

Introduced by

Appropriations Committee

(At the request of the Governor)

1 A BILL for an Act to provide an appropriation for defraying the expenses of the office of the
2 adjutant general; to provide for transfers; to provide exemptions; and to declare an emergency.

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

4 **SECTION 1. APPROPRIATION.** The funds provided in this section, or so much of the funds
5 as may be necessary, are appropriated out of any moneys in the general fund in the state
6 treasury, not otherwise appropriated, and from special funds derived from federal funds and
7 other income, to the office of the adjutant general for the purpose of defraying the expenses of
8 that agency, for the biennium beginning July 1, 2015, and ending June 30, 2017 as follows:

9 Subdivision 1.

10 NATIONAL GUARD

		Adjustments or	
	<u>Base Level</u>	<u>Enhancements</u>	<u>Appropriation</u>
13 Salaries and wages	\$6,063,904	\$1,143,468	\$7,207,372
14 Operating expenses	4,062,891	260,000	4,322,891
15 Capital assets	200,632	187,414	388,046
16 Grants	509,514	500,000	1,009,514
17 Civil air patrol	287,451	27,037	314,488
18 Tuition, recruiting, and retention	2,517,500	0	2,517,500
19 Air guard contract	11,483,158	(3,325,964)	8,157,194
20 Army guard contract	59,192,835	995,709	60,188,544
21 Veterans' cemetery	647,005	179,838	826,843
22 Reintegration program	1,491,980	441,733	1,933,713
23 Accrued leave payments	812,098	(812,098)	0
24 Total all funds	\$87,268,968	(\$402,863)	\$86,866,105

Sixty-fourth
Legislative Assembly

1	Less estimated income	70,164,642	(2,698,982)	67,465,660
2	Total general fund	\$17,104,326	\$2,296,119	\$19,400,445
3	Salaries and wages	\$6,063,904	\$661,721	\$6,725,625
4	Operating expenses	4,112,891	210,000	4,322,891
5	Capital assets	200,632	187,414	388,046
6	Grants	509,514	500,000	1,009,514
7	Civil air patrol	287,451	25,075	312,526
8	Tuition, recruiting, and retention	2,517,500	0	2,517,500
9	Air guard contract	11,483,158	(3,404,511)	8,078,647
10	Army guard contract	59,192,835	803,871	59,996,706
11	Veterans' cemetery	647,005	168,246	815,251
12	Reintegration program	1,491,980	417,786	1,909,766
13	Accrued leave payments	812,098	(812,098)	0
14	Total all funds	\$87,318,968	(\$1,242,496)	\$86,076,472
15	Less estimated income	70,164,642	(3,164,667)	66,999,975
16	Total general fund	\$17,154,326	\$1,922,171	\$19,076,497

Subdivision 2.

DEPARTMENT OF EMERGENCY SERVICES

		Adjustments or		
	Base Level	Enhancements	Appropriation	
21	Salaries and wages	\$10,553,021	\$2,026,403	\$12,579,424
22	Operating Expenses	8,364,488	7,582,981	15,947,469
23	Capital assets	682,000	58,000	740,000
24	Grants	19,373,247	2,300,000	21,673,247
25	Disaster costs	147,718,567	(39,532,410)	108,186,157
26	Radio communications	0	626,000	626,000
27	Accrued leave payments	283,895	(283,895)	0
28	Total all funds	\$186,975,218	(\$27,222,921)	\$159,752,297
29	Less estimated income	177,679,955	(38,636,508)	139,043,447
30	Total general fund	\$9,295,263	\$11,413,587	\$20,708,850
31	Salaries and wages	\$10,553,021	\$1,678,199	\$12,231,220

