

Sixty-seventh  
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; to create and enact ~~section 15-18.2-06.1 and~~ a new chapter to title 15 of the  
3 North Dakota Century Code, relating to ~~a higher education funding formula minimum amount~~  
4 ~~payable and~~ a university system capital building fund; to amend and reenact subdivision c of  
5 subsection 1 of section 15-10-48, subdivision k of subsection 1 of section 15-18.2-02, ~~and~~  
6 sections 15-18.2-03, 15-18.2-05, and 54-44.1-11 of the North Dakota Century Code and  
7 section 2 of chapter 53 of the 2019 Session Laws, relating to matching grants for the  
8 advancement of academics, the higher education funding formula ~~and~~, the cancellation of  
9 unexpended appropriations, and appropriations for higher education capital projects; ~~to amend~~  
10 ~~and reenact section 2 of chapter 53 of the 2019 Session Laws, relating to appropriations for~~  
11 ~~higher education capital projects~~; to repeal subdivision d of subsection 1 of section 15-10-48  
12 and section 15-18.2-04 of the North Dakota Century Code, relating to the eligibility of the  
13 university of North Dakota school of medicine and health sciences to receive a matching grant  
14 for the advancement of academics and the institutional size factor of the higher education  
15 funding formula; to provide for a transfer; to provide for a report; to provide an exemption; to  
16 provide for a study; to provide a statement of legislative intent; to provide a continuing  
17 appropriation; and to declare an emergency.

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

19 **SECTION 1. APPROPRIATION.** The funds provided in this section, or so much of the funds  
20 as may be necessary, are appropriated out of any moneys in the general fund in the state  
21 treasury, not otherwise appropriated, and from special funds derived from federal funds and  
22 other income, to the state board of higher education and to the entities and institutions under  
23 the supervision of the board, for the purpose of defraying the expenses of the state board of

1 higher education and the entities and institutions under the control of the board, for the  
2 biennium beginning July 1, 2021, and ending June 30, 2023, as follows:

3 Subdivision 1.

4 NORTH DAKOTA UNIVERSITY SYSTEM

	<u>Base Level</u>	<u>Adjustments or Enhancements</u>	<u>Appropriation</u>
7 Capital assets - bond payments	\$4,959,448	\$8,425,816	\$13,385,264
8 Competitive research programs	5,685,750	0	5,685,750
9 <del>System governance</del>	<del>8,737,867</del>	<del>81,471</del>	<del>8,819,338</del>
10 <del>Core technology services</del>	<del>62,286,128</del>	<del>740,101</del>	<del>63,026,229</del>
11 <del>Student financial assistance grants</del>	<del>23,917,306</del>	<del>2,400,000</del>	<del>26,317,306</del>
12 <u>System governance</u>	<u>8,737,867</u>	<u>(132,297)</u>	<u>8,605,570</u>
13 <u>Core technology services</u>	<u>62,286,128</u>	<u>676,689</u>	<u>62,962,817</u>
14 <u>Student financial assistance grants</u>	<u>23,917,306</u>	<u>0</u>	<u>23,917,306</u>
15 Professional student exchange program	3,699,342	0	3,699,342
16 Academic and CTE scholarships	12,016,749	4,200,000	16,216,749
17 Scholars program	1,807,115	0	1,807,115
18 Native American scholarship	555,323	0	555,323
19 Tribally controlled community	1,000,000	0	1,000,000
20 college grants			
21 Education incentive programs	260,000	0	260,000
22 Student mental health	284,400	0	284,400
23 Veterans' assistance grants	277,875	0	277,875
24 Shared campus services	500,000	300,000	800,000
25 Nursing education consortium	0	1,356,000	1,356,000
26 Math pathways	0	150,000	150,000
27 NASA EPSCoR	<u>342,000</u>	<u>0</u>	<u>342,000</u>
28 <del>Total all funds</del>	<del>\$126,329,303</del>	<del>\$17,653,388</del>	<del>\$143,982,691</del>
29 <del>Less estimated income</del>	<del>24,002,206</del>	<del>276,821</del>	<del>24,279,027</del>
30 <del>Total general fund</del>	<del>\$102,327,097</del>	<del>\$17,376,567</del>	<del>\$119,703,664</del>
31 <u>Total all funds</u>	<u>\$126,329,303</u>	<u>\$14,976,208</u>	<u>\$141,305,511</u>

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1	<u>Less estimated income</u>	<u>24,002,206</u>	<u>254,829</u>	<u>24,257,035</u>
2	<u>Total general fund</u>	<u>\$102,327,097</u>	<u>\$14,721,379</u>	<u>\$117,048,476</u>
3	Full-time equivalent positions	148.90	9.93	158.83
4	Subdivision 2.			

BISMARCK STATE COLLEGE

		Adjustments or		
	<u>Base Level</u>	<u>Enhancements</u>		<u>Appropriation</u>
8	<del>Operations</del>	<del>\$98,743,682</del>	<del>\$1,788,163</del>	<del>\$100,531,845</del>
9	<del>Capital assets</del>	<del>1,922,561</del>	<del>0</del>	<del>1,922,561</del>
10	<del>Total all funds</del>	<del>\$100,666,243</del>	<del>\$1,788,163</del>	<del>\$102,454,406</del>
11	<del>Less estimated income</del>	<del>69,598,016</del>	<del>782,330</del>	<del>70,380,346</del>
12	<del>Total general fund</del>	<del>\$31,068,227</del>	<del>\$1,005,833</del>	<del>\$32,074,060</del>
13	<u>Operations</u>	<u>\$98,743,682</u>	<u>\$1,827,705</u>	<u>\$100,571,387</u>
14	<u>Capital assets</u>	<u>1,922,561</u>	<u>0</u>	<u>1,922,561</u>
15	<u>Total all funds</u>	<u>\$100,666,243</u>	<u>\$1,827,705</u>	<u>\$102,493,948</u>
16	<u>Less estimated income</u>	<u>69,598,016</u>	<u>811,877</u>	<u>70,409,893</u>
17	<u>Total general fund</u>	<u>\$31,068,227</u>	<u>\$1,015,828</u>	<u>\$32,084,055</u>
18	Full-time equivalent positions	323.93	8.97	332.90

Subdivision 3.

