

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

Executive Budget Comparison to Prior Biennium Appropriations

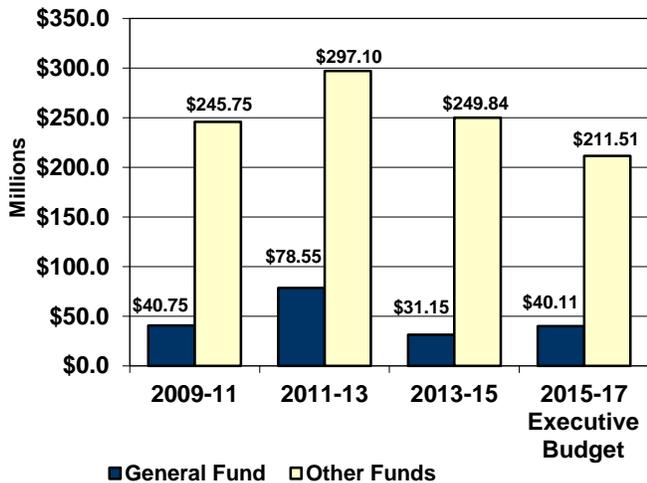
| | FTE Positions | General Fund | Other Funds | Total |
|---|---------------|--------------|----------------|----------------|
| 2015-17 Executive Budget | 234.00 | \$40,109,295 | \$211,509,107 | \$251,618,402 |
| 2013-15 Legislative Appropriations ¹ | 246.00 | 31,150,829 | 249,844,597 | 280,995,426 |
| Increase (Decrease) | (12.00) | \$8,958,466 | (\$38,335,490) | (\$29,377,024) |

¹The 2013-15 appropriation amounts do not include additional federal and special funds authority of \$45,828,204 resulting from carryover and Emergency Commission action during the 2013-15 biennium.

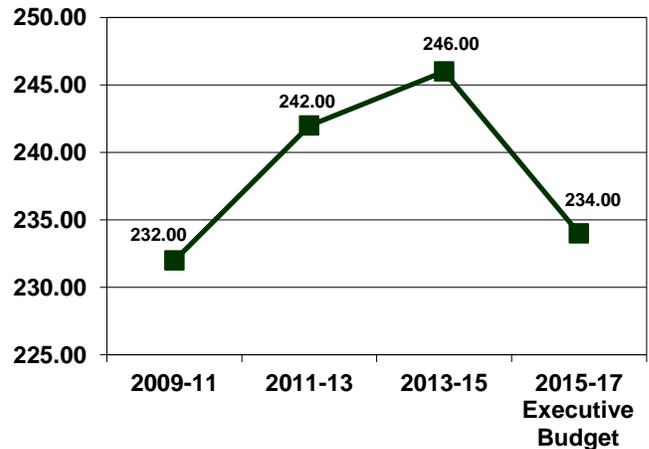
Ongoing and One-Time General Fund Appropriations

| | Ongoing General Fund Appropriation | One-Time General Fund Appropriation | Total General Fund Appropriation |
|------------------------------------|------------------------------------|-------------------------------------|----------------------------------|
| 2015-17 Executive Budget | \$30,363,795 | \$9,745,500 | \$40,109,295 |
| 2013-15 Legislative Appropriations | 26,449,589 | 4,701,240 | 31,150,829 |
| Increase (Decrease) | \$3,914,206 | \$5,044,260 | \$8,958,466 |

Agency Funding



FTE Positions



Executive Budget Comparison to Base Level

| | General Fund | Other Funds | Total |
|--------------------------|--------------|----------------|----------------|
| 2015-17 Executive Budget | \$40,109,295 | \$211,509,107 | \$251,618,402 |
| 2015-17 Base Level | 26,449,589 | 247,844,597 | 274,294,186 |
| Increase (Decrease) | \$13,659,706 | (\$36,335,490) | (\$22,675,784) |

First House Action

Attached is a comparison worksheet detailing first house changes to base level funding and the executive budget.

