

HOUSE BILL NO. 1003

Introduced by

Appropriations Committee

1 A BILL for an Act to provide an appropriation for defraying the expenses of the North Dakota
2 university system; to amend and reenact section 54-44.1-11 of the North Dakota Century Code,
3 relating to the cancellation of unexpended appropriations; and to provide for a transfer.

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

5 **SECTION 1. APPROPRIATION.** The funds provided in this section, or so much of the funds
6 as may be necessary, are appropriated out of any moneys in the general fund in the state
7 treasury, not otherwise appropriated, and from special funds derived from federal funds and
8 other income, to the state board of higher education and to the entities and institutions under
9 the supervision of the board, for the purpose of defraying the expenses of the state board of
10 higher education and the entities and institutions under the control of the board, for the
11 biennium beginning July 1, 2019, and ending June 30, 2021, as follows:

12 Subdivision 1.

13 NORTH DAKOTA UNIVERSITY SYSTEM OFFICE

14 Governor's

15		<u>Base Level</u>	<u>Recommendation</u>	<u>Appropriation</u>
16	Capital assets - bond payments	\$6,605,326	\$4,959,448	\$6,605,326
17	Competitive research programs	6,027,750	6,027,750	6,027,750
18	System governance	8,163,238	7,962,044	8,163,238
19	Title II	1,006,472	0	1,006,472
20	Core technology services	61,527,347	61,226,017	61,527,347
21	Student financial assistance grants	21,917,306	21,917,306	21,917,306
22	Professional student exchange program	3,699,342	3,699,342	3,699,342
23	Academic and technical education	12,016,749	14,956,552	12,016,749
24	scholarships			

Sixty-sixth
Legislative Assembly

1	Education challenge fund	0	40,000,000	0
2	Scholars program	1,807,115	1,807,115	1,807,115
3	Native American scholarship	555,323	555,323	555,323
4	Tribally controlled community college grants	600,000	1,000,000	600,000
5	Education incentive programs	2,863,393	760,000	2,863,393
6	Student mental health	284,400	270,180	284,400
7	Veterans' assistance grants	277,875	277,875	277,875
8	Shared campus services	500,000	475,000	500,000
9	Online curriculum development grant	0	5,000,000	0
10	Dual-credit instructor assistance	<u>200,000</u>	<u>0</u>	<u>200,000</u>
11	Total all funds	\$128,051,636	\$170,893,952	\$128,051,636
12	Less estimated income	<u>26,412,106</u>	<u>29,124,339</u>	<u>26,412,106</u>
13	Total general fund	\$101,639,530	\$141,769,613	\$101,639,530
14	Full-time equivalent positions	149.40	148.90	149.40

15 Subdivision 2.

16 BISMARCK STATE COLLEGE

17			Governor's	
18		<u>Base Level</u>	<u>Recommendation</u>	<u>Appropriation</u>
19	Operations	\$101,670,034	\$97,493,173	\$101,670,034
20	Capital assets	<u>1,922,561</u>	<u>1,912,213</u>	<u>1,922,561</u>
21	Total all funds	\$103,592,595	\$99,405,386	\$103,592,595
22	Less estimated income	<u>72,991,998</u>	<u>69,713,559</u>	<u>72,991,998</u>
23	Total general fund	\$30,600,597	\$29,691,827	\$30,600,597
24	Full-time equivalent positions	358.35	323.93	358.35

25 Subdivision 3.

26 LAKE REGION STATE COLLEGE

27			Governor's	
28		<u>Base Level</u>	<u>Recommendation</u>	<u>Appropriation</u>
29	Operations	\$36,449,048	\$37,030,548	\$36,449,048
30	Capital assets	<u>362,667</u>	<u>362,667</u>	<u>362,667</u>
31	Total all funds	\$36,811,715	\$37,393,215	\$36,811,715

Sixty-sixth
Legislative Assembly

1	Less estimated income	<u>24,111,092</u>	<u>25,021,443</u>	<u>24,111,092</u>
2	Total general fund	\$12,700,623	\$12,371,772	\$12,700,623
3	Full-time equivalent positions	129.61	118.10	129.61
4	Subdivision 4.			

