

Sixty-fifth  
Legislative Assembly  
of North Dakota

ENGROSSED HOUSE BILL NO. 1013

Introduced by

Appropriations Committee

1 A BILL for an Act to provide an appropriation for defraying the expenses of the department of  
2 public instruction, the state library, the school for the deaf, and the North Dakota vision  
3 services - school for the blind; to create and enact a new section to chapter 25-06 and a new  
4 section to chapter 25-07 of the North Dakota Century Code, relating to the school for the blind  
5 fund and the school for the deaf fund; to repeal section 6-09-45 of the North Dakota Century  
6 Code and section 13 of chapter 49 of the 2015 Session Laws, relating to a required transfer  
7 from the Bank of North Dakota and a contingent appropriation; to provide exemptions; to  
8 provide for a transfer; to provide for a legislative management study; and to declare an  
9 emergency.

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

11 **SECTION 1. APPROPRIATION.** The funds provided in this section, or so much of the funds  
12 as may be necessary, are appropriated out of any moneys in the general fund in the state  
13 treasury, not otherwise appropriated, and from special funds derived from federal funds and  
14 other income, to the department of public instruction, the school for the deaf, North Dakota  
15 vision services - school for the blind, and the state library for the purpose of defraying the  
16 expenses of those agencies, for the biennium beginning July 1, 2017, and ending June 30,  
17 2019, as follows:

18 Subdivision 1.

19 DEPARTMENT OF PUBLIC INSTRUCTION

		Adjustments or	
	<u>Base Level</u>	<u>Enhancements</u>	<u>Appropriation</u>
22 <del>Salaries and wages</del>	<del>18,280,006</del>	<del>(\$815,828)</del>	<del>17,464,178</del>
23 <del>Operating expenses</del>	<del>30,517,072</del>	<del>(352,067)</del>	<del>30,165,005</del>
24 <del>Integrated formula payments</del>	<del>1,916,640,000</del>	<del>23,655,041</del>	<del>1,940,295,041</del>

Sixty-fifth  
Legislative Assembly

1	<del>Grants - special education</del>	<del>17,300,000</del>	<del>2,000,000</del>	<del>19,300,000</del>
2	<del>Grants - transportation</del>	<del>57,000,000</del>	<del>(5,700,000)</del>	<del>51,300,000</del>
3	<del>Grants - other grants</del>	<del>267,807,227</del>	<del>(13,744,522)</del>	<del>254,062,705</del>
4	<del>Grants - program grants</del>	<del>0</del>	<del>6,115,000</del>	<del>6,115,000</del>
5	<del>Grants - passthrough grants</del>	<del>0</del>	<del>2,378,000</del>	<del>2,378,000</del>
6	<del>PowerSchool</del>	<del>6,000,000</del>	<del>(500,000)</del>	<del>5,500,000</del>
7	<del>Transportation efficiency</del>	<del>30,000</del>	<del>0</del>	<del>30,000</del>
8	<del>National board certification</del>	<del>120,000</del>	<del>0</del>	<del>120,000</del>
9	<del>Total all funds</del>	<del>\$2,313,694,305</del>	<del>\$13,035,624</del>	<del>\$2,326,729,929</del>
10	<del>Less estimated income</del>	<del>624,685,766</del>	<del>241,055,491</del>	<del>865,741,257</del>
11	<del>Total general fund</del>	<del>\$1,689,008,539</del>	<del>(\$228,019,867)</del>	<del>\$1,460,988,672</del>
12	Salaries and wages	\$18,280,006	(\$840,830)	\$17,439,176
13	Operating expenses	30,517,072	(352,067)	30,165,005
14	Integrated formula payments	1,916,640,000	18,564,163	1,935,204,163
15	Grants - special education	17,300,000	2,000,000	19,300,000
16	Grants - transportation	57,000,000	(1,600,000)	55,400,000
17	Grants - other grants	267,807,227	(13,644,522)	254,162,705
18	Grants - program grants	0	6,310,000	6,310,000
19	Grants - passthrough grants	0	3,018,000	3,018,000
20	PowerSchool	6,000,000	(500,000)	5,500,000
21	Transportation efficiency	30,000	0	30,000
22	National board certification	120,000	0	120,000
23	Total all funds	\$2,313,694,305	\$12,954,744	\$2,326,649,049
24	Less estimated income	624,685,766	241,141,299	865,827,065
25	Total general fund	\$1,689,008,539	(\$228,186,555)	\$1,460,821,984
26	Full-time equivalent positions	99.75	(8.00)	91.75
27	Subdivision 2.			
28	STATE LIBRARY			
29			Adjustments or	
30		Base Level	Enhancements	Appropriation
31	Salaries and wages	\$4,019,839	\$138,933	\$4,158,772

