

**Department 540 - Adjutant General, including
the National Guard and Department of Emergency Services
Senate Bill No. 2016**

Executive Budget Comparison to Base Level

	General Fund	Other Funds	Total
2023-25 Executive Budget	\$29,402,040	\$223,448,843	\$252,850,883
2023-25 Base Level	22,882,232	135,478,358	158,360,590
Increase (Decrease)	\$6,519,808	\$87,970,485	\$94,490,293

Selected Budget Changes Recommended in the Executive Budget

	General Fund	Other Funds	Total
1. Adds funding for state employee salary and benefit increases, of which \$2,721,150 is for salary increases and \$1,069,882 is for health insurance increases	\$1,298,082	\$2,492,950	\$3,791,032
2. Adds 6 FTE positions for a watch center, of which \$1,233,992 is for salaries and wages and \$234,600 is for ongoing operating expenses	\$1,468,592	\$0	\$1,468,592
3. Adds 3 FTE positions for the Dickinson Readiness Center, of which \$612,348 is for salaries and wages and \$354,000 is for ongoing operating expenses	\$489,674	\$476,674	\$966,348
4. Adds funding for disaster grants, of which \$23,245,722 is from federal funds and \$1,986,689 is from special funds	\$0	\$25,232,411	\$25,232,411
5. Adds funding from federal funds for homeland security grants to provide a total of \$27,875,692	\$0	\$13,240,000	\$13,240,000
6. Adds one-time funding from the legacy earnings fund for a military museum	\$0	\$20,000,000	\$20,000,000
7. Adds one-time funding for the Dickinson Readiness Center from the strategic investment and improvements fund	\$0	\$10,000,000	\$10,000,000
8. Adds one-time funding for Camp Grafton, of which \$9 million is for a fitness facility from the legacy earnings fund and \$6 million is for training center billets from the strategic investment and improvements fund	\$0	\$15,000,000	\$15,000,000
9. Adds one-time funding from federal homeland security funds for statewide interoperable radio network equipment	\$0	\$2,700,000	\$2,700,000

A summary of the executive budget changes to the agency's base level appropriations is attached as an appendix.

A copy of the draft appropriations bill containing the executive budget recommendations is attached as an appendix.

Selected Bill Sections Recommended in the Executive Budget

Veterans' Cemetery maintenance fund - Section 3 would appropriate any funds which are received and deposited in the Veterans' Cemetery maintenance fund pursuant to North Dakota Century Code Sections 37-03-14 and 39-04-10.10 for the operation of the Veterans' Cemetery for the 2023-25 biennium.

Maintenance and repairs - Section 4 would authorize the Adjutant General to transfer up to \$500,000 from various line items to the operating expenses and capital assets line items for the maintenance and repair of state-owned armories during the 2023-25 biennium. Any amounts transferred must be reported to the Office of Management and Budget.

Exemption - Computer-aided dispatch equipment - Section 5 would provide that any unexpended funds from the strategic investment and improvements fund, appropriated for computer-aided dispatch equipment for the 2019-21 biennium continued into the 2021-23 biennium are not subject to the provisions of Section 54-44.1-11 and may be continued and expended during the 2023-25 biennium.

Exemption - Tuition, recruiting, and retention - Section 6 would provide that any unexpended general fund or special funds appropriation authority in the tuition, recruiting, and retention line item for the 2021-23 biennium are not subject to the provisions of Section 54-44.1-11 and may be continued and expended during the 2023-25 biennium.

Exemption - Fraine Barracks automation system - Section 7 would provide that \$80,000 of general funds and \$240,000 of federal funds appropriated for the Fraine Barracks automation system for the 2021-23 biennium are not subject to the provisions of Section 54-44.1-11 and may be continued and expended during the 2023-25 biennium.

Exemption - Dickinson Readiness Center - Section 8 would provide that \$15.5 million of federal funds appropriated for the construction of the Dickinson Readiness Center for the 2021-23 biennium is not subject to the provisions of Section 54-44.1-11 and may be continued and expended during the 2023-25 biennium.

