Prepared by the Legislative Council staff for
Conference Committee
April 26, 2011

PROPOSED AMENDMENTS TO ENGROSSED SENATE BILL NO. 2013

That the House recede from its amendments as printed on pages 1442-1449 of the Senate Journal and pages 1534-1541 of the House Journal and that Engrossed Senate Bill No. 2013 be amended as follows:

Page 1, line 3, after the semicolon insert "to provide an appropriation to the information technology department; to provide an appropriation to the North Dakota university system office;"

Page 1, line 4, replace "alternative education program" with "continuing education"

Page 1, line 4, after "programs" insert "and medicaid matching funds,"

Page 1, line 4, remove "to"

Page 1, line 5, remove "provide a contingent appropriation;"

Page 1, line 10, after the semicolon insert "to provide a statement of legislative intent;"

Page 1, replace line 24 with:

"Operating expenses	30,770,801	(1,087,614)	29,683,187"

Page 2, replace line 1 with:

"Grants - State school aid	722,725,958	195,733,520	918,459,478"

Page 2, replace lines 6 and 7 with:

"Grants - Other grants	245,203,721	58,780,672	303,984,393
Grants - Mill levy reduction	295,000,000	(295,000,000)	0"

Page 2, replace lines 11 through 13 with:

"Total all funds	$1,468,777,356	($116,008,282)	$1,352,769,074
Less estimated income	360,597,766	90,605,657	451,203,423
Total general fund	$1,108,179,590	($206,613,939)	$901,565,651"

Page 3, replace lines 22 through 24 with:

"Grand total general fund	$1,122,401,382	($194,924,744)	$927,476,638
Grand total special funds	364,672,954	91,588,177	456,261,131
Grand total all funds	$1,487,074,336	($103,336,567)	$1,383,737,769"

Page 4, remove line 21

Page 4, replace line 24 with:

"Total school for the blind - All funds	$70,200	$70,000"

Page 4, replace lines 26 and 27 with:

"Total school for the blind - General fund	$70,200	$70,000
Grand total - All funds	$156,055,588	$557,800"

Page 4, replace line 29 with:

"Grand total - General fund	$2,197,200	$557,800"

Page 5, after line 3, insert:

"**SECTION 3. ONE-TIME FUNDING - EDUCATION JOBS FUNDS.** The federal education jobs funding of $21,517,716 appropriated to the superintendent of public instruction in subdivision 1 of section 1 of this Act is one-time funding for the 2011-13 biennium. The superintendent of public instruction may not request funding from the general fund to replace this one-time funding in its base budget request for the 2013-15 biennium.

SECTION 4. APPROPRIATION - STAGENET CONNECTIVITY - INFORMATION TECHNOLOGY DEPARTMENT. There is appropriated out of any moneys in the general fund in the state treasury, not otherwise appropriated, the sum of $131,000, or so much of the sum as may be necessary, to the information technology department for the purpose of completing school district connectivity to STAGEnet, for the biennium beginning July 1, 2011, and ending June 30, 2013.

SECTION 5. APPROPRIATION - SCHOLARSHIP PROGRAMS - STATE BOARD OF HIGHER EDUCATION. There is appropriated out of any moneys in the general fund in the state treasury, not otherwise appropriated, the sum of $10,000,000, or so much of the sum as may be necessary, to the state board of higher education for the purpose of providing North Dakota academic and career and technical education scholarships, for the biennium beginning July 1, 2011, and ending June 30, 2013."

Page 5, remove lines 13 through 18

Page 6, after line 7, insert:

"**SECTION 10. RESERVED FUNDS - CONTINGENT ADULT EDUCATION LEARNING CENTER GRANTS.** The sum of $500,000, or so much of the sum as may be necessary, made available under section 19 of this Act, must be used by the department of public instruction for providing adult education learning center grants, for the biennium beginning July 1, 2011, and ending June 30, 2013. The department may provide grants of up to $250,000 during the first year of the biennium only if federal funding available to the state for adult education is less than $900,000 in federal fiscal year 2012. Funding provided in the first year of the biennium is limited to the difference between federal funding available in federal fiscal year 2012 and $900,000. The department may use any remaining funds for adult education learning center grants during the second year of the biennium.

SECTION 11. CONTINUING EDUCATION GRANTS - FUNDING - DISTRIBUTION. The sum of $100,000, or so much of the sum as may be necessary, included in the grants - other grants line item in subdivision 1 of section 1 of this Act is provided for continuing education grants, for the biennium beginning July 1, 2011, and ending June 30, 2013.

