

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

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

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

16 ~~Subdivision 1.~~

17 ~~NORTH DAKOTA UNIVERSITY SYSTEM OFFICE~~

	Adjustments or		
	Base Level	Enhancements	Appropriation
Capital assets bond payments	\$6,901,461	\$0	\$6,901,461
Competitive research programs	6,588,225	0	6,588,225
System governance	7,212,636	0	7,212,636
Title II	1,006,472	0	1,006,472
Core technology services	41,325,593	0	41,325,593

Sixty-fifth
Legislative Assembly

1	Student financial assistance grants	23,886,160	0	23,886,160
2	Professional student exchange program	3,941,754	0	3,941,754
3	Academic and technical education	13,134,096	0	13,134,096
4	—scholarship			
5	Two-year campus marketing	747,600	0	747,600
6	Scholars program	2,113,584	0	2,113,584
7	Native American scholarship	649,267	0	649,267
8	Tribally controlled community college grants	967,250	0	967,250
9	Education incentive programs	3,349,000	0	3,349,000
10	Student mental health	308,100	0	308,100
11	Veterans' assistance grants	325,000	0	325,000
12	Commendation grants	4,486	0	4,486
13	Internal audit pool	280,350	0	280,350
14	Total all funds	\$112,741,034	\$0	\$112,741,034
15	Less estimated income	2,511,216	0	2,511,216
16	Total general fund	\$110,229,818	\$0	\$110,229,818
17	Full-time equivalent positions	104.39	0.00	104.39

18 — Subdivision 2.

19 BISMARCK STATE COLLEGE

20		Adjustments or		
21		Base Level	Enhancements	Appropriation
22	Operations	\$34,214,004	\$0	\$34,214,004
23	Capital assets	67,732	0	67,732
24	Total all funds	\$34,281,736	\$0	\$34,281,736
25	Less estimated income	0	0	0
26	Total general fund	\$34,281,736	\$0	\$34,281,736
27	Full-time equivalent positions	133.53	0.00	133.53

28 — Subdivision 3.

29 LAKE REGION STATE COLLEGE

30		Adjustments or		
31		Base Level	Enhancements	Appropriation

Sixty-fifth
Legislative Assembly

1	Operations	\$14,143,353	\$0	\$14,143,353
2	Capital assets	0	0	0
3	Total all funds	\$14,143,353	\$0	\$14,143,353
4	Less estimated income	0	0	0
5	Total general fund	\$14,143,353	\$0	\$14,143,353
6	Full-time equivalent positions	50.19	0.00	50.19

Subdivision 4.

WILLISTON STATE COLLEGE

		Adjustments or		
	Base Level	Enhancements	Appropriation	
11	Operations	\$9,191,151	\$0	\$9,191,151
12	Capital assets	197,801	0	197,801
13	Total all funds	\$9,388,952	\$0	\$9,388,952
14	Less estimated income	0	0	0
15	Total general fund	\$9,388,952	\$0	\$9,388,952
16	Full-time equivalent positions	49.96	0.00	49.96

Subdivision 5.

UNIVERSITY OF NORTH DAKOTA

		Adjustments or		
	Base Level	Enhancements	Appropriation	
21	Operations	\$146,572,961	\$0	\$146,572,961
22	Capital assets	4,411,566	0	4,411,566
23	Total all funds	\$150,984,527	\$0	\$150,984,527
24	Less estimated income	0	0	0
25	Total general fund	\$150,984,527	\$0	\$150,984,527
26	Full-time equivalent positions	630.20	0.00	630.20

Subdivision 6.

NORTH DAKOTA STATE UNIVERSITY

		Adjustments or		
	Base Level	Enhancements	Appropriation	
31	Operations	\$144,323,680	\$0	\$144,323,680

