

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 North Dakota vision services -
3 school for the blind; and to provide an exemption.

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

5 **SECTION 1. APPROPRIATION.** The funds provided in this section, or so much of the funds
6 as may be necessary, are appropriated out of any moneys in the general fund in the state
7 treasury, not otherwise appropriated, and from special funds derived from federal funds and
8 other income, to the department of public instruction, the state library, the school for the deaf,
9 and North Dakota vision services - school for the blind for the purpose of defraying the
10 expenses of those agencies, for the biennium beginning July 1, 2023, and ending June 30,
11 2025, as follows:

12 Subdivision 1.

13 DEPARTMENT OF PUBLIC INSTRUCTION

		Governor's	
	<u>Base Level</u>	<u>Recommendation</u>	<u>Appropriation</u>
15 Salaries and wages	\$17,854,747	\$19,610,401	\$17,854,747
16 Operating expenses	33,098,149	33,293,320	33,098,149
17 Integrated formula payments	2,131,825,000	2,270,040,156	2,131,825,000
18 Grants - special education	27,000,000	27,000,000	27,000,000
19 Grants - transportation	58,100,000	58,100,000	58,100,000
20 Grants - other grants	312,738,893	382,738,893	312,738,893
21 Grants - program grants	0	9,500,000	0
22 Grants - passthrough grants	0	12,512,828	0
23 Grants - program and passthrough	10,387,064	0	10,387,064

Sixty-eighth
Legislative Assembly

1	PowerSchool	5,250,000	5,775,000	5,250,000
2	National board certification	<u>176,290</u>	<u>176,290</u>	<u>176,290</u>
3	Total all funds	\$2,596,430,143	\$2,818,746,888	\$2,596,430,143
4	Less estimated income	<u>938,233,270</u>	<u>1,237,388,125</u>	<u>938,233,270</u>
5	Total general fund	\$1,658,196,873	\$1,581,358,763	\$1,658,196,873
6	Full-time equivalent positions	86.25	86.25	86.25

7 Subdivision 2.

8 STATE LIBRARY

9			Governor's	
10		<u>Base Level</u>	<u>Recommendation</u>	<u>Appropriation</u>
11	Salaries and wages	\$4,139,907	\$4,546,867	\$4,139,907
12	Operating expenses	1,822,703	2,356,108	1,822,703
13	Grants	<u>2,233,528</u>	<u>2,283,528</u>	<u>2,233,528</u>
14	Total all funds	\$8,196,138	\$9,186,503	\$8,196,138
15	Less estimated income	<u>2,364,417</u>	<u>2,152,915</u>	<u>2,364,417</u>
16	Total general fund	\$5,831,721	\$7,033,588	\$5,831,721
17	Full-time equivalent positions	26.75	26.75	26.75

18 Subdivision 3.

19 SCHOOL FOR THE DEAF

20			Governor's	
21		<u>Base Level</u>	<u>Recommendation</u>	<u>Appropriation</u>
22	Salaries and wages	\$8,332,820	\$9,266,437	\$8,332,820
23	Operating expenses	1,705,586	1,825,757	1,705,586
24	Capital assets	<u>158,678</u>	<u>1,002,178</u>	<u>158,678</u>
25	Total all funds	\$10,197,084	\$12,094,372	\$10,197,084
26	Less estimated income	<u>2,790,528</u>	<u>3,680,550</u>	<u>2,790,528</u>
27	Total general fund	\$7,406,556	\$8,413,822	\$7,406,556
28	Full-time equivalent positions	44.61	45.36	44.61

29 Subdivision 4.

30 NORTH DAKOTA VISION SERVICES - SCHOOL FOR THE BLIND

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		Governor's	
	<u>Base Level</u>	<u>Recommendation</u>	<u>Appropriation</u>
1			
2			
3	Salaries and wages	\$4,992,194	\$5,478,500
4	Operating expenses	792,671	895,686
5	Capital assets	<u>39,192</u>	<u>478,192</u>
6	Total all funds	\$5,824,057	\$6,852,378
7	Less estimated income	<u>1,062,178</u>	<u>1,668,476</u>
8	Total general fund	\$4,761,879	\$5,183,902
9	Full-time equivalent positions	27.75	27.75

10 Subdivision 5.

11 TOTAL - SECTION 1

		Governor's	
	<u>Base Level</u>	<u>Recommendation</u>	<u>Appropriation</u>
12			
13			
14	Grand total general fund	\$1,676,197,029	\$1,601,990,075
15	Grand total special funds	<u>944,450,393</u>	<u>1,244,890,066</u>
16	Grand total all funds	\$2,620,647,422	\$2,846,880,141

17 **SECTION 2. ONE-TIME FUNDING.** The following amounts reflect the one-time funding
18 items approved by the sixty-seventh legislative assembly for the 2021-23 biennium:

	<u>One-Time Funding Description</u>	<u>2021-23</u>	<u>2023-25</u>
19			
20	Department of public instruction		
21	Science experiments grant	\$13,500,000	\$0
22	Regional education association grants	250,000	0
23	State automated reporting system maintenance	200,000	0
24	Children's science center	5,900,000	0
25	State automated reporting system and	10,100,000	0
26	statewide longitudinal data system upgrades		
27	Elementary and secondary school emergency	305,266,879	0
28	education relief		
29	Emergency education relief homeless children	1,999,661	0
30	and youth program		
31	Assistance to nonpublic schools	4,151,371	0

