

**FIRST ENGROSSMENT
with House Amendments**

ENGROSSED SENATE BILL NO. 2016

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 a transfer; to provide statements of legislative intent; to provide
3 for a legislative council study; and to amend and reenact section 6 of chapter 17 of the 2005
4 Session Laws, relating to the payment of adjusted compensation to veterans.

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

6 **SECTION 1. BASE LEVEL FUNDING INFORMATION.** The amounts identified in this
7 section represent the base level funding component appropriated to the office of the adjutant
8 general in section 3 of this Act as follows:

9 Subdivision 1.

10 NATIONAL GUARD	
11 Salaries and wages	\$3,859,417
12 Operating expenses	3,213,528
13 Capital assets	870,000
14 Grants	5,329,514
15 Civil air patrol	156,258
16 Tuition and enlistment compensation	2,007,500
17 Air guard contract	7,170,777
18 Army guard contract	24,981,462
19 Veterans' cemetery	<u>290,571</u>
20 Total all funds - Base level	\$47,879,027
21 Less estimated income - Base level	<u>31,433,798</u>
22 Total general fund - Base level	\$16,445,229

23 Subdivision 2.

24 DEPARTMENT OF EMERGENCY SERVICES

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1	Salaries and wages	\$6,626,638
2	Salary and wages pool	213,493
3	Operating expenses	3,325,844
4	Capital assets	4,957,923
5	Grants	46,962,054
6	State radio migration	<u>900,000</u>
7	Total all funds - Base level	\$62,985,952
8	Less estimated income - Base level	<u>57,870,280</u>
9	Total general fund - Base level	\$5,115,672
10	Grand total general fund - Section 1	\$21,560,901
11	Grand total special funds - Section 1	\$89,304,078
12	Grand total all funds - Section 1	\$110,864,979

13 **SECTION 2. FUNDING ADJUSTMENTS OR ENHANCEMENTS INFORMATION.** The
14 amounts identified in this section represent the funding adjustments or enhancements to the
15 base funding level for the office of the adjutant general which are included in the appropriation
16 in section 3 of this Act as follows:

17 Subdivision 1.

18	NATIONAL GUARD	
19	Salaries and wages	\$607,129
20	Operating expenses	685,300
21	Capital assets	60,667
22	Grants	(4,880,000)
23	Civil air patrol	3,905
24	Tuition, recruiting, and retention	400,000
25	Air guard contract	2,309,954
26	Army guard contract	41,452,401
27	Veterans' cemetery	<u>64,351</u>
28	Total all funds - Adjustments/enhancements	\$40,703,707
29	Less estimated income - Adjustments/enhancements	<u>43,369,035</u>
30	Total general fund - Adjustments/enhancements	(\$2,665,328)

31 Subdivision 2.

1	DEPARTMENT OF EMERGENCY SERVICES	
2	Salaries and wages	\$1,167,484
3	Salary and wages pool	(213,493)
4	Operating expenses	503,556
5	Capital assets	(3,432,576)
6	Grants	(6,167,419)
7	State radio migration	(900,000)
8	Radio communications	<u>980,000</u>
9	Total all funds - Adjustments/enhancements	(\$8,062,448)
10	Less estimated income - Adjustments/enhancements	<u>(10,978,721)</u>
11	Total general fund - Adjustments/enhancements	\$2,916,273
12	Grand total general fund - Section 2	\$250,945
13	Grand total special funds - Section 2	\$32,390,314
14	Grand total all funds - Section 2	\$32,641,259

15 **SECTION 3. APPROPRIATION.** The funds provided in this section, or so much of the
16 funds as may be necessary, are appropriated out of any moneys in the general fund in the state
17 treasury, not otherwise appropriated, and from special funds derived from federal funds and
18 other income, to the office of the adjutant general for the purpose of defraying the expenses of
19 that agency, for the biennium beginning July 1, 2007, and ending June 30, 2009, as follows:

20 Subdivision 1.

21	NATIONAL GUARD	
22	Salaries and wages	\$4,466,546
23	Operating expenses	3,898,828
24	Capital assets	930,667
25	Grants	449,514
26	Civil air patrol	160,163
27	Tuition, recruiting, and retention	2,407,500
28	Air guard contract	9,480,731
29	Army guard contract	66,433,863
30	Veterans' cemetery	<u>354,922</u>
31	Total all funds	\$88,582,734

