

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

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

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

20 Subdivision 1.

21 NORTH DAKOTA UNIVERSITY SYSTEM OFFICE

		Adjustments or	
	<u>Base Level</u>	<u>Enhancements</u>	<u>Appropriation</u>
22			
23			
24	Capital assets - Bond payments	(\$1,768,724)	\$10,436,045

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1	Competitive research program	7,050,000	0	7,050,000
2	System governance	7,349,806	1,527,502	8,877,308
3	Title II	1,006,472	0	1,006,472
4	System information technology services	36,006,667	2,786,279	38,792,946
5	Professional liability insurance	800,000	(800,000)	0
6	Student financial assistance grants	19,025,594	2,220,085	21,245,679
7	Professional student exchange program	3,321,438	953,577	4,275,015
8	Academic and technical education	10,000,000	3,700,000	13,700,000
9	scholarships			
10	Two-year campus marketing	800,000	0	800,000
11	Scholars program	2,113,584	0	2,113,584
12	Native American scholarships	574,267	75,000	649,267
13	Tribally controlled community college grants	1,000,000	0	1,000,000
14	Education incentive programs	3,176,344	172,656	3,349,000
15	Deferred maintenance pool	0	10,000,000	10,000,000
16	Student mental health	0	282,520	282,520
17	Education challenge fund	<u>0</u>	<u>30,000,000</u>	<u>30,000,000</u>
18	Total all funds	\$104,428,941	\$49,148,895	\$153,577,836
19	Less estimated income	<u>3,056,229</u>	<u>(756,317)</u>	<u>2,299,912</u>
20	Total general fund	\$101,372,712	\$49,905,212	\$151,277,924
21	Full-time equivalent positions	100.31	0.00	100.31

Subdivision 2.

BISMARCK STATE COLLEGE

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

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1 Subdivision 3.

2 LAKE REGION STATE COLLEGE

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

11 Subdivision 4.

12 WILLISTON STATE COLLEGE

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

21 Subdivision 5.

22 UNIVERSITY OF NORTH DAKOTA

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

31 Subdivision 6.

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NORTH DAKOTA STATE UNIVERSITY

Adjustments or

	<u>Base Level</u>	<u>Enhancements</u>	<u>Appropriation</u>
Operations	\$125,015,305	\$19,272,934	\$144,288,239
Capital assets	<u>2,732,244</u>	<u>69,419,356</u>	<u>72,151,600</u>
Total all funds	\$127,747,549	\$88,692,290	\$216,439,839
Less estimated income	<u>0</u>	<u>39,819,356</u>	<u>39,819,356</u>
Total general fund	\$127,747,549	\$48,872,934	\$176,620,483
Full-time equivalent positions	495.21	0.00	495.21

Subdivision 7.

NORTH DAKOTA STATE COLLEGE OF SCIENCE

Adjustments or

	<u>Base Level</u>	<u>Enhancements</u>	<u>Appropriation</u>
Operations	\$34,186,542	\$6,791,805	\$40,978,347
Capital assets	<u>1,012,379</u>	<u>9,861,452</u>	<u>10,873,831</u>
Total all funds	\$35,198,921	\$16,653,257	\$51,852,178
Less estimated income	<u>0</u>	<u>1,350,000</u>	<u>1,350,000</u>
Total general fund	\$35,198,921	\$15,303,257	\$50,502,178
Full-time equivalent positions	171.87	1.75	173.62

Subdivision 8.

DICKINSON STATE UNIVERSITY

Adjustments or

	<u>Base Level</u>	<u>Enhancements</u>	<u>Appropriation</u>
Operations	\$22,383,539	\$6,290,197	\$28,673,736
Capital assets	<u>409,078</u>	<u>0</u>	<u>409,078</u>
Total all funds	\$22,792,617	\$6,290,197	\$29,082,814
Less estimated income	<u>0</u>	<u>0</u>	<u>0</u>
Total general fund	\$22,792,617	\$6,290,197	\$29,082,814
Full-time equivalent positions	100.32	5.00	105.32

Subdivision 9.