Sixty-fifth  
Legislative Assembly

1	<del>Operating expenses</del>	<del>1,713,393</del>	<del>(109,318)</del>	<del>1,604,075</del>
2	<del>Grants</del>	<del>2,785,500</del>	<del>(676,472)</del>	<del>2,109,028</del>
3	<del>Total all funds</del>	<del>\$8,518,732</del>	<del>(\$646,857)</del>	<del>\$7,871,875</del>
4	<del>Less estimated income</del>	<del>2,438,751</del>	<del>(190,402)</del>	<del>2,248,349</del>
5	<del>Total general fund</del>	<del>\$6,079,981</del>	<del>(\$456,455)</del>	<del>\$5,623,526</del>
6	Salaries and wages	\$4,019,839	\$132,919	\$4,152,758
7	Operating expenses	1,713,393	(109,318)	1,604,075
8	Grants	2,785,500	(676,472)	2,109,028
9	Total all funds	\$8,518,732	(\$652,871)	\$7,865,861
10	Less estimated income	2,438,751	(191,191)	2,247,560
11	Total general fund	\$6,079,981	(\$461,680)	\$5,618,301
12	Full-time equivalent positions	29.75	(1.00)	28.75

Subdivision 3.

SCHOOL FOR THE DEAF

			Adjustments or	
	<u>Base Level</u>	<u>Enhancements</u>	<u>Appropriation</u>	
17	<del>Salaries and wages</del>	<del>\$7,291,854</del>	<del>\$206,353</del>	<del>\$7,498,207</del>
18	<del>Operating expenses</del>	<del>1,925,163</del>	<del>51,380</del>	<del>1,976,543</del>
19	<del>Capital assets</del>	<del>227,174</del>	<del>664,504</del>	<del>891,678</del>
20	<del>Grants</del>	<del>186,900</del>	<del>(6,900)</del>	<del>180,000</del>
21	<del>Total all funds</del>	<del>\$9,631,091</del>	<del>\$915,337</del>	<del>\$10,546,428</del>
22	<del>Less estimated income</del>	<del>1,089,210</del>	<del>2,109,514</del>	<del>3,198,724</del>
23	<del>Total general fund</del>	<del>\$8,541,881</del>	<del>(\$1,194,177)</del>	<del>\$7,347,704</del>
24	<del>Full-time equivalent positions</del>	<del>45.61</del>	<del>(1.00)</del>	<del>44.61</del>
25	Salaries and wages	\$7,291,854	\$296,895	\$7,588,749
26	Operating expenses	1,925,163	101,380	2,026,543
27	Capital assets	227,174	664,504	891,678
28	Grants	186,900	(6,900)	180,000
29	Total all funds	\$9,631,091	\$1,055,879	\$10,686,970
30	Less estimated income	1,089,210	2,109,234	3,198,444

