

Sixty-third
Legislative Assembly
of North Dakota

ENGROSSED SENATE BILL NO. 2003

Introduced by

Appropriations Committee

(At the request of the Governor)

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 a new section to chapter 15-10 of the North Dakota
3 Century Code, relating to the assessment of institutions of higher education; to amend and
4 reenact sections 15-10-47 and 15-62.2-02, subsection 2 of section 15-70-04, and section
5 54-44.1-11 of the North Dakota Century Code, relating to construction project variance reports,
6 student financial assistance grants, tribally controlled community college grants, and the
7 cancellation of unexpended appropriations; to provide an exemption; to provide for transfer of
8 funds; to authorize the state board of higher education to issue and sell bonds for capital
9 projects; to provide for budget section reports; and to declare an emergency.

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

11 **SECTION 1. APPROPRIATION.** The funds provided in this section, or so much of the funds
12 as may be necessary, are appropriated out of any moneys in the general fund in the state
13 treasury, not otherwise appropriated, and from special funds derived from federal funds and
14 other income to the North Dakota university system office and to the various entities and
15 institutions under the supervision of the state board of higher education for the purpose of
16 defraying the expenses of the North Dakota university system office and to the various entities
17 for the biennium beginning July 1, 2013, and ending June 30, 2015, as follows:

18 Subdivision 1.

19 NORTH DAKOTA UNIVERSITY SYSTEM OFFICE

| | | Adjustments or | |
|-----------------------------------|-------------------|---------------------|----------------------|
| | <u>Base Level</u> | <u>Enhancements</u> | <u>Appropriation</u> |
| 22 Capital assets - Bond payments | \$12,204,769 | (\$1,768,724) | \$10,436,045 |
| 23 Competitive research program | 7,050,000 | 0 | 7,050,000 |
| 24 System governance | 7,349,806 | 1,527,502 | 8,877,308 |

Sixty-third
Legislative Assembly

| | | | | |
|----|--|------------------|-------------------|-------------------|
| 1 | Title II | 1,006,472 | 0 | 1,006,472 |
| 2 | System information technology services | 36,006,667 | 2,786,279 | 38,792,946 |
| 3 | Professional liability insurance | 800,000 | (800,000) | 0 |
| 4 | Student financial assistance grants | 19,025,594 | 2,220,085 | 21,245,679 |
| 5 | Professional student exchange program | 3,321,438 | 953,577 | 4,275,015 |
| 6 | Academic and technical education | 10,000,000 | 3,700,000 | 13,700,000 |
| 7 | scholarships | | | |
| 8 | Two-year campus marketing | 800,000 | 0 | 800,000 |
| 9 | Scholars program | 2,113,584 | 0 | 2,113,584 |
| 10 | Native American scholarships | 574,267 | 75,000 | 649,267 |
| 11 | Tribally controlled community college grants | 1,000,000 | 0 | 1,000,000 |
| 12 | Education incentive programs | 3,176,344 | 172,656 | 3,349,000 |
| 13 | Deferred maintenance pool | 0 | 10,000,000 | 10,000,000 |
| 14 | Student mental health | 0 | 282,520 | 282,520 |
| 15 | Education challenge fund | <u>0</u> | <u>30,000,000</u> | <u>30,000,000</u> |
| 16 | Total all funds | \$104,428,941 | \$49,148,895 | \$153,577,836 |
| 17 | Less estimated income | <u>3,056,229</u> | <u>(756,317)</u> | <u>2,299,912</u> |
| 18 | Total general fund | \$101,372,712 | \$49,905,212 | \$151,277,924 |
| 19 | Full-time equivalent positions | 100.31 | 0.00 | 100.31 |

20 Subdivision 2.

21 BISMARCK STATE COLLEGE

| 22 | | | Adjustments or | |
|----|--------------------------------|-------------------|---------------------|----------------------|
| 23 | | <u>Base Level</u> | <u>Enhancements</u> | <u>Appropriation</u> |
| 24 | Operations | \$27,628,314 | \$7,368,548 | \$34,996,862 |
| 25 | Capital assets | <u>417,673</u> | <u>13,300,000</u> | <u>13,717,673</u> |
| 26 | Total all funds | \$28,045,987 | \$20,668,548 | \$48,714,535 |
| 27 | Less estimated income | <u>0</u> | <u>0</u> | <u>0</u> |
| 28 | Total general fund | \$28,045,987 | \$20,668,548 | \$48,714,535 |
| 29 | Full-time equivalent positions | 126.96 | 4.00 | 130.96 |

