

Sixty-fifth  
Legislative Assembly  
of North Dakota

## ENGROSSED SENATE BILL NO. 2003

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; and to amend and reenact sections 15-18.2-05 and 54-44.1-11 of the North  
3 Dakota Century Code, relating to state aid to institutions and the cancellation of unexpended  
4 appropriations; to provide for the transfer of funds; to authorize the state board of higher  
5 education to issue and sell bonds for capital projects; to provide exemptions; to provide for  
6 legislative management reports; to provide legislative intent; and to declare an emergency.

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

8 **SECTION 1. APPROPRIATION.** The funds provided in this section, or so much of the funds  
9 as may be necessary, are appropriated out of any moneys in the general fund in the state  
10 treasury, not otherwise appropriated, and from special funds derived from federal funds and  
11 other income, to the state board of higher education and to the entities and institutions under  
12 the supervision of the board, for the purpose of defraying the expenses of the state board of  
13 higher education and the entities and institutions under the control of the board, for the  
14 biennium beginning July 1, 2017, and ending June 30, 2019, as follows:

15 Subdivision 1.

16 NORTH DAKOTA UNIVERSITY SYSTEM OFFICE

		Adjustments or	
	<u>Base Level</u>	<u>Enhancements</u>	<u>Appropriation</u>
17			
18			
19	Capital assets - bond payments	(\$296,135)	\$6,605,326
20	Competitive research programs	(560,475)	6,027,750
21	System governance	334,624	7,547,260
22	Title II	0	1,006,472
23	Core technology services	20,227,156	61,552,749
24	Student financial assistance grants	(1,968,854)	21,917,306

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1	Professional student exchange program	3,941,754	(242,412)	3,699,342
2	Academic and technical education	13,134,096	(1,117,347)	12,016,749
3	scholarship			
4	Two-year campus marketing	747,600	(290,100)	457,500
5	Scholars program	2,113,584	(306,469)	1,807,115
6	Native American scholarship	649,267	(93,944)	555,323
7	Tribally controlled community college grants	967,250	(64,750)	902,500
8	Education incentive programs	3,349,000	(485,607)	2,863,393
9	Student mental health	308,100	(23,700)	284,400
10	Veterans' assistance grants	325,000	(47,125)	277,875
11	Commendation grants	4,486	(4,486)	0
12	Internal audit pool	280,350	(50,850)	229,500
13	Open education resources	0	100,000	100,000
14	Shared campus services	<u>0</u>	<u>200,000</u>	<u>200,000</u>
15	Total all funds	\$112,741,034	\$15,309,526	\$128,050,560
16	Less estimated income	<u>2,511,216</u>	<u>23,709,908</u>	<u>26,221,124</u>
17	Total general fund	\$110,229,818	(\$8,400,382)	\$101,829,436
18	Full-time equivalent positions	104.39	43.01	147.40

19 Subdivision 2.

20 BISMARCK STATE COLLEGE

21			Adjustments or	
22		<u>Base Level</u>	<u>Enhancements</u>	<u>Appropriation</u>
23	Operations	\$34,214,004	\$67,535,715	\$101,749,719
24	Capital assets	<u>67,732</u>	<u>1,854,829</u>	<u>1,922,561</u>
25	Total all funds	\$34,281,736	\$69,390,544	\$103,672,280
26	Less estimated income	<u>0</u>	<u>73,042,557</u>	<u>73,042,557</u>
27	Total general fund	\$34,281,736	(\$3,652,013)	\$30,629,723
28	Full-time equivalent positions	133.53	224.82	358.35

29 Subdivision 3.

30 LAKE REGION STATE COLLEGE

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		Adjustments or		
	<u>Base Level</u>	<u>Enhancements</u>	<u>Appropriation</u>	
1				
2				
3	Operations	\$14,143,353	\$22,335,288	\$36,478,641
4	Capital assets	<u>0</u>	<u>362,667</u>	<u>362,667</u>
5	Total all funds	\$14,143,353	\$22,697,955	\$36,841,308
6	Less estimated income	<u>0</u>	<u>24,128,597</u>	<u>24,128,597</u>
7	Total general fund	\$14,143,353	(\$1,430,642)	\$12,712,711
8	Full-time equivalent positions	50.19	79.42	129.61
9	Subdivision 4.			

