

**FIRST ENGROSSMENT
with Senate Amendments
ENGROSSED HOUSE BILL NO. 1003**

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 appropriation to the legislative council; to provide an
3 exemption; to provide for transfer of funds; to authorize the state board of higher education to
4 issue and sell bonds for capital projects; to amend and reenact sections 15-10-08 and
5 15-70-04, subsection 3 of section 43-12.2-03, subsection 3 of section 43-17.2-03, and section
6 57-51.1-07.4 of the North Dakota Century Code, relating to state board of higher education
7 member compensation, eligibility for the medical personnel loan repayment program, eligibility
8 for the physician loan repayment program, and grants for nonbeneficiary students enrolled in
9 tribally controlled community colleges; to provide legislative intent; to provide for a report; to
10 provide for legislative management studies; and to declare an emergency.

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

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

19 Subdivision 1.

20 NORTH DAKOTA UNIVERSITY SYSTEM OFFICE

		Adjustments or		
	<u>Base Level</u>	<u>Enhancements</u>		<u>Appropriation</u>
21				
22				
23	Capital assets	\$12,014,048	\$240,721	\$12,254,769
24	Competitive research program	7,050,000	0	7,050,000

Sixty-second
Legislative Assembly

1	System governance	7,185,612	(8,340)	7,177,272
2	Title II	695,600	0	695,600
3	System information technology	30,230,038	5,776,629	36,006,667
4	services			
5	Professional liability insurance	1,100,000	(300,000)	800,000
6	Student financial assistance grants	19,374,022	0	19,374,022
7	Professional student exchange program	3,337,100	(15,662)	3,321,438
8	Academic and technical education	3,000,000	(3,000,000)	0
9	scholarships			
10	Two-year campus marketing	800,000	0	800,000
11	Scholars program	2,113,584	0	2,113,584
12	Native American scholarships	381,292	192,975	574,267
13	Tribally controlled community college	700,000	300,000	1,000,000
14	grants			
15	Security and emergency preparedness	750,000	(750,000)	0
16	Education incentive programs	3,176,344	0	3,176,344
17	Science, technology, engineering, and	1,500,000	(1,500,000)	0
18	mathematics teacher education			
19	enhancement			
20	Grants	100,000	(100,000)	0
21	Student mental health	0	168,000	168,000
22	Academic and technical program	<u>0</u>	<u>1,000,000</u>	<u>1,000,000</u>
23	revolving fund			
24	Total all funds	\$93,507,640	\$2,004,323	\$95,511,963
25	Less estimated income	<u>4,748,958</u>	<u>(994,240)</u>	<u>3,754,718</u>
26	Total general fund	\$88,758,682	\$2,998,563	\$91,757,245
27	Full-time equivalent positions	23.30	0.00	23.30
28	Subdivision 2.			
29				

BISMARCK STATE COLLEGE

Sixty-second
Legislative Assembly

		Adjustments or		
	<u>Base Level</u>	<u>Enhancements</u>	<u>Appropriation</u>	
1				
2				
3	Operations	\$24,204,005	\$3,531,623	\$27,735,628
4	Capital assets	<u>243,481</u>	<u>13,767,125</u>	<u>14,010,606</u>
5	Total all funds	\$24,447,486	\$17,298,748	\$41,746,234
6	Less estimated income	<u>0</u>	<u>8,835,000</u>	<u>8,835,000</u>
7	Total general fund	\$24,447,486	\$8,463,748	\$32,911,234
8	Full-time equivalent positions	111.51	0.00	111.51
9	Subdivision 3.			

LAKE REGION STATE COLLEGE

		Adjustments or		
	<u>Base Level</u>	<u>Enhancements</u>	<u>Appropriation</u>	
11				
12				
13	Operations	\$7,956,210	\$1,203,282	\$9,159,492
14	Capital assets	<u>43,662</u>	<u>111,705</u>	<u>155,367</u>
15	Total all funds	\$7,999,872	\$1,314,987	\$9,314,859
16	Less estimated income	<u>0</u>	<u>0</u>	<u>0</u>
17	Total general fund	\$7,999,872	\$1,314,987	\$9,314,859
18	Full-time equivalent positions	37.50	0.00	37.50
19	Subdivision 4.			