WILLISTON STATE COLLEGE

6			Governor's	
7		<u>Base Level</u>	<u>Recommendation</u>	<u>Appropriation</u>
8	Operations	\$26,954,133	\$32,006,559	\$26,954,133
9	Capital assets	<u>1,261,968</u>	<u>1,261,968</u>	<u>1,261,968</u>
10	Total all funds	\$28,216,101	\$33,268,527	\$28,216,101
11	Less estimated income	<u>19,855,598</u>	<u>23,646,811</u>	<u>19,855,598</u>
12	Total general fund	\$8,360,503	\$9,621,716	\$8,360,503
13	Full-time equivalent positions	100.75	100.48	100.75
14	Subdivision 5.			

UNIVERSITY OF NORTH DAKOTA

16			Governor's	
17		<u>Base Level</u>	<u>Recommendation</u>	<u>Appropriation</u>
18	Operations	\$864,554,974	\$881,436,334	\$864,554,974
19	Capital assets	<u>4,411,566</u>	<u>119,411,566</u>	<u>4,411,566</u>
20	Total all funds	\$868,966,540	\$1,000,847,900	\$868,966,540
21	Less estimated income	<u>728,870,450</u>	<u>861,497,363</u>	<u>728,870,450</u>
22	Total general fund	\$140,096,090	\$139,350,537	\$140,096,090
23	Full-time equivalent positions	2,218.07	2,132.17	2,218.07
24	Subdivision 6.			

NORTH DAKOTA STATE UNIVERSITY

26			Governor's	
27		<u>Base Level</u>	<u>Recommendation</u>	<u>Appropriation</u>
28	Operations	\$732,673,267	\$739,994,060	\$732,673,267
29	Capital assets	7,799,104	59,149,104	7,799,104
30	Capital projects - nonstate	<u>0</u>	<u>79,800,000</u>	<u>0</u>
31	Total all funds	\$740,472,371	\$878,943,164	\$740,472,371

Sixty-sixth
Legislative Assembly

1	Less estimated income	<u>611,881,329</u>	<u>751,700,739</u>	<u>611,881,329</u>
2	Total general fund	\$128,591,042	\$127,242,425	\$128,591,042
3	Full-time equivalent positions	1,895.66	1,870.16	1,895.66
4	Subdivision 7.			

NORTH DAKOTA STATE COLLEGE OF SCIENCE

6			Governor's	
7		<u>Base Level</u>	<u>Recommendation</u>	<u>Appropriation</u>
8	Operations	\$91,682,610	\$94,186,138	\$91,682,610
9	Capital assets	1,012,379	1,012,379	1,012,379
10	Capital projects - nonstate	<u>0</u>	<u>30,000,000</u>	<u>0</u>
11	Total all funds	\$92,694,989	\$125,198,517	\$92,694,989
12	Less estimated income	<u>57,605,613</u>	<u>90,275,397</u>	<u>57,605,613</u>
13	Total general fund	\$35,089,376	\$34,923,120	\$35,089,376
14	Full-time equivalent positions	345.04	310.73	345.04
15	Subdivision 8.			

DICKINSON STATE UNIVERSITY

17			Governor's	
18		<u>Base Level</u>	<u>Recommendation</u>	<u>Appropriation</u>
19	Operations	\$47,135,592	\$47,820,851	\$47,135,592
20	Capital assets	409,078	409,078	409,078
21	Digitization project	<u>0</u>	<u>750,000</u>	<u>0</u>
22	Total all funds	\$47,544,670	\$48,979,929	\$47,544,670
23	Less estimated income	<u>29,737,827</u>	<u>30,641,487</u>	<u>29,737,827</u>
24	Total general fund	\$17,806,843	\$18,338,442	\$17,806,843
25	Full-time equivalent positions	168.90	213.26	168.90
26	Subdivision 9.			

