

PROPOSED AMENDMENTS TO SENATE BILL NO. 2019

Page 1, remove line 2

Page 1, line 3, replace "grants" with "commerce", replace "a statement" with "statements", and after the third semicolon insert "to direct the state tax commissioner to audit the ethanol incentive program; to provide for legislative council studies; to create and enact a new section to chapter 54-34.4 of the North Dakota Century Code, relating to tourism copyrights and trademarks;"

Page 1, line 4, after "4-14.1-07" insert ", 54-34.4-04,"

Page 1, line 5, after "incentives" insert ", the motion picture development office advisory board," and remove the second "and"

Page 1, line 6, after "date" insert "; and to declare an emergency"

Page 1, line 11, replace "economic development and finance" with "commerce"

Page 1, line 12, replace "its" with "the" and after "expenses" insert "of its various divisions"

Page 1, replace lines 14 through 22 with:

"Subdivision 1.

ADMINISTRATION

Salaries and wages	\$877,474
Operating expenses	187,516
Economic development foundation	<u>100,000</u>
Total line items	\$1,164,990
Less estimated income	<u>249,487</u>
Total general fund appropriation	\$915,503

Subdivision 2.

ECONOMIC DEVELOPMENT AND FINANCE

Salaries and wages	\$2,388,822
Operating expenses	4,453,499
Equipment	111,058
Grants	1,723,292
North Dakota development fund	1,616,000
Agricultural products utilization	<u>5,007,270</u>
Total all funds	\$15,299,941
Less estimated income	<u>5,390,203</u>
Total general fund appropriation	\$9,909,738

Subdivision 3.

COMMUNITY SERVICES

Salaries and wages	\$1,665,525
Operating expenses	2,539,380
Equipment	73,500
Grants	34,306,934
Total line items	\$38,585,339
Less estimated income	<u>37,503,285</u>
Total general fund appropriation	\$1,082,054

Subdivision 4.

TOURISM

Salaries and wages	\$905,785
Operating expenses	3,300,437
Equipment	15,378
Grants	100,000
Lewis and Clark bicentennial	<u>755,751</u>
Total all funds	\$5,077,351
Less estimated income	<u>363,000</u>
Total general fund appropriation	\$4,714,351

Subdivision 5.

WORKFORCE DEVELOPMENT

Salaries and wages	\$191,287
Operating expenses	50,000
Equipment	25,000
Grants	<u>675,000</u>
Total line items	\$941,287
Less estimated income	<u>60,584</u>
Total general fund appropriation	\$880,703
Grand total general fund appropriation S.B. 2019	\$17,502,349
Grand total special funds appropriation S.B. 2019	\$43,566,559
Grand total all funds S.B. 2019	\$61,068,908"

Page 1, line 24, after "in" insert "subdivision 2 of"

Page 2, line 6, after "in" insert "subdivision 2 of"

Page 2, line 10, after "in" insert "subdivision 2 of"

Page 2, line 12, remove "Of this amount, \$2,493,000 is for the purpose of providing"

Page 2, remove line 13

Page 2, line 14, remove "beginning July 1, 2001, and ending June 30, 2003." and after "in" insert "subdivision 2 of"

Page 2, line 20, after the period insert "An ethanol plant shall notify the agricultural products utilization commission, in writing, by October 1, 2001, of its intent to request ethanol incentive payments for the biennium beginning July 1, 2001, and ending June 30, 2003, to be eligible to receive payments authorized by this section."

Page 2, line 29, after "If" insert "an ethanol plant has not notified the agricultural products utilization commission of its intent to request ethanol incentive payments for the biennium beginning July 1, 2001, and ending June 30, 2003, or if,"

Page 2, line 31, after "of" insert "funds certified by the agricultural products utilization commission as not needed for ethanol incentive payments or the"

Page 3, line 5, after "in" insert "subdivision 2 of"

Page 3, line 10, after "in" insert "subdivision 2 of"

Page 3, line 11, replace "\$1,246,500" with "\$1,250,000"

Page 3, line 16, replace "\$750,000" with "\$1,616,000"

"SECTION 8. LEGISLATIVE INTENT - DEPARTMENT OF COMMERCE STRATEGIC PLAN. It is the intent of the legislative assembly that the department of commerce develop a strategic plan including the new economy initiative, with the assistance of the national association of state development agencies, three legislators appointed by the chairman of the legislative council, and one member of the economic development association of North Dakota, for the biennium beginning July 1, 2001, and ending June 30, 2003.

