

**Sixtieth Legislative Assembly of North Dakota
In Regular Session Commencing Wednesday, January 3, 2007**

SENATE BILL NO. 2016
(Appropriations Committee)
(At the request of the Governor)

AN ACT to provide an appropriation for defraying the expenses of the office of the adjutant general; to provide for a transfer; to provide statements of legislative intent; to provide for a legislative council study; and to amend and reenact section 6 of chapter 17 of the 2005 Session Laws, relating to the payment of adjusted compensation to veterans.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

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

Subdivision 1.

NATIONAL GUARD

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

Subdivision 2.

DEPARTMENT OF EMERGENCY SERVICES

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

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

Subdivision 1.

NATIONAL GUARD

| | |
|--|---------------|
| Salaries and wages | \$607,129 |
| Operating expenses | 685,300 |
| Capital assets | 60,667 |
| Grants | (4,880,000) |
| Civil air patrol | 3,905 |
| Tuition, recruiting, and retention | 400,000 |
| Air guard contract | 2,309,954 |
| Army guard contract | 41,452,401 |
| Veterans' cemetery | 64,351 |
| Total all funds - Adjustments/enhancements | \$40,703,707 |
| Less estimated income - Adjustments/enhancements | 43,369,035 |
| Total general fund - Adjustments/enhancements | (\$2,665,328) |

Subdivision 2.

DEPARTMENT OF EMERGENCY SERVICES

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

SECTION 3. 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, 2007, and ending June 30, 2009, as follows:

Subdivision 1.

NATIONAL GUARD

| | |
|------------------------------------|--------------|
| Salaries and wages | \$4,466,546 |
| Operating expenses | 3,898,828 |
| Capital assets | 930,667 |
| Grants | 449,514 |
| Civil air patrol | 160,163 |
| Tuition, recruiting, and retention | 2,407,500 |
| Air guard contract | 9,480,731 |
| Army guard contract | 66,433,863 |
| Veterans' cemetery | 354,922 |
| Total all funds | \$88,582,734 |
| Less estimated income | 74,802,833 |
| Total general fund appropriation | \$13,779,901 |

Subdivision 2.

DEPARTMENT OF EMERGENCY SERVICES

| | |
|--------------------|-------------|
| Salaries and wages | \$7,794,122 |
| Operating expenses | 3,829,400 |
| Capital assets | 1,525,347 |

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| Grants | 40,794,635 |
| Radio communications | <u>980,000</u> |
| Total all funds | \$54,923,504 |
| Less estimated income | <u>46,891,559</u> |
| Total general fund appropriation | \$8,031,945 |
| Grand total general fund - S.B. 2016 | \$21,811,846 |
| Grand total special funds - S.B. 2016 | \$121,694,392 |
| Grand total all funds - S.B. 2016 | \$143,506,238 |

SECTION 4. VETERANS' CEMETERY MAINTENANCE FUND - APPROPRIATION. The veterans' cemetery line item in section 3 of this Act includes the sum of \$116,337 from the veterans' cemetery maintenance fund for the operation of the veterans' cemetery. Any additional funds received by the adjutant general 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 are appropriated to the adjutant general for that purpose for the biennium beginning July 1, 2007, and ending June 30, 2009.

SECTION 5. LINE ITEM TRANSFER AUTHORITY - MAINTENANCE AND REPAIRS. The adjutant general may transfer to the operating expenses and capital assets line items contained in section 3 of this Act up to the sum of \$500,000 from the various other line items contained in section 3 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, 2007, and ending June 30, 2009. Any amounts transferred pursuant to this section must be reported to the director of the office of management and budget.

SECTION 6. LEGISLATIVE INTENT - DEPARTMENT OF EMERGENCY SERVICES ADVISORY COMMITTEE. It is the intent of the legislative assembly that the adjutant general consider changing the membership of the department of emergency services advisory committee to remove representatives of the information technology department and the infragard and include representatives of the North Dakota healthcare association and North Dakota sheriffs association.

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

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

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

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

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

SECTION 6. EXEMPTION - TRANSFER. Any unexpended general fund appropriation authority relating to the \$5,000,000 appropriated in section 3 of this Act for the payment of adjusted compensation to veterans is not subject to the provisions of section 54-44.1-11. Any unexpended funds from this appropriation must be transferred to the veterans' cemetery trust fund during the biennium beginning July 1, ~~2007~~ 2009, and ending June 30, ~~2009~~ 2011.

President of the Senate

Speaker of the House

Secretary of the Senate

Chief Clerk of the House

This certifies that the within bill originated in the Senate of the Sixtieth Legislative Assembly of North Dakota and is known on the records of that body as Senate Bill No. 2016.

Senate Vote: Yeas 45 Nays 0 Absent 2

House Vote: Yeas 92 Nays 0 Absent 2

Secretary of the Senate

Received by the Governor at _____ M. on _____, 2007.

Approved at _____ M. on _____, 2007.

Governor

Filed in this office this _____ day of _____, 2007,
at _____ o'clock _____ M.

Secretary of State