

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 amend and reenact sections 15-18.2-02, 15-18.2-05, 15-62.2-02,
 3 15.1-21-02.6, and 54-44.1-11 of the North Dakota Century Code, relating to state aid to
 4 institutions, student financial assistance grants, career and technical education scholarships,
 5 and the cancellation of unexpended appropriations; to provide for transfer of funds; to
 6 reauthorize projects for North Dakota state university and Minot state university; to authorize the
 7 state board of higher education to issue and sell bonds for capital projects; and to declare an
 8 emergency.

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

10 **SECTION 1. APPROPRIATION.** The funds provided in this section, or so much of the funds
 11 as may be necessary, are appropriated out of any moneys in the general fund in the state
 12 treasury, not otherwise appropriated, and from special funds derived from federal funds and
 13 other income to the North Dakota university system and to the various entities and institutions
 14 under the supervision of the state board of higher education for the purpose of defraying the
 15 expenses of the North Dakota university system office and to the various entities for the
 16 biennium beginning July 1, 2015, and ending June 30, 2017, as follows:

17 Subdivision 1.

18 NORTH DAKOTA UNIVERSITY SYSTEM OFFICE

		Adjustments or		
	<u>Base Level</u>	<u>Enhancements</u>	<u>Appropriation</u>	
21 Capital assets - bond payments	\$10,436,045	(\$2,067,209)	\$8,368,836	
22 Competitive research program	7,050,000	950,000	8,000,000	
23 System governance	12,666,502	2,270,393	14,936,895	
24 Title II	1,006,472	0	1,006,472	

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1	Core technology services	38,662,551	7,812,587	46,475,138
2	Student financial assistance grants	21,245,679	1,723,000	22,968,679
3	Professional student exchange program	4,275,015	0	4,275,015
4	Academic and technical education	10,000,000	7,171,000	17,171,000
5	scholarships			
6	Two-year campus marketing	800,000	0	800,000
7	Scholars program	2,113,584	0	2,113,584
8	Native American scholarships	649,267	0	649,267
9	Tribally controlled community college grants	1,000,000	500,000	1,500,000
10	Veterans assistance grants	325,000	0	325,000
11	Education incentive programs	3,349,000	0	3,349,000
12	Open education resources initiative	0	220,000	220,000
13	Deferred maintenance pool	0	5,000,000	5,000,000
14	Master plan and space utilization study	0	750,000	750,000
15	Student mental health	282,520	33,480	316,000
16	Education challenge fund	<u>0</u>	<u>29,000,000</u>	<u>29,000,000</u>
17	Total all funds	\$113,861,635	\$53,363,251	\$167,224,886
18	Less estimated income	<u>2,299,912</u>	<u>(288,696)</u>	<u>2,011,216</u>
19	Total general fund	\$111,561,723	\$53,651,947	\$165,213,670
20	Full-time equivalent positions	112.99	2.00	114.99

21 Subdivision 2.

22 BISMARCK STATE COLLEGE

23			Adjustments or	
24		<u>Base Level</u>	<u>Enhancements</u>	<u>Appropriation</u>
25	Operations	\$32,653,654	\$5,277,763	\$37,931,417
26	Capital assets	<u>417,673</u>	<u>4,089,102</u>	<u>4,506,775</u>
27	Total all funds	\$33,071,327	\$9,366,865	\$42,438,192
28	Less estimated income	<u>0</u>	<u>600,000</u>	<u>600,000</u>
29	Total general fund	\$33,071,327	\$8,766,865	\$41,838,192
30	Full-time equivalent positions	133.53	3.00	136.53