LAKE REGION STATE COLLEGE

		Adjustments or		
	<u>Base Level</u>	<u>Enhancements</u>		<u>Appropriation</u>
23	<del>Operations</del>	<del>\$37,559,127</del>	<del>\$1,588,168</del>	<del>\$39,147,295</del>
24	<del>Capital assets</del>	<del>362,667</del>	<del>363,000</del>	<del>725,667</del>
25	<del>Total all funds</del>	<del>\$37,921,794</del>	<del>\$1,951,168</del>	<del>\$39,872,962</del>
26	<del>Less estimated income</del>	<del>24,976,514</del>	<del>658,619</del>	<del>25,635,133</del>
27	<del>Total general fund</del>	<del>\$12,945,280</del>	<del>\$1,292,549</del>	<del>\$14,237,829</del>
28	<u>Operations</u>	<u>\$37,559,127</u>	<u>\$1,591,786</u>	<u>\$39,150,913</u>
29	<u>Capital assets</u>	<u>362,667</u>	<u>363,000</u>	<u>725,667</u>
30	<u>Total all funds</u>	<u>\$37,921,794</u>	<u>\$1,954,786</u>	<u>\$39,876,580</u>
31	<u>Less estimated income</u>	<u>24,976,514</u>	<u>657,914</u>	<u>25,634,428</u>

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1	<u>Total general fund</u>	<u>\$12,945,280</u>	<u>\$1,296,872</u>	<u>\$14,242,152</u>
2	Full-time equivalent positions	118.10	(2.34)	115.76

3 Subdivision 4.

4 WILLISTON STATE COLLEGE

5		Adjustments or		
6		<u>Base Level</u>	<u>Enhancements</u>	<u>Appropriation</u>
7	<del>Operations</del>	<del>\$32,596,060</del>	<del>\$1,452,908</del>	<del>\$34,048,968</del>
8	<del>Capital assets</del>	<del>1,261,968</del>	<del>0</del>	<del>1,261,968</del>
9	<del>Total all funds</del>	<del>\$33,858,028</del>	<del>\$1,452,908</del>	<del>\$35,310,936</del>
10	<del>Less estimated income</del>	<del>23,790,285</del>	<del>237,339</del>	<del>24,027,624</del>
11	<del>Total general fund</del>	<del>\$10,067,743</del>	<del>\$1,215,569</del>	<del>\$11,283,312</del>
12	<u>Operations</u>	<u>\$32,596,060</u>	<u>\$1,448,244</u>	<u>\$34,044,304</u>
13	<u>Capital assets</u>	<u>1,261,968</u>	<u>0</u>	<u>1,261,968</u>
14	<u>Total all funds</u>	<u>\$33,858,028</u>	<u>\$1,448,244</u>	<u>\$35,306,272</u>
15	<u>Less estimated income</u>	<u>23,790,285</u>	<u>229,250</u>	<u>24,019,535</u>
16	<u>Total general fund</u>	<u>\$10,067,743</u>	<u>\$1,218,994</u>	<u>\$11,286,737</u>
17	Full-time equivalent positions	100.48	0.81	101.29

18 Subdivision 5.

19 UNIVERSITY OF NORTH DAKOTA

20		Adjustments or		
21		<u>Base Level</u>	<u>Enhancements</u>	<u>Appropriation</u>
22	<del>Operations</del>	<del>\$888,106,266</del>	<del>\$15,637,951</del>	<del>\$903,744,217</del>
23	<del>Capital assets</del>	<del>4,411,566</del>	<del>0</del>	<del>4,411,566</del>
24	<del>Total all funds</del>	<del>\$892,517,832</del>	<del>\$15,637,951</del>	<del>\$908,155,783</del>
25	<del>Less estimated income</del>	<del>744,185,677</del>	<del>11,777,467</del>	<del>755,963,144</del>
26	<del>Total general fund</del>	<del>\$148,332,155</del>	<del>\$3,860,484</del>	<del>\$152,192,639</del>
27	<u>Operations</u>	<u>\$888,106,266</u>	<u>\$15,164,018</u>	<u>\$903,270,284</u>
28	<u>Capital assets</u>	<u>4,411,566</u>	<u>0</u>	<u>4,411,566</u>
29	<u>Total all funds</u>	<u>\$892,517,832</u>	<u>\$15,164,018</u>	<u>\$907,681,850</u>
30	<u>Less estimated income</u>	<u>744,185,677</u>	<u>11,472,094</u>	<u>755,657,771</u>

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1	<u>Total general fund</u>	<u>\$148,332,155</u>	<u>\$3,691,924</u>	<u>\$152,024,079</u>
2	Full-time equivalent positions	2,132.17	(72.19)	2,059.98
3	Subdivision 6.			

NORTH DAKOTA STATE UNIVERSITY

		Adjustments or		
	<u>Base Level</u>	<u>Enhancements</u>		<u>Appropriation</u>
7	<del>Operations</del>	<del>\$743,775,571</del>	<del>\$12,770,712</del>	<del>\$756,546,283</del>
8	<del>Capital assets</del>	<del>7,799,104</del>	<del>0</del>	<del>7,799,104</del>
9	<del>Total all funds</del>	<del>\$751,574,675</del>	<del>\$12,770,712</del>	<del>\$764,345,387</del>
10	<del>Less estimated income</del>	<del>618,859,692</del>	<del>6,692,288</del>	<del>625,551,980</del>
11	<del>Total general fund</del>	<del>\$132,714,983</del>	<del>\$6,078,424</del>	<del>\$138,793,407</del>
12	<u>Operations</u>	<u>\$743,775,571</u>	<u>\$12,398,750</u>	<u>\$756,174,321</u>
13	<u>Capital assets</u>	<u>7,799,104</u>	<u>0</u>	<u>7,799,104</u>
14	<u>Total all funds</u>	<u>\$751,574,675</u>	<u>\$12,398,750</u>	<u>\$763,973,425</u>
15	<u>Less estimated income</u>	<u>618,859,692</u>	<u>6,557,408</u>	<u>625,417,100</u>
16	<u>Total general fund</u>	<u>\$132,714,983</u>	<u>\$5,841,342</u>	<u>\$138,556,325</u>
17	Full-time equivalent positions	1,870.16	(40.73)	1,829.43
18	Subdivision 7.			

NORTH DAKOTA STATE COLLEGE OF SCIENCE

		Adjustments or		
	<u>Base Level</u>	<u>Enhancements</u>		<u>Appropriation</u>
22	<del>Operations</del>	<del>\$95,725,411</del>	<del>(\$213,890)</del>	<del>\$95,511,521</del>
23	<del>Capital assets</del>	<del>1,012,379</del>	<del>0</del>	<del>1,012,379</del>
24	<del>Total all funds</del>	<del>\$96,737,790</del>	<del>(\$213,890)</del>	<del>\$96,523,900</del>
25	<del>Less estimated income</del>	<del>60,195,768</del>	<del>624,033</del>	<del>60,819,801</del>
26	<del>Total general fund</del>	<del>\$36,542,022</del>	<del>(\$837,923)</del>	<del>\$35,704,099</del>
27	<u>Operations</u>	<u>\$95,725,411</u>	<u>(\$177,946)</u>	<u>\$95,547,465</u>
28	<u>Capital assets</u>	<u>1,012,379</u>	<u>0</u>	<u>1,012,379</u>
29	<u>Total all funds</u>	<u>\$96,737,790</u>	<u>(\$177,946)</u>	<u>\$96,559,844</u>
30	<u>Less estimated income</u>	<u>60,195,768</u>	<u>649,284</u>	<u>60,845,052</u>

