

**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~~five 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~~2017, in accordance with subsection 1, either the university of North Dakota
24 or 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 3. The state board of higher education shall retain up to one-quarter of one percent of
9 any grant awarded under this section to assist with administrative expenses incurred
10 in the grant review process.

11 **SECTION 2. AMENDMENT.** Section 15-10-49 of the North Dakota Century Code is
12 amended and reenacted as follows:

13 **15-10-49. (~~Effective through June 30, 2015~~) Advancement of academics - Matching**
14 **grants - Two-year and four-year institutions of higher education.**

- 15 1. a. During the period beginning July 1, ~~2013~~2015, and ending December 31,
16 ~~2014~~2016, the state board of higher education shall award one dollar in matching
17 grants for every two dollars raised by the institutional foundations of Bismarck
18 state college, Dakota college at Bottineau, Dickinson state university, Lake
19 Region state college, Mayville state university, Minot state university, North
20 Dakota state college of science, Valley City state university, and Williston state
21 college for projects dedicated exclusively to the advancement of academics.
- 22 b. To be eligible for a matching grant, an institution must demonstrate that:
23 (1) Its foundation has raised at least twenty-five thousand dollars in cash or
24 monetary pledges for a qualifying project; and
25 (2) The project has been approved by the grant review committee established
26 in section 15-10-51.
- 27 c. The board may award up to one million dollars in matching grants to each
28 institution.
- 29 2. a. If any available dollars have not been awarded by the board before January 1,
30 ~~2015~~2017, in accordance with subsection 1, any institution listed in subsection 1
31 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 3. The state board of higher education shall retain up to one-quarter of one percent of
- 9 any grant awarded under this section to assist with administrative expenses incurred
- 10 in the grant review process.

11 **SECTION 3. AMENDMENT.** Section 15-10-50 of the North Dakota Century Code is
12 amended and reenacted as follows:

13 **15-10-50. (~~Effective through June 30, 2015~~) Liability for pledged amount.**

14 If in accordance with section 15-10-48 or 15-10-49, the state board of higher education
15 provides grant funds under sections 15-10-48 through 15-10-53 to an institution, on the basis of
16 a monetary pledge, and if the amount forthcoming is less than the amount pledged, the
17 institutional foundation is liable to the institution for any shortfall.

18 **SECTION 4. AMENDMENT.** Section 15-10-51 of the North Dakota Century Code is
19 amended and reenacted as follows:

20 **15-10-51. (~~Effective through June 30, 2015~~) Grant review committee.**

- 21 1. There is created a grant review committee consisting of:
 - 22 a. The governor, or the governor's designee, who shall serve as the chairman;
 - 23 b. Two members of the house of representatives appropriations committee,
 - 24 selected by the majority leader of the house of representatives;
 - 25 c. Two members of the senate appropriations committee, selected by the majority
 - 26 leader of the senate;
 - 27 d. Two members appointed by the governor, with the consent of the legislative
 - 28 management; and
 - 29 e. Two members appointed by the state board of higher education, with the consent
 - 30 of the legislative management.

- 1 2. The gubernatorial appointees must have an understanding of higher education's role
2 in advancing agriculture, the arts, commerce and finance, manufacturing, mineral
3 extraction, natural resources, and the professions.
- 4 3. The grant review committee shall establish its rules of operation and procedure and
5 shall develop and publish the criteria upon which all requests for matching grants will
6 be reviewed.
- 7 4. a. A request for a matching grant ~~must~~may be presented to the committee by ~~the~~:
8 (1) The president of the institution. ~~The president;~~ or
9 (2) A designee of the president.
- 10 b. Either presenter may be accompanied by other individuals having an expertise
11 with respect to the project.
- 12 c. If the request is to be presented by a designee of a president, the designee must
13 provide to the committee a written statement signed by the president and
14 certifying that the president has full knowledge of all aspects of the request, as it
15 is presented.

16 **SECTION 5. AMENDMENT.** Section 15-10-52 of the North Dakota Century Code is
17 amended and reenacted as follows:

18 **15-10-52. ~~(Effective through June 30, 2015)~~ Grant review committee - Compensation.**

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

26 **SECTION 6. AMENDMENT.** Section 15-10-53 of the North Dakota Century Code is
27 amended and reenacted as follows:

28 **15-10-53. ~~(Effective through June 30, 2015)~~ Definition.**

29 For purposes of sections 15-10-48 through 15-10-52, projects dedicated to the
30 advancement of enhanced academics include investments in research, scholarships,
31 technology, endowed chairs, and investments in educational infrastructure, including but exclude

1 scholarships intended solely for the benefit of athletics, campus facility repair projects, and new
2 capital construction projects that conform with the university system campus master plan and
3 space utilization study.

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

13 **SECTION 8. APPROPRIATION - STATE BOARD OF HIGHER EDUCATION.** There is
14 appropriated out of any moneys in the general fund in the state treasury, not otherwise
15 appropriated, the sum of \$19,000,000, or so much of the sum as may be necessary, to the state
16 board of higher education for the purpose of awarding matching grants for the advancement of
17 academics at institutions of higher education under the control of the board, for the biennium
18 beginning July 1, 2015, and ending June 30, 2017. The funding provided in this section is
19 considered a one-time funding item.