

PROPOSED AMENDMENTS TO SENATE BILL NO. 2018

Page 1, line 2, after "society" insert "; to amend and reenact sections 55-03-01 and 55-03-01.1 of the North Dakota Century Code, relating to permit fees; to provide an exemption; and to provide for a legislative management study"

Page 1, replace lines 10 through 22 with:

"	<u>Base Level</u>	<u>Adjustments or Enhancements</u>	<u>Appropriation</u>
Salaries and wages	\$15,791,624	\$1,757,194	\$17,548,818
Operating expenses	4,473,663	(512,832)	3,960,831
Capital assets	1,251,015	4,883,413	6,134,428
Grants	600,000	1,203,340	1,803,340
Cultural heritage grants	500,000	0	500,000
America's 250th celebration	0	750,000	750,000
Exhibits	<u>0</u>	<u>595,000</u>	<u>595,000</u>
Total all funds	\$22,616,302	\$8,676,115	\$31,292,417
Less estimated income	<u>3,229,952</u>	<u>6,073,389</u>	<u>9,303,341</u>
Total general fund	\$19,386,350	\$2,602,726	\$21,989,076
Full-time equivalent positions	78.75	3.25	82.00"

Page 1, line 23, after "**FUNDING**" insert "**- EFFECT ON BASE BUDGET - REPORT TO THE SIXTY-NINTH LEGISLATIVE ASSEMBLY**"

Page 1, line 24, after "biennium" insert "and the 2023-25 one-time funding items included in the appropriation in section 1 of this Act"

Page 2, remove lines 2 and 3

Page 2, replace lines 4 through 7 with:

"Historical site and extraordinary repairs	\$4,200,000	\$4,500,000
Essential infrastructure at historic sites	950,000	0
State archives digital repository upgrade	25,000	0
Inflationary costs	0	120,795
Geographic information system remote access and upgrade	0	250,000
Medora site planning	0	150,000
Digital humanities advancement grant	0	30,000
Scanner and microfilm plotter	0	236,044
Exhibit engagement	0	670,000
Paul Bruhn historical revitalization grant	0	750,000
Underrepresented community grant	0	125,000
America's 250th celebration	<u>0</u>	<u>750,000</u>
Total all funds	\$5,175,000	\$7,581,839
Total special funds	<u>5,150,000</u>	<u>6,100,000</u>
Total general funds	\$25,000	\$1,481,839

The 2023-25 biennium one-time funding amounts are not a part of the entity's base budget for the 2025-27 biennium. The historical society shall report to the

appropriations committees of the sixty-ninth legislative assembly on the use of this one-time funding for the biennium beginning July 1, 2023, and ending June 30, 2025."

Page 2, after line 16, insert:

**"SECTION 5. ESTIMATED INCOME - STRATEGIC INVESTMENT AND IMPROVEMENTS FUND - HISTORICAL SOCIETY.** The estimated income line item in section 1 of this Act includes \$5,095,500 from the strategic investment and improvements fund, of which \$4,500,000 is for critical repairs to historic site structures and \$595,000 is for creating new and repairing existing exhibits.

**SECTION 6. ESTIMATED INCOME - DEPARTMENT OF TRANSPORTATION GRANT.** The estimated line item in section 1 of this Act, includes \$100,000 of grant funding from the department of transportation for the purpose of defraying expenses of the Lewis and Clark interpretive center.

**SECTION 7. AMENDMENT.** Section 55-03-01 of the North Dakota Century Code is amended and reenacted as follows:

**55-03-01. Permit required to investigate, evaluate, or mitigate adverse effect on cultural resources, historic buildings, structures, or objects - Application - Fee.**

Any person engaged in identifying, evaluating, or mitigating adverse effects on cultural resources, historic buildings, structures, or objects on any lands in North Dakota, under ~~section 106 of the National Historic Preservation Act of 1966 [Pub. L. 89-665; 80 Stat. 915; 16 U.S.C. 470, as amended by Pub. L. 91-243, Pub. L. 93-54, Pub. L. 94-422, and Pub. L. 94-458], 36 CFR 800, or subdivision u of subsection 1 of section 38-14.1-14~~ any applicable state law, shall obtain an annual permit from the director of the state historical society. The permit application must be in the form prescribed by the director. Each application must be accompanied by a filing fee of ~~one hundred dollars~~ as determined by the director. The director may waive the fee requirement if the applicant is an instrumentality of the state. Following issuance of the annual permit, the permittee shall submit to the state historical society payment in the amount of ~~fifty dollars~~ determined by the director with every cultural resources identification, monitoring report, evaluation, and mitigation report submitted to the director in compliance with the federal and state statutory and regulatory requirements identified in this section. A permittee submitting a report on behalf of a nonprofit corporation formed under chapter 10-33 does not have to pay the fee for filing the report.