MAYVILLE STATE UNIVERSITY

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		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

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		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	\$47,747,971	\$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	\$5,514,681	\$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>1,650,000</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			

1	Grand total all funds	\$611,231,666	\$470,153,980	\$1,081,385,646
2	<u>Grand total all funds</u>	<u>\$611,231,666</u>	<u>\$471,008,500</u>	<u>\$1,082,240,166</u>
3	Grand total special funds	<u>4,706,229</u>	<u>161,109,712</u>	<u>165,815,941</u>
4	Grand total general fund	\$606,525,437	\$309,044,268	\$915,569,705
5	<u>Grand total general fund</u>	<u>\$606,525,437</u>	<u>\$309,898,788</u>	<u>\$916,424,225</u>

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

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

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

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

1 | **SECTION 3. APPROPRIATION - COMMISSIONER OF HIGHER EDUCATION**

2 **CONTRACT TERMINATION - LIMITATION - APPLICATION.** There is appropriated out of any
3 moneys in the general fund in the state treasury, not otherwise appropriated, the sum of
4 \$854,520, or so much of the sum as may be necessary, to the state board of higher education
5 for the purpose of providing a settlement payment for the termination of the contract of the
6 commissioner of higher education, for the period beginning with the effective date of this Act
7 and ending June 30, 2015. The funding provided under this section may be used only for a
8 settlement payment and is available to the state board of higher education upon the termination
9 of the contract that was in effect on January 1, 2013, for the commissioner of higher education.
10 For purposes of this section and the contract of the commissioner of higher education,
11 "chancellor of the North Dakota university system" means the commissioner of higher education
12 as provided for under Section 6 of Article VIII of the Constitution of North Dakota. The office of
13 management and budget shall reduce the available appropriation provided under this section by
14 \$35,605 on the first day of each month beginning July 1, 2013, until the contract has been
15 terminated as provided for in this section. Notwithstanding the provisions of Section 54-44.1-11
16 the office of management and budget shall cancel any unexpended appropriation provided
17 under this section thirty days after June 30, 2015.

18 **SECTION 4. AMENDMENT.** Section 15-10-47 of the North Dakota Century Code is
19 amended and reenacted as follows:

20 **15-10-47. Construction projects at institutions of higher education - Variance reports.**

- 21 1. Whenever any new construction, renovation, or repair, valued at more than two
22 hundred fifty thousand dollars is underway on the campus of an institution of higher
23 education under the control of the state board of higher education, the board shall
24 provide ~~monthly~~semiannual project variance reports to the director of the office of
25 management and budget. Each report must include:
- 26 a. The name or a description of the project;
 - 27 b. The expenditure authorized by the legislative assembly;
 - 28 c. The amount of the original contract;
 - 29 d. The amount of any change orders;
 - 30 e. The amount of any potential or anticipated change orders;

- 1 f. The sum of subdivisions c through e and the amount by which that sum varies
2 from the expenditure authorized by the legislative assembly;
- 3 g. The total expended for the project to date; and
- 4 h. The scheduled date of completion as noted in the original contract and the latest
5 available scheduled date of completion.
- 6 2. The state board of higher education also shall provide to the director of the office of
7 management and budget, at the same time as the project variance report required by
8 subsection 1:
- 9 a. A brief description of each change order included in subdivision d of
10 subsection 1; and
- 11 b. A list of each public and nonpublic entity that has a contractually reflected
12 financial obligation with respect to the project.
- 13 3. The office of management and budget shall review the information received under this
14 section and provide reports to the budget section of the legislative management upon
15 request.

16 **SECTION 5.** A new section to chapter 15-10 of the North Dakota Century Code is created
17 and enacted as follows:

18 **Assessment of institutions.**

- 19 1. Before the state board of higher education may impose an assessment on or
20 otherwise require that individual institutions of higher education pay for any goods or
21 services provided by or through the North Dakota university system office, the board
22 shall seek approval from the budget section of the legislative management.
- 23 2. This section does not apply to any assessments or payment obligations for goods or
24 services in effect before the effective date of this Act.

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

27 **15-62.2-02. State board of higher education - Powers and duties.**

28 The state board of higher education shall:

- 29 1. Administer the North Dakota student financial assistance program and the North
30 Dakota scholars program and adopt functional rules regarding the eligibility and
31 selection of grant and scholarship recipients.