1	Total general fund	\$8,541,881	(\$1,053,355)	\$7,488,526
2	Full-time equivalent positions	45.61	(0.00)	45.61
3	Subdivision 4.			
4	NORTH DAKOTA VISION SERVICES - SCHOOL FOR THE BLIND			
5			Adjustments or	
6		Base Level	Enhancements	Appropriation
7	Salaries and wages	\$4,554,349	\$113,075	\$4,667,424
8	Operating expenses	739,169	4,037	743,206
9	Capital assets	24,454	150,238	174,692
10	Total all funds	\$5,317,972	\$267,350	\$5,585,322
11	Less estimated income	569,325	645,428	1,214,753
12	Total general fund	\$4,748,647	(\$378,078)	\$4,370,569
13	Salaries and wages	\$4,554,349	\$106,646	\$4,660,995
14	Operating expenses	739,169	34,037	773,206
15	Capital assets	24,454	150,238	174,692
16	Total all funds	\$5,317,972	\$290,921	\$5,608,893
17	Less estimated income	569,325	645,422	1,214,747
18	Total general fund	\$4,748,647	(\$354,501)	\$4,394,146
19	Full-time equivalent positions	30.00	(1.50)	28.50
20	Subdivision 5.			
21	BILL TOTAL			
22			Adjustments or	
23		Base Level	Enhancements	Appropriation
24	Grand total general fund	\$1,708,379,048	(\$230,048,577)	\$1,478,330,471
25	Grand total special funds	628,783,052	243,620,031	872,403,083
26	Grand total all funds	\$2,337,162,100	\$13,571,454	\$2,350,733,554
27	Grand total general fund	\$1,708,379,048	(\$230,056,091)	\$1,478,322,957
28	Grand total special funds	628,783,052	243,704,764	872,487,816
29	Grand total all funds	\$2,337,162,100	\$13,648,673	\$2,350,810,773
30	<b>SECTION 2. HEALTH INSURANCE INCREASE.</b> The salaries and wages line item in			
31	subdivisions 1, 2, 3, and 4 of section 1 of this Act include funding from the general fund and			

1 special funds for increases in employee health insurance premiums from \$1,130 to  
2 ~~\$1,249~~\$1,241 per month. Total funding provided is as follows:

	<u>General fund</u>	<u>Special funds</u>	<u>Total</u>
<del>Department of public instruction</del>	<del>\$87,454</del>	<del>\$195,878</del>	<del>\$283,332</del>
<del>State library</del>	<del>74,972</del>	<del>10,889</del>	<del>85,861</del>
<del>School for the deaf</del>	<del>126,672</del>	<del>3,864</del>	<del>130,536</del>
<del>North Dakota vision services -</del>			
<del>school for the blind</del>	<del>91,508</del>	<del>76</del>	<del>91,584</del>
<del>Total</del>	<del>\$380,606</del>	<del>\$210,707</del>	<del>\$591,313</del>
<u>Department of public instruction</u>	<u>\$65,196</u>	<u>\$181,686</u>	<u>\$246,882</u>
<u>State library</u>	<u>66,885</u>	<u>10,100</u>	<u>76,985</u>
<u>School for the deaf</u>	<u>117,494</u>	<u>3,584</u>	<u>121,078</u>
<u>North Dakota vision services -</u>			
<u>school for the blind</u>	<u>82,223</u>	<u>70</u>	<u>82,293</u>
<u>Total</u>	<u>\$331,798</u>	<u>\$195,440</u>	<u>\$527,238</u>

16 **SECTION 3. ONE-TIME FUNDING - EFFECT ON BASE BUDGET - REPORT TO SIXTY-**  
17 **SIXTH LEGISLATIVE ASSEMBLY.** The following amounts reflect the one-time funding items  
18 approved by the sixty-fourth legislative assembly as adjusted for the 2015-17 biennium and the  
19 2017-19 one-time funding items included in the appropriations in section 1 of this Act:

<u>One-Time Funding Description</u>	<u>2015-17</u>	<u>2017-19</u>
Department of public instruction		
Cardiopulmonary resuscitation training grants	\$165,500	\$0
Free or reduced meals information technology	30,000	0
Rapid enrollment grants	12,504,530	0
<u>Regional education association merger grants</u>	<u>0</u>	<u>100,000</u>
Integrated formula payments	<u>0</u>	<u>160,000,000</u>
<del>Total department of public instruction - all funds</del>	<del>\$12,700,030</del>	<del>\$160,000,000</del>
<del>Total department of public instruction - estimated income</del>	<del>0</del>	<del>160,000,000</del>
<del>Total department of public instruction - general fund</del>	<del>\$12,700,030</del>	<del>\$0</del>
<u>Total department of public instruction - all funds</u>	<u>\$12,700,030</u>	<u>\$160,100,000</u>
<u>Total department of public instruction - estimated income</u>	<u>0</u>	<u>160,100,000</u>