SECTION 9. LEGISLATIVE COUNCIL STUDY - DEPARTMENT OF COMMERCE. The legislative council shall consider monitoring, during the 2001-02 interim, the establishment of the department of commerce.

SECTION 10. LEGISLATIVE INTENT - ECONOMIC DEVELOPMENT COOPERATIVE MARKETING. It is the intent of the legislative assembly that \$250,000 of the operating expenses line item in subdivision 2 of section 1 of this Act be spent for cooperative marketing grants involving local economic development corporations, for the biennium beginning July 1, 2001, and ending June 30, 2003.

SECTION 11. ECONOMIC DEVELOPMENT PROFESSIONAL TRAINING GRANTS. The department of commerce shall allocate \$15,000 of the grants line item in subdivision 2 of section 1 of this Act for providing professional training grants to economic development professionals in communities with a population of less than ten thousand, for the biennium beginning July 1, 2001, and ending June 30, 2003. Each applicant may receive up to \$750 per year for attending out-of-state professional training courses or national economic development conferences.

SECTION 12. LEGISLATIVE INTENT - GRANTS LINE ITEM - REMODELING OF ABANDONED PUBLIC SCHOOL BUILDINGS PILOT PROJECT. It is the intent of the legislative assembly that \$50,000 of the grants line item in subdivision 2 of section 1 of this Act be used to establish a pilot project to provide grants to cities, school districts, or authorized job development authorities to assist in the remodeling of abandoned public school buildings to be used for the location or relocation of a new or expanding business. If the applicant provides matching funds of at least twenty percent for the proposed project, the department may award a grant of up to five thousand dollars for each new full-time job proposed to be created as a result of the project. The maximum amount of a grant under this section is fifty thousand dollars. The grant funds may be used only to remodel closed public school buildings in a city in which the closed school was the only school in the city. The department may establish additional guidelines for the awarding of grants under this section.

SECTION 13. LEGISLATIVE INTENT - GRANTS - CHAMPION COMMUNITIES. It is the intent of the legislative assembly that \$75,000 of the grants line item in subdivision 5 of section 1 of this Act be allocated to provide matching funds on a dollar-for-dollar basis to the United States department of agriculture designated champion/REAP alliance communities to provide funding for an economic development coordinator employed by these communities to assist in economic development and to help stem outmigration, for the biennium beginning July 1, 2001, and ending June 30, 2003. Local matching funds may be cash or in-kind contributions.

SECTION 14. LEGISLATIVE INTENT - DEVELOPMENT FUND MISSION. It is the intent of the legislative assembly that the department of commerce continue the current mission of the development fund and not become involved in the new markets initiative, for the biennium beginning July 1, 2001, and ending June 30, 2003.

SECTION 15. STATE TAX COMMISSIONER - AUDIT OF ETHANOL PRODUCTION INCENTIVE PROGRAM. The state tax commissioner shall conduct an audit of the ethanol production incentive program during the biennium beginning July 1, 2001, and ending June 30, 2003.

SECTION 16. LEGISLATIVE INTENT - TOURISM. It is the intent of the legislative assembly that for the purpose of preparing a budget request for the 2003-05 biennium, the base budget request for the tourism department not include the \$100,000 appropriation provided by the fifty-seventh legislative assembly for additional marketing relating to the Lewis and Clark bicentennial.

SECTION 17. LEGISLATIVE COUNCIL STUDY - WORKFORCE DEVELOPMENT. The legislative council shall consider studying, during the 2001-02 interim, workforce development programs in North Dakota, including efforts to recruit and retain North Dakota's workforce, underemployment and skills shortages, current workforce training efforts, the involvement of the new economy initiative goals and strategies, and the work force 2000 and new jobs training programs and the appropriate agency that should administer these two programs.

SECTION 18. LEGISLATIVE INTENT - WORKFORCE DEVELOPMENT GRANTS - TALENT RECRUITMENT INITIATIVE. It is the intent of the legislative assembly that \$400,000 of the grants line item in subdivision 5 of section 1 of this Act be allocated for the development of a public/private partnership statewide talent recruitment initiative for the biennium beginning July 1, 2001, and ending June 30, 2003.

