

FIRST ENGROSSMENT

ENGROSSED HOUSE BILL NO. 1016

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; to provide a statement of legislative intent; to provide an exemption; and to
3 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 other funds derived from special funds and
8 federal funds, 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, 2025, and ending June 30,
10 2027, as follows:

11 Subdivision 1.

12 NATIONAL GUARD

		Adjustments or	
	<u>Base Level</u>	<u>Enhancements</u>	<u>Appropriation</u>
13			
14			
15	Salaries and wages	\$7,745,742	(\$4,089,855) \$3,655,887
16	New and vacant FTE pool	0	1,943,664 1,943,664
17	Operating expenses	3,214,211	(1,618,997) 1,595,214
18	Capital assets	224,046	47,749,954 47,974,000
19	Grants	470,692	0 470,692
20	Civil air patrol	330,642	215,254 545,896
21	Tuition, recruiting, and retention	3,362,235	0 3,362,235
22	Air guard contract	8,928,725	606,916 9,535,641

Sixty-ninth
Legislative Assembly

1	Army guard contract	49,586,921	19,080,973	68,667,894
2	Veterans' cemetery	1,401,147	62,469	1,463,616
3	Reintegration program	<u>900,634</u>	<u>(900,634)</u>	<u>0</u>
4	Total all funds	\$76,164,995	\$63,049,744	\$139,214,739
5	Less other funds	<u>58,308,741</u>	<u>59,963,868</u>	<u>118,272,609</u>
6	Total general fund	\$17,856,254	\$3,085,876	\$20,942,130

7 Subdivision 2.

8 DEPARTMENT OF EMERGENCY SERVICES

9			Adjustments or	
10		<u>Base Level</u>	<u>Enhancements</u>	<u>Appropriation</u>
11	Salaries and wages	\$13,562,188	\$1,793,521	\$15,355,709
12	New and vacant FTE pool	0	725,676	725,676
13	Operating expenses	6,815,567	745,316	7,560,883
14	Capital assets	0	660,000	660,000
15	Grants	27,790,000	0	27,790,000
16	Disaster costs	74,249,944	78,561,155	152,811,099
17	Radio communications	<u>0</u>	<u>1,020,000</u>	<u>1,020,000</u>
18	Total all funds	\$122,417,699	\$83,505,668	\$205,923,367
19	Less other funds	<u>114,662,611</u>	<u>81,550,506</u>	<u>196,213,117</u>
20	Total general fund	\$7,755,088	\$1,955,162	\$9,710,250

21 Subdivision 3.

22 SECTION 1 TOTAL

23			Adjustments or	
24		<u>Base Level</u>	<u>Enhancements</u>	<u>Appropriation</u>
25	Grand total all funds	\$198,582,694	\$146,555,412	\$345,138,106
26	Less grand total other funds	<u>172,971,352</u>	<u>141,514,374</u>	<u>314,485,726</u>
27	Grand total general fund	\$25,611,342	\$5,041,038	\$30,652,380
28	Full-time equivalent positions	233.00	3.00	236.00

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

30 **SEVENTIETH LEGISLATIVE ASSEMBLY.** The following amounts reflect the one-time funding
31 items included in the appropriation in section 1 of this Act which are not included in the entity's

1 base budget for the 2027-29 biennium and which each entity shall report to the appropriations
2 committees of the seventieth legislative assembly regarding the use of this funding:

3 <u>One-Time Funding Description</u>	<u>Other Funds</u>
4 National guard	
5 Camp Grafton regional training institute	\$34,000,000
6 Critical infrastructure state matching funds	4,500,000
7 Williston readiness center design	2,500,000
8 Civil air patrol statewide interoperable radio network upgrade	206,426
9 Line of communication bridge training site	3,674,000
10 Dickinson readiness center	5,800,000
11 Camp Grafton fitness facility	<u>2,000,000</u>
12 Total national guard	\$52,680,426
13 Department of emergency services	
14 Safeguarding Tomorrow through Ongoing Risk Mitigation Act	\$39,050,000
15 Wildland fires	2,550,000
16 Disaster response equipment	660,000
17 Law enforcement redundant switch	525,000
18 Statewide interoperable radio network costs	<u>495,000</u>
19 Total department of emergency services	<u>\$43,280,000</u>
20 Grand total	\$95,960,426

21 **SECTION 3. NEW AND VACANT FTE POOL - LIMITATION - TRANSFER REQUEST.** The
22 adjutant general may not spend funds appropriated in the new and vacant FTE pool line items
23 in section 1 of this Act, but may request the office of management and budget to transfer funds
24 from the new and vacant FTE pool line items to the applicable salaries and wages, civil air
25 patrol, air guard contract, army guard contract, veterans' cemetery, and disaster costs line items
26 within each subdivision in accordance with the guidelines and reporting provisions included in
27 House Bill No. 1015, as approved by the sixty-ninth legislative assembly.

28 **SECTION 4. VETERANS' CEMETERY MAINTENANCE FUND - APPROPRIATION.** In
29 addition to the amount appropriated to the adjutant general in the veterans' cemetery line item
30 in subdivision 1 of section 1 of this Act, there is appropriated any additional funds that are
31 received and deposited in the veterans' cemetery maintenance fund pursuant to sections

1 37-03-14 and 39-04-10 for the operation of the North Dakota veterans' cemetery for the
2 biennium beginning July 1, 2025, and ending June 30, 2027.

