

**HOUSE BILL NO. 1013**

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, the school for the blind, and the state library; to  
3 provide statements of legislative intent; and to amend and reenact section 15.1-02-02 of the  
4 North Dakota Century Code, relating to the salary of the superintendent of public instruction.

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

6 **SECTION 1. APPROPRIATION.** The funds provided in this section, or so much of the  
7 funds as may be necessary, are appropriated out of any moneys in the general fund in the state  
8 treasury, not otherwise appropriated, and from special funds derived from federal funds and  
9 other income, to the department of public instruction, the school for the deaf, the school for the  
10 blind, and the state library for the purpose of defraying the expenses of their various divisions,  
11 for the biennium beginning July 1, 2001, and ending June 30, 2003, as follows:

## 12 Subdivision 1.

## 13 DEPARTMENT OF PUBLIC INSTRUCTION

14 Salaries and wages	\$12,273,865
15 Operating expenses	17,431,193
16 Equipment	534,140
17 Capital improvements	55,000
18 Grants - Foundation aid and transportation	485,542,761
19 Grants - Revenue supplement payments	3,450,000
20 Grants - Tuition apportionment	67,239,025
21 Grants - Special education	51,260,000
22 Grants - Other grants	149,970,455
23 Geographic education	50,000
24 National board certification	<u>33,000</u>

Fifty-seventh  
Legislative Assembly

1	Total all funds	\$787,839,439
2	Less estimated income	<u>237,017,455</u>
3	Total general fund appropriation	\$550,821,984
4	Subdivision 2.	
5	STATE LIBRARY	
6	Salaries and wages	\$2,084,108
7	Operating expenses	1,135,660
8	Equipment	40,000
9	Grants	<u>1,453,745</u>
10	Total all funds	\$4,713,513
11	Less estimated income	<u>1,598,857</u>
12	Total general fund appropriation	\$3,114,656
13	Subdivision 3.	
14	SCHOOL FOR THE DEAF	
15	Salaries and wages	\$4,814,058
16	Operating expenses	1,156,267
17	Equipment	60,190
18	Capital improvements	<u>45,410</u>
19	Total all funds	\$6,075,925
20	Less estimated income	<u>1,095,624</u>
21	Total general fund appropriation	\$4,980,301
22	Subdivision 4.	
23	SCHOOL FOR THE BLIND	
24	Salaries and wages	\$2,594,638
25	Operating expenses	652,238
26	Equipment	60,000
27	Capital improvements	<u>25,416</u>
28	Total all funds	\$3,332,292
29	Less estimated income	<u>1,283,501</u>
30	Total general fund appropriation	\$2,048,791
31	Grand total general fund appropriation H.B. 1013	\$560,965,732

1	Grand total special funds appropriation H.B. 1013	\$240,995,437
2	Grand total all funds appropriation H.B. 1013	\$801,961,169

3           **SECTION 2. APPROPRIATION - TUITION APPORTIONMENT.** The sum of  
4 \$67,239,025, or such greater or lesser sums as become available, included in the grants -  
5 tuition apportionment and estimated income line items in subdivision 1 of section 1 of this Act,  
6 are appropriated to the department of public instruction out of any moneys in the state tuition  
7 fund in the state treasury to the public schools of this state as provided in section 2 of article IX  
8 of the Constitution of North Dakota and chapter 15-44 for the biennium beginning July 1, 2001,  
9 and ending June 30, 2003.

10           **SECTION 3. EXPENDITURE AUTHORITY.** The superintendent of public instruction  
11 may expend funds appropriated in the foundation aid and transportation and special education  
12 grants line items in subdivision 1 of section 1 of this Act in payment of grants for education  
13 services that were due in the 1999-2001 biennium but which were not filed, claimed, or properly  
14 supported by the education provider in question until after June 30, 2001.

15           **SECTION 4. LEGISLATIVE INTENT - NATIONAL BOARD CERTIFICATION.** It is the  
16 intent of the legislative assembly that the amount of \$33,000, or so much of the sum as may be  
17 necessary, included in the national board certification and total general fund appropriation line  
18 items in subdivision 1 of section 1 of this Act be distributed by the department of public  
19 instruction to the education standards and practices board for the implementation of the  
20 national board certification program.