MAYVILLE STATE UNIVERSITY

28			Governor's	
29		<u>Base Level</u>	<u>Recommendation</u>	<u>Appropriation</u>
30	Operations	\$44,197,761	\$46,922,702	\$44,197,761
31	Capital assets	<u>358,992</u>	<u>426,640</u>	<u>358,992</u>

Sixty-sixth
Legislative Assembly

1	Total all funds	\$44,556,753	\$47,349,342	\$44,556,753
2	Less estimated income	<u>30,307,148</u>	<u>31,647,060</u>	<u>30,307,148</u>
3	Total general fund	\$14,249,605	\$15,702,282	\$14,249,605
4	Full-time equivalent positions	210.53	209.27	210.53
5	Subdivision 10.			

MINOT STATE UNIVERSITY

7			Governor's	
8		<u>Base Level</u>	<u>Recommendation</u>	<u>Appropriation</u>
9	Operations	\$100,710,275	\$100,710,572	\$100,710,275
10	Capital assets	<u>1,099,620</u>	<u>1,099,620</u>	<u>1,099,620</u>
11	Total all funds	\$101,809,895	\$101,810,192	\$101,809,895
12	Less estimated income	<u>62,058,916</u>	<u>63,663,260</u>	<u>62,058,916</u>
13	Total general fund	\$39,750,979	\$38,146,932	\$39,750,979
14	Full-time equivalent positions	441.65	407.58	441.65
15	Subdivision 11.			

VALLEY CITY STATE UNIVERSITY

17			Governor's	
18		<u>Base Level</u>	<u>Recommendation</u>	<u>Appropriation</u>
19	Operations	\$48,444,336	\$45,701,893	\$48,444,336
20	Capital assets	<u>455,823</u>	<u>4,413,343</u>	<u>455,823</u>
21	Total all funds	\$48,900,159	\$50,115,236	\$48,900,159
22	Less estimated income	<u>28,470,657</u>	<u>29,892,086</u>	<u>28,470,657</u>
23	Total general fund	\$20,429,502	\$20,223,150	\$20,429,502
24	Full-time equivalent positions	202.75	180.68	202.75
25	Subdivision 12.			

DAKOTA COLLEGE AT BOTTINEAU

27			Governor's	
28		<u>Base Level</u>	<u>Recommendation</u>	<u>Appropriation</u>
29	Operations	\$17,168,111	\$20,590,690	\$17,168,111
30	Capital assets	<u>114,007</u>	<u>3,077,319</u>	<u>114,007</u>
31	Total all funds	\$17,282,118	\$23,668,009	\$17,282,118

Sixty-sixth
Legislative Assembly

1	Less estimated income	<u>9,629,173</u>	<u>16,270,121</u>	<u>9,629,173</u>
2	Total general fund	\$7,652,945	\$7,397,888	\$7,652,945
3	Full-time equivalent positions	84.30	82.29	84.30
4	Subdivision 13.			
5	UNIVERSITY OF NORTH DAKOTA SCHOOL OF MEDICINE AND HEALTH SCIENCES			
6			Governor's	
7		<u>Base Level</u>	<u>Recommendation</u>	<u>Appropriation</u>
8	Operations	\$205,926,712	\$211,807,632	\$205,926,712
9	Health care workforce initiative	<u>0</u>	<u>10,676,150</u>	<u>0</u>
10	Total all funds	\$205,926,712	\$222,483,782	\$205,926,712
11	Less estimated income	<u>154,078,620</u>	<u>159,750,033</u>	<u>154,078,620</u>
12	Total general fund	\$51,848,092	\$62,733,749	\$51,848,092
13	Full-time equivalent positions	435.75	485.32	435.75
14	Subdivision 14.			
15	NORTH DAKOTA FOREST SERVICE			
16			Governor's	
17		<u>Base Level</u>	<u>Recommendation</u>	<u>Appropriation</u>
18	Operations	\$14,958,447	\$15,019,321	\$14,958,447
19	Capital assets	<u>118,728</u>	<u>118,728</u>	<u>118,728</u>
20	Total all funds	\$15,077,175	\$15,138,049	\$15,077,175
21	Less estimated income	<u>10,650,748</u>	<u>10,665,400</u>	<u>10,650,748</u>
22	Total general fund	\$4,426,427	\$4,472,649	\$4,426,427
23	Full-time equivalent positions	27.00	27.00	27.00
24	Subdivision 15.			
25	BILL TOTAL			
26			Governor's	
27		<u>Base Level</u>	<u>Recommendation</u>	<u>Appropriation</u>
28	Grand total general fund	\$613,242,154	\$661,986,102	\$613,242,154
29	Grand total special funds	<u>1,866,661,275</u>	<u>2,193,509,098</u>	<u>1,866,661,275</u>
30	Grand total all funds	\$2,479,903,429	\$2,855,495,200	\$2,479,903,429