31 Subdivision 3.

1 LAKE REGION STATE COLLEGE

2 Adjustments or

3 Base Level Enhancements Appropriation

4 Operations \$12,429,097 \$5,028,307 \$17,457,404

5 Capital assets 155,367 1,790,039 1,945,406

6 Total all funds \$12,584,464 \$6,818,346 \$19,402,810

7 Less estimated income 0 0 0

8 Total general fund \$12,584,464 \$6,818,346 \$19,402,810

9 Full-time equivalent positions 50.19 3.00 53.19

10 Subdivision 4.

11 WILLISTON STATE COLLEGE

12 Adjustments or

13 Base Level Enhancements Appropriation

14 Operations \$12,783,506 \$1,352,338 \$14,135,844

15 Capital assets 197,801 1,346,207 1,544,008

16 Total all funds \$12,981,307 \$2,698,545 \$15,679,852

17 Less estimated income 0 0 0

18 Total general fund \$12,981,307 \$2,698,545 \$15,679,852

19 Full-time equivalent positions 49.96 0.00 49.96

20 Subdivision 5.

21 UNIVERSITY OF NORTH DAKOTA

22 Adjustments or

23 Base Level Enhancements Appropriation

24 Operations \$149,683,005 \$35,971,637 \$185,654,642

25 Capital assets 4,411,566 86,513,357 90,924,923

26 Total all funds \$154,094,571 \$122,484,994 \$276,579,565

27 Less estimated income 0 6,000,000 6,000,000

28 Total general fund \$154,094,571 \$116,484,994 \$270,579,565

29 Full-time equivalent positions 630.20 0.00 630.20

30 Subdivision 6.

31 NORTH DAKOTA STATE UNIVERSITY

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		Adjustments or		
	<u>Base Level</u>	<u>Enhancements</u>	<u>Appropriation</u>	
1				
2				
3	Operations	\$140,341,540	\$27,376,993	\$167,718,533
4	Capital assets	<u>2,732,244</u>	<u>14,920,537</u>	<u>17,652,781</u>
5	Total all funds	\$143,073,784	\$42,297,530	\$185,371,314
6	Less estimated income	<u>0</u>	<u>11,600,000</u>	<u>11,600,000</u>
7	Total general fund	\$143,073,784	\$30,697,530	\$173,771,314
8	Full-time equivalent positions	537.10	0.00	537.10
9	Subdivision 7.			

NORTH DAKOTA STATE COLLEGE OF SCIENCE

		Adjustments or		
	<u>Base Level</u>	<u>Enhancements</u>	<u>Appropriation</u>	
11				
12				
13	Operations	\$38,181,456	\$20,178,359	\$58,359,815
14	Capital assets	<u>1,012,379</u>	<u>14,158,207</u>	<u>15,170,586</u>
15	Total all funds	\$39,193,835	\$34,336,566	\$73,530,401
16	Less estimated income	<u>0</u>	<u>0</u>	<u>0</u>
17	Total general fund	\$39,193,835	\$34,336,566	\$73,530,401
18	Full-time equivalent positions	168.30	1.50	169.80
19	Subdivision 8.			

DICKINSON STATE UNIVERSITY

		Adjustments or		
	<u>Base Level</u>	<u>Enhancements</u>	<u>Appropriation</u>	
21				
22				
23	Operations	\$26,299,227	\$1,258,059	\$27,557,286
24	Capital assets	<u>409,078</u>	<u>400,663</u>	<u>809,741</u>
25	Total all funds	\$26,708,305	\$1,658,722	\$28,367,027
26	Less estimated income	<u>0</u>	<u>0</u>	<u>0</u>
27	Total general fund	\$26,708,305	\$1,658,722	\$28,367,027
28	Full-time equivalent positions	120.26	0.00	120.26
29	Subdivision 9.			

MAYVILLE STATE UNIVERSITY

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		Adjustments or	
	<u>Base Level</u>	<u>Enhancements</u>	<u>Appropriation</u>
1			
2			
3	Operations	\$3,887,225	\$18,251,649
4	Capital assets	<u>817,779</u>	<u>1,176,771</u>
5	Total all funds	\$4,705,004	\$19,428,420
6	Less estimated income	<u>0</u>	<u>0</u>
7	Total general fund	\$4,705,004	\$19,428,420
8	Full-time equivalent positions	3.00	69.23
9	Subdivision 10.		

MINOT STATE UNIVERSITY

		Adjustments or	
	<u>Base Level</u>	<u>Enhancements</u>	<u>Appropriation</u>
11			
12			
13	Operations	\$6,997,350	\$50,787,561
14	Capital assets	<u>1,317,747</u>	<u>2,217,367</u>
15	Total all funds	\$8,295,097	\$53,004,928
16	Less estimated income	<u>0</u>	<u>0</u>
17	Total general fund	\$8,295,097	\$53,004,928
18	Full-time equivalent positions	0.00	204.10
19	Subdivision 11.		