Sixty-fifth  
Legislative Assembly

1	<u>Total department of public instruction - general fund</u>	<u>\$12,700,030</u>	<u>\$0</u>
2	State library		
3	Library repair grants	\$250,000	\$0
4	Total state library - general fund	\$250,000	\$0
5	School for the deaf		
6	Extraordinary repairs	\$600,000	\$675,000
7	Equipment	0	28,000
8	Video equipment and software	0	30,000
9	Total school for the deaf - estimated income	\$600,000	\$733,000
10	North Dakota vision services - school for the blind		
11	Equipment	\$21,000	\$0
12	Special assessments payoff	19,000	10,000
13	Server and access points	16,000	0
14	Heating and cooling upgrade	0	35,500
15	Replace water line	0	60,000
16	Carpet and reception upgrade	0	30,000
17	Total school for the blind - estimated income	\$56,000	\$135,500
18	<del>Grand total - all funds</del>	<del>\$13,606,030</del>	<del>\$160,868,500</del>
19	<del>Grand total - estimated income</del>	<del>656,000</del>	<del>160,868,500</del>
20	<del>Grand total - general fund</del>	<del>\$12,950,030</del>	<del>\$0</del>
21	<u>Grand total - all funds</u>	<u>\$13,606,030</u>	<u>\$160,968,500</u>
22	<u>Grand total - estimated income</u>	<u>656,000</u>	<u>160,968,500</u>
23	<u>Grand total - general fund</u>	<u>\$12,950,030</u>	<u>\$0</u>

24 The 2017-19 one-time funding amounts are not a part of the entity's base budget for the  
 25 2019-21 biennium. The department of public instruction, school for the deaf, and North Dakota  
 26 vision services - school for the blind shall report to the appropriations committees of the  
 27 sixty-sixth legislative assembly on the use of this one-time funding for the biennium beginning  
 28 July 1, 2017, and ending June 30, 2019.

29 **SECTION 4. TRANSFER - PUBLIC INSTRUCTION FUND TO STATE TUITION FUND.**

30 During the biennium beginning July 1, 2017, and ending June 30, 2019, the office of

1 management and budget shall transfer \$4,282,905 from the public instruction fund to the state  
2 tuition fund for the purpose of providing funding for integrated formula payments.

3 **SECTION 5. APPROPRIATION - TUITION APPORTIONMENT.** The sum of \$305,546,905,  
4 included in the integrated formula payments line item in subdivision 1 of section 1 of this Act, is  
5 from the state tuition fund in the state treasury. Any additional amount in the state tuition fund  
6 that becomes available for distribution to public schools is appropriated to the department of  
7 public instruction for that purpose for the biennium beginning July 1, 2017, and ending June 30,  
8 2019.

9 **SECTION 6. ESTIMATED INCOME - FOUNDATION AID STABILIZATION FUND.** The  
10 estimated income line item in subdivision 1 of section 1 of this Act includes  
11 ~~\$270,000,000~~\$270,100,000 from the foundation aid stabilization fund. Of this amount, \$100,000  
12 is for regional education association merger grants and \$270,000,000 is for integrated formula  
13 payments. Of the total provided, ~~\$160,000,000~~\$160,100,000 is considered to be one-time  
14 funding.

15 **SECTION 7. FUNDING TRANSFER - EXEMPTION - AUTHORIZATION.** Notwithstanding  
16 section 54-16-04, the superintendent of public instruction may transfer up to \$1,200,000 from  
17 the integrated formula payments line item to the grants - special education line item and up to  
18 \$108,000 from the integrated formula payments line item to the grants - transportation line item,  
19 for the biennium beginning July 1, 2015, and ending June 30, 2017. The superintendent of  
20 public instruction shall notify the office of management and budget of any transfer made  
21 pursuant to this section.

