

Introduced by

Appropriations Committee

1 A BILL for an Act to provide an appropriation for defraying the expenses of the office of the  
2 adjutant general; ~~and to provide an exemption;~~ to provide a report; to provide legislative intent;  
3 and to declare an emergency.

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

5 **SECTION 1. APPROPRIATION.** The funds provided in this section, or so much of the funds  
6 as may be necessary, are appropriated out of any moneys in the general fund in the state  
7 treasury, not otherwise appropriated, and from special funds derived from federal funds and  
8 other income, to the office of the adjutant general for the purpose of defraying the expenses of  
9 the office of the adjutant general, for the biennium beginning July 1, 2021, and ending June 30,  
10 2023, as follows:

11 Subdivision 1.

12 NATIONAL GUARD

<del>Governor's</del>			
	<del>Base Level</del>	<del>Recommendation</del>	<del>Appropriation</del>
<del>Salaries and wages</del>	<del>\$6,833,766</del>	<del>\$7,179,925</del>	<del>\$6,833,766</del>
<del>Operating expenses</del>	<del>2,767,321</del>	<del>4,048,313</del>	<del>2,767,321</del>
<del>Capital assets</del>	<del>224,046</del>	<del>24,324,046</del>	<del>224,046</del>
<del>Grants</del>	<del>210,916</del>	<del>210,916</del>	<del>210,916</del>
<del>Civil air patrol</del>	<del>305,134</del>	<del>308,981</del>	<del>305,134</del>
<del>Tuition, recruiting, and retention</del>	<del>4,782,072</del>	<del>3,042,235</del>	<del>4,782,072</del>
<del>Air guard contract</del>	<del>8,571,129</del>	<del>8,492,816</del>	<del>8,571,129</del>
<del>Army guard contract</del>	<del>46,940,013</del>	<del>48,964,531</del>	<del>46,940,013</del>
<del>Veterans' cemetery</del>	<del>1,151,906</del>	<del>1,328,773</del>	<del>1,151,906</del>
<del>Reintegration program</del>	<del>1,051,168</del>	<del>1,126,493</del>	<del>1,051,168</del>

Sixty-seventh  
Legislative Assembly

1	<del>Total all funds</del>	<del>\$72,837,471</del>	<del>\$99,027,029</del>	<del>\$72,837,471</del>
2	<del>Less estimated income</del>	<del>54,214,657</del>	<del>78,638,130</del>	<del>54,214,657</del>
3	<del>Total general fund</del>	<del>\$18,622,814</del>	<del>\$20,388,899</del>	<del>\$18,622,814</del>
4		<u>Adjustments or</u>		
5		<u>Base Level</u>	<u>Enhancements</u>	<u>Appropriation</u>
6	<u>Salaries and wages</u>	<u>\$6,833,766</u>	<u>\$317,263</u>	<u>\$7,151,029</u>
7	<u>Operating expenses</u>	<u>2,767,321</u>	<u>280,992</u>	<u>3,048,313</u>
8	<u>Capital assets</u>	<u>224,046</u>	<u>21,500,000</u>	<u>21,724,046</u>
9	<u>Grants</u>	<u>210,916</u>	<u>0</u>	<u>210,916</u>
10	<u>Civil air patrol</u>	<u>305,134</u>	<u>4,365</u>	<u>309,499</u>
11	<u>Tuition, recruiting, and retention</u>	<u>4,782,072</u>	<u>(1,739,837)</u>	<u>3,042,235</u>
12	<u>Air guard contract</u>	<u>8,571,129</u>	<u>(74,738)</u>	<u>8,496,391</u>
13	<u>Army guard contract</u>	<u>46,940,013</u>	<u>1,686,682</u>	<u>48,626,695</u>
14	<u>Veterans' cemetery</u>	<u>1,151,906</u>	<u>174,648</u>	<u>1,326,554</u>
15	<u>Reintegration program</u>	<u>1,051,168</u>	<u>(124,701)</u>	<u>926,467</u>
16	<u>Total all funds</u>	<u>\$72,837,471</u>	<u>\$22,024,674</u>	<u>\$94,862,145</u>
17	<u>Less estimated income</u>	<u>54,214,657</u>	<u>23,911,970</u>	<u>78,126,627</u>
18	<u>Total general fund</u>	<u>\$18,622,814</u>	<u>(\$1,887,296)</u>	<u>\$16,735,518</u>

Subdivision 2.

