

Sixty-sixth
Legislative Assembly
of North Dakota

ENGROSSED HOUSE BILL NO. 1003

Introduced by

Appropriations Committee

1 A BILL for an Act to provide an appropriation for defraying the expenses of the North Dakota
2 university system; to create and enact a new chapter to title 15 ~~and three new subsections to~~
3 ~~section 15-10-63, two new sections to chapter 15-10, section 15-10-48.1, and a new section to~~
4 chapter 15-18 of the North Dakota Century Code, relating to the midwestern higher education
5 compact ~~and capital project authorization, the university of North Dakota men's golf program,~~
6 the professional student exchange program, matching grants for the university of North Dakota
7 school of law, and the Curtis and Annette Hofstad agricultural center; to amend and reenact
8 sections 15-10-12.1, 15-10-48, 15-10-49, 15-10-50, 15-18.2-02, 15-18.2-05, 15-62.4-03, and
9 54-44.1-11 of the North Dakota Century Code, relating to acceptance of buildings and campus
10 improvements, matching grants for institutions under the control of the state board of higher
11 education, state aid to institutions, the student financial assistance grant program, and the
12 cancellation of unexpended appropriations; to repeal ~~section~~ sections 15-10-37 and 15-10-61 of
13 the North Dakota Century Code, relating to the technology occupations student loan program
14 and the dual-credit instructor assistance program; to authorize the industrial commission to
15 issue and sell evidences of indebtedness for capital projects; to authorize the state board of
16 higher education to issue and sell bonds for capital projects; to provide for a transfer; to provide
17 for the conveyance of real property; to provide for a legislative management study; to provide
18 for ~~report~~ reports; to provide for application; and to declare an emergency.

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

20 **SECTION 1. APPROPRIATION.** The funds provided in this section, or so much of the funds
21 as may be necessary, are appropriated out of any moneys in the general fund in the state
22 treasury, not otherwise appropriated, and from special funds derived from federal funds and
23 other income, to the state board of higher education and to the entities and institutions under
24 the supervision of the board, for the purpose of defraying the expenses of the state board of

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1 higher education and the entities and institutions under the control of the board, for the
2 biennium beginning July 1, 2019, and ending June 30, 2021, as follows:

3 Subdivision 1.

4 NORTH DAKOTA UNIVERSITY SYSTEM OFFICE

	Base Level	Adjustments or Enhancements	Appropriation
7 Capital assets – bond payments	\$6,605,326	(\$1,645,878)	\$4,959,448
8 Competitive research programs	6,027,750	0	6,027,750
9 System governance	8,163,238	280,095	8,443,333
10 Title II	1,006,472	(1,006,472)	0
11 Core technology services	61,527,347	663,122	62,190,469
12 Student financial assistance grants	21,917,306	2,000,000	23,917,306
13 Professional student exchange program	3,699,342	0	3,699,342
14 Academic and technical education	12,016,749	0	12,016,749
15 —scholarships			
16 Scholars program	1,807,115	0	1,807,115
17 Native American scholarship	555,323	0	555,323
18 Tribally controlled community college grants	600,000	(100,000)	500,000
19 Education incentive programs	2,863,393	(2,103,393)	760,000
20 Student mental health	284,400	0	284,400
21 Veterans' assistance grants	277,875	0	277,875
22 Shared campus services	500,000	0	500,000
23 Dual-credit instructor assistance	200,000	(200,000)	0
24 Education challenge fund	0	2,200,000	2,200,000
25 Tier III capital building fund pool	0	9,000,000	9,000,000
26 Total all funds	\$128,051,636	\$9,087,474	\$137,139,110
27 Less estimated income	26,412,106	2,550,610	28,962,716
28 Total general fund	\$101,639,530	\$6,536,864	\$108,176,394
29 Full-time equivalent positions	149.40	(0.50)	148.90
30 <u>Capital assets - bond payments</u>	<u>\$6,605,326</u>	<u>(\$1,645,878)</u>	<u>\$4,959,448</u>
31 <u>Competitive research programs</u>	<u>6,027,750</u>	<u>(342,000)</u>	<u>5,685,750</u>

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1	NASA EPSCoR	0	342,000	342,000
2	System governance	8,163,238	574,629	8,737,867
3	Title II	1,006,472	(1,006,472)	0
4	Core technology services	61,527,347	758,781	62,286,128
5	Student financial assistance grants	21,917,306	2,000,000	23,917,306
6	Professional student exchange program	3,699,342	0	3,699,342
7	Academic and technical education	12,016,749	0	12,016,749
8	scholarships			
9	Scholars program	1,807,115	0	1,807,115
10	Native American scholarship	555,323	0	555,323
11	Tribally controlled community college	600,000	400,000	1,000,000
12	grants			
13	Education incentive programs	2,863,393	(2,353,393)	510,000
14	Student mental health	284,400	0	284,400
15	Veterans' assistance grants	277,875	0	277,875
16	Shared campus services	500,000	0	500,000
17	Dual-credit instructor assistance	200,000	(200,000)	0
18	Education challenge fund	0	9,400,000	9,400,000
19	Tier III capital building fund pool	0	9,000,000	9,000,000
20	Total all funds	\$128,051,636	\$16,927,667	\$144,979,303
21	Less estimated income	26,412,106	4,590,100	31,002,206
22	Total general fund	\$101,639,530	\$12,337,567	\$113,977,097
23	Full-time equivalent positions	149.40	(0.50)	148.90

Subdivision 2.

BISMARCK STATE COLLEGE

	Base Level	Adjustments or Enhancements	Appropriation	
28	Operations	\$101,670,034	(\$4,447,175)	\$97,222,859
29	Capital assets	1,922,561	0	1,922,561
30	Capital building fund	0	1,679,082	1,679,082
31	Total all funds	\$103,592,595	(\$2,768,093)	\$100,824,502

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1	Less estimated income	72,991,998	(3,062,872)	69,929,126
2	Total general fund	\$30,600,597	\$294,779	\$30,895,376
3	Full-time equivalent positions	358.35	(34.42)	323.93
4	<u>Operations</u>	<u>\$101,670,034</u>	<u>(\$2,926,352)</u>	<u>\$98,743,682</u>
5	<u>Capital assets</u>	<u>1,922,561</u>	<u>0</u>	<u>1,922,561</u>
6	<u>Capital building fund</u>	<u>0</u>	<u>851,386</u>	<u>851,386</u>
7	<u>Total all funds</u>	<u>\$103,592,595</u>	<u>(\$2,074,966)</u>	<u>\$101,517,629</u>
8	<u>Less estimated income</u>	<u>72,991,998</u>	<u>(2,542,596)</u>	<u>70,449,402</u>
9	<u>Total general fund</u>	<u>\$30,600,597</u>	<u>\$467,630</u>	<u>\$31,068,227</u>
10	<u>Full-time equivalent positions</u>	<u>358.35</u>	<u>(34.42)</u>	<u>323.93</u>

11 Subdivision 3.

12 LAKE REGION STATE COLLEGE

13			Adjustments or	
14		Base Level	Enhancements	Appropriation
15	Operations	\$36,449,048	\$950,031	\$37,399,079
16	Capital assets	362,667	3,000,000	3,362,667
17	Capital building fund	0	628,276	628,276
18	Total all funds	\$36,811,715	\$4,578,307	\$41,390,022
19	Less estimated income	24,111,092	4,405,672	28,516,764
20	Total general fund	\$12,700,623	\$172,635	\$12,873,258
21	Full-time equivalent positions	129.61	(11.51)	118.10
22	<u>Operations</u>	<u>\$36,449,048</u>	<u>\$1,110,079</u>	<u>\$37,559,127</u>
23	<u>Capital assets</u>	<u>362,667</u>	<u>3,000,000</u>	<u>3,362,667</u>
24	<u>Capital building fund</u>	<u>0</u>	<u>354,750</u>	<u>354,750</u>
25	<u>Total all funds</u>	<u>\$36,811,715</u>	<u>\$4,464,829</u>	<u>\$41,276,544</u>
26	<u>Less estimated income</u>	<u>24,111,092</u>	<u>4,220,172</u>	<u>28,331,264</u>
27	<u>Total general fund</u>	<u>\$12,700,623</u>	<u>\$244,657</u>	<u>\$12,945,280</u>
28	<u>Full-time equivalent positions</u>	<u>129.61</u>	<u>(11.51)</u>	<u>118.10</u>

29 Subdivision 4.

30 WILLISTON STATE COLLEGE

	Base Level	Adjustments or Enhancements	Appropriation	
1				
2				
3	Operations	\$26,954,133	\$1,077,752	\$28,031,885
4	Capital assets	1,261,968	0	1,261,968
5	Capital building fund	0	435,812	435,812
6	Total all funds	\$28,216,101	\$1,513,564	\$29,729,665
7	Less estimated income	19,855,598	(137,663)	19,717,935
8	Total general fund	\$8,360,503	\$1,651,227	\$10,011,730
9	Full-time equivalent positions	100.75	(0.27)	100.48
10	Operations	\$26,954,133	\$5,641,927	\$32,596,060
11	Capital assets	1,261,968	0	1,261,968
12	Capital building fund	0	275,894	275,894
13	Total all funds	\$28,216,101	\$5,917,821	\$34,133,922
14	Less estimated income	19,855,598	4,210,581	24,066,179
15	Total general fund	\$8,360,503	\$1,707,240	\$10,067,743
16	Full-time equivalent positions	100.75	(0.27)	100.48

Subdivision 5.

