

April 3, 2025

Sixty-ninth
Legislative Assembly
of North Dakota

**PROPOSED AMENDMENTS TO
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**

13		Adjustments or	
14	<u>Base Level</u>	<u>Enhancements</u>	<u>Appropriation</u>
15	Salaries and wages	(\$4,089,855)	\$3,655,887
16	New and vacant FTE pool	1,943,664	1,943,664
17	Operating expenses	(1,618,997)	1,595,214
18	Capital assets	47,749,954	47,974,000
19	Grants	0	470,692

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1	Civil air patrol	330,642	215,254	545,896
2	Tuition, recruiting, and retention	3,362,235	0	3,362,235
3	Air guard contract	8,928,725	606,916	9,535,641
4	<u>Air guard contract</u>	<u>8,928,725</u>	<u>111,734</u>	<u>9,040,459</u>
5	Army guard contract	49,586,921	19,080,973	68,667,894
6	Veterans' cemetery	1,401,147	62,469	1,463,616
7	Reintegration program	<u>900,634</u>	<u>(900,634)</u>	<u>0</u>
8	Total all funds	\$76,164,995	\$63,049,744	\$139,214,739
9	Less other funds	58,308,741	59,963,868	118,272,609
10	<u>Total all funds</u>	<u>\$76,164,995</u>	<u>\$62,554,562</u>	<u>\$138,719,557</u>
11	<u>Less other funds</u>	<u>58,308,741</u>	<u>59,468,686</u>	<u>117,777,427</u>
12	Total general fund	\$17,856,254	\$3,085,876	\$20,942,130
13	Subdivision 2.			

DEPARTMENT OF EMERGENCY SERVICES

15		Adjustments or		
16		<u>Base Level</u>	<u>Enhancements</u>	<u>Appropriation</u>
17	Salaries and wages	\$13,562,188	\$1,793,521	\$15,355,709
18	New and vacant FTE pool	0	725,676	725,676
19	Operating expenses	6,815,567	745,316	7,560,883
20	<u>Salaries and wages</u>	<u>\$13,562,188</u>	<u>\$1,800,194</u>	<u>\$15,362,382</u>
21	<u>New and vacant FTE pool</u>	<u>0</u>	<u>910,777</u>	<u>910,777</u>
22	<u>Operating expenses</u>	<u>6,815,567</u>	<u>769,316</u>	<u>7,584,883</u>
23	Capital assets	0	660,000	660,000
24	Grants	27,790,000	0	27,790,000
25	Disaster costs	74,249,944	78,561,155	152,811,099
26	<u>Disaster costs</u>	<u>74,249,944</u>	<u>78,761,155</u>	<u>153,011,099</u>
27	Radio communications	<u>0</u>	<u>1,020,000</u>	<u>1,020,000</u>
28	Total all funds	\$122,417,699	\$83,505,668	\$205,923,367
29	Less other funds	114,662,611	81,550,506	196,213,117
30	Total general fund	\$7,755,088	\$1,955,162	\$9,710,250
31	<u>Total all funds</u>	<u>\$122,417,699</u>	<u>\$83,921,442</u>	<u>\$206,339,141</u>

1	<u>Less other funds</u>	<u>114,662,611</u>	<u>81,789,583</u>	<u>196,452,194</u>
2	<u>Total general fund</u>	<u>\$7,755,088</u>	<u>\$2,131,859</u>	<u>\$9,886,947</u>

3 Subdivision 3.

4 SECTION 1 TOTAL

5		Adjustments or		
6		<u>Base Level</u>	<u>Enhancements</u>	<u>Appropriation</u>
7	<u>Grand total all funds</u>	<u>\$198,582,694</u>	<u>\$146,555,412</u>	<u>\$345,138,106</u>
8	<u>Less grand total other funds</u>	<u>172,971,352</u>	<u>141,514,374</u>	<u>314,485,726</u>
9	<u>Grand total general fund</u>	<u>\$25,611,342</u>	<u>\$5,041,038</u>	<u>\$30,652,380</u>
10	<u>Full-time equivalent positions</u>	<u>233.00</u>	<u>3.00</u>	<u>236.00</u>
11	<u>Grand total all funds</u>	<u>\$198,582,694</u>	<u>\$146,476,004</u>	<u>\$345,058,698</u>
12	<u>Less grand total other funds</u>	<u>172,971,352</u>	<u>141,258,269</u>	<u>314,229,621</u>
13	<u>Grand total general fund</u>	<u>\$25,611,342</u>	<u>\$5,217,735</u>	<u>\$30,829,077</u>
14	<u>Full-time equivalent positions</u>	<u>233.00</u>	<u>2.00</u>	<u>235.00</u>

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

16 SEVENTIETH LEGISLATIVE ASSEMBLY. The following amounts reflect the one-time funding
17 items included in the appropriation in section 1 of this Act which are not included in the entity's
18 base budget for the 2027-29 biennium and which each entity shall report to the appropriations
19 committees of the seventieth legislative assembly regarding the use of this funding:

20	<u>One-Time Funding Description</u>	<u>Other Funds</u>
21	National guard	
22	Camp Grafton regional training institute	\$34,000,000
23	Critical infrastructure state matching funds	4,500,000
24	Williston readiness center design	2,500,000
25	Civil air patrol statewide interoperable radio network upgrade	206,426
26	Line of communication bridge training site	3,674,000
27	Dickinson readiness center	5,800,000
28	Camp Grafton fitness facility	<u>2,000,000</u>
29	Total national guard	\$52,680,426
30	Department of emergency services	
31	Safeguarding Tomorrow through Ongoing Risk Mitigation Act	\$39,050,000

