

**Sixty-eighth Legislative Assembly of North Dakota
In Regular Session Commencing Tuesday, January 3, 2023**

HOUSE BILL NO. 1010
(Appropriations Committee)

AN ACT to provide an appropriation for defraying the expenses of the council on the arts; to provide for transfers; to provide for a report; to provide an exemption; and to declare an emergency.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

SECTION 1. APPROPRIATION. The funds provided in this section, or so much of the funds as may be necessary, are appropriated out of any moneys in the general fund in the state treasury, not otherwise appropriated, and from special funds derived from federal funds and other income, to the council on the arts for the purpose of defraying the expenses of the council on the arts, for the period beginning with the effective date of this Act, and ending June 30, 2025, as follows:

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

SECTION 2. ONE-TIME FUNDING - EFFECT ON BASE BUDGET - REPORT TO THE SIXTY-NINTH LEGISLATIVE ASSEMBLY. The following amounts reflect the one-time funding items approved by the sixty-seventh legislative assembly for the 2021-23 biennium and the 2023-25 one-time funding items included in the appropriation in section 1 of this Act:

<u>One-Time Funding Description</u>	<u>2021-23</u>	<u>2023-25</u>
New full-time equivalent position	\$0	\$2,500
Accrued leave payouts	0	106,430
Strategic planning consultant	0	40,000
Arts across the prairie initiative	0	170,000
Information technology equipment	<u>0</u>	<u>10,000</u>
Total all funds	\$0	\$328,930
Total other funds	<u>0</u>	<u>70,000</u>
Total general fund	\$0	\$258,930

The 2023-25 biennium one-time funding amounts are not a part of the entity's base budget for the 2025-27 biennium. The council on the arts shall report to the appropriations committees of the sixty-ninth legislative assembly on the use of this one-time funding for the biennium beginning July 1, 2023, and ending June 30, 2025.

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, 2023, and ending June 30, 2025.

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, 2023, and ending June 30, 2025.

SECTION 5. EXEMPTION - LINE ITEM TRANSFERS - REPORT. Notwithstanding section 54-16-04, the director of the office of management and budget shall transfer funds between line items in section 1 of this Act as requested by the council on the arts. The council on the arts shall notify the legislative council of any transfer made pursuant to this section. The council on the arts shall report to the budget section after June 30, 2024, any transfer made in excess of \$50,000 and to the appropriations committees of the sixty-ninth legislative assembly regarding any transfers made pursuant to this section.

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.

Dennis E. Johnson
Speaker of the House

Tammie Miller
President of the Senate

Bull T. Reech
Chief Clerk of the House

Manda Morgan
Secretary of the Senate

This certifies that the within bill originated in the House of Representatives of the Sixty-eighth Legislative Assembly of North Dakota and is known on the records of that body as House Bill No. 1010 and that two-thirds of the members-elect of the House of Representatives voted in favor of said law.

Vote: Yeas 73 Nays 18 Absent 3

Dennis E. Johnson
Speaker of the House

Bull T. Reech
Chief Clerk of the House

This certifies that two-thirds of the members-elect of the Senate voted in favor of said law.

Vote: Yeas 40 Nays 7 Absent 0

Tammie Miller
President of the Senate

Manda Morgan
Secretary of the Senate

Received by the Governor at 8:58 AM on April 28, 2023.

Approved at 12:45 PM on May 5, 2023.

Doug Burgin
Governor

Filed in this office this 9 day of May, 2023,
at 1:07 o'clock P M.

Michael Howe
Secretary of State