

HOUSE BILL NO. 1019

Introduced by

Appropriations Committee

1 A BILL for an Act to provide an appropriation for defraying the expenses of the state board for
 2 career and technical education; to create and enact sections 15-20.1-26 and 15-20.1-27 of the
 3 North Dakota Century Code, relating to the meetings, compensation, powers, and duties of the
 4 educational technology council; to amend and reenact section 15-19-06 of the North Dakota
 5 Century Code, relating to the center for distance education operating fund; and to repeal
 6 sections 54-59-17 and 54-59-18 of the North Dakota Century Code, relating to the meetings,
 7 compensation, powers, and duties of the educational technology council.

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

9 **SECTION 1. APPROPRIATION.** The funds provided in this section, or so much of the funds
 10 as may be necessary, are appropriated out of any moneys in the general fund in the state
 11 treasury, not otherwise appropriated, and from special funds derived from federal funds and
 12 other income, to the state board for career and technical education for the purpose of defraying
 13 the expenses of the state board for career and technical education, for the biennium beginning
 14 July 1, 2019, and ending June 30, 2021, as follows:

| | <u>Governor's</u> | | |
|----------------------------------|---------------------|-----------------------|----------------------|
| | <u>Base Level</u> | <u>Recommendation</u> | <u>Appropriation</u> |
| 17 <u>Salaries and wages</u> | <u>\$4,699,975</u> | <u>\$10,991,902</u> | <u>\$4,699,975</u> |
| 18 <u>Operating expenses</u> | <u>1,240,589</u> | <u>4,209,996</u> | <u>1,240,589</u> |
| 19 <u>Capital assets</u> | <u>0</u> | <u>500,000</u> | <u>0</u> |
| 20 <u>Grants</u> | <u>30,106,356</u> | <u>64,748,356</u> | <u>30,106,356</u> |
| 21 <u>Grants – postsecondary</u> | <u>296,207</u> | <u>270,389</u> | <u>296,207</u> |
| 22 <u>Adult farm management</u> | <u>579,822</u> | <u>229,815</u> | <u>579,822</u> |
| 23 <u>Workforce training</u> | <u>2,000,000</u> | <u>1,825,429</u> | <u>2,000,000</u> |
| 24 <u>Total all funds</u> | <u>\$38,922,949</u> | <u>\$82,775,887</u> | <u>\$38,922,949</u> |

Sixty-sixth
Legislative Assembly

| | | | | |
|----|---|-------------------------|-------------------------|-------------------------|
| 1 | Less estimated income | 9,616,666 | 12,145,373 | 9,616,666 |
| 2 | Total general fund | \$29,306,283 | \$70,630,514 | \$29,306,283 |
| 3 | Full-time equivalent positions | 24.50 | 53.80 | 24.50 |
| 4 | | <u>Adjustments or</u> | | |
| 5 | | <u>Base Level</u> | <u>Enhancements</u> | <u>Appropriation</u> |
| 6 | Salaries and wages | \$4,699,975 | \$93,343 | \$4,793,318 |
| 7 | Operating expenses | 1,240,589 | 1,075,000 | 2,315,589 |
| 8 | Grants | 30,106,356 | (21,041,214) | 9,065,142 |
| 9 | Grants - secondary | 0 | 22,537,780 | 22,537,780 |
| 10 | Marketplace for kids | 0 | 300,000 | 300,000 |
| 11 | Grants - postsecondary | 296,207 | 45,189 | 341,396 |
| 12 | Adult farm management | 579,822 | 1,214,420 | 1,794,242 |
| 13 | Workforce training | 2,000,000 | 0 | 2,000,000 |
| 14 | Center for distance education | 0 | 8,994,167 | 8,994,167 |
| 15 | Educational technology council | 0 | 770,978 | 770,978 |
| 16 | Total all funds | \$38,922,949 | \$13,989,663 | \$52,912,612 |
| 17 | Less estimated income | 9,616,666 | 5,586,455 | 15,203,121 |
| 18 | Total general fund | \$29,306,283 | \$8,403,208 | \$37,709,491 |
| 19 | Full-time equivalent positions | 24.50 | 28.30 | 52.80 |

20 **SECTION 2. ONE-TIME FUNDING.** The following amounts reflect the one-time funding
21 items approved by the sixty-fifth legislative assembly for the 2017-19 biennium:

| 22 | <u>One-Time Funding Description</u> | <u>2017-19</u> | <u>2019-21</u> |
|----|--|------------------|----------------|
| 23 | School district and area center grants | \$2,427,000 | \$0 |
| 24 | Marketplace for kids | <u>300,000</u> | <u>0</u> |
| 25 | Total all funds | \$2,727,000 | \$0 |
| 26 | Less estimated income | <u>2,477,000</u> | <u>0</u> |
| 27 | Total general fund | \$250,000 | \$0 |

28 **SECTION 3. AMENDMENT.** Section 15-19-06 of the North Dakota Century Code is
29 amended and reenacted as follows:

1 **15-19-06. Special funds - Deposit of collections - Transfers from general fund**

2 **appropriations.**

3 1. A special operating fund for the center for distance education must be maintained
4 within the state treasury and all income and fees collected by the center for distance
5 education from any source must be remitted monthly by the director to the state
6 treasurer and credited to the special operating fund. All expenditures from the fund
7 must be within the limits of legislative appropriations and must be made upon
8 vouchers, signed and approved by the ~~technology~~ director ~~appointed by the~~
9 ~~educational technology council~~ of the department of career and technical education.

