

Introduced by

Appropriations Committee

(At the request of the Governor)

1 A BILL for an Act to provide an appropriation for defraying the expenses of the North Dakota  
2 university system; to provide an exemption; to provide for transfer of funds; to authorize the  
3 state board of higher education to issue and sell bonds for capital projects; and to declare an  
4 emergency.

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

6 **SECTION 1. APPROPRIATION.** The funds provided in this section, or so much of the funds  
7 as may be necessary, are appropriated out of any moneys in the general fund in the state  
8 treasury, not otherwise appropriated, and from special funds derived from federal funds and  
9 other income, to the North Dakota university system and to the various entities and institutions  
10 under the supervision of the state board of higher education for the purpose of defraying the  
11 expenses of the North Dakota university system office and to the various entities, for the  
12 biennium beginning July 1, 2011, and ending June 30, 2013, as follows:

13 ~~Subdivision 1.~~

14 **NORTH DAKOTA UNIVERSITY SYSTEM OFFICE**

	<del>Adjustments or</del>		
	<del>Base Level</del>	<del>Enhancements</del>	<del>Appropriation</del>
15	<del>_____</del>		
16	<del>Capital assets</del>	<del>\$12,014,048</del>	<del>\$240,721</del>
17	<del>Competitive research program</del>	<del>7,050,000</del>	<del>1,650,000</del>
18	<del>System governance</del>	<del>7,185,612</del>	<del>468,522</del>
19	<del>Title II</del>	<del>695,600</del>	<del>0</del>
20	<del>System information technology</del>	<del>30,230,038</del>	<del>5,831,961</del>
21	<del>_____ services</del>	<del>_____</del>	
22	<del>Professional liability insurance</del>	<del>1,100,000</del>	<del>(300,000)</del>
23	<del>Student financial assistance grants</del>	<del>19,374,022</del>	<del>553,546</del>
24		<del>19,927,568</del>	

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1	Professional student exchange program	3,337,100	228,736	3,565,836
2	Academic and technical education	3,000,000	(3,000,000)	0
3	—scholarships			
4	Two-year campus marketing	800,000	0	800,000
5	Scholars program	2,113,584	343,242	2,456,826
6	Native American scholarships	381,292	194,150	575,442
7	Tribally controlled community college	700,000	300,000	1,000,000
8	—grants			
9	Security and emergency preparedness	750,000	(750,000)	0
10	Education incentive programs	3,176,344	89,650	3,265,994
11	Science, technology, engineering, and	1,500,000	(1,500,000)	0
12	—mathematics teacher education			
13	—enhancement			
14	Grants	100,000	(100,000)	0
15	Student mental health	0	168,000	168,000
16	Completion based funding	0	5,000,000	5,000,000
17	Academic and technical program	0	1,000,000	1,000,000
18	—revolving fund			
19	Total all funds	\$93,507,640	\$10,418,528	\$103,926,168
20	Less estimated income	4,748,958	(994,240)	3,754,718
21	Total general fund	\$88,758,682	\$11,412,768	\$100,171,450
22	Full-time equivalent positions	23.30	0.00	23.30
23	—Subdivision 2:			

BISMARCK STATE COLLEGE

	Base Level	Enhancements	Appropriation	
25	Adjustments or			
26				
27	Operations	\$24,204,005	\$3,531,623	\$27,735,628
28	Capital assets	243,481	10,074,192	10,317,673
29	Total all funds	\$24,447,486	\$13,605,815	\$38,053,301
30	Less estimated income	0	7,500,000	7,500,000
31	Total general fund	\$24,447,486	\$6,105,815	\$30,553,301

