

Sixty-seventh
Legislative Assembly
of North Dakota

REENGROSSED SENATE BILL NO. 2030

Introduced by

Legislative Management
(Higher Education Committee)

1 A BILL for an Act to provide an appropriation to the state board of higher education for the
 2 higher education challenge matching grant program; to create and enact paragraph 3 of
 3 subdivision b of subsection 1 of section 15-10-48 and paragraph 3 of subdivision b of
 4 subsection 1 of section 15-10-49 of the North Dakota Century Code, relating to institution
 5 eligibility for a matching grant for the advancement of academics; ~~and to amend and reenact~~
 6 ~~subdivision c of subsection 1 of section 15-10-48, subdivision a of subsection 1 of section~~
 7 ~~15-10-49, subdivision c of subsection 1 of section 15-10-49, and subdivision a of subsection 2~~
 8 ~~of section 15-10-49 and section 15-18.2-05~~ of the North Dakota Century Code, relating to
 9 matching grants for the advancement of academics and state aid for institutions of higher
 10 education; to repeal subdivision d of subsection 1 of section 15-10-48 of the North Dakota
 11 Century Code, relating to the eligibility of the university of North Dakota school of medicine and
 12 health sciences to receive a matching grant for the advancement of academics; and to provide
 13 a penalty.

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

15 **SECTION 1. APPROPRIATION.** There is appropriated out of any moneys in the general
 16 fund in the state treasury, not otherwise appropriated, the sum of ~~\$21,500,000~~\$11,150,000, or
 17 so much of the sum as may be necessary, to the state board of higher education for the
 18 purpose of awarding matching grants for student scholarships and the advancement of
 19 academics at institutions of higher education, for the biennium beginning July 1, 2021, and
 20 ending June 30, 2023. The funding provided in this section is considered a one-time funding
 21 item.

22 **SECTION 2.** Paragraph 3 of subdivision b of subsection 1 of section 15-10-48 of the North
 23 Dakota Century Code is created and enacted as follows:

1 (3) The institution is not sponsoring, partnering with, applying for grants with, or
2 providing a grant subaward to any person or organization that performs, or
3 promotes the performance of, an abortion unless the abortion is necessary
4 to prevent the death of the woman, and not participating or sponsoring any
5 program producing, distributing, publishing, disseminating, endorsing, or
6 approving materials of any type or from any organization, that between
7 normal childbirth and abortion, do not give preference, encouragement, and
8 support to normal childbirth. This paragraph does not apply to agreements
9 entered into with medical hospitals and clinics by the university of North
10 Dakota school of medicine and health sciences or by any nursing education
11 program at an institution under the control of the state board of higher
12 education.

13 **SECTION 3. AMENDMENT.** Subdivision c of subsection 1 of section 15-10-48 of the North
14 Dakota Century Code is amended and reenacted as follows:

15 c. The board may award up to ~~one million seven~~~~three million five~~ hundred thousand
16 dollars in matching grants ~~to each institution~~to the university of North Dakota and
17 North Dakota state university; and up to one million five hundred thousand dollars
18 in matching grants for projects at the university of North Dakota school of
19 medicine and health sciences.

20 ~~SECTION 4. AMENDMENT.~~ Subdivision a of subsection 1 of section 15-10-49 of the North
21 Dakota Century Code is amended and reenacted as follows:

22 ~~a.~~ Subject to legislative appropriations, each biennium during the period beginning
23 July first of each odd-numbered year and ending December thirty-first of each
24 even-numbered year, the state board of higher education shall award one dollar
25 in matching grants for every two dollars raised by the institutional foundations of:

26 ~~(1)~~ Bismarck state college, Dakota college at Bottineau, Dickinson state
27 university, Lake Region state college, Mayville state university, Minot state
28 university, North Dakota state college of science, Valley City state university,
29 and Williston state college for projects dedicated exclusively to the
30 advancement of academics; and

1 ~~(2) University of Jamestown and university of Mary for projects dedicated~~
2 ~~exclusively to student scholarships.~~

3 **SECTION 4.** Paragraph 3 of subdivision b of subsection 1 of section 15-10-49 of the North
4 Dakota Century Code is created and enacted as follows:

5 (3) ~~The institution is not sponsoring, partnering with, applying for grants with, or~~
6 ~~providing a grant subaward to any person or organization that performs, or~~
7 ~~promotes the performance of, an abortion unless the abortion is necessary~~
8 ~~to prevent the death of the woman, and not participating or sponsoring any~~
9 ~~program producing, distributing, publishing, disseminating, endorsing, or~~
10 ~~approving materials of any type or from any organization, that between~~
11 ~~normal childbirth and abortion, do not give preference, encouragement, and~~
12 ~~support to normal childbirth. This paragraph does not apply to agreements~~
13 ~~entered into with medical hospitals and clinics by the university of North~~
14 ~~Dakota school of medicine and health sciences or by any nursing education~~
15 ~~program at an institution under the control of the state board of higher~~
16 ~~education.~~

17 ~~**SECTION 6. AMENDMENT.** Subdivision c of subsection 1 of section 15-10-49 of the North~~
18 ~~Dakota Century Code is amended and reenacted as follows:~~

19 ~~c. The board may award up to:~~

20 ~~(1) Nine hundred fifty thousand Two million dollars each to Bismarek state~~
21 ~~college, Minot state university, and the North Dakota state college of~~
22 ~~science;~~

23 ~~(2) Seven One million five hundred thousand dollars each to Dickinson state~~
24 ~~university, Mayville state university, and Valley City state university; and~~

25 ~~(3) Three hundred Seven hundred fifty thousand dollars each to Dakota college~~
26 ~~at Bottineau, university of Jamestown, Lake Region state college, university~~
27 ~~of Mary, and Williston state college.~~

28 ~~**SECTION 7. AMENDMENT.** Subdivision a of subsection 2 of section 15-10-49 of the North~~
29 ~~Dakota Century Code is amended and reenacted as follows:~~

30 ~~a. If any available dollars have not been awarded by the board before January first~~
31 ~~of each odd-numbered year, in accordance with subsection 1, any institution~~

1 ~~listed in paragraph 1 of subdivision a of subsection 1 may apply for an additional~~
2 ~~matching grant.~~

3 **SECTION 5. AMENDMENT.** Section 15-18.2-05 of the North Dakota Century Code is
4 amended and reenacted as follows:

5 **15-18.2-05. Base funding - Determination of state aid - Penalty.**

- 6 1. Except as provided under ~~subsection 2~~subsections 2 and 3, in order to determine the
7 state aid payment to which each institution under its control is entitled, the state board
8 of higher education shall multiply the product determined under section 15-18.2-04 by
9 a base amount of:
- 10 a. \$60.87 in the case of North Dakota state university and the university of North
11 Dakota;
- 12 b. \$90.98 in the case of Dickinson state university, Mayville state university, Minot
13 state university, and Valley City state university; and
- 14 c. \$97.06 in the case of Bismarck state college, Dakota college at Bottineau, Lake
15 Region state college, North Dakota state college of science, and Williston state
16 college.
- 17 2. An institution is entitled to an amount equal to seventy-five percent of the product
18 determined under subsection 1 for credits completed by students receiving a tuition
19 waiver pursuant to section 54-12-35.
- 20 3. An institution must certify to the state board of higher education that the institution is
21 not sponsoring, partnering with, applying for grants with, or providing a grant subaward
22 to any person or organization that performs or promotes the performance of an
23 abortion unless the abortion is necessary to prevent the death of the woman, and not
24 participating or sponsoring any program producing, distributing, publishing,
25 disseminating, endorsing, or approving materials of any type or from any organization,
26 that between normal childbirth and abortion, do not give preference, encouragement,
27 and support to normal childbirth. If an institution violates this subsection, the state
28 board of higher education shall reduce the product determined in subsection 1 for that
29 institution by two million eight hundred thousand dollars. This subsection does not
30 apply to agreements entered into with medical hospitals and clinics by the university of

1 North Dakota school of medicine and health sciences or by any nursing education
2 program at an institution under the control of the state board of higher education.
3 4. Any individual who signs a contract in violation of subsection 3 is guilty of a class B
4 misdemeanor. The states attorney shall prosecute an offense under this subsection.
5 **SECTION 6. REPEAL.** Subdivision d of subsection 1 of section 15-10-48 of the North
6 Dakota Century Code is repealed.

