

Sixty-third
Legislative Assembly
of North Dakota

ENGROSSED HOUSE BILL NO. 1016

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 adjutant
2 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, 2013, and ending June 30, 2015, as follows:

9 Subdivision 1.

10 NATIONAL GUARD

		Adjustments or		
	<u>Base Level</u>	<u>Enhancements</u>	<u>Appropriation</u>	
11				
12				
13	Salaries and wages	\$5,153,886	\$1,523,125	\$6,677,011
14	Operating expenses	4,062,891	0	4,062,891
15	Capital assets	229,371	1,141,261	1,370,632
16	Grants	449,514	660,000	1,109,514
17	Civil air patrol	243,353	44,098	287,451
18	Tuition, recruiting, and retention	2,407,500	110,000	2,517,500
19	Air guard contract	10,989,323	493,835	11,483,158
20	Army guard contract	56,110,755	2,071,916	58,182,671
21	Veterans' cemetery	576,916	70,089	647,005
22	Reintegration program	1,477,449	9,531	1,486,980
23	Accrued leave payments	<u>0</u>	<u>812,098</u>	<u>812,098</u>
24	Total all funds	\$81,700,958	\$6,935,953	\$88,636,911

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1	Less estimated income	<u>65,721,902</u>	<u>4,163,777</u>	<u>69,885,679</u>
2	Total general fund	\$15,979,056	\$2,772,176	\$18,751,232
3	Subdivision 2.			
4	DEPARTMENT OF EMERGENCY SERVICES			
5			Adjustments or	
6		<u>Base Level</u>	<u>Enhancements</u>	<u>Appropriation</u>
7	Salaries and wages	\$11,363,744	(\$1,064,824)	\$10,298,920
8	Operating expenses	9,930,022	(210,534)	9,719,488
9	Capital assets	802,000	121,240	923,240
10	Grants	71,419,771	(52,046,524)	19,373,247
11	Disaster costs	109,923,008	37,795,559	147,718,567
12	Radio communications	0	2,460,000	2,460,000
13	Accrued leave payments	<u>0</u>	<u>283,895</u>	<u>283,895</u>
14	Total all funds	\$203,438,545	(\$12,661,188)	\$190,777,357
15	Less estimated income	<u>195,382,476</u>	<u>(16,056,622)</u>	<u>179,325,854</u>
16	Total general fund	\$8,056,069	\$3,395,434	\$11,451,503

17 Subdivision 3.

18 BILL TOTAL

19			Adjustments or	
20		<u>Base Level</u>	<u>Enhancements</u>	<u>Appropriation</u>
21	Grand total general fund	\$24,035,125	\$6,167,610	\$30,202,735
22	Grand total special funds	<u>261,104,378</u>	<u>(11,892,845)</u>	<u>249,211,533</u>
23	Grand total all funds	\$285,139,503	(\$5,725,235)	\$279,414,268
24	Full-time equivalent positions	242.00	4.00	246.00

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

26 **SIXTY-FOURTH LEGISLATIVE ASSEMBLY.** The following amounts reflect the one-time
 27 funding items approved by the sixty-second legislative assembly for the 2011-13 biennium and
 28 the 2013-15 one-time funding items included in the appropriation in section 1 of this Act:

29	<u>One-Time Funding Description</u>	<u>2011-13</u>	<u>2013-15</u>
30	Motorola lease purchase payment	\$1,525,347	\$0

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1	Message switch upgrades	235,000	0
2	Central electronics bank dispatch system	1,100,000	0
3	Technology projects	100,000	0
4	State radio tower package	1,500,000	900,000
5	Statewide seamless base map	900,000	1,150,000
6	Military service center east	72,700	0
7	Extraordinary repairs	385,381	0
8	State radio communications center	0	1,201,240
9	Computer-aided dispatch upgrade	0	340,000
10	Voice incident recorder	0	150,000
11	State radio suppression project	0	210,000
12	Disaster coordination contract	0	1,500,000
13	Veterans' bonus program	0	600,000
14	Flood disaster expenditures (special session)	39,500,000	0
15	Flood-damaged school grant	<u>500,000</u>	<u>0</u>
16	Total all funds	\$45,818,428	\$6,051,240
17	Less estimated income	<u>40,000,000</u>	<u>2,000,000</u>
18	Total general fund	\$5,818,428	\$4,051,240

19 The 2013-15 one-time funding amounts are not a part of the entity's base budget for the
 20 2015-17 biennium. The adjutant general shall report to the appropriations committees of the
 21 sixty-fourth legislative assembly on the use of this one-time funding for the biennium beginning
 22 July 1, 2013, and ending June 30, 2015.