UNIVERSITY OF NORTH DAKOTA

	Base Level	Adjustments or Enhancements	Appropriation	
19				
20				
21	Operations	\$864,554,974	\$20,252,443	\$884,807,417
22	Capital assets	4,411,566	115,000,000	119,411,566
23	Capital building fund	0	15,393,458	15,393,458
24	Total all funds	\$868,966,540	\$150,645,901	\$1,019,612,441
25	Less estimated income	728,870,450	143,918,802	872,789,252
26	Total general fund	\$140,096,090	\$6,727,099	\$146,823,189
27	Full-time equivalent positions	2,218.07	(85.90)	2,132.17
28	Operations	\$864,554,974	\$26,999,006	\$891,553,980
29	Capital assets	4,411,566	145,000,000	149,411,566
30	Capital building fund	0	8,723,602	8,723,602
31	Total all funds	\$868,966,540	\$180,722,608	\$1,049,689,148

1	<u>Less estimated income</u>	<u>728,870,450</u>	<u>170,538,829</u>	<u>899,409,279</u>
2	<u>Total general fund</u>	<u>\$140,096,090</u>	<u>\$10,183,779</u>	<u>\$150,279,869</u>
3	<u>Full-time equivalent positions</u>	<u>2,218.07</u>	<u>(85.90)</u>	<u>2,132.17</u>

4 Subdivision 6.

5 NORTH DAKOTA STATE UNIVERSITY

6		Adjustments or		
7		<u>Base Level</u>	<u>Enhancements</u>	<u>Appropriation</u>
8	Operations	\$732,673,267	\$9,213,433	\$741,886,700
9	Capital assets	7,799,104	79,800,000	87,599,104
10	Capital building fund	0	12,401,812	12,401,812
11	Total all funds	\$740,472,371	\$101,415,245	\$841,887,616
12	Less estimated income	611,881,329	97,661,956	709,543,285
13	Total general fund	\$128,591,042	\$3,753,289	\$132,344,331
14	Full-time equivalent positions	1,895.66	(25.50)	1,870.16
15	<u>Operations</u>	<u>\$732,673,267</u>	<u>\$12,602,304</u>	<u>\$745,275,571</u>
16	<u>Capital assets</u>	<u>7,799,104</u>	<u>79,800,000</u>	<u>87,599,104</u>
17	<u>Capital building fund</u>	<u>0</u>	<u>5,799,192</u>	<u>5,799,192</u>
18	<u>Total all funds</u>	<u>\$740,472,371</u>	<u>\$98,201,496</u>	<u>\$838,673,867</u>
19	<u>Less estimated income</u>	<u>611,881,329</u>	<u>94,077,555</u>	<u>705,958,884</u>
20	<u>Total general fund</u>	<u>\$128,591,042</u>	<u>\$4,123,941</u>	<u>\$132,714,983</u>
21	<u>Full-time equivalent positions</u>	<u>1,895.66</u>	<u>(25.50)</u>	<u>1,870.16</u>

22 Subdivision 7.

23 NORTH DAKOTA STATE COLLEGE OF SCIENCE

24		Adjustments or		
25		<u>Base Level</u>	<u>Enhancements</u>	<u>Appropriation</u>
26	Operations	\$91,682,610	\$3,610,065	\$95,292,675
27	Capital assets	1,012,379	0	1,012,379
28	Capital building fund	0	1,537,982	1,537,982
29	Total all funds	\$92,694,989	\$5,148,047	\$97,843,036
30	Less estimated income	57,605,613	3,898,705	61,504,318

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1	Total general fund	\$35,089,376	\$1,249,342	\$36,338,718
2	Full-time equivalent positions	345.04	(34.31)	310.73
3	Operations	<u>\$91,682,610</u>	<u>\$4,042,801</u>	<u>\$95,725,411</u>
4	Capital assets	<u>1,012,379</u>	<u>0</u>	<u>1,012,379</u>
5	Capital building fund	<u>0</u>	<u>1,001,390</u>	<u>1,001,390</u>
6	Total all funds	<u>\$92,694,989</u>	<u>\$5,044,191</u>	<u>\$97,739,180</u>
7	Less estimated income	<u>57,605,613</u>	<u>3,591,545</u>	<u>61,197,158</u>
8	Total general fund	<u>\$35,089,376</u>	<u>\$1,452,646</u>	<u>\$36,542,022</u>
9	Full-time equivalent positions	<u>345.04</u>	<u>(34.31)</u>	<u>310.73</u>

10 Subdivision 8.

11 DICKINSON STATE UNIVERSITY

12		Adjustments or		
13		Base Level	Enhancements	Appropriation
14	Operations	\$47,135,592	\$1,203,267	\$48,338,859
15	Capital assets	409,078	0	409,078
16	Capital building fund	0	957,642	957,642
17	Theodore Roosevelt digitization	0	250,000	250,000
18	Total all funds	\$47,544,670	\$2,410,909	\$49,955,579
19	Less estimated income	29,737,827	1,675,772	31,413,599
20	Total general fund	\$17,806,843	\$735,137	\$18,541,980
21	Full-time equivalent positions	168.90	44.36	213.26
22	Operations	<u>\$47,135,592</u>	<u>\$1,425,402</u>	<u>\$48,560,994</u>
23	Capital assets	<u>409,078</u>	<u>0</u>	<u>409,078</u>
24	Capital building fund	<u>0</u>	<u>537,724</u>	<u>537,724</u>
25	Theodore Roosevelt digitization	<u>0</u>	<u>200,000</u>	<u>200,000</u>
26	Total all funds	<u>\$47,544,670</u>	<u>\$2,163,126</u>	<u>\$49,707,796</u>
27	Less estimated income	<u>29,737,827</u>	<u>1,376,906</u>	<u>31,114,733</u>
28	Total general fund	<u>\$17,806,843</u>	<u>\$786,220</u>	<u>\$18,593,063</u>
29	Full-time equivalent positions	<u>168.90</u>	<u>44.36</u>	<u>213.26</u>

30 Subdivision 9.

31 MAYVILLE STATE UNIVERSITY

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	Base Level	Adjustments or Enhancements	Appropriation	
1				
2				
3	Operations	\$44,197,761	\$3,153,768	\$47,351,529
4	Capital assets	358,992	0	358,992
5	Capital building fund	0	833,832	833,832
6	Total all funds	\$44,556,753	\$3,987,600	\$48,544,353
7	Less estimated income	30,307,148	1,906,832	32,213,980
8	Total general fund	\$14,249,605	\$2,080,768	\$16,330,373
9	Full-time equivalent positions	210.53	(1.26)	209.27
10	<u>Operations</u>	<u>\$44,197,761</u>	<u>\$3,521,794</u>	<u>\$47,719,555</u>
11	<u>Capital assets</u>	<u>358,992</u>	<u>0</u>	<u>358,992</u>
12	<u>Capital building fund</u>	<u>0</u>	<u>480,058</u>	<u>480,058</u>
13	<u>Total all funds</u>	<u>\$44,556,753</u>	<u>\$4,001,852</u>	<u>\$48,558,605</u>
14	<u>Less estimated income</u>	<u>30,307,148</u>	<u>1,830,841</u>	<u>32,137,989</u>
15	<u>Total general fund</u>	<u>\$14,249,605</u>	<u>\$2,171,011</u>	<u>\$16,420,616</u>
16	<u>Full-time equivalent positions</u>	<u>210.53</u>	<u>(1.26)</u>	<u>209.27</u>

Subdivision 10.

MINOT STATE UNIVERSITY

	Base Level	Adjustments or Enhancements	Appropriation	
19				
20				
21	Operations	\$100,710,275	\$1,095,224	\$101,805,499
22	Capital assets	1,099,620	0	1,099,620
23	Capital building fund	0	2,042,828	2,042,828
24	Total all funds	\$101,809,895	\$3,138,052	\$104,947,947
25	Less estimated income	62,058,916	3,207,692	65,266,608
26	Total general fund	\$39,750,979	(\$69,640)	\$39,681,339
27	Full-time equivalent positions	441.65	(34.07)	407.58
28	<u>Operations</u>	<u>\$100,710,275</u>	<u>\$1,614,798</u>	<u>\$102,325,073</u>
29	<u>Capital assets</u>	<u>1,099,620</u>	<u>0</u>	<u>1,099,620</u>
30	<u>Capital building fund</u>	<u>0</u>	<u>1,145,602</u>	<u>1,145,602</u>
31	<u>Total all funds</u>	<u>\$101,809,895</u>	<u>\$2,760,400</u>	<u>\$104,570,295</u>

1	<u>Less estimated income</u>	<u>62,058,916</u>	<u>2,614,686</u>	<u>64,673,602</u>
2	<u>Total general fund</u>	<u>\$39,750,979</u>	<u>\$145,714</u>	<u>\$39,896,693</u>
3	<u>Full-time equivalent positions</u>	<u>441.65</u>	<u>(34.07)</u>	<u>407.58</u>

4 Subdivision 11.

5 VALLEY CITY STATE UNIVERSITY

6		Adjustments or		
7		<u>Base Level</u>	<u>Enhancements</u>	<u>Appropriation</u>
8	Operations	\$48,444,336	(\$2,009,370)	\$46,434,966
9	Capital assets	455,823	0	455,823
10	Capital building fund	0	1,028,686	1,028,686
11	Total all funds	\$48,900,159	(\$980,684)	\$47,919,475
12	Less estimated income	28,470,657	(1,583,258)	26,887,399
13	Total general fund	\$20,429,502	\$602,574	\$21,032,076
14	Full-time equivalent positions	202.75	(22.07)	180.68
15	<u>Operations</u>	<u>\$48,444,336</u>	<u>(\$267,408)</u>	<u>\$48,176,928</u>
16	<u>Capital assets</u>	<u>455,823</u>	<u>0</u>	<u>455,823</u>
17	<u>Capital building fund</u>	<u>0</u>	<u>618,274</u>	<u>618,274</u>
18	<u>Total all funds</u>	<u>\$48,900,159</u>	<u>\$350,866</u>	<u>\$49,251,025</u>
19	<u>Less estimated income</u>	<u>28,470,657</u>	<u>(1,878,565)</u>	<u>26,592,092</u>
20	<u>Total general fund</u>	<u>\$20,429,502</u>	<u>\$2,229,431</u>	<u>\$22,658,933</u>
21	<u>Full-time equivalent positions</u>	<u>202.75</u>	<u>(22.07)</u>	<u>180.68</u>

