

Introduced by

Representatives Carlson, Martinson, Nathe, Vigesaa

Senators Grindberg, Hogue, Schaible

1 A concurrent resolution to create and enact a new section to article VIII of the Constitution of  
2 North Dakota, relating to the creation of a commission of higher education; to repeal section 6  
3 of article VIII of the Constitution of North Dakota, relating to the state board of higher education;  
4 and to provide an effective date.

5 **STATEMENT OF INTENT**

6 This measure would create a three-member commission of higher education beginning on  
7 July 1, 2015, to oversee and administer the provision of all public higher education in this state.

8 **BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF NORTH DAKOTA, THE**  
9 **SENATE CONCURRING THEREIN:**

10 That the following proposed new section to article VIII of the Constitution of North Dakota  
11 and the repeal of section 6 of article VIII of the Constitution of North Dakota are agreed to and  
12 must be submitted to the qualified electors of North Dakota at the general election to be held in  
13 2014, in accordance with section 16 of article IV of the Constitution of North Dakota.

14 **SECTION 1.** A new section to article VIII of the Constitution of North Dakota is created and  
15 enacted as follows:

- 16 1. A three-member commission of higher education is created for the purpose of  
17 overseeing and administering the provision of public higher education at sites that  
18 include Bismarck, Bottineau, Devils Lake, Dickinson, Fargo, Grand Forks, Mayville,  
19 Minot, Valley City, Wahpeton, and Williston.
- 20 2. The governor shall appoint each member of the commission from a list of at least  
21 three nominees agreed to by a majority of the following:
  - 22 a. The speaker of the house of representatives;
  - 23 b. The president pro tempore of the senate;
  - 24 c. The chief justice of the North Dakota supreme court;
  - 25 d. The superintendent of public instruction; and

- 1           e. A representative of an educational interest group selected by three of the four  
2           aforementioned individuals.
- 3        3. The governor shall ensure that one member of the commission has leadership  
4        experience in a private sector business, industry, or service, and that one member, at  
5        the time of appointment, holds a professional position within the higher education  
6        sector. Each member of the commission must be confirmed by the senate.
- 7        4. The term of office for each commission member is four years, except that the initial  
8        terms must be staggered by lot so that no more than one member's term expires each  
9        year. Each term begins on July first and members may be reappointed to three  
10       consecutive terms.
- 11       5. A member of the commission is subject to removal by impeachment in the same  
12       manner as that established for the removal of the governor.
- 13       6. a. The commission has full executive responsibility for the management and  
14       operation of the North Dakota university system, within constitutional and  
15       statutory requirements and limitations.
- 16        b. The commission shall hire a president for each institution within the system and  
17        each president shall report to the commission.
- 18       7. The legislative assembly may provide for the appointment of an advisory board that  
19       includes a faculty and a student representative.

20        **SECTION 2. REPEAL.** Section 6 of article VIII of the Constitution of North Dakota is  
21        repealed.

22        **SECTION 3. EFFECTIVE DATE.** If approved by the electors, this measure becomes  
23        effective on July 1, 2015.