

Sixty-fourth  
Legislative Assembly  
of North Dakota

## 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 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, 2015, and ending June 30, 2017 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	\$661,721	\$6,725,625
14	Operating expenses	210,000	4,322,891
15	Capital assets	187,414	388,046
16	Grants	500,000	1,009,514
17	Civil air patrol	25,075	312,526
18	Tuition, recruiting, and retention	0	2,517,500
19	Air guard contract	(3,404,511)	8,078,647
20	Army guard contract	803,871	59,996,706
21	Veterans' cemetery	168,246	815,251
22	Reintegration program	417,786	1,909,766
23	Accrued leave payments	(812,098)	0
24	Total all funds	(\$1,242,496)	\$86,076,472

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1	Less estimated income	<u>70,164,642</u>	<u>(3,164,667)</u>	<u>66,999,975</u>
2	Total general fund	\$17,154,326	\$1,922,171	\$19,076,497

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	\$10,553,021	\$1,678,199	\$12,231,220
8	Operating expenses	8,364,488	7,582,981	15,947,469
9	Capital assets	682,000	58,000	740,000
10	Grants	19,373,247	2,300,000	21,673,247
11	Disaster costs	147,718,567	(39,549,040)	108,169,527
12	Radio communications	0	626,000	626,000
13	Accrued leave payments	<u>283,895</u>	<u>(283,895)</u>	<u>0</u>
14	Total all funds	\$186,975,218	(\$27,587,755)	\$159,387,463
15	Less estimated income	<u>177,679,955</u>	<u>(38,738,058)</u>	<u>138,941,897</u>
16	Total general fund	\$9,295,263	\$11,150,303	\$20,445,566

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	\$26,449,589	\$13,072,474	\$39,522,063
22	Grand total special funds	<u>247,844,597</u>	<u>(34,902,725)</u>	<u>212,941,872</u>
23	Grand total all funds	\$274,294,186	(\$21,830,251)	\$252,463,935
24	Full-time equivalent positions	246.00	(12.00)	234.00

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

26 **SIXTY-FIFTH LEGISLATIVE ASSEMBLY.** The following amounts reflect the one-time funding  
 27 items approved by the sixty-third legislative assembly for the 2013-15 biennium and the  
 28 2015-17 one-time funding items included in the appropriation in section 1 of this Act:

29	<u>One-Time Funding Description</u>	<u>2013-15</u>	<u>2015-17</u>
30	State radio tower package	\$1,175,000	0
31	Statewide seamless base map	1,150,000	0

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1	State radio communications center	1,201,240	0
2	Computer-aided dispatch upgrade	340,000	0
3	Voice incident recorder	150,000	0
4	State radio suppression project	210,000	0
5	Disaster coordination contract	1,500,000	400,000
6	Veterans' bonus program	600,000	500,000
7	Veterans' book	50,000	0
8	Veterans' tuition assistance	375,000	0
9	Next generation 911	0	386,000
10	Microsoft SQL enterprise for CAD	0	90,000
11	Message switch test server	0	70,000
12	Radio tower redundancy	0	80,000
13	Disaster recovery assistance contract	0	1,000,000
14	Emergency response supplies	0	550,000
15	Veterans' cemetery land purchase	0	139,000
16	Grants to fire departments	0	3,000,000
17	Statewide radio communications project	<u>0</u>	<u>5,000,000</u>
18	Total all funds	6,751,240	11,215,000
19	Less estimated income	<u>2,000,000</u>	<u>1,469,500</u>
20	Total general fund	\$4,751,240	\$9,745,500

21 The 2015-17 one-time funding amounts are not a part of the entity's base budget for the  
 22 2017-19 biennium. The adjutant general shall report to the appropriations committees of the  
 23 sixty-fifth legislative assembly on the use of this one-time funding for the biennium beginning  
 24 July 1, 2015, and ending June 30, 2017.