30 Subdivision 3.

31 LAKE REGION STATE COLLEGE

Sixty-third
Legislative Assembly

| | | Adjustments or | | |
|---|--------------------------------|---------------------|----------------------|------------------|
| | <u>Base Level</u> | <u>Enhancements</u> | <u>Appropriation</u> | |
| 1 | | | | |
| 2 | | | | |
| 3 | Operations | \$9,003,614 | \$4,250,594 | \$13,254,208 |
| 4 | Capital assets | <u>155,367</u> | <u>5,947,562</u> | <u>6,102,929</u> |
| 5 | Total all funds | \$9,158,981 | \$10,198,156 | \$19,357,137 |
| 6 | Less estimated income | <u>0</u> | <u>0</u> | <u>0</u> |
| 7 | Total general fund | \$9,158,981 | \$10,198,156 | \$19,357,137 |
| 8 | Full-time equivalent positions | 40.22 | 3.00 | 43.22 |
| 9 | Subdivision 4. | | | |

WILLISTON STATE COLLEGE

| | | Adjustments or | | |
|----|--------------------------------|---------------------|----------------------|-------------------|
| | <u>Base Level</u> | <u>Enhancements</u> | <u>Appropriation</u> | |
| 11 | | | | |
| 12 | | | | |
| 13 | Operations | \$8,849,685 | \$1,097,278 | \$9,946,963 |
| 14 | Capital assets | <u>197,801</u> | <u>14,042,478</u> | <u>14,240,279</u> |
| 15 | Total all funds | \$9,047,486 | \$15,139,756 | \$24,187,242 |
| 16 | Less estimated income | <u>0</u> | <u>0</u> | <u>0</u> |
| 17 | Total general fund | \$9,047,486 | \$15,139,756 | \$24,187,242 |
| 18 | Full-time equivalent positions | 44.15 | 6.00 | 50.15 |
| 19 | Subdivision 5. | | | |

UNIVERSITY OF NORTH DAKOTA

| | | Adjustments or | | |
|----|--------------------------------|---------------------|----------------------|--------------------|
| | <u>Base Level</u> | <u>Enhancements</u> | <u>Appropriation</u> | |
| 21 | | | | |
| 22 | | | | |
| 23 | Operations | \$140,457,484 | \$18,447,364 | \$158,904,848 |
| 24 | Capital assets | <u>4,411,566</u> | <u>176,787,262</u> | <u>181,198,828</u> |
| 25 | Total all funds | \$144,869,050 | \$195,234,626 | \$340,103,676 |
| 26 | Less estimated income | <u>0</u> | <u>96,487,262</u> | <u>96,487,262</u> |
| 27 | Total general fund | \$144,869,050 | \$98,747,364 | \$243,616,414 |
| 28 | Full-time equivalent positions | 642.20 | 0.00 | 642.20 |
| 29 | Subdivision 6. | | | |

NORTH DAKOTA STATE UNIVERSITY

Sixty-third
Legislative Assembly

| | | Adjustments or | |
|---|--------------------------------|---------------------|----------------------|
| | <u>Base Level</u> | <u>Enhancements</u> | <u>Appropriation</u> |
| 1 | | | |
| 2 | | | |
| 3 | Operations | \$19,272,934 | \$144,288,239 |
| 4 | Capital assets | <u>69,419,356</u> | <u>72,151,600</u> |
| 5 | Total all funds | \$88,692,290 | \$216,439,839 |
| 6 | Less estimated income | <u>0</u> | <u>39,819,356</u> |
| 7 | Total general fund | \$48,872,934 | \$176,620,483 |
| 8 | Full-time equivalent positions | 495.21 | 0.00 |
| 9 | Subdivision 7. | | 495.21 |

