

**Fifty-ninth Legislative Assembly of North Dakota
In Regular Session Commencing Tuesday, January 4, 2005**

HOUSE BILL NO. 1059
(Representatives R. Kelsch, Porter, Carlisle)
(Senators Cook, Wardner, Grindberg)

AN ACT to amend and reenact sections 52-08.1-01, 52-08.1-02, 52-08.1-03, 52-08.1-04, 52-08.1-05, and 52-08.1-06 of the North Dakota Century Code, relating to changing the name of work force 2000 to workforce 20/20 and eligibility for workforce 20/20 funds.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

SECTION 1. AMENDMENT. Section 52-08.1-01 of the North Dakota Century Code is amended and reenacted as follows:

52-08.1-01. North Dakota ~~work force 2000~~ workforce 20/20 policy and goals.

1. The legislative assembly finds that a highly skilled work force is critical to the present and future competitiveness of North Dakota's economy. The legislative assembly, therefore, declares that it is the policy of the state to support and promote skill training, retraining, and upgrade training for North Dakota workers. It is the goal of the state to:
 - a. Improve the skills of North Dakota workers;
 - b. Promote and sponsor effective and responsive training programs for employed and unemployed North Dakotans who need job-related training;
 - c. Promote programs that lead to family wage jobs;
 - d. Secure the active participation and full cooperation of North Dakota industry leaders, business owners, and employee representatives in developing programs to increase and improve worker skill training;
 - e. Promote the coordination of North Dakota's education and job training systems to more fully respond to the increasingly complex training needs of workers; and
 - f. Promote access to education and job training programs for all North Dakotans regardless of their economic status or geographic location within the state.
2. The legislative assembly declares that it is the policy of this state to integrate skill training and development programs into its economic development strategies.

SECTION 2. AMENDMENT. Section 52-08.1-02 of the North Dakota Century Code is amended and reenacted as follows:

52-08.1-02. North Dakota ~~work force 2000~~ workforce 20/20 program administration. Job service North Dakota shall administer the North Dakota ~~work force 2000~~ workforce 20/20 program within the state.

1. ~~Program priorities~~ Job service North Dakota shall give priority to applicants that:
 - a. Are compatible with statewide economic development strategies.
 - b. Demonstrate business and community financial support and participation.
 - c. Coordinate activities and resources with other training programs.

- d. Provide for followup and evaluation of program results.
 - e. Provide customized training, retraining, and upgrade training in occupations that pay not less than two hundred percent of the federal and state minimum wage.
 - f. Provide training to unemployed and employed residents of North Dakota for new businesses creating new jobs and expanding businesses.
2. ~~Program requirements:~~
- a. ~~Only Funding through the program is limited to training for permanent jobs or occupations which that have significant career opportunities and which require substantive instructions will be considered for funding resulting from:~~
 - a. Introduction of new technologies or new equipment; or
 - b. Significant changes in business operations or production methods.
- b. 3. An applicant may be eligible for funding of sales and marketing training that is necessitated due to technology or equipment changes that affect manufacturing or production.
4. ~~Training can include only funded through the program is limited to upgrade training or retraining of current workers in situations where in which training is required for continued employment or and to training of trainees as long as if the company gives successful graduates hiring priority.~~
- e. ~~Only trainees approved by participating parties will be~~ are eligible for training funded through the program.
- d. 5. ~~Training will be funded through the program is limited to state residents.~~
- e. 6. All direct training costs are allowable ~~and can~~ for funding through the program. Direct training costs may include the following:
- (+) a. Program promotion.
 - (2) b. Instructor wages, per diem, and travel.
 - (3) c. Curriculum development and training materials.
 - (4) d. Lease of training equipment and training space.
 - (5) e. Miscellaneous direct training costs.
 - (6) f. Administrative costs.
 - (7) g. Assessment and testing.

SECTION 3. AMENDMENT. Section 52-08.1-03 of the North Dakota Century Code is amended and reenacted as follows:

52-08.1-03. North Dakota ~~work force 2000~~ workforce 20/20 priority of industry requirements.

- 1. ~~Assist~~ The program is designed to assist companies that are undergoing major technological changes and where training is deemed critical to the company and in occupations that are deemed to have inadequate trained personnel.
- 2. ~~Training~~ Job service North Dakota shall encourage training assistance ~~must be encouraged~~ for small companies and companies located in rural areas.

3. ~~Companies must be encouraged~~ Job service North Dakota shall encourage companies to participate with in-kind contributions of training space, training equipment, training supplies, and technical assistance.
4. Training programs must ~~be designed with~~ require the direct participation of the sponsoring company and an employee representative.
5. If new job openings are created through upgrade training, the sponsoring company should give priority consideration to individuals eligible for other state and federal job training programs.
6. Job service North Dakota shall encourage training assistance for a company that manufactures or otherwise produces a product. However, the class of occupations eligible to receive training through such a company is not limited to manufacturing or production.

SECTION 4. AMENDMENT. Section 52-08.1-04 of the North Dakota Century Code is amended and reenacted as follows:

52-08.1-04. North Dakota ~~work force 2000~~ workforce 20/20 program implementation and coordination.

1. All programs must be conducted through contractual arrangements made with job service North Dakota.
2. Programs must be conducted in cooperation with appropriate state board for career and technical education approved training providers and institutions.
3. Final screening of trainees must be conducted by the company with the assistance of job service North Dakota when required.
4. Program effectiveness will be determined by post-training monitoring that will address such issues as:
 - a. Company satisfaction with the program.
 - b. Company transition to new technologies or products.
 - c. Post-training wage levels versus pretraining wage levels.
 - d. Number of trainees successfully completing the program.
 - e. Number of trainees who are retained by the company as a result of the training program.
 - f. Number of new jobs created at entry level as a result of upgrade training.

SECTION 5. AMENDMENT. Section 52-08.1-05 of the North Dakota Century Code is amended and reenacted as follows:

52-08.1-05. North Dakota ~~work force 2000~~ workforce 20/20 application procedure.

1. A proposal or concept paper must be submitted by the appropriate company, trade representative, or employee representative to job service North Dakota.
2. The proposal or concept paper should address the key guideline points but be kept brief.

SECTION 6. AMENDMENT. Section 52-08.1-06 of the North Dakota Century Code is amended and reenacted as follows:

52-08.1-06. North Dakota ~~work force 2000~~ workforce 20/20 gifts and grants. Job service North Dakota is authorized to accept and use any funds, including gifts and grants, made available for the purpose of defraying expenses involved in carrying out this chapter.

Speaker of the House

President of the Senate

Chief Clerk of the House

Secretary of the Senate

This certifies that the within bill originated in the House of Representatives of the Fifty-ninth Legislative Assembly of North Dakota and is known on the records of that body as House Bill No. 1059.

House Vote: Yeas 82 Nays 9 Absent 3

Senate Vote: Yeas 45 Nays 0 Absent 2

Chief Clerk of the House

Received by the Governor at _____ M. on _____, 2005.

Approved at _____ M. on _____, 2005.

Governor

Filed in this office this _____ day of _____, 2005,

at _____ o'clock _____ M.

Secretary of State