19.0207.02004

Sixty-sixth Legislative Assembly of North Dakota

FIRST ENGROSSMENT

ENGROSSED HOUSE BILL NO. 1019

Introduced by

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Appropriations Committee

A BILL for an Act to provide an appropriation for defraying the expenses of the state board for career and technical education; to create and enact sections 15-20.1-26 and 15-20.1-27 of the North Dakota Century Code, relating to the meetings, compensation, powers, and duties of the educational technology council; to amend and reenact section 15-19-06 of the North Dakota Century Code, relating to the center for distance education operating fund; and to repeal sections 54-59-17 and 54-59-18 of the North Dakota Century Code, relating to the meetings, compensation, powers, and duties of the educational technology council.provide a statement of legislative intent; and to provide for a report to the sixty-seventh legislative assembly.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

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

16			Adjustments or	
17		Base Level	Enhancements	<u>Appropriation</u>
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

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	<u>0</u>	770,978	770,978
4	Total all funds	\$38,922,949	\$13,989,663	\$52,912,612
5	Less estimated income	<u>9,616,666</u>	<u>5,586,455</u>	<u>15,203,121</u>
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	24,587,780	24,587,780
12	Marketplace for kids	0	300,000	300,000
13	Grants - postsecondary	296,207	(39,225)	256,982
14	Adult farm management	579,822	1,314,427	1,894,249
15	Workforce training	2,000,000	0	2,000,000
16	Center for distance education	0	9,351,188	9,351,188
17	Total all funds	\$38,922,949	\$15,845,160	\$54,768,109
18	Less estimated income	9,616,666	5,086,455	14,703,121
19	Total general fund	\$29,306,283	\$10,758,705	\$40,064,988
20	Full-time equivalent positions	24.50	27.80	52.30
21	SECTION 2. ONE-TIME FUNDING.	The following ar	mounts reflect the one-	time funding
22	items approved by the sixty-fifth legislation	ve assembly for	the 2017-19 biennium	:
23	One-Time Funding Description		<u>2017-19</u>	<u>2019-21</u>
24	School district and area center grants		\$2,427,000	\$0
25	Marketplace for kids		300,000	<u>0</u>
26	Total all funds		\$2,727,000	\$0
27	Less estimated income		2,477,000	<u>0</u>
28	Total general fund		\$250,000	\$0
29	SECTION 3. AMENDMENT. Section	15-19-06 of the	North Dakota Century	/ Code is

amended and reenacted as follows:

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

- 1. A special operating fund for the center for distance education must be maintained within the state treasury and all income and fees collected by the center for distance education from any source must be remitted monthly by the director to the state treasurer and credited to the special operating fund. All expenditures from the fund must be within the limits of legislative appropriations and must be made upon-vouchers, signed and approved by the technology director appointed by the educational technology councilof the department of career and technical education. Upon approval of the vouchers by the office of the budget, warrant-checks must be prepared by the office of management and budget. The state treasurer shall make periodic transfers upon order of the director of the office of management and budget from the center for distance education general fund appropriation to the special operating fund whenever its balance falls so low as to require supplementation.
- 2. The educational technology council may establish an administrative operational fund, of not to exceed ten thousand dollars, out of the special operating fund for the center-for distance education. The administrative operational fund must be deposited in the Bank of North Dakota and may be drawn upon by the state director of the center for distance education for the payment of necessary expenses in the administration and operation of the center for distance education within the limits and rules prescribed by the educational technology council. The director shall submit a full, minute, and itemized statement of every expenditure made during the month to the council in accordance with the rules adopted by the council, and thereafter the council may periodically authorize additional transfers to the administrative operational fund, but the balance in the fund may never exceed ten thousand dollars, and any unencumbered balance at the end of any biennium must revert to the state treasury. The administrative operational fund may not be used to pay salaries or expenses of the director.
- 3. The educational technology council may establish a scholarship fund to provide financial grants to students enrolled in courses offered through the center for distance education. The scholarship fund may consist only of those funds specifically

I	appropriated by the legislative assembly and property received by the council of 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	<u>b.</u> The superintendent of public instruction or the superintendent's designee.		
18	<u>c.</u> <u>The commissioner of higher education or the commissioner's designee.</u>		
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.		

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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	I. 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.	

1	SECTION 3. CENTER FOR DISTANCE EDUCATION - FUNDING DESIGNATION -
2	LEGISLATIVE INTENT - REPORT TO SIXTY-SEVENTH LEGISLATIVE ASSEMBLY. Section
3	of this Act includes the sum of \$9,351,188, of which \$6,301,188 is from the general fund and
4	\$3,050,000 is from other funds for the center for distance education for the biennium beginning
5	July 1, 2019, and ending June 30, 2021. The general fund appropriation of \$6,301,188 includes
6	a sum of \$102,759 that may only be used for new enrollments during the biennium beginning
7	July 1, 2019, and ending June 30, 2021. It is the intent of the sixty-sixth legislative assembly
8	that the center for distance education develop a fee structure during the 2019-20 interim to
9	become self-sustaining beginning in the biennium beginning July 1, 2021, and ending June 30,
10	2023. The department of career and technical education shall report to the appropriations
11	committees of the sixty-seventh legislative assembly regarding the development of the new
12	center for distance education fee structure.