Sixty-fifth
Legislative Assembly

1	Capital assets	2,732,244	0	2,732,244
2	Total all funds	\$147,055,924	\$0	\$147,055,924
3	Less estimated income	0	0	0
4	Total general fund	\$147,055,924	\$0	\$147,055,924
5	Full-time equivalent positions	537.10	0.00	537.10
6	Subdivision 7:			
7	NORTH DAKOTA STATE COLLEGE OF SCIENCE			
8			Adjustments or	
9		Base Level	Enhancements	Appropriation
10	Operations	\$40,916,239	\$0	\$40,916,239
11	Capital assets	0	0	0
12	Total all funds	\$40,916,239	\$0	\$40,916,239
13	Less estimated income	0	0	0
14	Total general fund	\$40,916,239	\$0	\$40,916,239
15	Full-time equivalent positions	168.30	0.00	168.30
16	Subdivision 8:			
17	DICKINSON STATE UNIVERSITY			
18			Adjustments or	
19		Base Level	Enhancements	Appropriation
20	Operations	\$24,527,233	\$0	\$24,527,233
21	Capital assets	0	0	0
22	Total all funds	\$24,527,233	\$0	\$24,527,233
23	Less estimated income	0	0	0
24	Total general fund	\$24,527,233	\$0	\$24,527,233
25	Full-time equivalent positions	120.26	0.00	120.26
26	Subdivision 9:			
27	MAYVILLE STATE UNIVERSITY			
28			Adjustments or	
29		Base Level	Enhancements	Appropriation
30	Operations	\$15,642,731	\$0	\$15,642,731
31	Capital assets	0	0	0

Sixty-fifth
Legislative Assembly

1	Total all funds	\$15,642,731	\$0	\$15,642,731
2	Less estimated income	0	0	0
3	Total general fund	\$15,642,731	\$0	\$15,642,731
4	Full-time equivalent positions	66.23	0.00	66.23
5	Subdivision 10.			
6	MINOT STATE UNIVERSITY			
7			Adjustments or	
8		<u>Base Level</u>	<u>Enhancements</u>	<u>Appropriation</u>
9	Operations	\$45,037,266	\$0	\$45,037,266
10	Capital assets	499,620	0	499,620
11	Total all funds	\$45,536,886	\$0	\$45,536,886
12	Less estimated income	0	0	0
13	Total general fund	\$45,536,886	\$0	\$45,536,886
14	Full-time equivalent positions	204.10	0.00	204.10
15	Subdivision 11.			
16	VALLEY CITY STATE UNIVERSITY			
17			Adjustments or	
18		<u>Base Level</u>	<u>Enhancements</u>	<u>Appropriation</u>
19	Operations	\$23,218,126	\$0	\$23,218,126
20	Capital assets	0	0	0
21	Total all funds	\$23,218,126	\$0	\$23,218,126
22	Less estimated income	0	0	0
23	Total general fund	\$23,218,126	\$0	\$23,218,126
24	Full-time equivalent positions	105.59	0.00	105.59
25	Subdivision 12.			
26	DAKOTA COLLEGE AT BOTTINEAU			
27			Adjustments or	
28		<u>Base Level</u>	<u>Enhancements</u>	<u>Appropriation</u>
29	Operations	\$8,017,920	\$0	\$8,017,920
30	Capital assets	86,537	0	86,537
31	Total all funds	\$8,104,457	\$0	\$8,104,457

Sixty-fifth
Legislative Assembly

1	Less estimated income	<u>0</u>	<u>0</u>	<u>0</u>
2	Total general fund	\$8,104,457	\$0	\$8,104,457
3	Full-time equivalent positions	46.96	0.00	46.96
4	Subdivision 13.			
5	UNIVERSITY OF NORTH DAKOTA SCHOOL OF MEDICINE AND HEALTH SCIENCES			
6			Adjustments or	
7		<u>Base Level</u>	<u>Enhancements</u>	<u>Appropriation</u>
8	Operations	\$53,166,247	\$0	\$53,166,247
9	Capital assets	<u>0</u>	<u>0</u>	<u>0</u>
10	Total all funds	\$53,166,247	\$0	\$53,166,247
11	Less estimated income	<u>0</u>	<u>0</u>	<u>0</u>
12	Total general fund	\$53,166,247	\$0	\$53,166,247
13	Full-time equivalent positions	184.58	0.00	184.58
14	Subdivision 14.			
15	NORTH DAKOTA FOREST SERVICE			
16			Adjustments or	
17		<u>Base Level</u>	<u>Enhancements</u>	<u>Appropriation</u>
18	Operations	\$6,228,620	\$0	\$6,228,620
19	Capital assets	<u>101,210</u>	<u>0</u>	<u>101,210</u>
20	Total all funds	\$6,329,830	\$0	\$6,329,830
21	Less estimated income	<u>1,650,000</u>	<u>0</u>	<u>1,650,000</u>
22	Total general fund	\$4,679,830	\$0	\$4,679,830
23	Full-time equivalent positions	28.96	0.00	28.96
24	Subdivision 15.			
25	BILL TOTAL			
26			Adjustments or	
27		<u>Base Level</u>	<u>Enhancements</u>	<u>Appropriation</u>
28	Grand total general fund	\$681,876,059	\$0	\$681,876,059
29	Grand total special funds	<u>4,161,216</u>	<u>0</u>	<u>4,161,216</u>
30	Grand total all funds	\$686,037,275	\$0	\$686,037,275
31	<u>Subdivision 1.</u>			

