

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 for transfer of funds; to authorize the state board of higher  
3 education to issue and sell bonds for capital projects; and to declare an emergency.

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

5 **SECTION 1. APPROPRIATION.** The funds provided in this section, or so much of the funds  
6 as may be necessary, are appropriated out of any moneys in the general fund in the state  
7 treasury, not otherwise appropriated, and from special funds derived from federal funds and  
8 other income, to the North Dakota university system and to the various entities and institutions  
9 under the supervision of the state board of higher education for the purpose of defraying the  
10 expenses of the North Dakota university system office and to the various entities, for the  
11 biennium beginning July 1, 2011, and ending June 30, 2013, as follows:

12 Subdivision 1.

13 NORTH DAKOTA UNIVERSITY SYSTEM OFFICE

		Adjustments or		
	<u>Base Level</u>	<u>Enhancements</u>	<u>Appropriation</u>	
14				
15				
16	Capital assets	\$12,014,048	\$240,721	\$12,254,769
17	Competitive research program	7,050,000	1,650,000	8,700,000
18	System governance	7,185,612	468,522	7,654,134
19	Title II	695,600	0	695,600
20	System information technology	30,230,038	5,831,961	36,061,999
21	services			
22	Professional liability insurance	1,100,000	(300,000)	800,000
23	Student financial assistance grants	19,374,022	553,546	19,927,568
24	Professional student exchange program	3,337,100	228,736	3,565,836

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1	Academic and technical education	3,000,000	(3,000,000)	0
2	scholarships			
3	Two-year campus marketing	800,000	0	800,000
4	Scholars program	2,113,584	343,242	2,456,826
5	Native American scholarships	381,292	194,150	575,442
6	Tribally controlled community college	700,000	300,000	1,000,000
7	grants			
8	Security and emergency preparedness	750,000	(750,000)	0
9	Education incentive programs	3,176,344	89,650	3,265,994
10	Science, technology, engineering, and	1,500,000	(1,500,000)	0
11	mathematics teacher education			
12	enhancement			
13	Grants	100,000	(100,000)	0
14	Student mental health	0	168,000	168,000
15	Completion based funding	0	5,000,000	5,000,000
16	Academic and technical program	<u>0</u>	<u>1,000,000</u>	<u>1,000,000</u>
17	revolving fund			
18	Total all funds	\$93,507,640	\$10,418,528	\$103,926,168
19	Less estimated income	<u>4,748,958</u>	<u>(994,240)</u>	<u>3,754,718</u>
20	Total general fund	\$88,758,682	\$11,412,768	\$100,171,450
21	Full-time equivalent positions	23.30	0.00	23.30

Subdivision 2.

BISMARCK STATE COLLEGE

		Adjustments or		
	<u>Base Level</u>	<u>Enhancements</u>	<u>Appropriation</u>	
26	Operations	\$24,204,005	\$3,531,623	\$27,735,628
27	Capital assets	<u>243,481</u>	<u>10,074,192</u>	<u>10,317,673</u>
28	Total all funds	\$24,447,486	\$13,605,815	\$38,053,301
29	Less estimated income	<u>0</u>	<u>7,500,000</u>	<u>7,500,000</u>
30	Total general fund	\$24,447,486	\$6,105,815	\$30,553,301
31	Full-time equivalent positions	111.51	00.0	111.51

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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			
5	Operations	\$1,203,282	\$9,159,492
6	Capital assets	<u>43,662</u>	<u>115,367</u>
7	Total all funds	\$1,314,987	\$9,314,859
8	Less estimated income	<u>0</u>	<u>0</u>
9	Total general fund	\$1,314,987	\$9,314,859
10	Full-time equivalent positions	37.50	37.50

11 Subdivision 4.

12 WILLISTON STATE COLLEGE

		Adjustments or	
	<u>Base Level</u>	<u>Enhancements</u>	<u>Appropriation</u>
13			
14			
15	Operations	\$1,205,296	\$8,902,295
16	Capital assets	<u>86,475</u>	<u>3,017,801</u>
17	Total all funds	\$4,136,622	\$11,920,096
18	Less estimated income	<u>0</u>	<u>2,820,000</u>
19	Total general fund	\$1,316,622	\$9,100,096
20	Full-time equivalent positions	43.42	43.42

