

Legislative Review

A Look at Higher Education in Week 11: March 16-20, 2009



**Wednesday
March 25**

Bills and resolutions must be reported out-of-committee in the second house

The American Recovery and Reinvestment Act *A Perspective from Chancellor Goetz*

As nationwide attention is focused on the American Recovery and Reinvestment Act, our attention in the chancellor's office and throughout the University System is on the potential impact of federal economic stimulus funds on the campuses and our state.

The stimulus package includes \$18.7 million in discretionary funds to be allocated by Gov. Hoeven. I'm pleased to report that the governor has proposed allocating \$11.2 million to the UND Education Building renovation/addition project. This project was number eight on the board's major capital project priority list and was included in the executive budget recommendation.

However, since the project fits the parameters of the discretionary stimulus funds, Gov. Hoeven has recommended redirecting the \$11.2 million in state general

funds to the joint NDUS/UND IT facility and utilizing stimulus funds for the UND Education Building project. Final action by the Legislature will determine if these capital projects are approved. This action by Gov. Hoeven is greatly appreciated.

As details of the stimulus plan unfold, the campuses are looking for additional opportunities to tap into grant programs at both the state and federal levels. We anticipate opportunities to partner with state agencies that will receive stimulus funding, such as working with Job Service ND on new workforce training initiatives.



Bill Goetz, Chancellor

"Flexibility with Accountability" Bill Re-Referred and Heard

SB 2038, a bill to continue the "flexibility with accountability" recommended by the Roundtable on Higher Education, was re-referred from the House Education Committee and heard in the House Appropriations, Education and Environment Division, Monday, March 16.

Submitted by the Interim Higher Education Committee, the bill is supported by the SBHE. Vice Chancellor Laura Glatt asked the committee to extend the provisions through June 30, 2011. Key components of SB 2038 include:

- Appropriation of tuition revenues in the same manner as all other institutional funds

- Two-line item appropriations: operations and capital assets
- Carryover of unexpended funds from one biennium to the next
- New reporting requirements related to distance delivery students, dual-credit enrollment and compensation of instructors who have master's degrees compared to local teachers who have comparable education
- Continuation of the interim higher education study in 2009-10
- Updates to the accountability measures recommended by the 2007-08 interim higher education committee

The committee has not taken action on the bill.

MiSU–B Name Change Bill Approved

SB 2389, a bill to change the name of MiSU–B to Dakota College at Bottineau, was passed by the House Tuesday, March 17.

A name change has been under consideration for more than two years and has been discussed at campus and community forums. Changing the name to Dakota College at Bottineau will provide greater clarity regarding the location and mission of the campus, according to campus officials. The SBHE supported the name change at its Jan. 15, 2009, meeting.

The bill now awaits the governor’s signature; if signed, the effective date will be Aug. 1, 2009. Unless a specific effective date is stated in a bill, all legislation becomes effective Aug. 1 with the exception of appropriations bills, which go into effect July 1.

Tribal College Funding Bill Heard in Senate Appropriations

HB 1394, a bill to provide an appropriation for financial assistance to tribally controlled community colleges, was re-referred from the Senate Education Committee and heard in the Senate Appropriations Committee Monday, March 16.

The bill includes \$700,000 to be administered by the NDUS Office from Permanent Oil Trust Fund oil and gas tax revenues generated on the Ft. Berthold Reservation. Vice Chancellor Mike Hillman told the committee the NDUS supports the bill with the funding source identified by the Legislature.

Hillman said the NDUS has strong and growing relationships with tribal colleges in the state, including the following examples:

- Participation by all tribal colleges in the system general education transfer and common course numbering initiatives
- Tribal college participation in the Dakota Nursing Program
- Tribal college participation in P-20, STEM pipeline and research activities
- Tribal college participation in the Interactive Video Network

In 2007, the Legislative Assembly passed landmark legislation providing state funding to tribal colleges in recognition of their service to non-tribal member students.

No action was taken by the committee.

Endowed Chair Bill Heard

Engrossed **HB 1434**, a bill providing a \$500,000 general fund appropriation to create endowed chairs, was re-referred from the Senate Education Committee and heard in the Senate Appropriations Committee Monday, March 16.

The SBHE supports this bill after full funding of the board budget request. Vice Chancellor Laura Glatt testified that the NDUS supports the concept of utilizing one-time revenues available to the state to match private donations for ongoing economic growth. She presented an overview of an SBHE plan that would have created a six-year, \$50 million pool and the matching requirements.

Glatt said endowed chairs and professorships recognize outstanding scholars. She said they also improve faculty recruitment and retention, both of which are becoming increasingly difficult in today’s competitive hiring market.

As introduced, HB 1434 included \$10 million. Glatt said funding beyond the \$500,000 currently included in the bill would expand opportunities for endowed positions at all 11 institutions.

The committee did not take action.

House Education Recommends “Do Not Pass” on Open Records Exemption Bill

SB 2087 received an 11-3 “Do Not Pass” recommendation from the House Education Committee Wednesday, March 18.

This bill would exempt applicants for the positions of chancellor and campus president from the state’s Open Records Law during early stages of the search process. SB 2087 was introduced at the request of the SBHE.

Senate Votes “Do Pass” on Dual-Credit Bill

HB 1273, a bill to expand eligibility for dual-credit courses to 10th grade students, received a unanimous “Do Pass” vote from the Senate Friday, March 13. Current state law permits high school juniors and seniors to take advantage of dual-credit opportunities.

Supported by the SBHE, HB 1273 will provide students more options to take challenging courses in high school and enter college already having earned credits toward their degrees. Expanded eligibility will be of particular benefit to students who enroll in technical courses offered by their high schools on a three-year cycle. Currently, juniors and seniors in those courses are eligible for both college and high school credit, but sophomores who complete the same coursework are not.

Failed Bills

SB 2238 Appropriated \$26.5 million to the NDUS to freeze 2009–11 tuition rates

Passed Bills

HB 1030 Increases performance bonus to \$1,000 per year and permits bonuses in excess of 25 percent of employees, with approval

HB 1121 Provides a one-time 2 percent increase in retiree benefits

HB 1122 Adds services to the list of permitted liability limitations as approved by the Attorney General and the Office of Management and Budget

HB 1128 Provides liability exemption for actions in response to emergency management

HB 1147 Amends NDCC sections related to CPAs and the practice of accountancy

HB 1273 Expands eligibility for dual-credit courses to 10th grade students

HB 1341 As amended, calls for Legislative Council study on state employee tuition reimbursement program

HB 1353 Defines utility relocation as part of construction projects

HCR 3004 Directs an interim study of Indian education issues

SB 2061 Directs an interim workforce study by Human Resources Management Systems

SB 2166 Expands state grant participation to include for-profit colleges offering at least two-year programs

SB 2259 Relates to open records access to computer databases or electronic information

SB 2268 Provides regulation of professional engineers and land surveyors

SB 2300 Requires state bond fund coverage in the amount of money, property handled, or \$10,000

SB 2354 Specifies that building codes may not require fire sprinklers in buildings with no more than two dwelling units

SB 2390 Authorizes the Department of Commerce to designate certified technology parks; designates criteria for required support from higher education institutions

On the Week 11 Agenda

HCR 3016 Mon., March 23, 9 a.m., S-EDU: Urges school districts to offer students a financial literacy course

SB 2062 Mon., March 23, 1:45 p.m., H-APPEDU: Creates a North Dakota Opportunity Grant Program