VALLEY CITY STATE UNIVERSITY

		Adjustments or	
	<u>Base Level</u>	<u>Enhancements</u>	<u>Appropriation</u>
21			
22			
23	Operations	\$6,355,467	\$27,046,602
24	Capital assets	<u>57,072,364</u>	<u>57,480,683</u>
25	Total all funds	\$63,427,831	\$84,527,285
26	Less estimated income	<u>16,000,000</u>	<u>16,000,000</u>
27	Total general fund	\$47,427,831	\$68,527,285
28	Full-time equivalent positions	3.00	108.59
29	Subdivision 12.		

DAKOTA COLLEGE AT BOTTINEAU

30

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		Adjustments or		
	<u>Base Level</u>	<u>Enhancements</u>	<u>Appropriation</u>	
1				
2				
3	Operations	\$7,892,043	\$2,243,271	\$10,135,314
4	Capital assets	<u>114,007</u>	<u>12,019,995</u>	<u>12,134,002</u>
5	Total all funds	\$8,006,050	\$14,263,266	\$22,269,316
6	Less estimated income	<u>0</u>	<u>10,648,194</u>	<u>10,648,194</u>
7	Total general fund	\$8,006,050	\$3,615,072	\$11,621,122
8	Full-time equivalent positions	46.96	2.00	48.96
9	Subdivision 13.			

UNIVERSITY OF NORTH DAKOTA SCHOOL OF MEDICINE AND HEALTH SCIENCES

		Adjustments or		
	<u>Base Level</u>	<u>Enhancements</u>	<u>Appropriation</u>	
11				
12				
13	Operations	<u>\$52,762,590</u>	<u>\$13,814,806</u>	<u>\$66,577,396</u>
14	Total all funds	\$52,762,590	\$13,814,806	\$66,577,396
15	Less estimated income	<u>0</u>	<u>0</u>	<u>0</u>
16	Total general fund	\$52,762,590	\$13,814,806	\$66,577,396
17	Full-time equivalent positions	163.58	21.00	184.58
18	Subdivision 14.			

NORTH DAKOTA FOREST SERVICE

		Adjustments or		
	<u>Base Level</u>	<u>Enhancements</u>	<u>Appropriation</u>	
20				
21				
22	Operations	\$6,249,979	\$616,890	\$6,866,869
23	Capital assets	<u>101,210</u>	<u>44,260</u>	<u>145,470</u>
24	Total all funds	\$6,351,189	\$661,150	\$7,012,339
25	Less estimated income	<u>1,650,000</u>	<u>0</u>	<u>1,650,000</u>
26	Total general fund	\$4,701,189	\$661,150	\$5,362,339
27	Full-time equivalent positions	28.96	1.00	29.96
28	Subdivision 15.			

BILL TOTAL

		Adjustments or	
	<u>Base Level</u>	<u>Enhancements</u>	<u>Appropriation</u>
30			
31			

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1	Grand total all funds	\$683,221,758	\$378,191,973	\$1,061,413,731
2	Grand total special funds	<u>3,949,912</u>	<u>44,559,498</u>	<u>48,509,410</u>
3	Grand total general fund	\$679,271,846	\$333,632,475	\$1,012,904,321

4 **SECTION 2. ONE-TIME FUNDING - EFFECT ON BASE BUDGET - REPORT TO**

5 **SIXTY-FIFTH LEGISLATIVE ASSEMBLY.** The following amounts reflect the one-time funding
6 items approved by the sixty-third legislative assembly for the 2013-15 biennium and the
7 2015-17 one-time funding items included in the appropriation in section 1 of this Act:

8	<u>One-Time Funding Description</u>	<u>2013-15</u>	<u>2015-17</u>
9	Capital projects - general fund	\$155,691,350	\$135,759,212
10	Capital projects - other funds	168,531,029	44,848,194
11	Capital projects contingency pool	5,483,413	0
12	Special assessment payoff	0	4,250,689
13	Campus security	0	6,016,291
14	NDSCS expansion	0	5,000,000
15	CTS technology projects	0	2,821,500
16	Open education resource initiative	0	220,000
17	Theodore Roosevelt center	6,000,000	0
18	Williston state college workforce training facility	2,500,000	0
19	Campus deferred maintenance projects	440,000	0
20	Performance funding pool	5,000,000	0
21	Dickinson state university operating funds	800,000	0
22	Minot state university flood recovery funds	2,500,000	0
23	Dakota college at Bottineau - campus software updates	28,500	0
24	Deferred maintenance pool	10,000,000	5,000,000
25	Education challenge fund	29,000,000	29,000,000
26	Health care workforce initiative	7,414,806	13,814,806
27	Master plan and space utilization study	<u>1,000,000</u>	<u>0</u>
28	Total all funds	\$394,389,098	\$246,730,692
29	Total other funds	<u>171,031,029</u>	<u>44,848,194</u>
30	Total general fund	\$223,358,069	\$201,882,498