- 1 2. Determine the amount of individual grants, which may not exceed one thousand
2 fivesix hundred fifty dollars per recipient per academic year, under the North Dakota
3 student financial assistance program.
- 4 3. For the North Dakota student financial assistance program, adopt criteria for
5 substantial need, based upon the ability of the parents or guardian to contribute
6 toward the applicant's educational expenses.
- 7 4. Establish the appropriate procedures for fiscal control, fund accounting, and necessary
8 reports.
- 9 5. Apply for, receive, expend, and administer granted moneys from federal or private
10 sources.

11 **SECTION 7. AMENDMENT.** Subsection 2 of section 15-70-04 of the North Dakota Century
12 Code is amended and reenacted as follows:

- 13 2. If an application is approved, the state board of higher education shall distribute to the
14 tribally controlled community college, during each year of the biennium, an amount
15 equivalent to the most recent per student payment provided in accordance with the
16 Tribally Controlled Colleges and Universities Assistance Act of 1978 [25 U.S.C. 20] for
17 each nonbeneficiary student who is a resident of the state. If the amount appropriated
18 is insufficient to meet the requirements of this section, the board shall prorate the
19 amount to be distributed. The board may distribute no more than one-half of the
20 biennial legislative appropriation provided for grants under this section during the first
21 year of the biennium.

22 **SECTION 8. AMENDMENT.** Section 54-44.1-11 of the North Dakota Century Code is
23 amended and reenacted as follows:

24 **54-44.1-11. (Effective through July 31, 2013~~2015~~) Office of management and budget to**
25 **cancel unexpended appropriations - When they may continue.**

26 Except as otherwise provided by law, the office of management and budget, thirty days after
27 the close of each biennial period, shall cancel all unexpended appropriations or balances of
28 appropriations after the expiration of the biennial period during which they became available
29 under the law. Unexpended appropriations for the state historical society are not subject to this
30 section and the state historical society shall report on the amounts and uses of funds carried
31 over from one biennium to the appropriations committees of the next subsequent legislative

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

- 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 **SECTION 9. SYSTEMWIDE FUNDING POOLS - TRANSFER AUTHORITY.** The following
13 line items contained in subdivision 1 of section 1 of this Act include funding that may be
14 transferred in full or in part during the biennium beginning July 1, 2013, and ending June 30,
15 2015, by the state board of higher education to the institutions and entities under its control
16 based on the recommendations of the commissioner of higher education as follows:

- 17 1. The deferred maintenance funding pool line item includes funding that must be used to
- 18 address deferred maintenance and other infrastructure needs at institutions.
- 19 2. The education incentive programs line item includes funding that may be allocated to
- 20 education incentive programs based on program eligibility criteria and the reduction or
- 21 elimination of specific programs as determined by the board.

22 **SECTION 10. SYSTEM INFORMATION TECHNOLOGY SERVICES - OFFICE**

23 **CONSOLIDATION - BUDGET SECTION REPORT.** Within five years of the completion of the
24 joint information technology building project on the campus of the university of North Dakota, as
25 approved by the sixty-second legislative assembly, the state board of higher education shall
26 consolidate all system information technology services staff offices in the building. The state
27 board of higher education shall provide annual reports to the budget section regarding the
28 status of the consolidation of the system information technology services offices until all offices
29 are consolidated. Effective five years after the completion of the building project, the state board
30 of higher education may not authorize the use of any other office space for system information

1 technology services employees unless the consent of the legislative assembly or the budget
2 section of the legislative management is received to use office space in a different location.

3 **SECTION 11. UNIVERSITY OF NORTH DAKOTA - RESEARCH ENTERPRISE AND**
4 **COMMERCIALIZATION BUILDING PURCHASE - BUDGET SECTION REPORT.** During the
5 biennium beginning July 1, 2013, and ending June 30, 2015, the state board of higher
6 education may enter a purchase and financing agreement or agreements with a private entity
7 and do all things necessary and proper to authorize the purchase of the research enterprise and
8 commercialization building on the campus of the university of North Dakota using donations,
9 gifts, or other funds. The state board of higher education shall provide a report to the budget
10 section if the research enterprise and commercialization building is purchased as provided
11 under this section.

