

Sixty-fourth  
Legislative Assembly  
of North Dakota

## REENGROSSED HOUSE BILL NO. 1151

Introduced by

Representatives Nathe, Beadle, Dockter, Dosch, Owens

Senators Armstrong, Flakoll, Holmberg

1 A BILL for an Act to amend and reenact sections 15-10-48, 15-10-49, 15-10-50, 15-10-51,  
2 15-10-52, and 15-10-53 of the North Dakota Century Code, relating to matching grants for the  
3 advancement of academics at institutions of higher education; to provide for a legislative  
4 management study; and to provide an appropriation.

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

6 **SECTION 1. AMENDMENT.** Section 15-10-48 of the North Dakota Century Code is  
7 amended and reenacted as follows:

8 **15-10-48. (~~Effective through June 30, 2015~~) Advancement of academics - Matching**  
9 **grants - University of North Dakota and North Dakota state university.**

- 10 1. a. During the period beginning July 1, ~~2013~~2015, and ending December 31,  
11 ~~2014~~2016, the state board of higher education shall award one dollar in matching  
12 grants for every two dollars raised by the institutional foundations of the university  
13 of North Dakota and North Dakota state university for projects dedicated  
14 exclusively to the advancement of academics.
- 15 b. To be eligible for a matching grant, an institution must demonstrate that:
- 16 (1) Its foundation has raised at least fifty thousand dollars in cash or monetary  
17 pledges for a qualifying project; and
- 18 (2) The project has been approved by the grant review committee established  
19 in section 15-10-51.
- 20 c. The board may award up to ~~ten~~five~~seven~~ million dollars in matching grants to  
21 each institution. The first two million dollars in matching grants awarded to each  
22 institution must be used for student scholarships that comply with section  
23 15-10-53.

- 1           2.   a.   If any available dollars have not been awarded by the board before January 1,  
2                    20152017, in accordance with subsection 1, either the university of North Dakota  
3                    or North Dakota state university may apply for an additional matching grant.  
4            b.   An application submitted under this subsection must meet the same criteria as an  
5                    original application.  
6            c.   The board shall consider each application submitted under this subsection in  
7                    chronological order.  
8            d.   If the remaining dollars are insufficient to provide a matching grant in the amount  
9                    of one dollar for every two dollars raised by the institutional foundation, the board  
10                   shall award a lesser amount.  
11           3.   The state board of higher education shall ~~forward~~retain up to one-quarter of one  
12                   percent of any grant awarded under this section to ~~the office of the governor, to assist~~  
13                   with administrative expenses incurred in the grant review process.

14           **SECTION 2. AMENDMENT.** Section 15-10-49 of the North Dakota Century Code is  
15 amended and reenacted as follows:

16           **15-10-49. (~~Effective through June 30, 2015~~) Advancement of academics - Matching**  
17 **grants - Two-year and four-year institutions of higher education.**

- 18           1.   a.   During the period beginning July 1, ~~2013~~2015, and ending December 31,  
19                    20142016, the state board of higher education shall award one dollar in matching  
20                    grants for every two dollars raised by the institutional foundations of Bismarck  
21                    state college, Dakota college at Bottineau, Dickinson state university, Lake  
22                    Region state college, Mayville state university, Minot state university, North  
23                    Dakota state college of science, Valley City state university, and Williston state  
24                    college for projects dedicated exclusively to the advancement of academics.  
25            b.   To be eligible for a matching grant, an institution must demonstrate that:  
26                    (1)   Its foundation has raised at least twenty-five thousand dollars in cash or  
27                    monetary pledges for a qualifying project; and  
28                    (2)   The project has been approved by the grant review committee established  
29                    in section 15-10-51.  
30            c.   The board may award up to one million dollars in matching grants to each  
31                    institution.

- 1           2.   a.   If any available dollars have not been awarded by the board before January 1,  
2                    2015~~2017~~, in accordance with subsection 1, any institution listed in subsection 1  
3                    may apply for an additional matching grant.
- 4           b.   An application submitted under this subsection must meet the same criteria as an  
5                    original application.
- 6           c.   The board shall consider each application submitted under this subsection in  
7                    chronological order.
- 8           d.   If the remaining dollars are insufficient to provide a matching grant in the amount  
9                    of one dollar for every two dollars raised by the institutional foundation, the board  
10                   shall award a lesser amount.
- 11          3.   a.   The board may award an additional five hundred thousand dollars in matching  
12                   grants to institutions that have been awarded one million dollars in matching  
13                   grants under subsection 1 and apply for an additional matching grant.
- 14          b.   An application submitted under this subsection must meet the same criteria as an  
15                   original application.
- 16          c.   The board shall consider each application submitted under this subsection in  
17                   chronological order.
- 18          d.   If the funding provided under this subsection is insufficient to provide a matching  
19                   grant in the amount of one dollar for every two dollars raised by the institutional  
20                   foundation, the board shall award a lesser amount.
- 21          4.   The state board of higher education shall ~~forward~~retain up to one-quarter of one  
22                   percent of any grant awarded under this section to ~~the office of the governor, to assist~~  
23                   with administrative expenses incurred in the grant review process.