21 Subdivision 5.

22 UNIVERSITY OF NORTH DAKOTA

		Adjustments or	
	<u>Base Level</u>	<u>Enhancements</u>	<u>Appropriation</u>
23			
24			
25	Operations	\$15,943,731	\$140,980,514
26	Capital assets	<u>2,300,545</u>	<u>37,592,579</u>
27	Total all funds	\$51,235,765	\$178,573,093
28	Less estimated income	<u>0</u>	<u>21,700,000</u>
29	Total general fund	\$29,535,765	\$156,873,093
30	Full-time equivalent positions	651.91	651.91

31 Subdivision 6.

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NORTH DAKOTA STATE UNIVERSITY

		Adjustments or	
	<u>Base Level</u>	<u>Enhancements</u>	<u>Appropriation</u>
Operations	\$108,367,622	\$16,766,750	\$125,134,372
Capital assets	<u>1,692,225</u>	<u>39,459,719</u>	<u>41,151,944</u>
Total all funds	\$110,059,847	\$56,226,469	\$166,286,316
Less estimated income	<u>0</u>	<u>36,100,000</u>	<u>36,100,000</u>
Total general fund	\$110,059,847	\$20,126,469	\$130,186,316
Full-time equivalent positions	584.88	0.00	584.88
Subdivision 7.			

NORTH DAKOTA STATE COLLEGE OF SCIENCE

		Adjustments or	
	<u>Base Level</u>	<u>Enhancements</u>	<u>Appropriation</u>
Operations	\$31,607,155	\$2,777,695	\$34,384,850
Capital assets	<u>753,332</u>	<u>19,064,898</u>	<u>19,818,230</u>
Total all funds	\$32,360,487	\$21,842,593	\$54,203,080
Less estimated income	<u>0</u>	<u>10,500,000</u>	<u>10,500,000</u>
Total general fund	\$32,360,487	\$11,342,593	\$43,703,080
Full-time equivalent positions	164.87	0.00	164.87
Subdivision 8.			

DICKINSON STATE UNIVERSITY

		Adjustments or	
	<u>Base Level</u>	<u>Enhancements</u>	<u>Appropriation</u>
Operations	\$20,123,737	\$2,424,204	\$22,547,941
Capital assets	<u>383,690</u>	<u>8,825,388</u>	<u>9,209,078</u>
Total all funds	\$20,507,427	\$11,249,592	\$31,757,019
Less estimated income	<u>0</u>	<u>0</u>	<u>0</u>
Total general fund	\$20,507,427	\$11,249,592	\$31,757,019
Full-time equivalent positions	92.96	0.00	92.96
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	\$1,304,283	\$12,933,899
4	Capital assets	<u>208,991</u>	<u>751,485</u>
5	Total all funds	\$11,838,607	\$13,685,384
6	Less estimated income	<u>0</u>	<u>0</u>
7	Total general fund	\$11,838,607	\$13,685,384
8	Full-time equivalent positions	58.72	58.72
9	Subdivision 10.		

MINOT STATE UNIVERSITY

		Adjustments or	
	<u>Base Level</u>	<u>Enhancements</u>	<u>Appropriation</u>
11			
12			
13	Operations	\$3,287,409	\$37,911,116
14	Capital assets	<u>596,870</u>	<u>5,949,620</u>
15	Total all funds	\$35,220,577	\$43,860,736
16	Less estimated income	<u>0</u>	<u>5,050,000</u>
17	Total general fund	\$35,220,577	\$38,810,736
18	Full-time equivalent positions	187.83	187.83
19	Subdivision 11.		

VALLEY CITY STATE UNIVERSITY

		Adjustments or	
	<u>Base Level</u>	<u>Enhancements</u>	<u>Appropriation</u>
21			
22			
23	Operations	\$1,413,578	\$17,781,579
24	Capital assets	<u>258,416</u>	<u>9,477,886</u>
25	Total all funds	\$16,626,417	\$27,259,465
26	Less estimated income	<u>0</u>	<u>815,000</u>
27	Total general fund	\$16,626,417	\$26,444,465
28	Full-time equivalent positions	90.37	90.37
29	Subdivision 12.		