1	Full-time equivalent positions	111.51	00.0	111.51
2	— Subdivision 3.			
3	LAKE REGION STATE COLLEGE			
4			Adjustments or	
5		<u>Base Level</u>	<u>Enhancements</u>	<u>Appropriation</u>
6	Operations	\$7,956,210	\$1,203,282	\$9,159,492
7	Capital assets	<u>43,662</u>	<u>111,705</u>	<u>115,367</u>
8	Total all funds	\$7,999,872	\$1,314,987	\$9,314,859
9	Less estimated income	<u>0</u>	<u>0</u>	<u>0</u>
10	Total general fund	\$7,999,872	\$1,314,987	\$9,314,859
11	Full-time equivalent positions	37.50	0.00	37.50
12	— Subdivision 4.			
13	WILLISTON STATE COLLEGE			
14			Adjustments or	
15		<u>Base Level</u>	<u>Enhancements</u>	<u>Appropriation</u>
16	Operations	\$7,696,999	\$1,205,296	\$8,902,295
17	Capital assets	<u>86,475</u>	<u>2,931,326</u>	<u>3,017,801</u>
18	Total all funds	\$7,783,474	\$4,136,622	\$11,920,096
19	Less estimated income	<u>0</u>	<u>2,820,000</u>	<u>2,820,000</u>
20	Total general fund	\$7,783,474	\$1,316,622	\$9,100,096
21	Full-time equivalent positions	43.42	0.00	43.42
22	— Subdivision 5.			
23	UNIVERSITY OF NORTH DAKOTA			
24			Adjustments or	
25		<u>Base Level</u>	<u>Enhancements</u>	<u>Appropriation</u>
26	Operations	\$125,036,783	\$15,943,731	\$140,980,514
27	Capital assets	<u>2,300,545</u>	<u>35,292,034</u>	<u>37,592,579</u>
28	Total all funds	\$127,337,328	\$51,235,765	\$178,573,093
29	Less estimated income	<u>0</u>	<u>21,700,000</u>	<u>21,700,000</u>
30	Total general fund	\$127,337,328	\$29,535,765	\$156,873,093
31	Full-time equivalent positions	651.91	0.00	651.91

1 — Subdivision 6.

2 NORTH DAKOTA STATE UNIVERSITY

3		Adjustments or	
4		Base Level	Enhancements
			Appropriation
5	Operations	\$108,367,622	\$16,766,750
6	Capital assets	1,692,225	39,459,719
7	Total all funds	\$110,059,847	\$56,226,469
8	Less estimated income	0	36,100,000
9	Total general fund	\$110,059,847	\$20,126,469
10	Full-time equivalent positions	584.88	0.00

11 — Subdivision 7.

12 NORTH DAKOTA STATE COLLEGE OF SCIENCE

13		Adjustments or	
14		Base Level	Enhancements
			Appropriation
15	Operations	\$31,607,155	\$2,777,695
16	Capital assets	753,332	19,064,898
17	Total all funds	\$32,360,487	\$21,842,593
18	Less estimated income	0	10,500,000
19	Total general fund	\$32,360,487	\$11,342,593
20	Full-time equivalent positions	164.87	0.00

21 — Subdivision 8.

22 DICKINSON STATE UNIVERSITY

23		Adjustments or	
24		Base Level	Enhancements
			Appropriation
25	Operations	\$20,123,737	\$2,424,204
26	Capital assets	383,690	8,825,388
27	Total all funds	\$20,507,427	\$11,249,592
28	Less estimated income	0	0
29	Total general fund	\$20,507,427	\$11,249,592
30	Full-time equivalent positions	92.96	0.00

31 — Subdivision 9.

MAYVILLE STATE UNIVERSITY			
	Adjustments or		
	Base Level	Enhancements	Appropriation
Operations	\$11,629,616	\$1,304,283	\$12,933,899
Capital assets	<u>208,991</u>	<u>542,494</u>	<u>751,485</u>
Total all funds	\$11,838,607	\$1,846,777	\$13,685,384
Less estimated income	<u>0</u>	<u>0</u>	<u>0</u>
Total general fund	\$11,838,607	\$1,846,777	\$13,685,384
Full-time equivalent positions	58.72	0.00	58.72
Subdivision 10.			
MINOT STATE UNIVERSITY			
	Adjustments or		
	Base Level	Enhancements	Appropriation
Operations	\$34,623,707	\$3,287,409	\$37,911,116
Capital assets	<u>596,870</u>	<u>5,352,750</u>	<u>5,949,620</u>
Total all funds	\$35,220,577	\$8,640,159	\$43,860,736
Less estimated income	<u>0</u>	<u>5,050,000</u>	<u>5,050,000</u>
Total general fund	\$35,220,577	\$3,590,159	\$38,810,736
Full-time equivalent positions	187.83	0.00	187.83
Subdivision 11.			
VALLEY CITY STATE UNIVERSITY			
	Adjustments or		
	Base Level	Enhancements	Appropriation
Operations	\$16,368,001	\$1,413,578	\$17,781,579
Capital assets	<u>258,416</u>	<u>9,219,470</u>	<u>9,477,886</u>
Total all funds	\$16,626,417	\$10,633,048	\$27,259,465
Less estimated income	<u>0</u>	<u>815,000</u>	<u>815,000</u>
Total general fund	\$16,626,417	\$9,818,048	\$26,444,465
Full-time equivalent positions	90.37	0.00	90.37
Subdivision 12.			
DAKOTA COLLEGE AT BOTTINEAU			

