

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	<u>System governance</u>	<u>7,349,806</u>	<u>227,502</u>	<u>7,577,308</u>
2	Title II	1,006,472	0	1,006,472
3	System information technology services	36,006,667	2,786,279	38,792,946
4	Professional liability insurance	800,000	(800,000)	0
5	Student financial assistance grants	19,025,594	2,220,085	21,245,679
6	Professional student exchange program	3,321,438	953,577	4,275,015
7	Academic and technical education	10,000,000	3,700,000	13,700,000
8	scholarships			
9	Two-year campus marketing	800,000	0	800,000
10	Scholars program	2,113,584	0	2,113,584
11	Native American scholarships	574,267	75,000	649,267
12	Tribally controlled community college grants	1,000,000	0	1,000,000
13	Education incentive programs	3,176,344	172,656	3,349,000
14	Deferred maintenance pool	0	10,000,000	10,000,000
15	Student mental health	0	282,520	282,520
16	Education challenge fund	<u>0</u>	<u>30,000,000</u>	<u>30,000,000</u>
17	Total all funds	\$104,428,941	\$49,148,895	\$153,577,836
18	<u>Total all funds</u>	<u>\$104,428,941</u>	<u>\$47,848,895</u>	<u>\$152,277,836</u>
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	<u>Total general fund</u>	<u>\$101,372,712</u>	<u>\$48,605,212</u>	<u>\$149,977,924</u>
22	Full-time equivalent positions	100.31	0.00	100.31
23	Subdivision 2.			
24	BISMARCK STATE COLLEGE			
25			Adjustments or	
26		<u>Base Level</u>	<u>Enhancements</u>	<u>Appropriation</u>
27	Operations	\$27,628,314	\$7,368,548	\$34,996,862
28	Capital assets	<u>417,673</u>	<u>13,300,000</u>	<u>13,717,673</u>
29	Total all funds	\$28,045,987	\$20,668,548	\$48,714,535
30	Less estimated income	<u>0</u>	<u>0</u>	<u>0</u>

Sixty-third
Legislative Assembly

1	Total general fund	\$28,045,987	\$20,668,548	\$48,714,535
2	Full-time equivalent positions	126.96	4.00	130.96
3	Subdivision 3.			

LAKE REGION STATE COLLEGE

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

WILLISTON STATE COLLEGE

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

UNIVERSITY OF NORTH DAKOTA

			Adjustments or	
		<u>Base Level</u>	<u>Enhancements</u>	<u>Appropriation</u>
27	Operations	\$140,457,484	\$18,447,364	\$158,904,848
28	Capital assets	<u>4,411,566</u>	<u>176,787,262</u>	<u>181,198,828</u>
29	Total all funds	\$144,869,050	\$195,234,626	\$340,103,676
30	Less estimated income	<u>0</u>	<u>96,487,262</u>	<u>96,487,262</u>

Sixty-third
Legislative Assembly

1	Total general fund	\$144,869,050	\$98,747,364	\$243,616,414
2	Full-time equivalent positions	642.20	0.00	642.20
3	Subdivision 6.			

NORTH DAKOTA STATE UNIVERSITY

5			Adjustments or	
6		<u>Base Level</u>	<u>Enhancements</u>	<u>Appropriation</u>
7	Operations	\$125,015,305	\$19,272,934	\$144,288,239
8	Capital assets	<u>2,732,244</u>	<u>69,419,356</u>	<u>72,151,600</u>
9	Total all funds	\$127,747,549	\$88,692,290	\$216,439,839
10	Less estimated income	<u>0</u>	<u>39,819,356</u>	<u>39,819,356</u>
11	Total general fund	\$127,747,549	\$48,872,934	\$176,620,483
12	Full-time equivalent positions	495.21	0.00	495.21
13	Subdivision 7.			