DAKOTA COLLEGE AT BOTTINEAU

30

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		Adjustments or	
	<u>Base Level</u>	<u>Enhancements</u>	<u>Appropriation</u>
1			
2			
3	Operations	\$770,850	\$6,633,222
4	Capital assets	<u>5,782</u>	<u>115,507</u>
5	Total all funds	\$776,632	\$6,748,729
6	Less estimated income	<u>0</u>	<u>0</u>
7	Total general fund	\$776,632	\$6,748,729
8	Full-time equivalent positions	0.00	34.81
9	Subdivision 13.		
10	UNIVERSITY OF NORTH DAKOTA SCHOOL OF MEDICINE AND HEALTH SCIENCES		
11		Adjustments or	
12		<u>Base Level</u>	<u>Enhancements</u>
13	Operations	<u>\$40,890,401</u>	<u>\$5,763,005</u>
14	Total all funds	\$40,890,401	\$5,763,005
15	Less estimated income	<u>0</u>	<u>0</u>
16	Total general fund	\$40,890,401	\$5,763,005
17	Full-time equivalent positions	137.43	0.00
18	Subdivision 14.		
19	NORTH DAKOTA FOREST SERVICE		
20		Adjustments or	
21		<u>Base Level</u>	<u>Enhancements</u>
22	Operations	\$4,471,040	\$641,127
23	Capital assets	<u>36,638</u>	<u>61,153</u>
24	Total all funds	\$4,507,678	\$702,280
25	Less estimated income	<u>997,486</u>	<u>0</u>
26	Total general fund	\$3,510,192	\$702,280
27	Full-time equivalent positions	26.00	0.00
28	Subdivision 15.		
29	BILL TOTAL		

		Adjustments or		
	<u>Base Level</u>	<u>Enhancements</u>	<u>Appropriation</u>	
1				
2				
3	Grand total all funds	\$539,059,338	\$198,392,272	\$737,451,610
4	Grand total special funds	<u>5,746,444</u>	<u>83,490,760</u>	<u>89,237,204</u>
5	Grand total general fund	\$533,312,894	\$114,901,512	\$648,214,406

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

**SIXTY-THIRD LEGISLATIVE ASSEMBLY.** The following amounts reflect the one-time funding items approved by the sixty-first legislative assembly for the 2009-11 biennium and the 2011-13 one-time funding items included in the appropriation in section 1 of this Act:

	<u>One-Time Funding Description</u>	<u>2009-11</u>	<u>2011-13</u>
10			
11	Federal fiscal stimulus	\$19,309,920	\$0
12	Dickinson state university operating funds	350,000	0
13	Dickinson state university Theodore Roosevelt center	750,000	0
14	Electronic medical records system UND medical	225,000	0
15	school		
16	Deferred maintenance - General fund	20,000,000	0
17	Capital projects - General fund	39,008,248	37,651,000
18	Capital projects - Other funds	166,958,000	82,165,000
19	Capital projects - Permanent oil tax trust fund	10,400,000	2,320,000
20	Special assessments payments	0	4,302,624
21	Mental health services	0	156,000
22	Emerald ash borer program	<u>0</u>	<u>250,000</u>
23	Total all funds	\$257,001,168	\$126,844,624
24	Total other funds	<u>197,017,920</u>	<u>84,485,000</u>
25	Total general fund	\$59,983,248	\$42,359,624

The 2011-13 one-time funding amounts are not a part of the entity's base budget for the 2013-15 biennium. The North Dakota university system shall report to the appropriations committees of the sixty-third legislative assembly on the use of this one-time funding for the biennium beginning July 1, 2013, and ending June 30, 2015.

**SECTION 3. PERMANENT OIL TAX TRUST FUND - WILLISTON STATE COLLEGE.** The estimated income line item in subdivision 4 of section 1 of this Act includes \$2,320,000 from the

1 permanent oil tax trust fund for the renovation of the science lab building and a campus  
2 branding project at Williston state college, for the biennium beginning July 1, 2011, and ending  
3 June 30, 2013.

4 **SECTION 4. CAPITAL ASSETS.** The sum of \$12,254,769, or so much of the sum as may  
5 be necessary, included in the capital assets line item in subdivision 1 of section 1 of this Act,  
6 must be used by the state board of higher education to satisfy outstanding bond obligations.

7 **SECTION 5. SYSTEM INFORMATION TECHNOLOGY SERVICES.** The sum of  
8 \$36,061,999, or so much of the sum as may be necessary, included in the system information  
9 technology services line item in subdivision 1 of section 1 of this Act, must be used for the  
10 benefit of the institutions and entities under the control of the state board of higher education, as  
11 determined by the board. Funding allocations are to be made based on the North Dakota  
12 university system information technology plan and technology priorities. Funds allocated  
13 pursuant to this section must be used to support the system information technology services,  
14 including the higher education computer network, the interactive video network, the on-line  
15 Dakota information network, connectND, and other related technology initiatives as determined  
16 by the board.