1	Wildland fires	2,550,000
2	Disaster response equipment	660,000
3	Law enforcement redundant switch	525,000
4	Statewide interoperable radio network costs	495,000
5	<u>Flood mitigation grants</u>	<u>200,000</u>
6	Total department of emergency services	\$43,280,000
7	Grand total	\$95,960,426
8	<u>Total department of emergency services</u>	<u>\$43,480,000</u>
9	<u>Grand total</u>	<u>\$96,160,426</u>

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

17 **SECTION 4. VETERANS' CEMETERY MAINTENANCE FUND - APPROPRIATION.** In
18 addition to the amount appropriated to the adjutant general in the veterans' cemetery line item
19 in subdivision 1 of section 1 of this Act, there is appropriated any additional funds that are
20 received and deposited in the veterans' cemetery maintenance fund pursuant to sections
21 37-03-14 and 39-04-10 for the operation of the North Dakota veterans' cemetery for the
22 biennium beginning July 1, 2025, and ending June 30, 2027.

23 **SECTION 5. EXEMPTION - MAINTENANCE AND REPAIRS - TRANSFERS.**
24 Notwithstanding section 54-16-04, the director of the office of management and budget shall
25 transfer up to \$500,000 of appropriation authority to the operating expenses and capital assets
26 line items contained in section 1 of this Act, as requested by the adjutant general during the
27 biennium beginning July 1, 2025, and ending June 30, 2027. The adjutant general shall notify
28 the legislative council of any transfers made pursuant to this section.

29 **SECTION 6. OTHER FUNDS - STRATEGIC INVESTMENT AND IMPROVEMENTS FUND.**
30 The other funds line item in subdivision 1 of section 1 of this Act includes the sum of \$7,206,426
31 from the strategic investment and improvements fund, of which \$4,500,000 is for critical

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

6 **SECTION 7. OTHER FUNDS - STATE DISASTER RELIEF FUND.** The other funds line
7 item in subdivision 2 of section 1 of this Act includes the sum of \$11,800,703 from the state
8 disaster relief fund, of which \$5,750,703 is for costs related to previous state disasters,
9 \$2,000,000 is for natural disaster response and recovery grants, \$3,550,000 is for the
10 ten percent state match for the federal safeguarding tomorrow through ongoing risk mitigation
11 program, \$300,000 is for wildland fire disaster funding, and \$200,000 is for flood mitigation
12 grants.

13 **SECTION 8. GIFTS, GRANTS, AND DONATIONS - NORTH DAKOTA MILITARY**
14 **MUSEUM.** The adjutant general may accept gifts, grants, and donations, including those from
15 private and federal sources, and remit the funding to the state treasurer for deposit in the state
16 historical society gifts and bequests fund for the construction of a North Dakota military museum
17 during the biennium beginning July 1, 2025, and ending June 30, 2027.

18 **SECTION 9. EXEMPTION - UNEXPENDED APPROPRIATIONS.** The following
19 appropriations are not subject to the provisions of section 54-44.1-11 and may be continued into
20 the biennium beginning July 1, 2025, and ending June 30, 2027:

- 21 1. Any amounts remaining for the construction of the Dickinson readiness center
22 continued in section 12 of chapter 48 of the 2023 Session Laws appropriated from
23 federal funds in subdivision 1 of section 1 of chapter 16 of the 2021 Session Laws;
- 24 2. Any amounts remaining for the line of communication bridge training site continued in
25 section 12 of chapter 48 of the 2023 Session Laws appropriated from federal funds in
26 subdivision 1 of section 1 of chapter 16 of the 2021 Session Laws;
- 27 3. The sum of \$9,000,000 appropriated from the federal state fiscal recovery fund for the
28 construction of the Camp Grafton fitness facility in subdivision 1 of section 1 of
29 chapter 48 of the 2023 Session Laws;
- 30 4. The sum of \$3,362,235 appropriated from the general fund for tuition assistance,
31 recruiting, and retention incentives to eligible current and former members of the North

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

15 **SECTION 10. CAMP GRAFTON EXPANSION - LEGISLATIVE INTENT.** It is the intent of
16 the sixty-ninth legislative assembly that the adjutant general contract for the purchase or long-
17 term lease of land for the Camp Grafton expansion, including the purchase of up to one
18 thousand six hundred acres and the long-term lease of the remainder, not to exceed six
19 thousand acres in total. The adjutant general may not use eminent domain for the expansion of
20 Camp Grafton.

21 **SECTION 11. EMERGENCY.** The following are declared to be an emergency measure:

- 22 1. The sum of \$6,000,000 appropriated from the general fund and the strategic
- 23 investment and improvements fund for critical infrastructure state matching funds in
- 24 the army guard contract line item in subdivision 1 of section 1 of this Act;
- 25 2. The sum of \$206,426 appropriated from the strategic investment and improvements
- 26 fund for the civil air patrol statewide interoperable radio network upgrade in the civil air
- 27 patrol line item in subdivision 1 of section 1 of this Act; and
- 28 3. The sum of \$39,050,000 appropriated from the state disaster relief fund and federal
- 29 funds for the Safeguarding Tomorrow through Ongoing Risk Mitigation Act in the
- 30 disaster costs line item of subdivision 2 of section 1 of this Act.