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1 Total general fund \$36,542,022 (\$827,230) \$35,714,792

2 Full-time equivalent positions 310.73 0.88 311.61

3 Subdivision 8.

4 DICKINSON STATE UNIVERSITY

5 Adjustments or  
6 Base Level Enhancements Appropriation

7 ~~Operations~~ ~~\$48,560,994~~ ~~\$2,245,941~~ ~~\$50,806,935~~

8 ~~Capital assets~~ ~~409,078~~ ~~0~~ ~~409,078~~

9 ~~Total all funds~~ ~~\$48,970,072~~ ~~\$2,245,941~~ ~~\$51,216,013~~

10 ~~Less estimated income~~ ~~30,577,009~~ ~~405,018~~ ~~30,982,027~~

11 ~~Total general fund~~ ~~\$18,393,063~~ ~~\$1,840,923~~ ~~\$20,233,986~~

12 Operations \$48,560,994 \$2,265,066 \$50,826,060

13 Capital assets 409,078 0 409,078

14 Total all funds \$48,970,072 \$2,265,066 \$51,235,138

15 Less estimated income 30,577,009 415,399 30,992,408

16 Total general fund \$18,393,063 \$1,849,667 \$20,242,730

17 Full-time equivalent positions 213.26 (37.76) 175.50

18 Subdivision 9.

19 MAYVILLE STATE UNIVERSITY

20 Adjustments or  
21 Base Level Enhancements Appropriation

22 ~~Operations~~ ~~\$47,719,555~~ ~~\$2,809,482~~ ~~\$50,529,037~~

23 ~~Capital assets~~ ~~358,992~~ ~~0~~ ~~358,992~~

24 ~~Total all funds~~ ~~\$48,078,547~~ ~~\$2,809,482~~ ~~\$50,888,029~~

25 ~~Less estimated income~~ ~~31,657,931~~ ~~558,339~~ ~~32,216,270~~

26 ~~Total general fund~~ ~~\$16,420,616~~ ~~\$2,251,143~~ ~~\$18,671,759~~

27 Operations \$47,719,555 \$2,883,721 \$50,603,276

28 Capital assets 358,992 0 358,992

29 Total all funds \$48,078,547 \$2,883,721 \$50,962,268

30 Less estimated income 31,657,931 624,509 32,282,440

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1	<u>Total general fund</u>	<u>\$16,420,616</u>	<u>\$2,259,212</u>	<u>\$18,679,828</u>
2	Full-time equivalent positions	209.27	21.08	230.35
3	Subdivision 10.			

MINOT STATE UNIVERSITY

		Adjustments or		
	<u>Base Level</u>	<u>Enhancements</u>	<u>Appropriation</u>	
7	<del>Operations</del>	<del>\$102,325,073</del>	<del>\$1,786,019</del>	<del>\$104,111,092</del>
8	<del>Capital assets</del>	<del>1,099,620</del>	<del>0</del>	<del>1,099,620</del>
9	<del>Total all funds</del>	<del>\$103,424,693</del>	<del>\$1,786,019</del>	<del>\$105,210,712</del>
10	<del>Less estimated income</del>	<del>63,528,000</del>	<del>493,882</del>	<del>64,021,882</del>
11	<del>Total general fund</del>	<del>\$39,896,693</del>	<del>\$1,292,137</del>	<del>\$41,188,830</del>
12	<u>Operations</u>	<u>\$102,325,073</u>	<u>\$1,829,704</u>	<u>\$104,154,777</u>
13	<u>Capital assets</u>	<u>1,099,620</u>	<u>0</u>	<u>1,099,620</u>
14	<u>Total all funds</u>	<u>\$103,424,693</u>	<u>\$1,829,704</u>	<u>\$105,254,397</u>
15	<u>Less estimated income</u>	<u>63,528,000</u>	<u>519,767</u>	<u>64,047,767</u>
16	<u>Total general fund</u>	<u>\$39,896,693</u>	<u>\$1,309,937</u>	<u>\$41,206,630</u>
17	Full-time equivalent positions	407.58	(4.54)	403.04
18	Subdivision 11.			

VALLEY CITY STATE UNIVERSITY

		Adjustments or		
	<u>Base Level</u>	<u>Enhancements</u>	<u>Appropriation</u>	
22	<del>Operations</del>	<del>\$48,176,928</del>	<del>\$1,875,867</del>	<del>\$50,052,795</del>
23	<del>Capital assets</del>	<del>455,823</del>	<del>0</del>	<del>455,823</del>
24	<del>Total all funds</del>	<del>\$48,632,751</del>	<del>\$1,875,867</del>	<del>\$50,508,618</del>
25	<del>Less estimated income</del>	<del>25,973,818</del>	<del>383,860</del>	<del>26,357,678</del>
26	<del>Total general fund</del>	<del>\$22,658,933</del>	<del>\$1,492,007</del>	<del>\$24,150,940</del>
27	<u>Operations</u>	<u>\$48,176,928</u>	<u>\$1,906,472</u>	<u>\$50,083,400</u>
28	<u>Capital assets</u>	<u>455,823</u>	<u>0</u>	<u>455,823</u>
29	<u>Total all funds</u>	<u>\$48,632,751</u>	<u>\$1,906,472</u>	<u>\$50,539,223</u>
30	<u>Less estimated income</u>	<u>25,973,818</u>	<u>404,028</u>	<u>26,377,846</u>

