

**SENATE BILL NO. 2364**

Introduced by

Senators Flakoll, Freborg, Holmberg

Representatives Hawken, D. Johnson, R. Kelsch

1 A BILL for an Act to provide an appropriation for special education payments; and to repeal  
2 sections 15.1-27-10 and 15.1-27-32 of the North Dakota Century Code, relating to special  
3 education payments.

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

5 **SECTION 1. APPROPRIATION.** There is appropriated out of any moneys in the  
6 general fund in the state treasury, not otherwise appropriated, the sum of \$52,500,000, or so  
7 much of the sum as may be necessary, to the superintendent of public instruction for the  
8 purpose of providing special education payments, for the biennium beginning July 1, 2005, and  
9 ending June 30, 2007.

- 10 1. The superintendent of public instruction shall distribute \$50,500,000 of the  
11 appropriated amount to reimburse school districts or special education units for  
12 excess costs incurred relating to contracts for students with disabilities.
- 13 2. The superintendent of public instruction shall distribute \$400,000 of the  
14 appropriated amount to reimburse school districts or special education units for  
15 gifted and talented programs upon the submission of an application that is  
16 approved in accordance with guidelines adopted by the superintendent. The  
17 superintendent of public instruction shall encourage cooperative efforts for gifted  
18 and talented programs among school districts and special education units.
- 19 3. The superintendent of public instruction shall distribute \$1,600,000 to reimburse  
20 school districts or special education units for costs incurred in providing services to  
21 medically fragile students.

22 **SECTION 2. REPEAL.** Sections 15.1-27-10 and 15.1-27-32 of the North Dakota  
23 Century Code are repealed.