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	Adjustments or			
	<u>Base Level</u>	<u>Enhancements</u>	<u>Appropriation</u>	
1				
2				
3	Operations	\$5,862,372	\$770,850	\$6,633,222
4	Capital assets	109,725	5,782	115,507
5	Total all funds	\$5,972,097	\$776,632	\$6,748,729
6	Less estimated income	0	0	0
7	Total general fund	\$5,972,097	\$776,632	\$6,748,729
8	Full-time equivalent positions	34.81	0.00	34.81
9	Subdivision 13:			
10	UNIVERSITY OF NORTH DAKOTA SCHOOL OF MEDICINE AND HEALTH SCIENCES			
11				
12				
13	Operations	\$40,890,401	\$5,763,005	\$46,653,406
14	Total all funds	\$40,890,401	\$5,763,005	\$46,653,406
15	Less estimated income	0	0	0
16	Total general fund	\$40,890,401	\$5,763,005	\$46,653,406
17	Full-time equivalent positions	137.43	0.00	137.43
18	Subdivision 14:			
19	NORTH DAKOTA FOREST SERVICE			
20				
21				
22	Operations	\$4,471,040	\$641,127	\$5,112,167
23	Capital assets	36,638	61,153	97,791
24	Total all funds	\$4,507,678	\$702,280	\$5,209,958
25	Less estimated income	997,486	0	997,486
26	Total general fund	\$3,510,192	\$702,280	\$4,212,472
27	Full-time equivalent positions	26.00	0.00	26.00
28	Subdivision 15:			
29	BILL TOTAL			

Sixty-second  
Legislative Assembly

	<u>Adjustments or</u>			
	<u>Base Level</u>	<u>Enhancements</u>	<u>Appropriation</u>	
1				
2				
3	<u>Grand total all funds</u>	<u>\$539,059,338</u>	<u>\$198,392,272</u>	<u>\$737,451,610</u>
4	<u>Grand total special funds</u>	<u>5,746,444</u>	<u>83,490,760</u>	<u>89,237,204</u>
5	<u>Grand total general fund</u>	<u>\$533,312,894</u>	<u>\$114,901,512</u>	<u>\$648,214,406</u>
6	<u>Subdivision 1.</u>			
7	<u>NORTH DAKOTA UNIVERSITY SYSTEM OFFICE</u>			
8		<u>Adjustments or</u>		
9		<u>Base Level</u>	<u>Enhancements</u>	<u>Appropriation</u>
10	<u>Capital assets</u>	<u>\$12,014,048</u>	<u>\$240,721</u>	<u>\$12,254,769</u>
11	<u>Competitive research program</u>	<u>7,050,000</u>	<u>0</u>	<u>7,050,000</u>
12	<u>System governance</u>	<u>7,185,612</u>	<u>191,660</u>	<u>7,377,272</u>
13	<u>Title II</u>	<u>695,600</u>	<u>0</u>	<u>695,600</u>
14	<u>System information technology</u>	<u>30,230,038</u>	<u>5,776,629</u>	<u>36,006,667</u>
15	<u>services</u>			
16	<u>Professional liability insurance</u>	<u>1,100,000</u>	<u>(300,000)</u>	<u>800,000</u>
17	<u>Student financial assistance grants</u>	<u>19,374,022</u>	<u>0</u>	<u>19,374,022</u>
18	<u>Professional student exchange program</u>	<u>3,337,100</u>	<u>(15,662)</u>	<u>3,321,438</u>
19	<u>Academic and technical education</u>	<u>3,000,000</u>	<u>(3,000,000)</u>	<u>0</u>
20	<u>scholarships</u>			
21	<u>Two-year campus marketing</u>	<u>800,000</u>	<u>0</u>	<u>800,000</u>
22	<u>Scholars program</u>	<u>2,113,584</u>	<u>0</u>	<u>2,113,584</u>
23	<u>Native American scholarships</u>	<u>381,292</u>	<u>192,975</u>	<u>574,267</u>
24	<u>Tribally controlled community college</u>	<u>700,000</u>	<u>(700,000)</u>	<u>0</u>
25	<u>grants</u>			
26	<u>Security and emergency preparedness</u>	<u>750,000</u>	<u>(750,000)</u>	<u>0</u>
27	<u>Education incentive programs</u>	<u>3,176,344</u>	<u>0</u>	<u>3,176,344</u>
28	<u>Science, technology, engineering, and</u>	<u>1,500,000</u>	<u>(1,500,000)</u>	<u>0</u>
29	<u>mathematics teacher education</u>			
30	<u>enhancement</u>			
31	<u>Grants</u>	<u>100,000</u>	<u>(100,000)</u>	<u>0</u>



