

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 department of
2 public instruction, the school for the deaf, North Dakota vision services - school for the blind,
3 and the state library; to provide for the distribution of special education payments; and to amend
4 and reenact section 15.1-02-02 of the North Dakota Century Code, relating to the salary of the
5 superintendent of public instruction.

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

7 **SECTION 1. BASE LEVEL FUNDING INFORMATION.** The amounts identified in this
8 section represent the base level funding component appropriated to the department of public
9 instruction, the school for the deaf, North Dakota vision services - school for the blind, and the
10 state library in section 3 of this Act as follows:

11 Subdivision 1.

12 DEPARTMENT OF PUBLIC INSTRUCTION

13 Salaries and wages	\$9,277,686
14 Operating expenses	13,057,823
15 Capital assets	15,000
16 Grants - State school aid	489,379,990
17 Grants - Tuition apportionment	69,495,371
18 Grants - Special education	49,898,695
19 Grants - Revenue supplement	5,000,000
20 Grants - Teacher compensation	51,854,000
21 Grants - Other grants	182,255,244
22 Reorganization bonuses	500,000
23 Data envelopment analysis	<u>50,000</u>
24 Total all funds - Base level	\$870,783,809

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1	Less estimated income - Base level	<u>266,058,803</u>
2	Total general fund - Base level	\$604,725,006
3	Subdivision 2.	
4	STATE LIBRARY	
5	Salaries and wages	\$2,078,571
6	Operating expenses	1,181,647
7	Grants	<u>1,396,807</u>
8	Total all funds - Base level	\$4,657,025
9	Less estimated income - Base level	<u>1,629,979</u>
10	Total general fund - Base level	\$3,027,046
11	Subdivision 3.	
12	SCHOOL FOR THE DEAF	
13	Salaries and wages	\$4,809,808
14	Operating expenses	1,102,160
15	Capital assets	<u>32,723</u>
16	Total all funds - Base level	\$5,944,691
17	Less estimated income - Base level	<u>871,449</u>
18	Total general fund - Base level	\$5,073,242
19	Subdivision 4.	
20	VISION SERVICES - SCHOOL FOR THE BLIND	
21	Salaries and wages	\$2,540,292
22	Operating expenses	698,683
23	Capital assets	<u>18,233</u>
24	Total all funds - Base level	\$3,257,208
25	Less estimated income - Base level	<u>1,167,383</u>
26	Total general fund - Base level	\$2,089,825
27	Total general fund - Section 1	\$614,915,119
28	Total special funds - Section 1	\$269,727,614
29	Total all funds - Section 1	\$884,642,733

30 **SECTION 2. FUNDING ADJUSTMENTS OR ENHANCEMENTS INFORMATION.** The
31 amounts identified in this section represent the funding adjustments or enhancements to the

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1 base funding level for the department of public instruction, the school for the deaf, North Dakota
2 vision services - school for the blind, and the state library which are included in the
3 appropriation in section 3 of this Act as follows:

4 Subdivision 1.

5 DEPARTMENT OF PUBLIC INSTRUCTION

6	Salaries and wages	\$780,156
7	Operating expenses	1,834,485
8	Capital assets	(15,000)
9	Grants - State school aid	22,773,769
10	Grants - Tuition apportionment	2,104,629
11	Grants - Special education	2,601,305
12	Grants - Revenue supplement	2,500,000
13	Grants - Teacher compensation	(941,880)
14	Grants - Other grants	25,610,339
15	Data envelopment analysis	(50,000)
16	JPA incentives	2,000,000
17	National board certification	<u>40,000</u>
18	Total all funds - Adjustments/enhancements	\$59,237,803
19	Less estimated income - Adjustments/enhancements	<u>29,817,869</u>
20	Total general fund - Adjustments/enhancements	\$29,419,934

21 Subdivision 2.

22 STATE LIBRARY

23	Salaries and wages	\$147,358
24	Operating expenses	200,125
25	Grants	<u>155,693</u>
26	Total all funds - Adjustments/enhancements	\$503,176
27	Less estimated income - Adjustments/enhancements	<u>28,596</u>
28	Total general fund - Adjustments/enhancements	\$474,580

