# Fifty-sixth Legislative Assembly, State of North Dakota, begun in the Capitol in the City of Bismarck, on Tuesday, the fifth day of January, one thousand nine hundred and ninety-nine

SENATE BILL NO. 2215
(Senator Holmberg)

AN ACT to amend and reenact section 15-10-02 of the North Dakota Century Code, relating to membership of the state board of higher education; and to repeal sections 15-10-01.1, 15-10-03, 15-10-04, 15-10-05, 15-10-06, 15-18-03, 15-18-04.2, 15-18-05, 15-55-18, 15-55-19, and subsection 11 of section 57-15-06.7 of the North Dakota Century Code, relating to assumption of jurisdiction over junior colleges, appointments and membership of the state board of higher education, and tax levies for the financing of residual or other junior college fiscal obligations.

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

**SECTION 1.  AMENDMENT.**  Section 15-10-02 of the 1997 Supplement to the North Dakota Century Code is amended and reenacted as follows:

**15-10-02.  Membership of state board of higher education - ~~Qualifications of members - Advisory representatives~~ Faculty adviser.**

1.   The state board of higher education ~~shall consist~~ consists of ~~seven~~ eight members, all of whom must be ~~qualified electors and taxpayers of the state who must have resided in this state for five years immediately preceding their respective appointments. The members of the board must be~~ appointed by the governor ~~and confirmed by the senate. Nominations must be made by the governor from a list of three names for each position to be filled on such board, such names to be selected by the unanimous action of the president of the North Dakota education association, the chief justice of the supreme court, and the superintendent of public instruction. There may not be on said board at any one time more than one graduate of any one of the institutions under the jurisdiction of the board. No person employed by any institution under the control of the board may serve as a member of the board, nor may any employee of any such institution be eligible for membership on the board for a period of two years following the termination of employment. In addition to the regular board members, a nonvoting advisory representative from the North Dakota student association and one from the council of college faculties may attend and provide input at all board meetings. Each year the North Dakota student association executive board shall select one member to serve as its representative for a term of one year. The student advisory representative must be a resident of North Dakota and a student in good academic standing, enrolled in a minimum of six credits. The council of college faculties shall each year select one member to serve as its representative. The student advisory representative and the council of college faculties representative are entitled to receive necessary expenses for travel~~ in accordance with section 6 of article VIII of the Constitution of North Dakota.

2.   The council of college faculties shall annually appoint one individual to serve as an adviser to the state board. The adviser may attend and participate in all meetings of the state board but may not vote.

**SECTION 2.  REPEAL.**  Sections 15-10-01.1, 15-10-03, 15-10-04, 15-10-05, 15-10-06, 15-18-03, 15-18-04.2, 15-18-05, 15-55-18, and 15-55-19 of the North Dakota Century Code and subsection 11 of section 57-15-06.7 of the 1997 Supplement to the North Dakota Century Code are repealed.

_____          _____
President of the Senate                          Speaker of the House


_____          _____
Secretary of the Senate                          Chief Clerk of the House


This certifies that the within bill originated in the Senate of the Fifty-sixth Legislative Assembly of North Dakota and is known on the records of that body as Senate Bill No. 2215.


Senate Vote:     Yeas    47        Nays    0        Absent    2

House Vote:      Yeas    89        Nays    8        Absent    1


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Secretary of the Senate


Received by the Governor at _____ M. on _____, 1999.

Approved at _____ M. on _____, 1999.


_____
Governor


Filed in this office this _____ day of _____, 1999,

at _____ o'clock _____ M.


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Secretary of State