

**HOUSE BILL NO. 1016**

Introduced by

Appropriations Committee

1 A BILL for an Act to provide an appropriation for defraying the expenses of the office of the  
2 adjutant general; ~~and to provide an exemption;~~ to provide a report; to provide legislative intent;  
3 and to declare an emergency.

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

5 **SECTION 1. APPROPRIATION.** The funds provided in this section, or so much of the funds  
6 as may be necessary, are appropriated out of any moneys in the general fund in the state  
7 treasury, not otherwise appropriated, and from special funds derived from federal funds and  
8 other income, to the office of the adjutant general for the purpose of defraying the expenses of  
9 the office of the adjutant general, for the biennium beginning July 1, 2021, and ending June 30,  
10 2023, as follows:

11 Subdivision 1.

12 NATIONAL GUARD

	<u>Governor's</u>		
	<u>Base Level</u>	<u>Recommendation</u>	<u>Appropriation</u>
13 <del>Salaries and wages</del>	<del>\$6,833,766</del>	<del>\$7,179,925</del>	<del>\$6,833,766</del>
14 <del>Operating expenses</del>	<del>2,767,321</del>	<del>4,048,313</del>	<del>2,767,321</del>
15 <del>Capital assets</del>	<del>224,046</del>	<del>24,324,046</del>	<del>224,046</del>
16 <del>Grants</del>	<del>210,916</del>	<del>210,916</del>	<del>210,916</del>
17 <del>Civil air patrol</del>	<del>305,134</del>	<del>308,981</del>	<del>305,134</del>
18 <del>Tuition, recruiting, and retention</del>	<del>4,782,072</del>	<del>3,042,235</del>	<del>4,782,072</del>
19 <del>Air guard contract</del>	<del>8,571,129</del>	<del>8,492,816</del>	<del>8,571,129</del>
20 <del>Army guard contract</del>	<del>46,940,013</del>	<del>48,964,531</del>	<del>46,940,013</del>
21 <del>Veterans' cemetery</del>	<del>1,151,906</del>	<del>1,328,773</del>	<del>1,151,906</del>
22 <del>Reintegration program</del>	<del>1,051,168</del>	<del>1,126,493</del>	<del>1,051,168</del>

Sixty-seventh  
Legislative Assembly

1	Total all funds	\$72,837,471	\$99,027,029	\$72,837,471
2	Less estimated income	54,214,657	78,638,130	54,214,657
3	Total general fund	\$18,622,814	\$20,388,899	\$18,622,814
4		Adjustments or		
5		Base Level	Enhancements	Appropriation
6	Salaries and wages	\$6,833,766	\$317,263	\$7,151,029
7	Operating expenses	2,767,321	280,992	3,048,313
8	Capital assets	224,046	21,500,000	21,724,046
9	Grants	210,916	0	210,916
10	Civil air patrol	305,134	4,365	309,499
11	Tuition, recruiting, and retention	4,782,072	(1,739,837)	3,042,235
12	Air guard contract	8,571,129	(74,738)	8,496,391
13	Army guard contract	46,940,013	1,686,682	48,626,695
14	Veterans' cemetery	1,151,906	174,648	1,326,554
15	Reintegration program	1,051,168	(124,701)	926,467
16	Total all funds	\$72,837,471	\$22,024,674	\$94,862,145
17	Less estimated income	54,214,657	23,911,970	78,126,627
18	Total general fund	\$18,622,814	(\$1,887,296)	\$16,735,518

Subdivision 2.