SECTION 19. LEGISLATIVE INTENT - WORKFORCE DEVELOPMENT GRANTS - LABOR AVAILABILITY AND WORKFORCE NEEDS. It is the intent of the legislative assembly that \$200,000 of the grants line item in subdivision 5 of section 1 of this Act be allocated for grants to local communities or regions for labor availability research or for identification of employer workforce needs for the biennium beginning July 1, 2001, and ending June 30, 2003."

Page 4, after line 22, insert:

"SECTION 21. AMENDMENT. Section 54-34.4-04 of the 1999 Supplement to the North Dakota Century Code is amended and reenacted as follows:

54-34.4-04. North Dakota motion picture development office - Advisory board. The North Dakota motion picture development office is a part of the tourism department. The office shall promote North Dakota as a location for shooting films, television shows, documentaries, and commercials, and shall provide technical expertise to persons desiring to use the state as a filming location. The director of the tourism department shall appoint staff necessary to fulfill the functions and duties of the office and ~~shall~~ may appoint an advisory board of no more than ten members to assist in advising the office and to provide technical expertise to offer prospective film companies seeking locations and advice. The board shall serve without compensation, except reimbursement for actual and necessary expenses at the same rate as allowed other state officers to be paid from funds available to the office within the limits of legislative appropriations.

SECTION 22. A new section to chapter 54-34.4 of the North Dakota Century Code is created and enacted as follows:

Copyright and trademark. The director of the tourism department may obtain copyright or trademark protection for anything that may be used to promote the policies listed in section 54-34.4-03. The director may license and charge a fee for photographs and logos and anything with copyright or trademark protection."

Page 5, line 12, replace "9" with "23"

"SECTION 25. EMERGENCY. Section 22 of this Act is declared to be an emergency measure."

Renumber accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

Senate Bill No. 2019 - Summary of Senate Action

	EXECUTIVE BUDGET	SENATE CHANGES	SENATE VERSION
Department of Economic Development and Finance			
Total all funds	\$20,411,391	(\$20,411,391)	
Less estimated income	<u>6,396,902</u>	<u>(6,396,902)</u>	
General fund	\$14,014,489	(\$14,014,489)	\$0
Department of Commerce - Administration			
Total all funds		\$1,164,990	\$1,164,990
Less estimated income		<u>249,487</u>	<u>249,487</u>
General fund	\$0	\$915,503	\$915,503
Department of Commerce - Economic Development			
Total all funds		\$15,299,941	\$15,299,941
Less estimated income		<u>5,390,203</u>	<u>5,390,203</u>
General fund	\$0	\$9,909,738	\$9,909,738
Department of Commerce - Community Services			
Total all funds		\$38,585,339	\$38,585,339
Less estimated income		<u>37,503,285</u>	<u>37,503,285</u>
General fund	\$0	\$1,082,054	\$1,082,054
Department of Commerce - Tourism			
Total all funds		\$5,077,351	\$5,077,351
Less estimated income		<u>363,000</u>	<u>363,000</u>
General fund	\$0	\$4,714,351	\$4,714,351
Department of Commerce - Workforce Development			
Total all funds		\$941,287	\$941,287
Less estimated income		<u>60,584</u>	<u>60,584</u>
General fund	\$0	\$880,703	\$880,703
Bill Total			
Total all funds	\$20,411,391	\$40,657,517	\$61,068,908
Less estimated income	<u>6,396,902</u>	<u>37,169,657</u>	<u>43,566,559</u>
General fund	\$14,014,489	\$3,487,860	\$17,502,349

Senate Bill No. 2019 - Department of Economic Development and Finance - Senate Action

	EXECUTIVE BUDGET	SENATE CHANGES	SENATE VERSION
Salaries and wages	\$3,725,220	(\$3,725,220)	
Operating expenses	8,944,228	(8,944,228)	
Equipment	296,358	(296,358)	
Grants	1,673,292	(1,673,292)	
North Dakota development fund	750,000	(750,000)	
Agricultural products utilization	<u>5,022,293</u>	<u>(5,022,293)</u>	
Total all funds	\$20,411,391	(\$20,411,391)	\$0
Less estimated income	<u>6,396,902</u>	<u>(6,396,902)</u>	
General fund	\$14,014,489	(\$14,014,489)	\$0
FTE	30.00	(30.00)	0.00