DEPARTMENT OF EMERGENCY SERVICES

21		<u>Governor's</u>		
22		<u>Base Level</u>	<u>Recommendation</u>	<u>Appropriation</u>
23	<del>Salaries and wages</del>	<del>\$10,986,431</del>	<del>\$12,005,245</del>	<del>\$10,986,431</del>
24	<del>Operating expenses</del>	<del>8,060,574</del>	<del>6,602,334</del>	<del>8,060,574</del>
25	<del>Capital assets</del>	<del>0</del>	<del>660,000</del>	<del>0</del>
26	<del>Grants</del>	<del>16,273,425</del>	<del>14,550,000</del>	<del>16,273,425</del>
27	<del>Disaster costs</del>	<del>36,555,085</del>	<del>47,209,015</del>	<del>36,555,085</del>
28	<del>Total all funds</del>	<del>\$71,875,515</del>	<del>\$81,026,594</del>	<del>\$71,875,515</del>
29	<del>Less estimated income</del>	<del>63,108,132</del>	<del>74,635,915</del>	<del>63,108,132</del>
30	<del>Total general fund</del>	<del>\$8,767,383</del>	<del>\$6,390,679</del>	<del>\$8,767,383</del>
31		<u>Adjustments or</u>		



Sixty-seventh  
Legislative Assembly

	Base Level	Enhancements	Appropriation
Salaries and wages	\$10,986,431	\$986,330	\$11,972,761
Operating expenses	8,060,574	(1,458,240)	6,602,334
Capital assets	0	660,000	660,000
Grants	16,273,425	(1,723,425)	14,550,000
Disaster costs	36,555,085	82,430,330	118,985,415
Total all funds	\$71,875,515	\$80,894,995	\$152,770,510
Less estimated income	63,108,132	83,276,877	146,385,009
Total general fund	\$8,767,383	(\$2,381,882)	\$6,385,501

Subdivision 3.

SECTION 1 TOTAL

	Governor's		
	Base Level	Recommendation	Appropriation
Grand total general fund	\$27,390,173	\$26,779,578	\$27,390,197
Grand total special funds	117,322,789	153,274,045	117,322,789
Grand total all funds	\$144,712,986	\$180,053,623	\$144,712,986
Full-time equivalent positions	222.00	222.00	222.00
	Adjustments or		
	Base Level	Enhancements	Appropriation
Grand total general fund	\$27,390,173	(\$4,269,178)	\$23,121,019
Grand total special funds	117,322,789	107,188,847	224,511,636
Grand total all funds	\$144,712,986	\$102,919,669	\$247,632,655
Full-time equivalent positions	222.00	(2.00)	220.00

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

**SIXTY-EIGHTH LEGISLATIVE ASSEMBLY.** The following amounts reflect one-time funding items approved by the sixty-sixth legislative assembly for the 2019-21 biennium and the 2021-23 biennium one-time funding items included in the appropriation in section 1 of this Act:

One-Time Funding Description	2019-21	2021-23
Emergency response equipment	\$660,000	\$0
Camp Grafton expansion	600,000	0
Uninterruptible power supply battery replacement	20,000	0

Sixty-seventh  
Legislative Assembly

1	<del>Computer-aided dispatch equipment</del>	<del>516,000</del>	<del>0</del>
2	<del>Message switch system upgrade</del>	<del>335,000</del>	<del>0</del>
3	<del>Dispatching service fee shortfall</del>	<del>1,212,253</del>	<del>0</del>
4	<del>Total all funds</del>	<del>\$3,343,253</del>	<del>\$0</del>
5	<del>Total other funds</del>	<del>3,162,253</del>	<del>0</del>
6	<del>Total general fund</del>	<del>\$181,000</del>	<del>\$0</del>
7	Fraine Barracks automation system	\$0	\$320,000
8	Emergency response equipment and supplies	0	100,000
9	Fargo Readiness Center equipment	0	100,000
10	Dickinson Readiness Center project	0	15,500,000
11	Bridge training site	0	6,000,000
12	Emergency response equipment	660,000	0
13	Camp Grafton expansion	600,000	0
14	Uninterruptible power supply battery replacement	20,000	0
15	Computer-aided dispatch equipment	516,000	0
16	Message switch system upgrade	335,000	0
17	Dispatching service fee shortfall	1,212,253	0
18	Total all funds	\$3,343,253	\$22,020,000
19	Total other funds	3,162,253	21,790,000
20	Total general fund	\$181,000	\$230,000

The 2021-23 biennium one-time funding amounts are not a part of the entity's base budget for the 2023-25 biennium. The adjutant general shall report to the appropriations committees of the sixty-eighth legislative assembly on the use of this one-time funding for the biennium beginning July 1, 2021, and ending June 30, 2023.

**SECTION 3. APPROPRIATION - 2019-21 BIENNIUM - DISASTER FUNDING.** There is appropriated from other funds derived from federal funds, not otherwise appropriated, the sum of \$78,666,667, or so much of the sum as may be necessary, to the adjutant general for costs relating to the SARS-CoV-2 disaster, for the period beginning with the effective date of this section and ending June 30, 2021.