Sixty-fourth
Legislative Assembly

1	Operating expenses	8,364,488	7,582,981	15,947,469
2	Capital assets	682,000	58,000	740,000
3	Grants	19,373,247	2,300,000	21,673,247
4	Disaster costs	147,718,567	(39,549,040)	108,169,527
5	Radio communications	0	626,000	626,000
6	Accrued leave payments	283,895	(283,895)	0
7	Total all funds	\$186,975,218	(\$27,587,755)	\$159,387,463
8	Less estimated income	177,679,955	(38,738,058)	138,941,897
9	Total general fund	\$9,295,263	\$11,150,303	\$20,445,566

10 Subdivision 3.

11	BILL TOTAL			
12			Adjustments or	
13		Base Level	Enhancements	Appropriation
14	Grand total general fund	\$26,399,589	\$13,709,706	\$40,109,295
15	Grand total special funds	247,844,597	(36,335,490)	211,509,107
16	Grand total all funds	\$274,244,186	(\$22,625,784)	\$251,618,402
17	Grand total general fund	\$26,449,589	\$13,072,474	\$39,522,063
18	Grand total special funds	247,844,597	(34,902,725)	212,941,872
19	Grand total all funds	\$274,294,186	(\$21,830,251)	\$252,463,935
20	Full-time equivalent positions	246.00	(12.00)	234.00

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

22 **SIXTY-FIFTH LEGISLATIVE ASSEMBLY.** The following amounts reflect the one-time funding
 23 items approved by the sixty-third legislative assembly for the 2013-15 biennium and the
 24 2015-17 one-time funding items included in the appropriation in section 1 of this Act:

25	<u>One-Time Funding Description</u>	<u>2013-15</u>	<u>2015-17</u>
26	State radio tower package	\$1,175,000	0
27	Statewide seamless base map	1,150,000	0
28	State radio communications center	1,201,240	0
29	Computer-aided dispatch upgrade	340,000	0
30	Voice incident recorder	150,000	0
31	State radio suppression project	210,000	0

Sixty-fourth
Legislative Assembly

1	Disaster coordination contract	1,500,000	400,000
2	Veterans' bonus program	600,000	500,000
3	Veterans' book	50,000	0
4	Veterans' tuition assistance	375,000	0
5	Next generation 911	0	386,000
6	Microsoft SQL enterprise for CAD	0	90,000
7	Message switch test server	0	70,000
8	Radio tower redundancy	0	80,000
9	Disaster recovery assistance contract	0	1,000,000
10	Emergency response supplies	0	550,000
11	Veterans' cemetery land purchase	0	139,000
12	Grants to fire departments	0	3,000,000
13	Statewide radio communications project	0	5,000,000
14	Total all funds	6,751,240	11,215,000
15	Less estimated income	2,000,000	1,469,500
16	Total general fund	\$4,751,240	9,745,500
17	State radio tower package	\$1,175,000	0
18	Statewide seamless base map	1,150,000	0
19	State radio communications center	1,201,240	0
20	Computer-aided dispatch upgrade	340,000	0
21	Voice incident recorder	150,000	0
22	State radio suppression project	210,000	0
23	Disaster coordination contract	1,500,000	400,000
24	Veterans' bonus program	600,000	500,000
25	Veterans' book	50,000	0
26	Veterans' tuition assistance	375,000	0
27	Next generation 911	0	386,000
28	Microsoft SQL enterprise for CAD	0	90,000
29	Message switch test server	0	70,000
30	Radio tower redundancy	0	80,000
31	Disaster recovery assistance contract	0	1,000,000

1	<u>Emergency response supplies</u>	0	550,000
2	<u>Veterans' cemetery land purchase</u>	0	139,000
3	<u>Grants to fire departments</u>	0	3,000,000
4	<u>Statewide radio communications project</u>	0	5,000,000
5	<u>Total all funds</u>	6,751,240	11,215,000
6	<u>Less estimated income</u>	2,000,000	1,469,500
7	<u>Total general fund</u>	\$4,751,240	\$9,745,500

8 The 2015-17 one-time funding amounts are not a part of the entity's base budget for the
9 2017-19 biennium. The adjutant general shall report to the appropriations committees of the
10 sixty-fifth legislative assembly on the use of this one-time funding for the biennium beginning
11 July 1, 2015, and ending June 30, 2017.