29 Subdivision 3.

30 SCHOOL FOR THE DEAF

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1	Salaries and wages	\$296,666
2	Operating expenses	326,990
3	Capital assets	<u>246,772</u>
4	Total all funds - Adjustments/enhancements	\$870,428
5	Less estimated income - Adjustments/enhancements	<u>455,117</u>
6	Total general fund - Adjustments/enhancements	\$415,311

7 Subdivision 4.

8 VISION SERVICES - SCHOOL FOR THE BLIND

9	Salaries and wages	\$133,962
10	Operating expenses	(91,377)
11	Capital assets	<u>49,237</u>
12	Total all funds - Adjustments/enhancements	\$91,822
13	Less estimated income - Adjustments/enhancements	<u>(321,848)</u>
14	Total general fund - Adjustments/enhancements	\$413,670
15	Total general fund - Section 2	\$30,723,495
16	Total special funds - Section 2	\$29,979,734
17	Total all funds - Section 2	\$60,703,229

18 **SECTION 3. APPROPRIATION.** The funds provided in this section, or so much of the
19 funds as may be necessary, are appropriated out of any moneys in the general fund in the state
20 treasury, not otherwise appropriated, and from special funds derived from federal funds and
21 other income, to the department of public instruction, the school for the deaf, North Dakota
22 vision services - school for the blind, and the state library for the purpose of defraying the
23 expenses of those agencies, for the biennium beginning July 1, 2005, and ending June 30,
24 2007, as follows:

25 Subdivision 1.

26 DEPARTMENT OF PUBLIC INSTRUCTION

27	Salaries and wages	\$10,057,842
28	Operating expenses	14,892,308
29	Grants - State school aid	512,153,759
30	Grants - Tuition apportionment	71,600,000
31	Grants - Special education	52,500,000

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1	Grants - Revenue supplement	7,500,000
2	Grants - Teacher compensation	50,912,120
3	Grants - Other grants	207,865,583
4	Reorganization bonuses	500,000
5	JPA incentives	2,000,000
6	National board certification	<u>40,000</u>
7	Total all funds	\$930,021,612
8	Less estimated income	<u>295,876,672</u>
9	Total general fund appropriation	\$634,144,940
10	Subdivision 2.	
11	STATE LIBRARY	
12	Salaries and wages	\$2,225,929
13	Operating expenses	1,381,772
14	Grants	<u>1,552,500</u>
15	Total all funds	\$5,160,201
16	Less estimated income	<u>1,658,575</u>
17	Total general fund appropriation	\$3,501,626
18	Subdivision 3.	
19	SCHOOL FOR THE DEAF	
20	Salaries and wages	\$5,106,474
21	Operating expenses	1,429,150
22	Capital assets	<u>279,495</u>
23	Total all funds	\$6,815,119
24	Less estimated income	<u>1,326,566</u>
25	Total general fund appropriation	\$5,488,553
26	Subdivision 4.	
27	VISION SERVICES - SCHOOL FOR THE BLIND	
28	Salaries and wages	\$2,674,254
29	Operating expenses	607,306
30	Capital assets	<u>67,470</u>
31	Total all funds	\$3,349,030

1	Less estimated income	<u>845,535</u>
2	Total general fund appropriation	\$2,503,495
3	Grand total general fund appropriation - H.B. 1013	\$645,638,614
4	Grand total special funds appropriation - H.B. 1013	\$299,707,348
5	Grand total all funds appropriation - H.B. 1013	\$945,345,962

6 **SECTION 4. APPROPRIATION - TUITION APPORTIONMENT.** The sum of
7 \$71,600,000, included in the grants - tuition apportionment line item in subdivision 1 of
8 section 3 of this Act, is from the state tuition fund in the state treasury. Any additional amount in
9 the state tuition fund that becomes available for distribution to public schools is appropriated to
10 the department of public instruction for that purpose for the biennium beginning July 1, 2005,
11 and ending June 30, 2007.