NORTH DAKOTA STATE COLLEGE OF SCIENCE

15			Adjustments or	
16		<u>Base Level</u>	<u>Enhancements</u>	<u>Appropriation</u>
17	Operations	\$34,186,542	\$6,791,805	\$40,978,347
18	Capital assets	<u>1,012,379</u>	<u>9,861,452</u>	<u>10,873,831</u>
19	Total all funds	\$35,198,921	\$16,653,257	\$51,852,178
20	Less estimated income	<u>0</u>	<u>1,350,000</u>	<u>1,350,000</u>
21	Total general fund	\$35,198,921	\$15,303,257	\$50,502,178
22	Full-time equivalent positions	171.87	1.75	173.62
23	Subdivision 8.			

DICKINSON STATE UNIVERSITY

25			Adjustments or	
26		<u>Base Level</u>	<u>Enhancements</u>	<u>Appropriation</u>
27	Operations	\$22,383,539	\$6,290,197	\$28,673,736
28	Capital assets	<u>409,078</u>	<u>0</u>	<u>409,078</u>
29	Total all funds	\$22,792,617	\$6,290,197	\$29,082,814
30	Less estimated income	<u>0</u>	<u>0</u>	<u>0</u>

Sixty-third
Legislative Assembly

1	Total general fund	\$22,792,617	\$6,290,197	\$29,082,814
2	Full-time equivalent positions	100.32	5.00	105.32
3	Subdivision 9.			

MAYVILLE STATE UNIVERSITY

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

MINOT STATE UNIVERSITY

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

VALLEY CITY STATE UNIVERSITY

25			Adjustments or	
26		<u>Base Level</u>	<u>Enhancements</u>	<u>Appropriation</u>
27	Operations	\$17,694,741	\$4,410,281	\$22,105,022
28	Capital assets	<u>408,319</u>	<u>9,199,103</u>	<u>9,607,422</u>
29	Total all funds	\$18,103,060	\$13,609,384	\$31,712,444
30	Less estimated income	<u>0</u>	<u>4,806,837</u>	<u>4,806,837</u>

Sixty-third
Legislative Assembly

1	Total general fund	\$18,103,060	\$8,802,547	\$26,905,607
2	Full-time equivalent positions	97.29	3.00	100.29
3	Subdivision 12.			
4	DAKOTA COLLEGE AT BOTTINEAU			
5			Adjustments or	
6		<u>Base Level</u>	<u>Enhancements</u>	<u>Appropriation</u>
7	Operations	\$6,489,750	\$1,886,639	\$8,376,389
8	Capital assets	<u>115,507</u>	<u>8,836,389</u>	<u>8,951,896</u>
9	Total all funds	\$6,605,257	\$10,723,028	\$17,328,285
10	Less estimated income	<u>0</u>	<u>7,600,789</u>	<u>7,600,789</u>
11	Total general fund	\$6,605,257	\$3,122,239	\$9,727,496
12	Full-time equivalent positions	36.12	4.00	40.12
13	Subdivision 13.			
14	UNIVERSITY OF NORTH DAKOTA SCHOOL OF MEDICINE AND HEALTH SCIENCES			
15			Adjustments or	
16		<u>Base Level</u>	<u>Enhancements</u>	<u>Appropriation</u>
17	Operations	\$47,747,971	\$8,214,806	\$55,962,777
18	Total all funds	\$47,747,971	\$8,214,806	\$55,962,777
19	Less estimated income	<u>0</u>	<u>0</u>	<u>0</u>
20	Total general fund	\$47,747,971	\$8,214,806	\$55,962,777
21	Full-time equivalent positions	156.55	0.00	156.55
22	Subdivision 14.			
23	NORTH DAKOTA FOREST SERVICE			
24			Adjustments or	
25		<u>Base Level</u>	<u>Enhancements</u>	<u>Appropriation</u>
26	Operations	\$5,514,681	\$758,131	\$6,272,812
27	Capital assets	<u>97,791</u>	<u>788,419</u>	<u>886,210</u>
28	Total all funds	\$5,612,472	\$1,546,550	\$7,159,022
29	Less estimated income	<u>1,650,000</u>	<u>0</u>	<u>1,650,000</u>
30	Total general fund	\$3,962,472	\$1,546,550	\$5,509,022
31	Full-time equivalent positions	28.00	1.00	29.00