Exemption - Communication bridge training site - Section 9 would provide that \$6 million of federal funds appropriated for the line of communication bridge training site for the 2021-23 biennium is not subject to the provisions of Section 54-44.1-11 and may be continued and expended during the 2023-25 biennium.

Exemption - Camp Grafton expansion - Section 10 would provide that any unexpended funds from the National Guard training area and facility development trust fund and the strategic investment and improvements fund appropriated for the Camp Grafton expansion for the 2021-23 biennium are not subject to the provisions of Section 54-44.1-11 and may be continued and expended during the 2023-25 biennium.

Exemption - COVID-19 response line - Sections 11, 12, and 13 would provide that any unexpended funds from the COVID-19 response appropriated for the purpose of defraying COVID-19 and other expenses for the 2021-23 biennium are not subject to the provisions of Section 54-44.1-11 and may be continued and expended during the 2023-25 biennium.

Exemption - American Rescue Plan Act - Sections 14 and 15 would provide that any unexpended funds from the federal American Rescue Plan Act appropriated for the purposes of replacing the state active-duty software and maintenance and of enhancing housing at Camp Grafton for the 2021-23 biennium are not subject to the provisions of Section 54-44.1-11 and may be continued and expended during the 2023-25 biennium.

Transfer of legacy earnings fund - Section 16 would transfer \$29 million from the legacy earnings fund, of which \$20 million is for the construction of a military museum and \$9 million is for the construction of a training facility at Camp Grafton, to the Adjutant General. This is one-time funding for the 2023-25 biennium.

Transfer of strategic investment and improvements fund - Section 17 would transfer \$16 million from the strategic investment and improvements fund, of which \$6 million is for the construction of billets at Camp Grafton and \$10 million is for the completion of the Dickinson Readiness Center, to the Adjutant General. This is one-time funding for the 2023-25 biennium.

Camp Grafton expansion - Section 18 would continue legislative intent approved by the 2019 Legislative Assembly for the Adjutant General to purchase options to purchase or lease land for the Camp Grafton expansion.

North Dakota military museum - Section 19 would authorize the Adjutant General to accept other funds to match state funds to construct a North Dakota military museum.

Appropriation - Transfer to Veteran's Cemetery trust fund - Section 20 would provide for the transfer of \$26,656 from unexpended funds available for the payment of adjusted compensation to veterans pursuant to Section 12 of Chapter 41 of the 2019 Session Laws to the Veterans' Cemetery trust fund.

Continuing Appropriations

National Guard emergency fund - Section 37-01-04.1 - This fund allows the National Guard to respond to state emergencies.

National Guard military grounds fund - Section 37-03-13 - This fund is used for collection rental revenues to be used for purchasing military training grounds.

Veterans' Cemetery maintenance fund - Section 37-03-14 - This fund is used to support the operations of the Veterans' Cemetery. The fund receives \$5 from the issuance of each veteran's license plate, grave opening and closing fees, and private and federal funds for the operation of the Veterans' Cemetery.

Veterans' Cemetery trust fund - Section 39-04-10.10 - This fund receives \$5 from the issuance of each veteran's license plate and donations. The interest in the fund is to be deposited in the Veterans' Cemetery maintenance fund for the purpose of providing funding for salaries and maintenance at the cemetery.

Deficiency Appropriations

The executive budget recommendation includes a deficiency appropriation of \$14,556,524 from the general fund to repay Bank of North Dakota loans for the state's share of disaster costs (\$904,203) and law enforcement costs relating to unlawful activity associated with the construction of the Dakota Access Pipeline (\$13,652,321).

Significant Audit Findings

There were no significant audit finds for this agency.

Major Related Legislation

House Bill No. 1053 - Relates to burn restrictions.

House Bill No. 1069 - Relates to pay and benefits received by National Guard members.

House Bill No. 1070 - Relates to the establishment and administration of a hazard mitigation revolving loan fund.