3 **SECTION 5. EXEMPTION - MAINTENANCE AND REPAIRS - TRANSFERS.**

4 Notwithstanding section 54-16-04, the director of the office of management and budget shall
5 transfer up to \$500,000 of appropriation authority to the operating expenses and capital assets
6 line items contained in section 1 of this Act, as requested by the adjutant general during the
7 biennium beginning July 1, 2025, and ending June 30, 2027. The adjutant general shall notify
8 the legislative council of any transfers made pursuant to this section.

9 **SECTION 6. OTHER FUNDS - STRATEGIC INVESTMENT AND IMPROVEMENTS FUND.**

10 The other funds line item in subdivision 1 of section 1 of this Act includes the sum of \$7,206,426
11 from the strategic investment and improvements fund, of which \$4,500,000 is for critical
12 infrastructure state matching funds, \$2,500,000 is for the Williston readiness center design, and
13 \$206,426 is for the civil air patrol statewide interoperable radio network upgrade. The other
14 funds line item in subdivision 2 of section 1 of this Act includes the sum of \$1,020,000 from the
15 strategic investment and improvements fund, of which \$525,000 is for the state radio law
16 enforcement redundant switch and \$495,000 is for statewide interoperable radio network costs.

17 **SECTION 7. GIFTS, GRANTS, AND DONATIONS - NORTH DAKOTA MILITARY**

18 **MUSEUM.** The adjutant general may accept gifts, grants, and donations, including those from
19 private and federal sources, and remit the funding to the state treasurer for deposit in the state
20 historical society gifts and bequests fund for the construction of a North Dakota military museum
21 during the biennium beginning July 1, 2025, and ending June 30, 2027.

22 **SECTION 8. EXEMPTION - UNEXPENDED APPROPRIATIONS.** The following
23 appropriations are not subject to the provisions of section 54-44.1-11 and may be continued into
24 the biennium beginning July 1, 2025, and ending June 30, 2027:

- 25 1. Any amounts remaining for the construction of the Dickinson readiness center
26 continued in section 12 of chapter 48 of the 2023 Session Laws appropriated from
27 federal funds in subdivision 1 of section 1 of chapter 16 of the 2021 Session Laws;
- 28 2. Any amounts remaining for the line of communication bridge training site continued in
29 section 12 of chapter 48 of the 2023 Session Laws appropriated from federal funds in
30 subdivision 1 of section 1 of chapter 16 of the 2021 Session Laws;

- 1 3. The sum of \$9,000,000 appropriated from the federal state fiscal recovery fund for the
2 construction of the Camp Grafton fitness facility in subdivision 1 of section 1 of
3 chapter 48 of the 2023 Session Laws;
- 4 4. The sum of \$3,362,235 appropriated from the general fund for tuition assistance,
5 recruiting, and retention incentives to eligible current and former members of the North
6 Dakota national guard in subdivision 1 of section 1 of chapter 48 of the 2023 Session
7 Laws, which may be used for program administration and operating costs;
- 8 5. Any amounts remaining for the expansion of Camp Grafton continued in section 12 of
9 chapter 48 of the 2023 Session Laws appropriated from the national guard training
10 area and facility development trust fund in section 3 of chapter 16 of the 2021 Session
11 Laws;
- 12 6. Any amounts remaining for replacing the state active duty software and maintenance
13 continued in section 12 of chapter 48 of the 2023 Session Laws appropriated from the
14 federal state fiscal recovery fund in subsection 24 of section 1 of chapter 550 of the
15 2021 Special Session Session Laws;
- 16 7. The sum of \$314,000 appropriated from the general fund for cybersecurity grants in
17 subdivision 2 of section 1 of chapter 48 of the 2023 Session Laws; and
- 18 8. The sum of \$225,000 appropriated from the state disaster relief fund for flood
19 mitigation grants in subdivision 2 of section 1 of chapter 48 of the 2023 Session Laws.

20 **SECTION 9. CAMP GRAFTON EXPANSION - LEGISLATIVE INTENT.** It is the intent of the
21 sixty-ninth legislative assembly that the adjutant general contract for the purchase or long-term
22 lease of land for the Camp Grafton expansion, including the purchase of up to one thousand
23 six hundred acres and the long-term lease of the remainder, not to exceed six thousand acres in
24 total. The adjutant general may not use eminent domain for the expansion of Camp Grafton.

25 **SECTION 10. EMERGENCY.** The following are declared to be an emergency measure:

- 26 1. The sum of \$6,000,000 appropriated from the general fund and the strategic
27 investment and improvements fund for critical infrastructure state matching funds in
28 the army guard contract line item in subdivision 1 of section 1 of this Act;
- 29 2. The sum of \$206,426 appropriated from the strategic investment and improvements
30 fund for the civil air patrol statewide interoperable radio network upgrade in the civil air
31 patrol line item in subdivision 1 of section 1 of this Act; and

- 1 3. The sum of \$39,050,000 appropriated from the state disaster relief fund and federal
- 2 funds for the Safeguarding Tomorrow through Ongoing Risk Mitigation Act in the
- 3 disaster costs line item of subdivision 2 of section 1 of this Act.