22 Subdivision 12.

23 DAKOTA COLLEGE AT BOTTINEAU

24		Adjustments or		
25		<u>Base Level</u>	<u>Enhancements</u>	<u>Appropriation</u>
26	Operations	\$17,168,111	\$811,683	\$17,979,794
27	Capital assets	114,007	0	114,007
28	Capital building fund	0	357,700	357,700
29	Total all funds	\$17,282,118	\$1,169,383	\$18,451,501
30	Less estimated income	9,629,173	1,124,568	10,753,741

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1	Total general fund	\$7,652,945	\$44,815	\$7,697,760
2	Full-time equivalent positions	84.30	(2.01)	82.29
3	Operations	\$17,168,111	\$4,272,495	\$21,440,606
4	Capital assets	114,007	2,500,000	2,614,007
5	Capital building fund	0	212,128	212,128
6	Total all funds	\$17,282,118	\$6,984,623	\$24,266,741
7	Less estimated income	9,629,173	6,896,742	16,525,915
8	Total general fund	\$7,652,945	\$87,881	\$7,740,826
9	Full-time equivalent positions	84.30	(2.01)	82.29

10 Subdivision 13.

11 UNIVERSITY OF NORTH DAKOTA SCHOOL OF MEDICINE AND HEALTH SCIENCES

12		Adjustments or		
13		Base Level	Enhancements	Appropriation
14	Operations	\$205,926,712	\$5,179,871	\$211,106,583
15	Health care workforce initiative	0	10,676,150	10,676,150
16	Total all funds	\$205,926,712	\$15,856,021	\$221,782,733
17	Less estimated income	154,078,620	4,768,324	158,846,944
18	Total general fund	\$51,848,092	\$11,087,697	\$62,935,789
19	Full-time equivalent positions	435.75	49.57	485.32
20	Operations	\$205,926,712	\$5,369,938	\$211,296,650
21	Health care workforce initiative	0	10,676,150	10,676,150
22	Total all funds	\$205,926,712	\$16,046,088	\$221,972,800
23	Less estimated income	154,078,620	4,958,391	159,037,011
24	Total general fund	\$51,848,092	\$11,087,697	\$62,935,789
25	Full-time equivalent positions	435.75	49.57	485.32

26 Subdivision 14.

27 NORTH DAKOTA FOREST SERVICE

28		Adjustments or		
29		Base Level	Enhancements	Appropriation
30	Operations	\$14,958,447	\$230,049	\$15,188,496
31	Capital assets	118,728	0	118,728

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1	Total all funds	\$15,077,175	\$230,049	\$15,307,224
2	Less estimated income	10,650,748	14,652	10,665,400
3	Total general fund	\$4,426,427	\$215,397	\$4,641,824
4	Full-time equivalent positions	27.00	0.00	27.00
5	Operations	\$14,958,447	\$264,889	\$15,223,336
6	Capital assets	118,728	0	118,728
7	Total all funds	\$15,077,175	\$264,889	\$15,342,064
8	Less estimated income	10,650,748	14,652	10,665,400
9	Total general fund	\$4,426,427	\$250,237	\$4,676,664
10	Full-time equivalent positions	27.00	0.00	27.00

11 Subdivision 15.

12 BILL TOTAL

13			Adjustments or	
14		Base Level	Enhancements	Appropriation
15	Grand total general fund	\$613,242,154	\$35,081,983	\$648,324,137
16	Grand total special funds	1,866,661,275	260,349,792	2,127,011,067
17	Grand total all funds	\$2,479,903,429	\$295,431,775	\$2,775,335,204
18	Grand total general fund	\$613,242,154	\$47,275,651	\$660,517,805
19	Grand total special funds	1,866,661,275	294,499,839	2,161,161,114
20	Grand total all funds	\$2,479,903,429	\$341,775,490	\$2,821,678,919

21 **SECTION 2. ONE-TIME FUNDING - EFFECT ON BASE BUDGET - REPORT TO SIXTY-**
 22 **SEVENTH LEGISLATIVE ASSEMBLY.** The following amounts reflect one-time funding items

23 approved by the sixty-fifth legislative assembly for the 2017-19 biennium and the 2019-21
 24 biennium one-time funding items included in the appropriation in section 1 of this Act:

25	One-Time Funding Description	2017-19	2019-21
26	Capital projects - other funds	\$168,505,000	\$197,800,000
27	Education challenge grants	2,000,000	2,200,000
28	Tier II and tier III capital building funds	0	46,297,110
29	Theodore Roosevelt digitization	0	250,000
30	Institution operations distributions	2,000,000	0
31	Dickinson state university operations and debt repayment	8,284,626	0

Sixty-sixth
Legislative Assembly

1	Two-year campus study	40,000	0
2	Valley City state university integrated carbon project	22,500,000	0
3	Minot state university projects	2,284,000	0
4	Midwestern higher education compact dues	230,000	0
5	Total all funds	\$205,843,626	\$246,547,110
6	Total other funds	193,289,000	240,097,110
7	Total general fund	\$12,554,626	\$6,450,000
8	Capital projects - other funds	\$168,505,000	\$230,300,000
9	Education challenge grants	2,000,000	9,400,000
10	School of law matching grants	0	250,000
11	Tier II and tier III capital building funds	0	29,000,000
12	Theodore Roosevelt digitization	0	200,000
13	University of North Dakota campus network upgrades	0	1,500,000
14	North Dakota state university campus network upgrades	0	1,500,000
15	Institution operations distributions	2,000,000	0
16	Dickinson state university operations and debt repayment	8,284,626	0
17	Two-year campus study	40,000	0
18	Valley City state university integrated carbon project	22,500,000	0
19	Minot state university projects	2,284,000	0
20	Midwestern higher education compact dues	230,000	0
21	Total all funds	\$205,843,626	\$272,150,000
22	Total other funds	193,289,000	260,300,000
23	Total general fund	\$12,554,626	\$11,850,000

24 The 2019-21 biennium one-time funding amounts are not a part of the entity's base budget
 25 for the 2021-23 biennium. The institutions and entities under the control of the state board of
 26 higher education shall report to the appropriations committees of the sixty-seventh legislative
 27 assembly on the use of this one-time funding for the biennium beginning July 1, 2019, and
 28 ending June 30, 2021.

SECTION 3. APPROPRIATION - 2017-19 BIENNIUM - WILLISTON STATE COLLEGE.

29
 30 There is appropriated out of any moneys in the general fund in the state treasury, not otherwise
 31 appropriated, the sum of \$491,850, or so much of the sum as may be necessary, to Williston

1 state college for institution operations, for the period beginning with the effective date of this Act,
2 and ending June 30, 2019. In accordance with section 54-44.1-11, any unexpended funds from
3 this appropriation may be continued into the biennium beginning July 1, 2019, and ending
4 June 30, 2021.

5 **SECTION 4. APPROPRIATION - 2017-19 BIENNIUM - DICKINSON STATE UNIVERSITY.**

6 There is appropriated out of any moneys in the general fund in the state treasury, not otherwise
7 appropriated, the sum of \$550,000, or so much of the sum as may be necessary, to Dickinson
8 state university for the digitization of documents at the Theodore Roosevelt center, for the
9 period beginning with the effective date of this Act, and ending June 30, 2019. In accordance
10 with section 54-44.1-11, any unexpended funds from this appropriation may be continued into
11 the biennium beginning July 1, 2019, and ending June 30, 2021.

12 **SECTION 5. APPROPRIATION - 2017-19 BIENNIUM - STATE BOARD OF HIGHER**
13 **EDUCATION.** There is appropriated out of any moneys in the general fund in the state treasury,
14 not otherwise appropriated, the sum of \$2,700,000, or so much of the sum as may be
15 necessary, to the state board of higher education for campus workforce initiative projects,
16 including \$1,000,000 for the Bismarck state college polytechnic transition, \$1,000,000 for the
17 Dickinson state university dual-mission transition, and \$700,000 for Williston state college, for
18 the period beginning with the effective date of this Act, and ending June 30, 2019. In
19 accordance with section 54-44.1-11, any unexpended funds from this appropriation may be
20 continued into the biennium beginning July 1, 2019, and ending June 30, 2021.

21 **SECTION 6.** A new chapter to title 15 of the North Dakota Century Code is created and
22 enacted as follows:

23 **Midwestern regional higher education compact.**

24 The midwestern regional higher education compact is adopted as follows:

25 **ARTICLE I - PURPOSE**

26 The purpose of the midwestern higher education compact is to provide greater higher
27 education opportunities and services in the midwestern region, with the aim of furthering
28 regional access to, research in, and choice of higher education for the citizens residing in the
29 states that are parties to this compact.

