

Sixty-second
Legislative Assembly
of North Dakota

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

NORTH DAKOTA UNIVERSITY SYSTEM OFFICE

	Adjustments or		
	Base Level	Enhancements	Appropriation
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	191,660	7,377,272
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	(700,000)	0
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	0	1,000,000	1,000,000
23	— revolving fund			
24	Total all funds	\$93,507,640	\$1,204,323	\$94,711,963
25	Less estimated income	4,748,958	(1,994,240)	2,754,718
26	Total general fund	\$88,758,682	\$3,198,563	\$91,957,245
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>
Operations	\$24,204,005	\$2,256,082	\$26,460,087
Capital assets	243,481	9,399,192	9,642,673
Total all funds	\$24,447,486	\$11,655,274	\$36,102,760
Less estimated income	0	7,500,000	7,500,000
Total general fund	\$24,447,486	\$4,155,274	\$28,602,760
Full-time equivalent positions	111.51	0.00	111.51

Subdivision 3.

LAKE REGION STATE COLLEGE

	Adjustments or		
	<u>Base Level</u>	<u>Enhancements</u>	<u>Appropriation</u>
Operations	\$7,956,210	\$783,603	\$8,739,813
Capital assets	43,662	111,705	155,367
Total all funds	\$7,999,872	\$895,308	\$8,895,180
Less estimated income	0	0	0
Total general fund	\$7,999,872	\$895,308	\$8,895,180
Full-time equivalent positions	37.50	0.00	37.50

Subdivision 4.

WILLISTON STATE COLLEGE

	Adjustments or		
	<u>Base Level</u>	<u>Enhancements</u>	<u>Appropriation</u>
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

Sixty-second
Legislative Assembly

	Adjustments or		
	<u>Base Level</u>	<u>Enhancements</u>	<u>Appropriation</u>
Operations	\$125,036,783	\$11,557,009	\$136,593,792
Capital assets	<u>2,300,545</u>	<u>38,208,167</u>	<u>40,508,712</u>
Total all funds	\$127,337,328	\$49,765,176	\$177,102,504
Less estimated income	<u>0</u>	<u>21,700,000</u>	<u>21,700,000</u>
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		
	<u>Base Level</u>	<u>Enhancements</u>	<u>Appropriation</u>
Operations	\$108,367,622	\$9,959,467	\$118,327,089
Capital assets	<u>1,692,225</u>	<u>37,412,702</u>	<u>39,104,927</u>
Total all funds	\$110,059,847	\$47,372,169	\$157,432,016
Less estimated income	<u>0</u>	<u>36,100,000</u>	<u>36,100,000</u>
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		
	<u>Base Level</u>	<u>Enhancements</u>	<u>Appropriation</u>
Operations	\$31,607,155	\$2,006,991	\$33,614,146
Capital assets	<u>753,332</u>	<u>29,498,520</u>	<u>30,251,852</u>
Total all funds	\$32,360,487	\$31,505,511	\$63,865,998
Less estimated income	<u>0</u>	<u>10,500,000</u>	<u>10,500,000</u>
Total general fund	\$32,360,487	\$21,005,511	\$53,365,998
Full-time equivalent positions	164.87	0.00	164.87

Subdivision 8.

DICKINSON STATE UNIVERSITY

Sixty-second
Legislative Assembly

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

Subdivision 9.

MAYVILLE STATE UNIVERSITY

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

Subdivision 10.

MINOT STATE UNIVERSITY

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

Subdivision 11.

VALLEY CITY STATE UNIVERSITY

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

Subdivision 12.

DAKOTA COLLEGE AT BOTTINEAU

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

Subdivision 13.

