

PROPOSED AMENDMENTS TO ENGROSSED HOUSE BILL NO. 1013

Page 1, line 21, replace "1,330,606" with "2,283,467" and replace "12,746,140" with "13,699,001"

Page 1, line 22, replace "11,242,300" with "11,313,692" and replace "30,980,594" with "31,051,986"

Page 1, line 23, replace "100,800,000" with "99,000,000" and replace "826,965,879" with "825,165,879"

Page 2, line 1, replace "5,000,000" with "10,000,000" and replace "38,500,000" with "43,500,000"

Page 2, line 2, replace "14,829,915" with "15,287,915" and replace "242,531,721" with "242,989,721"

Page 2, line 4, replace "55,000" with "62,500" and replace "95,000" with "102,500"

Page 2, line 5, replace "131,257,821" with "135,947,574" and replace "1,167,349,334" with "1,172,039,087"

Page 2, line 6, replace "34,366,125" with "34,786,136" and replace "360,034,363" with "360,454,374"

Page 2, line 7, replace "96,891,696" with "101,161,438" and replace "807,314,971" with "811,584,713"

Page 2, line 8, replace "2.00" with "5.00" and replace "96.75" with "99.75"

Page 2, line 13, replace "501,421" with "656,518" and replace "3,129,915" with "3,285,012"

Page 2, line 16, replace "606,222" with "761,319" and replace "6,464,988" with "6,620,085"

Page 2, line 17, replace "35,230" with "58,442" and replace "1,916,483" with "1,939,695"

Page 2, line 18, replace "570,992" with "702,877" and replace "4,548,505" with "4,680,390"

Page 2, line 24, replace "569,456" with "738,561" and replace "5,334,629" with "5,503,734"

Page 2, line 26, replace "162,640" with "179,140" and replace "212,640" with "229,140"

Page 2, line 28, replace "955,021" with "1,140,626" and replace "7,284,477" with "7,470,082"

Page 2, line 29, replace "288,092" with "295,443" and replace "1,327,110" with "1,334,461"

Page 2, line 30, replace "666,929" with "845,183" and replace "5,957,367" with "6,135,621"

Page 3, line 5, replace "330,886" with "585,796" and replace "3,309,781" with "3,564,691"

Page 3, line 6, replace "18,200" with "39,854" and replace "658,998" with "680,652"

Page 3, line 9, replace "298,486" with "575,050" and replace "4,060,279" with "4,336,843"

Page 3, line 10, replace "(35,546)" with "(23,275)" and replace "808,311" with "820,582"

Page 3, line 11, replace "334,032" with "598,325" and replace "3,251,968" with "3,516,261"

Page 3, line 12, replace "0.00" with "1.50" and replace "28.00" with "29.50"

Page 3, line 17, replace "98,463,649" with "103,307,823" and replace "821,072,811" with "825,916,985"

Page 3, line 18, replace "34,653,901" with "188,486,482" and replace "364,086,267" with "517,918,848"

Page 3, line 19, replace "133,117,550" with "291,794,305" and replace "1,185,159,078" with "1,343,835,833"

Page 4, after line 12, insert:

**"SECTION 3. APPROPRIATION - FEDERAL FISCAL STIMULUS FUNDS - ADDITIONAL FUNDING APPROVAL.** The funds provided in this section, or so much of the funds as may be necessary, are appropriated from federal funds made available to the state under the federal American Recovery and Reinvestment Act of 2009, not otherwise appropriated, to the superintendent of public instruction, for the period beginning with the effective date of this Act and ending June 30, 2011, as follows:

Fiscal stabilization - Education funds	\$85,644,337
Title I - Part A	27,415,262
Title I - School improvement	7,145,000
Title II - Part D - Technology	3,209,375
Individuals With Disabilities Education Act	27,413,988
McKinney-Vento Homeless Assistance Act	150,000
National school lunch program	230,000
The emergency food assistance program	85,426
Clean diesel (passthrough from the state department of health)	1,730,000
Total federal funds	<u>\$153,023,388</u>

The superintendent of public instruction may seek emergency commission and budget section approval under chapter 54-16 for authority to spend any additional federal funds received under the federal American Recovery and Reinvestment Act of 2009 in excess of the amounts appropriated in this section, for the period beginning with the effective date of this Act and ending June 30, 2011.