Dept. 601 - Department of Economic Development and Finance - Detail of Senate Changes

	CONSOLIDATE WITH DEPARTMENT OF COMMERCE ¹	TOTAL SENATE CHANGES
Salaries and wages	(\$3,725,220)	(\$3,725,220)
Operating expenses	(8,944,228)	(8,944,228)
Equipment	(296,358)	(296,358)
Grants	(1,673,292)	(1,673,292)
North Dakota Development Fund	(750,000)	(750,000)

Agricultural products utilization	<u>(5,022,293)</u>	<u>(5,022,293)</u>
Total all funds	(\$20,411,391)	(\$20,411,391)
Less estimated income	<u>(6,396,902)</u>	<u>(6,396,902)</u>
General fund	(\$14,014,489)	(\$14,014,489)
FTE	(30.00)	(30.00)

¹ Funding for the Department of Economic Development and Finance is removed and consolidated into the Department of Commerce as recommended by Governor Hoeven.

Senate Bill No. 2019 - Department of Commerce - Administration - Senate Action

	EXECUTIVE BUDGET	SENATE CHANGES	SENATE VERSION
Salaries and wages		\$877,474	\$877,474
Operating expenses		187,516	187,516
Economic development foundation		100,000	100,000
Total all funds	\$0	\$1,164,990	\$1,164,990
Less estimated income		<u>249,487</u>	<u>249,487</u>
General fund	\$0	\$915,503	\$915,503
FTE	0.00	8.00	8.00

Dept. 606 - Department of Commerce - Administration - Detail of Senate Changes

	CREATE DEPARTMENT OF COMMERCE ¹	ADD FUNDING FOR FOUNDATION	TOTAL SENATE CHANGES
Salaries and wages	\$877,474		\$877,474
Operating expenses	187,516		187,516
Economic development foundation		\$100,000	100,000
Total all funds	\$1,064,990	\$100,000	\$1,164,990
Less estimated income	<u>249,487</u>		<u>249,487</u>
General fund	\$815,503	\$100,000	\$915,503
FTE	8.00	0.00	8.00

¹ This change provides funding for this division of the Department of Commerce as recommended by Governor Hoeven.

A section is added providing that the Legislative Council consider monitoring the establishment of the department during the 2001-02 interim.

A section of legislative intent is added providing that the department develop a strategic plan.

Senate Bill No. 2019 - Department of Commerce - Economic Development - Senate Action

	EXECUTIVE BUDGET	SENATE CHANGES	SENATE VERSION
Salaries and wages		\$2,388,822	\$2,388,822
Operating expenses		4,453,499	4,453,499
Equipment		111,058	111,058
Grants		1,723,292	1,723,292
North Dakota Development Fund		1,616,000	1,616,000
Agricultural products utilization		<u>5,007,270</u>	<u>5,007,270</u>
Total all funds	\$0	\$15,299,941	\$15,299,941
Less estimated income		<u>5,390,203</u>	<u>5,390,203</u>
General fund	\$0	\$9,909,738	\$9,909,738
FTE	0.00	19.00	19.00

Dept. 607 - Department of Commerce - Economic Development - Detail of Senate Changes

	CREATE DEPARTMENT OF COMMERCE ¹	TRANSFER WORKFORCE DEVELOPMENT ²	REDUCE DEVELOPMENT FUND ³	INCREASE FUNDING FOR MARKETING	ADD FUNDING FOR GRANTS	TOTAL SENATE CHANGES
Salaries and wages	\$2,580,109	(\$191,287)				\$2,388,822
Operating expenses	4,413,499			\$40,000		4,453,499
Equipment	111,058					111,058
Grants	1,673,292				\$50,000	1,723,292
North Dakota Development	2,616,000		(\$1,000,000)			1,616,000

Fund Agricultural products utilization	5,007,270					5,007,270
Total all funds	\$16,401,228	(\$191,287)	(\$1,000,000)	\$40,000	\$50,000	\$15,299,941
Less estimated income	<u>5,450,787</u>	<u>(60,584)</u>				<u>5,390,203</u>
General fund	\$10,950,441	(\$130,703)	(\$1,000,000)	\$40,000	\$50,000	\$9,909,738
FTE	21.00	(2.00)	0.00	0.00	0.00	19.00

¹ This change provides funding for this division of the Department of Commerce as recommended by Governor Hoeven.