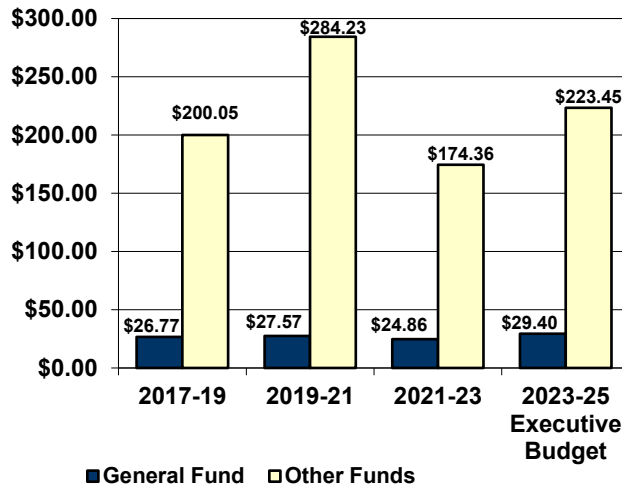
House Bill No. 1071 - Relates to local and regional emergency management organizations.

House Bill No. 1098 - Relates to the enforcement and penalties of communities that fail to adopt or enforce floodplain management ordinances as required under the National Flood Insurance Program.

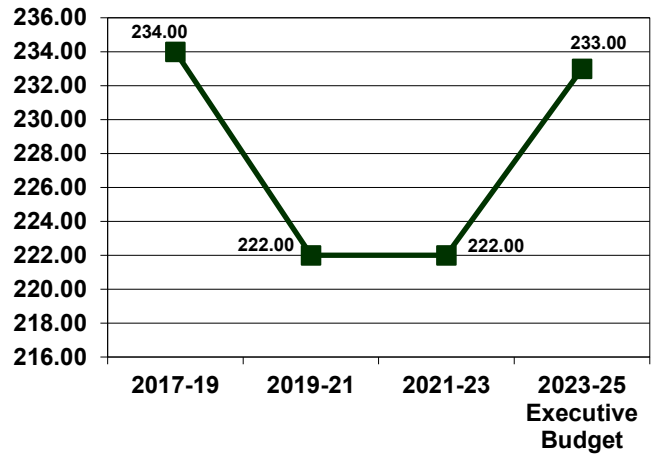
Historical Appropriations Information

Agency Appropriations and FTE Positions

Agency Funding (Millions)



FTE Positions



Ongoing General Fund Appropriations

	2015-17	2017-19	2019-21	2021-23	2023-25 Executive Budget
Ongoing general fund appropriations	\$29,096,100	\$25,886,422	\$27,390,197	\$22,882,232	\$28,642,040
Increase (decrease) from previous biennium	N/A	(\$3,209,678)	\$1,503,775	(\$4,507,965)	\$5,759,808
Percentage increase (decrease) from previous biennium	N/A	(11.0%)	5.8%	(16.5%)	25.2%
Cumulative percentage increase (decrease) from 2015-17 biennium	N/A	(11.0%)	(5.9%)	(21.4%)	(1.6%)

Major Increases (Decreases) in Ongoing General Fund Appropriations

2017-19 Biennium

1. Reduced funding for operating expenses (\$2,307,572)
2. Increased funding for recruitment \$100,000
3. Reduced funding for National Guard armory grants (\$190,961)
4. Removed funding for mortuary response training (\$191,900)
5. Reduced funding for the reintegration program (\$716,075)

2019-21 Biennium

1. Removed 9 FTE positions, including 4 communications specialists, 1 geographic information systems specialist, 1 carpenter, 1 security officer, and 2 veterans benefits specialists (\$1,017,146)
2. Increased funding for National Air Guard and Army Guard contract operating expenses \$475,000
3. Reduced funding for operating expenses, including information technology, travel, utilities, repairs, miscellaneous supplies, and professional services (\$939,727)
4. Increased funding for National Guard tuition assistance, to provide a total of \$4,617,500 \$2,000,000

2021-23 Biennium

1. Transferred maintenance of State Radio towers to the Information Technology Department (\$1,858,240)
2. Removed 2 FTE positions, including a facility services position and reintegration program position (\$476,508)
3. Reduced funding for tuition assistance to provide a total of \$3,042,235 (\$1,739,837)
4. Reduced funding for the National Guard (\$808,320)

2023-25 Biennium (Executive Budget Recommendation)

1. Adds 6 FTE positions for a watch center, of which \$1,233,992 is for salaries and wages and \$234,600 is for ongoing operating expenses \$1,468,592