NORTH DAKOTA STATE COLLEGE OF SCIENCE

| | | Adjustments or | |
|----|--------------------------------|---------------------|----------------------|
| | <u>Base Level</u> | <u>Enhancements</u> | <u>Appropriation</u> |
| 11 | | | |
| 12 | | | |
| 13 | Operations | \$6,791,805 | \$40,978,347 |
| 14 | Capital assets | <u>9,861,452</u> | <u>10,873,831</u> |
| 15 | Total all funds | \$16,653,257 | \$51,852,178 |
| 16 | Less estimated income | <u>0</u> | <u>1,350,000</u> |
| 17 | Total general fund | \$15,303,257 | \$50,502,178 |
| 18 | Full-time equivalent positions | 171.87 | 1.75 |
| 19 | Subdivision 8. | | 173.62 |

DICKINSON STATE UNIVERSITY

| | | Adjustments or | |
|----|--------------------------------|---------------------|----------------------|
| | <u>Base Level</u> | <u>Enhancements</u> | <u>Appropriation</u> |
| 21 | | | |
| 22 | | | |
| 23 | Operations | \$6,290,197 | \$28,673,736 |
| 24 | Capital assets | <u>0</u> | <u>409,078</u> |
| 25 | Total all funds | \$6,290,197 | \$29,082,814 |
| 26 | Less estimated income | <u>0</u> | <u>0</u> |
| 27 | Total general fund | \$6,290,197 | \$29,082,814 |
| 28 | Full-time equivalent positions | 100.32 | 5.00 |
| 29 | Subdivision 9. | | 105.32 |

MAYVILLE STATE UNIVERSITY

Sixty-third
Legislative Assembly

| | | Adjustments or | | |
|---|--------------------------------|---------------------|----------------------|------------------|
| | <u>Base Level</u> | <u>Enhancements</u> | <u>Appropriation</u> | |
| 1 | | | | |
| 2 | | | | |
| 3 | Operations | \$12,775,788 | \$2,617,878 | \$15,393,666 |
| 4 | Capital assets | <u>358,992</u> | <u>8,067,000</u> | <u>8,425,992</u> |
| 5 | Total all funds | \$13,134,780 | \$10,684,878 | \$23,819,658 |
| 6 | Less estimated income | <u>0</u> | <u>0</u> | <u>0</u> |
| 7 | Total general fund | \$13,134,780 | \$10,684,878 | \$23,819,658 |
| 8 | Full-time equivalent positions | 62.78 | 3.00 | 65.78 |
| 9 | Subdivision 10. | | | |

MINOT STATE UNIVERSITY

| | | Adjustments or | | |
|----|--------------------------------|---------------------|----------------------|-------------------|
| | <u>Base Level</u> | <u>Enhancements</u> | <u>Appropriation</u> | |
| 11 | | | | |
| 12 | | | | |
| 13 | Operations | \$37,838,974 | \$9,725,919 | \$47,564,893 |
| 14 | Capital assets | <u>899,620</u> | <u>13,623,690</u> | <u>14,523,310</u> |
| 15 | Total all funds | \$38,738,594 | \$23,349,609 | \$62,088,203 |
| 16 | Less estimated income | <u>0</u> | <u>11,801,785</u> | <u>11,801,785</u> |
| 17 | Total general fund | \$38,738,594 | \$11,547,824 | \$50,286,418 |
| 18 | Full-time equivalent positions | 201.76 | 3.00 | 204.76 |
| 19 | Subdivision 11. | | | |

VALLEY CITY STATE UNIVERSITY

| | | Adjustments or | | |
|----|--------------------------------|---------------------|----------------------|------------------|
| | <u>Base Level</u> | <u>Enhancements</u> | <u>Appropriation</u> | |
| 21 | | | | |
| 22 | | | | |
| 23 | Operations | \$17,694,741 | \$4,410,281 | \$22,105,022 |
| 24 | Capital assets | <u>408,319</u> | <u>9,199,103</u> | <u>9,607,422</u> |
| 25 | Total all funds | \$18,103,060 | \$13,609,384 | \$31,712,444 |
| 26 | Less estimated income | <u>0</u> | <u>4,806,837</u> | <u>4,806,837</u> |
| 27 | Total general fund | \$18,103,060 | \$8,802,547 | \$26,905,607 |
| 28 | Full-time equivalent positions | 97.29 | 3.00 | 100.29 |
| 29 | Subdivision 12. | | | |