1 **SECTION 2. ONE-TIME FUNDING.** The following amounts reflect one-time funding items
2 approved by the sixty-fifth legislative assembly for the 2017-19 biennium:

3	<u>One-Time Funding Description</u>	<u>2017-19</u>	<u>2019-21</u>
4	Capital projects - other funds	\$168,505,000	\$0
5	Education challenge grants	2,000,000	0
6	Institution operations distributions	2,000,000	0
7	Dickinson state university operations and debt repayment	8,284,626	0
8	Two-year campus study	40,000	0
9	Valley City state university integrated carbon project	22,500,000	0
10	Minot state university projects	2,284,000	0
11	Midwestern higher education compact dues	<u>230,000</u>	<u>0</u>
12	Total all funds	\$205,843,626	\$0
13	Total other funds	<u>193,289,000</u>	<u>0</u>
14	Total general fund	\$12,554,626	\$0

15 **SECTION 3. AMENDMENT.** Section 54-44.1-11 of the North Dakota Century Code is
16 amended and reenacted as follows:

17 **54-44.1-11. Office of management and budget to cancel unexpended appropriations -**
18 **When they may continue. (Effective through July 31, ~~2019~~2021)**

19 Except as otherwise provided by law, the office of management and budget, thirty days after
20 the close of each biennial period, shall cancel all unexpended appropriations or balances of
21 appropriations after the expiration of the biennial period during which they became available
22 under the law. Unexpended appropriations for the state historical society are not subject to this
23 section and the state historical society shall report on the amounts and uses of funds carried
24 over from one biennium to the appropriations committees of the next subsequent legislative
25 assembly. Unexpended appropriations for the North Dakota university system are not subject to
26 this section and the North Dakota university system shall report on the amounts and uses of
27 funds carried over from one biennium to the next to subsequent appropriations committees of
28 the legislative assembly. The chairmen of the appropriations committees of the senate and
29 house of representatives of the legislative assembly with the office of the budget may continue
30 appropriations or balances in force for not more than two years after the expiration of the

1 biennial period during which they became available upon recommendation of the director of the
2 budget for:

- 3 1. New construction projects.
- 4 2. Major repair or improvement projects.
- 5 3. Purchases of new equipment costing more than ten thousand dollars per unit if it was
6 ordered during the first twelve months of the biennium in which the funds were
7 appropriated.
- 8 4. The purchase of land by the state on a "contract for deed" purchase if the total
9 purchase price is within the authorized appropriation.
- 10 5. Purchases by the department of transportation of roadway maintenance equipment
11 costing more than ten thousand dollars per unit if the equipment was ordered during
12 the first twenty-one months of the biennium in which the funds were appropriated.
- 13 6. Authorized ongoing information technology projects.

14 **Office of management and budget to cancel unexpended appropriations - When they**

15 **may continue. (Effective after July 31, ~~2019~~2021)** The office of management and budget,
16 thirty days after the close of each biennial period, shall cancel all unexpended appropriations or
17 balances of appropriations after the expiration of the biennial period during which they became
18 available under the law. Unexpended appropriations for the state historical society are not
19 subject to this section and the state historical society shall report on the amounts and uses of
20 funds carried over from one biennium to the appropriations committees of the next subsequent
21 legislative assembly. The chairmen of the appropriations committees of the senate and house of
22 representatives of the legislative assembly with the office of the budget may continue
23 appropriations or balances in force for not more than two years after the expiration of the
24 biennial period during which they became available upon recommendation of the director of the
25 budget for:

- 26 1. New construction projects.
- 27 2. Major repair or improvement projects.
- 28 3. Purchases of new equipment costing more than ten thousand dollars per unit if it was
29 ordered during the first twelve months of the biennium in which the funds were
30 appropriated.

