



— State of —
North Dakota
Office of the Governor

John Hoeven
Governor

Executive Order 2009-12

WHEREAS, President Barack Obama signed the “American Recovery and Reinvestment Act of 2009” (“ARRA”) into law on February 17, 2009; and

WHEREAS, the American Recovery and Reinvestment Act of 2009 provides funding for job creation, infrastructure investment, energy efficiency, developing new technologies, and State and local fiscal stabilization; and

WHEREAS, the key to a strong North Dakota economy is an effective and agile workforce system that connects people to industries with job openings and to employers who need a skilled workforce; and

WHEREAS, North Dakota has highly motivated workers who desire work opportunities so that they may support themselves and their families; and

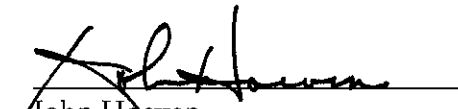
WHEREAS, connecting job seekers and employers will promote and grow North Dakota’s economy and create new economic opportunities for North Dakota’s workers and employers;

NOW, THEREFORE, I, John Hoeven, Governor of the State of North Dakota, by the authority vested in me by the Constitution and the laws of this State, do hereby:

1. Direct all Executive Branch agencies to include in all contracts funded, in whole or in part, by the American Recovery and Reinvestment Act of 2009 (“ARRA-funded state contracts”), for which the invitations for bids or other solicitations for bids are published on or after February 17, 2009, a clause requiring contractors and subcontractors to ARRA-funded state contracts who employ workers in North Dakota to post job openings created by ARRA-funded state contracts on the findjobsnd.com website.
2. Encourage local governments and their subunits that manage local projects funded by the American Recovery and Reinvestment Act of 2009 to require contractors and subcontractors who employ workers in North Dakota to post job openings created by ARRA-funded local projects on the findjobsnd.com website.
3. Encourage North Dakota employers who enter into ARRA-funded state or local contracts or who otherwise receive funding from the American Recovery and Reinvestment Act of 2009 to post job openings created by the ARRA-funded contract or ARRA funding on the findjobsnd.com website.

4. Encourage North Dakota employers who enter into ARRA-funded state or local contracts or who otherwise receive funding from the American Recovery and Reinvestment Act of 2009 to post job openings created by the ARRA-funded contract or ARRA funding on the findjobsnd.com website.
5. Posting is not required where an employer, contractor or subcontractor of an ARRA-funded state contract intends to fill the job opening created by ARRA funding with a present employee, a laid-off former employee or a job candidate from a previous recruitment, or where an exception has been granted by the Executive Agency or Job Service North Dakota.
6. Nothing in this order shall be read to permit any Executive Branch agency, local government, employer, contractor, subcontractor, or other entity to violate or ignore any laws, rules, directives or other legal requirements or obligations imposed by state or federal law. If any provision in this order conflicts with any law, rule, or other legal requirement or obligation imposed by state or federal law, the state or federal law shall control.
7. Nothing in this order creates any right, benefit, or trust responsibility, substantive or procedural, enforceable at law by a party against the State of North Dakota, its agencies or employees, or any other person.

Executed at Bismarck, North Dakota, this 28th day of April 2009.


John Hoeven
Governor

ATTEST:


Secretary of State

Deputy