Sixty-eighth Legislative Assembly of North Dakota

HOUSE BILL NO. 1034

Introduced by

Legislative Management

(Higher Education Committee)

- 1 A BILL for an Act to amend and reenact sections 15-10-63 and 15-54.1-02 of the North Dakota
- 2 Century Code, relating to capital projects and the use of the university system capital building
- 3 fund; and to provide a transfer.

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

- 5 **SECTION 1. AMENDMENT.** Section 15-10-63 of the North Dakota Century Code is amended and reenacted as follows:
- **7 15-10-63.** Capital projects.
- The university of North Dakota and North Dakota state university must identify other
 funds from gifts, grants, donations, the university system capital building fund, or other
 local funds for at least thirty percent of the total estimated cost of a capital project
 request submitted to the legislative assembly.
- Bismarck state college, the North Dakota state college of science, Dickinson state
 university, and Minot state university must identify other funds from gifts, grants,
 donations, the university system capital building fund, or other local funds for at least
 twenty percent of the total estimated cost of a capital project request submitted to the
- 16 legislative assembly.
- Lake region state college, Williston state college, Mayville state university, Valley City
 state university, and Dakota college at Bottineau must identify other funds from gifts,
 grants, donations, the university system capital building fund, or other local funds for at
 least ten percent of the total estimated cost of a capital project request submitted to
 the legislative assembly.
- An institution under the control of the state board of higher education may undertake a facility renovation project only if the project will reduce the deferred maintenance amount of the facility by no less than seventy five percent of the total cost of the

- renovation. The institution shall maintain documentation that demonstrates the cost and scope of the deferred maintenance reduction that results directly from the renovation. This subsection does not apply to projects undertaken solely to correct building code deficiencies or to installations of infrastructure determined by the board to be essential to the mission of the institution.
 - 2.5. Facility construction and renovation projects undertaken by an institution under the control of the state board of higher education must conform to campus master plan and space utilization requirements approved by the state board of higher education.

SECTION 2. AMENDMENT. Section 15-54.1-02 of the North Dakota Century Code is amended and reenacted as follows:

15-54.1-02. Capital building funds - Uses - Reports.

Subject to tier II and tier III capital building fund matching requirements under this chapter, each institution may use its allocation of funds from the university system capital building fund for projects specifically authorized by the legislative assembly to use university system capital building fund moneys. In addition, after an institution has matched and committed seventy-five percent of the funding appropriated for the institution's tier I extraordinary repairs and subject to state board of higher education approval and matching requirements under this chapter, each institution may use its allocation of funds from the university system capital building fund for extraordinary repairs and deferred maintenance projects for academic facilities that do not increase the overall square footage of a building. The state board of higher education shall report biennially to the legislative management and to the appropriations committees of the legislative assembly on the use of funding in the university system capital building fund, the source of matching funds, and each institution's five-year plan for capital construction spending.

SECTION 3. TRANSFER - STRATEGIC INVESTMENT AND IMPROVEMENTS FUND - UNIVERSITY SYSTEM CAPITAL BUILDING FUND. The office of management and budget shall transfer \$29,000,000 from the strategic investment and improvements fund to the university system capital building fund during the biennium beginning July 1, 2023, and ending June 30, 2025, as requested by the commissioner of higher education. Funding transferred pursuant to this section is to be allocated to each institution as follows:

30		<u>Tier II</u>	<u>Tier III</u>	<u>Total</u>
31	Bismarck state college	\$851,386	\$500,000	\$1,351,386

1	Lake Region state college	354,750	500,000	854,750
2	Williston state college	275,894	500,000	775,894
3	University of North Dakota	8,723,602	2,250,000	10,973,602
4	North Dakota state university	5,799,192	2,250,000	8,049,192
5	North Dakota state college of science	1,001,390	500,000	1,501,390
6	Dickinson state university	537,724	500,000	1,037,724
7	Mayville state university	480,058	500,000	980,058
8	Minot state university	1,145,602	500,000	1,645,602
9	Valley City state university	618,274	500,000	1,118,274
10	Dakota college at Bottineau	<u>212,128</u>	<u>500,000</u>	712,128
11	Total	\$20,000,000	\$9,000,000	\$29,000,000

SECTION 4. USE OF EXTRAORDINARY REPAIRS FUNDING - MATCHING FUNDS. The capital assets line items in subdivisions 2 through 12 of section 1 of House Bill No. 1003 as approved by the sixty-eighth legislative assembly include funding from the general fund for institution extraordinary repairs. An institution, excluding the university of North Dakota and North Dakota state university, shall provide one dollar of matching funds from operations or other sources for each one dollar of extraordinary repairs funding used for a project. The university of North Dakota and North Dakota state university shall provide two dollars of matching funds from operations or other sources for each one dollar of extraordinary repairs funding used for a project.