10 Upon approval of the vouchers by the office of the budget, warrant-checks must be
11 prepared by the office of management and budget. The state treasurer shall make
12 periodic transfers upon order of the director of the office of management and budget
13 from the center for distance education general fund appropriation to the special
14 operating fund whenever its balance falls so low as to require supplementation.

15 2. The educational technology council may establish an administrative operational fund,
16 of not to exceed ten thousand dollars, out of the special operating fund for the center
17 for distance education. The administrative operational fund must be deposited in the
18 Bank of North Dakota and may be drawn upon by the state director of the center for
19 distance education for the payment of necessary expenses in the administration and
20 operation of the center for distance education within the limits and rules prescribed by
21 the educational technology council. The director shall submit a full, minute, and
22 itemized statement of every expenditure made during the month to the council in
23 accordance with the rules adopted by the council, and thereafter the council may
24 periodically authorize additional transfers to the administrative operational fund, but
25 the balance in the fund may never exceed ten thousand dollars, and any
26 unencumbered balance at the end of any biennium must revert to the state treasury.
27 The administrative operational fund may not be used to pay salaries or expenses of
28 the director.

29 3. The educational technology council may establish a scholarship fund to provide
30 financial grants to students enrolled in courses offered through the center for distance
31 education. The scholarship fund may consist only of those funds specifically

1 appropriated by the legislative assembly and property received by the council or the
2 center for distance education as a gift, devise, or bequest. Any gift, devise, or bequest
3 of property received by the council or center for distance education which is
4 designated by the council and donor for the scholarship fund must be deposited in the
5 scholarship fund at the Bank of North Dakota. The state director of the center for
6 distance education may draw only on the interest earned by the scholarship fund for
7 the award of scholarships within the limits and rules adopted by the educational
8 technology council. The interest earned by the scholarship fund is appropriated to the
9 center for distance education.

10 **SECTION 4.** Section 15-20.1-26 of the North Dakota Century Code is created and enacted
11 as follows:

12 **15-20.1-26. Educational technology council - Meetings - Compensation.**

- 13 1. The educational technology council is responsible for coordinating educational
14 technology initiatives for elementary and secondary education.
- 15 2. The educational technology council consists of:
- 16 a. The chief information officer.
 - 17 b. The superintendent of public instruction or the superintendent's designee.
 - 18 c. The commissioner of higher education or the commissioner's designee.
 - 19 d. A representative appointed by the state board for career and technical education.
 - 20 e. A representative appointed by the governor from a list of three nominees
21 submitted by the North Dakota association of technology leaders.
 - 22 f. A representative appointed by the governor from a list of three nominees
23 submitted by the North Dakota council of educational leaders.
 - 24 g. A representative appointed by the governor from a list of three nominees
25 submitted by the North Dakota school boards association.
 - 26 h. A representative appointed by the governor from a list of three nominees
27 submitted by the North Dakota association of special education directors.
 - 28 i. A school district representative who is appointed by the governor and who
29 represents a school district that has an enrollment in kindergarten through grade
30 twelve of fewer than four hundred.

1 j. A school district representative who is appointed by the governor, who is licensed
2 to teach by the educational standards and practices board, and who is employed
3 by a public school district in this state as a classroom teacher.

4 k. The director of technology for the department of public instruction.

5 l. A representative appointed by the governor from a list of three nominees
6 submitted by the state association of nonpublic schools.

7 3. The council shall select a chairman from among its members.

8 4. The term of office for the members appointed by the governor is four years.

9 5. The members of the educational technology council appointed by the governor are
10 entitled to receive as compensation sixty-two dollars and fifty cents per day and
11 reimbursement of expenses as provided by law for state officers while attending
12 meetings of the council.

13 **SECTION 5.** Section 15-20.1-27 of the North Dakota Century Code is created and enacted
14 as follows:

15 **15-20.1-27. North Dakota educational technology council - Powers and duties.**

16 The educational technology council shall:

17 1. Coordinate the use of technology and the development of technology systems to
18 enhance educational opportunities for elementary and secondary education.

19 2. Cooperate with state agencies and other organizations to develop statewide
20 educational technology systems.

21 3. Adopt bylaws for the conduct of its affairs.

22 4. Publish the informational material it deems necessary.

23 5. Conduct a continuing study to assess the needs, resources, and facilities that are
24 available or which may be required to establish educational technology systems
25 throughout the state.

26 6. Solicit and receive moneys from public and private sources and expend the moneys
27 for educational technology.

28 7. Appoint a technology director who shall serve at the will of the council.

29 8. Hire the director of the center for distance education.

30 **SECTION 6. REPEAL.** Sections 54-59-17 and 54-59-18 of the North Dakota Century Code
31 are repealed.