	Adjustments or		
	Base Level	Enhancements	Appropriation
Operations	\$7,696,999	\$824,468	\$8,521,467
Capital assets	86,475	5,156,326	5,242,801
Total all funds	\$7,783,474	\$5,980,794	\$13,764,268
Less estimated income	0	4,820,000	4,820,000
Total general fund	\$7,783,474	\$1,160,794	\$8,944,268
Full-time equivalent positions	43.42	0.00	43.42

Subdivision 5.

UNIVERSITY OF NORTH DAKOTA

	Adjustments or		
	Base Level	Enhancements	Appropriation
Operations	\$125,036,783	\$11,557,009	\$136,593,792
Capital assets	2,300,545	38,208,167	40,508,712
Total all funds	\$127,337,328	\$49,765,176	\$177,102,504
Less estimated income	0	21,700,000	21,700,000
Total general fund	\$127,337,328	\$28,065,176	\$155,402,504
Full-time equivalent positions	651.91	0.00	651.91

Subdivision 6.

NORTH DAKOTA STATE UNIVERSITY

	Adjustments or		
	Base Level	Enhancements	Appropriation
Operations	\$108,367,622	\$9,959,467	\$118,327,089
Capital assets	1,692,225	37,412,702	39,104,927
Total all funds	\$110,059,847	\$47,372,169	\$157,432,016
Less estimated income	0	36,100,000	36,100,000
Total general fund	\$110,059,847	\$11,272,169	\$121,332,016
Full-time equivalent positions	584.88	0.00	584.88

Subdivision 7.

NORTH DAKOTA STATE COLLEGE OF SCIENCE

		Adjustments or		
	Base Level	Enhancements	Appropriation	
1				
2				
3	Operations	\$31,607,155	\$2,006,991	\$33,614,146
4	Capital assets	753,332	29,498,520	30,251,852
5	Total all funds	\$32,360,487	\$31,505,511	\$63,865,998
6	Less estimated income	0	10,500,000	10,500,000
7	Total general fund	\$32,360,487	\$21,005,511	\$53,365,998
8	Full-time equivalent positions	164.87	0.00	164.87
9	<u>Subdivision 8.</u>			

DICKINSON STATE UNIVERSITY

		Adjustments or		
	Base Level	Enhancements	Appropriation	
11				
12				
13	Operations	\$20,123,737	\$1,653,209	\$21,776,946
14	Capital assets	383,690	25,388	409,078
15	Total all funds	\$20,507,427	\$1,678,597	\$22,186,024
16	Less estimated income	0	0	0
17	Total general fund	\$20,507,427	\$1,678,597	\$22,186,024
18	Full-time equivalent positions	92.96	0.00	92.96
19	<u>Subdivision 9.</u>			