1 4. The purchase of land by the state on a "contract for deed" purchase if the total
2 purchase price is within the authorized appropriation.

3 5. Purchases by the department of transportation of roadway maintenance equipment
4 costing more than ten thousand dollars per unit if the equipment was ordered during
5 the first twenty-one months of the biennium in which the funds were appropriated.

6 6. Authorized ongoing information technology projects.

7 **SECTION 4. ADDITIONAL FEDERAL, PRIVATE, AND OTHER FUNDS -**

8 **APPROPRIATION.** All funds, in addition to those appropriated in section 1 of this Act, from
9 federal, private, and other sources for competitive grants or other funds that the legislative
10 assembly has not indicated the intent to reject, including tuition revenue, received by the state
11 board of higher education and the institutions and entities under the control of the state board of
12 higher education, are appropriated to the board and those institutions and entities, for the
13 biennium beginning July 1, 2019, and ending June 30, 2021. All additional funds received under
14 the North Dakota-Minnesota reciprocity agreement during the biennium beginning July 1, 2019,
15 and ending June 30, 2021, are appropriated to the state board of higher education for
16 reimbursement to institutions under the control of the board.

17 **SECTION 5. CAMPUS CAPITAL PROJECTS - PROJECT MANAGEMENT.** During the
18 biennium beginning July 1, 2019, and ending June 30, 2021, each capital project authorized by
19 the state board of higher education must have adequate project management oversight by
20 either an institution official or a representative of an external entity. An institution may seek
21 assistance from the North Dakota university system office for project management oversight of
22 a capital project.

23 **SECTION 6. STUDENT LOAN TRUST FUND.** Subdivision 1 of section 1 of this Act
24 includes the sum of \$1,504,744, or so much of the sum as may be necessary, from the student
25 loan trust fund of which \$465,307 is for the professional student exchange program, \$500,000 is
26 for grants to tribally controlled community colleges, and \$539,437 is for connectND campus
27 solution positions, for the biennium beginning July 1, 2019, and ending June 30, 2021.

28 Subdivision 13 of section 1 of this Act includes the sum of \$13,806,856, or so much of the
29 sum as may be necessary, from the student loan trust fund for residency positions at the
30 university of North Dakota school of medicine and health sciences, for the biennium beginning
31 July 1, 2019, and ending June 30, 2021.

1 **SECTION 7. TRANSFER AUTHORITY - LEGISLATIVE MANAGEMENT REPORT.**

2 Notwithstanding section 54-16-04, the state board of higher education may transfer
3 appropriation authority from the operations to the capital assets line items within subdivisions 2
4 through 14 of section 1 of this Act for the biennium beginning July 1, 2019, and ending June 30,
5 2021. The board shall report any transfer of funds under this section to the office of
6 management and budget and the legislative management.

7 **SECTION 8. FULL-TIME EQUIVALENT POSITION ADJUSTMENTS.** Notwithstanding any
8 other provisions of law, the state board of higher education may adjust full-time equivalent
9 positions as needed, subject to the availability of funds, for institutions and entities under its
10 control during the biennium beginning July 1, 2019, and ending June 30, 2021. The North
11 Dakota university system shall report any adjustments to the office of management and budget
12 as part of the submission of the 2021-23 biennium budget request.

13 **SECTION 9. USE OF EXTRAORDINARY REPAIRS FUNDING - MATCHING FUNDS.** The
14 capital assets line items in subdivisions 2 through 12 of section 1 of this Act include funding
15 from the general fund for institution extraordinary repairs. An institution shall provide two dollars
16 of matching funds from operations or other sources for each one dollar of extraordinary repairs
17 funding used for a project.