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1	<u>Total general fund</u>	<u>\$22,658,933</u>	<u>\$1,502,444</u>	<u>\$24,161,377</u>
2	Full-time equivalent positions	180.68	22.09	202.77
3	Subdivision 12.			
4	DAKOTA COLLEGE AT BOTTINEAU			
5			Adjustments or	
6		<u>Base Level</u>	<u>Enhancements</u>	<u>Appropriation</u>
7	<del>Operations</del>	<del>\$21,440,606</del>	<del>\$2,177,944</del>	<del>\$23,618,550</del>
8	<del>Capital assets</del>	<del>114,007</del>	<del>4,000,000</del>	<del>4,114,007</del>
9	<del>Total all funds</del>	<del>\$21,554,613</del>	<del>\$6,177,944</del>	<del>\$27,732,557</del>
10	<del>Less estimated income</del>	<del>13,813,787</del>	<del>4,383,803</del>	<del>18,197,590</del>
11	<del>Total general fund</del>	<del>\$7,740,826</del>	<del>\$1,794,141</del>	<del>\$9,534,967</del>
12	<u>Operations</u>	<u>\$21,440,606</u>	<u>\$2,199,449</u>	<u>\$23,640,055</u>
13	<u>Capital assets</u>	<u>114,007</u>	<u>4,000,000</u>	<u>4,114,007</u>
14	<u>Total all funds</u>	<u>\$21,554,613</u>	<u>\$6,199,449</u>	<u>\$27,754,062</u>
15	<u>Less estimated income</u>	<u>13,813,787</u>	<u>4,402,413</u>	<u>18,216,200</u>
16	<u>Total general fund</u>	<u>\$7,740,826</u>	<u>\$1,797,036</u>	<u>\$9,537,862</u>
17	Full-time equivalent positions	82.29	9.57	91.86
18	Subdivision 13.			
19	UNIVERSITY OF NORTH DAKOTA SCHOOL OF MEDICINE AND HEALTH SCIENCES			
20			Adjustments or	
21		<u>Base Level</u>	<u>Enhancements</u>	<u>Appropriation</u>
22	<del>Operations</del>	<del>\$213,244,364</del>	<del>\$3,870,855</del>	<del>\$217,115,219</del>
23	<del>Health care workforce initiative</del>	<del>10,676,150</del>	<del>0</del>	<del>10,676,150</del>
24	<del>Total all funds</del>	<del>\$223,920,514</del>	<del>\$3,870,855</del>	<del>\$227,791,369</del>
25	<del>Less estimated income</del>	<del>159,037,011</del>	<del>1,728,353</del>	<del>160,765,364</del>
26	<del>Total general fund</del>	<del>\$64,883,503</del>	<del>\$2,142,502</del>	<del>\$67,026,005</del>
27	<u>Operations</u>	<u>\$213,244,364</u>	<u>\$3,911,740</u>	<u>\$217,156,104</u>
28	<u>Health care workforce initiative</u>	<u>10,676,150</u>	<u>0</u>	<u>10,676,150</u>
29	<u>Total all funds</u>	<u>\$223,920,514</u>	<u>\$3,911,740</u>	<u>\$227,832,254</u>
30	<u>Less estimated income</u>	<u>159,037,011</u>	<u>1,769,238</u>	<u>160,806,249</u>



1	<u>Total general fund</u>	<u>\$64,883,503</u>	<u>\$2,142,502</u>	<u>\$67,026,005</u>
2	Full-time equivalent positions	485.32	7.35	492.67
3	Subdivision 14.			
4	NORTH DAKOTA FOREST SERVICE			
5			Adjustments or	
6		<u>Base Level</u>	<u>Enhancements</u>	<u>Appropriation</u>
7	<del>Operations</del>	<del>\$15,223,336</del>	<del>\$112,394</del>	<del>\$15,335,730</del>
8	<del>Capital assets</del>	<del>118,728</del>	<del>0</del>	<del>118,728</del>
9	<del>Total all funds</del>	<del>\$15,342,064</del>	<del>\$112,394</del>	<del>\$15,454,458</del>
10	<del>Less estimated income</del>	<del>10,665,400</del>	<del>3,333</del>	<del>10,668,733</del>
11	<del>Total general fund</del>	<del>\$4,676,664</del>	<del>\$109,061</del>	<del>\$4,785,725</del>
12	<u>Operations</u>	<u>\$15,223,336</u>	<u>\$119,729</u>	<u>\$15,343,065</u>
13	<u>Capital assets</u>	<u>118,728</u>	<u>0</u>	<u>118,728</u>
14	<u>Total all funds</u>	<u>\$15,342,064</u>	<u>\$119,729</u>	<u>\$15,461,793</u>
15	<u>Less estimated income</u>	<u>10,665,400</u>	<u>3,915</u>	<u>10,669,315</u>
16	<u>Total general fund</u>	<u>\$4,676,664</u>	<u>\$115,814</u>	<u>\$4,792,478</u>
17	Full-time equivalent positions	27.00	1.00	28.00
18	Subdivision 15.			
19	TOTAL - SECTION 1			
20			Adjustments or	
21		<u>Base Level</u>	<u>Enhancements</u>	<u>Appropriation</u>
22	<del>Grand total general fund</del>	<del>\$648,667,805</del>	<del>\$40,913,417</del>	<del>\$689,581,222</del>
23	<del>Grand total special funds</del>	<del>1,900,861,114</del>	<del>29,005,485</del>	<del>1,929,866,599</del>
24	<del>Grand total all funds</del>	<del>\$2,549,528,919</del>	<del>\$69,918,902</del>	<del>\$2,619,447,821</del>
25	<u>Grand total general fund</u>	<u>\$648,667,805</u>	<u>\$37,935,721</u>	<u>\$686,603,526</u>
26	<u>Grand total special funds</u>	<u>1,900,861,114</u>	<u>28,771,925</u>	<u>1,929,633,039</u>
27	<u>Grand total all funds</u>	<u>\$2,549,528,919</u>	<u>\$66,707,646</u>	<u>\$2,616,236,565</u>
28	<b>SECTION 2. ONE-TIME FUNDING - EFFECT ON BASE BUDGET - REPORT TO</b>			
29	<b>SIXTY-EIGHTH LEGISLATIVE ASSEMBLY.</b> The following amounts reflect one-time funding			
30	items approved by the sixty-sixth legislative assembly for the 2019-21 biennium and the			
31	2021-23 biennium one-time funding items included in section 1 of this Act:			

Sixty-seventh  
Legislative Assembly

	<u>One-Time Funding Description</u>	<u>2019-21</u>	<u>2021-23</u>
1			
2	Capital projects - other funds	\$408,500,000	\$4,363,000
3	North Dakota state university settlement agreement	0	125,000
4	Math pathways	0	150,000
5	Education challenge grants	9,400,000	0
6	School of law matching grants	250,000	0
7	Tier II and tier III capital building funds	29,000,000	0
8	Theodore Roosevelt digitization	200,000	0
9	University of North Dakota campus network upgrades	1,500,000	0
10	North Dakota state university campus network upgrades	<u>1,500,000</u>	<u>0</u>
11	<del>Total all funds</del>	<del>\$450,350,000</del>	<del>\$4,638,000</del>
12	<del>Total other funds</del>	<del>438,500,000</del>	<del>4,363,000</del>
13	<del>Total general fund</del>	<del>\$11,850,000</del>	<del>\$275,000</del>
14	<u>Total all funds</u>	<u>\$450,350,000</u>	<u>\$4,638,000</u>
15	<u>Total other funds</u>	<u>438,500,000</u>	<u>4,363,000</u>
16	<u>Total general fund</u>	<u>\$11,850,000</u>	<u>\$275,000</u>

The 2021-23 biennium one-time funding amounts are not a part of the entity's base budget for the 2023-25 biennium. The institutions and entities under the control of the state board of higher education shall report to the appropriations committees of the sixty-eighth legislative assembly on the use of this one-time funding for the biennium beginning July 1, 2021, and ending June 30, 2023.