NORTH DAKOTA UNIVERSITY SYSTEM OFFICE

	Adjustments or		
	Base Level	Enhancements	Appropriation
Capital assets - bond payments	\$6,901,461	(\$296,135)	\$6,605,326
Competitive research programs	6,588,225	(560,475)	6,027,750
System governance	7,212,636	334,624	7,547,260
Title II	1,006,472	0	1,006,472
Core technology services	41,325,593	20,227,156	61,552,749
Student financial assistance grants	23,886,160	(1,968,854)	21,917,306
Professional student exchange program	3,941,754	(242,412)	3,699,342
Academic and technical education	13,134,096	(1,117,347)	12,016,749
scholarship			
Two-year campus marketing	747,600	(290,100)	457,500
Scholars program	2,113,584	(306,469)	1,807,115
Native American scholarship	649,267	(93,944)	555,323
Tribally controlled community college grants	967,250	(64,750)	902,500
Education incentive programs	3,349,000	(485,607)	2,863,393
Student mental health	308,100	(23,700)	284,400
Veterans' assistance grants	325,000	(47,125)	277,875
Commendation grants	4,486	(4,486)	0
Internal audit pool	280,350	(50,850)	229,500
Open education resources	0	100,000	100,000
Shared campus services	0	200,000	200,000
Total all funds	\$112,741,034	\$15,309,526	\$128,050,560
Less estimated income	2,511,216	23,709,908	26,221,124
Total general fund	\$110,229,818	(\$8,400,382)	\$101,829,436
Full-time equivalent positions	104.39	43.01	147.40

Subdivision 2.

BISMARCK STATE COLLEGE

	Adjustments or		
	Base Level	Enhancements	Appropriation

Sixty-fifth
Legislative Assembly

1	Operations	\$34,214,004	\$67,535,715	\$101,749,719
2	Capital assets	67,732	1,854,829	1,922,561
3	Total all funds	\$34,281,736	\$69,390,544	\$103,672,280
4	Less estimated income	0	73,042,557	73,042,557
5	Total general fund	\$34,281,736	(\$3,652,013)	\$30,629,723
6	Full-time equivalent positions	133.53	224.82	358.35

Subdivision 3.

LAKE REGION STATE COLLEGE

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

Subdivision 4.

WILLISTON STATE COLLEGE

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

Subdivision 5.

UNIVERSITY OF NORTH DAKOTA

		<u>Adjustments or</u>		
	<u>Base Level</u>	<u>Enhancements</u>	<u>Appropriation</u>	
31	Operations	\$146,572,961	\$712,564,782	\$859,137,743

Sixty-fifth
Legislative Assembly

1	Capital assets	4,411,566	91,000,000	95,411,566
2	Total all funds	\$150,984,527	\$803,564,782	\$954,549,309
3	Less estimated income	0	820,277,023	820,277,023
4	Total general fund	\$150,984,527	(\$16,712,241)	\$134,272,286
5	Full-time equivalent positions	630.20	1,587.87	2,218.07

Subdivision 6.

NORTH DAKOTA STATE UNIVERSITY

		Adjustments or		
	Base Level	Enhancements	Appropriation	
10	Operations	\$144,323,680	\$589,845,616	\$734,169,296
11	Capital assets	2,732,244	54,571,860	57,304,104
12	Total all funds	\$147,055,924	\$644,417,476	\$791,473,400
13	Less estimated income	0	661,687,739	661,687,739
14	Total general fund	\$147,055,924	(\$17,270,263)	\$129,785,661
15	Full-time equivalent positions	537.10	1,358.56	1,895.66

Subdivision 7.