22 **SECTION 8. EXEMPTION - ADVANCED PLACEMENT PROGRAM FUNDING.** The  
23 unexpended amount remaining from the transfer of \$1,252,627 from the 2013-15 biennium, as  
24 authorized in section 32 of chapter 137 of the 2015 Session Laws to enhance the delivery of  
25 and the participation of students and teachers in advanced placement courses during the  
26 2015-17 biennium, is not subject to the provisions of section 54-44.1-11 at the end of the  
27 2015-17 biennium and may be continued into the 2017-19 biennium for the purpose of program  
28 grants, including leveraging the senior year, leadership program, continuing education grants,  
29 preschool continuing education grants, curriculum alignment grants, and teacher and principal  
30 evaluation system grants, and to assume the operation and management of the North Dakota  
31 leadership and educational administration development center.

1           **SECTION 9. INTEGRATED FORMULA PAYMENTS AND SPECIAL EDUCATION**

2           **CONTRACTS EXPENDITURE AUTHORITY.** The superintendent of public instruction may  
3           expend funds included in the integrated formula payments and grants - special education line  
4           items in subdivision 1 of section 1 of this Act in payment of grants for educational services that  
5           were due in the 2015-17 biennium but which were not filed, claimed, or properly supported by  
6           the education provider until after June 30, 2017. To be reimbursed under this section, claims  
7           must be properly supported and filed with the superintendent of public instruction by June 30,  
8           2018.

9           **SECTION 10. GRANTS - SPECIAL EDUCATION DEFICIENCY AUTHORIZATION.** If funds  
10          provided to the superintendent of public instruction in subdivision 1 of section 1 of this Act for  
11          grants - special education, for the biennium beginning July 1, 2017, and ending June 30, 2019,  
12          are not sufficient to meet special education contract obligations, the superintendent of public  
13          instruction shall request supplemental funding from the sixty-sixth legislative assembly.

14          **SECTION 11. GIFTED AND TALENTED PROGRAM - MEDICAID MATCHING FUNDING -**  
15          **DISTRIBUTION.**

- 16           1.     The sum of \$800,000, included in the integrated formula payments line item in  
17                 subdivision 1 of section 1 of this Act, must be distributed to reimburse school districts  
18                 or special education units for gifted and talented programs upon the submission of an  
19                 application that is approved in accordance with guidelines adopted by the  
20                 superintendent of public instruction. The superintendent of public instruction shall  
21                 encourage cooperative efforts for gifted and talented programs among school districts  
22                 and special education units.
- 23           2.     State school aid payments for special education must be reduced by the amount of  
24                 matching funds required to be paid by school districts or special education units for  
25                 students participating in the medicaid program. Special education funds equal to the  
26                 amount of the matching funds required to be paid by the school district or special  
27                 education unit must be paid by the superintendent of public instruction to the  
28                 department of human services on behalf of the school district or unit.

29          **SECTION 12. TRANSPORTATION GRANTS - DISTRIBUTION.**

- 30           1.     During each year of the 2017-19 biennium, the superintendent of public instruction  
31                 shall calculate the payment to which each school district is entitled based on the state