WILLISTON STATE COLLEGE

		Adjustments or		
	<u>Base Level</u>	<u>Enhancements</u>	<u>Appropriation</u>	
21				
22				
23	Operations	\$7,696,999	\$1,205,296	\$8,902,295
24	Capital assets	<u>86,475</u>	<u>5,156,326</u>	<u>5,242,801</u>
25	Total all funds	\$7,783,474	\$6,361,622	\$14,145,096
26	Less estimated income	<u>0</u>	<u>4,820,000</u>	<u>4,820,000</u>
27	Total general fund	\$7,783,474	\$1,541,622	\$9,325,096
28	Full-time equivalent positions	43.42	0.00	43.42
29	Subdivision 5.			

UNIVERSITY OF NORTH DAKOTA

Sixty-second
Legislative Assembly

		Adjustments or		
	<u>Base Level</u>	<u>Enhancements</u>	<u>Appropriation</u>	
1				
2				
3	Operations	\$125,036,783	\$15,693,731	\$140,730,514
4	Capital assets	<u>2,300,545</u>	<u>48,158,167</u>	<u>50,458,712</u>
5	Total all funds	\$127,337,328	\$63,851,898	\$191,189,226
6	Less estimated income	<u>0</u>	<u>31,650,000</u>	<u>31,650,000</u>
7	Total general fund	\$127,337,328	\$32,201,898	\$159,539,226
8	Full-time equivalent positions	651.91	0.00	651.91
9	Subdivision 6.			

NORTH DAKOTA STATE UNIVERSITY

		Adjustments or		
	<u>Base Level</u>	<u>Enhancements</u>	<u>Appropriation</u>	
11				
12				
13	Operations	\$108,367,622	\$17,124,359	\$125,491,981
14	Capital assets	<u>1,692,225</u>	<u>37,412,702</u>	<u>39,104,927</u>
15	Total all funds	\$110,059,847	\$54,537,061	\$164,596,908
16	Less estimated income	<u>0</u>	<u>36,100,000</u>	<u>36,100,000</u>
17	Total general fund	\$110,059,847	\$18,437,061	\$128,496,908
18	Full-time equivalent positions	584.88	0.00	584.88
19	Subdivision 7.			

NORTH DAKOTA STATE COLLEGE OF SCIENCE

		Adjustments or		
	<u>Base Level</u>	<u>Enhancements</u>	<u>Appropriation</u>	
21				
22				
23	Operations	\$31,607,155	\$2,777,695	\$34,384,850
24	Capital assets	<u>753,332</u>	<u>21,317,713</u>	<u>22,071,045</u>
25	Total all funds	\$32,360,487	\$24,095,408	\$56,455,895
26	Less estimated income	<u>0</u>	<u>10,500,000</u>	<u>10,500,000</u>
27	Total general fund	\$32,360,487	\$13,595,408	\$45,955,895
28	Full-time equivalent positions	164.87	0.00	164.87
29	Subdivision 8.			

DICKINSON STATE UNIVERSITY

Sixty-second
Legislative Assembly

		Adjustments or		
	<u>Base Level</u>	<u>Enhancements</u>	<u>Appropriation</u>	
1				
2				
3	Operations	\$20,123,737	\$3,124,204	\$23,247,941
4	Capital assets	<u>383,690</u>	<u>25,388</u>	<u>409,078</u>
5	Total all funds	\$20,507,427	\$3,149,592	\$23,657,019
6	Less estimated income	<u>0</u>	<u>0</u>	<u>0</u>
7	Total general fund	\$20,507,427	\$3,149,592	\$23,657,019
8	Full-time equivalent positions	92.96	0.00	92.96
9	Subdivision 9.			