NORTH DAKOTA STATE COLLEGE OF SCIENCE

		Adjustments or		
	Base Level	Enhancements	Appropriation	
20	Operations	\$40,916,239	\$50,836,625	\$91,752,864
21	Capital assets	0	1,012,379	1,012,379
22	Total all funds	\$40,916,239	\$51,849,004	\$92,765,243
23	Less estimated income	0	57,642,469	57,642,469
24	Total general fund	\$40,916,239	(\$5,793,465)	\$35,122,774
25	Full-time equivalent positions	168.30	176.74	345.04

Subdivision 8.

DICKINSON STATE UNIVERSITY

		Adjustments or		
	Base Level	Enhancements	Appropriation	
30	Operations	\$24,527,233	\$24,948,506	\$49,475,739
31	Capital assets	0	409,078	409,078

Sixty-fifth
Legislative Assembly

1	Total all funds	\$24,527,233	\$25,357,584	\$49,884,817
2	Less estimated income	0	29,750,982	29,750,982
3	Total general fund	\$24,527,233	(\$4,393,398)	\$20,133,835
4	Full-time equivalent positions	120.26	48.64	168.90
5	<u>Subdivision 9.</u>			
6	<u>MAYVILLE STATE UNIVERSITY</u>			
7			<u>Adjustments or</u>	
8		<u>Base Level</u>	<u>Enhancements</u>	<u>Appropriation</u>
9	Operations	\$15,642,731	\$28,600,985	\$44,243,716
10	Capital assets	0	358,992	358,992
11	Total all funds	\$15,642,731	\$28,959,977	\$44,602,708
12	Less estimated income	0	30,339,206	30,339,206
13	Total general fund	\$15,642,731	(\$1,379,229)	\$14,263,502
14	Full-time equivalent positions	66.23	144.30	210.53
15	<u>Subdivision 10.</u>			
16	<u>MINOT STATE UNIVERSITY</u>			
17			<u>Adjustments or</u>	
18		<u>Base Level</u>	<u>Enhancements</u>	<u>Appropriation</u>
19	Operations	\$45,037,266	\$55,766,011	\$100,803,277
20	Capital assets	499,620	600,000	1,099,620
21	Total all funds	\$45,536,886	\$56,366,011	\$101,902,897
22	Less estimated income	0	62,113,151	62,113,151
23	Total general fund	\$45,536,886	(\$5,747,140)	\$39,789,746
24	Full-time equivalent positions	204.10	237.55	441.65
25	<u>Subdivision 11.</u>			
26	<u>VALLEY CITY STATE UNIVERSITY</u>			
27			<u>Adjustments or</u>	
28		<u>Base Level</u>	<u>Enhancements</u>	<u>Appropriation</u>
29	Operations	\$23,218,126	\$25,269,391	\$48,487,517
30	Capital assets	0	455,823	455,823
31	Total all funds	\$23,218,126	\$25,725,214	\$48,943,340

Sixty-fifth
Legislative Assembly

1	Less estimated income	0	28,493,914	28,493,914
2	Total general fund	\$23,218,126	(\$2,768,700)	\$20,449,426
3	Full-time equivalent positions	105.59	97.16	202.75
4	<u>Subdivision 12.</u>			
5	<u>DAKOTA COLLEGE AT BOTTINEAU</u>			
6			Adjustments or	
7		Base Level	Enhancements	Appropriation
8	Operations	\$8,017,920	\$9,166,980	\$17,184,900
9	Capital assets	86,537	27,470	114,007
10	Total all funds	\$8,104,457	\$9,194,450	\$17,298,907
11	Less estimated income	0	9,638,678	9,638,678
12	Total general fund	\$8,104,457	(\$444,228)	\$7,660,229
13	Full-time equivalent positions	46.96	37.34	84.30
14	<u>Subdivision 13.</u>			
15	<u>UNIVERSITY OF NORTH DAKOTA SCHOOL OF MEDICINE AND HEALTH SCIENCES</u>			
16			Adjustments or	
17		Base Level	Enhancements	Appropriation
18	Operations	\$53,166,247	\$158,723,654	\$211,889,901
19	Capital assets	0	0	0
20	Total all funds	\$53,166,247	\$158,723,654	\$211,889,901
21	Less estimated income	0	154,971,764	154,971,764
22	Total general fund	\$53,166,247	\$3,751,890	\$56,918,137
23	Full-time equivalent positions	184.58	251.17	435.75
24	<u>Subdivision 14.</u>			
25	<u>NORTH DAKOTA FOREST SERVICE</u>			
26			Adjustments or	
27		Base Level	Enhancements	Appropriation
28	Operations	\$6,228,620	\$8,735,426	\$14,964,046
29	Capital assets	101,210	17,518	118,728
30	Total all funds	\$6,329,830	\$8,752,944	\$15,082,774
31	Less estimated income	1,650,000	9,000,748	10,650,748