WILLISTON STATE COLLEGE

		Adjustments or		
	<u>Base Level</u>	<u>Enhancements</u>	<u>Appropriation</u>	
11				
12				
13	Operations	\$9,191,151	\$17,781,678	\$26,972,829
14	Capital assets	<u>197,801</u>	<u>1,064,167</u>	<u>1,261,968</u>
15	Total all funds	\$9,388,952	\$18,845,845	\$28,234,797
16	Less estimated income	<u>0</u>	<u>19,866,337</u>	<u>19,866,337</u>
17	Total general fund	\$9,388,952	(\$1,020,492)	\$8,368,460
18	Full-time equivalent positions	49.96	50.79	100.75
19	Subdivision 5.			

UNIVERSITY OF NORTH DAKOTA

		Adjustments or		
	<u>Base Level</u>	<u>Enhancements</u>	<u>Appropriation</u>	
21				
22				
23	Operations	\$146,572,961	\$712,564,782	\$859,137,743
24	Capital assets	<u>4,411,566</u>	<u>91,000,000</u>	<u>95,411,566</u>
25	Total all funds	\$150,984,527	\$803,564,782	\$954,549,309
26	Less estimated income	<u>0</u>	<u>820,277,023</u>	<u>820,277,023</u>
27	Total general fund	\$150,984,527	(\$16,712,241)	\$134,272,286
28	Full-time equivalent positions	630.20	1,587.87	2,218.07
29	Subdivision 6.			

NORTH DAKOTA STATE UNIVERSITY

30

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		Adjustments or		
	<u>Base Level</u>	<u>Enhancements</u>	<u>Appropriation</u>	
1				
2				
3	Operations	\$144,323,680	\$589,845,616	\$734,169,296
4	Capital assets	<u>2,732,244</u>	<u>54,571,860</u>	<u>57,304,104</u>
5	Total all funds	\$147,055,924	\$644,417,476	\$791,473,400
6	Less estimated income	<u>0</u>	<u>661,687,739</u>	<u>661,687,739</u>
7	Total general fund	\$147,055,924	(\$17,270,263)	\$129,785,661
8	Full-time equivalent positions	537.10	1,358.56	1,895.66
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	\$40,916,239	\$50,836,625	\$91,752,864
14	Capital assets	<u>0</u>	<u>1,012,379</u>	<u>1,012,379</u>
15	Total all funds	\$40,916,239	\$51,849,004	\$92,765,243
16	Less estimated income	<u>0</u>	<u>57,642,469</u>	<u>57,642,469</u>
17	Total general fund	\$40,916,239	(\$5,793,465)	\$35,122,774
18	Full-time equivalent positions	168.30	176.74	345.04
19	Subdivision 8.			

DICKINSON STATE UNIVERSITY

		Adjustments or		
	<u>Base Level</u>	<u>Enhancements</u>	<u>Appropriation</u>	
21				
22				
23	Operations	\$24,527,233	\$24,948,506	\$49,475,739
24	Capital assets	<u>0</u>	<u>409,078</u>	<u>409,078</u>
25	Total all funds	\$24,527,233	\$25,357,584	\$49,884,817
26	Less estimated income	<u>0</u>	<u>29,750,982</u>	<u>29,750,982</u>
27	Total general fund	\$24,527,233	(\$4,393,398)	\$20,133,835
28	Full-time equivalent positions	120.26	48.64	168.90
29	Subdivision 9.			

MAYVILLE STATE UNIVERSITY

30

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		Adjustments or		
	<u>Base Level</u>	<u>Enhancements</u>	<u>Appropriation</u>	
1				
2				
3	Operations	\$15,642,731	\$28,600,985	\$44,243,716
4	Capital assets	<u>0</u>	<u>358,992</u>	<u>358,992</u>
5	Total all funds	\$15,642,731	\$28,959,977	\$44,602,708
6	Less estimated income	<u>0</u>	<u>30,339,206</u>	<u>30,339,206</u>
7	Total general fund	\$15,642,731	(\$1,379,229)	\$14,263,502
8	Full-time equivalent positions	66.23	144.30	210.53
9	Subdivision 10.			

