

**Fifty-eighth Legislative Assembly of North Dakota
In Regular Session Commencing Tuesday, January 7, 2003**

SENATE BILL NO. 2404
(Senators Cook, Kringstad)
(Representatives R. Kelsch, Porter)

AN ACT to amend and reenact subsection 2 of section 15 of chapter 173 of the 2001 Session Laws, relating to the use of contingent payments for the compensation of teachers employed at the youth correctional center; to provide an appropriation; and to declare an emergency.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

SECTION 1. APPROPRIATION.

1. There is appropriated out of any moneys in the general fund in the state treasury, not otherwise appropriated, the sum of \$66,000, or so much of the sum as may be necessary, to the department of corrections and rehabilitation for the purpose of providing \$3,000 in additional compensation to twenty-two eligible individuals who are employed as teachers at the youth correctional center, for the period beginning January 1, 2001, and ending June 30, 2003.
2. For purposes of this section, "teacher" means an individual, other than an administrator, who is licensed to teach by the education standards and practices board or approved to teach by the education standards and practices board and who has been employed full-time at the youth correctional center for at least the period from July 1, 2001, through the effective date of this Act, in a position classified by the superintendent of public instruction as:
 - a. A class 22 coordinator;
 - b. A class 37 guidance counselor or school counselor;
 - c. A class 38 guidance counselor or designate;
 - d. A class 40 instructional programmer;
 - e. A class 41 library media specialist;
 - f. A class 56 pupil personnel service provider;
 - g. A class 59 school psychologist;
 - h. A class 62 speech-language pathologist;
 - i. A class 68 supervisor;
 - j. A class 70 teacher or special education teacher; or
 - k. A class 72 tutor in training.

SECTION 2. AMENDMENT. Subsection 2 of section 15 of chapter 173 of the 2001 Session Laws is amended and reenacted as follows:

2. If funds appropriated by the legislative assembly to the grants-teacher compensation payments line item in House Bill No. 1013, as approved by the fifty-seventh legislative assembly, remain after completion of all statutory obligations, to the extent of legislative

appropriations, the superintendent of public instruction shall distribute all of the remaining funds, except sixty-six thousand dollars, as additional per student payments under chapter ~~15-40.1~~ or 15.1-27. The state treasurer shall transfer the sixty-six thousand dollars to the state general fund for the purposes as provided in section 1.

SECTION 3. DEPARTMENT OF CORRECTIONS - 2005-07 BUDGET PREPARATION. In compiling the departmental budget for the 2005-07 biennium, the department of corrections and rehabilitation shall consider the increase in teacher compensation provided for by this Act as a portion of the base salary payable to the teachers employed at the youth correctional center.

SECTION 4. EMERGENCY. This Act is declared to be an emergency measure.

President of the Senate

Speaker of the House

Secretary of the Senate

Chief Clerk of the House

This certifies that the within bill originated in the Senate of the Fifty-eighth Legislative Assembly of North Dakota and is known on the records of that body as Senate Bill No. 2404 and that two-thirds of the members-elect of the Senate voted in favor of said law.

Vote: Yeas 45 Nays 0 Absent 2

President of the Senate

Secretary of the Senate

This certifies that two-thirds of the members-elect of the House of Representatives voted in favor of said law.

Vote: Yeas 92 Nays 0 Absent 2

Speaker of the House

Chief Clerk of the House

Received by the Governor at _____ M. on _____, 2003.

Approved at _____ M. on _____, 2003.

Governor

Filed in this office this _____ day of _____, 2003,

at ___ o'clock _____ M.

Secretary of State