- 1 transportation formula as it existed on June 30, 2001, except that the superintendent  
2 shall provide reimbursement at the rate of:
- 3 a. One dollar and ~~three~~eleven cents per mile for school buses having a capacity of  
4 ten or more passengers;
- 5 b. ~~Forty-eight~~Fifty-two cents per mile for vehicles having a capacity of nine or fewer  
6 passengers;
- 7 c. ~~Forty-eight~~Fifty cents per mile, provided;
- 8 (1) The student being transported is a student with a disability, as defined in  
9 chapter 15.1-32;
- 10 (2) The student's individualized education program plan requires that the  
11 student attend a public or a nonpublic school located outside the student's  
12 school district of residence;
- 13 (3) The student is transported by an adult member of the student's family;
- 14 (4) The student is transported in a vehicle furnished by the student's parents;
- 15 (5) The student's transportation is paid for by the student's parents; and
- 16 (6) The reimbursement does not exceed two round trips daily between the  
17 student's home and school.
- 18 d. ~~Forty-eight~~Fifty cents per mile, one way, provided:
- 19 (1) The student being transported resides more than two miles from the public  
20 school that the student attends;
- 21 (2) The student is transported by an adult member of the student's family;
- 22 (3) The student is transported in a vehicle furnished by the student's parents;
- 23 and
- 24 (4) The student's transportation is paid for by the student's parents.
- 25 e. ~~Twenty-eight~~Thirty cents per student for each one-way trip.
- 26 2. The superintendent of public instruction shall use the latest available student  
27 enrollment count in each school district in applying the provisions of subsection 1.
- 28 3. This section does not authorize the reimbursement of any costs incurred in providing  
29 transportation for student attendance at extracurricular activities or events.

30 **SECTION 13. PROGRAM GRANT POOL - CONTINUING EDUCATION GRANTS -**  
31 **FUNDING - DISTRIBUTION.** The line item entitled grants - program grants included in

1 subdivision 1 of section 1 of this Act includes ~~\$1,735,000~~\$1,630,000 for a program grant pool.

2 The superintendent of public instruction shall use the funding provided for various grant  
3 programs, including up to \$75,000, or so much of the sum as may be necessary, for continuing  
4 education grants, for the biennium beginning July 1, 2017, and ending June 30, 2019.

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

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

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

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

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

15 c. Be pursuing a school counselor credential.

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

20 **SECTION 14. REGIONAL EDUCATION ASSOCIATION MERGER GRANTS - ONE-TIME**  
21 **FUNDING - DISTRIBUTION.** The line item entitled grants - other grants included in  
22 subdivision 1 of section 1 of this Act includes \$100,000 from the foundation aid stabilization fund  
23 for the purpose of providing a one-time \$25,000 grant to each regional education association  
24 that merges with another regional education association to form a single entity with a single  
25 governing board during the biennium beginning July 1, 2017, and ending June 30, 2019.

26 **SECTION 15. REGIONAL EDUCATION ASSOCIATION GRANTS - DISTRIBUTION.** The  
27 line item entitled integrated formula payments included in subdivision 1 of section 1 of this Act  
28 includes \$500,000 from the general fund for the purpose of providing annual grants to regional  
29 education associations for the biennium beginning July 1, 2017, and ending June 30, 2019. An  
30 annual grant of \$31,250 is provided to each regional education association that exists as of

1 July 1, 2017. Regional education associations that merge during the 2017-19 biennium are  
2 entitled to the annual grants that would have been paid to each of the member associations.

3 **SECTION 16. EXEMPTION - INDIRECT COST ALLOCATION.** Notwithstanding section  
4 54-44.1-15, the department of public instruction may deposit indirect cost recoveries in its  
5 operating account.

6 **SECTION 17. STATE AID TO PUBLIC LIBRARIES.** The line item entitled grants in  
7 subdivision 2 of section 1 of this Act includes \$1,737,528 for aid to public libraries, of which no  
8 more than one-half may be expended during the fiscal year ending June 30, 2018.

9 **SECTION 18. FEES DEPOSITED IN NORTH DAKOTA VISION SERVICES - SCHOOL**  
10 **FOR THE BLIND OPERATING FUND.** Any moneys included in the estimated income line item  
11 in subdivision 4 of section 1 of this Act, collected for subscription fees or braille fees, must be  
12 deposited in the North Dakota vision services - school for the blind operating fund in the state  
13 treasury and may be spent subject to appropriation by the legislative assembly.