UNIVERSITY OF NORTH DAKOTA SCHOOL OF MEDICINE AND HEALTH SCIENCES

	Adjustments or		
	<u>Base Level</u>	<u>Enhancements</u>	<u>Appropriation</u>
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

Sixty-second
Legislative Assembly

	Adjustments or			
	Base Level	Enhancements	Appropriation	
1				
2				
3	Operations	\$4,471,040	\$641,127	\$5,112,167
4	Capital assets	36,638	61,153	97,791
5	Total all funds	\$4,507,678	\$702,280	\$5,209,958
6	Less estimated income	997,486	0	997,486
7	Total general fund	\$3,510,192	\$702,280	\$4,212,472
8	Full-time equivalent positions	26.00	0.00	26.00
9	<u>Subdivision 15.</u>			
10	BILL TOTAL			
11				
12				
13	Grand total all funds	\$539,059,338	\$166,576,109	\$705,635,447
14	Grand total special funds	5,746,444	84,490,760	90,237,204
15	Grand total general fund	\$533,312,894	\$82,085,349	\$615,398,243
16	<u>Subdivision 1.</u>			
17	NORTH DAKOTA UNIVERSITY SYSTEM OFFICE			
18				
19				
20	Capital assets	\$12,014,048	\$190,721	\$12,204,769
21	Competitive research program	7,050,000	0	7,050,000
22	System governance	7,185,612	(308,340)	6,877,272
23	Title II	695,600	0	695,600
24	System information technology	30,230,038	5,776,629	36,006,667
25	<u>services</u>			
26	Professional liability insurance	1,100,000	(300,000)	800,000
27	Student financial assistance grants	19,374,022	0	19,374,022
28	Professional student exchange program	3,337,100	(15,662)	3,321,438
29	Academic and technical education	3,000,000	(3,000,000)	0
30	<u>scholarships</u>			
31	Two-year campus marketing	800,000	0	800,000
32	Scholars program	2,113,584	0	2,113,584

Sixty-second
Legislative Assembly

1	Native American scholarships	381,292	192,975	574,267
2	Tribally controlled community college	700,000	300,000	1,000,000
3	grants			
4	Security and emergency preparedness	750,000	(750,000)	0
5	Education incentive programs	3,176,344	0	3,176,344
6	Science, technology, engineering, and	1,500,000	(1,500,000)	0
7	mathematics teacher education			
8	enhancement			
9	Equity and student affordability	0	15,240,565	15,240,565
10	Grants	100,000	(100,000)	0
11	Total all funds	\$93,507,640	\$15,726,888	\$109,234,528
12	Less estimated income	4,748,958	(1,994,240)	2,754,718
13	Total general fund	\$88,758,682	\$17,721,128	\$106,479,810
14	Full-time equivalent positions	23.30	0.00	23.30

Subdivision 2.

BISMARCK STATE COLLEGE

		Adjustments or		
	Base Level	Enhancements	Appropriation	
19	Operations	\$24,204,005	\$2,256,082	\$26,460,087
20	Capital assets	243,481	13,767,125	14,010,606
21	Total all funds	\$24,447,486	\$16,023,207	\$40,470,693
22	Less estimated income	0	8,535,000	8,535,000
23	Total general fund	\$24,447,486	\$7,488,207	\$31,935,693
24	Full-time equivalent positions	111.51	0.00	111.51

Subdivision 3.

LAKE REGION STATE COLLEGE

		Adjustments or		
	Base Level	Enhancements	Appropriation	
29	Operations	\$7,956,210	\$663,033	\$8,619,243
30	Capital assets	43,662	977,705	1,021,367
31	Total all funds	\$7,999,872	\$1,640,738	\$9,640,610