~~**SECTION 3. APPROPRIATION - 2019-21 BIENNIUM - NORTH DAKOTA STATE UNIVERSITY.** There is appropriated out of any moneys in the general fund in the state treasury, not otherwise appropriated, the sum of \$474,657, or so much of the sum as may be necessary, to North Dakota state university for litigation fees relating to the A. Glenn Hill center project, for the period beginning with the effective date of this Act, and ending June 30, 2021.~~

**SECTION 3. APPROPRIATION - VALLEY CITY STATE UNIVERSITY - PURCHASE OF LAND AUTHORIZED.** The state board of higher education, acting for and through Valley City state university, is authorized to purchase two parcels of land in Barnes county, described as the south half of the east one-third of lot one, block four, of Andrus and Sifton's addition to the city of Valley City, and the south one hundred feet of the west one-third of the east half and the

1 east one-third of the west half of lot one, block four, in Andrus and Sifton's addition to the city of  
2 Valley City, from the Valley City state university foundation for the use and betterment of Valley  
3 City state university. There is appropriated from other funds the sum of \$309,000, or so much of  
4 the sum as may be necessary, to Valley City state university for the purposes of this section for  
5 the period beginning with the effective date of this Act and ending June 30, 2023. The funding  
6 provided in this section is considered a one-time funding item.

7 **SECTION 4. ADDITIONAL FEDERAL, PRIVATE, AND OTHER FUNDS -**

8 **APPROPRIATION.** All funds, in addition to those appropriated in section 1 of this Act, from  
9 federal, private, and other sources for competitive grants or other funds that the legislative  
10 assembly has not indicated the intent to reject, including tuition revenue, received by the state  
11 board of higher education and the institutions and entities under the control of the state board of  
12 higher education, are appropriated to the board and those institutions and entities, for the  
13 biennium beginning July 1, 2021, and ending June 30, 2023. All additional funds received under  
14 the North Dakota-Minnesota reciprocity agreement during the biennium beginning July 1, 2021,  
15 and ending June 30, 2023, are appropriated to the state board of higher education for  
16 reimbursement to institutions under the control of the board.

17 **SECTION 5. TRANSFER - UNIVERSITY OF NORTH DAKOTA SCHOOL OF MEDICINE**

18 **AND HEALTH SCIENCES OPERATIONS.** The operations line item in subdivision 5 of section 1  
19 of this Act includes a funding allocation from the higher education per student credit-hour  
20 funding formula attributable to inflation during the biennium beginning July 1, 2021, and ending  
21 June 30, 2023. Based on the recommendation of the commissioner of higher education, a  
22 portion of the allocation may be transferred by the state board of higher education between the  
23 university of North Dakota school of medicine and health sciences and the university of North  
24 Dakota.

25 ~~SECTION 7. UNSPENT FUNDS -- TRANSFER -- BANK OF NORTH DAKOTA PROFITS --~~

26 ~~GENERAL FUND -- UNIVERSITY SYSTEM CAPITAL BUILDING FUND.~~ Any amounts from the  
27 ~~\$17,000,000 from the current earnings and accumulated profits of the Bank of North Dakota for~~  
28 ~~the tier II and tier III capital building fund program and any amounts from the \$2,000,000 from~~  
29 ~~the general fund for the tier III capital building fund program appropriated in section 1 of~~  
30 ~~chapter 3 of the 2019 Session Laws which are not matched and committed for a project by~~

1 ~~June 30, 2021, must be transferred to the university system capital building fund at the end of~~  
2 ~~the biennium beginning July 1, 2019, and ending June 30, 2021.~~

3 **SECTION 6. TRANSFER - STRATEGIC INVESTMENT AND IMPROVEMENTS FUND -**

4 **UNIVERSITY SYSTEM CAPITAL BUILDING FUND.** The office of management and budget  
5 shall transfer \$19,000,000 from the strategic investment and improvements fund to the  
6 university system capital building fund during the period beginning with the effective date of this  
7 Act, and ending June 30, 2023, as requested by the commissioner of higher education. Funding  
8 transferred pursuant to this section is to be allocated to each institution as follows:

	<u>Tier II</u>	<u>Tier III</u>	<u>Total</u>
10 Bismarck state college	\$425,693	\$500,000	\$925,693
11 Lake Region state college	177,375	500,000	677,375
12 Williston state college	137,947	500,000	637,947
13 University of North Dakota	4,361,801	2,250,000	6,611,801
14 North Dakota state university	2,899,596	2,250,000	5,149,596
15 North Dakota state college of science	500,695	500,000	1,000,695
16 Dickinson state university	268,862	500,000	768,862
17 Mayville state university	240,029	500,000	740,029
18 Minot state university	572,801	500,000	1,072,801
19 Valley City state university	309,137	500,000	809,137
20 Dakota college at Bottineau	<u>106,064</u>	<u>500,000</u>	<u>606,064</u>
21 Total	\$10,000,000	\$9,000,000	\$19,000,000

22 **SECTION 7. CAPITAL BUILDING FUNDS - USES.** The institutions listed may use funding  
23 from the respective institution's university system capital building fund allocation for the  
24 following projects authorized by the sixty-sixth and sixty-seventh legislative assemblies:

25 North Dakota state university - Dunbar Hall	\$51,200,000
26 <del>North Dakota state university - Agriculture products development center</del>	<del>60,000,000</del>
27 <u>North Dakota state university - agriculture products development center</u>	<u>85,000,000</u>
28 <u>Lake Region state college - parking lot and infrastructure repair</u>	<u>250,000</u>
29 <u>Mayville state university - natural gas boiler</u>	<u>1,600,000</u>
30 <u>Williston state college - parking lot and infrastructure repair</u>	<u>850,000</u>
31 <u>Minot state university - Hartnett hall renovation</u>	<u>25,231,000</u>

1	<u>North Dakota state college of science - Hektner student center improvements</u>	<u>7,210,455</u>
2	<u>Dickinson state university - Dickinson sports center</u>	<u>7,000,000</u>
3	<u>Bismarck state college - cybersecurity technology center addition</u>	<u>3,200,000</u>
4	Dakota college at Bottineau - Old main renovation	4,000,000
5	<u>University of North Dakota - Merrifield hall and Twamley hall renovation</u>	<u>79,000,000</u>
6	University of North Dakota - Business school	70,000,000
7	<del>Total</del>	<del>\$185,200,000</del>
8	<u>Total</u>	<u>\$334,541,455</u>

9       **SECTION 8. STRATEGIC INVESTMENT AND IMPROVEMENTS FUND - LAKE REGION**

10      **STATE COLLEGE - DAKOTA COLLEGE AT BOTTINEAU - CAPITAL PROJECTS.** The

11      appropriation in subdivision 3 of section 1 of this Act includes the sum of \$363,000 from the  
12      strategic investment and improvements fund for the Lake Region state college Curtis and  
13      Annette Hofstad agricultural center project. The appropriation in subdivision 12 of section 1 of  
14      this Act includes the sum of ~~\$2,000,000~~\$2,500,000 from the strategic investment and  
15      improvements fund for the Dakota college at Bottineau old main renovation project.