25 **SECTION 3. APPROPRIATION - STATE DISASTER RELIEF FUND.** Notwithstanding  
 26 section 37-17.1-27, there is appropriated out of any moneys in the state disaster relief fund in  
 27 the state treasury, not otherwise appropriated, the sum of \$5,000,000, or so much of the sum as  
 28 may be necessary, subject to emergency commission approval, to the adjutant general for the  
 29 purposes of providing the required state share of funding for defraying the expenses associated  
 30 with presidentially declared disasters, for the period beginning with the effective date of this Act  
 31 and ending June 30, 2017.

1       **SECTION 4. APPROPRIATION - STATE DISASTER RELIEF FUND.** Notwithstanding  
2 section 37-17.1-27, there is appropriated out of any moneys in the state disaster relief fund in  
3 the state treasury, not otherwise appropriated, the sum of \$2,000,000, or so much of the sum as  
4 may be necessary, to the adjutant general for the purpose of providing for removal of debris and  
5 other health hazards in organized service districts that are experiencing chronic flooding, for the  
6 period beginning with the effective date of this Act, and ending June 30, 2017. The adjutant  
7 general shall consult with the environmental division of the state department of health regarding  
8 the process of environmental cleanup.

9       **SECTION 5. VETERANS' CEMETERY MAINTENANCE FUND - APPROPRIATION.** In  
10 addition to the amount appropriated to the adjutant general in the veterans' cemetery line item  
11 in subdivision 1 of section 1 of this Act, there is appropriated any additional funds which are  
12 received and deposited in the veterans' cemetery maintenance fund pursuant to sections  
13 37-03-14 and 39-04-10.10 for the operation of the North Dakota veterans' cemetery for the  
14 biennium beginning July 1, 2015, and ending June 30, 2017.

15       **SECTION 6. MAINTENANCE AND REPAIRS - TRANSFERS.** The adjutant general may  
16 transfer to the operating expenses and capital assets line items contained in section 1 of this  
17 Act up to the sum of \$500,000 from the various other line items contained in section 1 of this  
18 Act, as determined necessary by the adjutant general to provide for the maintenance and repair  
19 of state-owned armories in this state during the biennium beginning July 1, 2015, and ending  
20 June 30, 2017. Any amounts transferred pursuant to this section must be reported to the  
21 director of the office of management and budget.

22       **SECTION 7. FUNDING TRANSFERS - STATE EMPLOYEE COMPENSATION**  
23 **ADJUSTMENTS - EXCEPTION.** Notwithstanding section 54-16-04, the adjutant general may  
24 transfer appropriation authority between line items within each subdivision of section 1 of this  
25 Act and between subdivisions within section 1 of this Act, as it relates to state employee  
26 compensation increases authorized by the sixty-fourth legislative assembly, for the biennium  
27 beginning July 1, 2015, and ending June 30, 2017. The adjutant general shall notify the office of  
28 management and budget of any transfer made under this section.

29       **SECTION 8. EXEMPTION.** The amount appropriated in the radio communications line for  
30 statewide seamless base map, state radio tower package, computer-aided dispatch upgrade,  
31 and the voice incident recorder, in subdivision 2 of section 1 of chapter 16 of the 2013 Session

1 Laws is not subject to section 54-44.1-11 and any unexpended funds are available for  
2 completing these projects during the biennium beginning July 1, 2015, and ending June 30,  
3 2017.

4 **SECTION 9. EXEMPTION.** The amount appropriated in the operating expenses line for the  
5 computer-aided dispatch upgrade and the disaster coordination contract in subdivision 2 of  
6 section 1 of chapter 16 of the 2013 Session Laws is not subject to section 54-44.1-11 and any  
7 unexpended funds are available for these purposes during the biennium beginning July 1, 2015,  
8 and ending June 30, 2017.