Sixty-second
Legislative Assembly

1	Less estimated income	0	0	0
2	Total general fund	\$7,999,872	\$1,640,738	\$9,640,610
3	Full-time equivalent positions	37.50	0.00	37.50
4	<u>Subdivision 4.</u>			
5	<u>WILLISTON STATE COLLEGE</u>			
6		Adjustments or		
7		Base Level	Enhancements	Appropriation
8	Operations	\$7,696,999	\$803,898	\$8,500,897
9	Capital assets	86,475	5,156,326	5,242,801
10	Total all funds	\$7,783,474	\$5,960,224	\$13,743,698
11	Less estimated income	0	2,225,000	2,225,000
12	Total general fund	\$7,783,474	\$3,735,224	\$11,518,698
13	Full-time equivalent positions	43.42	0.00	43.42
14	<u>Subdivision 5.</u>			
15	<u>UNIVERSITY OF NORTH DAKOTA</u>			
16		Adjustments or		
17		Base Level	Enhancements	Appropriation
18	Operations	\$125,036,783	\$11,557,009	\$136,593,792
19	Capital assets	2,300,545	45,158,167	47,458,712
20	Total all funds	\$127,337,328	\$56,715,176	\$184,052,504
21	Less estimated income	0	30,450,000	30,450,000
22	Total general fund	\$127,337,328	\$26,265,176	\$153,602,504
23	Full-time equivalent positions	651.91	0.00	651.91
24	<u>Subdivision 6.</u>			
25	<u>NORTH DAKOTA STATE UNIVERSITY</u>			
26		Adjustments or		
27		Base Level	Enhancements	Appropriation
28	Operations	\$108,367,622	\$10,567,076	\$118,934,698
29	Capital assets	1,692,225	37,412,702	39,104,927
30	Total all funds	\$110,059,847	\$47,979,778	\$158,039,625
31	Less estimated income	0	36,100,000	36,100,000

1	Total general fund	\$110,059,847	\$11,879,778	\$121,939,625
2	Full-time equivalent positions	584.88	0.00	584.88
3	<u>Subdivision 7.</u>			
4	<u>NORTH DAKOTA STATE COLLEGE OF SCIENCE</u>			
5			Adjustments or	
6		Base Level	Enhancements	Appropriation
7	Operations	\$31,607,155	\$2,006,991	\$33,614,146
8	Capital assets	753,332	21,317,713	22,071,045
9	Total all funds	\$32,360,487	\$23,324,704	\$55,685,191
10	Less estimated income	0	10,700,000	10,700,000
11	Total general fund	\$32,360,487	\$12,624,704	\$44,985,191
12	Full-time equivalent positions	164.87	0.00	164.87
13	<u>Subdivision 8.</u>			
14	<u>DICKINSON STATE UNIVERSITY</u>			
15			Adjustments or	
16		Base Level	Enhancements	Appropriation
17	Operations	\$20,123,737	\$2,682,639	\$22,806,376
18	Capital assets	383,690	25,388	409,078
19	Total all funds	\$20,507,427	\$2,708,027	\$23,215,454
20	Less estimated income	0	0	0
21	Total general fund	\$20,507,427	\$2,708,027	\$23,215,454
22	Full-time equivalent positions	92.96	0.00	92.96
23	<u>Subdivision 9.</u>			
24	<u>MAYVILLE STATE UNIVERSITY</u>			
25			Adjustments or	
26		Base Level	Enhancements	Appropriation
27	Operations	\$11,629,616	\$1,010,207	\$12,639,823
28	Capital assets	208,991	234,514	443,505
29	Total all funds	\$11,838,607	\$1,244,721	\$13,083,328
30	Less estimated income	0	0	0
31	Total general fund	\$11,838,607	\$1,244,721	\$13,083,328

1	Full-time equivalent positions	58.72	0.00	58.72
2	<u>Subdivision 10.</u>			
3	<u>MINOT STATE UNIVERSITY</u>			
4		Adjustments or		
5		Base Level	Enhancements	Appropriation
6	Operations	\$34,623,707	\$2,647,646	\$37,271,353
7	Capital assets	596,870	21,187,305	21,784,175
8	Total all funds	\$35,220,577	\$23,834,951	\$59,055,528
9	Less estimated income	0	16,034,555	16,034,555
10	Total general fund	\$35,220,577	\$7,800,396	\$43,020,973
11	Full-time equivalent positions	187.83	0.00	187.83
12	<u>Subdivision 11.</u>			
13	<u>VALLEY CITY STATE UNIVERSITY</u>			
14		Adjustments or		
15		Base Level	Enhancements	Appropriation
16	Operations	\$16,368,001	\$1,037,737	\$17,405,738
17	Capital assets	258,416	11,513,319	11,771,735
18	Total all funds	\$16,626,417	\$12,551,056	\$29,177,473
19	Less estimated income	0	1,015,000	1,015,000
20	Total general fund	\$16,626,417	\$11,536,056	\$28,162,473
21	Full-time equivalent positions	90.37	0.00	90.37
22	<u>Subdivision 12.</u>			
23	<u>DAKOTA COLLEGE AT BOTTINEAU</u>			
24		Adjustments or		
25		Base Level	Enhancements	Appropriation
26	Operations	\$5,862,372	\$378,063	\$6,240,435
27	Capital assets	109,725	705,782	815,507
28	Total all funds	\$5,972,097	\$1,083,845	\$7,055,942
29	Less estimated income	0	0	0
30	Total general fund	\$5,972,097	\$1,083,845	\$7,055,942
31	Full-time equivalent positions	34.81	0.00	34.81