² The workforce development position and a research position are transferred to the Workforce Development Division of the department.

³ Funding for the North Dakota Development Fund is provided at \$1,616,000 from the general fund, \$1,000,000 less than recommended by Governor Hoeven and \$866,000 more than Governor Schafer's recommendation.

Provisions are added removing the allocation of \$7,000 of the funding provided for the ethanol incentive program audit. A section is added requiring the Tax Commissioner to conduct an audit of the program during the 2001-03 biennium.

Provisions are added requiring the ethanol plants to notify the Agricultural Products Utilization Commission by October 1, 2001, if the plants intend to request ethanol incentives during the 2001-03 biennium. If any plants do not intend to request the incentives, the funding appropriated for those incentives will be used for Agricultural Products Utilization Commission grants during the 2001-03 biennium.

A section is added providing that \$250,000 of the funding provided for marketing be spent for cooperative marketing grants involving local economic development corporations.

A section is added providing that \$15,000 of the grants line item be allocated for professional training grants to economic development professionals in communities with a population of less than 10,000.

A section is added providing that \$50,000 of the grants line item be used for grants for a pilot project for remodeling of abandoned public school buildings.

A section of legislative intent is added providing that the development fund continue its current mission and not become involved in the new markets initiative during the 2001-03 biennium.

Senate Bill No. 2019 - Department of Commerce - Community Services - Senate Action

	EXECUTIVE BUDGET	SENATE CHANGES	SENATE VERSION
Salaries and wages		\$1,665,525	\$1,665,525
Operating expenses		2,539,380	2,539,380
Equipment		73,500	73,500
Grants		<u>34,306,934</u>	<u>34,306,934</u>
Total all funds	\$0	\$38,585,339	\$38,585,339
Less estimated income		<u>37,503,285</u>	<u>37,503,285</u>
General fund	\$0	\$1,082,054	\$1,082,054
FTE	0.00	15.00	15.00

Dept. 608 - Department of Commerce - Community Services - Detail of Senate Changes

	CREATE DEPARTMENT OF COMMERCE ¹	REDUCE FUNDING FOR RENAISSANCE ADMINISTRATION ²	TOTAL SENATE CHANGES
Salaries and wages	\$1,665,525		\$1,665,525
Operating expenses	2,579,380	(\$40,000)	2,539,380
Equipment	73,500		73,500
Grants	<u>34,306,934</u>		<u>34,306,934</u>
Total all funds	\$38,625,339	(\$40,000)	\$38,585,339
Less estimated income	<u>37,503,285</u>		<u>37,503,285</u>
General fund	\$1,122,054	(\$40,000)	\$1,082,054
FTE	15.00	0.00	15.00

¹ This change provides funding for this division of the Department of Commerce as recommended by Governor Hoeven.

² The funding provided for the administration of the renaissance zone program is removed.

Senate Bill No. 2019 - Department of Commerce - Tourism - Senate Action

	EXECUTIVE BUDGET	SENATE CHANGES	SENATE VERSION
Salaries and wages		\$905,785	\$905,785
Operating expenses		3,300,437	3,300,437
Equipment		15,378	15,378
Grants		100,000	100,000
Lewis and Clark Bicentennial		<u>755,751</u>	<u>755,751</u>
Total all funds	\$0	\$5,077,351	\$5,077,351
Less estimated income		<u>363,000</u>	<u>363,000</u>
General fund	\$0	\$4,714,351	\$4,714,351
FTE	0.00	9.00	9.00

Dept. 609 - Department of Commerce - Tourism - Detail of Senate Changes

	CREATE DEPARTMENT OF COMMERCE ¹	TRANSFER GRANTS TO OPERATING ²	ADD FUNDING FOR LEWIS AND CLARK MARKETING ³	ADD FUNDING FOR GRANTS ⁴	TOTAL SENATE CHANGES
Salaries and wages	\$905,785				\$905,785
Operating expenses	3,270,437	\$30,000			3,300,437
Equipment	15,378				15,378
Grants	30,000	(30,000)		\$100,000	100,000
Lewis and Clark Bicentennial	655,751		\$100,000		755,751
Total all funds	\$4,877,351	\$0	\$100,000	\$100,000	\$5,077,351
Less estimated income	<u>363,000</u>				<u>363,000</u>
General fund	\$4,514,351	\$0	\$100,000	\$100,000	\$4,714,351
FTE	9.00	0.00	0.00	0.00	9.00

¹ This change provides funding for this division of the Department of Commerce as recommended by Governor Hoeven.