30 **ARTICLE II - THE COMMISSION**

- 1 1. The compacting states create the midwestern higher education commission,
2 hereinafter called the commission. The commission is a body corporate of each
3 compacting state. The commission has all the responsibilities, powers, and duties set
4 forth in this chapter, including the power to sue and be sued, and any additional
5 powers conferred upon it by subsequent action of the respective legislative assemblies
6 of the compacting states in accordance with the terms of this compact.
- 7 2. The commission consists of the following five resident members from each state: the
8 governor or the governor's designee who serves during the tenure of office of the
9 governor; two legislators, one from each house, except for Nebraska, which may
10 appoint two legislators from its legislative assembly, who serve two-year terms and are
11 appointed by the appropriate appointing authority in each house of the legislative
12 assembly; and two other at large members, at least one of whom is to be selected
13 from the field of higher education. The at large members are to be appointed as
14 provided by the laws of the appointing state. One of the two at large members initially
15 appointed in each state serves a two-year term. The other, and any regularly
16 appointed successor to either at large member, serves a four-year term. All vacancies
17 are to be filled in accordance with the laws of the appointing states. Any commissioner
18 appointed to fill a vacancy serves until the end of the incomplete term.
- 19 3. The commission shall select annually, from among its members, a chairman, a vice
20 chairman, and a treasurer.
- 21 4. The commission shall appoint an executive director who serves at its pleasure and
22 who is secretary to the commission. The treasurer, the executive director, and other
23 personnel as the commission determines must be bonded in the amounts required by
24 the commission.
- 25 5. The commission shall meet at least once each calendar year. The chairman may call
26 additional meetings and upon the request of a majority of the commission members of
27 three or more compacting states, shall call additional meetings. The commission shall
28 give public notice of all meetings. All meetings must be open to the public.
- 29 6. Each compacting state represented at any meeting of the commission is entitled to
30 one vote. A majority of the compacting states constitute a quorum for the transaction of
31 business, unless a larger quorum is required by the bylaws of the commission.

ARTICLE III - POWERS AND DUTIES OF THE COMMISSION

- 1 1. The commission shall adopt bylaws governing its management and operations.
- 2
- 3 2. Notwithstanding the laws of any compacting state, the commission shall provide for
- 4 the personnel policies and programs of the compact in its bylaws.
- 5 3. The commission shall submit a budget to the governor and legislative assembly of
- 6 each compacting state at the time and for the period required by each state. The
- 7 budget must contain recommendations regarding the amount to be appropriated by
- 8 each compacting state.
- 9 4. The commission shall report annually to the legislative assemblies and governors of
- 10 the compacting states, to the midwestern governors' conference, and to the
- 11 midwestern legislative conference of the council of state governments regarding the
- 12 activities of the commission during the preceding year. The reports must include any
- 13 recommendations that have been adopted by the commission.
- 14 5. The commission may borrow, accept, or contract for the services of personnel from
- 15 any state or from the United States, or from any subdivision or agency thereof, from
- 16 any interstate agency, or from any person.
- 17 6. The commission may accept for any of its purposes and functions under the compact
- 18 donations and grants of money, equipment, supplies, materials, and services,
- 19 conditional or otherwise, from any state or the United States or from any subdivision or
- 20 agency thereof, from an interstate agency, or from any person, and may receive, use,
- 21 and dispose of the same.
- 22 7. The commission may enter agreements with any other interstate education
- 23 organization or agency, with institutions of higher education located in nonmember
- 24 states, and with any of the various states to provide adequate programs and services
- 25 in higher education for the citizens of the respective compacting states. After
- 26 negotiations with interested institutions and interstate organizations or agencies, the
- 27 commission shall determine the cost of providing the programs and services in higher
- 28 education for use in these agreements.
- 29 8. The commission may establish and maintain offices in one or more of the compacting
- 30 states.

1 9. The commission may establish committees and hire staff as necessary to carry out its
2 functions.

3 10. The commission may provide for actual and necessary expenses for the attendance of
4 its members at official meetings of the commission or of its designated committees.

5 **ARTICLE IV - ACTIVITIES OF THE COMMISSION**

6 1. The commission shall collect data on the long-range effects of the compact on higher
7 education. By the end of the fourth year from the effective date of the compact and
8 every two years thereafter, the commission shall review its accomplishments and
9 make recommendations to the governors and legislative assemblies of the compacting
10 states regarding continuance of the compact.

11 2. The commission shall study higher education issues that are of particular concern to
12 the midwestern region. The commission also shall study the need for higher education
13 programs and services in the compacting states and the resources for meeting those
14 needs. The commission shall prepare reports, on its research, for presentation to the
15 governors and legislative assemblies of the compacting states, as well as to other
16 interested parties. In conducting the studies, the commission may confer with any
17 national or regional planning body. The commission may draft and recommend to the
18 governors and legislative assemblies of the various compacting states suggested
19 legislation addressing issues in higher education.

20 3. The commission shall study the need for the provision of adequate programs and
21 services in higher education, such as undergraduate, graduate, or professional
22 student exchanges in the region. If a need for exchange in a field is apparent, the
23 commission may enter agreements with any institution of higher education and with
24 any compacting state to provide programs and services in higher education for the
25 citizens of the respective compacting states. After negotiating with interested
26 institutions and the compacting states, the commission shall determine the cost of
27 providing the programs and services in higher education for use in its agreements.
28 The contracting states shall contribute funds not otherwise provided, as determined by
29 the commission, to carry out the agreements. The commission may also serve as the
30 administrative and fiscal agent in carrying out agreements for higher education
31 programs and services.

- 1 4. The commission shall serve as a clearinghouse for information regarding higher
2 education activities among institutions and agencies.
3 5. The commission may provide services and research in any other area of regional
4 concern.

ARTICLE V - FINANCE

- 6 1. The compacting states will appropriate the amount necessary to finance the general
7 operations of the commission, not otherwise provided for, when authorized by their
8 respective legislative assemblies. The amount must be apportioned equally among the
9 compacting states.
10 2. The commission may not incur any obligations prior to the passage of appropriations
11 adequate to meet the same; nor may the commission pledge the credit of any of the
12 compacting states, except by and with the authority of the compacting state.
13 3. The commission shall keep accurate accounts of its receipts and disbursements. The
14 receipts and disbursements of the commission are subject to the audit and accounting
15 procedures established under its bylaws. All receipts and disbursements handled by
16 the commission must be audited yearly by a certified or licensed public accountant
17 and the report of the audit must be included in and become part of the annual report of
18 the commission.
19 4. The accounts of the commission must be open at any reasonable time for inspection
20 by duly authorized representatives of the compacting states and by persons
21 authorized by the commission.

ARTICLE VI - ELIGIBLE PARTIES AND ENTRY INTO FORCE

- 23 1. The states of Illinois, Indiana, Iowa, Kansas, Michigan, Minnesota, Missouri,
24 Nebraska, North Dakota, Ohio, South Dakota, and Wisconsin are eligible to become
25 parties to this compact. Additional states may be eligible if approved by a majority of
26 the compacting states.
27 2. This compact becomes effective, as to any eligible party state, when its legislative
28 assembly enacts the compact into law.
29 3. An amendment to the compact becomes effective upon its enactment by the
30 legislative assemblies of all compacting states.

ARTICLE VII - WITHDRAWAL, DEFAULT, AND TERMINATION

- 1 1. A compacting state may withdraw from the compact by enacting a statute repealing
2 the compact, but the withdrawal may not become effective until two years after the
3 enactment of such statute. A withdrawing state is liable for any obligation that it
4 incurred on account of its party status, up to the effective date of withdrawal, except
5 that if the withdrawing state has specifically undertaken or committed itself to any
6 performance of an obligation extending beyond the effective date of withdrawal, it
7 remains liable to the extent of the obligation.
- 8 2. If a compacting state at any time defaults in the performance of its obligations,
9 assumed or imposed, in accordance with this compact, all rights, privileges, and
10 benefits conferred by this compact or by agreements made under the compact are
11 suspended from the effective date of the default, as fixed by the commission. The
12 commission shall stipulate the conditions and maximum time for compliance under
13 which the defaulting state may resume its regular status. Unless the default is
14 remedied under the stipulations and within the time period set by the commission, the
15 compact may be terminated with respect to the defaulting state by affirmative vote of a
16 majority of the other member states. A defaulting state may be reinstated by
17 performing all acts and obligations required by the commission.

18 **ARTICLE VIII - SEVERABILITY AND CONSTRUCTION**

19 The provisions of this compact are severable, and if any phrase, clause, sentence, or
20 provision of this compact is declared to be contrary to the constitution of any compacting state
21 or of the United States or its applicability to any person or circumstance is held invalid, the
22 validity of the remainder of the compact and its applicability to any person or circumstance may
23 not be affected. If the compact is found to be contrary to the constitution of any compacting
24 state, the compact remains in full force and effect as to the remaining states and in full force
25 and effect as to the state affected as to all severable matters. The provisions of the compact
26 must be liberally construed to effectuate the purpose of the compact.

27 **Midwestern higher education commission - Terms - Vacancies.**

- 28 1. The members of the midwestern higher education commission representing this state
29 are:
- 30 a. The governor or the governor's designee.

- 1 b. One member of the senate and one member of the house of representatives,
2 appointed by the chairman of the legislative management.
3 c. Two at-large members, one of whom must be knowledgeable about the field of
4 higher education, appointed by the governor.
5 2. The term of each legislative appointee is two years. One initial at-large member must
6 be appointed for a term of two years and the other for a term of four years. Thereafter,
7 the term of each at-large member is four years.
8 3. If a member vacates the position to which the member was appointed, the position
9 must be filled for the remainder of the unexpired term in the same manner as that
10 position was filled initially.