**SECTION 4. APPROPRIATION - NORTH DAKOTA MILITARY MUSEUM.** The adjutant general may accept up to \$10,000,000 from other funds, including private and federal funds, the



sum of which is appropriated to the adjutant general for the construction of a North Dakota military museum during the period beginning with the effective date of this Act, and ending June 30, 2023. The adjutant general may, with the approval of the governor, enter into an agreement with the director of the parks and recreation department or the state historical society for the construction of a new facility, the renovation of an existing property, and the operations and maintenance of a military museum. The funding provided in this section is considered a one-time funding item.

**SECTION 5. VETERANS' CEMETERY MAINTENANCE FUND - APPROPRIATION.** In

addition to the amount appropriated to the adjutant general in the veterans' cemetery line item in subdivision 1 of section 1 of this Act, there is appropriated any additional funds that are received and deposited in the veterans' cemetery maintenance fund pursuant to sections 37-03-14 and 39-04-10.10 for the operation of the North Dakota veterans' cemetery for the biennium beginning July 1, 2021, and ending June 30, 2023.

**SECTION 6. EXEMPTION - MAINTENANCE AND REPAIRS - TRANSFERS.**

Notwithstanding section 54-16-04, the director of the office of management and budget shall transfer up to \$500,000 of appropriation authority to the operating expenses and capital assets line items contained in section 1 of this Act from the various other line items contained in section 1 of this Act, as requested by the adjutant general to provide for the maintenance and repair of state-owned armories in this state during the biennium beginning July 1, 2021, and ending June 30, 2023. The adjutant general shall notify the legislative council of any transfers made pursuant to this section.

**SECTION 7. EXEMPTION.** Any amounts continued from the strategic investment and improvements fund pursuant to section 14 of chapter 41 of the 2019 Session Laws, which are unexpended as of June 30, 2021, are not subject to section 54-44.1-11 and any unexpended funds from this appropriation may be used to complete the mobile repeaters and programming radios, and for technology upgrade costs required to implement the statewide interoperable radio network during the biennium beginning July 1, 2021, and ending June 30, 2023.

**SECTION 8. EXEMPTION.** The amount appropriated in the tuition, recruiting, and retention line item in subdivision 1 of section 1 of chapter 41 of the 2019 Session Laws is not subject to section 54-44.1-11 and any unexpended funds from this appropriation may be used to provide



1 tuition assistance, recruiting, and retention incentives to eligible members of the North Dakota  
2 national guard during the biennium beginning July 1, 2021, and ending June 30, 2023.

3 **SECTION 9. EXEMPTION.** The sum of \$450,000 from the strategic investment and  
4 improvements fund and \$66,000 from the general fund appropriated for computer-aided  
5 dispatch equipment in subdivision 2 of section 1 of chapter 41 of the 2019 Session Laws is not  
6 subject to section 54-44.1-11 and any unexpended funds from this appropriation may be used  
7 for computer-aided dispatch equipment during the biennium beginning July 1, 2021, and ending  
8 June 30, 2023.

9 **SECTION 10. EXEMPTION.** The sum of \$240,000 from the strategic investment and  
10 improvements fund and \$95,000 from the general fund appropriated for the message switch  
11 upgrade in subdivision 2 of section 1 of chapter 41 of the 2019 Session Laws is not subject to  
12 section 54-44.1-11 and any unexpended funds from this appropriation may be used to complete  
13 the message switch upgrade project during the biennium beginning July 1, 2021, and ending  
14 June 30, 2023.

15 **SECTION 11. EXEMPTION.** The amount of \$600,000 from the strategic investment and  
16 improvements fund appropriated in the camp Grafton expansion line item in subdivision 1 of  
17 section 1 of chapter 41 of the 2019 Session Laws is not subject to section 54-44.1-11 and any  
18 unexpended funds from this appropriation may be used to continue the expansion of camp  
19 Grafton during the biennium beginning July 1, 2021, and ending June 30, 2023.

20 **SECTION 12. LEGISLATIVE INTENT - CAMP GRAFTON EXPANSION.** It is the intent of  
21 the sixty-seventh legislative assembly that:

- 22 1. The adjutant general purchase options during the biennium beginning July 1, 2021,  
23 and ending June 30, 2023, for the purchase or long-term lease of land for the camp  
24 Grafton expansion, including the purchase of no more than one thousand six hundred  
25 acres and the long-term lease of the remainder, not to exceed six thousand acres in  
26 total.
- 27 2. If the adjutant general secures options to purchase or lease all necessary land for the  
28 camp Grafton expansion, the sixty-eighth legislative assembly provide funding and  
29 authority for the purchase or long-term lease of land for the camp Grafton expansion  
30 during the biennium beginning July 1, 2023, and ending June 30, 2025.
- 31 3. The adjutant general not use eminent domain for the expansion of camp Grafton.



1       **SECTION 13. EMERGENCY.** Sections 3 and 4 of this Act are declared to be an emergency  
2 measure.

