## FIRST ENGROSSMENT

Sixty-sixth Legislative Assembly of North Dakota

## **ENGROSSED SENATE BILL NO. 2325**

Introduced by

Senators Kreun, Meyer, Schaible

Representatives O'Brien, Owens, Schreiber-Beck

- 1 A BILL for an Act to amend and reenact section 52-02.1-02 of the North Dakota Century Code,
- 2 relating to new job training for certain businesses; and to declare an emergency.

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

4 SECTION 1. AMENDMENT. Section 52-02.1-02 of the North Dakota Century Code is

5 amended and reenacted as follows:

## 6 **52-02.1-02.** Job service North Dakota - Agreements.

- Program services developed and coordinated by job service North Dakota must be
   provided to primary sector businesses found eligible for loans or grants under this
   chapter. Job service North Dakota may enter into an agreement to establish a project
   with an employer which meets the following conditions:
- 11 <u>1.</u> <u>a.</u> Sets a date of commencement of the project.
- 12 2. b. Identifies program costs, including deferred costs, which are to be paid from
   13 available sources including new jobs credit from withholding to be received or
   14 derived from new jobs resulting from the project.
- 15 <del>3.</del> <u>c.</u> Provides for a guarantee by the employer of payment for program costs.
- 4. <u>d.</u> Provides that any deferral of program cost payments may not exceed ten years
  from the date of commencement of the project.
- 5. e. Provides that on-the-job training costs for employees may not exceed fifty
   percent of the annual gross payroll costs of the new jobs in the first full year after
   the date of commencement of the project. For purposes of this subsection, "gross
   payroll" is the gross wages and salaries for the new jobs.
- 6. <u>f.</u> Provides the maximum amount of new jobs credit from withholding or tuition and
  fee payments allowed for a project.

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1	<del>7.</del>	<u>g.</u>	Provides that every employee participating in the new jobs training program must
2			be paid an income of at least ten dollars per hour, plus benefits, by the end of the
3			first year of employment under the project and for the remaining life of the loan.
4	<u>2.</u>	A pr	oject requiring a loan from the department or a community may not be approved,
5		and	an agreement may not be executed by job service North Dakota, until notification
6		from	the department or community that the employer has qualified for a loan. Upon
7		exec	cution of the agreement, job service North Dakota shall notify the state tax
8		com	missioner of the agreement and the identity of the employer. Job service North
9		Dakota may adopt rules to implement this chapter. Job service North Dakota shall	
10		prep	are an annual report for the governor and the legislative assembly with respect to
11		the r	new jobs training program.
12	<u>3.</u>	For purposes of this section and section 52-02.1-04, an employer that is not a primary	
13		<u>sect</u>	or business, but contracts to provide employees to a primary sector business, may
14		qualify for program services if:	
15		<u>a.</u>	The employer and the primary sector business are parties to the same
16			agreement under this section; and
17		<u>b.</u>	The agreement under this section designates the employer as the recipient of the
18			program services.
19	9 SECTION 2. EMERGENCY. This Act is declared to be an emergency measure.		