21           **SECTION 5. LEGISLATIVE INTENT - DISTRIBUTION OF SPECIAL EDUCATION**  
22 **AID.** It is the intent of the legislative assembly that the amount included in the grants - special  
23 education line item in subdivision 1 of section 1 of this Act be distributed as follows:

- 24           1. Twelve million six hundred sixty-five thousand dollars to reimburse school districts  
25           or special education units for excess costs incurred relating to contracts for  
26           students with disabilities.
- 27           2. Four hundred thousand dollars to reimburse school districts or special education  
28           units for gifted and talented programs upon the submission of an application that is  
29           approved in accordance with guidelines adopted by the superintendent of public  
30           instruction. The superintendent of public instruction shall encourage cooperative

1 efforts for gifted and talented programs among school districts and special  
2 education units.

3 3. Any amount remaining in the line item must be distributed on a per student basis  
4 as required by section 15-40.1-07.6, excluding reimbursements for student  
5 contracts, boarding care, and gifted and talented programs. State special  
6 education payments distributed as required by section 15-40.1-07.6 must be  
7 reduced by the amount of matching funds required to be paid by school districts or  
8 special education units for students participating in the medicaid program. Special  
9 education funds equal to the amount of the matching funds required to be paid by  
10 the school district or special education unit must be paid by the superintendent of  
11 public instruction to the department of human services on behalf of the school  
12 district or unit.

13 **SECTION 6. LEGISLATIVE INTENT - TECHNOLOGY GRANTS.** It is the intent of the  
14 legislative assembly that the funds appropriated in subdivision 1 of section 1 of this Act include  
15 \$4,037,500 for grants to schools for technology or teacher professional development-related  
16 expenditures. These grants must be administered under the direction of the educational  
17 telecommunications council.

18 **SECTION 7. PAYMENTS FOR LIMITED ENGLISH PROFICIENT STUDENTS.**  
19 Payments to school districts educating limited English proficient students, as required by  
20 section 15-40.1-07.7, must be paid up to \$450,000 of the amount appropriated in subdivision 1  
21 of section 1 of this Act for grants - foundation aid and transportation.

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

25 **SECTION 9. DISPLACED HOMEMAKER FUND.** The amount of \$251,747, or so  
26 much of the sum as may be necessary, included in the estimated income line item in  
27 subdivision 1 of section 1 of this Act is from the displaced homemaker fund for the purpose of  
28 providing services for displaced homemakers as provided in chapter 14-06.1 for the biennium  
29 beginning July 1, 2001, and ending June 30, 2003.

1           **SECTION 10. GRANTS.** The line item entitled grants in subdivision 2 of section 1 of  
2 this Act includes \$888,745 for aid to public libraries of which no more than one-half is to be  
3 expended during the fiscal year ending June 30, 2002.

4           **SECTION 11. FEES DEPOSITED IN OPERATING FUND.** Any moneys included in  
5 estimated income in subdivision 4 of section 1 of this Act, collected for subscription fees or  
6 braille fees, must be deposited in the school for the blind operating fund in the state treasury  
7 and must be spent subject to appropriation by the legislative assembly.

8           **SECTION 12. AMENDMENT.** Section 15.1-02-02 of the 1999 Supplement to the North  
9 Dakota Century Code is amended and reenacted as follows:

10           **15.1-02-02. Salary.** The annual salary of the superintendent of public instruction is  
11 ~~fifty-nine~~ sixty-nine thousand ~~four~~ six hundred ~~thirty-seven~~ forty-eight dollars through ~~June 30,~~  
12 ~~2000~~ December 31, 2001, ~~sixty~~ sixty-seven thousand ~~six~~ nine hundred ~~twenty-six~~ sixteen  
13 dollars through ~~December 31, 2000~~ June 30, 2002, and ~~sixty-seven~~ seventy-seven thousand  
14 ~~six~~ four hundred ~~nineteen~~ thirty-four dollars thereafter.