**SECTION 8. AMENDMENT.** Section 55-03-01.1 of the North Dakota Century Code is amended and reenacted as follows:

**55-03-01.1. Permit required to investigate, excavate, or otherwise record cultural resources on land owned by an instrumentality of the state and to excavate cultural resources on private land.**

Any person engaged in the investigation, excavation, or other recording of cultural resources on land owned by an instrumentality of the state or in the excavation of cultural resources on private land for any purposes other than those identified in section 55-03-01 first shall obtain a permit from the director. A permit may be granted only for the investigation, excavation, or other recording of cultural resources at the locations described in the application for permit. Each application must be

accompanied by a fee of one hundred dollars as determined by the director, unless the director waives the fee.

**SECTION 9. EXEMPTION - FEDERAL STATE FISCAL RECOVERY FUND.**

Section 54-44.1-11 does not apply to the appropriation in section 5 of chapter 18 of the 2021 Session Laws as amended by section 2 of chapter 548 of the 2021 Special Session Session Laws, and any unexpended funds from this appropriation may be continued and used for the purpose of deferred maintenance and extraordinary repair projects during the biennium beginning July 1, 2023, and ending June 30, 2025.

**SECTION 10. LEGISLATIVE MANAGEMENT STUDY - RECORDS**

**RETENTION.** During the 2023-24 interim, the legislative management shall consider studying the records management programs of state agencies and institutions related to records deemed historic in value. The study must include a review of state agencies' and institutions' compliance with the records management programs. The legislative management shall report its findings and recommendations, together with any legislation required to implement the recommendations, to the sixty-ninth legislative assembly."

Renumber accordingly

**STATEMENT OF PURPOSE OF AMENDMENT:**

**Senate Bill No. 2018 - State Historical Society - Senate Action**

	Base Budget	Senate Changes	Senate Version
Salaries and wages	\$15,791,624	\$1,757,194	\$17,548,818
Operating expenses	4,473,663	(512,832)	3,960,831
Capital assets	1,251,015	4,883,413	6,134,428
Grants	600,000	1,203,340	1,803,340
Cultural heritage grants	500,000		500,000
America's 250th Exhibits		750,000	750,000
		595,000	595,000
Total all funds	\$22,616,302	\$8,676,115	\$31,292,417
Less estimated income	3,229,952	6,073,389	9,303,341
General fund	\$19,386,350	\$2,602,726	\$21,989,076
FTE	78.75	3.25	82.00

**Department 701 - State Historical Society - Detail of Senate Changes**

	Adds Funding for the Cost to Continue Salaries <sup>1</sup>	Adds Funding for Salary and Benefit Increases <sup>2</sup>	Adjusts Funding in Various Line Items <sup>3</sup>	Adds FTE to Fully Fund Interpretive Resource Specialist Position <sup>4</sup>	Adds 3 FTE Positions <sup>5</sup>	Adds Funding for ITD Increases <sup>6</sup>
Salaries and wages	\$106,849	\$1,112,346	(\$296,853)	\$64,814	\$770,038	
Operating expenses			(1,120,944)			\$24,072
Capital assets			165,809			
Grants			328,340			
Cultural heritage grants						
America's 250th Exhibits						
Total all funds	\$106,849	\$1,112,346	(\$923,648)	\$64,814	\$770,038	\$24,072
Less estimated income	10,449	116,500	(923,648)	0	770,038	50
General fund	\$96,400	\$995,846	\$0	\$64,814	\$0	\$24,022
FTE	0.00	0.00	0.00	0.25	3.00	0.00

	Adds Funding for Operating Expenses <sup>2</sup>	Adjusts Funding for Bond Payments <sup>4</sup>	Adds Funding for Historic Building Improvements <sup>2</sup>	Adds One-time Funding for Inflationary Costs <sup>10</sup>	Adds One-time Funding for Geographic Information System Upgrades <sup>11</sup>	Adds One-time Funding for Medora Site Planning <sup>12</sup>
Salaries and wages						
Operating expenses	\$26,445			\$120,795	\$250,000	\$150,000
Capital assets		(\$586,640)	\$500,000			
Grants						
Cultural heritage grants						
America's 250th Exhibits						
<b>Total all funds</b>	<b>\$26,445</b>	<b>(\$586,640)</b>	<b>\$500,000</b>	<b>\$120,795</b>	<b>\$250,000</b>	<b>\$150,000</b>
Less estimated income	0	0	0	0	25,000	0
<b>General fund</b>	<b>\$26,445</b>	<b>(\$586,640)</b>	<b>\$500,000</b>	<b>\$120,795</b>	<b>\$225,000</b>	<b>\$150,000</b>
FTE	0.00	0.00	0.00	0.00	0.00	0.00