12 **SECTION 3. APPROPRIATION - STATE DISASTER RELIEF FUND.** Notwithstanding
13 section 37-17.1-27, there is appropriated out of any moneys in the state disaster relief fund in
14 the state treasury, not otherwise appropriated, the sum of \$5,000,000, or so much of the sum as
15 may be necessary, subject to emergency commission approval, to the adjutant general for the
16 purposes of providing the required state share of funding for defraying the expenses associated
17 with presidentially declared disasters, for the period beginning with the effective date of this Act
18 and ending June 30, 2017.

19 **SECTION 4. APPROPRIATION - STATE DISASTER RELIEF FUND.** Notwithstanding
20 section 37-17.1-27, there is appropriated out of any moneys in the state disaster relief fund in
21 the state treasury, not otherwise appropriated, the sum of \$2,000,000, or so much of the sum as
22 may be necessary, to the adjutant general for the purpose of providing for removal of debris and
23 other health hazards in organized service districts that are experiencing chronic flooding, for the
24 period beginning with the effective date of this Act, and ending June 30, 2017. The adjutant
25 general shall consult with the environmental division of the state department of health regarding
26 the process of environmental cleanup.

27 **SECTION 5. VETERANS' CEMETERY MAINTENANCE FUND - APPROPRIATION.** In
28 addition to the amount appropriated to the adjutant general in the veterans' cemetery line item
29 in subdivision 1 of section 1 of this Act, there is appropriated any additional funds which are
30 received and deposited in the veterans' cemetery maintenance fund pursuant to sections

1 37-03-14 and 39-04-10.10 for the operation of the North Dakota veterans' cemetery for the
2 biennium beginning July 1, 2015, and ending June 30, 2017.

3 **SECTION 6. MAINTENANCE AND REPAIRS - TRANSFERS.** The adjutant general may
4 transfer to the operating expenses and capital assets line items contained in section 1 of this
5 Act up to the sum of \$500,000 from the various other line items contained in section 1 of this
6 Act, as determined necessary by the adjutant general to provide for the maintenance and repair
7 of state-owned armories in this state during the biennium beginning July 1, 2015, and ending
8 June 30, 2017. Any amounts transferred pursuant to this section must be reported to the
9 director of the office of management and budget.

10 **SECTION 7. FUNDING TRANSFERS - STATE EMPLOYEE COMPENSATION**

11 **ADJUSTMENTS - EXCEPTION.** Notwithstanding section 54-16-04, the adjutant general may
12 transfer appropriation authority between line items within each subdivision of section 1 of this
13 Act and between subdivisions within section 1 of this Act, as it relates to state employee
14 compensation increases authorized by the sixty-fourth legislative assembly, for the biennium
15 beginning July 1, 2015, and ending June 30, 2017. The adjutant general shall notify the office of
16 management and budget of any transfer made under this section.

17 **SECTION 8. EXEMPTION.** The amount appropriated in the radio communications line for
18 statewide seamless base map, state radio tower package, computer-aided dispatch upgrade,
19 and the voice incident recorder, in subdivision 2 of section 1 of chapter 16 of the 2013 Session
20 Laws is not subject to section 54-44.1-11 and any unexpended funds are available for
21 completing these projects during the biennium beginning July 1, 2015, and ending June 30,
22 2017.

23 **SECTION 9. EXEMPTION.** The amount appropriated in the operating expenses line for the
24 computer-aided dispatch upgrade and the disaster coordination contract in subdivision 2 of
25 section 1 of chapter 16 of the 2013 Session Laws is not subject to section 54-44.1-11 and any
26 unexpended funds are available for these purposes during the biennium beginning July 1, 2015,
27 and ending June 30, 2017.

