

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~~ seven 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~~ seven hundred fifty thousand dollars. During the time the
16 legislative assembly is not in session, except for the ~~six~~ three months preceding the convening
17 of a regular session, and unless otherwise restricted by previous legislative action or other law,
18 the 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~~ seven hundred fifty
23 thousand dollars. The budget section approval must include a specific dollar limit for each
24 building, campus improvement project, or maintenance project. The state board of higher

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