MAYVILLE STATE UNIVERSITY

		Adjustments or		
	<u>Base Level</u>	<u>Enhancements</u>	<u>Appropriation</u>	
11				
12				
13	Operations	\$11,629,616	\$1,304,283	\$12,933,899
14	Capital assets	<u>208,991</u>	<u>234,514</u>	<u>443,505</u>
15	Total all funds	\$11,838,607	\$1,538,797	\$13,377,404
16	Less estimated income	<u>0</u>	<u>0</u>	<u>0</u>
17	Total general fund	\$11,838,607	\$1,538,797	\$13,377,404
18	Full-time equivalent positions	58.72	0.00	58.72
19	Subdivision 10.			

MINOT STATE UNIVERSITY

		Adjustments or		
	<u>Base Level</u>	<u>Enhancements</u>	<u>Appropriation</u>	
21				
22				
23	Operations	\$34,623,707	\$3,287,409	\$37,911,116
24	Capital assets	<u>596,870</u>	<u>21,187,305</u>	<u>21,784,175</u>
25	Total all funds	\$35,220,577	\$24,474,714	\$59,695,291
26	Less estimated income	<u>0</u>	<u>15,884,555</u>	<u>15,884,555</u>
27	Total general fund	\$35,220,577	\$8,590,159	\$43,810,736
28	Full-time equivalent positions	187.83	0.00	187.83
29	Subdivision 11.			

VALLEY CITY STATE UNIVERSITY

Sixty-second
Legislative Assembly

		Adjustments or	
	<u>Base Level</u>	<u>Enhancements</u>	<u>Appropriation</u>
1			
2			
3	Operations	\$1,413,578	\$17,781,579
4	Capital assets	<u>258,416</u>	<u>11,771,735</u>
5	Total all funds	\$16,626,417	\$29,553,314
6	Less estimated income	<u>0</u>	<u>815,000</u>
7	Total general fund	\$16,626,417	\$28,738,314
8	Full-time equivalent positions	90.37	90.37
9	Subdivision 12.		

DAKOTA COLLEGE AT BOTTINEAU

		Adjustments or	
	<u>Base Level</u>	<u>Enhancements</u>	<u>Appropriation</u>
11			
12			
13	Operations	\$770,850	\$6,633,222
14	Capital assets	<u>705,782</u>	<u>815,507</u>
15	Total all funds	\$1,476,632	\$7,448,729
16	Less estimated income	<u>0</u>	<u>0</u>
17	Total general fund	\$1,476,632	\$7,448,729
18	Full-time equivalent positions	34.81	34.81
19	Subdivision 13.		

UNIVERSITY OF NORTH DAKOTA SCHOOL OF MEDICINE AND HEALTH SCIENCES

		Adjustments or	
	<u>Base Level</u>	<u>Enhancements</u>	<u>Appropriation</u>
21			
22			
23	Operations	<u>\$5,155,396</u>	<u>\$46,045,797</u>
24	Total all funds	\$5,155,396	\$46,045,797
25	Less estimated income	<u>0</u>	<u>0</u>
26	Total general fund	\$5,155,396	\$46,045,797
27	Full-time equivalent positions	137.43	137.43
28	Subdivision 14.		

NORTH DAKOTA FOREST SERVICE

Sixty-second
Legislative Assembly

		Adjustments or	
	<u>Base Level</u>	<u>Enhancements</u>	<u>Appropriation</u>
1			
2			
3	Operations	\$641,127	\$5,112,167
4	Capital assets	<u>61,153</u>	<u>97,791</u>
5	Total all funds	\$702,280	\$5,209,958
6	Less estimated income	<u>997,486</u>	<u>997,486</u>
7	Total general fund	\$702,280	\$4,212,472
8	Full-time equivalent positions	0.00	26.00
9	Subdivision 15.		