11 **SECTION 7. AMENDMENT.** Section 15-10-12.1 of the North Dakota Century Code is
12 amended and reenacted as follows:

13 **15-10-12.1. Acceptance of buildings and campus improvements - Legislative**
14 **approval.**

15 The state board of higher education may authorize campus improvements and building
16 maintenance on land under the control of the board which are financed by donations, gifts,
17 grants, and bequests if the cost of the improvement or building maintenance is not more than
18 seven hundred thousand dollars. The consent of the legislative assembly is required for
19 construction of any building or any addition to a building on land under the control of the board
20 which is financed by donations, gifts, grants, and bequests. The consent of the legislative
21 assembly is required for campus improvements or building maintenance financed by donations,
22 gifts, grants, and bequests if the cost of the improvements or maintenance is more than seven
23 hundred thousand dollars. During the time the legislative assembly is not in session, except for
24 the six months preceding the convening of a regular session and the three months following the
25 close of a regular session, and unless otherwise restricted by previous legislative action or other
26 law, the state board of higher education, with the approval of the budget section of the
27 legislative management, may authorize the use of land under the control of the board and
28 construct buildings financed by donations, gifts, grants, and bequests and campus
29 improvements and building maintenance financed by donations, gifts, grants, and bequests if
30 the cost of the improvement or maintenance is more than seven hundred thousand dollars. Any
31 project request submitted to the budget section for the construction of a building financed by

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

16 **SECTION 8. AMENDMENT.** Section 15-10-48 of the North Dakota Century Code is
17 amended and reenacted as follows:

18 **15-10-48. Advancement of academics - Matching grants - University of North Dakota**
19 **and North Dakota state university.**

- 20 1. a. Subject to legislative appropriations, each biennium during the period beginning
21 July first of each odd-numbered year and ending December thirty-first of each
22 even-numbered year, the state board of higher education shall award one dollar
23 in matching grants for every two dollars raised by the institutional foundations of
24 the university of North Dakota and North Dakota state university for projects
25 dedicated exclusively to the advancement of academics.
- 26 b. To be eligible for a matching grant, an institution must demonstrate that:
- 27 (1) Its foundation has raised at least fifty thousand dollars in cash or monetary
28 pledges for a qualifying project; and
- 29 (2) The project has been approved by the grant review committee established
30 in section 15-10-51.

- 1 c. The board may award up to ~~two hundred thousand~~ one million seven hundred
2 thousand dollars in matching grants to each institution.
- 3 d. Projects at the university of North Dakota school of medicine and health sciences
4 are not eligible to receive a grant under this section.
- 5 2. a. If any available dollars have not been awarded by the board before January first
6 of each odd-numbered year, in accordance with subsection 1, either the
7 university of North Dakota or North Dakota state university may apply for an
8 additional matching grant.
- 9 b. An application submitted under this subsection must meet the same criteria as an
10 original application.
- 11 c. The board shall consider each application submitted under this subsection in
12 chronological order.
- 13 d. If the remaining dollars are insufficient to provide a matching grant in the amount
14 of one dollar for every two dollars raised by the institutional foundation, the board
15 shall award a lesser amount.
- 16 3. The state board of higher education shall retain up to one-quarter of one percent of
17 any grant awarded under this section to assist with administrative expenses incurred
18 in the grant review process.

19 **SECTION 9.** Section 15-10-48.1 of the North Dakota Century Code is created and enacted
20 as follows:

21 **15-10-48.1. Clinical legal education, including indigent legal services, and faculty**
22 **recruitment and retention - Matching grants - University of North Dakota school of law.**

- 23 1. a. Subject to legislative appropriations, each biennium the state board of higher
24 education shall award one dollar in matching grants for every two dollars raised
25 by the institutional foundation of the university of North Dakota for projects
26 dedicated exclusively to clinical legal education, including indigent legal services,
27 or the recruitment and retention of faculty at the school of law.
- 28 b. To be eligible for a matching grant, the institution shall demonstrate:
- 29 (1) Its foundation has raised at least twenty-five thousand dollars in cash or
30 monetary pledges for a qualifying project; and

1 (2) The project has been approved by the grant review committee established
2 in section 15-10-51.

3 c. The board may award up to two hundred fifty thousand dollars in matching grants
4 under this section.

5 d. If the remaining dollars are insufficient to provide a matching grant in the amount
6 of one dollar for every two dollars raised by the institutional foundation, the board
7 shall award a lesser amount.

8 2. The state board of higher education shall retain up to one-quarter of one percent of
9 any grant awarded under this section to assist with the administrative expenses
10 incurred in the grant review process.

11 **SECTION 10. AMENDMENT.** Section 15-10-49 of the North Dakota Century Code is
12 amended and reenacted as follows:

13 **15-10-49. Advancement of academics - Matching grants - Two-year and four-year**
14 **institutions of higher education.**

15 1. a. Subject to legislative appropriations, each biennium during the period beginning
16 July first of each odd-numbered year and ending December thirty-first of each
17 even-numbered year, the state board of higher education shall award one dollar
18 in matching grants for every two dollars raised by the institutional foundations of
19 Bismarck state college, Dakota college at Bottineau, Dickinson state university,
20 Lake Region state college, Mayville state university, Minot state university, North
21 Dakota state college of science, Valley City state university, and Williston state
22 college for projects dedicated exclusively to the advancement of academics.

23 b. To be eligible for a matching grant, an institution must demonstrate that:

24 (1) Its foundation has raised at least twenty-five thousand dollars in cash or
25 monetary pledges for a qualifying project; and

26 (2) The project has been approved by the grant review committee established
27 in section 15-10-51.

28 c. The board may award up to ~~two hundred thousand dollars in matching grants to~~
29 ~~each institution.;~~

30 (1) Nine hundred fifty thousand dollars each to Bismarck state college, Minot
31 state university, and the North Dakota state college of science;

1 (2) Seven hundred thousand dollars each to Dickinson state university, Mayville
2 state university, and Valley City state university; and

3 (3) Three hundred fifty thousand dollars each to Dakota college at Bottineau,
4 Lake Region state college, and Williston state college.

- 5 2. a. If any available dollars have not been awarded by the board before January first
6 of each odd-numbered year, in accordance with subsection 1, any institution
7 listed in subsection 1 may apply for an additional matching grant.
8 b. An application submitted under this subsection must meet the same criteria as an
9 original application.
10 c. The board shall consider each application submitted under this subsection in
11 chronological order.
12 d. If the remaining dollars are insufficient to provide a matching grant in the amount
13 of one dollar for every two dollars raised by the institutional foundation, the board
14 shall award a lesser amount.
- 15 3. The state board of higher education shall retain up to one-quarter of one percent of
16 any grant awarded under this section to assist with administrative expenses incurred
17 in the grant review process.

18 ~~SECTION 5. A new subsection to section 15-10-63 of the North Dakota Century Code is~~
19 ~~created and enacted as follows:~~

20 ~~Notwithstanding any existing agreements, an institution under the control of the state~~
21 ~~board of higher education shall obtain approval from the legislative assembly before~~
22 ~~the institution acquires any additional facility space to be used by the institution for any~~
23 ~~purpose, if the acquisition would result in additional operating costs to be paid from~~
24 ~~any source. This subsection does not apply to operating lease agreements that~~
25 ~~preclude the ownership of the leased facility.~~

26 ~~SECTION 6. A new subsection to section 15-10-63 of the North Dakota Century Code is~~
27 ~~created and enacted as follows:~~

28 ~~Notwithstanding any existing agreements, an institution under the control of the state~~
29 ~~board of higher education shall obtain approval from the legislative assembly before~~
30 ~~an institution purchases, rents, occupies, or otherwise utilizes a building or any portion~~
31 ~~of a building for a purpose that directly or indirectly supports or relates to the~~

~~institution's educational or administrative functions if the building is located more than ten miles from the campus of the institution. This subsection does not apply to buildings utilized by an institution to offer dual-credit courses, buildings utilized by the agricultural experiment station and research extension centers, and buildings utilized by the North Dakota state university extension service. For purposes of this section, "campus" means the campus of the institution under the federal Clery Act [Pub. L. 105-244; 20 U.S.C. 1092(f)].~~

~~— **SECTION 7.** A new subsection to section 15-10-63 of the North Dakota Century Code is created and enacted as follows:~~

~~— An institution that obtains legislative approval to acquire any additional facility space to be used by the institution for any purpose shall establish a maintenance reserve fund of at least three percent of the total construction cost or replacement value, whichever is greater, of the acquired space. The institution's plans for funding the maintenance reserve fund must be included in the request for legislative approval. Maintenance reserve funds must be deposited in an account under the control of the state board of higher education before the acquired space may be occupied, and the funds may be used for maintenance repairs after the total deferred maintenance of the space exceeds thirty percent of its replacement value. The funds may not be used for any other purpose. This subsection does not apply to additional space acquired through the sale of revenue bonds that require by covenant the establishment of maintenance reserve funds.~~

SECTION 11. AMENDMENT. Section 15-10-50 of the North Dakota Century Code is amended and reenacted as follows:

15-10-50. Liability for pledged amount.

If in accordance with section 15-10-48, [15-10-48.1](#), or 15-10-49, the state board of higher education provides grant funds to an institution, on the basis of a monetary pledge, and if the amount forthcoming is less than the amount pledged, the institutional foundation is liable to the institution for any shortfall.