MAYVILLE STATE UNIVERSITY

		Adjustments or		
	Base Level	Enhancements	Appropriation	
21				
22				
23	Operations	\$11,629,616	\$845,777	\$12,475,393
24	Capital assets	208,991	234,514	443,505
25	Total all funds	\$11,838,607	\$1,080,291	\$12,918,898
26	Less estimated income	0	0	0
27	Total general fund	\$11,838,607	\$1,080,291	\$12,918,898
28	Full-time equivalent positions	58.72	0.00	58.72
29	<u>Subdivision 10.</u>			

MINOT STATE UNIVERSITY

		Adjustments or		
	Base Level	Enhancements	Appropriation	
1				
2				
3	Operations	\$34,623,707	\$2,417,646	\$37,041,353
4	Capital assets	596,870	5,352,750	5,949,620
5	Total all funds	\$35,220,577	\$7,770,396	\$42,990,973
6	Less estimated income	0	5,050,000	5,050,000
7	Total general fund	\$35,220,577	\$2,720,396	\$37,940,973
8	Full-time equivalent positions	187.83	0.00	187.83
9	<u>Subdivision 11.</u>			

VALLEY CITY STATE UNIVERSITY

		Adjustments or		
	Base Level	Enhancements	Appropriation	
11				
12				
13	Operations	\$16,368,001	\$848,027	\$17,216,028
14	Capital assets	258,416	1,013,319	1,271,735
15	Total all funds	\$16,626,417	\$1,861,346	\$18,487,763
16	Less estimated income	0	815,000	815,000
17	Total general fund	\$16,626,417	\$1,046,346	\$17,672,763
18	Full-time equivalent positions	90.37	0.00	90.37
19	<u>Subdivision 12.</u>			

DAKOTA COLLEGE AT BOTTINEAU

		Adjustments or		
	Base Level	Enhancements	Appropriation	
21				
22				
23	Operations	\$5,862,372	\$498,633	\$6,361,005
24	Capital assets	109,725	5,782	115,507
25	Total all funds	\$5,972,097	\$504,415	\$6,476,512
26	Less estimated income	0	0	0
27	Total general fund	\$5,972,097	\$504,415	\$6,476,512
28	Full-time equivalent positions	34.81	0.00	34.81
29	<u>Subdivision 13.</u>			

UNIVERSITY OF NORTH DAKOTA SCHOOL OF MEDICINE AND HEALTH SCIENCES

	Adjustments or		
	Base Level	Enhancements	Appropriation
Operations	\$40,890,401	\$4,600,229	\$45,490,630
Total all funds	\$40,890,401	\$4,600,229	\$45,490,630
Less estimated income	0	0	0
Total general fund	\$40,890,401	\$4,600,229	\$45,490,630
Full-time equivalent positions	137.43	0.00	137.43

Subdivision 14.

NORTH DAKOTA FOREST SERVICE

	Adjustments or		
	Base Level	Enhancements	Appropriation
Operations	\$4,471,040	\$641,127	\$5,112,167
Capital assets	36,638	61,153	97,791
Total all funds	\$4,507,678	\$702,280	\$5,209,958
Less estimated income	997,486	0	997,486
Total general fund	\$3,510,192	\$702,280	\$4,212,472
Full-time equivalent positions	26.00	0.00	26.00

Subdivision 15.

BILL TOTAL

	Adjustments or		
	Base Level	Enhancements	Appropriation
Grand total all funds	\$539,059,338	\$166,576,109	\$705,635,447
Grand total special funds	5,746,444	84,490,760	90,237,204
Grand total general fund	\$533,312,894	\$82,085,349	\$615,398,243

**SECTION 2. ONE-TIME FUNDING - EFFECT ON BASE BUDGET - REPORT TO**

**SIXTY-THIRD LEGISLATIVE ASSEMBLY.** The following amounts reflect the one-time funding items approved by the sixty-first legislative assembly for the 2009-11 biennium and the 2011-13 one-time funding items included in the appropriation in section 1 of this Act:

<u>One-Time Funding Description</u>	<u>2009-11</u>	<u>2011-13</u>
Federal fiscal stimulus	\$19,309,920	\$0
Dickinson state university operating funds	350,000	0