1 Subdivision 13.

2 UNIVERSITY OF NORTH DAKOTA SCHOOL OF MEDICINE AND HEALTH SCIENCES

	<u>Adjustments or</u>		
	<u>Base Level</u>	<u>Enhancements</u>	<u>Appropriation</u>
5 <u>Operations</u>	<u>\$40,890,401</u>	<u>\$5,892,620</u>	<u>\$46,783,021</u>
6 <u>Total all funds</u>	<u>\$40,890,401</u>	<u>\$5,892,620</u>	<u>\$46,783,021</u>
7 <u>Less estimated income</u>	<u>0</u>	<u>0</u>	<u>0</u>
8 <u>Total general fund</u>	<u>\$40,890,401</u>	<u>\$5,892,620</u>	<u>\$46,783,021</u>
9 <u>Full-time equivalent positions</u>	<u>137.43</u>	<u>0.00</u>	<u>137.43</u>

10 Subdivision 14.

11 NORTH DAKOTA FOREST SERVICE

	<u>Adjustments or</u>		
	<u>Base Level</u>	<u>Enhancements</u>	<u>Appropriation</u>
14 <u>Operations</u>	<u>\$4,471,040</u>	<u>\$641,127</u>	<u>\$5,112,167</u>
15 <u>Capital assets</u>	<u>36,638</u>	<u>67,153</u>	<u>103,791</u>
16 <u>Total all funds</u>	<u>\$4,507,678</u>	<u>\$708,280</u>	<u>\$5,215,958</u>
17 <u>Less estimated income</u>	<u>997,486</u>	<u>6,000</u>	<u>1,003,486</u>
18 <u>Total general fund</u>	<u>\$3,510,192</u>	<u>\$702,280</u>	<u>\$4,212,472</u>
19 <u>Full-time equivalent positions</u>	<u>26.00</u>	<u>0.00</u>	<u>26.00</u>

20 Subdivision 15.

21 BILL TOTAL

	<u>Adjustments or</u>		
	<u>Base Level</u>	<u>Enhancements</u>	<u>Appropriation</u>
24 <u>Grand total all funds</u>	<u>\$539,059,338</u>	<u>\$215,394,215</u>	<u>\$754,453,553</u>
25 <u>Grand total special funds</u>	<u>5,746,444</u>	<u>103,071,315</u>	<u>108,817,759</u>
26 <u>Grand total general fund</u>	<u>\$533,312,894</u>	<u>\$112,322,900</u>	<u>\$645,635,794</u>

27 **SECTION 2. ONE-TIME FUNDING - EFFECT ON BASE BUDGET - REPORT TO**
 28 **SIXTY-THIRD LEGISLATIVE ASSEMBLY.** The following amounts reflect the one-time funding
 29 items approved by the sixty-first legislative assembly for the 2009-11 biennium and the 2011-13
 30 one-time funding items included in the appropriation in section 1 of this Act:

31	<u>One-Time Funding Description</u>	<u>2009-11</u>	<u>2011-13</u>
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Sixty-second
Legislative Assembly