1 The 2015-17 one-time funding amounts are not a part of the entity's base budget for the
2 2017-19 biennium. The North Dakota university system shall report to the appropriations
3 committees of the sixty-fifth legislative assembly on the use of this one-time funding for the
4 biennium beginning July 1, 2015, and ending June 30, 2017.

5 **SECTION 3. AMENDMENT.** Section 15-18.2-02 of the North Dakota Century Code is
6 amended and reenacted as follows:

7 **15-18.2-02. Weighted credit-hours - Determination - Instructional program**
8 **classification factors - Submission to legislative management.**

- 9 1. In order to determine the weighted credit-hours for each institution under its control,
10 the state board of higher education shall multiply each of an institution's completed
11 credit-hours, as determined under section 15-18.2-01, by an instructional program
12 classification factor, as set forth in this section.
- 13 a. The factors for credits completed in agriculture are:
- 14 (1) 1.9 for lower division credits;
- 15 (2) 3.8 for upper division credits;
- 16 (3) 5.7 for professional level credits; and
- 17 (4) 7.6 for graduate level credits.
- 18 b. The factors for credits completed in architecture are:
- 19 (1) 1.8 for lower division credits;
- 20 (2) 3.6 for upper division credits;
- 21 (3) 5.4 for professional level credits; and
- 22 (4) 7.2 for graduate level credits.
- 23 c. The factors for credits completed in ~~aviation~~transportation are:
- 24 (1) 1.9 for lower division credits;
- 25 (2) 3.8 for upper division credits;
- 26 (3) 5.7 for professional level credits; and
- 27 (4) 7.6 for graduate level credits.
- 28 d. The factors for credits completed in the biological and physical sciences are:
- 29 (1) 1.9 for lower division credits;
- 30 (2) 3.8 for upper division credits;
- 31 (3) 5.7 for professional level credits; and

- 1 (4) 7.6 for graduate level credits.
- 2 e. The factors for credits completed in business are:
- 3 (1) 1.9 for lower division credits;
- 4 (2) 3.8 for upper division credits;
- 5 (3) 5.7 for professional level credits; and
- 6 (4) 7.6 for graduate level credits.
- 7 f. The factors for credits completed in education are:
- 8 (1) 1.9 for lower division credits;
- 9 (2) 3.8 for upper division credits;
- 10 (3) 5.7 for professional level credits; and
- 11 (4) 7.6 for graduate level credits.
- 12 g. The factors for credits completed in engineering are:
- 13 (1) 2.5 for lower division credits;
- 14 (2) 5.0 for upper division credits;
- 15 (3) 7.5 for professional level credits; and
- 16 (4) 10.0 for graduate level credits.
- 17 h. The factors for credits completed in the health sciences are:
- 18 (1) 3.0 for lower division credits;
- 19 (2) 6.0 for upper division credits;
- 20 (3) 9.0 for professional level credits;
- 21 (4) 12.0 for graduate level credits; and
- 22 (5) 38.0 for medical school credits.
- 23 i. The factors for credits completed in legal studies are:
- 24 (1) 3.5 for lower division credits;
- 25 (2) 7.0 for upper division credits;
- 26 (3) 10.5 for professional level credits; and
- 27 (4) 14.0 for graduate level credits.
- 28 j. The factors for credits completed in the core disciplines are:
- 29 (1) 1.0 for lower division credits;
- 30 (2) 2.0 for upper division credits;
- 31 (3) 3.0 for professional level credits; and

- 1 (4) 4.0 for graduate level credits.
- 2 k. The factor for credits completed in career and technical education is 2.0.
- 3 l. The factor for completed remedial~~remedial~~basic skills credits is 2.3.
- 4 2. a. The state board of higher education shall ensure that all delineations in this
- 5 section reflect the requirements of a nationally recognized and standardized
- 6 instructional program classification system.
- 7 b. Before adopting any changes to the delineations implemented in accordance with
- 8 this section, the state board of higher education shall present the proposed
- 9 changes to and receive the approval of the legislative management.