10 BILL TOTAL

		Adjustments or	
	<u>Base Level</u>	<u>Enhancements</u>	<u>Appropriation</u>
11			
12			
13	Grand total all funds	\$218,988,355	\$758,047,693
14	Grand total special funds	<u>107,610,315</u>	<u>113,356,759</u>
15	Grand total general fund	\$111,378,040	\$644,690,934

16 **SECTION 2. ONE-TIME FUNDING - EFFECT ON BASE BUDGET - REPORT TO**
 17 **SIXTY-THIRD LEGISLATIVE ASSEMBLY.** The following amounts reflect the one-time funding
 18 items approved by the sixty-first legislative assembly for the 2009-11 biennium and the 2011-13
 19 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>
20			
21	Federal fiscal stimulus	\$19,309,920	\$0
22	Dickinson state university operating funds	350,000	700,000
23	Dickinson state university Theodore Roosevelt center	750,000	0
24	Electronic medical records system UND medical	225,000	0
25	school		
26	Deferred maintenance - General fund	20,000,000	0
27	Capital projects - General fund	39,008,248	45,725,000
28	Capital projects - Other funds	166,958,000	106,284,555
29	Capital projects - Permanent oil tax trust fund	10,400,000	2,320,000
30	Special assessments payments	0	819,357
31	Mental health services	0	156,000

Sixty-second
Legislative Assembly

1	Emerald ash borer program	<u>0</u>	<u>250,000</u>
2	Total all funds	\$257,001,168	\$156,254,912
3	Total other funds	<u>197,017,920</u>	<u>108,604,555</u>
4	Total general fund	\$59,983,248	\$47,650,357

5 The 2011-13 one-time funding amounts are not a part of the entity's base budget for the
6 2013-15 biennium. The North Dakota university system shall report to the appropriations
7 committees of the sixty-third legislative assembly on the use of this one-time funding for the
8 biennium beginning July 1, 2013, and ending June 30, 2015.

9 **SECTION 3. APPROPRIATION - LEGISLATIVE COUNCIL - LEGISLATIVE**

10 **MANAGEMENT STUDY OF THE UNIVERSITY OF NORTH DAKOTA SCHOOL OF MEDICINE**

11 **AND HEALTH SCIENCES.** There is appropriated out of any moneys in the general fund in the
12 state treasury, not otherwise appropriated, the sum of \$100,000, or so much of the sum as may
13 be necessary, to the legislative council for the purpose of defraying expenses associated with a
14 legislative management study of the university of North Dakota school of medicine and health
15 sciences as provided under this section, for the biennium beginning July 1, 2011, and ending
16 June 30, 2013.

17 During the 2011-12 interim, the legislative management shall study the ability of the
18 university of North Dakota school of medicine and health sciences to meet the health care
19 needs of the state. The study must include a review of the health care needs of the state,
20 options to address the health care needs of the state, and the feasibility and desirability of
21 expanding the school of medicine and health sciences to meet the health care needs of the
22 state. The legislative management shall report its findings and recommendations, together with
23 any legislation required to implement the recommendations, to the sixty-third legislative
24 assembly.

25 **SECTION 4. PERMANENT OIL TAX TRUST FUND - WILLISTON STATE COLLEGE.** The

26 estimated income line item in subdivision 4 of section 1 of this Act includes \$2,320,000 from the
27 permanent oil tax trust fund for the renovation of the science lab building and a campus
28 branding project at Williston state college, for the period beginning with the effective date of this
29 Act and ending June 30, 2013.

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

4 **SECTION 6. NORTH DAKOTA STATE UNIVERSITY - MINARD HALL - BUDGET**

5 **SECTION REPORT.** North Dakota state university may use funding of \$5,000,000 received
6 during the biennium beginning July 1, 2007, and ending June 30, 2009, and funding of
7 \$13,000,000 received during the biennium beginning July 1, 2009, and ending June 30, 2011,
8 for the Minard hall project, for the biennium beginning July 1, 2011, and ending June 30, 2013.
9 North Dakota state university shall report to the budget section regarding the status of the
10 Minard hall project and may request increased spending authorization from the budget section
11 for the project.

