

**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.

NATIONAL GUARD

|                                       |                   | Adjustments or      |                      |
|---------------------------------------|-------------------|---------------------|----------------------|
|                                       | <u>Base Level</u> | <u>Enhancements</u> | <u>Appropriation</u> |
| 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.