

Sixty-ninth
Legislative Assembly
of North Dakota**PROPOSED AMENDMENTS TO
FIRST ENGROSSMENT****ENGROSSED SENATE BILL NO. 2010**

Introduced by

Appropriations Committee

- 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
19 Salaries and wages	\$1,222,195	\$340,014	\$1,562,209
20 New and vacant FTE pool	0	172,014	172,014

Sixty-ninth
Legislative Assembly

1	<u>Operating expenses</u>	<u>674,093</u>	<u>5,000</u>	<u>679,093</u>
2	<u>Grants</u>	<u>2,355,342</u>	<u>(18,541)</u>	<u>2,336,801</u>
3	<u>Total all funds</u>	<u>\$4,251,630</u>	<u>\$498,487</u>	<u>\$4,750,117</u>
4	<u>Less other funds</u>	<u>1,880,000</u>	<u>150,000</u>	<u>2,030,000</u>
5	<u>Total general fund</u>	<u>\$2,371,630</u>	<u>\$348,487</u>	<u>\$2,720,117</u>
6	<u>Full-time equivalent positions</u>	<u>6.00</u>	<u>1.00</u>	<u>7.00</u>

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

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

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

15 **SECTION 3. APPROPRIATION - CULTURAL ENDOWMENT FUND.** All income from the

16 cultural endowment fund is appropriated to the council on the arts for the furthering of the
17 cultural arts in the state for the biennium beginning July 1, 2025, and ending June 30, 2027.

18 The council on the arts may use up to ~~\$490,000~~\$380,000 of moneys in the cultural endowment
19 fund for maintenance or for construction of arts across the prairie projects, for the biennium
20 beginning July 1, 2025, and ending June 30, 2027. The council on the arts may use up to
21 \$454,142 of moneys designated for maintenance in the cultural endowment fund for arts across
22 the prairie site preparation and installation costs.

23 **SECTION 4. APPROPRIATION - GIFTS, GRANTS, AND BEQUESTS.** All gifts, grants,

24 devises, bequests, donations, and assignments received by the council on the arts are
25 appropriated to the council on the arts for the purposes provided in section 54-54-06, for the
26 biennium beginning July 1, 2025, and ending June 30, 2027.

27 **SECTION 5. NEW AND VACANT FTE POOL - LIMITATION - TRANSFER REQUEST.** The

28 council on the arts may not spend funds appropriated in the new and vacant FTE pool line item
29 in section 1 of this Act, but may request the office of management and budget to transfer funds
30 from the new and vacant FTE pool line item to the salaries and wages line item in accordance

1 with the guidelines and reporting provisions included in House Bill No. 1015, as approved by the
2 sixty-ninth legislative assembly.

3 **SECTION 6. STATE TROUBADOUR - POET LAUREATE.** The grants line item in section 1
4 of this Act includes \$15,000 for the state troubadour and \$15,000 for the poet laureate.

5 **SECTION 7. EXEMPTION - LINE ITEM TRANSFERS - REPORT.** Notwithstanding section
6 54-16-04, the director of the office of management and budget shall transfer funds between line
7 items, excluding the new and vacant FTE pool line item, in section 1 of this Act as requested by
8 the council on the arts. The council on the arts shall notify the legislative council of any transfer
9 made pursuant to this section. The council on the arts shall report to the budget section after
10 June 30, 2026, any transfer made in excess of \$50,000 and to the appropriations committees of
11 the seventieth legislative assembly regarding any transfers made pursuant to this section.

12 **SECTION 8. EXEMPTION - UNEXPENDED APPROPRIATION.** The amount of \$25,000
13 appropriated from the general fund for the purpose of accrued leave payouts in section 1 of
14 chapter 10 of the 2023 Session Laws is not subject to section 54-44.1-11 and any unexpended
15 funds may be continued and are available to the council on the arts for costs relating to accrued
16 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 - House Action**

	Base Budget	Senate Version	House Changes	House Version
Salaries and wages	\$1,222,195	\$1,400,122	\$162,087	\$1,562,209
New and vacant FTE pool		16,519	155,495	172,014
Operating expenses	674,093	679,093		679,093
Grants	2,355,342	2,336,801		2,336,801
Total all funds	\$4,251,630	\$4,432,535	\$317,582	\$4,750,117
Less estimated income	1,880,000	1,880,000	150,000	2,030,000
General fund	\$2,371,630	\$2,552,535	\$167,582	\$2,720,117
FTE	6.00	6.00	1.00	7.00

Department 709 - Council on the Arts - Detail of House Changes

	Adds FTE Position ¹	Transfers Funding for 2025-27 New and Vacant FTE Pool ²	Adds Federal Funds for Arts Across the Prairie Position ³	Total House Changes
Salaries and wages	\$184,859	(\$172,772)	\$150,000	\$162,087
New and vacant FTE pool		155,495		155,495
Operating expenses				
Grants				
Total all funds	\$184,859	(\$17,277)	\$150,000	\$317,582
Less estimated income	0	0	150,000	150,000
General fund	\$184,859	(\$17,277)	\$0	\$167,582
FTE	1.00	0.00	0.00	1.00

¹ Funding of \$184,859 from the general fund is added for 1 new FTE grants program officer position.

² Funding of \$172,772 from the general fund added by the House for new FTE position salaries and wages is removed and \$155,495 is added to the new and vacant FTE pool line item resulting in a net savings of \$17,277.

³ Funding of \$150,000 from federal funds is added by the House for a temporary position for arts across the prairie.

This amendment also:

- Authorizes the Council on the Arts to use \$380,000 from moneys designated for maintenance in the cultural endowment fund for maintenance or for construction of arts across the prairie projects. The Senate authorized \$190,000 for maintenance or for construction of arts across the prairie projects.
- Authorizes the Council on the Arts to use \$454,142 from moneys designated for maintenance in the cultural endowment fund for arts across the prairie site preparation and installation costs. The Senate did not authorize funding for arts across the prairie site preparation and installation costs.
- Designates \$30,000 from the grants line item to provide \$15,000 each for the state troubadour and the poet laureate.
- Authorizes \$25,000 of general fund carryover for accrued leave payouts. This will reduce general fund revenue available for the 2025-27 biennium by \$25,000.