12 **SECTION 7. PERMANENT OIL TAX TRUST FUND - TRIBALLY CONTROLLED**

13 **COMMUNITY COLLEGE GRANTS.** The tribally controlled community college grants line item
14 in subdivision 1 of section 1 of this Act includes the sum of \$1,000,000 from the permanent oil
15 tax trust fund, or so much of the sum as may be necessary, for the purpose of providing grant
16 assistance payments to tribally controlled community colleges, for the biennium beginning
17 July 1, 2011, and ending June 30, 2013. No more than \$500,000 may be expended for this
18 purpose during the first year of the biennium.

19 **SECTION 8. SYSTEM INFORMATION TECHNOLOGY SERVICES.** The sum of
20 \$36,006,667, or so much of the sum as may be necessary, included in the system information
21 technology services line item in subdivision 1 of section 1 of this Act, must be used for the
22 benefit of the institutions and entities under the control of the state board of higher education, as
23 determined by the board. Funding allocations are to be made based on the North Dakota
24 university system information technology plan and technology priorities. Funds allocated
25 pursuant to this section must be used to support the system information technology services,
26 including the higher education computer network, the interactive video network, the on-line
27 Dakota information network, connectND, and other related technology initiatives as determined
28 by the board.

29 **SECTION 9. STUDENT LOAN TRUST FUND.** Subdivision 1 of section 1 of this Act
30 includes the sum of \$1,004,744, or so much of the sum as may be necessary, from the student
31 loan trust fund of which \$465,307 is for the professional student exchange program and

1 \$539,437 connectND campus solution positions, for the biennium beginning July 1, 2011, and
2 ending June 30, 2013.

3 **SECTION 10. FEDERAL, PRIVATE, AND OTHER FUNDS - APPROPRIATION.** All funds,
4 in addition to those appropriated in section 1 of this Act, from federal, private, and other sources
5 for competitive grants or other funds that the legislative assembly has not indicated the intent to
6 reject, received by the institutions and entities under the control of the state board of higher
7 education are appropriated to those institutions and entities, for the biennium beginning July 1,
8 2011, and ending June 30, 2013. All additional funds received under the North
9 Dakota-Minnesota reciprocity agreement during the biennium beginning July 1, 2011, and
10 ending June 30, 2013, are appropriated to the state board of higher education for
11 reimbursement to institutions under the control of the board.

12 **SECTION 11. TRANSFER AUTHORITY.** If, during the biennium beginning July 1, 2011, and
13 ending June 30, 2013, the state board of higher education determines that funds allocated to
14 operations in section 1 of this Act are needed for capital assets or extraordinary repairs, the
15 board may transfer funds from operations to capital assets. The board shall report any transfer
16 of funds under this section to the office of management and budget.

17 **SECTION 12. NORTH DAKOTA UNIVERSITY SYSTEM AND UNIVERSITY OF NORTH**
18 **DAKOTA JOINT INFORMATION TECHNOLOGY BUILDING - UNIVERSITY OF NORTH**
19 **DAKOTA SCHOOL OF MEDICINE AND HEALTH SCIENCES - TRANSFER AUTHORITY.** The
20 capital assets line item of subdivision 5 of section 1 of this Act includes \$14,300,000 for the
21 North Dakota university system and university of North Dakota joint information technology
22 building project. The state board of higher education may transfer up to \$1,800,000 of this
23 amount to the university of North Dakota school of medicine and health sciences operations line
24 item in subdivision 13 of section 1 of this Act for the purpose of increasing the number of
25 students at the school of medicine and health sciences and increasing the number of medical
26 student residency positions, for the biennium beginning July 1, 2011, and ending June 30, 2013.

27 **SECTION 13. FULL-TIME EQUIVALENT POSITION ADJUSTMENTS.** Notwithstanding
28 any other provisions of law, the state board of higher education may adjust full-time equivalent
29 positions as needed, subject to the availability of funds, for institutions and entities under its
30 control. The university system shall report any adjustments to the office of management and
31 budget before the submission of the 2013-15 biennium budget request.