1. The superintendent of public instruction shall award grants in amounts up to $1,200 to eligible recipients in chronological order, based on the date of an individual's application. An eligible recipient must:

   a. (1) Be licensed to teach by the education standards and practices board;

      (2) Have taught in this state during each of the last three school years; and

      (3) Be enrolled at an institution of higher education in this state in either a master of education program in educational leadership or a program leading to a specialist diploma in educational leadership;

   b. Be pursuing the requirements for a certificate in career development facilitation; or

   c. Be pursuing a school counselor credential.

2. If any of the amount appropriated for this purpose remains after the superintendent of public instruction has awarded grants to all eligible recipients, the superintendent shall distribute that amount as an additional per student payment on a prorated basis, according to the latest available average daily membership of each school district."

Page 6, remove lines 8 through 16

Page 6, line 17, after the first boldfaced dash insert "**MEDICAID MATCHING -**"

Page 6, line 17, after the second boldfaced period insert:

"1."

Page 6, line 23, after the period insert:

"2."

Page 6, remove lines 29 through 31

Page 7, remove lines 1 through 5

Page 8, remove lines 13 through 31

Page 9, remove lines 1 through 18

Page 11, line 6, after "b." insert "Reserve the next five hundred thousand dollars, which is not subject to the provisions of section 54-44.1-11 and must be used in accordance with section 10 of this Act.

c."

Page 11, line 13, replace "54-44.1-1-11" with "54-44.1-11"

Page 11, after line 13, insert:

"**SECTION 21. LEGISLATIVE INTENT - 2013-15 SCHOOL FOR THE DEAF APPROPRIATION BILL.** It is the intent of the sixty-second legislative assembly that that the school for the deaf remain under the control of the superintendent of public

instruction during the 2011-13 biennium and that the governor include the recommended funding for the school for the deaf in a separate draft appropriations act for introduction to the sixty-third legislative assembly."

Page 11, line 21, replace "3, 17, and 18" with "6, 18, and 19"

Renumber accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

Senate Bill No. 2013 - Summary of Conference Committee Action

	Executive Budget	Senate Version	Conference Committee Changes	Conference Committee Version	House Version	Comparison to House
Information Technology Department						
Total all funds	$0	$0	$131,000	$131,000	$0	$131,000
Less estimated income	0	0	0	0	0	0
General fund	$0	$0	$131,000	$131,000	$0	$131,000
Department of Public Instruction						
Total all funds	$1,694,573,163	$1,694,606,663	($341,837,589)	$1,352,769,074	$1,352,769,074	$0
Less estimated income	792,508,423	792,993,423	(341,790,000)	451,203,423	451,203,423	0
General fund	$902,064,740	$901,613,240	($47,589)	$901,565,651	$901,565,651	$0
University System Office						
Total all funds	$0	$0	$10,000,000	$10,000,000	$10,000,000	$0
Less estimated income	0	0	0	0	10,000,000	(10,000,000)
General fund	$0	$0	$10,000,000	$10,000,000	$0	$10,000,000
State Library						
Total all funds	$7,398,585	$7,398,585	$0	$7,398,585	$7,398,585	$0
Less estimated income	2,134,610	2,134,610	0	2,134,610	2,134,610	0
General fund	$5,263,975	$5,263,975	$0	$5,263,975	$5,263,975	$0
School for the Deaf						
Total all funds	$8,806,779	$8,806,779	$0	$8,806,779	$8,806,779	$0
Less estimated income	2,088,007	2,088,007	0	2,088,007	2,088,007	0
General fund	$6,718,772	$6,718,772	$0	$6,718,772	$6,718,772	$0
Vision Services - School for the Blind						
Total all funds	$4,915,331	$4,632,331	$0	$4,632,331	$4,632,331	$0
Less estimated income	835,091	835,091	0	835,091	835,091	0
General fund	$4,080,240	$3,797,240	$0	$3,797,240	$3,797,240	$0
Bill total						
Total all funds	$1,715,693,858	$1,715,444,358	($331,706,589)	$1,383,737,769	$1,383,606,769	$131,000
Less estimated income	797,566,131	798,051,131	(341,790,000)	456,261,131	466,261,131	(10,000,000)
General fund	$918,127,727	$917,393,227	$10,083,411	$927,476,638	$917,345,638	$10,131,000

Senate Bill No. 2013 - Information Technology Department - Conference Committee Action

