

SB 2010  
4-25-25

25.0177.02004  
Title.  
Fiscal No. 3

Prepared by the Legislative Council  
staff for Representative Murphy

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

Sixty-ninth  
Legislative Assembly

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	\$5,000
16	Total	\$5,000

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.

**STATEMENT OF PURPOSE OF AMENDMENT:**

**Senate Bill No. 2010 - Council on the Arts - Conference Committee Action**

	Base Budget	Senate Version	Conference Committee Changes	Conference Committee Version	House Version	Comparison to House
Salaries and wages	\$1,222,195	\$1,400,122	\$235,000	\$1,635,122	\$1,562,209	\$72,913
New and vacant FTE pool		16,519		16,519	172,014	(155,495)
Operating expenses	674,093	679,093		679,093	679,093	
Grants	<u>2,355,342</u>	<u>2,336,801</u>		<u>2,336,801</u>	<u>2,336,801</u>	
Total all funds	\$4,251,630	\$4,432,535	\$235,000	\$4,667,535	\$4,750,117	(\$82,582)
Less estimated income	<u>1,880,000</u>	<u>1,880,000</u>	<u>150,000</u>	<u>2,030,000</u>	<u>2,030,000</u>	<u>0</u>
General fund	\$2,371,630	\$2,552,535	\$85,000	\$2,637,535	\$2,720,117	(\$82,582)
FTE	6.00	6.00	0.00	6.00	7.00	(1.00)

**Department 709 - Council on the Arts - Detail of Conference Committee Changes**

	Adds Funding for Temporary Positions <sup>1</sup>	Total Conference Committee Changes
Salaries and wages	\$235,000	\$235,000
New and vacant FTE pool		
Operating expenses		
Grants		
Total all funds	\$235,000	\$235,000
Less estimated income	<u>150,000</u>	<u>150,000</u>
General fund	\$85,000	\$85,000
FTE	0.00	0.00

<sup>1</sup> Funding of \$235,000, including \$85,000 from the general fund and \$150,000 from federal funds is added for 2 temporary positions, including a part-time grants program officer and a full-time Arts Across the Prairie position. The House added funding from the general fund for a new FTE grants program officer position and \$150,000 from federal funds for a temporary Arts Across the Prairie position.

This amendment also:

- Authorizes the Council on the Arts to utilize the accrued interest earned on moneys designated for maintenance in the cultural endowment fund, estimated to be approximately \$300,000, for construction, site preparation, and installation of Arts Across the Prairie projects. The Senate authorized \$190,000 for construction of Arts Across the Prairie projects and the House authorized \$380,000 for construction and \$454,142 for site preparation and installation of Arts Across the Prairie projects.
- Designates \$20,000 from the grants line item to provide \$10,000 each for the state troubadour and the poet laureate. The House designated \$15,000 each for the state troubadour and the poet laureate.
- Authorizes \$25,000 of general fund carryover for accrued leave payouts, the same as the House. This will reduce general fund revenue available for the 2025-27 biennium by \$25,000.