SECTION 12. A new section to chapter 15-10 of the North Dakota Century Code is created and enacted as follows:

1 Professional student exchange programs - Bank of North Dakota - Agreements -
2 Repayment.

- 3 1. The state board of higher education may not make a payment to an out-of-state
4 institution on behalf of an individual participating in a professional student exchange
5 program in veterinary medicine, dentistry, or optometry unless that individual signed a
6 legally binding agreement with the state board of higher education which identifies the
7 amount of the award under the professional student exchange program.
- 8 2. If the individual who signed the agreement under subsection 1 is not practicing
9 veterinary medicine, dentistry, or optometry in this state within thirty-six months
10 following graduation or of leaving the education program, the individual shall repay the
11 amount of the agreement in full at that time.
- 12 3. If the individual who signed the agreement under subsection 1 practices veterinary
13 medicine, dentistry, or optometry in this state within thirty-six months following
14 graduation, the state board of higher education shall reduce the amount of the
15 agreement by one-third, for each full year the individual continues practicing in the
16 state. If the individual stops practicing in this state before the amount of the agreement
17 is waived in its entirety, the individual shall repay the remaining portion of the
18 agreement in full from the date the individual stopped practicing in the state.
- 19 4. If the individual who signed the agreement under subsection 1 departs before
20 graduation from a program in dentistry or optometry, at the time of departure that
21 individual shall repay the amount of the agreement in full.
- 22 5. The Bank of North Dakota shall allow an individual who is required to repay all or a
23 portion of an agreement under this section to utilize one of the Bank's student loan
24 programs as an option for repayment, up to the amount certified by the state board of
25 higher education. To qualify under this subsection, the individual must meet student
26 loan credit criteria as established by the Bank.
- 27 6. The state board of higher education shall defer any repayment of an agreement
28 otherwise due under this section for the period of time the individual who signed the
29 agreement is pursuing full-time graduate or postdoctoral studies or is called to active
30 duty as a member of the armed forces. The repayment provisions under an agreement

1 signed under this section must provide for cancellation of the repayment requirements
2 if the individual dies or becomes permanently or totally disabled.

3 7. The state board of higher education shall adopt policies and procedures implementing
4 this section. The state board of higher education shall confirm eligibility, to the Bank, of
5 any individual who uses the Bank's student loan program to repay any outstanding
6 agreement amounts in full.

7 **SECTION 13.** A new section to chapter 15-10 of the North Dakota Century Code is created
8 and enacted as follows:

9 **University of North Dakota men's varsity golf program.**

10 If certain real property known as the Ray Richards golf course or Ray Richards golf course
11 addition, 3801 demers avenue, lot 1, block 1, and Ray Richards golf course addition, 3501
12 demers avenue, lot 2, block 1, in the records of the city of Grand Forks, or any portion of the
13 property, is conveyed, fifty-three and fifty-seven one hundredths percent of the sale price must
14 be transferred to a permanent endowment fund named the Ray Richards golf endowment fund,
15 which must be controlled and administered by the university of North Dakota alumni foundation
16 for the sole benefit of the university of North Dakota men's varsity golf program in honor of the
17 Ray Richards family. If the university of North Dakota men's varsity golf program has been
18 terminated prior to the conveyance, so much of the funds in the Ray Richards golf endowment
19 fund as necessary must be used to reinstate the program, and the remainder must be used for
20 the sole benefit of the program.

21 **SECTION 14.** A new section to chapter 15-18 of the North Dakota Century Code is created
22 and enacted as follows:

23 **Curtis and Annette Hofstad agricultural center.**

24 The agricultural center constructed on the campus of Lake Region state college is officially
25 named the Curtis and Annette Hofstad agricultural center.

26 **SECTION 15. AMENDMENT.** Section 15-18.2-02 of the North Dakota Century Code is
27 amended and reenacted as follows:

28 **15-18.2-02. Weighted credit-hours - Determination - Instructional program**
29 **classification factors - Submission to legislative management.**

30 1. In order to determine the weighted credit-hours for each institution under its control,
31 the state board of higher education shall multiply each of an institution's completed

1 credit-hours, as determined under section 15-18.2-01, by an instructional program
2 classification factor, as set forth in this section.

3 a. The factors for credits completed in agriculture are:

- 4 (1) 1.9 for lower division credits;
- 5 (2) 3.8 for upper division credits;
- 6 (3) 5.7 for professional level credits; and
- 7 (4) 7.6 for graduate level credits.

8 b. The factors for credits completed in architecture are:

- 9 (1) 1.8 for lower division credits;
- 10 (2) 3.6 for upper division credits;
- 11 (3) 5.4 for professional level credits; and
- 12 (4) 7.2 for graduate level credits.

13 c. The factors for credits completed in transportation are:

- 14 (1) 1.9 for lower division credits;
- 15 (2) 3.8 for upper division credits;
- 16 (3) 5.7 for professional level credits; and
- 17 (4) 7.6 for graduate level credits.

18 d. The factors for credits completed in the biological and physical sciences are:

- 19 (1) 1.9 for lower division credits;
- 20 (2) 3.8 for upper division credits;
- 21 (3) 5.7 for professional level credits; and
- 22 (4) 7.6 for graduate level credits.

23 e. The factors for credits completed in business are:

- 24 (1) 1.9 for lower division credits;
- 25 (2) 3.8 for upper division credits;
- 26 (3) 5.7 for professional level credits; and
- 27 (4) 7.6 for graduate level credits.

28 f. The factors for credits completed in education are:

- 29 (1) 1.9 for lower division credits;
- 30 (2) 3.8 for upper division credits;
- 31 (3) 5.7 for professional level credits; and

- 1 (4) 7.6 for graduate level credits.
- 2 g. The factors for credits completed in engineering are:
- 3 (1) 2.5 for lower division credits;
- 4 (2) 5.0 for upper division credits;
- 5 (3) 7.5 for professional level credits; and
- 6 (4) 10.0 for graduate level credits.
- 7 h. The factors for credits completed in the health sciences are:
- 8 (1) 3.0 for lower division credits;
- 9 (2) 6.0 for upper division credits;
- 10 (3) 9.0 for professional level credits;
- 11 (4) 12.0 for graduate level credits; and
- 12 (5) ~~38.0~~34.5 for medical school credits.
- 13 i. The factors for credits completed in legal studies are:
- 14 (1) 3.5 for lower division credits;
- 15 (2) 7.0 for upper division credits;
- 16 (3) ~~10.5~~14.0 for professional level credits; and
- 17 (4) 14.0 for graduate level credits.
- 18 j. The factors for credits completed in the core disciplines are:
- 19 (1) 1.0 for lower division credits;
- 20 (2) 2.0 for upper division credits;
- 21 (3) 3.0 for professional level credits; and
- 22 (4) 4.0 for graduate level credits.
- 23 k. The factor for credits completed in career and technical education is 2.0.
- 24 l. The factor for completed basic skills credits is 2.3.
- 25 2. a. The state board of higher education shall ensure that all delineations in this
- 26 section reflect the requirements of a nationally recognized and standardized
- 27 instructional program classification system.
- 28 b. Before adopting any changes to the delineations implemented in accordance with
- 29 this section, the state board of higher education shall present the proposed
- 30 changes to and receive the approval of the legislative management.

1 **SECTION 16. AMENDMENT.** Section 15-18.2-05 of the North Dakota Century Code is
2 amended and reenacted as follows:

3 **15-18.2-05. Base funding - Determination of state aid.**

4 1. Except as provided under subsection 2, in order to determine the state aid payment to
5 which each institution under its control is entitled, the state board of higher education
6 shall multiply the product determined under section 15-18.2-04 by a base amount of:

- 7 a. ~~\$58.65~~\$60.70~~\$60.87~~ in the case of North Dakota state university and the
8 university of North Dakota;
9 b. ~~\$86.95~~\$90.48~~\$90.98~~ in the case of Dickinson state university, Mayville state
10 university, Minot state university, and Valley City state university; and
11 c. ~~\$93.03~~\$96.52~~\$97.06~~ in the case of Bismarck state college, Dakota college at
12 Bottineau, Lake Region state college, North Dakota state college of science, and
13 Williston state college.

14 2. An institution is entitled to an amount equal to seventy-five percent of the product
15 determined under subsection 1 for credits completed by students receiving a tuition
16 waiver pursuant to section 54-12-35.

17 **SECTION 17. AMENDMENT.** Section 15-62.4-03 of the North Dakota Century Code is
18 amended and reenacted as follows:

19 **15-62.4-03. Student financial assistance program - Grants.**

20 1. The state board of higher education shall provide to each eligible student a financial
21 assistance grant in an amount not exceeding:

- 22 a. ~~Nine hundred seventy-five~~One thousand one hundred dollars per semester; or
23 b. ~~Six hundred fifty~~Seven hundred thirty-three dollars per quarter.

24 2. a. A student is not entitled to receive grants under this chapter for more than the
25 equivalent of:

- 26 (1) Eight semesters of full-time enrollment; or
27 (2) Twelve quarters of full-time enrollment.

28 b. Notwithstanding subdivision a, a student is not entitled to receive a grant under
29 this chapter after the student obtains a baccalaureate degree.

30 3. The board shall forward grants payable under this chapter directly to the institution in
31 which the student is enrolled.

1 **SECTION 18. AMENDMENT.** Section 54-44.1-11 of the North Dakota Century Code is
2 amended and reenacted as follows:

3 **54-44.1-11. Office of management and budget to cancel unexpended appropriations -**
4 **When they may continue. (Effective through July 31, ~~2019~~2021)**

5 Except as otherwise provided by law, the office of management and budget, thirty days after
6 the close of each biennial period, shall cancel all unexpended appropriations or balances of
7 appropriations after the expiration of the biennial period during which they became available
8 under the law. Unexpended appropriations for the state historical society are not subject to this
9 section and the state historical society shall report on the amounts and uses of funds carried
10 over from one biennium to the appropriations committees of the next subsequent legislative
11 assembly. Unexpended appropriations for the North Dakota university system are not subject to
12 this section and the North Dakota university system shall report on the amounts and uses of
13 funds carried over from one biennium to the next to subsequent appropriations committees of
14 the legislative assembly. The chairmen of the appropriations committees of the senate and
15 house of representatives of the legislative assembly with the office of the budget may continue
16 appropriations or balances in force for not more than two years after the expiration of the
17 biennial period during which they became available upon recommendation of the director of the
18 budget for:

- 19 1. New construction projects.
- 20 2. Major repair or improvement projects.
- 21 3. Purchases of new equipment costing more than ten thousand dollars per unit if it was
22 ordered during the first twelve months of the biennium in which the funds were
23 appropriated.
- 24 4. The purchase of land by the state on a "contract for deed" purchase if the total
25 purchase price is within the authorized appropriation.
- 26 5. Purchases by the department of transportation of roadway maintenance equipment
27 costing more than ten thousand dollars per unit if the equipment was ordered during
28 the first twenty-one months of the biennium in which the funds were appropriated.
- 29 6. Authorized ongoing information technology projects.