DAKOTA COLLEGE AT BOTTINEAU

Sixty-third
Legislative Assembly

| | | Adjustments or | |
|---|--------------------------------|---------------------|----------------------|
| | <u>Base Level</u> | <u>Enhancements</u> | <u>Appropriation</u> |
| 1 | | | |
| 2 | | | |
| 3 | Operations | \$1,886,639 | \$8,376,389 |
| 4 | Capital assets | <u>115,507</u> | <u>8,951,896</u> |
| 5 | Total all funds | \$6,605,257 | \$17,328,285 |
| 6 | Less estimated income | <u>0</u> | <u>7,600,789</u> |
| 7 | Total general fund | \$6,605,257 | \$9,727,496 |
| 8 | Full-time equivalent positions | 36.12 | 40.12 |
| 9 | Subdivision 13. | | |

UNIVERSITY OF NORTH DAKOTA SCHOOL OF MEDICINE AND HEALTH SCIENCES

| | | Adjustments or | |
|----|--------------------------------|---------------------|----------------------|
| | <u>Base Level</u> | <u>Enhancements</u> | <u>Appropriation</u> |
| 11 | | | |
| 12 | | | |
| 13 | Operations | \$8,214,806 | \$55,962,777 |
| 14 | Total all funds | \$47,747,971 | \$55,962,777 |
| 15 | Less estimated income | <u>0</u> | <u>0</u> |
| 16 | Total general fund | \$47,747,971 | \$55,962,777 |
| 17 | Full-time equivalent positions | 156.55 | 156.55 |
| 18 | Subdivision 14. | | |

NORTH DAKOTA FOREST SERVICE

| | | Adjustments or | |
|----|--------------------------------|---------------------|----------------------|
| | <u>Base Level</u> | <u>Enhancements</u> | <u>Appropriation</u> |
| 20 | | | |
| 21 | | | |
| 22 | Operations | \$758,131 | \$6,272,812 |
| 23 | Capital assets | <u>97,791</u> | <u>886,210</u> |
| 24 | Total all funds | \$5,612,472 | \$7,159,022 |
| 25 | Less estimated income | <u>1,650,000</u> | <u>0</u> |
| 26 | Total general fund | \$3,962,472 | \$5,509,022 |
| 27 | Full-time equivalent positions | 28.00 | 29.00 |
| 28 | Subdivision 15. | | |

BILL TOTAL

| | | Adjustments or | |
|----|-------------------|---------------------|----------------------|
| | <u>Base Level</u> | <u>Enhancements</u> | <u>Appropriation</u> |
| 30 | | | |
| 31 | | | |

Sixty-third
Legislative Assembly

| | | | | |
|---|---------------------------|------------------|--------------------|--------------------|
| 1 | Grand total all funds | \$611,231,666 | \$470,153,980 | \$1,081,385,646 |
| 2 | Grand total special funds | <u>4,706,229</u> | <u>161,109,712</u> | <u>165,815,941</u> |
| 3 | Grand total general fund | \$606,525,437 | \$309,044,268 | \$915,569,705 |

4 **SECTION 2. ONE-TIME FUNDING - EFFECT ON BASE BUDGET - REPORT TO**

5 **SIXTY-FOURTH LEGISLATIVE ASSEMBLY.** The following amounts reflect the one-time
6 funding items approved by the sixty-second legislative assembly for the 2011-13 biennium and
7 the 2013-15 one-time funding items included in the appropriation in section 1 of this Act:

