

**HOUSE BILL NO. 1395**

Introduced by

Representatives Kasper, Boe, Charging, D. Johnson

Senators Flakoll, Wardner

1 A BILL for an Act to provide financial assistance to tribally controlled community colleges; and  
2 to provide an appropriation.

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

4 **SECTION 1. Definitions.** In this Act, unless the context otherwise requires:

5 1. "Nonbeneficiary student" means a resident of North Dakota who is enrolled in a  
6 tribally controlled community college but is not an enrolled member of a federally  
7 recognized Indian tribe.

8 2. "Tribally controlled community college" means an institution of higher education in  
9 this state which is formally controlled or has been formally sanctioned or chartered  
10 by the governing body of an Indian tribe, except that no more than one institution  
11 may be recognized with respect to any one tribe.

12 **SECTION 2. Institutions eligible for grant assistance.** Any tribally controlled  
13 community college located in this state is eligible to receive supplemental grant assistance for  
14 students who do not qualify for federal assistance under the provisions of the Tribally Controlled  
15 Community College Assistance Act of 1978.

16 **SECTION 3. Grant authorization.** The state board of higher education shall make  
17 grants to tribally controlled community colleges to defray the costs of education associated with  
18 enrollment of nonbeneficiary students for whom federal subsidies are unavailable under the  
19 Tribally Controlled Community College Assistance Act of 1978. Grants made pursuant to this  
20 section must go directly to the recipient institutions.

21 **SECTION 4. Submission of grant application - Distribution of grants.** In order to  
22 qualify for a grant under this Act, an institution shall submit an application in the manner  
23 required by the state board of higher education. If an application is approved, the board shall  
24 distribute to each tribally controlled community college, during each year of the biennium, four

1 thousand five hundred eighty-one dollars for each nonbeneficiary student on a full-time  
2 equivalent basis. If the amount appropriated is insufficient, the board shall distribute a prorated  
3 amount per nonbeneficiary student on a full-time equivalent basis.

4 **SECTION 5. Reporting by recipient institutions.** Each institution receiving a grant  
5 under this Act shall annually provide to the state board of higher education an accurate and  
6 detailed account of the institution's operating and maintenance expenses and documentation of  
7 the enrollment status and ethnic status of each student on whose account financial assistance  
8 under this Act is sought.

9 **SECTION 6. APPROPRIATION.** There is appropriated out of any moneys in the  
10 general fund in the state treasury, not otherwise appropriated, the sum of \$700,000, or so much  
11 of the sum as may be necessary, to the state board of higher education for the purpose of  
12 providing grant assistance payments to tribally controlled community colleges, for the biennium  
13 beginning July 1, 2007, and ending June 30, 2009. No more than one-half of this appropriation  
14 may be expended during the first year of the biennium.