16      **SECTION 9. USE OF EXTRAORDINARY REPAIRS FUNDING - MATCHING FUNDS.** The

17      capital assets line items in subdivisions 2 through 12 of section 1 of this Act include funding  
18      from the general fund for institution extraordinary repairs. An institution shall provide two dollars  
19      of matching funds from operations or other sources for each one dollar of extraordinary repairs  
20      funding used for a project.

21      **SECTION 10. AMENDMENT.** Subdivision c of subsection 1 of section 15-10-48 of the North  
22      Dakota Century Code is amended and reenacted as follows:

- 23           c.   The board may award up to one million seven hundred thousand dollars in  
24           matching grants ~~to each institution~~to the university of North Dakota and North  
25           Dakota state university, and up to one million five hundred thousand dollars in  
26           matching grants for projects at the university of North Dakota school of medicine  
27           and health sciences.

28      **SECTION 11. AMENDMENT.** Subdivision k of subsection 1 of section 15-18.2-02 of the  
29      North Dakota Century Code is amended and reenacted as follows:

- 30           k.   The ~~factor~~factors for credits completed in career and technical education is-  
31           ~~2.0~~are:

1                   (1) 3.0 for lower division credits; and

2                   (2) 5.0 for upper division credits.

3           **SECTION 12. AMENDMENT.** Section 15-18.2-03 of the North Dakota Century Code is  
4 amended and reenacted as follows:

5           **15-18.2-03. Credit completion factor - Determination.**

6           1. Except as provided in subsections 2 and 3 of this section, for each institution under its  
7 control, the state board of higher education shall multiply the product determined  
8 under section 15-18.2-02 by a factor of:

9           a. 1.00 if the number of credit-hours is at least 240,000;

10           b. 1.05 if the number of credit-hours is at least 180,000 but less than 240,000;

11           c. 1.10 if the number of credit-hours is at least ~~120,000~~135,000 but less than  
12 180,000;

13           d. 1.15 if the number of credit-hours is at least ~~90,000~~130,000 but less than  
14 ~~120,000~~135,000;

15           e. 1.20 if the number of credit-hours is at least ~~80,000~~120,000 but less than  
16 ~~90,000~~130,000;

17           f. 1.30 if the number of credit-hours is at least 70,000 but less than ~~80,000~~120,000;

18           g. 1.40 if the number of credit-hours is at least 60,000 but less than 70,000;

19           h. 1.50 if the number of credit-hours is at least 50,000 but less than 60,000;

20           i. 1.60 if the number of credit-hours is at least 40,000 but less than 50,000;

21           j. 1.70 if the number of credit-hours is at least 30,000 but less than 40,000; and

22           k. 1.80 if the number of credit-hours is less than 30,000.

23           2. ~~If the square footage of an institution, when divided by the institution's weighted credit-~~  
24 ~~hours results in a quotient greater than 5.00, the state board of higher education shall~~  
25 ~~multiply the product determined under section 15-18.2-02 by a factor of 1.00. For~~  
26 ~~purposes of this subsection, the square footage of an institution includes real property~~  
27 ~~as determined by the state board of higher education in accordance with section-~~  
28 ~~15-18.2-04.~~

29           ~~3.~~ 3. If the number of credit-hours completed by an institution ~~causes~~would cause a  
30 decrease in the credit completion factor for that institution, ~~the new credit completion-~~  
31 ~~factor shall not be in effect for calculation purposes for the first two fiscal years-~~

1 following the change compared to the credit completion factor the institution was  
2 entitled to receive during the 2017-19 biennium, the state board of higher education  
3 shall multiply the product determined under section 15-18.2-02 by a credit growth  
4 factor of 1.0 for credits in excess of the factor the institution was entitled to receive  
5 during the 2017-19 biennium. Any weighted credit-hours multiplied by a credit growth  
6 factor under this section must have a weight of 1.0 under section 15-18.2-02. The  
7 state board of higher education shall multiply the remaining weighted credits by the  
8 credit completion factor the institution was entitled to receive during the 2017-19  
9 biennium.

10 4.3. For purposes of this section, the number of credit-hours must be those determined by  
11 the state board of higher education in accordance with section 15-18.2-01.

12 **SECTION 13. AMENDMENT.** Section 15-18.2-05 of the North Dakota Century Code is  
13 amended and reenacted as follows:

14 **15-18.2-05. Base funding - Determination of state aid.**

- 15 1. Except as provided under ~~subsection 2, in orders~~ subsections 2 and 3, to determine the  
16 state aid payment to which each institution under its control is entitled, the state board  
17 of higher education shall multiply the product determined under section  
18 ~~15-18.2-04~~ 15-18.2-03 by a base amount of:
- 19 a. ~~\$60.87~~ ~~\$61.86~~ \$61.81 in the case of North Dakota state university and the  
20 university of North Dakota;
  - 21 b. ~~\$90.98~~ ~~\$92.56~~ \$92.60 in the case of Dickinson state university, Mayville state  
22 university, Minot state university, and Valley City state university; and
  - 23 c. ~~\$97.06~~ ~~\$98.81~~ \$98.84 in the case of Bismarck state college, Dakota college at  
24 Bottineau, Lake Region state college, North Dakota state college of science, and  
25 Williston state college.
- 26 2. ~~An institution is entitled to an amount equal to seventy-five percent of the product~~  
27 ~~determined under subsection 1 for credits completed by students receiving a tuition~~  
28 ~~waiver pursuant to section 54-12-35. For institutions under subdivision b of~~  
29 subsection 1, the state board of higher education shall multiply the product determined  
30 under section 15-18.2-03 for credits completed in instructional programs under

1           subdivision k of subsection 1 of section 15-18.2-02 by the base amount under  
2           subdivision c of subsection 1.

3           3. For institutions under subdivision c of subsection 1, the state board of higher  
4           education shall multiply the product determined under section 15-18.2-03 for upper  
5           division credits completed in instructional programs under subdivisions a through j of  
6           subsection 1 of section 15-18.2-02 by the base amount under subdivision b of  
7           subsection 1.