10 **SECTION 4. AMENDMENT.** Section 15-18.2-05 of the North Dakota Century Code is

11 amended and reenacted as follows:

12 **15-18.2-05. Base funding - Determination of state aid.**

13 In order to determine the state aid payment to which each institution under its control is

14 entitled, the state board of higher education shall multiply the product determined under section

15 15-18.2-04 by a base amount of:

- 16 1. ~~\$66.35~~\$79.05 in the case of North Dakota state university and the university of North
- 17 Dakota;
- 18 2. ~~\$95.57~~\$120.32 in the case of ~~Dickinson state university~~, Mayville state university,
- 19 Minot state university, and Valley City state university;
- 20 3. ~~\$98.75~~\$121.19 in the case of ~~Minot~~Dickinson state university;
- 21 4. ~~\$101.73~~\$132.58 in the case of Bismarck state college, Dakota college at Bottineau,
- 22 Lake Region state college, and North Dakota state college of science; and
- 23 5. ~~\$104.88~~\$138.69 in the case of Williston state college.

24 **SECTION 5. AMENDMENT.** Section 15-62.2-02 of the North Dakota Century Code is

25 amended and reenacted as follows:

26 **15-62.2-02. State board of higher education - Powers and duties.**

27 The state board of higher education shall:

- 28 1. Administer the North Dakota student financial assistance program and the North
- 29 Dakota scholars program and adopt functional rules regarding the eligibility and
- 30 selection of grant and scholarship recipients.

- 1 2. Determine the amount of individual grants, which may not exceed one thousand
2 ~~six~~seven hundred ~~fifty~~six~~teen~~ dollars per recipient ~~per~~for the 2015-16 academic year
3 and one thousand seven hundred eighty-four dollars per recipient for the 2016-17
4 academic year, under the North Dakota student financial assistance program.
- 5 3. For the North Dakota student financial assistance program, adopt criteria for
6 substantial need, based upon the ability of the parents or guardian to contribute
7 toward the applicant's educational expenses.
- 8 4. Establish the appropriate procedures for fiscal control, fund accounting, and necessary
9 reports.
- 10 5. Apply for, receive, expend, and administer granted moneys from federal or private
11 sources.

12 **SECTION 6. AMENDMENT.** Section 15.1-21-02.6 of the North Dakota Century Code is
13 amended and reenacted as follows:

14 **15.1-21-02.6. North Dakota scholarship - Amount - Applicability.**

- 15 1. a. (1) The state board of higher education shall provide to any student who
16 graduates from high school before the 2014-15 school year and who is
17 certified as being eligible by the superintendent of public instruction either a
18 North Dakota academic scholarship or a North Dakota career and technical
19 education scholarship in the amount of seven hundred fifty dollars for each
20 semester during which the student is enrolled full time at an accredited
21 institution of higher education in this state and maintains a cumulative grade
22 point average of 2.75.
- 23 b. (2) The state board of higher education shall provide to any student who
24 graduates from high school before the 2014-15 school year and who is
25 certified as being eligible by the superintendent of public instruction either a
26 North Dakota academic scholarship or a North Dakota career and technical
27 education scholarship in the amount of five hundred dollars for each quarter
28 during which the student is enrolled full time at an accredited institution of
29 higher education in this state and maintains a cumulative grade point
30 average of 2.75.