DEPARTMENT OF EMERGENCY SERVICES

21		<del>Governor's</del>		
22		<del>Base Level</del>	<del>Recommendation</del>	<del>Appropriation</del>
23	Salaries and wages	\$10,986,431	\$12,005,245	\$10,986,431
24	Operating expenses	8,060,574	6,602,334	8,060,574
25	Capital assets	0	660,000	0
26	Grants	16,273,425	14,550,000	16,273,425
27	Disaster costs	36,555,085	47,209,015	36,555,085
28	Total all funds	\$71,875,515	\$81,026,594	\$71,875,515
29	Less estimated income	63,108,132	74,635,915	63,108,132
30	Total general fund	\$8,767,383	\$6,390,679	\$8,767,383
31		Adjustments or		

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	Base Level	Enhancements	Appropriation
1			
2	\$10,986,431	\$986,330	\$11,972,761
3	8,060,574	(1,458,240)	6,602,334
4	0	660,000	660,000
5	16,273,425	(1,723,425)	14,550,000
6	36,555,085	12,430,330	48,985,415
7	\$71,875,515	\$10,894,995	\$82,770,510
8	63,108,132	13,276,877	76,385,009
9	\$8,767,383	(\$2,381,882)	\$6,385,501

10 Subdivision 3.

11 SECTION 1 TOTAL

12 <del>Governor's</del>			
	<del>Base Level</del>	<del>Recommendation</del>	<del>Appropriation</del>
13			
14	<del>\$27,390,173</del>	<del>\$26,779,578</del>	<del>\$27,390,197</del>
15	<del>117,322,789</del>	<del>153,274,045</del>	<del>117,322,789</del>
16	<del>\$144,712,986</del>	<del>\$180,053,623</del>	<del>\$144,712,986</del>
17	<del>222.00</del>	<del>222.00</del>	<del>222.00</del>
18 <del>Adjustments or</del>			
	Base Level	Enhancements	Appropriation
19			
20	\$27,390,173	(\$4,269,178)	\$23,121,019
21	117,322,789	37,188,847	154,511,636
22	\$144,712,986	\$32,919,669	\$177,632,655
23	222.00	(2.00)	220.00

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

25 **SIXTY-EIGHTH LEGISLATIVE ASSEMBLY.** The following amounts reflect one-time funding  
 26 items approved by the sixty-sixth legislative assembly for the 2019-21 biennium and the  
 27 2021-23 biennium one-time funding items included in the appropriation in section 1 of this Act:

	One-Time Funding Description	2019-21	2021-23
28			
29	<del>Emergency response equipment</del>	<del>\$660,000</del>	<del>\$0</del>
30	<del>Camp Grafton expansion</del>	<del>600,000</del>	<del>0</del>
31	<del>Uninterruptible power supply battery replacement</del>	<del>20,000</del>	<del>0</del>

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1	<del>Computer-aided dispatch equipment</del>	<del>516,000</del>	<del>0</del>
2	<del>Message switch system upgrade</del>	<del>335,000</del>	<del>0</del>
3	<del>Dispatching service fee shortfall</del>	<del>1,212,253</del>	<del>0</del>
4	<del>Total all funds</del>	<del>\$3,343,253</del>	<del>\$0</del>
5	<del>Total other funds</del>	<del>3,162,253</del>	<del>0</del>
6	<del>Total general fund</del>	<del>\$181,000</del>	<del>\$0</del>
7	Fraine Barracks automation system	\$0	\$320,000
8	Emergency response equipment and supplies	0	100,000
9	Fargo Readiness Center equipment	0	100,000
10	Dickinson Readiness Center project	0	15,500,000
11	Bridge training site	0	6,000,000
12	Emergency response equipment	660,000	0
13	Camp Grafton expansion	600,000	0
14	Uninterruptible power supply battery replacement	20,000	0
15	Computer-aided dispatch equipment	516,000	0
16	Message switch system upgrade	335,000	0
17	Dispatching service fee shortfall	1,212,253	0
18	Total all funds	\$3,343,253	\$22,020,000
19	Total other funds	3,162,253	21,790,000
20	Total general fund	\$181,000	\$230,000

21 The 2021-23 biennium one-time funding amounts are not a part of the entity's base budget  
 22 for the 2023-25 biennium. The adjutant general shall report to the appropriations committees of  
 23 the sixty-eighth legislative assembly on the use of this one-time funding for the biennium  
 24 beginning July 1, 2021, and ending June 30, 2023.