PROPOSED AMENDMENTS TO REENGROSSED SENATE BILL NO. 2030

Page 1, line 5, remove the first "and"

Page 1, line 6, remove ", subdivision a of subsection 1 of section"

Page 1, remove line 7

Page 1, line 8, replace "of section 15-10-49" with "and section 15-18.2-05"

Page 1, line 9, after "academics" insert "and state aid for institutions of higher education; to repeal subdivision d of subsection 1 of section 15-10-48 of the North Dakota Century Code, relating to the eligibility of the university of North Dakota school of medicine and health sciences to receive a matching grant for the advancement of academics; and to provide a penalty"

Page 1, line 12, replace "\$21,500,000" with "\$11,150,000"

Page 2, line 2, after the underscored period insert "This paragraph does not apply to agreements entered into with medical hospitals and clinics by the university of North Dakota school of medicine and health sciences or by any nursing education program at an institution under the control of the state board of higher education."

Page 2, line 5, remove the overstrike over "~~one million seven~~"

Page 2, line 5, remove "three million five"

Page 2, line 6, overstrike "to"

Page 2, line 6, overstrike "institution" and insert immediately thereafter "to the university of North Dakota and North Dakota state university; and up to one million five hundred thousand dollars in matching grants for projects at the university of North Dakota school of medicine and health sciences"

Page 2, remove lines 7 through 19

Page 2, line 29, after the underscored period insert "This paragraph does not apply to agreements entered into with medical hospitals and clinics by the university of North Dakota school of medicine and health sciences or by any nursing education program at an institution under the control of the state board of higher education."

Page 2, remove lines 30 and 31

Page 3, replace lines 1 through 15 with:

"SECTION 5. AMENDMENT. Section 15-18.2-05 of the North Dakota Century Code is amended and reenacted as follows:

15-18.2-05. Base funding - Determination of state aid - Penalty.

1. Except as provided under ~~subsection 2~~subsections 2 and 3, in order to determine the state aid payment to which each institution under its control is entitled, the state board of higher education shall multiply the product determined under section 15-18.2-04 by a base amount of:

- a. \$60.87 in the case of North Dakota state university and the university of North Dakota;
 - b. \$90.98 in the case of Dickinson state university, Mayville state university, Minot state university, and Valley City state university; and
 - c. \$97.06 in the case of Bismarck state college, Dakota college at Bottineau, Lake Region state college, North Dakota state college of science, and Williston state college.
2. An institution is entitled to an amount equal to seventy-five percent of the product determined under subsection 1 for credits completed by students receiving a tuition waiver pursuant to section 54-12-35.
 3. An institution must certify to the state board of higher education that the institution is not sponsoring, partnering with, applying for grants with, or providing a grant subaward to any person or organization that performs or promotes the performance of an abortion unless the abortion is necessary to prevent the death of the woman, and not participating or sponsoring any program producing, distributing, publishing, disseminating, endorsing, or approving materials of any type or from any organization, that between normal childbirth and abortion, do not give preference, encouragement, and support to normal childbirth. If an institution violates this subsection, the state board of higher education shall reduce the product determined in subsection 1 for that institution by two million eight hundred thousand dollars. This subsection does not apply to agreements entered into with medical hospitals and clinics by the university of North Dakota school of medicine and health sciences or by any nursing education program at an institution under the control of the state board of higher education.
 4. Any individual who signs a contract in violation of subsection 3 is guilty of a class B misdemeanor. The states attorney shall prosecute an offense under this subsection.

SECTION 6. REPEAL. Subdivision d of subsection 1 of section 15-10-48 of the North Dakota Century Code is repealed."

Renumber accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

This amendment reduces funding for the higher education challenge grant program from \$21,500,000 to \$11,150,000 from the general fund, removes program eligibility for the University of Jamestown and the University of Mary, and provides for the University of North Dakota School of Medicine and Health Sciences to be eligible to receive up to \$1,500,000 through the program. This amendment also provides for a funding reduction of \$2.8 million for any institution that provides a federal grant subaward to or partners with an organization that performs or promotes the performance of an abortion, excluding agreements entered into by either the University of North Dakota School of Medicine and Health Sciences or any nursing education program with a medical hospital or clinic. The amendment also adds a penalty provision.