28 **SECTION 10. EXEMPTION.** The amount appropriated in the operating expenses line for
29 the writing, publishing, and distribution of a record of all North Dakota veterans, including a
30 record of all North Dakotans killed in action and missing in action since statehood, subdivision 1
31 of section 1 of chapter 16 of the 2013 Session Laws is not subject to 54-44.1-11 and any

1 unexpended funds are available for these purposes during the biennium beginning July 1, 2015,
2 and ending June 30, 2017.

3 **SECTION 11. EXEMPTION.** The amount appropriated in the tuition, recruiting, and
4 retention line item in subdivision 1 of section 1 of chapter 16 of the 2013 Session Laws is not
5 subject to section 54-44.1-11, and any unexpended funds from this appropriation may be used
6 to provide tuition assistance, recruiting and retention incentives to eligible members of the North
7 Dakota national guard during the biennium beginning July 1, 2015, and ending June 30, 2017.

8 **SECTION 12. EXEMPTION.** The amount appropriated in the tuition, recruiting, and
9 retention line item in section 3 of chapter 16 of the 2013 Session Laws is not subject to section
10 54-44.1-11 and any unexpended funds from this appropriation may be used to provide tuition
11 assistance to eligible members of the North Dakota national guard, during the biennium
12 beginning July 1, 2015, and ending June 30, 2017, contingent upon the adjutant general
13 certifying to the office of management and budget that the national guard has received a new
14 assignment in association with the Grand Forks air force base.

15 **SECTION 13. EXEMPTION.** Any amounts carried over pursuant to section 9 of chapter 16
16 of the 2013 Session Laws that is unexpended as of June 30, 2015 is not subject to section
17 54-44.1-11 and is available for payment of adjusted compensation to veterans. Any unexpended
18 funds from this appropriation must be transferred to the veterans' cemetery trust fund during the
19 biennium beginning July 1, 2015, and ending June 30, 2017.

20 **SECTION 14. EXEMPTION.** Any amounts carried over in the radio communications line for
21 the state radio tower package pursuant to section 10 of chapter 16 of the 2013 Session Laws
22 that is unexpended as of June 30, 2015, is not subject to section 54-44.1-11. Any unexpended
23 funds are available for state radio tower package costs during the biennium beginning July 1,
24 2015, and ending June 30, 2017.

25 **SECTION 15. EXEMPTION.** Any amounts carried over in the disaster costs line for flood
26 relief or disaster mitigation projects in incorporated cities, and grants to political subdivisions for
27 amounts required to match federal dollars on road grade raising projects and federal
28 emergency relief funding pursuant to section 11 of chapter 16 of the 2013 Session Laws that is
29 unexpended as of June 30, 2015, is not subject to section 54-44.1-11. Any unexpended funds
30 from this appropriation are available for these purposes during the biennium beginning July 1,
31 2015, and ending June 30, 2017.

1 **SECTION 16. EXEMPTION.** Any amounts carried over in the disaster costs line for grants
2 to cities and counties for flood-impacted housing rehabilitation pursuant to section 12 of
3 chapter 16 of the 2013 Session Laws that is unexpended as of June 30, 2015, is not subject to
4 section 54-44.1-11. Any unexpended funds from this appropriation are available for these
5 purposes during the biennium beginning July 1, 2015, and ending June 30, 2017.

6 **SECTION 17. EMERGENCY.** Funding of \$500,000 from the general fund in the grants line
7 item in subdivision 1 of section 1 of this Act, relating to the veterans' bonus program, funding of
8 \$386,000 from the general fund in the radio communications line item in subdivision 2 of
9 section 1 of this Act, relating to next generation 911, funding of \$209,280 from the general fund
10 in the operating line item in subdivision 2 of section 1 of this Act, relating to next generation 911
11 maintenance, ~~and~~ funding of \$382,000 from the general fund in the operating line item in
12 subdivision 2 of section 1 of this Act relating to statewide base map maintenance, and funding
13 of \$2,000,000 from the state disaster relief fund in section 4 of this Act relating to removal of
14 debris and other health hazards. are declared to be an emergency measure.