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1	Dickinson state university Theodore Roosevelt center	750,000	0
2	Electronic medical records system UND medical	225,000	0
3	school		
4	Deferred maintenance - General fund	20,000,000	0
5	<del>Capital projects - General fund</del>	<del>39,008,248</del>	<del>37,651,000</del>
6	<u>Capital projects - General fund</u>	<u>39,008,248</u>	<u>34,705,000</u>
7	<del>Capital projects - Other funds</del>	<del>166,958,000</del>	<del>82,165,000</del>
8	<u>Capital projects - Other funds</u>	<u>166,958,000</u>	<u>84,165,000</u>
9	Capital projects - Permanent oil tax trust fund	10,400,000	2,320,000
10	<del>Special assessments payments</del>	<del>0</del>	<del>4,302,624</del>
11	<u>Special assessments payments</u>	<u>0</u>	<u>787,231</u>
12	Mental health services	0	156,000
13	Emerald ash borer program	0	250,000
14	<del>Total all funds</del>	<del>\$257,001,168</del>	<del>\$126,844,624</del>
15	<u>Total all funds</u>	<u>\$257,001,168</u>	<u>\$122,383,231</u>
16	<del>Total other funds</del>	<del>197,017,920</del>	<del>84,485,000</del>
17	<u>Total other funds</u>	<u>197,017,920</u>	<u>86,485,000</u>
18	<del>Total general fund</del>	<del>\$59,983,248</del>	<del>\$42,359,624</del>
19	<u>Total general fund</u>	<u>\$59,983,248</u>	<u>\$35,898,231</u>

20 The 2011-13 one-time funding amounts are not a part of the entity's base budget for the  
 21 2013-15 biennium. The North Dakota university system shall report to the appropriations  
 22 committees of the sixty-third legislative assembly on the use of this one-time funding for the  
 23 biennium beginning July 1, 2013, and ending June 30, 2015.

**SECTION 3. EXEMPTION - TRANSFER.** Up to \$4,335,000 of the amount appropriated for  
 the great plains applied energy research center in section 1 of chapter 26 of the 2009 Session  
 Laws is not subject to section 54-44.1-11. The department of commerce shall transfer  
 \$4,335,000 of unexpended funds from this line item to Bismarck state college for the purpose of  
 completing the national energy center of excellence fourth floor renovation project, for the  
 biennium beginning July 1, 2011, and ending June 30, 2013.

**SECTION 4. PERMANENT OIL TAX TRUST FUND - WILLISTON STATE COLLEGE.** The  
 estimated income line item in subdivision 4 of section 1 of this Act includes \$2,320,000 from the

1 permanent oil tax trust fund for the renovation of the science lab building and a campus  
2 branding project at Williston state college, for the ~~biennium beginning July 1, 2011, period~~  
3 beginning with the effective date of this Act and ending June 30, 2013.

4 **SECTION 5. CAPITAL ASSETS.** The sum of \$12,254,769, or so much of the sum as may  
5 be necessary, included in the capital assets line item in subdivision 1 of section 1 of this Act,  
6 must be used by the state board of higher education to satisfy outstanding bond obligations.

7 **SECTION 6. SYSTEM INFORMATION TECHNOLOGY SERVICES.** The sum of  
8 ~~\$36,061,999~~\$36,006,667, or so much of the sum as may be necessary, included in the system  
9 information technology services line item in subdivision 1 of section 1 of this Act, must be used  
10 for the benefit of the institutions and entities under the control of the state board of higher  
11 education, as determined by the board. Funding allocations are to be made based on the North  
12 Dakota university system information technology plan and technology priorities. Funds allocated  
13 pursuant to this section must be used to support the system information technology services,  
14 including the higher education computer network, the interactive video network, the on-line  
15 Dakota information network, connectND, and other related technology initiatives as determined  
16 by the board.

17 **SECTION 7. STUDENT LOAN TRUST FUND.** Subdivision 1 of section 1 of this Act  
18 includes the sum of \$1,004,744, or so much of the sum as may be necessary, from the student  
19 loan trust fund of which \$465,307 is for the professional student exchange program and  
20 \$539,437 connectND campus solution positions, for the biennium beginning July 1, 2011, and  
21 ending June 30, 2013.