23 **SECTION 3. VETERANS' CEMETERY MAINTENANCE FUND - APPROPRIATION.** In
 24 addition to the amount appropriated to the adjutant general in the veterans' cemetery line item
 25 in subdivision 1 of section 1 of this Act, there is appropriated any additional funds which are
 26 received and deposited in the veterans' cemetery maintenance fund pursuant to sections
 27 37-03-14 and 39-04-10.10 for the operation of the North Dakota veterans' cemetery for the
 28 biennium beginning July 1, 2013, and ending June 30, 2015.

29 **SECTION 4. MAINTENANCE AND REPAIRS - TRANSFERS.** The adjutant general may
 30 transfer to the operating expenses and capital assets line items contained in section 1 of this
 31 Act up to the sum of \$500,000 from the various other line items contained in section 1 of this

1 Act, as determined necessary by the adjutant general to provide for the maintenance and repair
2 of state-owned armories in this state during the biennium beginning July 1, 2013, and ending
3 June 30, 2015. Any amounts transferred pursuant to this section must be reported to the
4 director of the office of management and budget.

5 **SECTION 5. FUNDING TRANSFERS - STATE EMPLOYEE COMPENSATION**

6 **ADJUSTMENTS - EXCEPTION.** Notwithstanding section 54-16-04, the adjutant general may
7 transfer appropriation authority between line items within each subdivision of section 1 of this
8 Act and between subdivisions within section 1 of this Act, as it relates to state employee
9 compensation increases authorized by the sixty-third legislative assembly, for the biennium
10 beginning July 1, 2013, and ending June 30, 2015. The adjutant general shall notify the office of
11 management and budget of any transfer made under this section.

12 **SECTION 6. EXEMPTION.** The sum of \$1,000,000 from the general fund appropriated for
13 the computer-aided dispatch phase 2 project, as contained in section 1 of chapter 16 of the
14 2009 Session Laws, is not subject to section 54-44.1-11 and any unexpended funds are
15 available for project costs during the biennium beginning July 1, 2013, and ending June 30,
16 2015.

17 **SECTION 7. EXEMPTION.** Any amounts carried over pursuant to section 7 of chapter 42 of
18 the 2011 Session Laws that is unexpended as of June 30, 2013, is not subject to section
19 54-44.1-11 and is available for payment of adjusted compensation to veterans. Any unexpended
20 funds from this appropriation must be transferred to the veterans' cemetery trust fund during the
21 biennium beginning July 1, 2015, and ending June 30, 2017.

22 **SECTION 8. EXEMPTION.** The amount appropriated in the capital assets line for the state
23 radio tower package and statewide seamless base map in section 1, subdivision 2, of
24 chapter 42 of the 2011 Session Laws is not subject to section 54-44.1-11 and any unexpended
25 funds from this line item are available for completing these projects during the biennium
26 beginning July 1, 2013, and ending June 30, 2015.

27 **SECTION 9. EXEMPTION.** The amount appropriated for flood relief or disaster mitigation
28 projects in incorporated cities, and grants to political subdivisions for amounts required to match
29 federal dollars on road grade raising projects and federal emergency relief funding in section 4,
30 subdivisions 2, 3, and 4, of chapter 261 of the 2011 Session Laws is not subject to section

1 54-44.1-11 and any unexpended funds from this appropriation are available for these purposes
2 during the biennium beginning July 1, 2013, and ending June 30, 2015.

3 **SECTION 10. EXEMPTION.** The amount appropriated for grants to cities and counties for
4 flood-impacted housing rehabilitation in section 9 of chapter 579 of the 2011 Session Laws is
5 not subject to section 54-44.1-11 and any unexpended funds from this appropriation are
6 available for these purposes during the biennium beginning July 1, 2013, and ending June 30,
7 2015.

8 **SECTION 11. EMERGENCY.** Of the amount appropriated from the general fund in this Act,
9 funding of \$600,000 in the grants line in subdivision 1 of section 1 of this Act, relating to the
10 veterans' bonus program, \$241,240 in the capital assets line in subdivision 1 of section 1 of this
11 Act, and \$960,000 in the capital assets line in subdivision 2 of section 1 of this Act, relating to
12 the state radio communications center project, is declared to be an emergency measure.