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

7 **SECTION 15. BOND ISSUANCE AUTHORIZATION - PURPOSES - APPROPRIATION.**

8 The state board of higher education, in accordance with chapter 15-55, may arrange for the
9 funding of projects authorized in this section, declared to be in the public interest, through the
10 issuance of self-liquidating, tax-exempt evidences of indebtedness under chapter 15-55,
11 beginning with the effective date of this Act and ending June 30, 2013. Evidences of
12 indebtedness issued pursuant to this section are not a general obligation of the state of North
13 Dakota. Any unexpended balance resulting from the proceeds of the evidences of indebtedness
14 must be placed in a sinking fund to be used for the retirement of indebtedness. The evidences
15 of indebtedness may be issued and the proceeds are appropriated, for the biennium beginning
16 July 1, 2011, and ending June 30, 2013, for the purpose of financing the following capital
17 projects:

18 Bismarck state college student union renovation and addition	\$7,000,000
19 Williston state college workforce training center	2,000,000
20 University of North Dakota - Flight operations center renovation	1,500,000
21 University of North Dakota - Wilkerson hall renovation and addition	14,000,000
22 University of North Dakota - University town home apartments	5,000,000
23 North Dakota state college of science - Forkner hall renovation	5,000,000
24 North Dakota state college of science - Schulz hall renovation	4,000,000
25 Minot state university - Food service renovation	1,500,000
26 Minot state university - Resident apartments	<u>3,500,000</u>
27 Total special funds	\$43,500,000

28 **SECTION 16. AMENDMENT.** Section 15-10-08 of the North Dakota Century Code is
29 amended and reenacted as follows:

1 **15-10-08. Compensation of board members - Expenses - Legislative appropriations.**

2 Each member of the state board of higher education, except the student member, is entitled
3 to receive as compensation one hundred forty-eight dollars per day for each calendar day
4 actually spent devoted to the duties of office, and necessary expenses in the same manner and
5 amounts as other state officials for attending meetings and performing other functions of office.
6 The legislative assembly shall provide adequate funds to carry out the functions and duties of
7 the board.

8 **SECTION 17. AMENDMENT.** Section 15-70-04 of the North Dakota Century Code is
9 amended and reenacted as follows:

10 **15-70-04. Submission of grant application - Distribution of grants.**

- 11 1. In order to qualify for a grant under this chapter, ~~an institution~~ a tribally controlled
12 community college shall submit an application at the time and in the manner required
13 by the state board of higher education. The application must document:
- 14 a. Include the name and address of each student who qualifies for financial
15 assistance under this chapter; and
- 16 b. Document the enrollment status of each student ~~on whose account~~ who qualifies
17 for financial assistance under this chapter is sought.
- 18 2. If an application is approved, the state board of higher education shall distribute to
19 ~~each~~ the tribally controlled community college, during each year of the biennium, ~~five-~~
20 ~~thousand three hundred four dollars per full-time equivalent nonbeneficiary student~~ an
21 amount equivalent to the most recent per student payment provided in accordance
22 with the Tribally Controlled Colleges and Universities Assistance Act of 1978 [25
23 U.S.C. 20] for each nonbeneficiary student who is a resident of the state. If the amount
24 appropriated is insufficient to meet the requirements of this section, the board shall
25 ~~distribute a prorated amount per full-time equivalent nonbeneficiary student~~ prorate the
26 amount to be distributed.
- 27 3. If after meeting the requirements of this section any amount remains available for
28 distribution at the conclusion of each year of the biennium, the state board of higher
29 education shall provide prorated distribution based on criteria set forth in this section.

1 4. At the time and in the manner determined by the state board of higher education, each
2 tribally controlled community college receiving assistance under this section shall file a
3 report indicating:

- 4 a. The graduation rate of nonbeneficiary students; and
5 b. The ratio between the amount of funding received by the tribally controlled
6 community college under this section and the college's annual budget.