14 **SECTION 19. SCHOOL FOR THE DEAF - HIGHER EDUCATION INTERPRETER GRANT**  
15 **PROGRAM.** The grants line item contained in subdivision 3 of section 1 of this Act is for the  
16 purpose of providing grants to assist institutions under the control of the state board of higher  
17 education with the cost of interpreters and real-time captioning for students who are deaf or  
18 hard of hearing, for the biennium beginning July 1, 2017, and ending June 30, 2019. Moneys  
19 appropriated for this program are not subject to section 54-44.1-11. Funds must be distributed  
20 pursuant to the provisions of this section:

- 21 1. The school for the deaf shall develop a formula to determine the grant amount for  
22 which an institution is eligible. The formula must be based on an uniform hourly  
23 reimbursement.
- 24 2. To obtain a grant under this section, an institution shall submit to the school for the  
25 deaf, at the time and in the manner directed by the school, invoices showing the  
26 amount expended for interpreters and real-time captioning for students who are deaf  
27 or hard of hearing.
- 28 3. The school for the deaf may not distribute more than fifty percent of the amount  
29 appropriated during the first year of the biennium.

1           4. If any grant moneys remain undistributed at the end of the biennium, the school for the  
2           deaf shall provide additional prorated grants to institutions that incurred, during the  
3           biennium, hourly expenses in excess of the formula reimbursement level.

4           5. At the request of an institution under the control of the state board of higher education,  
5           the school for the deaf shall consult with the institution and provide advice regarding  
6           the provision of services most appropriate to meet a student's needs.

7           **SECTION 20. PASSTHROUGH GRANTS - APPLICATION - DISTRIBUTION -**

8           **REPORTING.** The line item entitled grants - passthrough grants included in subdivision 1 of  
9           section 1 of this Act includes ~~\$2,378,000~~ \$3,018,000 for passthrough grants. The superintendent  
10          of public instruction shall determine the manner in which each passthrough grant is distributed.  
11          Grantees, as a condition of receiving the grant, must establish performance measures to be  
12          reviewed by the superintendent of public instruction. Grantees shall report to the superintendent  
13          of public instruction regarding performance based on the measures before October 1, 2018.  
14          The superintendent of public instruction shall report to the appropriations committees of the  
15          sixty-sixth legislative assembly regarding funds granted, performance measures established for  
16          each grantee, and whether grantees met performance expectations.

17          **SECTION 21. LEGISLATIVE MANAGEMENT STUDY - EDUCATIONAL PROGRAMS.**

18          During the 2017-18 interim, the legislative management shall consider studying the feasibility  
19          and desirability of combining services for any or all English language learner programs,  
20          distance learning programs, regional education agencies, teacher center networks, adult  
21          learning centers, career and technical education programs, education technology services,  
22          continuing education for counselors, the North Dakota leadership in educational administration  
23          development center, and the teacher mentoring program. The legislative management shall  
24          report its findings and recommendations, together with any legislation necessary to implement  
25          the recommendations, to the sixty-sixth legislative assembly.

26          **SECTION 22.** A new section to chapter 25-06 of the North Dakota Century Code is created  
27          and enacted as follows:

28          **School for the blind fund.**

29          The school for the blind fund is a special fund in the state treasury. All moneys received  
30          pursuant to section 2 of article IX of the Constitution of North Dakota, revenues received from

1 services and leases, and contributions must be deposited in the fund. Moneys in the fund are to  
2 be used pursuant to legislative appropriation for the provision of services under this chapter.

3 **SECTION 23.** A new section to chapter 25-07 of the North Dakota Century Code is created  
4 and enacted as follows:

5 **School for the deaf fund.**

6 The school for the deaf fund is a special fund in the state treasury. All moneys received  
7 pursuant to section 2 of article IX of the Constitution of North Dakota and all revenues received  
8 from the lease of buildings and the provision of meals and services, including interpreter  
9 services, must be deposited in the fund. Moneys in the fund are to be used pursuant to  
10 legislative appropriation for provision of services under this chapter.

11 **SECTION 24. REPEAL.** Section 6-09-45 of the North Dakota Century Code is repealed.

12 **SECTION 25. REPEAL.** Section 13 of chapter 49 of the 2015 Session Laws is repealed.

13 **SECTION 26. EMERGENCY.** Sections 7 and ~~2225~~ of this Act are declared to be emergency  
14 measures.