- 2. Adds 3 FTE positions for the Dickinson Readiness Center, of which \$306,174 is for salaries and wages and \$183,500 is for ongoing operating expenses \$489,674
- 3. Adds 1 FTE for State Radio \$153,274
- 4. Adjusts funding for State Radio FTE cost to continue \$168,286
- 5. Adds funding for maintenance and repairs to provide a total of \$15,154,053 \$1,500,000
- 6. Adds funding for increase in armory rent \$374,776
- 7. Adds funding for increased information technology unification costs \$156,000

One-Time General Fund Appropriations

	2015-17	2017-19	2019-21	2021-23	2023-25 Executive Budget
One-time general fund appropriations	\$1,844,672	\$887,823	\$181,000	\$1,980,000	\$760,000

Major One-Time General Fund Appropriations

2017-19 Biennium

- 1. Repayment of the Bank of North Dakota loans for disaster costs \$887,823

2019-21 Biennium

- 1. Information technology upgrades \$181,000

2021-23 Biennium

- 1. Camp Grafton expansion \$1,750,000
- 2. Emergency response equipment and supplies \$100,000

2023-25 Biennium (Executive Budget Recommendation)

- 1. State Radio console replacement \$300,000
- 2. Dickinson Readiness Center \$300,000
- 3. Retirement packages for retirees \$100,000
- 4. Minot hangar purchase \$60,000

Adjutant General - Budget No. 540
Senate Bill No. 2016
Base Level Funding Changes

	Executive Budget Recommendation			
	FTE Positions	General Fund	Other Funds	Total
2023-25 Biennium Base Level	222.00	\$22,882,232	\$135,478,358	\$158,360,590
2023-25 Ongoing Funding Changes				
Costs to continue salary increase		\$91,390	\$194,853	\$286,243
Salary increase		965,608	1,755,542	2,721,150
Health insurance increase		332,474	737,408	1,069,882
Adds 1 FTE operations and training manager position for State Radio	1.00	153,274	102,182	255,456
Adds 6 FTE positions for the watch center	6.00	1,468,592		1,468,592
Adds 3 FTE positions for the Dickinson Readiness Center	3.00	489,674	476,674	966,348
Adds 1 FTE general trades maintenance worker position	1.00	6,032	6,032	12,064
Adjusts funding for State Radio FTE cost to continue		168,286	(168,286)	0
Adds funding for information technology rate increase		8,787	18,670	27,457
Transfers funding between line items			(1)	(1)
Adds funding for increase in armory rent		374,776		374,776
Adds funding for Civil Air Patrol 3% operating costs increase		4,915		4,915
Adds funding for state active duty training funds		40,000		40,000
Adds funding for maintenance and repairs		1,500,000		1,500,000
Adds funding for increased IT unification costs		156,000		156,000
Removes ongoing funding for federal equipment			(660,000)	(660,000)
Adds funding for homeland security grants			13,240,000	13,240,000
Adjusts funding for disaster grants			22,732,411	22,732,411
Total ongoing funding changes	11.00	\$5,759,808	\$38,435,485	\$44,195,293
One-time funding items				
Adds one-time funding for retirement payouts		\$100,000	\$175,000	275,000
Adds one-time funding for statewide interoperable radio network			2,700,000	2,700,000
Adds one-time funding for a Camp Grafton fitness facility project			9,000,000	9,000,000
Adds one-time funding for a Camp Grafton training center billets			6,000,000	6,000,000
Adds one-time funding for a military museum project			20,000,000	20,000,000
Adds one-time funding for the Dickinson Readiness Center		300,000	10,000,000	10,300,000
Adds one-time funding for a Minot hangar purchase		60,000		60,000
Adds one-time funding for the federal Safeguarding Tomorrow			1,000,000	1,000,000
Adds one-time funding for the replacement of State Radio consoles		300,000		\$300,000
Adds one-time funding for disaster response equipment			660,000	660,000
Total one-time funding changes	0.00	\$760,000	\$49,535,000	\$50,295,000
Total Changes to Base Level Funding	11.00	\$6,519,808	\$87,970,485	\$94,490,293
2023-25 Total Funding	233.00	\$29,402,040	\$223,448,843	\$252,850,883
<i>Federal funds included in other funds</i>			\$163,359,085	
<i>Total ongoing changes as a percentage of base level</i>	5.0%	25.2%	28.4%	27.9%
<i>Total changes as a percentage of base level</i>	5.0%	28.5%	64.9%	59.7%