MINOT STATE UNIVERSITY

		Adjustments or		
	<u>Base Level</u>	<u>Enhancements</u>	<u>Appropriation</u>	
11				
12				
13	Operations	\$45,037,266	\$55,766,011	\$100,803,277
14	Capital assets	<u>499,620</u>	<u>600,000</u>	<u>1,099,620</u>
15	Total all funds	\$45,536,886	\$56,366,011	\$101,902,897
16	Less estimated income	<u>0</u>	<u>62,113,151</u>	<u>62,113,151</u>
17	Total general fund	\$45,536,886	(\$5,747,140)	\$39,789,746
18	Full-time equivalent positions	204.10	237.55	441.65
19	Subdivision 11.			

VALLEY CITY STATE UNIVERSITY

		Adjustments or		
	<u>Base Level</u>	<u>Enhancements</u>	<u>Appropriation</u>	
21				
22				
23	Operations	\$23,218,126	\$25,269,391	\$48,487,517
24	Capital assets	<u>0</u>	<u>455,823</u>	<u>455,823</u>
25	Total all funds	\$23,218,126	\$25,725,214	\$48,943,340
26	Less estimated income	<u>0</u>	<u>28,493,914</u>	<u>28,493,914</u>
27	Total general fund	\$23,218,126	(\$2,768,700)	\$20,449,426
28	Full-time equivalent positions	105.59	97.16	202.75
29	Subdivision 12.			

DAKOTA COLLEGE AT BOTTINEAU

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		Adjustments or		
	<u>Base Level</u>	<u>Enhancements</u>	<u>Appropriation</u>	
1				
2				
3	Operations	\$8,017,920	\$9,166,980	\$17,184,900
4	Capital assets	<u>86,537</u>	<u>27,470</u>	<u>114,007</u>
5	Total all funds	\$8,104,457	\$9,194,450	\$17,298,907
6	Less estimated income	<u>0</u>	<u>9,638,678</u>	<u>9,638,678</u>
7	Total general fund	\$8,104,457	(\$444,228)	\$7,660,229
8	Full-time equivalent positions	46.96	37.34	84.30
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	\$53,166,247	\$158,723,654	\$211,889,901
14	Capital assets	<u>0</u>	<u>0</u>	<u>0</u>
15	Total all funds	\$53,166,247	\$158,723,654	\$211,889,901
16	Less estimated income	<u>0</u>	<u>154,971,764</u>	<u>154,971,764</u>
17	Total general fund	\$53,166,247	\$3,751,890	\$56,918,137
18	Full-time equivalent positions	184.58	251.17	435.75
19	Subdivision 14.			

NORTH DAKOTA FOREST SERVICE

		Adjustments or		
	<u>Base Level</u>	<u>Enhancements</u>	<u>Appropriation</u>	
21				
22				
23	Operations	\$6,228,620	\$8,735,426	\$14,964,046
24	Capital assets	<u>101,210</u>	<u>17,518</u>	<u>118,728</u>
25	Total all funds	\$6,329,830	\$8,752,944	\$15,082,774
26	Less estimated income	<u>1,650,000</u>	<u>9,000,748</u>	<u>10,650,748</u>
27	Total general fund	\$4,679,830	(\$247,804)	\$4,432,026
28	Full-time equivalent positions	28.96	(1.96)	27.00
29	Subdivision 15.			

BILL TOTAL

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		Adjustments or		
	<u>Base Level</u>	<u>Enhancements</u>	<u>Appropriation</u>	
1				
2				
3	Grand total general fund	\$681,876,059	(\$65,508,107)	\$616,367,952
4	Grand total special funds	<u>4,161,216</u>	<u>2,004,663,073</u>	<u>2,008,824,289</u>
5	Grand total all funds	\$686,037,275	\$1,939,154,966	\$2,625,192,241

6       **SECTION 2. ONE-TIME FUNDING.** The following amounts reflect the one-time funding  
7 items approved by the sixty-fourth legislative assembly as adjusted for the 2015-17 biennium:

	<u>One-Time Funding Description</u>	<u>2015-17</u>	<u>2017-19</u>
8			
9	Capital projects - general funds	\$99,167,288	\$0
10	Capital projects - other funds	44,848,194	0
11	Campus security pool	2,763,562	0
12	Core technology services projects	2,821,500	0
13	Open education resource training	107,250	0
14	Theodore Roosevelt center	800,000	0
15	Williston state college energy development impact	2,500,000	0
16	Dickinson state university leadership transition	2,000,000	0
17	Museum of art deferred maintenance	760,000	0
18	Deferred maintenance pool	8,482,500	0
19	School of medicine and health sciences residency positions	4,700,000	0
20	Health care workforce initiative	13,814,806	0
21	Desktop support services	81,750	0
22	Email retention	350,000	0
23	Dickinson state university Woods Hall renovation	11,500,000	0
24	Education challenge grants	<u>22,124,500</u>	<u>0</u>
25	Total all funds	\$216,821,350	\$0
26	Total other funds	<u>60,848,194</u>	<u>0</u>
27	Total general fund	\$155,973,156	\$0

28       **SECTION 3. AMENDMENT.** Section 15-18.2-05 of the North Dakota Century Code is  
29 amended and reenacted as follows:

1           **15-18.2-05. Base funding - Determination of state aid.**

2           In order to determine the state aid payment to which each institution under its control is  
3 entitled, the state board of higher education shall multiply the product determined under section  
4 15-18.2-04 by a base amount of:

- 5           1.   ~~\$72.63~~\$58.69 in the case of North Dakota state university and the university of North  
6           Dakota;
- 7           2.   ~~\$107.33~~\$87.03 in the case of Dickinson state university, Mayville state university,  
8           Minot state university, and Valley City state university; and
- 9           3.   ~~\$114.88~~\$93.12 in the case of Bismarck state college, Dakota college at Bottineau,  
10           Lake Region state college, North Dakota state college of science, and Williston state  
11           college.

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

14           **54-44.1-11. (Effective through July 31, 20172019) Office of management and budget to**  
15 **cancel unexpended appropriations - When they may continue.**

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

- 30           1.   New construction projects.
- 31           2.   Major repair or improvement projects.



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

10       **(Effective after July 31, ~~2017~~2019) Office of management and budget to cancel**

11       **unexpended appropriations - When they may continue.** The office of management and  
12 budget, thirty days after the close of each biennial period, shall cancel all unexpended  
13 appropriations or balances of appropriations after the expiration of the biennial period during  
14 which they became available under the law. Unexpended appropriations for the state historical  
15 society are not subject to this section and the state historical society shall report on the amounts  
16 and uses of funds carried over from one biennium to the appropriations committees of the next  
17 subsequent legislative assembly. The chairmen of the appropriations committees of the senate  
18 and house of representatives of the legislative assembly with the office of the budget may  
19 continue appropriations or balances in force for not more than two years after the expiration of  
20 the biennial period during which they became available upon recommendation of the director of  
21 the 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           **SECTION 5. ADDITIONAL FEDERAL, PRIVATE, AND OTHER FUNDS -**

3   **APPROPRIATION.** All funds, in addition to those appropriated in section 1 of this Act, from  
4 federal, private, and other sources for competitive grants or other funds that the legislative  
5 assembly has not indicated the intent to reject, including tuition revenue, received by the state  
6 board of higher education and the institutions and entities under the control of the state board of  
7 higher education, are appropriated to the board and those institutions and entities, for the  
8 biennium beginning July 1, 2017, and ending June 30, 2019. All additional funds received under  
9 the North Dakota-Minnesota reciprocity agreement during the biennium beginning July 1, 2017,  
10 and ending June 30, 2019, are appropriated to the state board of higher education for  
11 reimbursement to institutions under the control of the board.

12           **SECTION 6. CAMPUS CAPITAL PROJECTS - PROJECT MANAGEMENT.** During the  
13 biennium beginning July 1, 2017, and ending June 30, 2019, each capital project authorized by  
14 the state board of higher education must have adequate project management oversight by  
15 either an institution official or a representative of an external entity. An institution may seek  
16 assistance from the North Dakota university system office for project management oversight of  
17 a capital project.

18           **SECTION 7. STUDENT LOAN TRUST FUND - LEGISLATIVE INTENT.** Subdivision 1 of  
19 section 1 of this Act includes the sum of \$1,504,744, or so much of the sum as may be  
20 necessary, from the student loan trust fund of which \$465,307 is for the professional student  
21 exchange program, \$500,000 is for grants to tribally controlled community colleges, and  
22 \$539,437 is for connectND campus solution positions, for the biennium beginning July 1, 2017,  
23 and ending June 30, 2019.

