

HOUSE BILL NO. 1058

Introduced by

Legislative Council

(Tribal and State Relations Committee)

1 A BILL for an Act to amend and reenact sections 15-70-01, 15-70-04, and 15-70-05 of the North
2 Dakota Century Code, relating to financial assistance to tribal colleges; and to declare an
3 emergency.

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

5 **SECTION 1. AMENDMENT.** Section 15-70-01 of the North Dakota Century Code is
6 amended and reenacted as follows:

7 **15-70-01. Definitions.** In this chapter, unless the context otherwise requires:

- 8 1. "Nonbeneficiary student" means a resident of North Dakota who is enrolled in a
9 tribally controlled community college but is not an enrolled member of a federally
10 recognized Indian tribe nor a biological child of a member, living or deceased, of an
11 Indian tribe.
- 12 2. "Tribally controlled community college" means an institution of higher education in
13 this state which is formally controlled or has been formally sanctioned or chartered
14 by the governing body of an Indian tribe, or any combination of federally
15 recognized Indian tribes.
- 16 3. Full-time equivalent basis is equal to twenty-four credit-hours per year in which a
17 nonbeneficiary student is enrolled.

18 **SECTION 2. AMENDMENT.** Section 15-70-04 of the North Dakota Century Code is
19 amended and reenacted as follows:

20 **15-70-04. Submission of grant application - Distribution of grants.** In order to
21 qualify for a grant under this chapter, an institution shall submit an application in the manner
22 required by the state board of higher education. The application must include documentation of
23 the enrollment status of each student on whose account financial assistance under this chapter
24 is sought. If an application is approved, the board shall distribute to each tribally controlled

1 community college, during each year of the biennium, ~~four thousand five hundred eighty one~~
2 five thousand three hundred four dollars for each nonbeneficiary student on a full-time
3 equivalent basis. If the amount appropriated is insufficient, the board shall distribute a prorated
4 amount per nonbeneficiary student on a full-time equivalent basis.

5 **SECTION 3. AMENDMENT.** Section 15-70-05 of the North Dakota Century Code is
6 amended and reenacted as follows:

7 **15-70-05. Reporting by recipient institutions.** Each institution receiving a grant
8 under this chapter shall ~~annually provide to the state board of higher education~~ annually, the
9 following information:

- 10 1. To the budget section of the legislative council, an accurate and detailed account
11 of the expenditures of the grant funds received by the institution under this chapter
12 in a manner specified by the budget section; and
- 13 2. To the legislative audit and fiscal review committee, a copy of the institution's latest
14 audit report ~~and documentation of the enrollment status and ethnic status of each~~
15 ~~student on whose account financial assistance under this chapter is sought.~~

16 **SECTION 4. EMERGENCY.** This Act is declared to be an emergency measure.