**Executive Budget Highlights
 (With First House Changes in Bold)**

| | General Fund | Other Funds | Total |
|---|--------------|-------------|-------------|
| 1. Provides funding for state employee salary and benefit increases, of which \$1,752,664 relates to performance increases, \$377,932 is for market equity adjustments, \$980,160 is for health insurance increases, and \$180,536 is for retirement contribution increases. The Senate provided funding for performance salary increases of 2 to 4 percent per year and funding for health insurance increases, but did not add funding for market equity increases or funding for retirement contribution increases. | \$1,418,614 | \$1,872,678 | \$3,291,292 |

Department of Emergency Services

| | | | |
|--|-------------|----------------|----------------|
| 2. Adds funding for targeted occupation salary equity. The Senate did not add funding for targeted occupation salary equity. | \$153,528 | \$0 | \$153,528 |
| 3. Reduces federal emergency services grants | \$0 | (\$40,700,000) | (\$40,700,000) |
| 4. Adds funding for base map maintenance (\$382,000), next generation 911 maintenance (\$209,280), radio tower redundancy maintenance (\$120,000), and records management system maintenance (\$150,000) | \$861,280 | \$0 | \$861,280 |
| 5. Provides funding for the state share of defraying expenses associated with presidentially declared disasters - Section 3 of Senate Bill No. 2016 | \$0 | \$5,000,000 | \$5,000,000 |
| 6. Adds funding for a vulnerable population registry | \$80,000 | \$0 | \$80,000 |
| 7. Adds one-time funding for grants to fire departments to purchase equipment for train derailment fires | \$3,000,000 | \$0 | \$3,000,000 |
| 8. Adds one-time funding for the next generation 911 initial purchase | \$386,000 | \$0 | \$386,000 |
| 9. Adds one-time funding for flooding and hazardous materials emergency response supplies | \$550,000 | \$0 | \$550,000 |
| 10. Adds one-time funding for a statewide radio communication improvement project | \$5,000,000 | \$0 | \$5,000,000 |
| 11. Adds one-time funding for a disaster recovery assistance contract | \$0 | \$1,000,000 | \$1,000,000 |
| 12. Adds one-time funding for disaster volunteer coordination | \$0 | \$400,000 | \$400,000 |

National Guard

| | | | |
|---|------------|---------------|---------------|
| 13. Adds funding for the ND Cares Task Force | \$260,000 | \$0 | \$260,000 |
| 14. Increases funding for special assessment and payments in lieu of taxes | \$74,000 | \$0 | \$74,000 |
| 15. Removes 12.00 National Guard security officer and firefighter positions | \$0 | (\$1,628,224) | (\$1,628,224) |
| 16. Removes funding for the book of veterans | (\$50,000) | \$0 | (\$50,000) |
| 17. Adds one-time funding for the veterans' bonus program | \$500,000 | \$0 | \$500,000 |
| 18. Adds one-time funding for the Veterans' Cemetery land purchase | \$69,500 | \$69,500 | \$139,000 |

Other Sections in Bill

Appropriation - State disaster relief fund - The Senate added section 4 to provide an appropriation of \$2 million from the state disaster relief fund to the Adjutant General for the purpose of providing for removal of debris and other health hazards related to Rice Lake flooding.

Veterans' Cemetery maintenance fund - Section 5 provides an additional appropriation for 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 2015-17 biennium.

Maintenance and repairs - Section 6 provides that the Adjutant General may 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 2015-17 biennium. Any amounts transferred must be reported to the Office of Management and Budget.

Funding transfers - State employee compensation adjustments - Section 7 provides that the Adjutant General may transfer appropriation authority between line items as it relates to state employee compensation increases.

Exemption - Radio communications - Section 8 provides that any unexpended general or special funds appropriation authority in the radio communications line item relating to the statewide seamless base map, state radio tower package, computer-aided dispatch upgrade, and the voice incident recorder for the 2013-15 biennium is not subject to the provisions of Section 54-44.1-11 and may be continued and expended during the 2015-17 biennium.

Exemption - Computer-aided dispatch - Section 9 provides that any unexpended general or special funds appropriation authority in the operating expenses line item relating to the computer-aided dispatch upgrade and the disaster coordination contract for the 2013-15 biennium is not subject to the provisions of Section 54-44.1-11 and may be continued and expended during the 2015-17 biennium.

Exemption - Book of veterans - Section 10 provides that any unexpended general or special funds appropriation authority in the operating expenses line item for the writing, publishing, and distribution of a record of all North Dakota veterans for the

2013-15 biennium is not subject to the provisions of Section 54-44.1-11 and may be continued and expended during the 2015-17 biennium.