Any federal funds appropriated under this section are not a part of the agency's 2011-13 base budget. Any program expenditures made with these funds will not be replaced with state funds after the federal American Recovery and Reinvestment Act of 2009 funds are no longer available.

**SECTION 4. APPROPRIATION - FEDERAL FISCAL STABILIZATION - OTHER GOVERNMENT SERVICES - ADDITIONAL FUNDING APPROVAL.** The funds provided in this section, or so much of the funds as may be necessary, are appropriated from federal fiscal stabilization - other government services funds made available to the governor under the federal American Recovery and Reinvestment Act of 2009, not otherwise appropriated, to the superintendent of public instruction, for the

period beginning with the effective date of this Act and ending June 30, 2011, as follows:

Department of public instruction administrative costs relating to federal fiscal stimulus payment to schools, including salaries (\$152,533) and operating expenses (\$173,815)	\$326,348
Early childhood learning council operating expenses	<u>20,000</u>
Total federal funds from governor's office	\$346,348

Any federal funds appropriated under this section are not a part of the agency's 2011-13 base budget. Any program expenditures made with these funds will not be replaced with state funds after the federal American Recovery and Reinvestment Act of 2009 funds are no longer available.

#### **SECTION 5. LINE ITEM TRANSFERS - SCHOOL FOR THE DEAF.**

Notwithstanding section 54-16-04, the director of the office of management and budget and the state treasurer shall transfer funds from the salaries and wages line item to the operating expenses line item contained in subdivision 3 of section 1 of this Act of up to \$100,000 as requested by the superintendent of public instruction to provide funding for a future services plan and implementation for the school for the deaf, for the biennium beginning July 1, 2009, and ending June 30, 2011."

Page 5, line 25, after "of" insert "individuals pursuing a" and replace "graduates" with a comma

Page 7, after line 7, insert:

#### **"SECTION 18. CONTINGENT APPROPRIATION - DEFERRED MAINTENANCE AND PHYSICAL PLANT IMPROVEMENT GRANTS.**

1. There is appropriated out of any moneys in the general fund in the state treasury, not otherwise appropriated, the sum of \$10,000,000, or so much of the sum as may be necessary, to the superintendent of public instruction for the purpose of awarding grants to eligible school districts for deferred maintenance and physical plant improvements, for the biennium beginning July 1, 2009, and ending June 30, 2011.
2. If the office of management and budget determines by July 31, 2010, that the June 30, 2011, ending balance of the state general fund will be more than \$30,000,000 in excess of the amount predicted by the office of management and budget at the conclusion of the 2009 legislative session, the superintendent of public instruction shall forward to each eligible school district:
  - a. Twenty thousand dollars; plus
  - b. The school district's pro rata share of the remaining appropriation, calculated by using the latest available average daily membership of each school district.
3. If the general fund balance requirements of subsection 2 are not met and if the office of management and budget determines by April 30, 2011, that the June 30, 2011, ending balance of the state general fund will be more than \$30,000,000 in excess of the amount predicted by the office of management and budget at the conclusion of the 2009 legislative session,

the superintendent of public instruction shall forward to each eligible school district:

- a. Twenty thousand dollars; plus
  - b. The school district's pro rata share of the remaining appropriation, calculated by using the latest available average daily membership of each school district.
4. By June 30, 2012, each school district that receives a deferred maintenance and physical plant improvement grant from the superintendent of public instruction shall:
- a. Submit to the superintendent documentation detailing how the grant funds were expended; and
  - b. Return any unexpended grant funds to the superintendent for deposit in the general fund.
5. The superintendent of public instruction may provide a deferred maintenance and physical plant improvement grant only to a school district that:
- a. Has a general fund levy equal to at least one hundred fifty mills for the taxable year 2008;
  - b. Is not precluded from receiving state aid by the provisions of section 15.1-27-35.3; and
  - c. Provides a monetary match equal to the grant amount."

Page 8, line 19, replace "Section 5 of this Act is" with "Sections 3, 4, and 8 of this Act are"

Renumber accordingly

**STATEMENT OF PURPOSE OF AMENDMENT - LC 98014.0202 FN 2**

**A copy of the statement of purpose of amendment is attached.**