8           ~~— **SECTION 15.** Section 15-18.2-06.1 of the North Dakota Century Code is created and~~  
9           ~~enacted as follows:~~

10           ~~— **15-18.2-06.1. Base funding - Minimum amount payable.**~~

11           ~~— Notwithstanding any calculations required by this chapter, during each biennium beginning~~  
12           ~~with the 2021-23 biennium, an institution may not receive less than ninety-six percent of the~~  
13           ~~state aid to which the institution was entitled under this chapter during the previous biennium.~~

14           **SECTION 14.** A new chapter to title 15 of the North Dakota Century Code is created and  
15           enacted as follows:

16           **University system capital building fund - Creation - Continuing appropriation.**

17           There is created in the state treasury the university system capital building fund. The  
18           university system capital building fund consists of moneys transferred to the fund and any  
19           interest and earnings of the fund. The state board of higher education may provide for the fund  
20           to be invested under the supervision of the state investment board. Moneys in the fund are  
21           appropriated to the state board of higher education on a continuing basis for allocations to the  
22           institutions under the control of the state board of higher education for capital projects as  
23           directed by the legislative assembly and in accordance with this chapter. Any interest or  
24           earnings of the fund must be allocated to the capital building fund pool within the university  
25           system capital building fund.

26           **Capital building funds - Uses - Reports.**

27           Subject to tier II and tier III capital building fund matching requirements under this chapter,  
28           each institution may use its allocation of funds from the university system capital building fund  
29           for projects specifically authorized by the legislative assembly to use university system capital  
30           building fund moneys. In addition, after an institution has matched and committed seventy-five  
31           percent of the funding appropriated for the institution's tier I extraordinary repairs and subject to



1 state board of higher education approval and matching requirements under this chapter, each  
2 institution may use its allocation of funds from the university system capital building fund for  
3 extraordinary repairs and deferred maintenance projects that do not increase the overall square  
4 footage of a building. The state board of higher education shall report biennially to the legislative  
5 management and to the appropriations committees of the legislative assembly on the use of  
6 funding in the university system capital building fund, the source of matching funds, and each  
7 institution's five-year plan for capital construction spending.

8 **Tier II capital building funds - Matching requirements.**

9 The state board of higher education may allocate tier II capital building fund moneys to an  
10 institution for a project only after the institution provides one dollar of matching funds from  
11 operations or other sources for each one dollar from the university system capital building fund  
12 for the project. An institution may not use tier I extraordinary repairs funding, tier III capital  
13 building fund moneys, or state funding appropriated for a specific capital project as matching  
14 funds under this section.

15 **Tier III capital building funds - Matching requirements.**

16 The state board of higher education may allocate tier III capital building fund moneys to an  
17 institution only after the institution provides two dollars of matching funds from operations or  
18 other sources for each one dollar from the university system capital building fund for the project.  
19 An institution may not use tier I extraordinary repairs funding, tier II capital building fund  
20 moneys, or state funding appropriated for a specific capital project as matching funds under this  
21 section.

22 **Capital building fund pool.**

23 If the state board of higher education has not allocated capital building fund moneys to an  
24 institution by January first of the third biennium after the funding was appropriated or transferred  
25 to the fund, the board shall reallocate the funds to a pool within the university system capital  
26 building fund. Any institution under the control of the state board of higher education that has  
27 fully matched and committed its university system capital building fund allocation may apply for  
28 and be allocated funding from the capital building fund pool, subject to state board of higher  
29 education approval and tier III capital building fund matching requirements under this chapter.

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

1           **54-44.1-11. Office of management and budget to cancel unexpended appropriations -**  
2 **When they may continue. (Effective through July 31, 2024~~2023~~)**

3           Except as otherwise provided by law, the office of management and budget, thirty days after  
4 the close of each biennial period, shall cancel all unexpended appropriations or balances of  
5 appropriations after the expiration of the biennial period during which they became available  
6 under the law. Unexpended appropriations for the state historical society are not subject to this  
7 section and the state historical society shall report on the amounts and uses of funds carried  
8 over from one biennium to the appropriations committees of the next subsequent legislative  
9 assembly. Unexpended appropriations for the North Dakota university system are not subject to  
10 this section and the North Dakota university system shall report on the amounts and uses of  
11 funds carried over from one biennium to the next to subsequent appropriations committees of  
12 the legislative assembly. The chairmen of the appropriations committees of the senate and  
13 house of representatives of the legislative assembly with the office of the budget may continue  
14 appropriations or balances in force for not more than two years after the expiration of the  
15 biennial period during which they became available upon recommendation of the director of the  
16 budget for:

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

28           **Office of management and budget to cancel unexpended appropriations - When they**  
29 **may continue. (Effective after July 31, 2021~~2023~~)** The office of management and budget,  
30 thirty days after the close of each biennial period, shall cancel all unexpended appropriations or  
31 balances of appropriations after the expiration of the biennial period during which they became

1 available under the law. Unexpended appropriations for the state historical society are not  
2 subject to this section and the state historical society shall report on the amounts and uses of  
3 funds carried over from one biennium to the appropriations committees of the next subsequent  
4 legislative assembly. The chairmen of the appropriations committees of the senate and house of  
5 representatives of the legislative assembly with the office of the budget may continue  
6 appropriations or balances in force for not more than two years after the expiration of the  
7 biennial period during which they became available upon recommendation of the director of the  
8 budget for:

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

20 **SECTION 16. AMENDMENT.** Section 2 of chapter 53 of the 2019 Session Laws is  
21 amended and reenacted as follows:

22 **SECTION 2. APPROPRIATION - CAPITAL PROJECTS - EXEMPTION.**

- 23 1. Subject to the provisions of this section, the funds provided in this section, or so  
24 much of the funds as may be necessary, are appropriated out of any moneys in  
25 the general fund in the state treasury, not otherwise appropriated, to the following  
26 institutions for the identified capital projects, for the period beginning with the  
27 effective date of this Act, and ending June 30, 2019, as follows:

28 Bismarck state college Nursing Building	\$8,900,000
29 Dakota college at Bottineau dining hall and other projects	1,000,000
30 Lake Region state college precision agriculture project	1,000,000
31 North Dakota state university agriculture products	20,000,000

1	development center project	
2	North Dakota state university Dunbar Hall project	8,000,000
3	University of North Dakota Gamble Hall project	9,000,000
4	Valley City state university Communications and Fine Arts	<u>2,000,000</u>
5	Building project	
6	Total general fund	\$49,900,000

7 In accordance with section 54-44.1-11, any unaccepted funds from these  
8 appropriations may be continued into the biennium beginning July 1, 2019, and ending  
9 June 30, 2021.

