

Sixty-first
Legislative Assembly
of North Dakota

HOUSE BILL NO.

Introduced by

Representative Kasper

1 A BILL for an Act to amend and reenact sections 15-70-01,
2 15-70-04, 15-70-05, and 57-51.1-07.4 of the North Dakota Century
3 Code, relating to the provision of financial assistance to
4 tribally controlled community colleges; and to provide and
5 appropriation.

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

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

9 **15-70-01. Definitions.** ~~In~~ As used in this chapter, ~~unless the context otherwise~~
10 ~~requires:~~

- 11 1. "Full-time" means that a student is enrolled for at least twenty-four semester hours
12 during an academic year.
- 13 2. "Nonbeneficiary student" means a resident of North Dakota who is enrolled in a
14 tribally controlled community college but is not an enrolled member of a federally
15 recognized Indian tribe.
- 16 ~~2.~~ 3. "Tribally controlled community college" means an institution of higher education in
17 this state which is formally controlled or has been formally sanctioned or chartered
18 by the governing body of an Indian tribe, or any combination of federally
19 recognized Indian tribes.

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

22 **15-70-04. Submission of grant application - Distribution of grants.** In order to
23 qualify for a grant under this chapter, an institution shall submit an application in the manner
24 required by the state board of higher education. If an application is approved, the board shall

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

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

7 **15-70-05. Reporting by recipient institutions - Failure to report.** Each institution
8 receiving a grant under this chapter shall ~~annually provide to the state board of higher~~
9 ~~education an accurate and detailed account of~~ submit to the legislative council, at the time and
10 in the manner directed by the council, a report detailing the expenditures of the grant funds
11 received by the institution under this chapter and, a copy of the institution's latest audit report
12 and documentation of the enrollment status and ethnic status of each student on whose
13 account financial assistance under this chapter is sought, and any other information requested
14 by the council. Any institution that fails to meet the requirements of this section is ineligible to
15 receive future grants under this chapter.

16 **SECTION 4. AMENDMENT.** Section 57-51.1-07.4 of the North Dakota Century Code
17 is amended and reenacted as follows:

18 **57-51.1-07.4. Separate allocation of state share of collections from reservation**
19 **development.** Notwithstanding any other provision of law, the state treasurer shall transfer to
20 the permanent oil tax trust fund the first seven hundred thousand dollars of the state's share of
21 tax revenues under this chapter from oil produced from wells within the exterior boundaries of
22 the Fort Berthold Reservation ~~drilled and completed~~ after June 30, ~~2007~~ 2009.

23 **SECTION 5. APPROPRIATION.** There is appropriated out of any moneys in the
24 permanent oil tax trust fund in the state treasury, not otherwise appropriated, the sum of
25 \$700,000, or so much of the sum as may be necessary, to the state board of higher education
26 for the purpose of providing grant assistance to tribally controlled community colleges, for the
27 biennium beginning July 1, 2009, and ending June 30, 2011.