Exemption - Tuition, recruiting, and retention - Section 11 provides that any unexpended general or special funds appropriation authority in the tuition, recruiting, and retention line item for the 2013-15 biennium is not subject to the provisions of Section 54-44.1-11 and may be continued and expended during the 2015-17 biennium.

Exemption - National Guard tuition assistance - Section 12 provides that any unexpended general or special funds appropriation authority in the tuition, recruiting, and retention line item relating to the contingent appropriation for the purpose of providing tuition assistance to eligible members of the National Guard for the 2013-15 biennium is not subject to the provisions of Section 54-44.1-11 and may be continued and expended during the 2015-17 biennium. Funding authority is contingent upon the Adjutant General certifying to the Office of Management and Budget that the National Guard has received a new assignment in association with the Grand Forks Air Force Base.

Exemption - Veterans' bonus program - Section 13 provides that any unexpended general fund appropriation authority relating to the \$5 million appropriated for the payment of adjusted compensation to veterans during the 2005-07, 2007-09, 2009-11, 2011-13, and 2013-15 bienniums is not subject to the provisions of Section 54-44.1-11 and must be transferred to the Veterans' Cemetery trust fund during the 2015-17 biennium.

Exemption - Radio communications - Section 14 provides that any unexpended general or special funds appropriation authority in the radio communications line item relating to state radio tower package for the 2011-13 biennium is not subject to the provisions of Section 54-44.1-11 and may be continued and expended during the 2015-17 biennium.

Exemption - Disaster costs - Section 15 provides that any unexpended general or special funds appropriation authority in the disaster costs line item relating flood relief or disaster mitigation projects for the 2013-15 biennium is not subject to the provisions of Section 54-44.1-11 and may be continued and expended during the 2015-17 biennium.

Exemption - Flood-impacted housing rehabilitation - Section 16 provides that any unexpended general or special funds appropriation authority in the disaster costs line item relating to grants to cities and counties for flood-impacted housing rehabilitation for the 2013-15 biennium is not subject to the provisions of Section 54-44.1-11 and may be continued and expended during the 2015-17 biennium.

Emergency - Section 17 provides that \$500,000 from the general fund in the grants line item relating to the veterans' bonus program, \$386,000 from the general fund in the radio communications line item relating to next generation 911, \$209,280 from the general fund in the operating expenses line item relating to next generation 911, and \$382,000 from the general fund in the operating expenses line item relating to statewide base map maintenance are declared to be an emergency measure.

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 collecting 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 Appropriation

Senate Bill No. 2023 contains a deficiency appropriation of \$5 million from the state disaster relief fund to repay a Bank of North Dakota loan for the state's share of disaster costs.

Significant Audit Findings

There were no significant audit findings for this agency.

Major Related Legislation

Senate Bill No. 2042 - Provides an income tax deduction for retired military personnel pay.

Senate Bill No. 2102 - Places National Guard security officers and firefighters retirement plans and retirement contributions under the Public Employees Retirement System.

Senate Bill No. 2238 - Provides an appropriation of \$2.8 million from the general fund for caskets for veterans interred in the state. **The Senate amended this bill to remove the appropriation and change law to require county social services boards to provide military caskets for eligible deceased veterans.**

Senate Bill No. 2242 - Provides an appropriation of \$160,000 from the general fund for interring eligible veterans' spouses and dependents at the Veterans' Cemetery.

House Bill No. 1018 - Section 9 of this bill provides an appropriation of \$200,000 to the Adjutant General to coordinate and conduct joint training involving the Department of Emergency Services, federal Health and Human Services Disaster Mortuary Operational Response Team, and other state and local emergency personnel.

House Bill No. 1105 - Provides for criminal history record checks for Adjutant General employees and volunteers working with the recruiting and retention, sexual assault, and youth programs.

House Bill No. 1107 - Removes the requirement that a political subdivision have a population fewer than 20,000 in order to receive 911 services from the Division of State Radio and be charged the apportioned amount consistent with the actual costs of providing the service per telephone access line and wireless access line.

House Bill No. 1112 - Amends law relating to state disaster or emergency response and recovery to allow funding for governor-declared disasters for which a presidential disaster declaration is denied.