| 8 | <u>One-Time Funding Description</u> | <u>2011-13</u> | <u>2013-15</u> |
|----|---|--------------------|--------------------|
| 9 | Capital projects - General fund | \$47,136,000 | \$167,973,263 |
| 10 | Capital projects - Other funds | 105,065,555 | 161,866,029 |
| 11 | Dickinson state university operating funds | 900,000 | 800,000 |
| 12 | Minot state university flood recovery | 0 | 5,000,000 |
| 13 | Dakota college at Bottineau - Campus software updates | 0 | 30,000 |
| 14 | Special assessments payments | 819,357 | 0 |
| 15 | Mayville state university drainage study | 55,000 | 0 |
| 16 | UND school of medicine space utilization study | 100,000 | 0 |
| 17 | Williston state college operating funds | 2,000,000 | 0 |
| 18 | Emerald ash borer program | 250,000 | 0 |
| 19 | Deferred maintenance pool | 0 | 10,000,000 |
| 20 | Education challenge fund | 0 | 30,000,000 |
| 21 | Health care workforce initiative | <u>0</u> | <u>7,414,806</u> |
| 22 | Total all funds | \$156,325,912 | \$383,084,098 |
| 23 | Total other funds | <u>105,065,555</u> | <u>161,866,029</u> |
| 24 | Total general fund | \$51,260,357 | \$221,218,069 |

25 The 2013-15 one-time funding amounts are not a part of the entity's base budget for the
26 2015-17 biennium. The North Dakota university system shall report to the appropriations
27 committees of the sixty-fourth legislative assembly on the use of this one-time funding for the
28 biennium beginning July 1, 2013, and ending June 30, 2015.

29 **SECTION 3. AMENDMENT.** Section 15-10-47 of the North Dakota Century Code is
30 amended and reenacted as follows:

1 **15-10-47. Construction projects at institutions of higher education - Variance reports.**

- 2 1. Whenever any new construction, renovation, or repair, valued at more than two
3 hundred fifty thousand dollars is underway on the campus of an institution of higher
4 education under the control of the state board of higher education, the board shall
5 provide ~~monthly~~semiannual project variance reports to the director of the office of
6 management and budget. Each report must include:
- 7 a. The name or a description of the project;
 - 8 b. The expenditure authorized by the legislative assembly;
 - 9 c. The amount of the original contract;
 - 10 d. The amount of any change orders;
 - 11 e. The amount of any potential or anticipated change orders;
 - 12 f. The sum of subdivisions c through e and the amount by which that sum varies
13 from the expenditure authorized by the legislative assembly;
 - 14 g. The total expended for the project to date; and
 - 15 h. The scheduled date of completion as noted in the original contract and the latest
16 available scheduled date of completion.
- 17 2. The state board of higher education also shall provide to the director of the office of
18 management and budget, at the same time as the project variance report required by
19 subsection 1:
- 20 a. A brief description of each change order included in subdivision d of
21 subsection 1; and
 - 22 b. A list of each public and nonpublic entity that has a contractually reflected
23 financial obligation with respect to the project.
- 24 3. The office of management and budget shall review the information received under this
25 section and provide reports to the budget section of the legislative management upon
26 request.

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

29 **Assessment of institutions.**

- 30 1. Before the state board of higher education may impose an assessment on or
31 otherwise require that individual institutions of higher education pay for any goods or

1 services provided by or through the North Dakota university system office, the board
2 shall seek approval from the budget section of the legislative management.

3 2. This section does not apply to any assessments or payment obligations for goods or
4 services in effect before the effective date of this Act.

5 **SECTION 5. AMENDMENT.** Section 15-62.2-02 of the North Dakota Century Code is
6 amended and reenacted as follows:

7 **15-62.2-02. State board of higher education - Powers and duties.**

8 The state board of higher education shall:

- 9 1. Administer the North Dakota student financial assistance program and the North
10 Dakota scholars program and adopt functional rules regarding the eligibility and
11 selection of grant and scholarship recipients.
- 12 2. Determine the amount of individual grants, which may not exceed one thousand
13 fixesix hundred fifty dollars per recipient per academic year, under the North Dakota
14 student financial assistance program.
- 15 3. For the North Dakota student financial assistance program, adopt criteria for
16 substantial need, based upon the ability of the parents or guardian to contribute
17 toward the applicant's educational expenses.
- 18 4. Establish the appropriate procedures for fiscal control, fund accounting, and necessary
19 reports.
- 20 5. Apply for, receive, expend, and administer granted moneys from federal or private
21 sources.