24           Subdivision 13 of section 1 of this Act includes the sum of \$15,200,000, or so much of the  
25 sum as may be necessary, from the student loan trust fund for residency positions at the  
26 university of North Dakota school of medicine and health sciences, for the biennium beginning  
27 July 1, 2017, and ending June 30, 2019. It is the intent of the sixty-fifth legislative assembly that  
28 funding for the residency positions becomes part of ongoing base funding in future budget  
29 requests of the school.

30           **SECTION 8. TRANSFER AUTHORITY - LEGISLATIVE MANAGEMENT REPORT.**

31   Notwithstanding section 54-16-04, the state board of higher education may transfer

1 appropriation authority between the operations and capital assets line items within  
2 subdivisions 2 through 14 of section 1 of this Act for the biennium beginning July 1, 2017, and  
3 ending June 30, 2019. The board shall report any transfer of funds under this section to the  
4 office of management and budget and the legislative management.

5 **SECTION 9. FULL-TIME EQUIVALENT POSITION ADJUSTMENTS.** Notwithstanding any  
6 other provisions of law, the state board of higher education may adjust full-time equivalent  
7 positions as needed, subject to the availability of funds, for institutions and entities under its  
8 control during the biennium beginning July 1, 2017, and ending June 30, 2019. The North  
9 Dakota university system shall report any adjustments to the office of management and budget  
10 before the submission of the 2019-21 biennium budget request.

11 **SECTION 10. UNIVERSITY OF NORTH DAKOTA SCHOOL OF MEDICINE AND HEALTH**  
12 **SCIENCES OPERATIONS.** The operations line item in subdivision 5 of section 1 of this Act  
13 includes a funding allocation from the higher education per student credit-hour funding formula  
14 attributable to inflation during the biennium beginning July 1, 2017, and ending June 30, 2019.  
15 Based on the recommendation of the commissioner of higher education, a portion of the  
16 allocation must be transferred by the state board of higher education to the university of North  
17 Dakota school of medicine and health sciences.

18 **SECTION 11. BOND ISSUANCE AUTHORIZATION - PURPOSES.** The state board of  
19 higher education, in accordance with chapter 15-55, may arrange for the funding of projects  
20 authorized in this section, declared to be in the public interest, through the issuance of self-  
21 liquidating, tax-exempt evidences of indebtedness under chapter 15-55, beginning with the  
22 effective date of this section and ending June 30, 2019. Evidences of indebtedness issued  
23 pursuant to this section are not a general obligation of the state of North Dakota. Any  
24 unexpended balance resulting from the proceeds of the evidences of indebtedness must be  
25 placed in a sinking fund to be used for the retirement of indebtedness. The evidences of  
26 indebtedness may be issued and the proceeds are appropriated in section 1 of this Act for the  
27 following capital projects:

28 North Dakota state university - New residence hall	\$39,505,000
29 North Dakota state university - University village replacement	<u>10,000,000</u>
30 Total special funds	\$49,505,000

1       **SECTION 12. EXEMPTION - THEODORE ROOSEVELT CENTER PROJECT.** The  
2 amounts appropriated for the Theodore Roosevelt center project in section 3 of chapter 34 of  
3 the 2013 Session Laws and section 4 of chapter 49 of the 2013 Session Laws are not subject to  
4 section 54-44.1-11 and any unexpended funds from these sections are available during the  
5 biennium beginning July 1, 2017, and ending June 30, 2019.

6       **SECTION 13. EXEMPTION - HIGHER EDUCATION CHALLENGE GRANTS.** The  
7 unexpended amount remaining for the education challenge fund line item in section 1 of  
8 chapter 34 of the 2013 Session Laws is not subject to section 54-44.1-11 and any unexpended  
9 funds in this line item are available during the biennium beginning July 1, 2017, and ending  
10 June 30, 2019.