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1	Individuals with disabilities education act grant	<u>8,632,569</u>	<u>0</u>
2	Total department of public instruction -	\$350,000,480	\$0
3	all funds		
4	Total department of public instruction -	<u>349,800,480</u>	<u>0</u>
5	estimated income		
6	Total department of public instruction -	\$200,000	\$0
7	general fund		
8	State library		
9	COVID-19 salaries and wages	\$86,669	\$0
10	COVID-19 operating expenses	1,580,057	0
11	COVID-19 grants	<u>500,000</u>	<u>0</u>
12	Total state library estimated income	\$2,166,726	\$0
13	School for the deaf		
14	Campus server upgrade	\$7,500	\$0
15	Operating expenses	21,500	0
16	Equipment	40,000	0
17	Boiler and resource center projects	<u>650,000</u>	<u>0</u>
18	Total school for the deaf - estimated income	\$719,000	\$0
19	North Dakota vision services - school for the blind		
20	Vision screening devices	\$11,500	\$0
21	Replace flooring	10,000	0
22	Replace south wing air conditioning	40,000	0
23	Repair sidewalk, roof, and parking lot	24,000	0
24	Replace doors and key system	45,000	0
25	Heating, ventilation, and air conditioning upgrades	86,000	0
26	Install LED lighting	33,000	0
27	South wing electrical service	<u>165,000</u>	<u>0</u>
28	Total school for the blind - estimated income	\$414,500	\$0
29	Grand total - all funds	\$353,300,706	\$0
30	Grand total - estimated income	<u>353,100,706</u>	<u>0</u>
31	Grand total - general fund	\$200,000	\$0

1 **SECTION 3. APPROPRIATION - TUITION APPORTIONMENT.** The sum of \$433,020,000,
2 included in the integrated formula payments line item in subdivision 1 of section 1 of this Act, is
3 from the state tuition fund in the state treasury. Any additional amount in the state tuition fund
4 that becomes available for distribution to public schools is appropriated to the department of
5 public instruction for that purpose for the biennium beginning July 1, 2023, and ending June 30,
6 2025.

7 **SECTION 4. ESTIMATED INCOME - FOUNDATION AID STABILIZATION FUND.** The
8 estimated income line item in subdivision 1 of section 1 of this Act includes the sum of
9 \$143,454,500 from the foundation aid stabilization fund for integrated formula payments.

10 **SECTION 5. INTEGRATED FORMULA PAYMENTS AND SPECIAL EDUCATION**
11 **CONTRACTS EXPENDITURE AUTHORITY.** The superintendent of public instruction may
12 expend funds included in the integrated formula payments and grants - special education
13 contracts line items in subdivision 1 of section 1 of this Act for paying grants for educational
14 services that were due in the 2021-23 biennium but which were not filed, claimed, or properly
15 supported by the education provider until after June 30, 2023. To be reimbursed under this
16 section, claims must be properly supported and filed with the superintendent of public
17 instruction by June 30, 2024.

18 **SECTION 6. GIFTED AND TALENTED PROGRAM.** The sum of \$800,000, included in the
19 integrated formula payments line item in subdivision 1 of section 1 of this Act, must be
20 distributed to reimburse school districts or special education units for gifted and talented
21 programs upon the submission of an application that is approved in accordance with guidelines
22 adopted by the superintendent of public instruction. The superintendent of public instruction
23 shall encourage cooperative efforts for gifted and talented programs among school districts and
24 special education units.

25 **SECTION 7. MEDICAID MATCHING FUNDING AND SCHOOL APPROVAL -**
26 **WITHHOLDING AND DISTRIBUTION.**

27 1. State school aid payments for special education must be reduced by the amount of
28 matching funds required to be paid by school districts or special education units for
29 students participating in the Medicaid program for the biennium beginning July 1,
30 2023, and ending June 30, 2025. Special education funds equal to the amount of the
31 matching funds required to be paid by the school district or special education unit must

1 be paid by the superintendent of public instruction to the department of health and
2 human services on behalf of the school district or unit.

3 2. State school aid payments for integrated formula payments must be reduced by the
4 amount of funds required to be paid by school districts for school approval for the
5 biennium beginning July 1, 2023, and ending June 30, 2025.

6 **SECTION 8. REGIONAL EDUCATION ASSOCIATIONS - GRANTS - DISTRIBUTION.** The
7 integrated formula payments line item in subdivision 1 of section 1 of this Act includes \$500,000
8 from the general fund for the purpose of providing annual grants to regional education
9 associations for the biennium beginning July 1, 2023, and ending June 30, 2025. An annual
10 grant of \$35,714 is provided to each regional education association that exists as of July 1,
11 2023. Regional education associations that merge during the 2023-25 biennium are entitled to
12 the annual grants that would have been paid to each of the member associations.

13 **SECTION 9. EXEMPTION - GENERAL EDUCATIONAL DEVELOPMENT FEES AND**
14 **DISPLACED HOMEMAKER DEPOSITS.** Notwithstanding section 54-44.1-15, the department
15 of public instruction may deposit indirect cost recoveries in its operating account. In addition,
16 any moneys collected by the department of public instruction for general educational
17 development fees and displaced homemakers deposits must be deposited in the public
18 instruction fund in the state treasury. Any funds deposited in the public instruction fund may only
19 be spent subject to appropriation by the legislative assembly.

20 **SECTION 10. STATE AID TO PUBLIC LIBRARIES.** The grants line item in subdivision 2 of
21 section 1 of this Act includes \$1,737,582 for aid to public libraries, of which no more than
22 one-half may be expended during the fiscal year ending June 30, 2024.