12 **SECTION 12. MINOT STATE UNIVERSITY - FLOOD RECOVERY FUNDING.** The sum of
13 \$5,000,000 included in the operations line item in subdivision 10 of section 1 of this Act must be
14 used by Minot state university to address housing, budget, and other needs relating to the 2011
15 flood, including capital, as determined by the university.

16 **SECTION 13. NORTH DAKOTA STATE UNIVERSITY - MINARD HALL - BUDGET**
17 **SECTION REPORT.** North Dakota state university may use unspent funding from the
18 \$5,000,000 appropriation received during the biennium beginning July 1, 2007, and ending
19 June 30, 2009, and unspent funding from the \$13,000,000 appropriation received during the
20 biennium beginning July 1, 2009, and ending June 30, 2011, for the Minard hall project, for the
21 biennium beginning July 1, 2013, and ending June 30, 2015. North Dakota state university shall
22 report to the budget section regarding the status of the Minard hall project and may request
23 increased spending authorization from the budget section for the project.

24 **SECTION 14. STUDENT LOAN TRUST FUND.** Subdivision 1 of section 1 of this Act
25 includes the sum of \$1,004,744, or so much of the sum as may be necessary, from the student
26 loan trust fund of which \$465,307 is for the professional student exchange program and
27 \$539,437 is for connectND campus solution positions, for the biennium beginning July 1, 2013,
28 and ending June 30, 2015.

29 **SECTION 15. UNIVERSITY OF NORTH DAKOTA SCHOOL OF MEDICINE AND HEALTH**
30 **SCIENCES OPERATIONS.** The operations line item in subdivision 5 of section 1 of this Act
31 includes the sum of \$158,904,848, which must be transferred, in part, by the state board of

1 higher education, based on the recommendation of the commissioner of higher education, to
2 the university of North Dakota school of medicine and health sciences for operations consistent
3 with the higher education per student credit-hour funding formula.

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

13 **SECTION 17. TRANSFER AUTHORITY.** If, during the biennium beginning July 1, 2013,
14 and ending June 30, 2015, the state board of higher education determines that funds allocated
15 to operations in section 1 of this Act are needed for capital assets, the board may transfer funds
16 from operations to capital assets. The board shall report any transfer of funds under this section
17 to the office of management and budget.

18 **SECTION 18. FULL-TIME EQUIVALENT POSITION ADJUSTMENTS.** Notwithstanding
19 any other provisions of law, the state board of higher education may adjust full-time equivalent
20 positions as needed, subject to the availability of funds, for institutions and entities under its
21 control during the biennium beginning July 1, 2013, and ending June 30, 2015. The North
22 Dakota university system shall report any adjustments to the office of management and budget
23 before the submission of the 2015-17 biennium budget request.

24 **SECTION 19. BOND ISSUANCE AUTHORIZATION - PURPOSES.** The state board of
25 higher education, in accordance with chapter 15-55, may arrange for the funding of projects
26 authorized in this section, declared to be in the public interest, through the issuance of
27 self-liquidating, tax-exempt evidences of indebtedness under chapter 15-55, beginning with the
28 effective date of this Act and ending June 30, 2015. Evidences of indebtedness issued pursuant
29 to this section are not a general obligation of the state of North Dakota. Any unexpended
30 balance resulting from the proceeds of the evidences of indebtedness must be placed in a
31 sinking fund to be used for the retirement of indebtedness. The evidences of indebtedness may

1 be issued and the proceeds are appropriated in section 1 of this Act for the following capital
2 projects:

3	University of North Dakota - Student housing facility	\$19,187,262
4	University of North Dakota - Wilkerson hall dining center	29,000,000
5	University of North Dakota - Resident apartment building	<u>8,300,000</u>
6	Total special funds	\$56,487,262

7 | **SECTION 20. EMERGENCY.** ~~Section 18~~Sections 3 and 19 of this Act and the capital assets
8 and deferred maintenance pool line items contained in section 1 of this Act are declared to be
9 an emergency measure.