- 1 b. (1) The state board of higher education shall provide to any student who
2 graduates from high school during or after the 2014-15 school year and who
3 is certified as being eligible by the superintendent of public instruction either
4 a North Dakota academic scholarship or a North Dakota career and
5 technical education scholarship, in the amount of one thousand two hundred
6 fifty dollars each semester during which the student is enrolled full time at
7 an accredited institution of higher education in this state and maintains a
8 cumulative grade point average of 2.75.
- 9 (2) The state board of higher education shall provide to any student who
10 graduates from high school during or after the 2014-15 school year and who
11 is certified as being eligible by the superintendent of public instruction either
12 a North Dakota academic scholarship or a North Dakota career and
13 technical education scholarship, in the amount of eight hundred thirty-three
14 dollars for each quarter during which the student is enrolled full time at an
15 accredited institution of higher education in this state and maintains a
16 cumulative grade point average of 2.75.
- 17 2. The state board shall monitor each scholarship recipient to ensure that the student
18 meets the academic and other requirements of this section. Upon determining that a
19 recipient student has failed to meet the requirements of this section, the board shall
20 provide notification to the student within ten days.
- 21 3. a. Except as provided in this subsection, a student is not entitled to receive more
22 than six thousand dollars under this section.
- 23 b. A student who graduates from high school during or after the 2014-15 school
24 year is entitled to receive up to ten thousand dollars under this section.
- 25 4. The state board of higher education shall forward the scholarship directly to the
26 institution in which the student is enrolled.
- 27 5. a. (1) This section does not require a student to be enrolled in consecutive
28 semesters.
- 29 (2) This section does not require a student to be enrolled in consecutive
30 quarters.

- 1 b. However, a scholarship under this section is valid only for six academic years
2 after the student's graduation from high school and may not be applied to
3 graduate programs.
- 4 6. A scholarship under this section is available to any eligible resident student who fulfills
5 the requirements of section 15.1-21-02.4 or 15.1-21-02.5 and who:
- 6 a. Graduates from a high school in this state;
- 7 b. Graduates from a high school in a bordering state under chapter 15.1-29;
- 8 c. Graduates from a nonpublic high school in a bordering state while residing with a
9 custodial parent in this state; or
- 10 d. Completes a program of home education supervised in accordance with chapter
11 15.1-23.
- 12 7. a. For purposes of North Dakota scholarship eligibility under this section, "full-time"
13 means enrollment in at least twelve credits during a student's first two semesters
14 and enrollment in at least fifteen credits during each semester thereafter or
15 enrollment in the equivalent number of credits, as determined by the state board
16 of higher education, with respect to students in a quarter system.
- 17 b. (1) If a student requires fewer than fifteen credits to graduate, the student may
18 retain scholarship eligibility by enrolling in fewer than fifteen but at least
19 twelve credits during the semester, or the equivalent number of credits, as
20 determined by the state board of higher education, with respect to students
21 in a quarter system.
- 22 (2) Students who graduated from high school during the 2009-10 or the
23 2010-11 school year and who have completed six semesters may retain
24 scholarship eligibility by enrolling in only twelve credits during each of the
25 student's final two semesters, or the equivalent number of credits, as
26 determined by the state board of higher education, with respect to students
27 in a quarter system.
- 28 (3) The requirement that a student be enrolled in at least fifteen credits, as set
29 forth in subdivision a, does not apply in the case of a student participating in
30 a clinical, practicum, internship, cooperative program, or similar external
31 experience, provided the external experience is equivalent to at least twelve

1 units, or such similar amount as determined by the state board of higher
2 education, with respect to students in a quarter system, and considered to
3 be a "full time" placement for purposes of meeting graduation requirements.

4 **SECTION 7. AMENDMENT.** Section 54-44.1-11 of the North Dakota Century Code is
5 amended and reenacted as follows:

6 **54-44.1-11. (Effective through July 31, 2015~~2017~~) Office of management and budget to**
7 **cancel unexpended appropriations - When they may continue.**

8 Except as otherwise provided by law, the office of management and budget, thirty days after
9 the close of each biennial period, shall cancel all unexpended appropriations or balances of
10 appropriations after the expiration of the biennial period during which they became available
11 under the law. Unexpended appropriations for the state historical society are not subject to this
12 section and the state historical society shall report on the amounts and uses of funds carried
13 over from one biennium to the appropriations committees of the next subsequent legislative
14 assembly. Unexpended appropriations for the North Dakota university system are not subject to
15 this section and the North Dakota university system shall report on the amounts and uses of
16 funds carried over from one biennium to the next to subsequent appropriations committees of
17 the legislative assembly. The chairmen of the appropriations committees of the senate and
18 house of representatives of the legislative assembly with the office of the budget may continue
19 appropriations or balances in force for not more than two years after the expiration of the
20 biennial period during which they became available upon recommendation of the director of the
21 budget for:

- 22 1. New construction projects.
- 23 2. Major repair or improvement projects.
- 24 3. Purchases of new equipment costing more than ten thousand dollars per unit if it was
25 ordered during the first twelve months of the biennium in which the funds were
26 appropriated.
- 27 4. The purchase of land by the state on a "contract for deed" purchase if the total
28 purchase price is within the authorized appropriation.
- 29 5. Purchases by the department of transportation of roadway maintenance equipment
30 costing more than ten thousand dollars per unit if the equipment was ordered during
31 the first twenty-one months of the biennium in which the funds were appropriated.

