

**SECOND ENGROSSMENT
with Senate Amendments
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~~seven million dollars in matching grants to each
21 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 2015~~2017~~, 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 retain up to one-quarter of one percent of
12 any grant awarded under this section to assist with administrative expenses incurred
13 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 2014~~2016~~, 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 retain up to one-quarter of one percent of
22 any grant awarded under this section to assist with administrative expenses incurred
23 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 and new capital construction projects
16 that conform with the university system campus master plan and space utilization study.

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

26 **SECTION 8. APPROPRIATION - STATE BOARD OF HIGHER EDUCATION.** There is
27 appropriated out of any moneys in the general fund in the state treasury, not otherwise
28 appropriated, the sum of \$23,000,000, or so much of the sum as may be necessary, and out of
29 any moneys in the student loan trust fund in the state treasury, not otherwise appropriated, the
30 sum of \$2,500,000, or so much of the sum as may be necessary, to the state board of higher
31 education for the purpose of awarding matching grants for the advancement of academics at

Sixty-fourth
Legislative Assembly

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