	Executive Budget	Senate Version	Conference Committee Changes	Conference Committee Version	House Version	Comparison to House
Complete Connectivity to STAGEnet			$131,000	$131,000		$131,000
Total all funds	$0	$0	$131,000	$131,000	$0	$131,000
Less estimated income	0	0	0	0	0	0
General fund	$0	$0	$131,000	$131,000	$0	$131,000
FTE	0.00	0.00	0.00	0.00	0.00	0.00

Department No. 112 - Information Technology Department - Detail of Conference Committee

Changes

	Adds Funding for STAGEnet[1]	Total Conference Committee Changes
Complete Connectivity to STAGEnet	$131,000	$131,000
Total all funds	$131,000	$131,000
Less estimated income	0	0
General fund	$131,000	$131,000
FTE	0.00	0.00

[1] This amendment provides funding to complete school district connectivity to STAGEnet. This funding was not provided by the House or the Senate.

Senate Bill No. 2013 - Department of Public Instruction - Conference Committee Action

	Executive Budget	Senate Version	Conference Committee Changes	Conference Committee Version	House Version	Comparison to House
Salaries and wages	$14,409,300	$14,409,300		$14,409,300	$14,409,300	
Operating expenses	29,651,187	29,751,187	(68,000)	29,683,187	29,683,187	
Grants - State school aid	919,459,478	919,459,478	(1,000,000)	918,459,478	912,759,478	5,700,000
Grants - Special education contracts	16,000,000	16,000,000		16,000,000	16,000,000	
Grants - Transportation	48,500,000	48,500,000		48,500,000	48,500,000	
Grants - Other education	302,730,482	302,963,982	1,020,411	303,984,393	309,384,393	(5,400,000)
Grants - Mill levy reduction	341,790,000	341,790,000	(341,790,000)			
ATCS review panel	300,000				300,000	(300,000)
Education jobs fund	21,517,716	21,517,716		21,517,716	21,517,716	
Transportation efficiency	30,000	30,000		30,000	30,000	
National board certification	185,000	185,000		185,000	185,000	
Total all funds	$1,694,573,163	$1,694,606,663	($341,837,589)	$1,352,769,074	$1,352,769,074	$0
Less estimated income	792,508,423	792,993,423	(341,790,000)	451,203,423	451,203,423	0
General fund	$902,064,740	$901,613,240	($47,589)	$901,565,651	$901,565,651	$0
FTE	99.75	99.75	0.00	99.75	99.75	0.00

Department No. 201 - Department of Public Instruction - Detail of Conference Committee Changes

	Increases Funding for Grants[1]	Increases Funding for Adult Education Grants[2]	Adjusts State School Aid[3]	Adjusts Funding for Alternative Education Program Grants[4]	Decreases Funding for the Professional Development Advisory Committee[5]	Removes Funding for Mill Levy Reduction Grants[6]
Salaries and wages						
Operating expenses					(68,000)	
Grants - State school aid			(1,000,000)			
Grants - Special education contracts						
Grants - Transportation						
Grants - Other education	120,000	1,060,411		(160,000)		
Grants - Mill levy reduction						(341,790,000)
ATCS review panel						
Education jobs fund						

Transportation efficiency						
National board certification						
Total all funds	$120,000	$1,060,411	($1,000,000)	($160,000)	($68,000)	($341,790,000)
Less estimated income	0	0	0	0	0	(341,790,000)
General fund	$120,000	$1,060,411	($1,000,000)	($160,000)	($68,000)	$0
FTE	0.00	0.00	0.00	0.00	0.00	0.00

	Total Conference Committee Changes
Salaries and wages	
Operating expenses	(68,000)
Grants - State school aid	(1,000,000)
Grants - Special education contracts	
Grants - Transportation	
Grants - Other education	1,020,411
Grants - Mill levy reduction	(341,790,000)
ATCS review panel	
Education jobs fund	
Transportation efficiency	
National board certification	
Total all funds	($341,837,589)
Less estimated income	(341,790,000)
General fund	($47,589)
FTE	0.00

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[1] Funding for general fund grants is increased, the same as the House version, as follows:

	Increase	Total Provided
Atlantic Brucke/Atlantic Forum	$30,000	$105,000
North Central Council for School Television	40,000	485,000
Governor's School	50,000	460,000
Total	$120,000	$1,050,000

[2] Funding for adult education learning center grants is increased to provide a total of $3,110,411 from the general fund, the same as the House version.

In addition, Section 59 of Chapter 175 of the 2009 Session Laws is amended to provide that, after reserving the first $8 million of 2009-11 biennium unobligated state school aid for per student payments during the 2011-13 biennium, the next $500,000 is reserved for adult education learning center grants. The $500,000 is available to the department for additional adult education learning center grants if federal funding for adult education received by the department is less than $900,000 in any year of the 2011-13 biennium. The department may only spend up to $250,000 of these funds during the first year of the biennium. The House also included this provision.