1 6. Authorized ongoing information technology projects.

2 **(Effective after July 31, 2015~~2017~~) Office of management and budget to cancel**

3 **unexpended appropriations - When they may continue.** The office of management and

4 budget, thirty days after the close of each biennial period, shall cancel all unexpended

5 appropriations or balances of appropriations after the expiration of the biennial period during

6 which they became available under the law. Unexpended appropriations for the state historical

7 society are not subject to this section and the state historical society shall report on the amounts

8 and uses of funds carried over from one biennium to the appropriations committees of the next

9 subsequent legislative assembly. The chairmen of the appropriations committees of the senate

10 and house of representatives of the legislative assembly with the office of the budget may

11 continue appropriations or balances in force for not more than two years after the expiration of

12 the biennial period during which they became available upon recommendation of the director of

13 the budget for:

14 1. New construction projects.

15 2. Major repair or improvement projects.

16 3. Purchases of new equipment costing more than ten thousand dollars per unit if it was
17 ordered during the first twelve months of the biennium in which the funds were
18 appropriated.

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

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

24 6. Authorized ongoing information technology projects.

25 **SECTION 8. SYSTEMWIDE FUNDING POOLS - TRANSFER AUTHORITY -**

26 **LEGISLATIVE MANAGEMENT REPORT.** The following line items contained in subdivision 1 of
27 section 1 of this Act include funding that may be transferred in full or in part for the period

28 beginning with the effective date of this Act and ending June 30, 2017, by the state board of

29 higher education to the institutions and entities under its control based on the recommendations

30 of the commissioner of higher education as follows:

1 1. The deferred maintenance funding pool line item includes funding that must be used to
2 address deferred maintenance and other infrastructure needs at institutions based on
3 the university system master plan and space utilization study.

4 2. The education incentive programs line item includes funding that may be allocated to
5 education incentive programs based on program eligibility criteria and the reduction or
6 elimination of specific programs as determined by the board.

7 **SECTION 9. CAMPUS CAPITAL PROJECTS - PROJECT MANAGEMENT.** During the
8 biennium beginning July 1, 2015, and ending June 30, 2017, each capital project authorized by
9 the state board of higher education must have adequate project management oversight by
10 either an institution official or a representative of an external entity. An institution may seek
11 assistance from the university system office for project management oversight of a capital
12 project.

13 **SECTION 10. NORTH DAKOTA STATE UNIVERSITY - MINARD HALL -**
14 **REAUTHORIZATION.** In addition to the funds appropriated in section 1 of this Act, North
15 Dakota state university may use unspent state funding from the \$5,000,000 appropriation
16 received during the biennium beginning July 1, 2007, and ending June 30, 2009, and unspent
17 state funding from the \$13,000,000 appropriation received during the biennium beginning
18 July 1, 2009, and ending June 30, 2011, and special funds derived from insurance litigation
19 settlement and other local institutional funds, to a total of \$23,474,300 for the Minard hall
20 project, for the biennium beginning July 1, 2015, and ending June 30, 2017. North Dakota state
21 university shall report to the budget section regarding the status of the Minard hall project and
22 may request increased spending authorization from the budget section for the project.

23 **SECTION 11. MINOT STATE UNIVERSITY - FOOTBALL STADIUM PRESS BOX -**
24 **REAUTHORIZATION.** Minot state university may use up to \$4,000,000 in private funds from the
25 city of Minot and \$1,000,000 in local institutional funds for the completion of the football stadium
26 press box during the biennium beginning July 1, 2015, and ending June 30, 2017.