9 **SECTION 10. EXEMPTION.** The amount appropriated in the operating expenses line for  
10 the writing, publishing, and distribution of a record of all North Dakota veterans, including a  
11 record of all North Dakotans killed in action and missing in action since statehood, subdivision 1  
12 of section 1 of chapter 16 of the 2013 Session Laws is not subject to 54-44.1-11 and any  
13 unexpended funds are available for these purposes during the biennium beginning July 1, 2015,  
14 and ending June 30, 2017.

15 **SECTION 11. EXEMPTION.** The amount appropriated in the tuition, recruiting, and  
16 retention line item in subdivision 1 of section 1 of chapter 16 of the 2013 Session Laws is not  
17 subject to section 54-44.1-11, and any unexpended funds from this appropriation may be used  
18 to provide tuition assistance, recruiting and retention incentives to eligible members of the North  
19 Dakota national guard during the biennium beginning July 1, 2015, and ending June 30, 2017.

20 **SECTION 12. EXEMPTION.** The amount appropriated in the tuition, recruiting, and  
21 retention line item in section 3 of chapter 16 of the 2013 Session Laws is not subject to section  
22 54-44.1-11 and any unexpended funds from this appropriation may be used to provide tuition  
23 assistance to eligible members of the North Dakota national guard, during the biennium  
24 beginning July 1, 2015, and ending June 30, 2017, contingent upon the adjutant general  
25 certifying to the office of management and budget that the national guard has received a new  
26 assignment in association with the Grand Forks air force base.

27 **SECTION 13. EXEMPTION.** Any amounts carried over pursuant to section 9 of chapter 16  
28 of the 2013 Session Laws that is unexpended as of June 30, 2015 is not subject to section  
29 54-44.1-11 and is available for payment of adjusted compensation to veterans. Any unexpended  
30 funds from this appropriation must be transferred to the veterans' cemetery trust fund during the  
31 biennium beginning July 1, 2015, and ending June 30, 2017.

1       **SECTION 14. EXEMPTION.** Any amounts carried over in the radio communications line for  
2 the state radio tower package pursuant to section 10 of chapter 16 of the 2013 Session Laws  
3 that is unexpended as of June 30, 2015, is not subject to section 54-44.1-11. Any unexpended  
4 funds are available for state radio tower package costs during the biennium beginning July 1,  
5 2015, and ending June 30, 2017.

6       **SECTION 15. EXEMPTION.** Any amounts carried over in the disaster costs line for flood  
7 relief or disaster mitigation projects in incorporated cities, and grants to political subdivisions for  
8 amounts required to match federal dollars on road grade raising projects and federal  
9 emergency relief funding pursuant to section 11 of chapter 16 of the 2013 Session Laws that is  
10 unexpended as of June 30, 2015, is not subject to section 54-44.1-11. Any unexpended funds  
11 from this appropriation are available for these purposes during the biennium beginning July 1,  
12 2015, and ending June 30, 2017.

13       **SECTION 16. EXEMPTION.** Any amounts carried over in the disaster costs line for grants  
14 to cities and counties for flood-impacted housing rehabilitation pursuant to section 12 of  
15 chapter 16 of the 2013 Session Laws that is unexpended as of June 30, 2015, is not subject to  
16 section 54-44.1-11. Any unexpended funds from this appropriation are available for these  
17 purposes during the biennium beginning July 1, 2015, and ending June 30, 2017.

18       **SECTION 17. EMERGENCY.** Funding of \$500,000 from the general fund in the grants line  
19 item in subdivision 1 of section 1 of this Act, relating to the veterans' bonus program, funding of  
20 \$386,000 from the general fund in the radio communications line item in subdivision 2 of  
21 section 1 of this Act, relating to next generation 911, funding of \$209,280 from the general fund  
22 in the operating line item in subdivision 2 of section 1 of this Act, relating to next generation 911  
23 maintenance, funding of \$382,000 from the general fund in the operating line item in subdivision  
24 2 of section 1 of this Act relating to statewide base map maintenance, and funding of  
25 \$2,000,000 from the state disaster relief fund in section 4 of this Act relating to removal of debris  
26 and other health hazards, are declared to be an emergency measure.