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1	Less estimated income	<u>74,802,833</u>
2	Total general fund appropriation	\$13,779,901
3	Subdivision 2.	
4	DEPARTMENT OF EMERGENCY SERVICES	
5	Salaries and wages	\$7,794,122
6	Operating expenses	3,829,400
7	Capital assets	1,525,347
8	Grants	40,794,635
9	Radio communications	<u>980,000</u>
10	Total all funds	\$54,923,504
11	Less estimated income	<u>46,891,559</u>
12	Total general fund appropriation	\$8,031,945
13	Grand total general fund - S.B. 2016	\$21,811,846
14	Grand total special funds - S.B. 2016	\$121,694,392
15	Grand total all funds - S.B. 2016	\$143,506,238

16 **SECTION 4. VETERANS' CEMETERY MAINTENANCE FUND - APPROPRIATION.**

17 The veterans' cemetery line item in section 3 of this Act includes the sum of \$116,337 from the
18 veterans' cemetery maintenance fund for the operation of the veterans' cemetery. Any
19 additional funds received by the adjutant general and deposited in the veterans' cemetery
20 maintenance fund pursuant to sections 37-03-14 and 39-04-10.10 for the operation of the North
21 Dakota veterans' cemetery are appropriated to the adjutant general for that purpose for the
22 biennium beginning July 1, 2007, and ending June 30, 2009.

23 **SECTION 5. LINE ITEM TRANSFER AUTHORITY - MAINTENANCE AND REPAIRS.**

24 The adjutant general may transfer to the operating expenses and capital assets line items
25 contained in section 3 of this Act up to the sum of \$500,000 from the various other line items
26 contained in section 3 of this Act, as determined necessary by the adjutant general to provide
27 for the maintenance and repair of state-owned armories in this state during the biennium
28 beginning July 1, 2007, and ending June 30, 2009. Any amounts transferred pursuant to this
29 section must be reported to the director of the office of management and budget.

30 **SECTION 6. LEGISLATIVE INTENT - DEPARTMENT OF EMERGENCY SERVICES**

31 **ADVISORY COMMITTEE.** It is the intent of the legislative assembly that the adjutant general

1 consider changing the membership of the department of emergency services advisory
2 committee to remove representatives of the information technology department and the
3 infragard and include representatives of the North Dakota healthcare association and North
4 Dakota sheriffs association.

5 **SECTION 7. LEGISLATIVE INTENT - HOMELAND SECURITY FUNDING.** It is the
6 intent of the legislative assembly that political subdivisions place a greater influence on
7 allocations of federal homeland security funding to emergency services and medical providers.

8 **SECTION 8. LEGISLATIVE COUNCIL STUDY.** The legislative council shall consider
9 studying, during the 2007-08 interim, the department of emergency services, including the
10 division of homeland security and the division of state radio. The study should include a review
11 of the allocation of federal homeland security funding, the operation of state radio, and potential
12 changes to the 911 fee structure to continue salary equity funding provided in the 2007-09
13 biennium. The legislative council shall report its findings and recommendations, together with
14 any legislation required to implement the recommendations, to the sixty-first legislative
15 assembly.

16 **SECTION 9. ONE-TIME FUNDING - EFFECT ON BASE BUDGET - REPORT TO**
17 **SIXTY-FIRST LEGISLATIVE ASSEMBLY.** The total general fund appropriation line item in
18 section 3 of this Act includes \$2,781,970 for the one-time funding items identified in this
19 section. This amount is not part of the agency's base budget to be used in preparing the
20 2009-11 executive budget. The adjutant general shall report to the appropriations committees
21 of the sixty-first legislative assembly on the use of this one-time funding for the biennium
22 beginning July 1, 2007, and ending June 30, 2009.

23 Computer-aided dispatch project	\$980,000
24 Motorola lease purchase payment (general fund portion)	1,084,970
25 Special assessments	92,000
26 Deferred maintenance	<u>625,000</u>
27 Total	\$2,781,970

28 **SECTION 10. AMENDMENT.** Section 6 of chapter 17 of the 2005 Session Laws is
29 amended and reenacted as follows:

30 **SECTION 6. EXEMPTION - TRANSFER.** Any unexpended general fund appropriation
31 authority relating to the \$5,000,000 appropriated in section 3 of this Act for the payment of

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- 1 adjusted compensation to veterans is not subject to the provisions of section 54-44.1-11. Any
- 2 unexpended funds from this appropriation must be transferred to the veterans' cemetery trust
- 3 fund during the biennium beginning July 1, ~~2007~~ 2009, and ending June 30, ~~2009~~ 2011.