27 **SECTION 12. STUDENT LOAN TRUST FUND.** Subdivision 1 of section 1 of this Act
28 includes the sum of \$1,004,744, or so much of the sum as may be necessary, from the student
29 loan trust fund of which \$465,307 is for the professional student exchange program and
30 \$539,437 is for connectND campus solution positions, for the biennium beginning July 1, 2015,
31 and ending June 30, 2017.

1 **SECTION 13. UNIVERSITY OF NORTH DAKOTA SCHOOL OF MEDICINE AND HEALTH**
2 **SCIENCES OPERATIONS.** The operations line item in subdivision 5 of section 1 of this Act
3 includes a funding allocation from the higher education per student credit-hour funding formula
4 attributable to inflation during the biennium beginning July 1, 2015, and ending June 30, 2017. A
5 minimum of twenty-five percent of the allocation must be transferred by the state board of
6 higher education to the university of North Dakota school of medicine and health sciences
7 based on the recommendation of the commissioner of higher education.

8 **SECTION 14. FEDERAL, PRIVATE, AND OTHER FUNDS - APPROPRIATION.** All funds,
9 in addition to those appropriated in section 1 of this Act, from federal, private, and other sources
10 for competitive grants or other funds that the legislative assembly has not indicated the intent to
11 reject, including tuition revenue, received by the institutions and entities under the control of the
12 state board of higher education are appropriated to those institutions and entities, for the
13 biennium beginning July 1, 2015, and ending June 30, 2017. All additional funds received under
14 the North Dakota-Minnesota reciprocity agreement during the biennium beginning July 1, 2015,
15 and ending June 30, 2017, are appropriated to the state board of higher education for
16 reimbursement to institutions under the control of the board.

17 **SECTION 15. TRANSFER AUTHORITY.** If, during the biennium beginning July 1, 2015,
18 and ending June 30, 2017, the state board of higher education determines that funds allocated
19 to operations in section 1 of this Act are needed for capital assets, the board may transfer funds
20 from operations to capital assets. The board shall report any transfer of funds under this section
21 to the office of management and budget.

22 **SECTION 16. EXEMPTION.** The amount appropriated for the performance funding pool line
23 item in section 1 of chapter 34 of the 2013 Session Laws is not subject to section 54-44.1-11
24 and any unexpended funds from this line item are available during the biennium beginning
25 July 1, 2015, and ending June 30, 2017. Funds may be allocated to institutions, by the state
26 board of higher education, based on the institution meeting specified goals or other
27 performance measures as determined by the board. The funding may not be used for the
28 operations or any function of the university system office. The state board of higher education
29 shall consider any allocations from the oil and gas impact grant fund to higher education
30 institutions when determining allocations to institutions from the performance funding pool.

1 During the 2015-16 interim, the state board of higher education shall provide a report to the
2 legislative management regarding the distribution of funds from the performance funding pool.

3 **SECTION 17. FULL-TIME EQUIVALENT POSITION ADJUSTMENTS.** Notwithstanding
4 any other provisions of law, the state board of higher education may adjust full-time equivalent
5 positions as needed, subject to the availability of funds, for institutions and entities under its
6 control during the biennium beginning July 1, 2015, and ending June 30, 2017. The North
7 Dakota university system shall report any adjustments to the office of management and budget
8 before the submission of the 2017-19 biennium budget request.

9 **SECTION 18. BOND ISSUANCE AUTHORIZATION - PURPOSES.** The state board of
10 higher education, in accordance with chapter 15-55, may arrange for the funding of projects
11 authorized in this section, declared to be in the public interest, through the issuance of
12 self-liquidating, tax-exempt evidences of indebtedness under chapter 15-55, beginning with the
13 effective date of this Act and ending June 30, 2015. Evidences of indebtedness issued pursuant
14 to this section are not a general obligation of the state of North Dakota. Any unexpended
15 balance resulting from the proceeds of the evidences of indebtedness must be placed in a
16 sinking fund to be used for the retirement of indebtedness. The evidences of indebtedness may
17 be issued and the proceeds are appropriated in section 1 of this Act for the following capital
18 projects:

19 North Dakota state university - aquatic center	<u>\$10,000,000</u>
20 Total special funds	\$10,000,000

21 **SECTION 19. EMERGENCY.** The capital assets and deferred maintenance pool line items
22 in section 1 of this Act are declared to be an emergency measure.