

April 1, 2009

PROPOSED AMENDMENTS TO ENGROSSED SENATE BILL NO. 2038

Page 1, line 5, remove "to provide for a report to the legislative council;"

Page 1, line 7, replace "and" with "to provide an appropriation; to provide contingent funding;"
and after "date" insert "; and to declare an emergency"

Page 11, remove lines 15 through 30

Page 12, remove lines 1 through 7

Page 12, line 14, remove "If the legislative council appoints a committee to"

Page 12, remove lines 15 through 20

Page 15, after line 15, insert:

"SECTION 7. APPROPRIATION - UNIVERSITY SYSTEM CAPITAL PROJECTS. The funds provided in this section, or so much of the funds as may be necessary, are appropriated out of any moneys in the general fund in the state treasury, not otherwise appropriated, to the North Dakota university system for the capital projects listed below, for the biennium beginning July 1, 2009, and ending June 30, 2011, as follows:

| | |
|---|---------------------|
| Agriculture research greenhouse at North Dakota state university - Final phase | \$5,350,600 |
| North Dakota university system information technology building | 11,200,000 |
| Stoxen library project at Dickinson state university | 8,820,000 |
| Swain hall project at Minot state university | 5,000,000 |
| University of North Dakota school of medicine and health sciences Bismarck family practice center | 5,400,000 |
| Williston state college virtual center for career and technical education | 3,000,000 |
| Total general fund | <u>\$38,770,600</u> |

SECTION 8. CONTINGENT FUNDING - SWAIN HALL PROJECT. Section 7 of this Act includes \$5,000,000 from the general fund for the Swain hall project at Minot state university which may be spent only to the extent that federal funds appropriated in section 9 of this Act are not available for this project.

SECTION 9. APPROPRIATION - FEDERAL FISCAL STABILIZATION - OTHER GOVERNMENT SERVICES FUNDS - ADDITIONAL FUNDING APPROVAL. The funds provided in this section, or so much of the funds as may be necessary, are appropriated from federal fiscal stabilization - other government services funds made available to the governor under the federal American Recovery and Reinvestment Act of 2009, not otherwise appropriated, to the North Dakota university system, for the

period beginning with the effective date of this Act and ending June 30, 2011, as follows:

| | |
|--|-------------|
| Minot state university Swain hall project | \$5,000,000 |
| Total federal funds from governor's office | \$5,000,000 |

The North Dakota university system may seek emergency commission and budget section approval under chapter 54-16 for authority to spend any additional federal funds received under the federal American Recovery and Reinvestment Act of 2009 in excess of the amounts appropriated under this section, for the period beginning with the effective date of this Act and ending June 30, 2011.

Any federal funds appropriated under this section are not a part of the agency's 2011-13 base budget. Any program expenditures made with these funds will not be replaced with state funds after the federal American Recovery and Reinvestment Act of 2009 funds are no longer available.

SECTION 10. APPROPRIATION - PERMANENT OIL TAX TRUST FUND - VIRTUAL CENTER FOR CAREER AND TECHNICAL EDUCATION. There is appropriated out of any moneys available in the permanent oil tax trust fund in the state treasury, not otherwise appropriated, the sum of \$3,000,000, or so much of the sum as may be necessary, to Williston state college for the purpose of constructing a virtual center for career and technical education, for the biennium beginning July 1, 2009, and ending June 30, 2011.

SECTION 11. EMERGENCY. Section 9 of this Act is declared to be an emergency measure."

Renumber accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

This amendment provides funding for the following projects:

| | General Fund | Permanent Oil Tax Trust Fund | Total |
|---|------------------------|------------------------------|------------------------|
| Agriculture research greenhouse at North Dakota State University | \$5,350,600 | \$0 | \$5,350,600 |
| North Dakota University System information technology building | 11,200,000 | | 11,200,000 |
| Dickinson State University - Stoxen Library project | 8,820,000 | | 8,820,000 |
| Minot State University - Swain Hall project | 5,000,000 ¹ | | 5,000,000 ¹ |
| University of North Dakota School of Medicine and Health Sciences - Bismarck Family Practice Center | 5,400,000 | | 5,400,000 |
| Williston State College - Virtual center for career and technical education | 3,000,000 | 3,000,000 | 6,000,000 |
| Total | <u>\$38,770,600</u> | <u>\$3,000,000</u> | <u>\$41,770,600</u> |

¹ Section 9 appropriates \$5 million of federal fiscal stabilization - other government services funds made available to the Governor under the federal American Recovery and Reinvestment Act of 2009 for the Minot State University Swain Hall project. The general fund appropriation of \$5 million for the project may only be spent to the extent that federal stimulus funds are not available.

This amendment also:

- Removes a section requiring certain reports to be provided by the State Board of Higher Education.

- Removes the requirements for committee membership if a Legislative Council committee is appointed to study higher education issues during the 2009-10 interim.