

Sixty-first
Legislative Assembly
of North Dakota

SENATE BILL NO. 2389

Introduced by

Senator O'Connell

Representatives Froseth, Hunsakor

1 A BILL for an Act to amend and reenact sections 15-10-01, 15-16-01, and 15-17-03 of the North
2 Dakota Century Code, relating to a name change for the school of forestry at Bottineau.

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

4 **SECTION 1. AMENDMENT.** Section 15-10-01 of the North Dakota Century Code is
5 amended and reenacted as follows:

6 **15-10-01. State board of higher education - Institutions administered by board.**

7 The state board of higher education shall have the control and administration of the following
8 state educational institutions:

- 9 1. The state university and the school of mines at Grand Forks, with their substations.
- 10 2. The North Dakota state university of agriculture and applied science and the
- 11 agricultural experiment station at Fargo, with their substations or centers.
- 12 3. The school of science at Wahpeton.
- 13 4. The Valley City state university, Mayville state university, Minot state university,
- 14 and Dickinson state university.
- 15 5. ~~The school of forestry at Bottineau.~~
- 16 6. The following colleges: Bismarck state college, Dakota college at Bottineau, Lake
- 17 Region state college, and Williston state college.
- 18 ~~7.~~ 6. And such other state institutions of higher education as may be established.

19 **SECTION 2. AMENDMENT.** Section 15-16-01 of the North Dakota Century Code is
20 amended and reenacted as follows:

21 **15-16-01. School of forestry - Location.** The school of forestry must be located at
22 Dakota college, Bottineau, North Dakota.

23 **SECTION 3. AMENDMENT.** Section 15-17-03 of the North Dakota Century Code is
24 amended and reenacted as follows:

1 **15-17-03. Limitations on powers of institutional holding association.** An
2 institutional holding association is subject to the following limitations and restrictions:

- 3 1. Dormitories and their equipment and appurtenances must be erected and installed
4 only according to plans and specifications therefor approved by the state board of
5 higher education and at a cost for site, building, and equipment to be fixed by the
6 board within the maximum limit provided in this section.
- 7 2. Such dormitories and their equipment and appurtenances must be owned,
8 managed, operated, and conducted at all times by the association, its successors
9 or assigns, solely for the educational purpose provided in this chapter in
10 connection with one of the state educational institutions and must be under the
11 control and supervision of the state board of higher education, and operated
12 according to such rules and regulations, including rental charges, as must be
13 prescribed by the board, but such rental charges may not be less than an amount
14 sufficient to pay the interest on the bonded indebtedness and the serial bonds of
15 the association as they mature.
- 16 3. An institutional holding association must be nonprofit sharing, shall issue no
17 corporate stock, and no member of the association may have or acquire any
18 divisional or other share or interest in any of its property.
- 19 4. The income of such association must be applied only to the payment of its debts
20 and operating expenses, including necessary repairs and upkeep of its properties.
- 21 5. When all of the debts against any site, dormitory, and equipment are paid, all of the
22 right, title, and interest of the association or its successors or assigns therein
23 terminates immediately, and the same becomes the property of and must be
24 conveyed to the state.
- 25 6. Any transfer or encumbrance of the property of an institutional holding association,
26 except as permitted in this chapter, is prohibited and is null and void.
- 27 7. The amount of money borrowed or debts contracted by an institutional holding
28 association may not exceed the aggregate cost of the site, dormitory, and
29 equipment as fixed by the state board of higher education, and the payment
30 thereof may not extend over a period of more than fifty years. The terms and

- 1 conditions of such loans or debts, except as herein provided, must be fixed and
2 approved by the board.
- 3 8. Dormitories must be erected only at the state educational institutions herein named
4 within the cost limits for site, building, and equipment herein specified:
- 5 a. One at or near the university at a cost of not more than two hundred thousand
6 dollars.
- 7 b. One at or near the North Dakota state university of agriculture and applied
8 science at a cost of not more than two hundred thousand dollars.
- 9 c. One at or near each of the normal schools located at Valley City, Mayville,
10 Minot, and Dickinson at a cost of not more than one hundred fifty thousand
11 dollars.
- 12 d. One at or near the state school of science at Wahpeton at a cost of not more
13 than one hundred thousand dollars.
- 14 e. One at or near ~~the state school of forestry at~~ Dakota college, Bottineau at a
15 cost of not more than fifty thousand dollars.
- 16 9. No dormitory may be erected upon the campus of any state educational institution
17 until a written permit therefor first is granted and issued to the association by the
18 state board of higher education. Such permit must describe the ground to be used
19 and must provide that the dormitory to be erected thereon must be erected, owned,
20 and operated only by the association, its successors and assigns. The association
21 and its successors and assigns shall acquire no right, title, or interest in and to the
22 campus site, the dormitory erected thereon, or the equipment thereof, except the
23 right to operate the dormitory solely for the educational purposes, in the manner,
24 and upon the terms and conditions provided in this chapter.