

April 24, 2025

Sixty-ninth  
Legislative Assembly  
of North Dakota

## PROPOSED AMENDMENTS TO FIRST ENGROSSMENT

### ENGROSSED SENATE BILL NO. 2010

Introduced by

Appropriations Committee

*In place of amendment (25.0177.02001) adopted by the House, Engrossed Senate Bill No. 2010 is amended by amendment (25.0177.02004) as follows:*

- 1 A BILL for an Act to provide an appropriation for defraying the expenses of the council on the  
2 arts; to provide for a transfer; to provide for a report; and to provide an exemption.

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

- 4 **SECTION 1. APPROPRIATION.** The funds provided in this section, or so much of the funds  
5 as may be necessary, are appropriated out of any moneys in the general fund in the state  
6 treasury, not otherwise appropriated, and from other funds derived from special funds and  
7 federal funds, to the council on the arts for the purpose of defraying the expenses of the council  
8 on the arts, for the biennium beginning July 1, 2025, and ending June 30, 2027, as follows:

	Adjustments or		
	<u>Base Level</u>	<u>Enhancements</u>	<u>Appropriation</u>
11 <del>Salaries and wages</del>	<del>\$1,222,195</del>	<del>\$177,927</del>	<del>\$1,400,122</del>
12 <del>New and vacant FTE pool</del>	<del>0</del>	<del>16,519</del>	<del>16,519</del>
13 <del>Operating expenses</del>	<del>674,093</del>	<del>5,000</del>	<del>679,093</del>
14 <del>Grants</del>	<del>2,355,342</del>	<del>(18,541)</del>	<del>2,336,801</del>
15 <del>Total all funds</del>	<del>\$4,251,630</del>	<del>\$180,905</del>	<del>\$4,432,535</del>
16 <del>Less other funds</del>	<del>1,880,000</del>	<del>0</del>	<del>1,880,000</del>
17 <del>Total general fund</del>	<del>\$2,371,630</del>	<del>\$180,905</del>	<del>\$2,552,535</del>
18 <del>Full-time equivalent positions</del>	<del>6.00</del>	<del>0.00</del>	<del>6.00</del>

1	Salaries and wages	\$1,222,195	\$412,927	\$1,635,122
2	New and vacant FTE pool	0	16,519	16,519
3	Operating expenses	674,093	5,000	679,093
4	Grants	2,355,342	(18,541)	2,336,801
5	Total all funds	\$4,251,630	\$415,905	\$4,667,535
6	Less other funds	1,880,000	150,000	2,030,000
7	Total general fund	\$2,371,630	\$265,905	\$2,637,535
8	Full-time equivalent positions	6.00	0.00	6.00

9       **SECTION 2. ONE-TIME FUNDING - EFFECT ON BASE BUDGET - REPORT TO THE**

10       **SEVENTIETH LEGISLATIVE ASSEMBLY.** The following amounts reflect the one-time funding  
11 items included in the appropriation in section 1 of this Act which are not included in the entity's  
12 base budget for the 2027-29 biennium and which the entity shall report to the appropriations  
13 committees of the seventieth legislative assembly regarding the use of this funding:

14	<u>One-Time Funding Description</u>	<u>General fund</u>
15	Arts across the prairie education	<u>\$5,000</u>
16	Total	<u>\$5,000</u>

17       **SECTION 3. APPROPRIATION - CULTURAL ENDOWMENT FUND.** All income from the  
18 cultural endowment fund is appropriated to the council on the arts for the furthering of the  
19 cultural arts in the state, for the biennium beginning July 1, 2025, and ending June 30, 2027.

20       ~~The council on the arts may use up to \$190,000 of moneys in the cultural endowment fund for~~  
21 ~~maintenance or for construction of arts across the prairie projects, for the biennium beginning~~  
22 ~~July 1, 2025, and ending June 30, 2027. The council on the arts may spend accrued interest in~~  
23 ~~the fund, including on the portion of the fund designated for maintenance of art projects~~  
24 ~~constructed as part of the creative placemaking program, for the fabrication, site preparation,~~  
25 ~~and installation of creative placemaking program art projects. The accrued interest is not subject~~  
26 ~~to any spending limitations associated with maintenance of the art projects established by the~~  
27 ~~sixty-seventh legislative assembly.~~

28       **SECTION 4. APPROPRIATION - GIFTS, GRANTS, AND BEQUESTS.** All gifts, grants,  
29 devises, bequests, donations, and assignments received by the council on the arts are  
30 appropriated to the council on the arts for the purposes provided in section 54-54-06, for the  
31 biennium beginning July 1, 2025, and ending June 30, 2027.

1       **SECTION 5. NEW AND VACANT FTE POOL - LIMITATION - TRANSFER REQUEST.** The  
2 council on the arts may not spend funds appropriated in the new and vacant FTE pool line item  
3 in section 1 of this Act, but may request the office of management and budget to transfer funds  
4 from the new and vacant FTE pool line item to the salaries and wages line item in accordance  
5 with the guidelines and reporting provisions included in House Bill No. 1015, as approved by the  
6 sixty-ninth legislative assembly.

7       **SECTION 6. STATE TROUBADOUR - POET LAUREATE.** The grants line item in section 1  
8 of this Act includes \$10,000 for the state troubadour and \$10,000 for the poet laureate.

9       **SECTION 7. EXEMPTION - LINE ITEM TRANSFERS - REPORT.** Notwithstanding section  
10 54-16-04, the director of the office of management and budget shall transfer funds between line  
11 items, excluding the new and vacant FTE pool line item, in section 1 of this Act as requested by  
12 the council on the arts. The council on the arts shall notify the legislative council of any transfer  
13 made pursuant to this section. The council on the arts shall report to the budget section after  
14 June 30, 2026, any transfer made in excess of \$50,000 and to the appropriations committees of  
15 the seventieth legislative assembly regarding any transfers made pursuant to this section.

16       **SECTION 8. EXEMPTION - UNEXPENDED APPROPRIATION.** The amount of \$25,000  
17 appropriated from the general fund for the purpose of accrued leave payouts in section 1 of  
18 chapter 10 of the 2023 Session Laws is not subject to section 54-44.1-11 and any unexpended  
19 funds may be continued and are available to the council on the arts for costs relating to accrued  
20 leave payouts during the biennium beginning July 1, 2025, and ending June 30, 2027.