House Bill No. 1395 - Provides an appropriation of \$950,000 from the general fund for the implementation and operation of an emergency information program. **The Senate amended this bill to remove the appropriation and provide for a Legislative Management study of the benefit of an emergency information program.**

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

| | Executive Budget Recommendation | | | | Senate Version | | | |
|---|---------------------------------|--------------|----------------|----------------|----------------|--------------|----------------|----------------|
| | FTE Positions | General Fund | Other Funds | Total | FTE Positions | General Fund | Other Funds | Total |
| 2015-17 Biennium Base Level | 246.00 | \$26,449,589 | \$247,844,597 | \$274,294,186 | 246.00 | \$26,449,589 | \$247,844,597 | \$274,294,186 |
| 2015-17 Ongoing Funding Changes | | | | | | | | |
| Base payroll changes | | \$1,113,293 | (\$2,689,367) | (\$1,576,074) | | \$1,113,293 | (\$2,689,367) | (\$1,576,074) |
| Salary increase - Performance | | 748,383 | 1,004,281 | 1,752,664 | | 566,384 | 743,809 | 1,310,193 |
| Salary increase - Market equity | | 174,617 | 203,315 | 377,932 | | | | 0 |
| Salary increase - Targeted equity | | 153,528 | | 153,528 | | | | 0 |
| Retirement contribution increase | | 77,088 | 103,448 | 180,536 | | | | 0 |
| Health insurance increase | | 418,526 | 561,634 | 980,160 | | 418,526 | 561,634 | 980,160 |
| Remove security guard and firefighter positions | (12.00) | | (1,628,224) | (1,628,224) | (12.00) | | (1,628,224) | (1,628,224) |
| Increase base budget capital | | (7,509) | 339,923 | 332,414 | | (7,509) | 339,923 | 332,414 |
| Reduce federal grants | | | (40,700,000) | (40,700,000) | | | (40,700,000) | (40,700,000) |
| Operating costs for ND Cares Task Force | | 260,000 | | 260,000 | | 260,000 | | 260,000 |
| Increase special assessments and payments in lieu of taxes | | 74,000 | | 74,000 | | 74,000 | | 74,000 |
| Civil air patrol operational increase | | 11,000 | | 11,000 | | 11,000 | | 11,000 |
| Base map maintenance | | 382,000 | | 382,000 | | 382,000 | | 382,000 |
| Next generation 911 maintenance | | 209,280 | | 209,280 | | 209,280 | | 209,280 |
| Radio tower redundancy maintenance | | 120,000 | | 120,000 | | 120,000 | | 120,000 |
| Vulnerable population registry | | 80,000 | | 80,000 | | 80,000 | | 80,000 |
| Records management system maintenance | | 150,000 | | 150,000 | | 150,000 | | 150,000 |
| Remove book of veterans funding | | (50,000) | | (50,000) | | (50,000) | | (50,000) |
| Total ongoing funding changes | (12.00) | \$3,914,206 | (\$42,804,990) | (\$38,890,784) | (12.00) | \$3,326,974 | (\$43,372,225) | (\$40,045,251) |
| One-time funding items | | | | | | | | |
| Grants to fire departments - Equipment for train derailment fires | | \$3,000,000 | | \$3,000,000 | | \$3,000,000 | | \$3,000,000 |
| Veterans' bonus program | | 500,000 | | 500,000 | | 500,000 | | 500,000 |
| Veterans' Cemetery land purchase | | 69,500 | \$69,500 | 139,000 | | 69,500 | 69,500 | 139,000 |
| Next generation 911 initial purchase | | 386,000 | | 386,000 | | 386,000 | | 386,000 |
| Radio tower infrastructure redundancy | | 80,000 | | 80,000 | | 80,000 | | 80,000 |
| Microsoft SQL Enterprise for CAD system | | 90,000 | | 90,000 | | 90,000 | | 90,000 |
| Emergency response supplies - Flooding and hazardous materials | | 550,000 | | 550,000 | | 550,000 | | 550,000 |
| Disaster recovery assistance contract | | | 1,000,000 | 1,000,000 | | | 1,000,000 | 1,000,000 |
| Disaster volunteer coordination | | | 400,000 | 400,000 | | | 400,000 | 400,000 |
| Message switch test server | | 70,000 | | 70,000 | | 70,000 | | 70,000 |
| Radio communications improvement | | 5,000,000 | | 5,000,000 | | 5,000,000 | | 5,000,000 |
| Presidentially declared disasters | | | 5,000,000 | 5,000,000 | | | 5,000,000 | 5,000,000 |
| Flood mitigation | | | | 0 | | | 2,000,000 | 2,000,000 |
| Total one-time funding changes | 0.00 | \$9,745,500 | \$6,469,500 | \$16,215,000 | 0.00 | \$9,745,500 | \$8,469,500 | \$18,215,000 |
| Total Changes to Base Level Funding | (12.00) | \$13,659,706 | (\$36,335,490) | (\$22,675,784) | (12.00) | \$13,072,474 | (\$34,902,725) | (\$21,830,251) |