[3] State school aid is adjusted to reflect the following changes to the weighting factors and per student payment rates adopted by the conference committee on Senate Bill 2150:

- $2,300,000 - Increase relating to an increase in the formula weighting factor for special education. The executive recommendation included, and the House and Senate versions approved an increase in the special education weighting factor from .07 to .073 for the 2011-13 biennium. The conference committee provided an increase from .073 to .079 during the second year of the biennium.
- ($3,300,000) - Decrease relating to changes to the per student payment rates provided in the conference committee report on Senate Bill No. 2150 compared to the Senate version of Senate

Bill No. 2150.

[4] Funding for alternative education program grants added by the Senate is adjusted to provide a total of $300,000. The executive recommendation did not include the alternative education program grants, and the House included legislative intent regarding the grants in Senate Bill No. 2150, but funding for the grants was not included in the House version of Senate Bill No. 2013.

[5] Funding is reduced to reflect a limit on the number of meetings of the Professional Development Advisory Committee in Senate Bill No. 2150, the same as the House version.

[6] Funding for mill levy reduction grants from the property tax sustainability fund included in the executive recommendation is removed, the same as the House. Funding is provided from the general fund in House Bill No. 1047.

This amendment removes:

- Section 5 relating to mill levy reduction grants, the same as the House.
- Section 8 relating to alternative education program grants, the same as the House. The distribution of the alternative middle school grants is provided in Senate Bill No. 2150.
- Section 10 relating to the teacher of the year program, the same as the House.
- Section 16 relating to a contingent appropriation for school district deferred maintenance and physical plant improvement grants, the same as the House.

This amendment does not include a section added by the House which would have reduced the 2009-11 contingent supplemental transportation aid payment by $2.5 million, from $5 million to $2.5 million.

Sections are added to the bill relating to:

- The distribution of continuing education grants, the same as the House.
- The distribution of unobligated 2009-11 state school aid reserved for adult education learning center grants.
- A separate budget bill for the North Dakota School for the Deaf for the 2013 legislative session rather than in the appropriation bill for the Department of Public Instruction, the same as the House.
- One-time funding from federal education jobs funding. This was not included in the Senate or House versions.

In addition, Section 9 of the bill relating to the gifted and talented program and Medicaid matching funds is amended to more clearly distinguish distribution, and Section 18 of the bill relating to an amendment of Section 59 of Chapter 175 of the 2009 Session Laws is amended to reserve an additional $500,000 of unobligated 2009-11 state school aid for 2011-13 adult education learning center grants, the same as the House.

Senate Bill No. 2013 - University System Office - Conference Committee Action

	Executive Budget	Senate Version	Conference Committee Changes	Conference Committee Version	House Version	Comparison to House
North Dakota Scholarship Program					$10,000,000	($10,000,000)
North Dakota scholarship program			10,000,000	10,000,000		10,000,000
Total all funds	$0	$0	$10,000,000	$10,000,000	$10,000,000	$0
Less estimated income	0	0	0	0	10,000,000	(10,000,000)
General fund	$0	$0	$10,000,000	$10,000,000	$0	$10,000,000
FTE	0.00	0.00	0.00	0.00	0.00	0.00

Department No. 215 - University System Office - Detail of Conference Committee Changes

	Provides Funding for the North Dakota Scholarship Program[1]	Total Conference Committee Changes
North Dakota Scholarship Program		
North Dakota scholarship program	10,000,000	10,000,000
Total all funds	$10,000,000	$10,000,000
Less estimated income	0	0
General fund	$10,000,000	$10,000,000
FTE	0.00	0.00

[1] This amendment adds a section providing $10 million for North Dakota academic and career and technical education scholarships from the general fund. The Senate approved a continuing appropriation from the lands and minerals trust fund to provide for these scholarships and the House removed the continuing appropriation to provide a biennial appropriation from the lands and minerals trust fund.

Senate Bill No. 2013 - State Library - Conference Committee Action

The conference committee did not change the Senate version for the State Library, the same as the House.

Senate Bill No. 2013 - School for the Deaf - Conference Committee Action

The conference committee did not change the Senate version for the School for the Deaf, the same as the House.

Senate Bill No. 2013 - Vision Services - School for the Blind - Conference Committee Action

The conference committee did not change the Senate version for North Dakota Vision Services - School for the Blind, the same as the House.