

**Sixty-ninth Legislative Assembly of North Dakota
In Regular Session Commencing Tuesday, January 7, 2025**

HOUSE BILL NO. 1016
(Appropriations Committee)

AN ACT to provide an appropriation for defraying the expenses of the office of the adjutant general; to provide a statement of legislative intent; to provide an exemption; and to declare an emergency.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

SECTION 1. APPROPRIATION. The funds provided in this section, or so much of the funds as may be necessary, are appropriated out of any moneys in the general fund in the state treasury, not otherwise appropriated, and from other funds derived from special funds and federal funds, to the office of the adjutant general for the purpose of defraying the expenses of the office of the adjutant general, for the biennium beginning July 1, 2025, and ending June 30, 2027, as follows:

Subdivision 1.

NATIONAL GUARD

	<u>Base Level</u>	<u>Adjustments or Enhancements</u>	<u>Appropriation</u>
Salaries and wages	\$7,745,742	(\$4,089,855)	\$3,655,887
New and vacant FTE pool	0	1,943,664	1,943,664
Operating expenses	3,214,211	(1,618,997)	1,595,214
Capital assets	224,046	47,749,954	47,974,000
Grants	470,692	0	470,692
Civil air patrol	330,642	215,254	545,896
Tuition, recruiting, and retention	3,362,235	0	3,362,235
Air guard contract	8,928,725	111,734	9,040,459
Army guard contract	49,586,921	19,080,973	68,667,894
Veterans' cemetery	1,401,147	62,469	1,463,616
Reintegration program	<u>900,634</u>	<u>(900,634)</u>	<u>0</u>
Total all funds	\$76,164,995	\$62,554,562	\$138,719,557
Less other funds	<u>58,308,741</u>	<u>59,468,686</u>	<u>117,777,427</u>
Total general fund	\$17,856,254	\$3,085,876	\$20,942,130

Subdivision 2.

DEPARTMENT OF EMERGENCY SERVICES

	<u>Base Level</u>	<u>Adjustments or Enhancements</u>	<u>Appropriation</u>
Salaries and wages	\$13,562,188	\$1,800,194	\$15,362,382
New and vacant FTE pool	0	910,777	910,777
Operating expenses	6,815,567	769,316	7,584,883
Capital assets	0	660,000	660,000
Grants	27,790,000	0	27,790,000
Disaster costs	74,249,944	78,761,155	153,011,099
Radio communications	0	<u>1,020,000</u>	<u>1,020,000</u>
Total all funds	\$122,417,699	\$83,921,442	\$206,339,141
Less other funds	<u>114,662,611</u>	<u>81,789,583</u>	<u>196,452,194</u>
Total general fund	\$7,755,088	\$2,131,859	\$9,886,947

Subdivision 3.

SECTION 1 TOTAL

	<u>Base Level</u>	<u>Adjustments or Enhancements</u>	<u>Appropriation</u>
Grand total all funds	\$198,582,694	\$146,476,004	\$345,058,698
Less grand total other funds	<u>172,971,352</u>	<u>141,258,269</u>	<u>314,229,621</u>
Grand total general fund	\$25,611,342	\$5,217,735	\$30,829,077
Full-time equivalent positions	233.00	2.00	235.00

SECTION 2. ONE-TIME FUNDING - EFFECT ON BASE BUDGET - REPORT TO SEVENTIETH LEGISLATIVE ASSEMBLY. The following amounts reflect the one-time funding items included in the appropriation in section 1 of this Act which are not included in the entity's base budget for the 2027-29 biennium and which each entity shall report to the appropriations committees of the seventieth legislative assembly regarding the use of this funding:

<u>One-Time Funding Description</u>	<u>Other Funds</u>
National guard	
Camp Grafton regional training institute	\$34,000,000
Critical infrastructure state matching funds	4,500,000
Williston readiness center design	2,500,000
Civil air patrol statewide interoperable radio network upgrade	206,426
Line of communication bridge training site	3,674,000
Dickinson readiness center	5,800,000
Camp Grafton fitness facility	<u>2,000,000</u>
Total national guard	\$52,680,426
Department of emergency services	
Safeguarding Tomorrow through Ongoing Risk Mitigation Act	\$39,050,000
Wildland fires	2,550,000
Disaster response equipment	660,000
Law enforcement redundant switch	525,000
Statewide interoperable radio network costs	495,000
Flood mitigation grants	<u>200,000</u>
Total department of emergency services	<u>\$43,480,000</u>
Grand total	\$96,160,426

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

SECTION 4. 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 for the operation of the North Dakota veterans' cemetery for the biennium beginning July 1, 2025, and ending June 30, 2027.

SECTION 5. 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, as requested by the adjutant general during the biennium beginning July 1, 2025, and ending June 30, 2027. The adjutant general shall notify the legislative council of any transfers made pursuant to this section.

SECTION 6. OTHER FUNDS - STRATEGIC INVESTMENT AND IMPROVEMENTS FUND. The other funds line item in subdivision 1 of section 1 of this Act includes the sum of \$7,206,426 from the strategic investment and improvements fund, of which \$4,500,000 is for critical infrastructure state matching funds, \$2,500,000 is for the Williston readiness center design, and \$206,426 is for the civil air patrol statewide interoperable radio network upgrade. The other funds line item in subdivision 2 of section 1 of this Act includes the sum of \$1,020,000 from the strategic investment and improvements fund, of which \$525,000 is for the state radio law enforcement redundant switch and \$495,000 is for statewide interoperable radio network costs.

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

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

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

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

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

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

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

Speaker of the House

President of the Senate

Chief Clerk of the House

Secretary of the Senate

This certifies that the within bill originated in the House of Representatives of the Sixty-ninth Legislative Assembly of North Dakota and is known on the records of that body as House Bill No. 1016 and that two-thirds of the members-elect of the House of Representatives voted in favor of said law.

Vote: Yeas 83 Nays 6 Absent 5

Speaker of the House

Chief Clerk of the House

This certifies that two-thirds of the members-elect of the Senate voted in favor of said law.

Vote: Yeas 46 Nays 0 Absent 1

President of the Senate

Secretary of the Senate

Received by the Governor at _____ M. on _____, 2025.

Approved at _____ M. on _____, 2025.

Governor

Filed in this office this _____ day of _____, 2025,
at _____ o'clock _____ M.

Secretary of State