11       **SECTION 14. TUITION RATE INCREASE LIMITATIONS - BUDGET SECTION**  
12 **APPROVAL.**

- 13       1. Except as provided in this section, notwithstanding any other provision of law, the state  
14 board of higher education may not increase tuition rates for resident students  
15 attending institutions of higher education under its control during the 2017-18  
16 academic year by more than three percent as compared to the tuition rate in effect  
17 during the 2017 spring semester unless the board receives prior budget section  
18 approval.
- 19       2. Except as provided in this section, notwithstanding any other provision of law, the state  
20 board of higher education may not increase tuition rates for resident students  
21 attending institutions of higher education under its control during the 2018-19  
22 academic year by more than three percent as compared to the tuition rate in effect  
23 during the 2018 spring semester unless the board receives prior budget section  
24 approval.
- 25       3. During the 2017-18 and 2018-19 academic years, the state board of higher education  
26 may increase tuition rates by up to an additional one percent in excess of the rate  
27 limitations provided for in subsections 1 and 2 of this section for resident students  
28 attending institutions of higher education under its control if the additional tuition  
29 revenue is utilized for campus extraordinary repairs and deferred maintenance needs.  
30 An institution must provide two dollars of matching funds from operations or other  
31 sources, excluding funding appropriated by the legislative assembly for extraordinary

1 repairs or other capital needs at the institution, for each dollar of additional tuition  
2 revenue generated from an increase authorized under this subsection. The matching  
3 funds provided under this section must be used for campus extraordinary repairs and  
4 deferred maintenance needs.

5 4. This section does not apply to tuition rates charged for programs offered through the  
6 university of North Dakota school of medicine and health sciences, the university of  
7 North Dakota school of law, or the North Dakota state university school of pharmacy.

8 5. This section does not apply to tuition rates for nonresident students attending  
9 institutions of higher education under the control of the state board of higher  
10 education. For purposes of this section, the residency of students for tuition purposes  
11 must be determined under section 15-10-19.1.

12 6. This section does not apply to tuition rates determined under tuition reciprocity  
13 agreements entered into by the state board of higher education with other states or  
14 state education compacts.

15 7. For purposes of this section, an institution must calculate a resident tuition rate  
16 increase based on the tuition rate paid by an average full-time resident student. The  
17 state board of higher education may exclude adjustments to a tuition rate resulting  
18 from a change in an institution's method of charging tuition, including the consolidation  
19 of existing fees into tuition rates or charging tuition based on a per-credit rate, from  
20 tuition rate calculations under this section.

21 **SECTION 15. USE OF EXTRAORDINARY REPAIRS FUNDING - MATCHING FUNDS.**

22 The capital assets line items in subdivisions 2 through 12 of section 1 of this Act include funding  
23 from the general fund for institution extraordinary repairs. An institution shall provide two dollars  
24 of matching funds from operations or other sources, excluding tuition revenue generated  
25 specifically for extraordinary repairs and deferred maintenance needs, for each one dollar of  
26 extraordinary repairs funding used for a project.

27 **SECTION 16. STATE BOARD OF HIGHER EDUCATION DATA AND REPORTING**

28 **INCONSISTENCIES - REPORT TO LEGISLATIVE MANAGEMENT.** During the biennium  
29 beginning July 1, 2017, and ending June 30, 2019, the state board of higher education shall  
30 evaluate the following data and reporting inconsistency issues at institutions and entities under  
31 its control and develop policies and procedures to correct the inconsistencies:

- 1        1. Inconsistent employee classifications and human resources reporting;
- 2        2. Inconsistent practices for awarding tuition waivers; and
- 3        3. Inconsistent practices regarding the charging of student fees.

4        The state board of higher education shall provide a report to and consult with the legislative  
5        management during the 2017-18 interim regarding the status of the inconsistencies, including  
6        policies and procedures being developed to address the inconsistencies.

7        **SECTION 17. REDUCTION IN EMPLOYEES - LEGISLATIVE INTENT - REPORT TO**

8        **LEGISLATIVE MANAGEMENT.** It is the intent of the sixty-fifth legislative assembly that if the  
9        number of full-time equivalent positions is reduced at institutions under the control of the state  
10       board of higher education, any reduction be applied among all classifications of employees with  
11       emphasis on senior administrative positions. During the 2017-18 interim, the state board of  
12       higher education shall provide reports to the legislative management regarding the total number  
13       of employee positions reduced at each institution, the number of administrative positions  
14       reduced at each institution, and whether any former administrative staff employees are still  
15       employed by the institution in a different position.

16       **SECTION 18. EMERGENCY.** Section 11 and the capital assets line items in section 1 of  
17       this Act are declared to be an emergency measure.