

Legislative Review

A Look at Higher Education in Week 7: Feb. 21-25, 2011



Crossover

Friday,
Feb. 25

The date by which all bills must pass out of the house of origin to the second house of the Legislative Assembly

Crossover Recess

Feb. 28
and
March 1

House Approves Amended HB 1003

HB 1003, the University System budget bill, was approved Feb. 23 as amended by the House Appropriations, Education and Environment Division on a vote of 64-29. For an overview of the amendments, go to the Week 6 issue of Legislative Review.

In a Feb. 23 University System news release, SBHE President Jon Backes expressed concern about the impact of the amendments on students and the campuses, especially the removal of \$6.6 million intended to limit tuition increases.

“If we are to continue building upon North Dakota’s success and continue to diversify North Dakota’s economy, we must take steps now to cultivate a well-trained and well-educated workforce for the 21st century, as well as our next generation of leaders,” Backes said.

New HCR Would Create a State Department of Education, Eliminate the State Board of Higher Education

A House Concurrent Resolution introduced Feb. 24 would create a Department of Education, which would administer all public education in the state including K-12 and higher education.

Sponsored by Reps. Carlson, R. Kelsch, Skarphol and Vigesaa, **HCR 3046** would create an 11-member education council and

repeal the SBHE’s constitutional authority. The council director would be appointed by the governor. The effective date of the resolution is Jan. 1, 2015.

The SBHE will discuss HCR 3046 at the March 1 board meeting during its legislative update.

House and Senate Send Mixed Messages on Centers of Excellence

HB 1018, the Department of Commerce budget bill, was approved Feb. 24 as amended by the House Appropriations, Education and Environment Division, on a vote of 64-29.

The amendments strip out the research and entrepreneurship centers of excellence and \$18 million to fund the centers.

On the Senate side, however, **SB 2057**, a bill to establish centers of excellence in research, entrepreneurship and workforce, was approved Feb. 24 on a vote of 44-2. In its current form the bill includes a total of \$20 million for the centers.

March 9-11, 2011

**HB 1003:
NDUS Budget Hearing
Senate
Appropriation**

Save the Date

“Flexibility with Accountability” Bills Approved by the House

Three bills that continue the “flexibility with accountability” provisions resulting from the Roundtable on Higher Education were approved by the House Feb. 23.

The SBHE supports this legislation. Bill descriptions and vote tallies follow:

HB 1033: Provides block grants for base funding – 71-21

HB 1034: Permits the carryover of unexpended funds from one biennium to the next – 56-35

HB 1035: Appropriates tuition revenues in the same manner as all other institutional funds – 52-40

House Approves Bill on Three-Tier Funding, Chancellor’s Duties

HB 1411, a bill requiring separate funding methodologies and removing the chancellor’s authority, was approved by the House Feb. 23 on a vote of 63-29.

The SBHE opposes this bill. It would require a three-tiered budget for community colleges, regional universities and research universities. It also would remove the chancellor’s authority for governance of institutions under the control of the board.

House Approves Consumer Protection Bill

HB 1129, a higher education consumer protection bill, was approved by the House Feb. 23 on a vote of 88-4.

HB 1129 was one of two such bills proposed by CTE and supported by the SBHE. The bill would split responsibilities to regulate private institutions between CTE and the SBHE.

The second bill, **HB 1128** received a “do not pass” recommendation in committee earlier in the session.

House Approves Workforce Training Funds

HB 1019, the Department of Career and Technical Education budget bill, was approved by the House Feb. 24 on a vote of 93-0.

The SBHE supports the workforce training portion of this bill which provides \$3 million for the workforce training regions.

Electronic Portfolio Bill Passed

SB 2056, a bill to establish an electronic portfolio pilot program, was approved by the Senate Feb. 24 on a vote of 42-4.

The SBHE’s position on this bill is neutral. SB 2056 also clarifies that TrainND can access New Jobs Training Funds available through Job Service ND. Prior to passage, the bill was amended to remove a provision requiring the Department of Commerce to create a student opportunities website.

Senate Approves High School Student Recruitment Database

SB 2278, a bill related to a North Dakota high school student recruitment database, was approved by the Senate Feb. 23 on a vote of 46-1.

The NDUS Office and the 11 institutions currently collaborate on development of a high school junior and senior contact information database, which is used for mailing the NDUS Viewbook and campus recruitment materials to prospective students. SB 2278 requires the NDUS to disclose this information to nonpublic colleges and universities in the state.

The SBHE position on this bill is neutral.

New Accountability Measures Bill Heard

HB 1369, a bill to add accountability measures related to non-instructional costs and non-resident students, was approved by the House Feb. 23 on a vote of 64-28.

The SBHE opposes this bill. It would add six new accountability measures that could not be assessed objectively because of the lack of comparative data.

NDSU Ag Budget Bill Approved by the House

The House approved **HB 1020**, the budget bill for NDSU Agriculture Research Centers, Extension, UGPTI, NCI and the Agronomy Seed Farm, on Feb. 24 on a vote of 65-28.

With the exception of the items listed below, the executive budget recommendation remained intact.

Reduction from the Executive Budget:

- Removed \$250,000 in general funds for livestock stewardship (Extension Service)

Additions to the Executive Budget:

- Provided \$800,000 from the Permanent Oil Tax Trust Fund to the Dickinson Research Extension Center to replace declining oil royalty revenues
- Added \$490,000 (\$210,000 in general funds and \$280,000 in special fund authority) and three FTEs for a canola breeder and a technician at the Main Station and a canola specialist at the North Central Research Extension Center. (SBARE’s #4 priority)
- Added \$125,000 in general funds for salary support at the State Data Centers (SBARE’s #9 priority)
- Provided \$2.25 million in general funds to replace/remodel the agronomy laboratory at the Carrington Research Extension Center

Failed Bills

- HB 1060:** Would have relaxed audit requirements for centers of excellence
- HB 1147:** Would have required school district bullying policies
- HB 1208:** Would have prohibited discontinuing the UND Fighting Sioux nickname and logo
- HB 1228:** Would have closed participation in NDPERS defined benefit plan to new employees, established a new defined contribution plan (excludes TIAA participants); and allowed current employees to change from defined benefit to defined contribution plan
- HB 1234:** Would have revised state employee whistleblower protection; permitted employee civil action
- HB 1236:** Would have required all state agencies, including NDUS, to create employee committees to review vacant positions
- HB 1250:** Would have required school district bullying policies
- HB 1257:** Would have prohibited discontinuing the UND Fighting Sioux nickname and logo
- HB 1458:** Would have created an Energy Infrastructure Development Office in the Legislative Council; allocated a portion of the gross production tax to development grant fund
- HB 1470:** Would have allowed the Legislature to set tuition and fee rates
- SB 2058:** Would have funded academic/CTE scholarships from the foundation aid stabilization fund
- SB 2059:** Would have created a technology impact zone program in the Department of Commerce for regional-based economic development
- SB 2130:** As amended, would have provided \$194,327 in general funds to DPI for a director of Indian education
- SB 2299:** Would have established a state energy improvement revolving loan fund; \$10 million resources trust fund appropriation
- SB 2353:** Would have permitted NDPERS health plan participation by private sector employees and others