² The recommended grants line item of \$30,000 is removed and the funding is transferred to the operating expenses line item. The grant was previously provided to the Greater North Dakota Association for publication of the North Dakota Horizons magazine.

³ The recommended appropriation for the Lewis and Clark Bicentennial is increased by \$100,000 from the general fund to provide additional funding for marketing relating to the Lewis and Clark Bicentennial event.

⁴ Funding is added for providing a grant to the North Dakota Cowboy Hall of Fame.

Sections are added that:

- Provide legislative intent that the additional \$100,000 general fund appropriation provided for Lewis and Clark Bicentennial marketing is not to be considered part of the department's base budget for the purpose of submitting the budget request for the 2003-05 biennium.
- Amend North Dakota Century Code (NDCC) Section 54-34.4-04 to provide that the director of the Tourism Department may appoint an advisory board to assist the North Dakota Motion Picture Development Office. Section 54-34.4-04 currently requires the appointment of such a board.
- Create a new section to NDCC Chapter 54-34.4 to provide that the director of the Tourism Department may obtain copyright or trademark protection for any item used to promote the state tourism policies, as established by Section 54-34.4-03. This section is an emergency measure.

Senate Bill No. 2019 - Department of Commerce - Workforce Development - Senate Action

	EXECUTIVE BUDGET	SENATE CHANGES	SENATE VERSION
Salaries and wages		\$191,287	\$191,287
Operating expenses		50,000	50,000
Equipment		25,000	25,000
Grants		<u>675,000</u>	<u>675,000</u>
Total all funds	\$0	\$941,287	\$941,287
Less estimated income		<u>60,584</u>	<u>60,584</u>
General fund	\$0	\$880,703	\$880,703
FTE	0.00	2.00	2.00

Dept. 610 - Department of Commerce - Workforce Development - Detail of Senate Changes

	PROVIDE FUNDING FOR THE DIVISION ¹	TOTAL SENATE CHANGES
Salaries and wages	\$191,287	\$191,287
Operating expenses	50,000	50,000
Equipment	25,000	25,000
Grants	<u>675,000</u>	<u>675,000</u>
Total all funds	\$941,287	\$941,287
Less estimated income	<u>60,584</u>	<u>60,584</u>
General fund	\$880,703	\$880,703
FTE	2.00	2.00

¹ Funding for the Workforce Development Division of the department is provided, including 2 FTE positions transferred from the Economic Development and Finance Division.

A section is added providing that \$75,000 of the grants line item be allocated to provide matching funds to United States Department of Agriculture designated Champion/REAP Alliance Communities for providing funding for an economic development coordinator for each of these communities.

A section is added providing that \$400,000 of the grants line item be allocated for the development of a public/private partnership statewide talent recruitment initiative.

A section is added providing that \$200,000 of the grants line item be allocated for grants to local communities and regions for labor availability research and for identification of employer workforce needs.

The following schedule compares Governor Schafer's recommendation, Governor Hoeven's recommendation, and the Senate version:

	2001-03 SCHAFFER RECOMMENDATION	2001-03 HOEVEN RECOMMENDATION	SENATE VERSION
Department of Economic Development and Finance - SB 2019 as amended	\$20,411,391		
Tourism Department - HB 1022	4,960,778		
Division of Community Services - HB 1015	39,098,238		
Department of Commerce - SB 2019 as amended	<u> </u>	<u>\$60,968,908</u>	<u>\$61,068,908</u>
Total	<u>\$64,470,407</u>	<u>\$60,968,908</u>	<u>\$61,068,908</u>
General fund	\$19,805,180	\$17,402,349	\$17,502,349
Other funds	\$44,665,227	\$43,566,559	\$43,566,559
FTE	62.00	53.00	53.00