Sixty-fifth
Legislative Assembly

1	<u>Total general fund</u>	<u>\$4,679,830</u>	<u>(\$247,804)</u>	<u>\$4,432,026</u>
2	<u>Full-time equivalent positions</u>	<u>28.96</u>	<u>(1.96)</u>	<u>27.00</u>
3	<u>Subdivision 15.</u>			
4	<u>BILL TOTAL</u>			
5			<u>Adjustments or</u>	
6		<u>Base Level</u>	<u>Enhancements</u>	<u>Appropriation</u>
7	<u>Grand total general fund</u>	<u>\$681,876,059</u>	<u>(\$65,508,107)</u>	<u>\$616,367,952</u>
8	<u>Grand total special funds</u>	<u>4,161,216</u>	<u>2,004,663,073</u>	<u>2,008,824,289</u>
9	<u>Grand total all funds</u>	<u>\$686,037,275</u>	<u>\$1,939,154,966</u>	<u>\$2,625,192,241</u>

SECTION 2. ONE-TIME FUNDING. The following amounts reflect the one-time funding

items approved by the sixty-fourth legislative assembly as adjusted for the 2015-17 biennium:

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

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

3 **15-18.2-05. Base funding - Determination of state aid.**

4 In order to determine the state aid payment to which each institution under its control is
5 entitled, the state board of higher education shall multiply the product determined under section
6 15-18.2-04 by a base amount of:

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

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

16 **54-44.1-11. (Effective through July 31, 20172019) Office of management and budget to
17 cancel unexpended appropriations - When they may continue.**

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

Sixty-fifth
Legislative Assembly

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

12 **(Effective after July 31, 2017-2019) Office of management and budget to cancel**
13 **unexpended appropriations - When they may continue.** The office of management and
14 budget, thirty days after the close of each biennial period, shall cancel all unexpended
15 appropriations or balances of appropriations after the expiration of the biennial period during
16 which they became available under the law. Unexpended appropriations for the state historical
17 society are not subject to this section and the state historical society shall report on the amounts
18 and uses of funds carried over from one biennium to the appropriations committees of the next
19 subsequent legislative assembly. The chairmen of the appropriations committees of the senate
20 and house of representatives of the legislative assembly with the office of the budget may
21 continue appropriations or balances in force for not more than two years after the expiration of
22 the biennial period during which they became available upon recommendation of the director of
23 the budget for:

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

- 1 5. Purchases by the department of transportation of roadway maintenance equipment
2 costing more than ten thousand dollars per unit if the equipment was ordered during
3 the first twenty-one months of the biennium in which the funds were appropriated.
4 6. Authorized ongoing information technology projects.

5 **SECTION 5. ADDITIONAL FEDERAL, PRIVATE, AND OTHER FUNDS -**

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

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

21 **SECTION 7. STUDENT LOAN TRUST FUND - LEGISLATIVE INTENT.** Subdivision 1 of
22 section 1 of this Act includes the sum of \$1,504,744, or so much of the sum as may be
23 necessary, from the student loan trust fund of which \$465,307 is for the professional student
24 exchange program, \$500,000 is for grants to tribally controlled community colleges, and
25 \$539,437 is for connectND campus solution positions, for the biennium beginning July 1, 2017,
26 and ending June 30, 2019.

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

1 funding for the residency positions becomes part of ongoing base funding in future budget
2 requests of the school.

