



Great Public Schools

Great Public Service

**Testimony on SB 2030
House Appropriations Committee (E&E Division)
March 15, 2021**

Chairman Monson and members of the Committee, for the record my name is Nick Archuleta, and I am the president of North Dakota United. I rise today in support of SB 2030 and to urge a DO PASS recommendation after the bill is returned to the version passed by the Senate Appropriations Committee.

Mr. Chairman, the two amendments to SB 2030 that were made on the floor of the Senate fundamentally changed the bill. The first, which begins on page 1, line 19, concludes on line 2 of page 2, and has been amended elsewhere into the bill, inserts the issue of abortion in a bill unrelated to that issue. Chairman Monson, and members of the Committee, the inclusion of this amendment unnecessarily introduces a controversial issue into a bill designed to help universities leverage their resources with private entities to create matching grants for student scholarships and the advancement of academics at North Dakota's outstanding institutions of higher education. It is our view that any bill related to abortion should be a stand-alone bill and debated on its merits. The inclusion of that issue in this bill only serves to politicize a program that has enjoyed tremendous support and provides system-wide academic benefits.

The second amendment to SB 2030 which changed the bill can be found on page 2 on lines 18 and 19. This amendment adds North Dakota's two private universities, the University of Jamestown, and the University of Mary, to the list of public institutions of higher education eligible to receive one dollar of matching funds for every two dollars raised by the institutional foundations.

Section 5 of Article VIII of our Constitution states:

"All colleges, universities, and other educational institutions, for the support of which lands have been granted to this state, or which are supported by a public tax, shall remain under the absolute and exclusive control of the state. No money raised for the support of the public schools of the state shall be appropriated to or used for the support of any sectarian school."

Mr. Chairman, I include this reference to the North Dakota Constitution not to imply all public spending in private education is unconstitutional. We all know that *Espinoza v Montana* has changed the landscape to some extent, and I am not a lawyer. Rather, I include this reference in my testimony only to illustrate North Dakota's long and principled intention that monies raised for public education and the provision of public services not be allocated to private institutions of higher education.



Great Public Schools

Great Public Service

That said, Mr. Chairman and members of the Committee, I would ask that you consider an amendment to remove the two amendments, return the bill to the version passed by the Senate Appropriations Committee, and so doing, give a DO PASS recommendation to SB 2030.