

Fifty-ninth
Legislative Assembly
of North Dakota

ENGROSSED SENATE BILL NO. 2323

Introduced by

Senators Flakoll, Andrist, Bercier, Heitkamp

Representatives Horter, N. Johnson

1 A BILL for an Act to provide an appropriation for a cancer research grant.

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

3 **SECTION 1. CANCER DETECTION AND TREATMENT GRANT COMMITTEE -**
4 **ANNUAL REPORT TO LEGISLATIVE COUNCIL.**

- 5 1. The governor shall appoint a three-member committee to review applications for a
6 research grant dedicated to improvements in cancer detection or treatment. The
7 committee must consist of individuals who are knowledgeable about the field of
8 oncology and oncology research. No two committee members may be employed
9 by the same entity. After reviewing all applications, the committee shall
10 recommend no more than three for final selection. The committee shall take into
11 account the duration of the study and the likelihood of a successful outcome. The
12 committee shall give preference to an application that is likely to result in the
13 issuance of a patent, a trademark, or a copyright.
- 14 2. An eligible grant recipient must agree to:
- 15 a. Contribute a like amount in matching funds; provided, however, that
16 twenty-five percent of the funds may be in-kind;
- 17 b. Allocate no more than twenty percent of the grant amount to indirect costs;
- 18 c. Assign to the state five percent of all royalties received as a result of the
19 research; provided, however, that the royalty payments to the state under this
20 section may not exceed one million dollars; and
- 21 d. Provide annual progress reports to the legislative council.
- 22 3. The governor shall determine the grant recipient with the advice and consent of the
23 chairman and vice chairman of the legislative council.

- 1 4. The governor may award the grant during July 2006, provided the general fund
2 balance on July 1, 2006, is more than seven million five hundred thousand dollars.
3 If the governor does not award the grant during June 2006, the governor may
4 award the grant during June 2007, provided the general fund balance on June 1,
5 2007, is more than fifteen million dollars.

6 **SECTION 2. APPROPRIATION - CANCER DETECTION AND TREATMENT**

7 **RESEARCH GRANT.** There is appropriated out of any moneys in the general fund in the state
8 treasury, not otherwise appropriated, the sum of \$1,000,000, or so much of the sum as may be
9 necessary, to the state department of health for the purpose of awarding a cancer detection or
10 treatment grant, for the biennium beginning July 1, 2005, and ending June 30, 2007.