30 **Office of management and budget to cancel unexpended appropriations - When they**
31 **may continue. (Effective after July 31, ~~2019~~2021)** The office of management and budget,

1 thirty days after the close of each biennial period, shall cancel all unexpended appropriations or
2 balances of appropriations after the expiration of the biennial period during which they became
3 available under the law. Unexpended appropriations for the state historical society are not
4 subject to this section and the state historical society shall report on the amounts and uses of
5 funds carried over from one biennium to the appropriations committees of the next subsequent
6 legislative assembly. The chairmen of the appropriations committees of the senate and house of
7 representatives of the legislative assembly with the office of the budget may continue
8 appropriations or balances in force for not more than two years after the expiration of the
9 biennial period during which they became available upon recommendation of the director of the
10 budget for:

- 11 1. New construction projects.
- 12 2. Major repair or improvement projects.
- 13 3. Purchases of new equipment costing more than ten thousand dollars per unit if it was
14 ordered during the first twelve months of the biennium in which the funds were
15 appropriated.
- 16 4. The purchase of land by the state on a "contract for deed" purchase if the total
17 purchase price is within the authorized appropriation.
- 18 5. Purchases by the department of transportation of roadway maintenance equipment
19 costing more than ten thousand dollars per unit if the equipment was ordered during
20 the first twenty-one months of the biennium in which the funds were appropriated.
- 21 6. Authorized ongoing information technology projects.

22 **SECTION 19. REPEAL.** ~~Section~~Sections 15-10-37 and 15-10-61 of the North Dakota
23 Century Code ~~is~~are repealed.

24 **SECTION 20. ADDITIONAL FEDERAL, PRIVATE, AND OTHER FUNDS -**
25 **APPROPRIATION.** All funds, in addition to those appropriated in section 1 of this Act, from
26 federal, private, and other sources for competitive grants or other funds that the legislative
27 assembly has not indicated the intent to reject, including tuition revenue, received by the state
28 board of higher education and the institutions and entities under the control of the state board of
29 higher education, are appropriated to the board and those institutions and entities, for the
30 biennium beginning July 1, 2019, and ending June 30, 2021. All additional funds received under
31 the North Dakota-Minnesota reciprocity agreement during the biennium beginning July 1, 2019,

1 and ending June 30, 2021, are appropriated to the state board of higher education for
2 reimbursement to institutions under the control of the board.

3 **SECTION 21. CAMPUS CAPITAL PROJECTS - PROJECT MANAGEMENT.** During the
4 period beginning with the effective date of this Act, and ending June 30, 2021, each capital
5 project authorized by the state board of higher education must have adequate project
6 management oversight by either an institution official or a representative of an external entity.
7 An institution may seek assistance from the North Dakota university system office for project
8 management oversight of a capital project.

9 **SECTION 22. UNIVERSITY OF NORTH DAKOTA SCHOOL OF MEDICINE AND HEALTH**
10 **SCIENCES OPERATIONS.** The operations line item in subdivision 5 of section 1 of this Act
11 includes a funding allocation from the higher education per student credit-hour funding formula
12 attributable to inflation during the biennium beginning July 1, 2019, and ending June 30, 2021.
13 Based on the recommendation of the commissioner of higher education a portion of the
14 allocation may be transferred by the state board of higher education between the university of
15 North Dakota school of medicine and health sciences and the university of North Dakota.

16 **SECTION 23. TRANSFER AUTHORITY - LEGISLATIVE MANAGEMENT REPORT.**
17 Notwithstanding section 54-16-04, the state board of higher education may transfer
18 appropriation authority from the operations to the capital assets and capital building fund line
19 items within subdivisions 2 through 14 of section 1 of this Act for the **biennium period** beginning
20 **July 1, 2019** **with the effective date of this Act**, and ending June 30, 2021. The board shall report
21 any transfer of funds under this section to the office of management and budget and the
22 legislative management.

23 **SECTION 24. FULL-TIME EQUIVALENT POSITION ADJUSTMENTS.** Notwithstanding
24 any other provisions of law, the state board of higher education may adjust full-time equivalent
25 positions as needed, subject to the availability of funds, for institutions and entities under its
26 control during the biennium beginning July 1, 2019, and ending June 30, 2021. The North
27 Dakota university system shall report any adjustments to the office of management and budget
28 as part of the submission of the 2021-23 biennium budget request.

29 **SECTION 25. USE OF EXTRAORDINARY REPAIRS FUNDING - MATCHING FUNDS.**
30 The capital assets line items in subdivisions 2 through 12 of section 1 of this Act include funding
31 from the general fund for institution extraordinary repairs. An institution shall provide two dollars

1 of matching funds from operations or other sources for each one dollar of extraordinary repairs
2 funding used for a project. An institution may not use tier II or tier III capital building fund
3 moneys as matching funds under this section.

4 **SECTION 26. SALE OF PROPERTY AUTHORIZED.** The state of North Dakota, by and
5 through the state board of higher education, may sell and convey certain real property known as
6 gallery apartments, lots 1, 2, and 3, block 13, university heights addition, and lots 1, 2, 3, 4, 5,
7 and 6, block 1, university heights 2nd addition, in the records of the city of Grand Forks. The
8 state of North Dakota, by and through the state board of higher education, may sell and convey
9 certain real property located at 1225 stanford road, lots 1 and 2, block 5, university heights
10 addition, in the records of the city of Grand Forks. If any of the real property authorized to be
11 conveyed under this section is conveyed, the terms of the conveyance must be determined
12 jointly by the state board of higher education or a designee of the board and the commissioner
13 of university and school lands. Sections 54-01-05.2 and 54-01-05.5 do not apply to the transfers
14 authorized by this section.

15 **SECTION 27. PROJECT AUTHORIZATIONS.** The industrial commission, acting as the
16 North Dakota building authority, shall arrange for the funding of the projects authorized in this
17 section, declared to be in the public interest, through the issuance of evidences of indebtedness
18 under chapter 54-17.2, beginning with the effective date of this Act, and ending June 30, 2021.
19 The industrial commission shall issue evidences of indebtedness under this section with the
20 condition that lease rental payments need not begin until July 1, 2021. The authority of the
21 industrial commission to issue evidences of indebtedness under this section ends June 30,
22 2021, but the industrial commission may continue to exercise all other powers granted to it
23 under chapter 54-17.2 and this Act and comply with any covenants entered before that date.
24 The proceeds of the evidences of indebtedness are included in the appropriation in
25 subdivision 5 of section 1, beginning with the effective date of this Act, and ending June 30,
26 2021, for the following projects:

27 University of North Dakota - deferred maintenance and parking projects	<u>\$30,000,000</u>
28 Total special funds	\$30,000,000

29 The university of North Dakota is responsible for the repayment of any evidences of
30 indebtedness issued under this section from institution operations funding or other local funds.

1 **SECTION 28. BOND ISSUANCE AUTHORIZATION - PURPOSES.** The state board of
2 higher education, in accordance with chapter 15-55, may arrange for the funding of projects
3 authorized in this section, declared to be in the public interest, through the issuance of
4 self-liquidating, tax-exempt evidences of indebtedness under chapter 15-55, beginning with the
5 effective date of this Act and ending June 30, 2021. Evidences of indebtedness issued pursuant
6 to this section are not a general obligation of the state of North Dakota. Any unexpended
7 balance resulting from the proceeds of the evidences of indebtedness must be placed in a
8 sinking fund to be used for the retirement of indebtedness. The evidences of indebtedness may
9 be issued and the proceeds are appropriated in section 1 of this Act for the following capital
10 projects:

11	University of North Dakota - memorial union	\$80,000,000
12	North Dakota state university - university village phase II	37,600,000
13	Total special funds	\$117,600,000
14	<u>University of North Dakota - memorial union</u>	<u>\$80,000,000</u>
15	<u>North Dakota state university - university village phase II</u>	<u>37,600,000</u>
16	<u>Dakota college at Bottineau - dining facility</u>	<u>2,500,000</u>
17	<u>Total special funds</u>	<u>\$120,100,000</u>

18 **SECTION 29. TRANSFER - BANK OF NORTH DAKOTA PROFITS - TIER II CAPITAL**
19 **BUILDING FUNDS - MATCHING FUNDS.** The industrial commission shall transfer to
20 institutions under the control of the state board of higher education a total of \$10,000,000, or so
21 much of the sum as may be necessary, from the current earnings and accumulated undivided
22 profits of the Bank of North Dakota during the period beginning with the effective date of this
23 Act, and ending June 30, 2021, as requested by the commissioner of higher education. The
24 capital building fund and estimated income line items in subdivisions 2 through 12 of section 1
25 of this Act include \$10,000,000 from the current earnings and accumulated undivided profits of
26 the Bank of North Dakota ~~and \$8,648,555 from a one percent per year increase in tuition~~ as
27 follows:

28			
29			Estimated
30	Bank of North Dakota Tuition		Commitment
31	Bismarck state college	\$425,693	\$413,848