24           **SECTION 3. AMENDMENT.** Section 15-10-50 of the North Dakota Century Code is  
25 amended and reenacted as follows:

26           **15-10-50. ~~(Effective through June 30, 2015)~~ Liability for pledged amount.**

27           If in accordance with section 15-10-48 or 15-10-49, the state board of higher education  
28 provides grant funds ~~under sections 15-10-48 through 15-10-53~~ to an institution, on the basis of  
29 a monetary pledge, and if the amount forthcoming is less than the amount pledged, the  
30 institutional foundation is liable to the institution for any shortfall.

1       **SECTION 4. AMENDMENT.** Section 15-10-51 of the North Dakota Century Code is  
2 amended and reenacted as follows:

3       **15-10-51. (~~Effective through June 30, 2015~~) Grant review committee.**

- 4       1. There is created a grant review committee consisting of:
- 5           a. The governor, or the governor's designee, who shall serve as the chairman;
  - 6           b. Two members of the house of representatives appropriations committee,  
7                 selected by the majority leader of the house of representatives;
  - 8           c. Two members of the senate appropriations committee, selected by the majority  
9                 leader of the senate;
  - 10          d. Two members appointed by the governor, with the consent of the legislative  
11                 management; and
  - 12          e. Two members appointed by the state board of higher education, with the consent  
13                 of the legislative management.
- 14       2. The gubernatorial appointees must have an understanding of higher education's role  
15         in advancing agriculture, the arts, commerce and finance, manufacturing, mineral  
16         extraction, natural resources, and the professions.
- 17       3. The grant review committee shall establish its rules of operation and procedure and  
18         shall develop and publish the criteria upon which all requests for matching grants will  
19         be reviewed.
- 20       4. a. A request for a matching grant ~~must~~may be presented to the committee by ~~the~~:
- 21           (1) The president of the institution. ~~The president;~~ or
  - 22           (2) A designee of the president.
- 23       b. Either presenter may be accompanied by other individuals having an expertise  
24         with respect to the project.
- 25       c. If the request is to be presented by a designee of a president, the designee must  
26         provide to the committee a written statement signed by the president and  
27         certifying that the president has full knowledge of all aspects of the request, as it  
28         is presented.

29       **SECTION 5. AMENDMENT.** Section 15-10-52 of the North Dakota Century Code is  
30 amended and reenacted as follows:

1        **15-10-52. (Effective through June 30, 2015) Grant review committee - Compensation.**

2        Each member of the grant review committee is entitled to receive compensation in the  
3 amount of one hundred thirty-five dollars per day plus reimbursement for expenses as provided  
4 by law for state officers if the member is attending meetings or performing duties directed by the  
5 committee. The compensation provided for in this section may not be paid to any member of the  
6 committee who receives a salary or other compensation as an employee or official of this state  
7 if the individual is serving on the committee by virtue of the individual's state office or state  
8 employment.

9        **SECTION 6. AMENDMENT.** Section 15-10-53 of the North Dakota Century Code is  
10 amended and reenacted as follows:

11        **15-10-53. (Effective through June 30, 2015) Definition.**

12        For purposes of sections 15-10-48 through 15-10-52, projects dedicated to the  
13 advancement of enhanced academics include investments in research, scholarships,  
14 technology, endowed chairs, and investments in educational infrastructure, including but exclude  
15 scholarships intended solely for the benefit of athletics, ~~campus facility repair projects,~~ and new  
16 capital construction projects that conform with the university system campus master plan and  
17 space utilization study.

18        **SECTION 7. LEGISLATIVE MANAGEMENT STUDY.** During the 2015-16 interim, the  
19 legislative management shall consider studying the provision of matching grants to institutions  
20 of higher education, as set forth in sections 15-10-48 through 15-10-53 of the North Dakota  
21 Century Code, for the purposes of ensuring that the statutory parameters provide sufficient  
22 direction, provide flexibility to accommodate changing circumstances and needs, and ultimately  
23 enable the delivery of the greatest possible benefits to the students attending institutions of  
24 higher education in this state. The legislative management shall report its findings and  
25 recommendations, together with any legislation required to implement the recommendations, to  
26 the sixty-fifth legislative assembly.

27        **SECTION 8. APPROPRIATION - STATE BOARD OF HIGHER EDUCATION.** There is  
28 appropriated out of any moneys in the general fund in the state treasury, not otherwise  
29 appropriated, the sum of ~~\$19,000,000~~ \$23,000,000, or so much of the sum as may be  
30 necessary, and out of any moneys in the student loan trust fund in the state treasury, not  
31 otherwise appropriated, the sum of \$2,500,000, or so much of the sum as may be necessary, to

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- 1 the state board of higher education for the purpose of awarding matching grants for the
- 2 advancement of academics at institutions of higher education under the control of the board, for
- 3 the biennium beginning July 1, 2015, and ending June 30, 2017. The funding provided in this
- 4 section is considered a one-time funding item.