

**Sixty-fourth Legislative Assembly of North Dakota
In Regular Session Commencing Tuesday, January 6, 2015**

SENATE BILL NO. 2092
(Education Committee)
(At the request of the Superintendent of Public Instruction)

AN ACT to amend and reenact subsection 1 of section 15.1-12-10 and section 15.1-12-14 of the North Dakota Century Code, relating to the content of a school district reorganization plan and school board authority following approval of a reorganization plan.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

SECTION 1. AMENDMENT. Subsection 1 of section 15.1-12-10 of the North Dakota Century Code is amended and reenacted as follows:

1. The reorganization plan required by section 15.1-12-09 must:
 - a. Include a map showing the boundaries of each participating district and of the proposed new district;
 - b. Include the number of students enrolled in each participating district during the current school year and during the ten preceding school years;
 - c. Include projected student enrollments for the ensuing ten years;
 - d. Include the location and condition of all school buildings and facilities in each participating district and intended uses for the buildings and facilities;
 - e. Address planned construction, modification, or improvement of school buildings and facilities located within the boundaries of the new district;
 - f. Address planned course offerings by the new district;
 - g. Include the planned administrative structure of the new district and the number of full-time equivalent personnel to be employed by the new district;
 - h. Include the planned number of members who will constitute the board of the new district and the manner in which the members are to be elected;
 - i. Address plans regarding student transportation;
 - j. Identify other governmental entities, including multidistrict special education units and area career and technology centers, which may provide services to the new district;
 - k. Include the taxable valuation and per student valuation of each participating district and the taxable valuation and per student valuation of the new district;
 - l. Include the amount of all bonded and other indebtedness incurred by each participating district;
 - m. Include the current budget for each participating school district together with:
 - (1) The district's estimated ending fund balance; and
 - (2) A list of the district's anticipated expenditures for goods and services, whether in a single transaction or in multiple transactions, if the total value of the goods or services exceeds three thousand dollars, provided the requirements of this

paragraph do not extend to salaries, benefits, or other compensation paid or payable to school district personnel;

- n. Address the planned disposition of all property, assets, debts, and liabilities of each participating district, taking into consideration section 15.1-12-18;
- n-o. Include a proposed budget for the new district and a proposed general fund levy and any other levies, provided that tax levies submitted to and approved by the state board as part of a reorganization plan are not subject to mill levy limitations otherwise provided by law;
- e-p. Include the official name of the new district, which must include the phrase "school district" or "public school district" and which may include no more than two additional words;
- p-q. Include the number of the new district, as assigned by the superintendent of public instruction; and
- e-r. Include any other information that the participating school districts wish to have considered by the county committee or the state board.

SECTION 2. AMENDMENT. Section 15.1-12-14 of the North Dakota Century Code is amended and reenacted as follows:

15.1-12-14. School district reorganization - School boards - Assumption of duties - Approval of expenditures - Contracts.

1. Upon approval of a reorganization plan by the electors, in accordance with section 15.1-12-11, a school board for the reorganized district must be elected at the next regular school district election or at a special election called by the county superintendent of schools for that purpose. The first school board election in a newly reorganized district is governed by chapter 15.1-09.
2. Members of newly formed school boards representing reorganized districts may not enter upon the duties of office until the time specified in section 15.1-12-18, except as provided in sections 15.1-12-15 and 15.1-12-16. ~~Before the completion of a reorganization, the board of an existing district may not contract or obligate the district, except with the approval of the county committee or unless authorized by law.~~
3. Unless otherwise directed by law or by the reorganization plan, between the date on which the reorganization is approved and the date on which the reorganization becomes effective, the board of a school district participating in the reorganization must obtain written consent from the board of every other school district participating in the reorganization before it:
 - a. Enters into any new contract, whether oral or written, which financially obligates the district;
 - b. Renews any existing contract, whether oral or written, which financially obligates the district; or
 - c. Purchases any goods or services, whether in a single or in multiple transaction, if the total value of the goods or services exceeds three thousand dollars, provided the requirements of this subdivision do not extend to salaries, benefits, or other compensation paid or payable to school district personnel.

Dick Devan
President of the Senate

Wesley B. Bolton
Speaker of the House

Jane Chubb
Secretary of the Senate

Buell J. Reich
Chief Clerk of the House

This certifies that the within bill originated in the Senate of the Sixty-fourth Legislative Assembly of North Dakota and is known on the records of that body as Senate Bill No. 2092.

Senate Vote: Yeas 47 Nays 0 Absent 0
House Vote: Yeas 90 Nays 0 Absent 4

Jane Chubb
Secretary of the Senate

Received by the Governor at 4:12 P.M. on April 13, 2015.
Approved at 11:17 A.M. on April 15, 2015.

Jack Dalrymple
Governor

Filed in this office this 15th day of April, 2015,
at 2:49 o'clock P M.

Alvin D. Sauer
Secretary of State