

Fifty-sixth Legislative Assembly, State of North Dakota, begun in the Capitol in the City of Bismarck, on Tuesday, the fifth day of January, one thousand nine hundred and ninety-nine

SENATE BILL NO. 2068
(Senators Wardner, Robinson)
(Representatives Devlin, Haas, Metcalf)

AN ACT to create and enact a new section to chapter 15-29 of the North Dakota Century Code, and in the alternative to create and enact a new section to chapter 15.1-09 of the North Dakota Century Code, relating to the borrowing of money by school district technology consortia; to provide for a contingent expiration date; and to declare an emergency.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

SECTION 1. A new section to chapter 15-29 of the North Dakota Century Code is created and enacted as follows:

School district technology consortium - Authority to borrow money.

1. A school district technology consortium formed under chapter 54-40.3 may borrow money for instructional technology acquisition provided:
 - a. The outstanding principal borrowed by a consortium under this section does not exceed one hundred seventy-five thousand dollars;
 - b. The loan repayment period does not exceed ten years;
 - c. The loan is approved in writing by the board of each school district participating in the consortium;
 - d. The loan is:
 - (1) Approved by a majority of the eligible electors residing in each school district participating in the consortium, as evidenced by their signatures on a petition clearly stating the purpose of the loan, the amount of the loan, and its terms of repayment, and filed with the superintendent of public instruction; or
 - (2) Approved by a majority of each participating school district's electors voting on the question at a regular school district election or at a special election called by the board; and
 - e. The loan is approved by the superintendent of public instruction.
2. The superintendent of public instruction shall adopt rules setting forth the criteria for loan approval. The superintendent of public instruction may not approve a loan under this section if the superintendent determines that the instructional technology acquisition is not compatible with the statewide information technology plan.

SECTION 2. A new section to chapter 15.1-09 of the North Dakota Century Code is created and enacted as follows:

School district technology consortium - Authority to borrow money.

1. A school district technology consortium formed under chapter 54-40.3 may borrow money for instructional technology acquisition provided:
 - a. The outstanding principal borrowed by a consortium under this section does not exceed one hundred seventy-five thousand dollars;

- b. The loan repayment period does not exceed ten years;
 - c. The loan is approved in writing by the board of each school district participating in the consortium;
 - d. The loan is:
 - (1) Approved by a majority of the eligible electors residing in each school district participating in the consortium, as evidenced by their signatures on a petition clearly stating the purpose of the loan, the amount of the loan, and its terms of repayment, and filed with the superintendent of public instruction; or
 - (2) Approved by a majority of each participating school district's electors voting on the question at a regular school district election or at a special election called by the board; and
 - e. The loan is approved by the superintendent of public instruction.
2. The superintendent of public instruction shall adopt rules setting forth the criteria for loan approval. The superintendent of public instruction may not approve a loan under this section if the superintendent determines that the instructional technology acquisition is not compatible with the statewide information technology plan.

SECTION 3. CONTINGENT EXPIRATION DATE. Section 1 of this Act is effective through the date on which House Bill No. 1034 as approved by the fifty-sixth legislative assembly becomes effective, and after that date is ineffective.

SECTION 4. EMERGENCY. Section 1 of this Act is declared to be an emergency measure.

President of the Senate

Speaker of the House

Secretary of the Senate

Chief Clerk of the House

This certifies that the within bill originated in the Senate of the Fifty-sixth Legislative Assembly of North Dakota and is known on the records of that body as Senate Bill No. 2068 and that two-thirds of the members-elect of the Senate voted in favor of said law.

Vote: Yeas 47 Nays 0 Absent 2

President of the Senate

Secretary of the Senate

This certifies that two-thirds of the members-elect of the House of Representatives voted in favor of said law.

Vote: Yeas 95 Nays 2 Absent 1

Speaker of the House

Chief Clerk of the House

Received by the Governor at _____ M. on _____, 1999.

Approved at _____ M. on _____, 1999.

Governor

Filed in this office this _____ day of _____, 1999,

at ___ o'clock _____ M.

Secretary of State