3 **SECTION 8. TRANSFER AUTHORITY - LEGISLATIVE MANAGEMENT REPORT.** ~~If,~~
4 ~~during the biennium beginning July 1, 2017, and ending June 30, 2019, the state board of~~
5 ~~higher education determines that funds allocated to operations in section 1 of this Act are~~
6 ~~needed for capital assets, the board may transfer funds from operations to capital~~
7 ~~assets~~ Notwithstanding section 54-16-04, the state board of higher education may transfer
8 appropriation authority between the operations and capital assets line items within
9 subdivisions 2 through 14 of section 1 of this Act for the biennium beginning July 1, 2017, and
10 ending June 30, 2019. The board shall report any transfer of funds under this section to the
11 office of management and budget and the legislative management.

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

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

25 **SECTION 11. BOND ISSUANCE AUTHORIZATION - PURPOSES.** The state board of
26 higher education, in accordance with chapter 15-55, may arrange for the funding of projects
27 authorized in this section, declared to be in the public interest, through the issuance of self-
28 liquidating, tax-exempt evidences of indebtedness under chapter 15-55, beginning with the
29 effective date of this section and ending June 30, 2019. Evidences of indebtedness issued
30 pursuant to this section are not a general obligation of the state of North Dakota. Any
31 unexpended balance resulting from the proceeds of the evidences of indebtedness must be

1 placed in a sinking fund to be used for the retirement of indebtedness. The evidences of
2 indebtedness may be issued and the proceeds are appropriated in section 1 of this Act for the
3 following capital projects:

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

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

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

17 **SECTION 14. TUITION RATE INCREASE LIMITATIONS - BUDGET SECTION**
18 **APPROVAL.**

- 19 1. 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 2017-18
22 academic year by more than three percent as compared to the tuition rate in effect
23 during the 2017 spring semester unless the board receives prior budget section
24 approval.
- 25 2. Except as provided in this section, notwithstanding any other provision of law, the state
26 board of higher education may not increase tuition rates for resident students
27 attending institutions of higher education under its control during the 2018-19
28 academic year by more than three percent as compared to the tuition rate in effect
29 during the 2018 spring semester unless the board receives prior budget section
30 approval.

- 1 3. During the 2017-18 and 2018-19 academic years, the state board of higher education
2 may increase tuition rates by up to an additional one percent in excess of the rate
3 limitations provided for in subsections 1 and 2 of this section for resident students
4 attending institutions of higher education under its control if the additional tuition
5 revenue is utilized for campus extraordinary repairs and deferred maintenance needs.
6 An institution must provide two dollars of matching funds from operations or other
7 sources, excluding funding appropriated by the legislative assembly for extraordinary
8 repairs or other capital needs at the institution, for each dollar of additional tuition
9 revenue generated from an increase authorized under this subsection. The matching
10 funds provided under this section must be used for campus extraordinary repairs and
11 deferred maintenance needs.
- 12 4. This section does not apply to tuition rates charged for programs offered through the
13 university of North Dakota school of medicine and health sciences, the university of
14 North Dakota school of law, or the North Dakota state university school of pharmacy.
- 15 5. This section does not apply to tuition rates for nonresident students attending
16 institutions of higher education under the control of the state board of higher
17 education. For purposes of this section, the residency of students for tuition purposes
18 must be determined under section 15-10-19.1.
- 19 6. This section does not apply to tuition rates determined under tuition reciprocity
20 agreements entered into by the state board of higher education with other states or
21 state education compacts.
- 22 7. For purposes of this section, an institution must calculate a resident tuition rate
23 increase based on the tuition rate paid by an average full-time resident student. The
24 state board of higher education may exclude adjustments to a tuition rate resulting
25 from a change in an institution's method of charging tuition, including the consolidation
26 of existing fees into tuition rates or charging tuition based on a per-credit rate, from
27 tuition rate calculations under this section.

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

29 The capital assets line items in subdivisions 2 through 12 of section 1 of this Act include funding
30 from the general fund for institution extraordinary repairs. An institution shall provide two dollars
31 of matching funds from operations or other sources, excluding tuition revenue generated

1 specifically for extraordinary repairs and deferred maintenance needs, for each one dollar of
2 extraordinary repairs funding used for a project.

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

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

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

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

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

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

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