Prepared by the Legislative Council staff for
Conference Committee
April 19, 2023

PROPOSED AMENDMENTS TO ENGROSSED HOUSE BILL NO. 1010

That the Senate recede from its amendments as printed on pages 1625 and 1626 of the House Journal and pages 1350 and 1351 of the Senate Journal and that Engrossed House Bill No. 1010 be amended as follows:

Page 1, line 2, replace "and" with "to provide for a report;"

Page 1, line 2, after "exemption" insert "; and to declare an emergency"

Page 1, line 8, replace "biennium beginning July 1, 2023" with "period beginning with the effective date of this Act"

Page 1, replace lines 11 through 17 with:

"Salaries and wages	$1,082,619	$212,465	$1,295,084
Operating expenses	286,545	540,048	826,593
Grants	2,082,524	342,818	2,425,342
Total all funds	$3,451,688	$1,095,331	$4,547,019
Less estimated income	1,788,922	161,078	1,950,000
Total general fund	$1,662,766	$934,253	$2,597,019
Full-time equivalent positions	5.00	1.00	6.00"

Page 2, replace lines 2 through 4 with:

"Arts across the prairie initiative	0	170,000
Information technology equipment	0	10,000
Total all funds	$0	$328,930
Total other funds	0	70,000
Total general fund	$0	$258,930"

Page 2, line 13, remove the second "and"

Page 2, line 14, remove "deposited with the state treasurer pursuant to section 55-01-04"

Page 2, after line 23, insert:

"**SECTION 6. EMERGENCY.** The amount of $106,430 from the general fund appropriated in the salaries and wages line item for accrued leave payouts in section 1 of this Act is declared to be an emergency measure."

Renumber accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

House Bill No. 1010 - Council on the Arts - Conference Committee Action

	Base Budget	House Version	Conference Committee Changes	Conference Committee Version	Senate Version	Comparison to Senate
Salaries and wages	$1,082,619	$1,299,802	($4,718)	$1,295,084	$1,295,084	
Operating expenses	286,545	830,593	(4,000)	826,593	830,593	($4,000)
Grants	2,082,524	2,355,342	70,000	2,425,342	2,425,342	
Total all funds	$3,451,688	$4,485,737	$61,282	$4,547,019	$4,551,019	($4,000)
Less estimated income	1,788,922	1,880,000	70,000	1,950,000	1,950,000	0

General fund	$1,662,766	$2,605,737	($8,718)	$2,597,019	$2,601,019	($4,000)
FTE	5.00	6.00	0.00	6.00	6.00	0.00

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

	Adjusts Funding for Salary and Benefit Increases[1]	Adjusts Funding for New FTE Position[2]	Removes Salary Funding for Funding Pool[3]	Increases Funding for the Arts Across the Prairie Initiative[4]	Total Conference Committee Changes
Salaries and wages	$17,712	$63,204	($85,634)		($4,718)
Operating expenses		(4,000)			(4,000)
Grants				$70,000	70,000
Total all funds	$17,712	$59,204	($85,634)	$70,000	$61,282
Less estimated income	0	0	0	70,000	70,000
General fund	$17,712	$59,204	($85,634)	$0	($8,718)
FTE	0.00	0.00	0.00	0.00	0.00

[1] Salaries and wages funding is adjusted to provide for 2023-25 biennium salary increases of 6 percent on July 1, 2023, and 4 percent on July 1, 2024, and for adjustments to health insurance premium rates, the same as the Senate, as follows:

	General Fund
Salary increase	$18,422
Health insurance adjustment	(710)
Total	$17,712

The House provided salary adjustments of 4 percent on July 1, 2023, and July 1, 2024.

[2] Funding of $59,204 from the general fund is added to provide a total of $73,750 from the general fund for 1 new FTE administrative assistant position and associated operating costs, including a reduction in temporary salaries. The Senate provided a total of $147,500 from the general fund for 1 new FTE administrative assistant position and associated operating costs. The House added $17,046 from the general fund to convert a temporary position to an FTE position, including associated operating costs.

[3] Funding for new FTE positions and estimated savings from vacant FTE positions is removed as shown below. These amounts are available to the agency if needed by submitting a request to the Office of Management and Budget for a transfer from the new and vacant FTE funding pool.

	General Fund
New FTE positions	($69,750)
Vacant FTE positions	(15,884)
Total	($85,634)

[4] One-time funding of $70,000 from a momentum fund grant from the Department of Commerce is added for the arts across the prairie initiative, the same as the Senate.

This amendment also:

- Adds a section to declare the one-time appropriation of $106,430 from the general fund for accrued leave payouts to retiring staff to be an emergency measure, the same as the Senate.
- Clarifies language that provides for the appropriation of all additional gifts, grants, devises, bequests, donations, and assignments received by the Council on the Arts without Emergency Commission or Budget Section approval, the same as the Senate.