22 **SECTION 6. AMENDMENT.** Subsection 2 of section 15-70-04 of the North Dakota Century
23 Code is amended and reenacted as follows:

- 24 2. If an application is approved, the state board of higher education shall distribute to the
25 tribally controlled community college, during each year of the biennium, an amount
26 equivalent to the most recent per student payment provided in accordance with the
27 Tribally Controlled Colleges and Universities Assistance Act of 1978 [25 U.S.C. 20] for
28 each nonbeneficiary student who is a resident of the state. If the amount appropriated
29 is insufficient to meet the requirements of this section, the board shall prorate the
30 amount to be distributed. The board may distribute no more than one-half of the

1 biennial legislative appropriation provided for grants under this section during the first
2 year of the biennium.

3 **SECTION 7. AMENDMENT.** Section 54-44.1-11 of the North Dakota Century Code is
4 amended and reenacted as follows:

5 **54-44.1-11. (Effective through July 31, ~~2013~~2015) Office of management and budget to**
6 **cancel unexpended appropriations - When they may continue.**

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

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

1 **(Effective after July 31, ~~2013~~2015) Office of management and budget to cancel**
2 **unexpended appropriations - When they may continue.** The office of management and
3 budget, thirty days after the close of each biennial period, shall cancel all unexpended
4 appropriations or balances of appropriations after the expiration of the biennial period during
5 which they became available under the law. Unexpended appropriations for the state historical
6 society are not subject to this section and the state historical society shall report on the amounts
7 and uses of funds carried over from one biennium to the appropriations committees of the next
8 subsequent legislative assembly. The chairmen of the appropriations committees of the senate
9 and house of representatives of the legislative assembly with the office of the budget may
10 continue appropriations or balances in force for not more than two years after the expiration of
11 the biennial period during which they became available upon recommendation of the director of
12 the budget for:

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

24 **SECTION 8. SYSTEMWIDE FUNDING POOLS - TRANSFER AUTHORITY.** The following
25 line items contained in subdivision 1 of section 1 of this Act include funding that may be
26 transferred in full or in part during the biennium beginning July 1, 2013, and ending June 30,
27 2015, by the state board of higher education to the institutions and entities under its control
28 based on the recommendations of the commissioner of higher education as follows:

- 29 1. The deferred maintenance funding pool line item includes funding that must be used to
30 address deferred maintenance and other infrastructure needs at institutions.

- 1 2. The education incentive programs line item includes funding that may be allocated to
2 education incentive programs based on program eligibility criteria and the reduction or
3 elimination of specific programs as determined by the board.

4 **SECTION 9. SYSTEM INFORMATION TECHNOLOGY SERVICES - OFFICE**

5 **CONSOLIDATION - BUDGET SECTION REPORT.** Within five years of the completion of the
6 joint information technology building project on the campus of the university of North Dakota, as
7 approved by the sixty-second legislative assembly, the state board of higher education shall
8 consolidate all system information technology services staff offices in the building. The state
9 board of higher education shall provide annual reports to the budget section regarding the
10 status of the consolidation of the system information technology services offices until all offices
11 are consolidated. Effective five years after the completion of the building project, the state board
12 of higher education may not authorize the use of any other office space for system information
13 technology services employees unless the consent of the legislative assembly or the budget
14 section of the legislative management is received to use office space in a different location.

15 **SECTION 10. UNIVERSITY OF NORTH DAKOTA - RESEARCH ENTERPRISE AND**

16 **COMMERCIALIZATION BUILDING PURCHASE - BUDGET SECTION REPORT.** During the
17 biennium beginning July 1, 2013, and ending June 30, 2015, the state board of higher
18 education may enter a purchase and financing agreement or agreements with a private entity
19 and do all things necessary and proper to authorize the purchase of the research enterprise and
20 commercialization building on the campus of the university of North Dakota using donations,
21 gifts, or other funds. The state board of higher education shall provide a report to the budget
22 section if the research enterprise and commercialization building is purchased as provided
23 under this section.

24 **SECTION 11. MINOT STATE UNIVERSITY - FLOOD RECOVERY FUNDING.** The sum of
25 \$5,000,000 included in the operations line item in subdivision 10 of section 1 of this Act must be
26 used by Minot state university to address housing, budget, and other needs relating to the 2011
27 flood, including capital, as determined by the university.