1 Subdivision 15.

2 BILL TOTAL

3 Adjustments or

4 Base Level Enhancements Appropriation

5 ~~Grand total all funds \$611,231,666 \$470,153,980 \$1,081,385,646~~

6 Grand total all funds \$611,231,666 \$468,853,980 \$1,080,085,646

7 Grand total special funds 4,706,229 161,109,712 165,815,941

8 ~~Grand total general fund \$606,525,437 \$309,044,268 \$915,569,705~~

9 Grand total general fund \$606,525,437 \$307,744,268 \$914,269,705

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

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

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

1 The 2013-15 one-time funding amounts are not a part of the entity's base budget for the
2 2015-17 biennium. The North Dakota university system shall report to the appropriations
3 committees of the sixty-fourth legislative assembly on the use of this one-time funding for the
4 biennium beginning July 1, 2013, and ending June 30, 2015.

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

7 **15-10-47. Construction projects at institutions of higher education - Variance reports.**

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

- 1 3. The office of management and budget shall review the information received under this
2 section and provide reports to the budget section of the legislative management upon
3 request.

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

6 **Assessment of institutions.**

7 1. Before the state board of higher education may impose an assessment on or
8 otherwise require that individual institutions of higher education pay for any goods or
9 services provided by or through the North Dakota university system office, the board
10 shall seek approval from the budget section of the legislative management.

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

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

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

16 The state board of higher education shall:

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

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

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

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

12 **54-44.1-11. (Effective through July 31, 2013~~2015~~) Office of management and budget to**
13 **cancel unexpended appropriations - When they may continue.**

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

- 28 1. New construction projects.
29 2. Major repair or improvement projects.

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

10 **(Effective after July 31, ~~2013~~2015) Office of management and budget to cancel**

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

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

1 6. Authorized ongoing information technology projects.

2 **SECTION 8. SYSTEMWIDE FUNDING POOLS - TRANSFER AUTHORITY.** The following
3 line items contained in subdivision 1 of section 1 of this Act include funding that may be
4 transferred in full or in part during the biennium beginning July 1, 2013, and ending June 30,
5 2015, by the state board of higher education to the institutions and entities under its control
6 based on the recommendations of the commissioner of higher education as follows:

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

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

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

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

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

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

1 **SECTION 11. MINOT STATE UNIVERSITY - FLOOD RECOVERY FUNDING.** The sum of
2 \$5,000,000 included in the operations line item in subdivision 10 of section 1 of this Act must be
3 used by Minot state university to address housing, budget, and other needs relating to the 2011
4 flood, including capital, as determined by the university.

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

6 **SECTION REPORT.** North Dakota state university may use unspent funding from the
7 \$5,000,000 appropriation received during the biennium beginning July 1, 2007, and ending
8 June 30, 2009, and unspent funding from the \$13,000,000 appropriation received during the
9 biennium beginning July 1, 2009, and ending June 30, 2011, for the Minard hall project, for the
10 biennium beginning July 1, 2013, and ending June 30, 2015. North Dakota state university shall
11 report to the budget section regarding the status of the Minard hall project and may request
12 increased spending authorization from the budget section for the project.

13 **SECTION 13. STUDENT LOAN TRUST FUND.** Subdivision 1 of section 1 of this Act
14 includes the sum of \$1,004,744, or so much of the sum as may be necessary, from the student
15 loan trust fund of which \$465,307 is for the professional student exchange program and
16 \$539,437 is for connectND campus solution positions, for the biennium beginning July 1, 2013,
17 and ending June 30, 2015.

18 **SECTION 14. UNIVERSITY OF NORTH DAKOTA SCHOOL OF MEDICINE AND HEALTH**

19 **SCIENCES OPERATIONS.** The operations line item in subdivision 5 of section 1 of this Act
20 includes the sum of \$158,904,848, which must be transferred, in part, by the state board of
21 higher education, based on the recommendation of the commissioner of higher education, to
22 the university of North Dakota school of medicine and health sciences for operations consistent
23 with the higher education per student credit-hour funding formula.

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

1 and ending June 30, 2015, are appropriated to the state board of higher education for
2 reimbursement to institutions under the control of the board.

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

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

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

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

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