1	Federal fiscal stimulus	\$19,309,920	\$0
2	Dickinson state university operating funds	350,000	0
3	<u>Dickinson state university operating funds</u>	<u>350,000</u>	<u>900,000</u>
4	<u>Mayville state university drainage study</u>	<u>0</u>	<u>55,000</u>
5	<u>UND school of medicine space utilization study</u>	<u>0</u>	<u>100,000</u>
6	Dickinson state university Theodore Roosevelt center	750,000	0
7	Electronic medical records system UND medical	225,000	0
8	school		
9	Deferred maintenance - General fund	20,000,000	0
10	Capital projects - General fund	39,008,248	34,705,000
11	Capital projects - Other funds	166,958,000	84,165,000
12	Capital projects - Permanent oil tax trust fund	10,400,000	2,320,000
13	Special assessments payments	0	787,231
14	Mental health services	0	156,000
15	<u>Capital projects - General fund</u>	<u>39,008,248</u>	<u>47,136,000</u>
16	<u>Capital projects - Other funds</u>	<u>166,958,000</u>	<u>105,065,555</u>
17	<u>Capital projects - Permanent oil tax trust fund</u>	<u>10,400,000</u>	<u>0</u>
18	<u>Special assessments payments</u>	<u>0</u>	<u>819,357</u>
19	Emerald ash borer program	<u>0</u>	<u>250,000</u>
20	Total all funds	\$257,001,168	\$122,383,231
21	Total other funds	197,017,920	86,485,000
22	Total general fund	\$59,983,248	\$35,898,231
23	<u>Total all funds</u>	<u>\$257,001,168</u>	<u>\$154,325,912</u>
24	<u>Total other funds</u>	<u>197,017,920</u>	<u>105,065,555</u>
25	<u>Total general fund</u>	<u>\$59,983,248</u>	<u>\$49,260,357</u>

26 The 2011-13 one-time funding amounts are not a part of the entity's base budget for the
 27 2013-15 biennium. The North Dakota university system shall report to the appropriations
 28 committees of the sixty-third legislative assembly on the use of this one-time funding for the
 29 biennium beginning July 1, 2013, and ending June 30, 2015.

30 ~~SECTION 3. EXEMPTION - TRANSFER. Up to \$4,335,000 of the amount appropriated for~~
 31 ~~the great plains applied energy research center in section 1 of chapter 26 of the 2009 Session~~

1 ~~Laws is not subject to section 54-44.1-11. The department of commerce shall transfer~~
2 ~~\$4,335,000 of unexpended funds from this line item to Bismarck state college for the purpose of~~
3 ~~completing the national energy center of excellence fourth floor renovation project, for the~~
4 ~~biennium beginning July 1, 2011, and ending June 30, 2013.~~

5 **SECTION 3. TRANSFER - PERMANENT OIL TAX TRUST FUND - 2009-11 BIENNIUM.**

6 The office of management and budget shall transfer any unexpended funds appropriated from
7 the permanent oil tax trust fund in chapter 31 of the 2009 Session Laws to the appropriate
8 higher education institution's special fund at the end of the biennium beginning July 1, 2009,
9 and ending June 30, 2011. For the purposes of this section, "end of the biennium" means thirty
10 days after the close of the biennial period but prior to the cancellation of unexpended
11 appropriations under section 54-44.1-11.

12 **SECTION 4. BORROWING AUTHORITY - WILLISTON STATE COLLEGE -**

13 **WORKFORCE TRAINING BUILDING PROJECT.** Williston state college may borrow the sum of
14 \$1,725,000, or so much of the sum as may be necessary, from the Bank of North Dakota for the
15 workforce training building project for the period beginning with the effective date of this Act and
16 ending June 30, 2013.

17 ~~SECTION 4. PERMANENT OIL TAX TRUST FUND - WILLISTON STATE COLLEGE. The~~
18 ~~estimated income line item in subdivision 4 of section 1 of this Act includes \$2,320,000 from the~~
19 ~~permanent oil tax trust fund for the renovation of the science lab building and a campus~~
20 ~~branding project at Williston state college, for the period beginning with the effective date of this~~
21 ~~Act and ending June 30, 2013.~~

22 **SECTION 5. CAPITAL ASSETS.** The sum of ~~\$12,254,769~~\$12,204,769, or so much of the
23 sum as may be necessary, included in the capital assets line item in subdivision 1 of section 1
24 of this Act, must be used by the state board of higher education to satisfy outstanding bond
25 obligations.

