

Introduced by

Senator Oehlke

Representatives Hofstad, D. Johnson, Meier

1 A BILL for an Act to amend and reenact section 11-11-53 of the North Dakota Century Code,
2 relating to a state matching program for county historical work; to provide an appropriation; and
3 to provide an effective date.

4 **BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:**

5 **SECTION 1. AMENDMENT.** Section 11-11-53 of the North Dakota Century Code is
6 amended and reenacted as follows:

7 **11-11-53. Appropriation for historical workwork - Authorization of tax levy - State**
8 **matching program for county historical work - Approval of state historical society and**
9 **attorney general.**

- 10 1. The board of county commissioners of any county may appropriate out of the general
11 fund of the county a sum, not exceeding five thousand dollars annually, to be paid to
12 the historical society of the county and used for the promotion of historical work within
13 the borders of the county, including the collection, preservation, and publication of
14 historical material, and to disseminate historical information of the county, and in
15 general to defray the expense of carrying on historical work in the county.
- 16 2. The board of county commissioners may levy a tax, not exceeding the limitation in
17 subsection 8 of section 57-15-06.7, for the promotion of historical works within the
18 borders of the county and in general defray the expense of carrying on historical work
19 in the county, including the maintenance of any historical room or building, and
20 furthering the work of the historical society of the county. The levy is in addition to any
21 moneys appropriated from the general fund of the county for historical work as
22 provided in subsection 1. The board of county commissioners may, by resolution,
23 submit the question of an additional tax levy to the qualified electors of the county at
24 the next countywide general, primary, or special election. If sixty percent of the

1 qualified electors voting on the question approve, a tax must be levied not exceeding
2 the limitation in subsection 8 of section 57-15-06.7, which tax may be expended as
3 provided in this section.

4 3. From funds provided by legislative appropriation, the state historical society shall
5 provide matching fund grants to county historical societies as provided in this
6 subsection for carrying on historical work in the county.

7 a. A grant to a county historical society for a year may not exceed forty thousand
8 dollars and for any grant awarded the county historical society must provide forty
9 percent matching funds, which may consist of in-kind contributions by the county
10 historical society if acceptable to the state historical society.

11 b. Grants must be made on or before March first of each year. A grant may not be
12 made to any county historical society that has not filed with the director of the
13 state historical society a written grant request and report before February first
14 verifying that any grant funds received under this subsection have been and will
15 be budgeted for the same purposes permitted for the expenditure of county funds
16 under this section. A grant may not be made to a county historical society unless
17 it:

18 (1) Is a nonprofit organization exempt from federal taxation under section
19 501(c)(3) of the Internal Revenue Code [26 U.S.C. 501(c)(3)]; and

20 (2) Is a museum or local historical society with a facility open to the public at
21 least four hundred fifty hours annually.

22 c. A written grant request and report must include information identifying uses of
23 grant funds under this section for the previous year in which the reporting county
24 received grant funds under this section and must include information identifying
25 proposed uses of requested grant funds.

26 4. The appropriation and levy authorized by this section may not be used to defray any
27 expenses of a county historical society until it is incorporated under the laws of this
28 state as a nonprofit corporation, is affiliated with and has its articles of incorporation
29 and bylaws approved by the state historical society and the attorney general, and has
30 contracted with the board of county commissioners in regard to the manner in which
31 the funds received will be expended and the services to be provided. Historical

1 societies that qualified for county funds under subsection 1 before July 1, 1965, are
2 not required to have articles of incorporation and bylaws approved by the attorney
3 general to receive funds under subsection 1.

4 **SECTION 2. APPROPRIATION.** There is appropriated out of any moneys in the general
5 fund in the state treasury, not otherwise appropriated, the sum of \$4,000,000, or so much of the
6 sum as may be necessary, to the state historical society for the purpose of providing matching
7 fund grants for county historical work under section 11-11-53, for the biennium beginning July 1,
8 2015, and ending June 30, 2017. The state historical society may use up to ten percent of the
9 amount appropriated by this section for administration of the grant program under section
10 11-11-53.