2015-17 Total Funding

| | | | |
|--------|--------------|---------------|---------------|
| 234.00 | \$40,109,295 | \$211,509,107 | \$251,618,402 |
|--------|--------------|---------------|---------------|

| | | | |
|--------|--------------|---------------|---------------|
| 234.00 | \$39,522,063 | \$212,941,872 | \$252,463,935 |
|--------|--------------|---------------|---------------|

Other Sections in Senate Bill No. 2016**Executive Budget Recommendation****Senate Version**

Appropriation - State disaster relief fund

Section 3 provides an appropriation of \$5 million from the state disaster relief fund to the Adjutant General for the purpose of providing the required state share of funding for defraying the expenses associated with presidentially declared disasters.

Section 3 provides an appropriation of \$5 million from the state disaster relief fund to the Adjutant General for the purpose of providing the required state share of funding for defraying the expenses associated with presidentially declared disasters.

Appropriation - State disaster relief fund - Rice Lake flooding

Section 4 provides an appropriation from the state disaster relief fund of \$2 million to the Adjutant General to provide for removal of debris and other health hazards in organized service districts that are experiencing chronic flooding. The Adjutant General shall consult with the environmental division of the State Department of Health regarding the process of environmental cleanup.

Veterans' Cemetery maintenance fund

Section 4 provides an additional appropriation for 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 2015-17 biennium.

Section 5 provides an additional appropriation for any 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 Veterans' Cemetery for the 2015-17 biennium.

Maintenance and repairs

Section 5 provides that the Adjutant General may 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 2015-17 biennium. Any amounts transferred must be reported to the Office of Management and Budget.

Section 6 provides that the Adjutant General may 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 2015-17 biennium. Any amounts transferred must be reported to the Office of Management and Budget.

Funding transfers - State employee compensation adjustments

Section 6 provides that the Adjutant General may transfer appropriation authority between line items as it relates to state employee compensation increases.

Section 7 provides that the Adjutant General may transfer appropriation authority between line items as it relates to state employee compensation increases.

Exemption - Radio communications

Section 7 provides that any unexpended general or special funds appropriation authority in the radio communications line item relating to the statewide seamless base map, State Radio tower package, computer-aided dispatch upgrade, and the voice incident recorder for the 2013-15 biennium is not subject to the provisions of Section 54-44.1-11 and may be continued and expended during the 2015-17 biennium.

Section 8 provides that any unexpended general or special funds appropriation authority in the radio communications line item relating to the statewide seamless base map, State Radio tower package, computer-aided dispatch upgrade, and the voice incident recorder for the 2013-15 biennium is not subject to the provisions of Section 54-44.1-11 and may be continued and expended during the 2015-17 biennium.

Exemption - Computer-aided dispatch

Section 8 provides that any unexpended general or special funds appropriation authority in the operating expenses line item relating to the computer-aided dispatch upgrade and the disaster coordination contract for the 2013-15 biennium is not subject to the provisions of Section 54-44.1-11 and may be continued and expended during the 2015-17 biennium.

Section 9 provides that any unexpended general or special funds appropriation authority in the operating expenses line item relating to the computer-aided dispatch upgrade and the disaster coordination contract for the 2013-15 biennium is not subject to the provisions of Section 54-44.1-11 and may be continued and expended during the 2015-17 biennium.