10 2. The appropriation for the agriculture products development center project must  
11 be continued into the biennium beginning July 1, 2019, and ending June 30,  
12 2021, ~~and is available only if North Dakota state university certifies to the~~  
13 ~~industrial commission and the director of the office of management and budget~~  
14 ~~that \$20,000,000 of local and other funds has been obtained for the project or if~~  
15 ~~North Dakota state university receives approval for a change in project scope~~  
16 ~~from the legislative assembly or budget section pursuant to section 48-01.2-25.~~

17 3. The appropriation for the Gamble Hall project must be continued into the  
18 biennium beginning July 1, 2019, and ending June 30, 2021, and is available only  
19 if the university of North Dakota certifies to the industrial commission and the  
20 director of the office of management and budget that \$55,000,000 of local and  
21 other funds has been obtained for the project or if the university of North Dakota  
22 receives approval for a change in project scope from the legislative assembly or  
23 budget section pursuant to section 48-01.2-25.

24 **SECTION 17. REPEAL.** Subdivision d of subsection 1 of section 15-10-48 of the North  
25 Dakota Century Code is repealed.

26 **SECTION 18. REPEAL.** Section 15-18.2-04 of the North Dakota Century Code is repealed.

27 **SECTION 19. CAMPUS CAPITAL PROJECTS - PROJECT MANAGEMENT.** During the  
28 period beginning with the effective date of this Act, and ending June 30, 2023, each capital  
29 project authorized by the state board of higher education must have adequate project  
30 management oversight by either an institution official or a representative of an external entity.

1 An institution may seek assistance from the North Dakota university system office for project  
2 management oversight of a capital project.

3 **SECTION 20. UNIVERSITY OF NORTH DAKOTA - TECHNOLOGY ACCELERATOR**

4 **BUILDING REFINANCING.** The state board of higher education, acting for and through the  
5 university of North Dakota, may enter into a refinancing agreement with a private entity for the  
6 technology accelerator building during the period beginning with the effective date of this Act  
7 and ending June 30, 2023.

8 **SECTION 21. TRANSFER OF DAKOTA INSTITUTE INVENTORY.** Bismarck state college  
9 may transfer any rights, title, interests, copyrights, and inventory of any of the Dakota institute's  
10 publications, books, or other documents or productions, regardless of format, to the author or  
11 producer of the document or production for the period beginning with the effective date of this  
12 Act, and ending June 30, 2023.

13 **SECTION 22. EXEMPTION - TRANSFER AUTHORITY - LEGISLATIVE MANAGEMENT**

14 **REPORT.** Notwithstanding section 54-16-04, the office of management and budget shall  
15 transfer appropriation authority from the operations to the capital assets line items within  
16 subdivisions 2 through 14 of section 1 of this Act as requested by the state board of higher  
17 education for the biennium beginning July 1, 2021, and ending June 30, 2023. The board shall  
18 report any transfer of funds under this section to the legislative management.

19 **SECTION 23. EXEMPTION - FULL-TIME EQUIVALENT POSITION ADJUSTMENTS.**

20 Notwithstanding any other provisions of law, the state board of higher education may adjust full-  
21 time equivalent positions as needed, subject to the availability of funds, for institutions and  
22 entities under its control during the biennium beginning July 1, 2021, and ending June 30, 2023.  
23 The North Dakota university system shall report any adjustments to the office of management  
24 and budget as part of the submission of the 2023-25 biennium budget request.

25 **SECTION 24. EXEMPTION - PROJECT AUTHORIZATIONS.** Any unexpended amounts  
26 remaining from the \$49,900,000 appropriated from the general fund for capital projects at  
27 institutions under the control of the state board of higher education in section 2 of chapter 53 of  
28 the 2019 Session Laws are not subject to section 54-44.1-11 and any unexpended funds from  
29 the appropriations are available to the respective institutions to complete the projects during the  
30 biennium beginning July 1, 2021, and ending June 30, 2023.

**SECTION 25. LEGISLATIVE MANAGEMENT STUDY - STUDENT AFFORDABILITY.**

During the 2021-22 interim, the legislative management shall study higher education student affordability, including all forms of financial assistance available for students enrolled at institutions of higher education in the state. The study must include a review of available scholarships, student loan programs, waivers, grants, and any other forms of student financial assistance available for students enrolled at institutions of higher education in the state. The study must also include a review of the eligibility requirements and other criteria relating to each program, and their impact on the financial cost and utilization of each program. The legislative management shall report its findings and recommendations, together with any legislation required to implement the recommendations, to the sixty-eighth legislative assembly.

**SECTION 26. LEGISLATIVE MANAGEMENT STUDY - HIGHER EDUCATION FUNDING**

**STABILIZATION.** During the 2021-22 interim, the legislative management shall consider studying higher education funding mechanisms, including private-public partnerships and distributions from permanent funds. The study must include potential mechanisms to stabilize funding for higher education, including funding mechanisms used in other states. The legislative management shall report its findings and recommendations, together with any legislation required to implement the recommendations, to the sixty-eighth legislative assembly.

**SECTION 27. ~~STATE BOARD OF HIGHER EDUCATION~~ LEGISLATIVE MANAGEMENT**

**~~STUDY - STUDY OF THE HIGHER EDUCATION FUNDING FORMULA--REPORT TO~~**

**~~LEGISLATIVE MANAGEMENT.~~** During the ~~period beginning July 1, 2021, and ending June 30, 2022~~ 2021-22 interim, the ~~state board of higher education~~ legislative management shall ~~study~~ consider studying the higher education funding formula, including instructional program classification factors. ~~The state board of higher education shall provide a report to the legislative management regarding any findings or recommended changes to the funding formula by June 30, 2022~~ The legislative management shall report its findings and recommendations, together with any legislation required to implement the recommendations, to the sixty-eighth legislative assembly.

**SECTION 28. LEGISLATIVE INTENT - UNIVERSITY OF NORTH DAKOTA - NURSING**

**EDUCATION CONSORTIUM.** It is the intent of the sixty-seventh legislative assembly that the university of North Dakota discontinue making payments to other institutions of higher education for costs relating to nursing education simulation laboratories.

1       **SECTION 29. LEGISLATIVE INTENT - WEIGHTED CREDIT-HOURS - INSTRUCTIONAL**

2 **PROGRAM CLASSIFICATION FACTORS.** It is the intent of the sixty-seventh legislative  
3 assembly that:

- 4       1. Veterinary medicine courses remain under the health sciences instructional program  
5       classification within the higher education funding formula;
- 6       2. Computer and information sciences and support services courses be transferred to the  
7       engineering instructional program classification within the higher education funding  
8       formula; and
- 9       3. Lineworker; plumbing; powersports technology; heating, ventilating, air conditioning,  
10      and refrigeration technology; diesel technology; mechanical systems; and machine  
11      tooling courses be placed in an upper division under the career and technical  
12      education instructional program classification within the higher education funding  
13      formula.

14       **SECTION 30. EMERGENCY.** Sections ~~3, 4, 7, 8, 9, 10, 16, 18, 20, and 21~~3, 6, 7, 8, 14, 16,  
15 19, 20, and 21 of this Act and the capital assets line items in section 1 of this Act are declared to  
16 be an emergency measure.