

Sixty-first
Legislative Assembly
of North Dakota

ENGROSSED SENATE BILL NO. 2076

Introduced by

Education Committee

(At the request of the State Board of Higher Education)

1 A BILL for an Act to amend and reenact section 15-10-12.1 of the North Dakota Century Code,
2 relating to authority of the state board of higher education to authorize campus improvements
3 financed by donations, gifts, grants, and bequests.

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

5 **SECTION 1. AMENDMENT.** Section 15-10-12.1 of the North Dakota Century Code is
6 amended and reenacted as follows:

7 **15-10-12.1. Acceptance of buildings and campus improvements - Legislative**
8 **approval.** The state board of higher education may authorize campus improvements and
9 building maintenance on land under the control of the board which are financed by donations,
10 gifts, grants, and bequests if the cost of the improvement or building maintenance is not more
11 than ~~three hundred eighty-five~~ five hundred fifty thousand dollars. The consent of the
12 legislative assembly is required for construction of any building financed by donations, gifts,
13 grants, and bequests and for campus improvements or building maintenance financed by
14 donations, gifts, grants, and bequests if the cost of the improvements or maintenance is more
15 than ~~three hundred eighty-five~~ five hundred fifty thousand dollars. During the time the
16 legislative assembly is not in session, except for the six months preceding the convening of a
17 regular session, and unless otherwise restricted by previous legislative action or other law, the
18 state board of higher education, with the approval of the budget section of the legislative
19 council, may authorize the use of land under the control of the board and construct buildings
20 financed by donations, gifts, grants, and bequests and campus improvements and building
21 maintenance financed by donations, gifts, grants, and bequests and if the cost of the
22 improvement or maintenance is more than ~~three hundred eighty-five~~ five hundred fifty thousand
23 dollars. The budget section approval must include a specific dollar limit for each building,
24 campus improvement project, or maintenance project. The state board of higher education

Sixty-first
Legislative Assembly

1 may authorize the sale of any real property or buildings which an institution of higher learning
2 has received by gift or bequest. The board shall prescribe such conditions for the sale of the
3 property as it determines necessary. The conditions must include requiring an appraisal and
4 public auction or advertisement for bids, unless the gift instrument requires a different process.
5 If the state board of higher education submits a request for campus improvements, building
6 maintenance, or to construct buildings under this section to the budget section for approval, the
7 legislative council shall notify each member of the legislative assembly of the date of the budget
8 section meeting at which the request will be considered and provide a copy of the meeting
9 agenda to each member of the legislative assembly. The chairman of the budget section shall
10 allow any member of the legislative assembly an opportunity to present testimony to the budget
11 section regarding any such request.