12 **SECTION 5. STATE SCHOOL AID AND SPECIAL EDUCATION EXPENDITURE**

13 **AUTHORITY.** The superintendent of public instruction may expend funds included in the
14 grants - state school aid and grants - special education line items in subdivision 1 of section 3
15 of this Act in payment of grants for educational services that were due in the 2003-05 biennium
16 but which were not filed, claimed, or properly supported by the education provider until after
17 June 30, 2005.

18 **SECTION 6. DISTRIBUTION OF SPECIAL EDUCATION AID.** The sum of
19 \$52,500,000, included in the grants - special education line item in subdivision 1 of section 3 of
20 this Act, must be distributed as follows:

- 21 1. Fifteen million five hundred thousand dollars to reimburse school districts or special
22 education units for excess costs incurred relating to contracts for students with
23 disabilities.
- 24 2. Four hundred thousand dollars to reimburse school districts or special education
25 units for gifted and talented programs upon the submission of an application that is
26 approved in accordance with guidelines adopted by the superintendent of public
27 instruction. The superintendent of public instruction shall encourage cooperative
28 efforts for gifted and talented programs among school districts and special
29 education units.
- 30 3. Any amount remaining in the line item must be distributed on a per student basis
31 as required by section 15.1-27-10, excluding reimbursements for student contracts

1 and gifted and talented programs. State special education payments distributed as
2 required by section 15.1-27-10 must be reduced by the amount of matching funds
3 required to be paid by school districts or special education units for students
4 participating in the medicaid program. Special education funds equal to the
5 amount of the matching funds required to be paid by the school district or special
6 education unit must be paid by the superintendent of public instruction to the
7 department of human services on behalf of the school district or unit.

8 **SECTION 7. PAYMENTS FOR LIMITED ENGLISH PROFICIENT STUDENTS.**

9 Payments to school districts educating limited English proficient students, as provided in section
10 15.1-27-12, must be made by the superintendent of public instruction during the biennium
11 beginning July 1, 2005, and ending June 30, 2007, using up to \$650,000 of the amount
12 included in the grants - state school aid line item in subdivision 1 of section 3 of this Act.

13 **SECTION 8. INDIRECT COST ALLOCATION.** Notwithstanding section 54-44.1-15,
14 the department of public instruction may deposit indirect cost recoveries in its operating
15 account.

16 **SECTION 9. DISPLACED HOMEMAKER FUND.** The sum of \$253,646, included in
17 the estimated income line item in subdivision 1 of section 3 of this Act, is from the displaced
18 homemaker fund and must be used by the superintendent of public instruction for the purpose
19 of providing services for displaced homemakers, as provided in chapter 14-06.1, during the
20 biennium beginning July 1, 2005, and ending June 30, 2007.

21 **SECTION 10. STATE AID TO PUBLIC LIBRARIES.** The line item entitled grants in
22 subdivision 2 of section 3 of this Act includes \$1,000,000 for aid to public libraries, of which no
23 more than one-half is to be expended during the fiscal year ending June 30, 2006.

24 **SECTION 11. FEES DEPOSITED IN VISION SERVICES - SCHOOL FOR THE BLIND**
25 **OPERATING FUND.** Any moneys included in the estimated income line item in subdivision 4
26 of section 3 of this Act, collected for subscription fees or braille fees, must be deposited in the
27 North Dakota vision services - school for the blind operating fund in the state treasury and may
28 be spent subject to appropriation by the legislative assembly.

29 **SECTION 12. AMENDMENT.** Section 15.1-02-02 of the North Dakota Century Code is
30 amended and reenacted as follows:

1 **15.1-02-02. Salary.** The annual salary of the superintendent of public instruction is
2 ~~sixty-nine~~ eighty thousand six five hundred forty-eight ~~thirty-one~~ dollars through ~~December 31,~~
3 ~~2004~~ June 30, 2006, ~~seventy-five~~ and may not exceed eighty-three thousand nine seven
4 ~~hundred sixteen~~ fifty-two dollars through ~~June 30, 2002~~, and ~~seventy-seven thousand four~~
5 ~~hundred thirty-four~~ dollars thereafter.