

Fifty-seventh
Legislative Assembly
of North Dakota

SENATE BILL NO. 2360

Introduced by

Senator Lee

Representative Koppelman

1 A BILL for an Act to amend and reenact section 15-40.2-12 and subsection 1 of section
2 57-15-14.2 of the North Dakota Century Code or in the alternative to amend and reenact
3 section 15.1-29-15 of the North Dakota Century Code, relating to the levy of property taxes for
4 tuition charges and transportation; and to provide an effective date.

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

6 **SECTION 1. AMENDMENT.** If House Bill No. 1045 does not become effective, section
7 15-40.2-12 of the North Dakota Century Code is amended and reenacted as follows:

8 **15-40.2-12. Levy for tuition charges permitted.** The ~~school~~ board of any school
9 district approving the payment of tuition charges for resident students ~~in grades seven through~~
10 ~~twelve~~ or required to make tuition payments under this chapter may levy an amount pursuant to
11 subdivision c of subsection 1 of section 57-15-14.2 sufficient to pay tuition charges.

12 **SECTION 2. AMENDMENT.** Section 15.1-29-15 of the North Dakota Century Code as
13 created by House Bill No. 1045, as approved by the fifty-seventh legislative assembly, is
14 amended and reenacted as follows:

15 **15.1-29-15. Levy for tuition payments.** If the board of a school district approves
16 tuition payments for resident students ~~in grades seven through twelve~~ or if the board is required
17 to make tuition payments under this chapter, the board may levy an amount sufficient to meet
18 such payments, pursuant to subdivision c of subsection 1 of section 57-15-14.2.

19 **SECTION 3. AMENDMENT.** If House Bill No. 1045 does not become effective,
20 subsection 1 of section 57-15-14.2 of the North Dakota Century Code is amended and
21 reenacted as follows:

22 1. ~~A school~~ The board of ~~any a~~ school district may levy an amount sufficient to cover
23 general expenses including the costs of the following:

- a. Board ~~and~~, lodging, and transportation, for high school students as provided in section 15-34.2-06, and any costs of providing student transportation for which state transportation payments are not provided in section 15-40.1-16.
- b. The teachers' retirement fund as provided in section 15-39.1-28.
- c. Tuition for students ~~in grades seven through twelve~~ as provided in section 15-40.2-12.
- d. Special education program as provided in section 15-59-08.
- e. The establishment and maintenance of an insurance reserve fund for insurance purposes as provided in section 32-12.1-08.
- f. A final judgment obtained against a school district.
- g. The district's share of contribution to the old-age survivors' fund and matching contribution for the social security fund as provided by chapter 52-09 and to provide the district's share of contribution to the old-age survivors' fund and matching contribution for the social security fund for contracted employees of a multidistrict special education board.
- h. The rental or leasing of buildings, property, or classroom space. Minimum state standards for health and safety applicable to school building construction shall apply to any rented or leased buildings, property, or classroom space.
- i. Unemployment compensation benefits.
- j. The removal of asbestos substances from school buildings or the abatement of asbestos substances in school buildings under any method approved by the United States environmental protection agency and any repair, replacement, or remodeling that results from such removal or abatement, any remodeling required to meet specifications set by the Americans with Disabilities Act accessibility guidelines for buildings and facilities as contained in the appendix to 28 CFR 36, any remodeling required to meet requirements set by the state fire marshal during the inspection of a public school, and for providing an alternative education program as provided in section 57-15-17.1.
- k. Participating in cooperative vocational education programs approved by the state board.

- l. Maintaining a vocational education program approved by the state board and established only for that school district.
- m. Paying the cost of purchasing, contracting, operating, and maintaining schoolbuses.
- n. Establishing and maintaining school library services.
- o. Equipping schoolbuses with two-way communications and central station equipment and providing for the installation and maintenance of such equipment.
- p. Establishing free public kindergartens in connection with the public schools of the district for the instruction of resident children below school age during the regular school term.
- q. Establishing, maintaining, and conducting a public recreation system.
- r. The district's share of contribution to finance an interdistrict cooperative agreement authorized by section 15-47-40.1.

SECTION 4. AMENDMENT. If House Bill No. 1045 does become effective, subsection 1 of section 57-15-14.2 of the North Dakota Century Code is amended and reenacted as follows:

1. ~~A school~~ The board of any a school district may levy an amount sufficient to cover general expenses including the costs of the following:
 - a. ~~Board and Meals, lodging, and transportation,~~ for high school students as provided in section ~~15-34.2-06~~ 15.1-30-04, and any costs of providing student transportation for which state transportation payments are not provided in section 15.1-27-26.
 - b. The teachers' retirement fund as provided in section 15-39.1-28.
 - c. Tuition for students ~~in grades seven through twelve~~ as provided in section ~~15-40.2-12~~ 15.1-29-15.
 - d. Special education program as provided in section ~~15-59-08~~ 15.1-32-20.
 - e. The establishment and maintenance of an insurance reserve fund for insurance purposes as provided in section 32-12.1-08.
 - f. A final judgment obtained against a school district.

- 1 g. The district's share of contribution to the old-age survivors' fund and matching
2 contribution for the social security fund as provided by chapter 52-09 and to
3 provide the district's share of contribution to the old-age survivors' fund and
4 matching contribution for the social security fund for contracted employees of
5 a multidistrict special education board.
- 6 h. The rental or leasing of buildings, property, or classroom space. Minimum
7 state standards for health and safety applicable to school building
8 construction shall apply to any rented or leased buildings, property, or
9 classroom space.
- 10 i. Unemployment compensation benefits.
- 11 j. The removal of asbestos substances from school buildings or the abatement
12 of asbestos substances in school buildings under any method approved by
13 the United States environmental protection agency and any repair,
14 replacement, or remodeling that results from such removal or abatement, any
15 remodeling required to meet specifications set by the Americans with
16 Disabilities Act accessibility guidelines for buildings and facilities as contained
17 in the appendix to 28 CFR 36, any remodeling required to meet requirements
18 set by the state fire marshal during the inspection of a public school, and for
19 providing an alternative education program as provided in section 57-15-17.1.
- 20 k. Participating in cooperative vocational education programs approved by the
21 state board.
- 22 l. Maintaining a vocational education program approved by the state board and
23 established only for that school district.
- 24 m. Paying the cost of purchasing, contracting, operating, and maintaining
25 schoolbuses.
- 26 n. Establishing and maintaining school library services.
- 27 o. Equipping schoolbuses with two-way communications and central station
28 equipment and providing for the installation and maintenance of such
29 equipment.

- 1 p. Establishing free public kindergartens in connection with the public schools of
2 the district for the instruction of resident children below school age during the
3 regular school term.
- 4 q. Establishing, maintaining, and conducting a public recreation system.
- 5 r. The district's share of contribution to finance an interdistrict cooperative
6 agreement authorized by section ~~45-47-40.4~~ 15.1-09-40.

7 **SECTION 5. EFFECTIVE DATE.** This Act is effective for taxable years beginning after
8 December 31, 2000.