	Adds One-time Funding for Federal Grants <sup>13</sup>	Adds One-time Funding for Newspaper Preservation <sup>14</sup>	Adds One-time Funding for Improving Exhibit Engagement <sup>15</sup>	Adds One-time Funding for Historical Building Improvements <sup>16</sup>	Adds One-time Funding for America's 250th Celebration <sup>17</sup>	Total Senate Changes
Salaries and wages						\$1,757,194
Operating expenses	\$30,000	\$6,800				(512,832)
Capital assets		229,244	\$75,000	\$4,500,000		4,883,413
Grants	875,000					1,203,340
Cultural heritage grants						
America's 250th Exhibits			595,000		\$750,000	750,000
<b>Total all funds</b>	<b>\$905,000</b>	<b>\$236,044</b>	<b>\$670,000</b>	<b>\$4,500,000</b>	<b>\$750,000</b>	<b>\$8,676,115</b>
Less estimated income	905,000	0	670,000	4,500,000	0	6,073,389
<b>General fund</b>	<b>\$0</b>	<b>\$236,044</b>	<b>\$0</b>	<b>\$0</b>	<b>\$750,000</b>	<b>\$2,602,726</b>
FTE	0.00	0.00	0.00	0.00	0.00	3.25

<sup>1</sup> Funding is added for the cost to continue salary increases.

<sup>2</sup> The following is funding is added for 2023-25 biennium salary adjustments of 4 percent on July 1, 2023, and 4 percent on July 1, 2024, and increases in health insurance premiums from \$1,429 to \$1,648 per month:

	General Fund	Other Funds	Total
Salary increase	\$643,530	\$91,244	\$734,774
Health insurance increase	352,316	25,256	377,572
<b>Total</b>	<b>\$995,846</b>	<b>\$116,500</b>	<b>\$1,112,346</b>

<sup>3</sup> Funding is adjusted in various line items due to reduction in federal funding.

<sup>4</sup> Funding of \$64,814 from the general fund is added for a 0.25 FTE interpretive resource specialist position to provide for the position as 1.00 FTE.

<sup>5</sup> Funding of \$770,038 is added for 3 FTE positions, of which 1 FTE is for a trade services III position (\$216,688), 1 FTE is for a trade services IV position (\$244,142), and 1 FTE is for a program management II position (\$309,208). Funding for these positions will be from museum store revenues.

<sup>6</sup> Funding is added for Information Technology Department rate increases.

<sup>7</sup> Funding of \$26,445 is added from the general fund for software and maintenance contracts for:

- Geographic information system (\$14,400)
- Newspaper preservation (\$12,045)

<sup>8</sup> Funding is decreased from the general fund due to bond payments relating to the research collections expansion and the Chateau de Mores interpretive center ending in 2024.

<sup>9</sup> Funding is added from the general fund for ongoing historic building improvements and repairs.

<sup>10</sup> One-time funding of \$120,795 is added from the general fund for increases in utilities at historic sites.

<sup>11</sup> One-time funding of \$250,000 is added to update the geographic information system to allow remote access to ensure all contractors can obtain culturally sensitive information.

<sup>12</sup> One-time funding of \$150,000 is added from the general fund for Medora area planning to coordinate with the Theodore Roosevelt Presidential Library.

<sup>13</sup> One-time funding of \$905,000 is added for the following federally funded programs:

- Digital humanities advancement grant (\$30,000)
- Paul Bruhn historical revitalization grant (\$750,000)
- Underrepresented community grant (\$125,000)

<sup>14</sup> One-time funding of \$236,044 is added from the general fund for a scanner and microfilm plotter to assist in the newspaper preservation project.

<sup>15</sup> One-time funding of \$670,000 is added for improving exhibit engagement at historical properties, of which \$595,000 is from the strategic investment and improvements fund and \$75,000 is from funds received by the Historical Foundation.

<sup>16</sup> One-time funding of \$4.5 million is added from the strategic investment and improvements fund for historic building improvements, repair, and maintenance.

<sup>17</sup> One-time funding of \$750,000 from the general fund is added to allow the America 250 Commission to plan and monitor events relating to America's 250th celebration and to provide grants to communities to help in their commemorations.

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This amendment also:

- Adds a section to identify \$5,095,500 from the strategic investment and improvements fund, of which \$4,500,000 is for critical repairs to historic site structures and \$595,000 is for creating new and repairing existing exhibits.
- Adds a section to identify \$100,000 of funding in the estimated income line item from the Department of Transportation for defraying the expenses of the Lewis and Clark Interpretive Center for the 2023-25 biennium.
- Adds sections to amend and reenact Sections 55-03-01 and 55-03-01.1 allowing the Director of the State Historical Society to set filing and permit fees.
- Adds a section to allow continuation of funding from the federal State Fiscal Recovery Fund from the 2021-23 biennium for deferred maintenance and extraordinary repair projects in the 2023-25 biennium.
- Provides for a Legislative Management study related to records retention compliance of records deemed historic in value.