7 **SECTION 18. AMENDMENT.** Subsection 3 of section 43-12.2-03 of the North Dakota
8 Century Code is amended and reenacted as follows:

9 3. A nurse practitioner, physician assistant, or certified nurse midwife who receives loan
10 repayment under this chapter:

- 11 a. Must be a graduate of an accredited program, located in the United States or
12 Canada, for the preparation of nurse practitioners, physician assistants, or
13 certified nurse midwives;
14 b. ~~Must be enrolled in or have graduated from an accredited training program for~~
15 ~~nurse practitioners, physician assistants, or certified nurse midwives prior to or~~
16 ~~within one year after submitting an application to participate in the loan~~
17 ~~repayment program and may not have practiced full time as a nurse practitioner,~~
18 ~~physician assistant, or certified nurse midwife in this state for more than one year~~
19 ~~before the date of the application;~~
20 e. Must be licensed or registered to practice as a nurse practitioner, physician
21 assistant, or certified nurse midwife in this state;
22 ~~c.~~ Shall submit an application to participate in the loan repayment program; and
23 ~~d.~~ Must have entered into an agreement with a selected community to provide
24 full-time services for a minimum of two years at the selected community if the
25 applicant receives a loan repayment program contract.

26 **SECTION 19. AMENDMENT.** Subsection 3 of section 43-17.2-03 of the North Dakota
27 Century Code is amended and reenacted as follows:

- 28 3. A physician who receives loan repayment under this chapter:
29 a. Must be a graduate of an accredited four-year allopathic or osteopathic medical
30 school located in the United States, its possessions, territories, or Canada and

- 1 approved by the state board of medical examiners or by an accrediting body
2 approved by the board;
- 3 b. ~~Must not have practiced full-time medicine in this state for more than one year~~
4 ~~before the date of the application;~~
- 5 e. Must have a full and unrestricted license to practice medicine in this state;
- 6 ~~d.c.~~ Shall submit an application to participate in the loan repayment program; and
- 7 ~~e.d.~~ Must have entered into an agreement with a selected community to provide
8 full-time medical services for a minimum of two years at the selected community
9 if the applicant receives a loan repayment program contract.

10 **SECTION 20. AMENDMENT.** Section 57-51.1-07.4 of the North Dakota Century Code is
11 amended and reenacted as follows:

12 **57-51.1-07.4. Separate allocation of state share of collections from reservation**
13 **development.**

14 Notwithstanding any other provision of law, the state treasurer shall transfer to the
15 permanent oil tax trust fund the first ~~seven hundred thousand~~ one million dollars of the state's
16 share of tax revenues under this chapter from oil produced from wells within the exterior
17 boundaries of the Fort Berthold Reservation after June 30, ~~2009~~2011.

18 **SECTION 21. LEGISLATIVE INTENT - STUDENT TUITION RATES.** It is the intent of the
19 sixty-second legislative assembly that student tuition rate increases are not to be limited due to
20 the level of funding received for the 2011-13 biennium for student affordability. Each campus
21 may increase tuition rates in an amount required to meet campus needs subject to state board
22 of higher education approval. The state board of higher education may not request student
23 affordability funding for the 2013-15 biennium and shall submit a budget request using a funding
24 model that does not include a student affordability funding component.

25 **SECTION 22. LEGISLATIVE INTENT - ENROLLMENT REPORTING.** It is the intent of the
26 sixty-second legislative assembly that North Dakota university system enrollment reports
27 detailing fall semester enrollment information only include data for full-time students that are
28 physically present on campus.

29 **SECTION 23. LEGISLATIVE MANAGEMENT STUDY - PROGRAM TUITION RATES -**
30 **WORKFORCE NEEDS.** During the 2011-12 interim, the legislative management shall consider
31 studying programs offered by North Dakota university system institutions that address the

1 workforce needs of the state, including a review of the use of graduated tuition rates to increase
2 enrollment in programs that address workforce needs. The legislative management shall report
3 its findings and recommendations, together with any legislation required to implement the
4 recommendations, to the sixty-third legislative assembly.

5 **SECTION 24. EMERGENCY.** The capital assets and education incentive line items
6 contained in section 1 of this Act and sections 4 and 15 of this Act are declared to be an
7 emergency measure.