

Sixty-sixth
Legislative Assembly
of North Dakota

ENGROSSED 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; provide a statement of~~
8 ~~legislative intent; and to provide for a report to the sixty-seventh legislative assembly.~~

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

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

	Base Level	Adjustments or Enhancements	Appropriation
18 Salaries and wages	\$4,699,975	\$93,343	\$4,793,318
19 Operating expenses	1,240,589	1,075,000	2,315,589
20 Grants	30,106,356	(21,041,214)	9,065,142
21 Grants - secondary	0	22,537,780	22,537,780
22 Marketplace for kids	0	300,000	300,000
23 Grants - postsecondary	296,207	45,189	341,396
24 Adult farm management	579,822	1,214,420	1,794,242

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1	Workforce training	2,000,000	0	2,000,000
2	Center for distance education	0	8,994,167	8,994,167
3	Educational technology council	0	770,978	770,978
4	Total all funds	\$38,922,949	\$13,989,663	\$52,912,612
5	Less estimated income	9,616,666	5,586,455	15,203,121
6	Total general fund	\$29,306,283	\$8,403,208	\$37,709,491
7	Full-time equivalent positions	24.50	28.30	52.80
8	Salaries and wages	\$4,699,975	\$112,790	\$4,812,765
9	Operating expenses	1,240,589	1,117,207	2,357,796
10	Grants	30,106,356	(20,899,007)	9,207,349
11	Grants - secondary	0	24,937,780	24,937,780
12	Marketplace for kids	0	300,000	300,000
13	Grants - postsecondary	296,207	(39,225)	256,982
14	Adult farm management	579,822	1,564,427	2,144,249
15	Workforce training	2,000,000	0	2,000,000
16	Center for distance education	0	9,751,188	9,751,188
17	Total all funds	\$38,922,949	\$16,845,160	\$55,768,109
18	Less estimated income	9,616,666	5,086,455	14,703,121
19	Total general fund	\$29,306,283	\$11,758,705	\$41,064,988
20	Full-time equivalent positions	24.50	27.80	52.30

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

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

29 ~~SECTION 3. AMENDMENT.~~ Section 15-19-06 of the North Dakota Century Code is
 30 ~~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~~
31 ~~Code are repealed.~~

SECTION 3. CENTER FOR DISTANCE EDUCATION - FUNDING DESIGNATION -

LEGISLATIVE INTENT - REPORT TO SIXTY-SEVENTH LEGISLATIVE ASSEMBLY. Section 1

of this Act includes the sum of \$9,751,188, of which \$6,701,188 is from the general fund and

\$3,050,000 is from other funds for the center for distance education for the biennium beginning

July 1, 2019, and ending June 30, 2021. The general fund appropriation of \$6,701,188 includes

a sum of \$502,759 that may only be used for new enrollments during the biennium beginning

July 1, 2019, and ending June 30, 2021. It is the intent of the sixty-sixth legislative assembly

that the center for distance education develop a fee structure during the 2019-20 interim to

become self-sustaining beginning in the biennium beginning July 1, 2021, and ending June 30,

2023. The department of career and technical education shall report to the appropriations

committees of the sixty-seventh legislative assembly regarding the development of the new

center for distance education fee structure.