

Sixtieth  
Legislative Assembly  
of North Dakota

## ENGROSSED SENATE BILL NO. 2388

Introduced by

Senators O'Connell, G. Lee

Representatives Froseth, Hunskor, Klein

1 A BILL for an Act to amend and reenact section 28 of chapter 167 of the 2005 Session Laws,  
2 relating to the contingent distribution of state school aid payments; and to declare an  
3 emergency.

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

5 **SECTION 1. AMENDMENT.** Section 28 of chapter 167 of the 2005 Session Laws is  
6 amended and reenacted as follows:

7 **SECTION 28. CONTINGENCY.** If any moneys appropriated for per student payments  
8 and transportation payments in the grants - state school aid line item in House Bill No. 1013, as  
9 approved by the fifty-ninth legislative assembly, remain after payment of all statutory obligations  
10 for per student and transportation payments during the biennium beginning July 1, 2005, and  
11 ending June 30, 2007, and after the superintendent of public instruction has fulfilled any  
12 directives contained in section 27 of this Act, the superintendent shall distribute the remaining  
13 moneys as follows:

14 1. The superintendent of public instruction shall use the first \$25,748, or so much of  
15 that amount as may be necessary, for the purpose of reimbursing eligible school  
16 districts that received reduced amounts of state aid. For the purposes of this  
17 subsection, an eligible school district is one that received a reduction in state aid  
18 during the 2005-07 biennium because the district's general fund levy fell below one  
19 hundred forty mills as the result of an accounting oversight.

20 2. The superintendent of public instruction shall use the ~~first~~ next \$450,000, or so  
21 much of that amount as may be necessary, to provide additional payments to  
22 school districts serving English language learners in accordance with section  
23 15.1-27-12.

1       ~~2.~~ 3. The superintendent of public instruction shall use the next \$1,000,000, or so much  
2                   of that amount as may be necessary, for the purpose of providing additional per  
3                   student payments to school districts participating in eligible educational  
4                   associations in accordance with section 32 of this Act.

5       ~~3.~~ 4. The superintendent of public instruction shall use the remainder of the moneys to  
6                   provide additional per student payments on a prorated basis according to the latest  
7                   available average daily membership of each school district.

8       **SECTION 2. EMERGENCY.** This Act is declared to be an emergency measure.