28 **SECTION 12. NORTH DAKOTA STATE UNIVERSITY - MINARD HALL - BUDGET**

29 **SECTION REPORT.** North Dakota state university may use unspent funding from the
30 \$5,000,000 appropriation received during the biennium beginning July 1, 2007, and ending
31 June 30, 2009, and unspent funding from the \$13,000,000 appropriation received during the

1 biennium beginning July 1, 2009, and ending June 30, 2011, for the Minard hall project, for the
2 biennium beginning July 1, 2013, and ending June 30, 2015. North Dakota state university shall
3 report to the budget section regarding the status of the Minard hall project and may request
4 increased spending authorization from the budget section for the project.

5 **SECTION 13. STUDENT LOAN TRUST FUND.** Subdivision 1 of section 1 of this Act
6 includes the sum of \$1,004,744, or so much of the sum as may be necessary, from the student
7 loan trust fund of which \$465,307 is for the professional student exchange program and
8 \$539,437 is for connectND campus solution positions, for the biennium beginning July 1, 2013,
9 and ending June 30, 2015.

10 **SECTION 14. UNIVERSITY OF NORTH DAKOTA SCHOOL OF MEDICINE AND HEALTH**
11 **SCIENCES OPERATIONS.** The operations line item in subdivision 5 of section 1 of this Act
12 includes the sum of \$158,904,848, which must be transferred, in part, by the state board of
13 higher education, based on the recommendation of the commissioner of higher education, to
14 the university of North Dakota school of medicine and health sciences for operations consistent
15 with the higher education per student credit-hour funding formula.

16 **SECTION 15. FEDERAL, PRIVATE, AND OTHER FUNDS - APPROPRIATION.** All funds,
17 in addition to those appropriated in section 1 of this Act, from federal, private, and other sources
18 for competitive grants or other funds that the legislative assembly has not indicated the intent to
19 reject, including tuition revenue, received by the institutions and entities under the control of the
20 state board of higher education are appropriated to those institutions and entities, for the
21 biennium beginning July 1, 2013, and ending June 30, 2015. All additional funds received under
22 the North Dakota-Minnesota reciprocity agreement during the biennium beginning July 1, 2013,
23 and ending June 30, 2015, are appropriated to the state board of higher education for
24 reimbursement to institutions under the control of the board.

25 **SECTION 16. TRANSFER AUTHORITY.** If, during the biennium beginning July 1, 2013,
26 and ending June 30, 2015, the state board of higher education determines that funds allocated
27 to operations in section 1 of this Act are needed for capital assets, the board may transfer funds
28 from operations to capital assets. The board shall report any transfer of funds under this section
29 to the office of management and budget.

30 **SECTION 17. FULL-TIME EQUIVALENT POSITION ADJUSTMENTS.** Notwithstanding
31 any other provisions of law, the state board of higher education may adjust full-time equivalent

1 positions as needed, subject to the availability of funds, for institutions and entities under its
2 control during the biennium beginning July 1, 2013, and ending June 30, 2015. The North
3 Dakota university system shall report any adjustments to the office of management and budget
4 before the submission of the 2015-17 biennium budget request.

5 **SECTION 18. BOND ISSUANCE AUTHORIZATION - PURPOSES.** The state board of
6 higher education, in accordance with chapter 15-55, may arrange for the funding of projects
7 authorized in this section, declared to be in the public interest, through the issuance of
8 self-liquidating, tax-exempt evidences of indebtedness under chapter 15-55, beginning with the
9 effective date of this Act and ending June 30, 2015. Evidences of indebtedness issued pursuant
10 to this section are not a general obligation of the state of North Dakota. Any unexpended
11 balance resulting from the proceeds of the evidences of indebtedness must be placed in a
12 sinking fund to be used for the retirement of indebtedness. The evidences of indebtedness may
13 be issued and the proceeds are appropriated in section 1 of this Act for the following capital
14 projects:

| | |
|--|------------------|
| 15 University of North Dakota - Student housing facility | \$19,187,262 |
| 16 University of North Dakota - Wilkerson hall dining center | 29,000,000 |
| 17 University of North Dakota - Resident apartment building | <u>8,300,000</u> |
| 18 Total special funds | \$56,487,262 |

19 **SECTION 19. EMERGENCY.** Section 18 of this Act and the capital assets and deferred
20 maintenance pool line items contained in section 1 of this Act are declared to be an emergency
21 measure.