17 **SECTION 6. STUDENT LOAN TRUST FUND.** Subdivision 1 of section 1 of this Act  
18 includes the sum of \$1,004,744, or so much of the sum as may be necessary, from the student  
19 loan trust fund of which \$465,307 is for the professional student exchange program and  
20 \$539,437 connectND campus solution positions, for the biennium beginning July 1, 2011, and  
21 ending June 30, 2013.

22 **SECTION 7. FEDERAL, PRIVATE, AND OTHER FUNDS - APPROPRIATION.** All funds, in  
23 addition to those appropriated in section 1 of this Act, from federal, private, and other sources  
24 for competitive grants or other funds that the legislative assembly has not indicated the intent to  
25 reject, received by the institutions and entities under the control of the state board of higher  
26 education are appropriated to those institutions and entities, for the biennium beginning July 1,  
27 2011, and ending June 30, 2013. All additional funds received under the North  
28 Dakota-Minnesota reciprocity agreement during the biennium beginning July 1, 2011, and  
29 ending June 30, 2013, are appropriated to the state board of higher education for  
30 reimbursement to institutions under the control of the board.



1       **SECTION 8. TRANSFER AUTHORITY.** If, during the biennium beginning July 1, 2011, and  
2 ending June 30, 2013, the state board of higher education determines that funds allocated to  
3 operations in section 1 of this Act are needed for capital assets or extraordinary repairs, the  
4 board may transfer funds from operations to capital assets. The board shall report any transfer  
5 of funds under this section to the office of management and budget.

6       **SECTION 9. FULL-TIME EQUIVALENT POSITION ADJUSTMENTS.** Notwithstanding any  
7 other provisions of law, the state board of higher education may adjust full-time equivalent  
8 positions as needed, subject to the availability of funds, for institutions and entities under its  
9 control. The university system shall report any adjustments to the office of management and  
10 budget before the submission of the 2013-15 biennium budget request.

11       **SECTION 10. EDUCATION INCENTIVE PROGRAMS.** The funding appropriated for  
12 education incentive programs in subdivision 1 of section 1 of this Act may be allocated to  
13 education incentive programs as determined by the state board of higher education, including  
14 the reduction or elimination of specific programs, and the state board of higher education may  
15 determine the appropriate number of years of program eligibility for each education incentive  
16 program.

17       **SECTION 11. PERMANENT OIL TAX TRUST FUND - TRIBALLY CONTROLLED**  
18 **COMMUNITY COLLEGE GRANTS.** The tribally controlled community college grants line in  
19 subdivision 1 of section 1 of this Act, includes the sum of \$1,000,000 from the permanent oil tax  
20 trust fund, or so much of the sum as may be necessary, for the purpose of providing grant  
21 assistance payments to tribally controlled community colleges, for the biennium beginning  
22 July 1, 2011, and ending June 30, 2013. No more than \$500,000 may be expended for this  
23 purpose during the first year of the biennium.

24       **SECTION 12. BOND ISSUANCE AUTHORIZATION - PURPOSES - APPROPRIATION.**  
25 The state board of higher education, in accordance with chapter 15-55, may arrange for the  
26 funding of projects authorized in this section, declared to be in the public interest, through the  
27 issuance of self-liquidating, tax-exempt evidences of indebtedness under chapter 15-55,  
28 beginning with the effective date of this Act and ending June 30, 2013. Evidences of  
29 indebtedness issued pursuant to this section are not a general obligation of the state of North  
30 Dakota. Any unexpended balance resulting from the proceeds of the evidences of indebtedness  
31 must be placed in a sinking fund to be used for the retirement of indebtedness. The evidences

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1 of indebtedness may be issued and the proceeds are appropriated, for the biennium beginning  
2 July 1, 2011, and ending June 30, 2013, for the purpose of financing the following capital  
3 projects:

4	Bismarck state college student union renovation and addition	\$7,000,000
5	University of North Dakota - Wilkerson hall renovation and addition	14,000,000
6	University of North Dakota - University town home apartments	5,000,000
7	North Dakota state college of science - Forkner hall renovation	5,000,000
8	North Dakota state college of science - Schulz hall renovation	4,000,000
9	Minot state university - Resident apartments	<u>3,500,000</u>
10	Total special funds	\$38,500,000

11       **SECTION 13. EMERGENCY.** The capital assets and education incentive line items  
12 contained in sections 1, 3, and 12 of this Act are declared to be an emergency measure.