Other Sections in Adjutant General - Budget No. 540

	Executive Budget Recommendation
Veterans' Cemetery maintenance fund	Section 3 would appropriate any funds which are received and deposited in the Veterans' Cemetery maintenance fund pursuant to Century Code Sections 37-03-14 and 39-04-10.10 for the operation of the Veterans' Cemetery for the 2023-25 biennium.
Maintenance and repairs	Section 4 would authorize the Adjutant General to transfer up to \$500,000 from various line items to the operating expenses and capital assets line items for the maintenance and repair of state-owned armories during the 2023-25 biennium. Any amounts transferred must be reported to the Office of Management and Budget.

Other Sections in Adjutant General - Budget No. 540

	<u>Executive Budget Recommendation</u>
Exemption - Computer-aided dispatch equipment	Section 5 would provide that any unexpended funds from the strategic investment and improvements fund, appropriated for computer-aided dispatch equipment for the 2019-21 biennium and continued into the 2021-23 biennium, are not subject to the provisions of Section 54-44.1-11 and may be continued and expended during the 2023-25 biennium.
Exemption - Tuition, recruiting, and retention	Section 6 would provide that any unexpended general fund or special funds appropriation authority in the tuition, recruiting, and retention line item for the 2021-23 biennium is not subject to the provisions of Section 54-44.1-11 and may be continued and expended during the 2023-25 biennium.
Exemption - Fraine Barracks automation system	Section 7 would provide that \$80,000 of general funds and \$240,000 of federal funds appropriated for the Fraine Barracks automation system for the 2021-23 biennium are not subject to the provisions of Section 54-44.1-11 and may be continued and expended during the 2023-25 biennium.
Exemption - Dickinson Readiness Center	Section 8 would provide that \$15.5 million of federal funds appropriated for the construction of the Dickinson Readiness Center for the 2021-23 biennium is not subject to the provisions of Section 54-44.1-11 and may be continued and expended during the 2023-25 biennium.
Exemption - Communication bridge training site	Section 9 would provide that \$6 million of federal funds appropriated for the line of communication bridge training site for the 2021-23 biennium is not subject to the provisions of Section 54-44.1-11 and may be continued and expended during the 2023-25 biennium.
Exemption - Camp Grafton expansion	Section 10 would provide that any unexpended funds from the National Guard training area and facility development trust fund and the strategic investment and improvements fund appropriated for the Camp Grafton expansion for the 2021-23 biennium are not subject to the provisions of Section 54-44.1-11 and may be continued and expended during the 2023-25 biennium.
Exemption - COVID-19 response line	Sections 11, 12, and 13 would provide that any unexpended funds from the COVID-19 response appropriated for the purpose of defraying COVID-19 and other expenses for the 2021-23 biennium are not subject to the provisions of Section 54-44.1-11 and may be continued and expended during the 2023-25 biennium.
Exemption - American Rescue Plan Act	Sections 14 and 15 would provide that any unexpended funds from the American Rescue Plan Act appropriated for the purposes of replacing the state active-duty software and maintenance and enhancing housing at Camp Grafton for the 2021-23 biennium are not subject to the provisions of Section 54-44.1-11 and may be continued and expended during the 2023-25 biennium.
Transfer of legacy earnings fund	Section 16 would transfer \$29 million from the legacy earnings fund, of which \$20 million is for the construction of a military museum and \$9 million is for the construction of a training facility at Camp Grafton, to the Adjutant General.
Transfer of strategic investment and improvements fund	Section 17 would transfer \$16 million from the strategic investment and improvements fund, of which \$6 million is for the construction of billets at Camp Grafton and \$10 million is for the completion of the Dickinson Readiness Center, to the Adjutant General.
Camp Grafton expansion	Section 18 would continue legislative intent approved by the 2019 Legislative Assembly for the Adjutant General to purchase options to purchase or lease land for the Camp Grafton expansion.
North Dakota military museum	Section 19 would authorize the Adjutant General to accept other funds to match state funds to construct a North Dakota military museum.

