

Sixty-third  
Legislative Assembly  
of North Dakota

## ENGROSSED HOUSE BILL NO. 1204

Introduced by

Representatives Nathe, Kreun, Schatz, Streyle, Sukut, Thoreson, Williams

Senators Flakoll, Hogue, Lyson, Poolman

1 A BILL for an Act to create and enact six new sections to chapter 15-10 of the North Dakota  
2 Century Code, relating to the provision of matching grants for the advancement of  
3 postsecondary academics; ~~to provide an appropriation~~; to provide for a legislative management  
4 report; and to provide an expiration date.

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

6 **SECTION 1.** A new section to chapter 15-10 of the North Dakota Century Code is created  
7 and enacted as follows:

8 **Advancement of academics - Matching grants - University of North Dakota and North**  
9 **Dakota state university.**

- 10 1. a. During the period beginning July 1, 2013, and ending December 31, 2014, the  
11 state board of higher education shall award one dollar in matching grants for  
12 every two dollars raised by the institutional foundations of the university of North  
13 Dakota and North Dakota state university for projects dedicated exclusively to the  
14 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 4 of this Act.
- 20 c. The board may award up to ten million dollars in matching grants to each  
21 institution.
- 22 2. a. If any available dollars have not been awarded by the board before January 1,  
23 2015, in accordance with subsection 1, either the university of North Dakota or  
24 North Dakota state university may apply for an additional matching grant.

- 1           b. An application submitted under this subsection must meet the same criteria as an  
2           original application.
- 3           c. The board shall consider each application submitted under this subsection in  
4           chronological order.
- 5           d. If the remaining dollars are insufficient to provide a matching grant in the amount  
6           of one dollar for every two dollars raised by the institutional foundation, the board  
7           shall award a lesser amount.

8           **SECTION 2.** A new section to chapter 15-10 of the North Dakota Century Code is created  
9 and enacted as follows:

10           **Advancement of academics - Matching grants - Two-year and four-year institutions of**  
11 **higher education.**

- 12           1. a. During the period beginning July 1, 2013, and ending December 31, 2014, the  
13           state board of higher education shall award one dollar in matching grants for  
14           every two dollars raised by the institutional foundations of Bismarck state college,  
15           Dakota college at Bottineau, Dickinson state university, Lake Region state  
16           college, Mayville state university, Minot state university, North Dakota state  
17           college of science, Valley City state university, and Williston state college for  
18           projects dedicated exclusively to the advancement of academics.
- 19           b. To be eligible for a matching grant, an institution must demonstrate that:  
20           (1) Its foundation has raised at least twenty-five thousand dollars in cash or  
21           monetary pledges for a qualifying project; and  
22           (2) The project has been approved by the grant review committee established  
23           in section 4 of this Act.
- 24           c. The board may award up to one million dollars in matching grants to each  
25           institution.
- 26           2. a. If any available dollars have not been awarded by the board before January 1,  
27           2015, in accordance with subsection 1, any institution listed in subsection 1 may  
28           apply for an additional matching grant.
- 29           b. An application submitted under this subsection must meet the same criteria as an  
30           original application.

- 1           c. The board shall consider each application submitted under this subsection in  
2           chronological order.
- 3           d. If the remaining dollars are insufficient to provide a matching grant in the amount  
4           of one dollar for every two dollars raised by the institutional foundation, the board  
5           shall award a lesser amount.

6           **SECTION 3.** A new section to chapter 15-10 of the North Dakota Century Code is created  
7 and enacted as follows:

8           **Liability for pledged amount.**

9           If the state board of higher education provides grant funds under this Act to an institution on  
10 the basis of a monetary pledge and if the amount forthcoming is less than the amount pledged,  
11 the institutional foundation is liable to the institution for any shortfall.

12          **SECTION 4.** A new section to chapter 15-10 of the North Dakota Century Code is created  
13 and enacted as follows:

14          **Grant review committee.**

- 15          1. There is created a grant review committee consisting of:
- 16           a. The governor, or the governor's designee, who shall serve as the chairman;  
17           b. Two members of the house of representatives appropriations committee,  
18           selected by the majority leader of the house of representatives;  
19           c. Two members of the senate appropriations committee selected by the majority  
20           leader of the senate; and  
21           d. Two members appointed by the governor, with the consent of the legislative  
22           management.
- 23          2. The gubernatorial appointees must have an understanding of higher education's role  
24          in advancing agriculture, the arts, commerce and finance, manufacturing, mineral  
25          extraction, natural resources, and the professions.
- 26          3. The grant review committee shall establish its rules of operation and procedure and  
27          shall develop and publish the criteria upon which all requests for matching grants will  
28          be reviewed.
- 29          4. A request for a matching grant must be presented to the committee by the president of  
30          the institution. The president may be accompanied by other individuals having an  
31          expertise with respect to the project.

1       **SECTION 5.** A new section to chapter 15-10 of the North Dakota Century Code is created  
2 and enacted as follows:

3       **Grant review committee - Compensation.**

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

11       **SECTION 6.** A new section to chapter 15-10 of the North Dakota Century Code is created  
12 and enacted as follows:

13       **Definition.**

14       For purposes of this Act, projects dedicated to the advancement of enhanced academics  
15 include investments in research, scholarship, technology, endowed chairs, and investments in  
16 educational infrastructure, not to include new capital construction projects.

17       ~~— **SECTION 7. APPROPRIATION.** There is appropriated out of any moneys in the general~~  
18 ~~fund in the state treasury, not otherwise appropriated, the sum of \$30,000,000, or so much of~~  
19 ~~the sum as may be necessary, to the state board of higher education for the purpose of~~  
20 ~~providing matching grants for projects dedicated exclusively to the advancement of~~  
21 ~~postsecondary academics, for the biennium beginning July 1, 2013, and ending June 30, 2015.~~

22       **SECTION 7. REPORT.** Before October 1, 2014, the state board of higher education shall  
23 provide a report to the legislative management regarding the number of matching grants that  
24 were sought, the number that were awarded, and the manner in which the grants were used.

25       **SECTION 8. EXPIRATION DATE.** This Act is effective through June 30, 2015, and after that  
26 date is ineffective.