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Title.
Fiscal No. 1

Sixty-ninth
Legislative Assembly
of North Dakota

Prepared by the Legislative Council
staff for Senate Appropriations - Human
Resources Division Committee
January 28, 2025

PROPOSED AMENDMENTS TO

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 transfers; 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	\$0	\$1,222,195
12 Operating expenses	674,093	0	674,093
13 Grants	2,355,342	0	2,355,342
14 Total all funds	\$4,251,630	\$0	\$4,251,630
15 Less other funds	1,880,000	0	1,880,000
16 Total general fund	\$2,371,630	\$0	\$2,371,630
17 Full-time equivalent positions	6.00	0.00	6.00
18 <u>Salaries and wages</u>	<u>\$1,222,195</u>	<u>\$177,927</u>	<u>\$1,400,122</u>
19 <u>New and vacant FTE pool</u>	<u>0</u>	<u>16,519</u>	<u>16,519</u>
20 <u>Operating expenses</u>	<u>674,093</u>	<u>5,000</u>	<u>679,093</u>

1	Grants	2,355,342	(18,541)	2,336,801
2	Total all funds	\$4,251,630	\$180,905	\$4,432,535
3	Less other funds	1,880,000	0	1,880,000
4	Total general fund	\$2,371,630	\$180,905	\$2,552,535
5	Full-time equivalent positions	6.00	0.00	6.00

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

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

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

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

The council on the arts may use up to \$380,000 of moneys in the cultural endowment fund designated for maintenance for construction of arts across the prairie projects, for the biennium beginning July 1, 2025, and ending June 30, 2027.

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

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

SECTION 6. EXEMPTION - LINE ITEM TRANSFERS - REPORT. Notwithstanding section 54-16-04, the director of the office of management and budget shall transfer funds between line

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1 items, excluding the new and vacant FTE pool line item, in section 1 of this Act as requested by
2 the council on the arts. The council on the arts shall notify the legislative council of any transfer
3 made pursuant to this section. The council on the arts shall report to the budget section after
4 June 30, 2026, any transfer made in excess of \$50,000 and to the appropriations committees of
5 the seventieth legislative assembly regarding any transfers made pursuant to this section.

STATEMENT OF PURPOSE OF AMENDMENT:**Senate Bill No. 2010 - Council on the Arts - Senate Action**

	Base Budget	Senate Changes	Senate Version
Salaries and wages	\$1,222,195	\$177,927	\$1,400,122
New and vacant FTE pool		16,519	16,519
Operating expenses	674,093	5,000	679,093
Grants	2,355,342	(18,541)	2,336,801
Total all funds	\$4,251,630	\$180,905	\$4,432,535
Less estimated income	1,880,000	0	1,880,000
General fund	\$2,371,630	\$180,905	\$2,552,535
FTE	6.00	0.00	6.00

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

	Adjusts Funding for Base Payroll Changes¹	Adds Funding for Salary and Benefit Increases²	Adds Funding to Replace 2023-25 New and Vacant FTE Pool³	Transfers Funding for 2025-27 New and Vacant FTE Pool⁴	Adds One- Time Funding for Arts Across the Prairie⁵	Total Senate Changes
Salaries and wages	\$31,444	\$84,447	\$85,634	(\$23,598)		\$177,927
New and vacant FTE pool				16,519		16,519
Operating expenses					\$5,000	5,000
Grants	(18,541)					(18,541)
Total all funds	\$12,903	\$84,447	\$85,634	(\$7,079)	\$5,000	\$180,905
Less estimated income	0	0	0	0	0	0
General fund	\$12,903	\$84,447	\$85,634	(\$7,079)	\$5,000	\$180,905
FTE	0.00	0.00	0.00	0.00	0.00	0.00

¹ Funding is adjusted for base payroll changes, including a transfer of \$18,541 from the grants line item to the salaries and wages line item for the cost to continue 2023-25 biennium salary increases.

² The following funding is added for 2025-27 biennium salary adjustments of 3 percent on July 1, 2025, and 3 percent on July 1, 2026, and increases in health insurance premiums from \$1,643 to \$1,893 per month:

General Fund

Salary increase	\$48,415
Health insurance increase	36,032
Total	\$84,447

³ Funding is added to replace 2023-25 biennium new and vacant FTE pool funding as follows:

General Fund

Vacant FTE positions	\$15,884
New FTE positions	69,750
Total	\$85,634

⁴ Funding of \$23,598 is removed for estimated savings from vacant 2025-27 FTE positions and \$16,519 is added for a new and vacant FTE pool line item resulting in net savings of \$7,079.

⁵ One-time funding of \$5,000 from the general fund is added for the arts across the prairie initiative's education component.

This amendment also:

- Adds a section to appropriate all income from the cultural endowment fund to the Council on the Arts during the 2025-27 biennium for furthering the cultural arts in the state, including using \$380,000 of moneys in the fund designated for maintenance for construction of arts across the prairie projects.
- Adds a section to appropriate all income from gifts, grants, devises, bequests, donations, and assignments received by the Council on the Arts during the 2025-27 biennium.
- Adds a section to provide authority for the Council on the Arts to transfer funds between line items and requires the Council on the Arts to report transfers to the Legislative Council, Budget Section, and the Appropriations

Committees of the 70th Legislative Assembly.

- Adds a section regarding the use of funding in the new and vacant FTE pool line item.