26 **SECTION 6. EQUITY AND STUDENT AFFORDABILITY FUNDING POOL TRANSFERS.**

27 The equity and student affordability line item in subdivision 1 of section 1 of this Act includes the
28 sum of \$15,240,565 which must be transferred by the state board of higher education to
29 institutions under its control based on existing formulas for equity and student affordability
30 distributions.

**SECTION 7. NORTH DAKOTA UNIVERSITY SYSTEM AND UNIVERSITY OF NORTH
DAKOTA JOINT INFORMATION TECHNOLOGY BUILDING PROJECT - BUDGET SECTION**

REPORT. The capital assets line item in subdivision 5 of section 1 of this Act includes the sum of \$20,500,000 for the North Dakota university system and university of North Dakota joint information technology building project. The state board of higher education may spend additional funds on the project of up to \$5,000,000 that are made available from the university of North Dakota, North Dakota state university, and North Dakota university system 2011-13 biennium information technology services funding resulting from one-time savings or efficiencies. The North Dakota university system shall provide a report to the budget section of the legislative management regarding any funds expended pursuant to this section.

SECTION 8. NORTH DAKOTA STATE UNIVERSITY - MINARD HALL - BUDGET

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

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

SECTION 10. STUDENT LOAN TRUST FUND. Subdivision 1 of section 1 of this Act includes the sum of \$1,004,744, or so much of the sum as may be necessary, from the student 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 11. 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 12. TRANSFER AUTHORITY.** If, during the biennium beginning July 1, 2011,
13 and ending June 30, 2013, the state board of higher education determines that funds allocated
14 to 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 13. FULL-TIME EQUIVALENT POSITION ADJUSTMENTS.** Notwithstanding
18 any other provisions of law, the state board of higher education may adjust full-time equivalent
19 positions as needed, subject to the availability of funds, for institutions and entities under its
20 control. The university system shall report any adjustments to the office of management and
21 budget before the submission of the 2013-15 biennium budget request.

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

28 **SECTION 15. BOND ISSUANCE AUTHORIZATION - PURPOSES - APPROPRIATION.**
29 The state board of higher education, in accordance with chapter 15-55, may arrange for the
30 funding of projects authorized in this section, declared to be in the public interest, through the
31 issuance of self-liquidating, tax-exempt evidences of indebtedness under chapter 15-55,

1 beginning with the effective date of this Act and ending June 30, 2013. Evidences of
2 indebtedness issued pursuant to this section are not a general obligation of the state of North
3 Dakota. Any unexpended balance resulting from the proceeds of the evidences of indebtedness
4 must be placed in a sinking fund to be used for the retirement of indebtedness. The evidences
5 of indebtedness may be issued and the proceeds are appropriated, for the biennium beginning
6 July 1, 2011, and ending June 30, 2013, for the purpose of financing the following capital
7 projects:

8	Bismarck state college student union renovation and addition	\$7,000,000
9	Williston state college workforce training center	2,000,000
10	<u>Williston state college workforce training center</u>	<u>1,725,000</u>
11	University of North Dakota - Wilkerson hall renovation and addition	14,000,000
12	University of North Dakota - University town home apartments	5,000,000
13	North Dakota state college of science - Forkner hall renovation	5,000,000
14	North Dakota state college of science - Schulz hall renovation	4,000,000
15	Minot state university - Resident apartments	<u>3,500,000</u>
16	Total special funds	\$40,500,000
17	<u>Total special funds</u>	<u>\$40,225,000</u>

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

20 **15-10-08. Compensation of board members - Expenses - Legislative appropriations.**

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

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

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

1. In order to qualify for a grant under this chapter, ~~an institution~~ a tribally controlled community college shall submit an application at the time and in the manner required by the state board of higher education. The application must ~~document~~:

a. Include the name and address of each student who qualifies for financial assistance under this chapter; and

b. Document the enrollment status of each student ~~on whose account~~ who qualifies for financial assistance under this chapter ~~is sought~~.

