - Authorization.** The department of
15 economic development and finance, in conjunction with the agricultural products utilization
16 commission, may establish ~~a~~ an agricultural products utilization commission mutual fund capital
17 pool to attract farm and nonfarm investments in value-added processing projects and, in
18 conjunction with the business products utilization commission, may establish a business
19 products utilization commission mutual fund capital pool to attract investments in
20 entrepreneurial startup projects. If the department establishes mutual fund capital pools under
21 this section, the agricultural products utilization commission mutual fund capital pool and the
22 business products utilization commission mutual fund capital pool must be separate and funds
23 of one pool may not be mingled with the other.

1 **SECTION 3. Business products utilization commission.** The business products
2 utilization commission shall administer the business products utilization commission program.
3 The director of the department of economic development and finance shall assign the duties of
4 the commission to an existing board or commission within the department.

5 **SECTION 4. Business products utilization commission - Powers.** The business
6 products utilization commission may apply for, accept, and expend any appropriation, grant,
7 gift, or service made available from public or private sources. The commission may administer
8 grant programs to assist entrepreneurs in research, development, testing, and marketing. The
9 grant programs may include a feasibility program, market evaluation program, legal
10 organization program, marketing and research grant program, cooperative marketing grant
11 program, business and product planning grant program, product prototype development grant
12 program, and a North American marketing grant program. The commission may require, by
13 contract, repayment of a grant, in whole or in part, if the grant recipient does not fulfill the
14 conditions under which the grant was awarded.

15 **SECTION 5. Business products utilization commission - Meetings - Reports.** The
16 business products utilization commission is a division of the department of economic
17 development and finance. The commission shall meet as necessary and shall report to each
18 session of the legislative assembly. The commission may contract with public entities or
19 private parties for services.

20 **SECTION 6. Business products utilization commission - Reimbursement -**
21 **Compensation.** Members of the business products utilization commission are entitled to
22 reimbursement for actual and necessary expenses incurred in the performance of commission
23 duties, in the same manner as other state officials, according to sections 44-08-04 and
24 54-06-09, and if not otherwise employed by the state of North Dakota, may receive up to fifty
25 dollars for each regular meeting attended.

26 **SECTION 7. APPROPRIATION.** There is appropriated out of any moneys in the
27 general fund in the state treasury, not otherwise appropriated, the sum of \$125,000, or so much
28 of the sum as may be necessary, to the department of economic development and finance for
29 the purpose of funding the business products utilization commission, for the biennium
30 beginning July 1, 2001, and ending June 30, 2003.