Sixty-sixth
Legislative Assembly

1	Lake Region state college	177,375	136,763
2	Williston state college	137,947	79,959
3	University of North Dakota	4,361,801	3,334,928
4	North Dakota state university	2,899,596	3,301,310
5	North Dakota state college of science	500,695	268,296
6	Dickinson state university	268,862	209,959
7	Mayville state university	240,029	176,887
8	Minot state university	572,801	448,613
9	Valley City state university	309,137	205,206
10	Dakota college at Bottineau	106,064	72,786
11	Total	\$10,000,000	\$8,648,555

12			Bank of North Dakota
13	<u>Bismarck state college</u>		<u>\$425,693</u>
14	<u>Lake Region state college</u>		<u>177,375</u>
15	<u>Williston state college</u>		<u>137,947</u>
16	<u>University of North Dakota</u>		<u>4,361,801</u>
17	<u>North Dakota state university</u>		<u>2,899,596</u>
18	<u>North Dakota state college of science</u>		<u>500,695</u>
19	<u>Dickinson state university</u>		<u>268,862</u>
20	<u>Mayville state university</u>		<u>240,029</u>
21	<u>Minot state university</u>		<u>572,801</u>
22	<u>Valley City state university</u>		<u>309,137</u>
23	<u>Dakota college at Bottineau</u>		<u>106,064</u>
24	<u>Total</u>		<u>\$10,000,000</u>

25 An institution shall provide one dollar of matching funds from operations or other sources for
 26 each one dollar from Bank of North Dakota profits ~~and for each one dollar generated from the~~
 27 ~~one percent per year increase in tuition~~ deposited in each institution's capital building fund. An
 28 institution may not use extraordinary repairs funding or tier III capital building fund moneys as
 29 matching funds under this section.

30 **SECTION 30. TRANSFER - BANK OF NORTH DAKOTA PROFITS - TIER III CAPITAL**
 31 **BUILDING FUND POOL - MATCHING FUNDS.** The industrial commission shall transfer to the

1 North Dakota university system office a total of ~~\$5,000,000~~\$7,000,000, or so much of the sum
2 as may be necessary, from the current earnings and accumulated undivided profits of the Bank
3 of North Dakota during the period beginning with the effective date of this Act, and ending June
4 30, 2021, as requested by the commissioner of higher education. The tier III capital building
5 fund pool and estimated income line items in subdivision 1 of section 1 of this Act include
6 ~~\$5,000,000~~\$7,000,000 from the current earnings and accumulated undivided profits of the Bank
7 of North Dakota. The tier III capital building fund pool in subdivision 1 of section 1 of this Act
8 also includes ~~\$4,000,000~~\$2,000,000 from the general fund. Funding from the tier III capital
9 building fund pool is to be allocated to each institution as follows:

	<u>Tier III Capital Building Fund</u>
11 Bismarck state college	\$500,000
12 Lake Region state college	500,000
13 Williston state college	500,000
14 University of North Dakota	2,250,000
15 North Dakota state university	2,250,000
16 North Dakota state college of science	500,000
17 Dickinson state university	500,000
18 Mayville state university	500,000
19 Minot state university	500,000
20 Valley City state university	500,000
21 Dakota college at Bottineau	<u>500,000</u>
22 Total	\$9,000,000

23 An institution shall provide two dollars of matching funds from operations or other sources
24 for each one dollar from the tier III capital building fund pool. An institution may not use
25 extraordinary repairs funding or tier II capital building fund moneys as matching funds under this
26 section. Any funds transferred to an institution pursuant to this section from the tier III capital
27 building fund pool must be placed in that institution's capital building fund line item.

28 **SECTION 31. CAPITAL BUILDING FUNDS - USES - REPORTS.** ~~Subject~~After the
29 institution has matched seventy-five percent of the funding appropriated from the general fund
30 for institution extraordinary repairs pursuant to section 25 of this Act and subject to state board
31 of higher education approval, each institution in subdivisions 2 through 12 of section 1 of this

1 Act may use moneys from its capital building fund line item for extraordinary repairs and
2 deferred maintenance projects which do not exceed \$700,000 and do not increase the square
3 footage of a building. In addition, ~~Lake Region state college is authorized to use up to~~
4 ~~\$3,000,000 from its capital building fund line item for the precision agriculture center project.~~the
5 following projects are authorized to use funding from the corresponding institution's capital
6 building fund line item:

7	<u>Lake Region state college - precision agriculture center</u>	<u>\$3,000,000</u>
8	<u>North Dakota state college of science - Hektner Student Center</u>	<u>6,708,000</u>
9	<u>Minot state university - dome wellness emergency generators</u>	<u>1,130,335</u>
10	<u>Valley City state university - life safety projects</u>	<u>2,529,323</u>
11	<u>Dakota college at Bottineau - Nelson Science Center</u>	<u>1,177,758</u>
12	<u>Total</u>	<u>\$14,545,416</u>

13 ___ The North Dakota university system shall report to the legislative management during the
14 2019-20 interim and to the appropriations committees of the sixty-seventh legislative assembly
15 on the use of funding in each institutions' capital building fund line item, the source of matching
16 funds, and each institutions' five-year plan for capital construction spending.

17 **SECTION 32. TRANSFER - BANK OF NORTH DAKOTA PROFITS - CAMPUS**
18 **NETWORK UPGRADES.** The industrial commission shall transfer to the university of North
19 Dakota a total of \$1,500,000, or so much of the sum as may be necessary, and to North Dakota
20 state university a total of \$1,500,000, or so much of the sum as may be necessary, from the
21 current earnings and accumulated undivided profits of the Bank of North Dakota during the
22 biennium beginning July 1, 2019, and ending June 30, 2021, as requested by the commissioner
23 of higher education. The estimated income line items in subdivisions 5 and 6 of section 1
24 include \$1,500,000 each for the university of North Dakota and North Dakota state university for
25 campus network upgrades.

26 **SECTION 33. TUITION RATE INCREASE LIMITATION - BUDGET SECTION APPROVAL.**

- 27 1. Except as provided in this section, notwithstanding any other provision of law, the state
28 board of higher education may not increase tuition rates for resident students
29 attending institutions of higher education under its control during the 2019-20
30 academic year by more than ~~three~~four percent as compared to the tuition rate in effect
31 during the 2019 spring semester unless the board receives prior budget section

1 approval. Before approving or denying the request, the budget section shall consider
2 the effect the tuition rate increase will have on current and prospective students, tuition
3 rates at comparable institutions in neighboring states, and the institution's planned use
4 of additional tuition revenue.

5 2. Except as provided in this section, notwithstanding any other provision of law, the state
6 board of higher education may not increase tuition rates for resident students
7 attending institutions of higher education under its control during the 2020-21
8 academic year by more than ~~three~~four percent as compared to the tuition rate in effect
9 during the 2020 spring semester unless the board receives prior budget section
10 approval. Before approving or denying the request, the budget section shall consider
11 the effect the tuition rate increase will have on current and prospective students, tuition
12 rates at comparable institutions in neighboring states, and the institution's planned use
13 of additional tuition revenue.

14 3. This section does not apply to tuition rates charged for graduate level programs,
15 including programs offered through the university of North Dakota school of medicine
16 and health sciences, the university of North Dakota school of law, or the North Dakota
17 state university school of pharmacy.

18 4. This section does not apply to tuition rates for nonresident students attending
19 institutions of higher education under the control of the state board of higher
20 education. For purposes of this section, the residency of students for tuition purposes
21 must be determined under section 15-10-19.1.

22 5. This section does not apply to tuition rates determined under tuition reciprocity
23 agreements entered into by the state board of higher education with other states or
24 state education compacts.

25 6. This section does not apply to differentiated tuition rates charged for higher cost
26 programs.

27 7. For purposes of this section, an institution must calculate a resident tuition rate
28 increase based on the tuition rate paid by an average full-time resident student. The
29 state board of higher education may exclude adjustments to a tuition rate resulting
30 from a change in an institution's method of charging tuition, including the consolidation

1 of existing fees into tuition rates or charging tuition based on a per-credit rate, from
2 tuition rate calculations under this section.

3 ~~7. The state board of higher education may increase tuition rates for all students~~
4 ~~attending institutions of higher education under its control during the 2019-20~~
5 ~~academic year by an additional one percent as compared to the tuition rate in effect~~
6 ~~during the 2019 spring semester if the institution has provided matching funds from~~
7 ~~operations or other sources for each one dollar generated from the one percent~~
8 ~~increase in tuition, which must be deposited in each institution's capital building fund.~~

9 ~~8. The state board of higher education may increase tuition rates for all students~~
10 ~~attending institutions of higher education under its control during the 2020-21~~
11 ~~academic year by an additional one percent as compared to the tuition rate in effect~~
12 ~~during the 2020 spring semester if the institution has provided matching funds from~~
13 ~~operations or other sources for each one dollar generated from the one percent~~
14 ~~increase in tuition, which must be deposited in each institution's capital building fund.~~

15 **SECTION 34. LEGISLATIVE MANAGEMENT STUDY.** During the 2019-20 interim, the
16 legislative management shall consider studying North Dakota university system competitive
17 research programs, including the established program to stimulate competitive research. The
18 legislative management shall report its findings and recommendations, together with any
19 legislation required to implement the recommendations, to the sixty-seventh legislative
20 assembly.

21 **SECTION 35. APPLICATION.** Section 12 of this Act applies to individuals initially entering a
22 professional student exchange program in veterinary medicine, dentistry, or optometry after
23 June 30, 2020.

24 **SECTION 36. EMERGENCY.** Sections ~~14, 16, 18, 19, 20, 21, and 22~~ 3, 4, 5, 21, 23, 25, 26,
25 27, 28, 29, 30, and 31 of this Act and the tier III capital building fund pool, capital assets, and
26 capital building fund line items in section 1 of this Act are declared to be an emergency
27 measure.