2. If an application is approved, the state board of higher education shall distribute to ~~each~~ the tribally controlled community college, during each year of the biennium, ~~five-thousand three hundred four dollars per full-time equivalent nonbeneficiary student~~ an amount equivalent to the most recent per student payment provided in accordance with the Tribally Controlled Colleges and Universities Assistance Act of 1978 [25 U.S.C. 20] for each nonbeneficiary student who is a resident of the state. If the amount appropriated is insufficient to meet the requirements of this section, the board shall ~~distribute a prorated amount per full-time equivalent nonbeneficiary student~~ prorate the amount to be distributed.

3. If after meeting the requirements of this section any amount remains available for distribution at the conclusion of each year of the biennium, the state board of higher education shall provide prorated distribution based on criteria set forth in this section.

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

a. The graduation rate of nonbeneficiary students; and

b. The ratio between the amount of funding received by the tribally controlled community college under this section and the college's annual budget.

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

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

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

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

3. A physician who receives loan repayment under this chapter:
 - a. Must be a graduate of an accredited four-year allopathic or osteopathic medical school located in the United States, its possessions, territories, or Canada and approved by the state board of medical examiners or by an accrediting body approved by the board;
 - b. ~~Must not have practiced full-time medicine in this state for more than one year before the date of the application;~~
 - e. Must have a full and unrestricted license to practice medicine in this state;
 - ~~d.c.~~ Shall submit an application to participate in the loan repayment program; and
 - ~~e.d.~~ Must have entered into an agreement with a selected community to provide full-time medical services for a minimum of two years at the selected community if the applicant receives a loan repayment program contract.

SECTION 20. LEGISLATIVE INTENT - NORTH DAKOTA UNIVERSITY SYSTEM BUDGET REQUEST. It is the intent of the sixty-second legislative assembly that the state board

1 of higher education develop a budget request for the North Dakota university system for the
2 2013-15 biennium that does not include a funding component for student affordability to limit
3 student tuition increases or a funding component for equity distributions to institutions based on
4 a peer institution comparison. The budget request may be based on a funding method that
5 incorporates a tiered system of funding distributions based on institution type or other funding
6 method that addresses the needs of the North Dakota university system.

7 **SECTION 21. LEGISLATIVE INTENT - ENROLLMENT REPORTING.** It is the intent of the
8 sixty-second legislative assembly that North Dakota university system enrollment reports
9 detailing fall semester enrollment information only include data for full-time students that are
10 physically present on campus.

11 **SECTION 22. LEGISLATIVE MANAGEMENT STUDY - PROGRAM TUITION RATES -**
12 **WORKFORCE NEEDS.** During the 2011-12 interim, the legislative management shall consider
13 studying programs offered by North Dakota university system institutions that address the
14 workforce needs of the state, including a review of the use of graduated tuition rates to increase
15 enrollment in programs that address workforce needs. The legislative management shall report
16 its findings and recommendations, together with any legislation required to implement the
17 recommendations, to the sixty-third legislative assembly.

18 **SECTION 23. LEGISLATIVE MANAGEMENT STUDY - UNIVERSITY OF NORTH**
19 **DAKOTA SCHOOL OF MEDICINE AND HEALTH SCIENCES.** During the 2011-12 interim, the
20 legislative management chairman shall consider appointing a separate committee to study the
21 ability of the university of North Dakota school of medicine and health sciences to meet the
22 health care needs of the state. The study, if conducted, must include a review of the health care
23 needs of the state, options to address the health care needs of the state, and the feasibility and
24 desirability of expanding the school of medicine and health sciences to meet the health care
25 needs of the state. The legislative management shall report its findings and recommendations,
26 together with any legislation required to implement the recommendations, to the sixty-third
27 legislative assembly.

28 **SECTION 24. EMERGENCY.** The capital assets and education incentive line items
29 contained in section 1 of this Act and sections ~~3~~, 4, and ~~12~~15 of this Act are declared to be an
30 emergency measure.