Other Sections in Adjutant General - Budget No. 540

Transfer to Veterans' Cemetery trust fund

Executive Budget Recommendation

Section 20 would provide for the transfer \$26,656 of unexpended funding from the general fund for payment of adjusted compensation to veterans pursuant to Section 12 of Chapter 41 of the 2019 Session Laws to the Veterans' Cemetery trust fund.

SENATE BILL NO. 2016
(Governor's Recommendation)

Introduced by

Appropriations Committee

(At the request of the Governor)

A bill for an Act to provide an appropriation for defraying the expenses of the office of adjutant general; to provide exemptions; 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 special funds derived from federal funds and other income, to the office of the adjutant general for the purpose of defraying the expenses of that agency, for the biennium beginning July 1, 2023 and ending June 30, 2025, as follows:

Subdivision 1.

NATIONAL GUARD

	<u>Base Level</u>	<u>Adjustments or Enhancements</u>	<u>Appropriation</u>
Salaries and Wages	\$ 7,150,489	\$ 863,887	\$ 8,014,376
Operating Expenses	3,048,313	251,148	3,299,461
Capital Assets	224,046	47,700,000	47,924,046
Grants	210,916	374,776	585,692
Civil Air Patrol	309,125	80,188	389,313
Tuition, Recruiting, and Retention	3,042,235	0	3,042,235
Air Guard Contract	8,490,161	462,390	8,952,551
Army Guard Contract	48,203,473	4,141,275	52,344,748
Veterans' Cemetery	1,325,998	83,119	1,409,117
Reintegration Program	<u>925,524</u>	<u>(1,830)</u>	<u>923,694</u>
Total All Funds	\$72,930,280	\$53,954,953	\$126,885,233
Less Estimated Income	<u>56,326,564</u>	<u>50,215,365</u>	<u>106,541,929</u>
Total General Fund	\$16,603,716	\$ 3,739,588	\$20,343,304

Subdivision 2.

DIVISION OF EMERGENCY SERVICES

	<u>Base Level</u>	<u>Adjustments or Enhancements</u>	<u>Appropriation</u>
Salaries and Wages	\$12,232,240	\$ 2,870,619	\$15,102,859
Operating Expenses	6,502,334	1,313,233	7,815,567
Capital Assets	0	960,000	960,000
Grants	14,550,000	13,240,000	27,790,000
Disaster Costs	<u>48,985,736</u>	<u>25,311,488</u>	<u>74,297,224</u>
Total All Funds	\$82,270,310	\$ 43,695,340	\$125,965,650
Less Estimated Income	<u>75,991,794</u>	<u>40,915,120</u>	<u>116,906,914</u>
Total General Fund	\$ 6,278,516	\$ 2,780,220	\$9,058,736

Subdivision 3.

BILL TOTAL

	<u>Base Level</u>	<u>Adjustments or Enhancements</u>	<u>Appropriation</u>
Grand Total General Fund	\$ 22,882,232	\$6,519,808	\$ 29,402,040
Grant Total Special Funds	<u>132,318,358</u>	<u>91,130,485</u>	<u>223,448,843</u>
Grant Total All Funds	\$155,200,590	\$97,650,293	\$252,850,883
Full-Time Equivalent Positions	222.00	11.00	233.00

SECTION 2. ONE-TIME FUNDING - EFFECT ON BASE BUDGET - REPORT TO SIXTY-EIGHTH LEGISLATIVE ASSEMBLY. The following amounts reflect the one-time funding items approved by the sixty-seventh legislative assembly for the 2021-23 biennium and the 2023-25 one-time funding items included in the appropriation in section 1 of this Act:

<u>One-Time Funding Description</u>	<u>2021-23</u>	<u>2023-25</u>
NDNG Andover Upgrade	\$320,000	\$ 0
ND Operations, Maintenance and Repair	1,000,000	0
Fargo Readiness Center Equipment	100,000	0
Dickinson Readiness Center	15,500,000	10,300,000
Line of Command Bridge Training Site	6,000,000	0
Emergency Response Equipment	660,000	660,000
Wildfire Loan Authority	2,500,000	0
DES Consumables	100,000	0
Hangar Purchase in Minot	0	60,000
State Radio Consoles	0	300,000
Leave Retirement Payout	0	275,000
SIRN Equipment	0	2,700,000
Camp Grafton Training Facility	0	9,000,000
Camp Grafton Billets	0	6,000,000
Storm Act	0	1,000,000
Military Museum	<u>0</u>	<u>20,000,000</u>
Total All Funds	\$26,180,000	\$50,295,000
Total Special Funds	<u>25,950,000</u>	<u>49,535,000</u>
Total General Fund	\$ 230,000	\$ 760,000

The 2023-25 one-time funding amounts are not a part of the entity's base budget for the 2025-27 biennium. The adjutant general shall report to the appropriations committees of the sixty-ninth legislative assembly on the use of this one-time funding for the biennium beginning July 1, 2023 and ending June 30, 2025.

SECTION 3. 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 which are received and deposited in the veterans' cemetery maintenance fund pursuant to sections 37-03-14 and 39-04-10.10 for the operation of the North Dakota veterans' cemetery for the biennium beginning July 1, 2023 and ending June 30, 2025.

SECTION 4. MAINTENANCE AND REPAIRS - TRANSFERS. The adjutant general may transfer to the operating expenses and capital assets line items contained in section 1 of this Act up to the sum of \$500,000 from the various other line items contained in section 1 of this Act, as determined necessary by the adjutant general to provide for the maintenance and repair of state-owned armories in this state during the biennium beginning July 1, 2023 and ending June 30, 2025. Any amounts transferred pursuant to this section must be reported to the director of the office of management and budget.

SECTION 5. EXEMPTION. Any amounts carried over from the strategic investment and improvements fund pursuant to section 12 of chapter 16 of the 2021 Session Laws which are unexpended as of June 30, 2023, are not subject to section 54-44.1-11 and any unexpended funds from this appropriation may be used for computer-aided dispatch equipment during the biennium beginning July 1, 2023 and ending June 30, 2025.

SECTION 6. EXEMPTION. The amount appropriated in the tuition, recruiting, and retention line item in subdivision 1 of section 1 of chapter 16 of the 2021 Session Laws is not subject to section 54-44.1-11, and any

unexpended funds from this appropriation may be used to provide tuition assistance, recruiting and retention incentives to eligible current and former members of the North Dakota national guard during the biennium beginning July 1, 2023 and ending June 30, 2025.

SECTION 7. EXEMPTION. The amount of \$80,000 of general funds and \$240,000 of federal funds appropriated for the Fraine Barracks automation system in subdivision 1 of section 1 of chapter 16 of the 2021 session laws is not subject to 54-44.1-11 and any unexpended funds from this appropriation may be used to complete the automation system project during the biennium beginning July 1, 2023, and ending June 30, 2025.

SECTION 8. EXEMPTION. The amount of \$15,500,000 of federal funds appropriated for the construction of the Dickinson Readiness Center in subdivision 1 of section 1 of chapter 16 of the 2021 session laws is not subject to 54-44.1-11 and any unexpended funds from this appropriation may be used to complete the Dickinson Readiness Center project during the biennium beginning July 1, 2023, and ending June 30, 2025.

SECTION 9. EXEMPTION. The amount of \$6,000,000 of federal funds appropriated for the line of communication bridge training site in subdivision 1 of section 1 of chapter 16 of the 2021 session laws is not subject to 54-44.1-11 and any unexpended funds from this appropriation may be used to complete the line of communication bridge project during the biennium beginning July 1, 2023, and ending June 30, 2025.

SECTION 10. EXEMPTION. Any amounts carried over from the National Guard training area and facility development trust fund and the strategic investment and improvements fund pursuant to section 3 and section 14 of chapter 16 of the 2021 Session Laws for the Camp Grafton expansion is not subject to section 54-44.1-11 and any unexpended funds from this appropriation may be used to continue forward with expansion of Camp Grafton during the biennium beginning July 1, 2023, and ending June 30, 2025.