| | | |
|---|--|--|
| Exemption - Book of veterans | Section 9 provides that any unexpended general or special funds appropriation authority in the operating expenses line item for the writing, publishing, and distribution of a record of all North Dakota veterans for the 2013-15 biennium is not subject to the provisions of Section 54-44.1-11 and may be continued and expended during the 2015-17 biennium. | Section 10 provides that any unexpended general or special funds appropriation authority in the operating expenses line item for the writing, publishing, and distribution of a record of all North Dakota veterans for the 2013-15 biennium is not subject to the provisions of Section 54-44.1-11 and may be continued and expended during the 2015-17 biennium. |
| Exemption - Tuition, recruiting, and retention | Section 10 provides that any unexpended general or special funds appropriation authority in the tuition, recruiting, and retention line item for the 2013-15 biennium is not subject to the provisions of Section 54-44.1-11 and may be continued and expended during the 2015-17 biennium. | Section 11 provides that any unexpended general or special funds appropriation authority in the tuition, recruiting, and retention line item for the 2013-15 biennium is not subject to the provisions of Section 54-44.1-11 and may be continued and expended during the 2015-17 biennium. |
| Exemption - National Guard tuition assistance | Section 11 provides that any unexpended general or special funds appropriation authority in the tuition, recruiting, and retention line item relating to the contingent appropriation for the purpose of providing tuition assistance to eligible members of the National Guard for the 2013-15 biennium is not subject to the provisions of Section 54-44.1-11 and may be continued and expended during the 2015-17 biennium. Funding authority is contingent upon the Adjutant General certifying to the Office of Management and Budget that the National Guard has received a new assignment in association with the Grand Forks Air Force Base. | Section 12 provides that any unexpended general or special funds appropriation authority in the tuition, recruiting, and retention line item relating to the contingent appropriation for the purpose of providing tuition assistance to eligible members of the National Guard for the 2013-15 biennium is not subject to the provisions of Section 54-44.1-11 and may be continued and expended during the 2015-17 biennium. Funding authority is contingent upon the Adjutant General certifying to the Office of Management and Budget that the National Guard has received a new assignment in association with the Grand Forks Air Force Base. |
| Exemption - Veterans' bonus program | Section 12 provides that any unexpended general fund appropriation authority relating to the \$5 million appropriated for the payment of adjusted compensation to veterans during the 2005-07, 2007-09, 2009-11, 2011-13, and 2013-15 bienniums is not subject to the provisions of Section 54-44.1-11 and must be transferred to the Veterans' Cemetery trust fund during the 2015-17 biennium. | Section 13 provides that any unexpended general fund appropriation authority relating to the \$5 million appropriated for the payment of adjusted compensation to veterans during the 2005-07, 2007-09, 2009-11, 2011-13, and 2013-15 bienniums is not subject to the provisions of Section 54-44.1-11 and must be transferred to the Veterans' Cemetery trust fund during the 2015-17 biennium. |
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| Exemption - Disaster costs | Section 14 provides that any unexpended general or special funds appropriation authority in the disaster costs line item relating flood relief or disaster mitigation projects for the 2013-15 biennium is not subject to the provisions of Section 54-44.1-11 and may be continued and expended during the 2015-17 biennium. | Section 15 provides that any unexpended general or special funds appropriation authority in the disaster costs line item relating flood relief or disaster mitigation projects for the 2013-15 biennium is not subject to the provisions of Section 54-44.1-11 and may be continued and expended during the 2015-17 biennium. |
| Exemption - Flood-impacted housing rehabilitation | Section 15 provides that any unexpended general or special funds appropriation authority in the disaster costs line item relating to grants to cities and counties for flood-impacted housing rehabilitation for the 2013-15 biennium is not subject to the provisions of Section 54-44.1-11 and may be continued and expended during the 2015-17 biennium. | Section 16 provides that any unexpended general or special funds appropriation authority in the disaster costs line item relating to grants to cities and counties for flood-impacted housing rehabilitation for the 2013-15 biennium is not subject to the provisions of Section 54-44.1-11 and may be continued and expended during the 2015-17 biennium. |

Emergency

Section 16 provides that \$500,000 from the general fund in the grants line item relating to the veterans bonus program, \$386,000 from the general fund in the radio communications line item relating to next generation 911, \$209,280 from the general fund in the operating expenses line item relating to next generation 911, and \$382,000 from the general fund in the operating expenses line item relating to statewide base map maintenance are declared to be an emergency measure.

Section 17 provides that \$500,000 from the general fund in the grants line item relating to the veterans bonus program, \$386,000 from the general fund in the radio communications line item relating to next generation 911, \$209,280 from the general fund in the operating expenses line item relating to next generation 911, and \$382,000 from the general fund in the operating expenses line item relating to statewide base map maintenance are declared to be an emergency measure.