22 **SECTION 8. FEDERAL, PRIVATE, AND OTHER FUNDS - APPROPRIATION.** All funds, in  
23 addition to those appropriated in section 1 of this Act, from federal, private, and other sources  
24 for competitive grants or other funds that the legislative assembly has not indicated the intent to  
25 reject, received by the institutions and entities under the control of the state board of higher  
26 education are appropriated to those institutions and entities, for the biennium beginning July 1,  
27 2011, and ending June 30, 2013. All additional funds received under the North  
28 Dakota-Minnesota reciprocity agreement during the biennium beginning July 1, 2011, and  
29 ending June 30, 2013, are appropriated to the state board of higher education for  
30 reimbursement to institutions under the control of the board.

1       **SECTION 9. TRANSFER AUTHORITY.** If, during the biennium beginning July 1, 2011, and  
2 ending June 30, 2013, the state board of higher education determines that funds allocated to  
3 operations in section 1 of this Act are needed for capital assets or extraordinary repairs, the  
4 board may transfer funds from operations to capital assets. The board shall report any transfer  
5 of funds under this section to the office of management and budget.

6       **SECTION 10. FULL-TIME EQUIVALENT POSITION ADJUSTMENTS.** Notwithstanding  
7 any other provisions of law, the state board of higher education may adjust full-time equivalent  
8 positions as needed, subject to the availability of funds, for institutions and entities under its  
9 control. The university system shall report any adjustments to the office of management and  
10 budget before the submission of the 2013-15 biennium budget request.

11       **SECTION 11. EDUCATION INCENTIVE PROGRAMS.** The funding appropriated for  
12 education incentive programs in subdivision 1 of section 1 of this Act may be allocated to  
13 education incentive programs as determined by the state board of higher education, including  
14 the reduction or elimination of specific programs, and the state board of higher education may  
15 determine the appropriate number of years of program eligibility for each education incentive  
16 program.

17       ~~**SECTION 11. PERMANENT OIL TAX TRUST FUND - TRIBALLY CONTROLLED**~~  
18 ~~**COMMUNITY COLLEGE GRANTS.** The tribally controlled community college grants line in~~  
19 ~~subdivision 1 of section 1 of this Act, includes the sum of \$1,000,000 from the permanent oil tax~~  
20 ~~trust fund, or so much of the sum as may be necessary, for the purpose of providing grant~~  
21 ~~assistance payments to tribally controlled community colleges, for the biennium beginning~~  
22 ~~July 1, 2011, and ending June 30, 2013. No more than \$500,000 may be expended for this~~  
23 ~~purpose during the first year of the biennium.~~

24       **SECTION 12. BOND ISSUANCE AUTHORIZATION - PURPOSES - APPROPRIATION.**  
25 The state board of higher education, in accordance with chapter 15-55, may arrange for the  
26 funding of projects authorized in this section, declared to be in the public interest, through the  
27 issuance of self-liquidating, tax-exempt evidences of indebtedness under chapter 15-55,  
28 beginning with the effective date of this Act and ending June 30, 2013. Evidences of  
29 indebtedness issued pursuant to this section are not a general obligation of the state of North  
30 Dakota. Any unexpended balance resulting from the proceeds of the evidences of indebtedness  
31 must be placed in a sinking fund to be used for the retirement of indebtedness. The evidences

1 of indebtedness may be issued and the proceeds are appropriated, for the biennium beginning  
2 July 1, 2011, and ending June 30, 2013, for the purpose of financing the following capital  
3 projects:

4	Bismarck state college student union renovation and addition	\$7,000,000
5	<u>Williston state college workforce training center</u>	<u>2,000,000</u>
6	University of North Dakota - Wilkerson hall renovation and addition	14,000,000
7	University of North Dakota - University town home apartments	5,000,000
8	North Dakota state college of science - Forkner hall renovation	5,000,000
9	North Dakota state college of science - Schulz hall renovation	4,000,000
10	Minot state university - Resident apartments	<u>3,500,000</u>
11	<del>Total special funds</del>	<del>\$38,500,000</del>
12	<u>Total special funds</u>	<u>\$40,500,000</u>

13 **SECTION 13. EMERGENCY.** The capital assets and education incentive line items  
14 contained in ~~sections 1,~~section 1 of this Act and sections 3, 4, and 12 of this Act are declared to  
15 be an emergency measure.