SECTION 11. EXEMPTION. Any amounts carried over from the COVID-19 Response line item pursuant to subdivision 7 of section 1 of chapter 27 of the 2021 Session Laws is not subject to section 54-44.1-11 and any unexpended funds from this appropriation may be used for the purpose of defraying COVID-19 and other expenses during the biennium beginning July 1, 2023, and ending June 30, 2025.

SECTION 12. EXEMPTION. Any amounts carried over from the COVID-19 Response line item pursuant to subdivision 7 of section 2 of chapter 28 of the 2021 Session Laws is not subject to section 54-44.1-11 and any unexpended funds from this appropriation may be used for the purpose of defraying COVID-19 and other expenses during the biennium beginning July 1, 2023, and ending June 30, 2025.

SECTION 13. EXEMPTION. Any amounts carried over from the COVID-19 Response line item pursuant to emergency commission approval of request number 2047 on September 10, 2021 is not subject to section 54-44.1-11 and any unexpended funds from this appropriation may be used for the purpose of defraying COVID-19 and other expenses during the biennium beginning July 1, 2023, and ending June 30, 2025.

SECTION 14. EXEMPTION. Any amounts carried over from the American Rescue Plan Act (ARPA) line item pursuant to subsection 24 of section 1 of chapter 550 of the 2021 special session laws is not subject to section 54-44.1-11 and any unexpended funds from this appropriation may be used for the purpose of replacing the state active-duty software and maintenance during the biennium beginning July 1, 2023, and ending June 30, 2025.

SECTION 15. EXEMPTION. Any amounts carried over from the American Rescue Plan Act (ARPA) line item pursuant to subsection 31 of section 1 of chapter 550 of the 2021 special session laws is not subject to section 54-44.1-11 and any unexpended funds from this appropriation may be used for the purpose of enhancing housing at Camp Grafton during the biennium beginning July 1, 2023, and ending June 30, 2025.

SECTION 16. TRANSFER – LEGACY EARNINGS FUND – ONE-TIME FUNDING. The office of management and budget shall transfer \$29,000,000 from the legacy earnings fund to the North Dakota adjutant general, of which, \$20,000,000 is for the construction of a military museum and \$9,000,000 for the construction of a training facility at Camp Grafton, for the biennium beginning July 1, 2023, and ending June 30, 2025.

SECTION 17. TRANSFER – STRATEGIC INVESTMENT AND IMPROVEMENTS FUND – ONE-TIME FUNDING. The office of management and budget shall transfer \$16,000,000 from the strategic investment and improvements fund to the North Dakota adjutant general, of which, \$6,000,000 is to go towards the construction

of billets at Camp Grafton and \$10,000,000 for the completion of the Dickinson readiness center, for the biennium beginning July 1, 2023, and ending June 30, 2025.

SECTION 18. CAMP GRAFTON EXPANSION - LEGISLATIVE INTENT. It is the intent of the sixty-eighth legislative assembly that:

1. The adjutant general contract for the purchase or long-term lease of land for the camp Grafton expansion, including the purchase of no more than one thousand six hundred acres and the long-term lease of the remainder, not to exceed six thousand acres in total.
2. The adjutant general not use eminent domain for the expansion of camp Grafton.

SECTION 19. NORTH DAKOTA MILITARY MUSEUM. The adjutant general may accept funds, including private and federal, to match state funds for the construction of a North Dakota military museum during the period beginning with the effective date of this Act, and ending June 30, 2027. The adjutant general, with the approval of the governor, has entered into an agreement with the state historical society for the construction of a new facility, the renovation of an existing property, and the operations and maintenance of a military museum. The funding provided in this section is considered a one-time funding item.

SECTION 20. APPROPRIATION – TRANSFER – VETERANS’ CEMETERY TRUST FUND – ONE-TIME FUNDING. There is appropriated moneys in the general fund in the state treasury, the unexpended funds of \$26,656 available for the payment of adjusted compensation to veterans that was required to be transferred to the veterans’ cemetery trust fund during the biennium 2019-2021 pursuant to section 12 of chapter 41 of the 2019 Session Laws.

SECTION 21. EMERGENCY. Section 6 and 19 of this Act is declared to be an emergency measure.