25 **SECTION 3. APPROPRIATION - NORTH DAKOTA MILITARY MUSEUM.** The adjutant  
 26 general may accept up to \$10,000,000 from other funds, including private and federal funds, the  
 27 sum of which is appropriated to the adjutant general for the construction of a North Dakota  
 28 military museum during the period beginning with the effective date of this Act, and ending  
 29 June 30, 2023. The adjutant general, with the approval of the governor, may enter into an  
 30 agreement with the director of the parks and recreation department or the state historical  
 31 society for the construction of a new facility, the renovation of an existing property, and the

1 operations and maintenance of a military museum. The funding provided in this section is  
2 considered a one-time funding item.

3 **SECTION 4. VETERANS' CEMETERY MAINTENANCE FUND - APPROPRIATION.** In  
4 addition to the amount appropriated to the adjutant general in the veterans' cemetery line item  
5 in subdivision 1 of section 1 of this Act, there is appropriated any additional funds that are  
6 received and deposited in the veterans' cemetery maintenance fund pursuant to sections  
7 37-03-14 and 39-04-10.10 for the operation of the North Dakota veterans' cemetery for the  
8 biennium beginning July 1, 2021, and ending June 30, 2023.

9 **SECTION 5. EXEMPTION - MAINTENANCE AND REPAIRS - TRANSFERS.**

10 Notwithstanding section 54-16-04, the director of the office of management and budget shall  
11 transfer up to \$500,000 of appropriation authority to the operating expenses and capital assets  
12 line items contained in section 1 of this Act from the various other line items contained in  
13 section 1 of this Act, as requested by the adjutant general to provide for the maintenance and  
14 repair of state-owned armories in this state during the biennium beginning July 1, 2021, and  
15 ending June 30, 2023. The adjutant general shall notify the legislative council of any transfers  
16 made pursuant to this section.

17 **SECTION 6. EXEMPTION.** Any amounts continued from the strategic investment and  
18 improvements fund pursuant to section 14 of chapter 41 of the 2019 Session Laws, which are  
19 unexpended as of June 30, 2021, are not subject to section 54-44.1-11 and any unexpended  
20 funds from this appropriation may be used to complete the mobile repeaters and programming  
21 radios, and for technology upgrade costs required to implement the statewide interoperable  
22 radio network during the biennium beginning July 1, 2021, and ending June 30, 2023.

23 **SECTION 7. EXEMPTION.** The amount appropriated in the tuition, recruiting, and retention  
24 line item in subdivision 1 of section 1 of chapter 41 of the 2019 Session Laws is not subject to  
25 section 54-44.1-11 and any unexpended funds from this appropriation may be used to provide  
26 tuition assistance, recruiting, and retention incentives to eligible members of the North Dakota  
27 national guard during the biennium beginning July 1, 2021, and ending June 30, 2023.

28 **SECTION 8. EXEMPTION.** The sum of \$450,000 from the strategic investment and  
29 improvements fund and \$66,000 from the general fund appropriated for computer-aided  
30 dispatch equipment in subdivision 2 of section 1 of chapter 41 of the 2019 Session Laws is not  
31 subject to section 54-44.1-11 and any unexpended funds from this appropriation may be used

1 for computer-aided dispatch equipment during the biennium beginning July 1, 2021, and ending  
2 June 30, 2023.

3 **SECTION 9. EXEMPTION.** The sum of \$240,000 from the strategic investment and  
4 improvements fund and \$95,000 from the general fund appropriated for the message switch  
5 upgrade in subdivision 2 of section 1 of chapter 41 of the 2019 Session Laws is not subject to  
6 section 54-44.1-11 and any unexpended funds from this appropriation may be used to complete  
7 the message switch upgrade project during the biennium beginning July 1, 2021, and ending  
8 June 30, 2023.

9 **SECTION 10. EXEMPTION.** The amount of \$600,000 from the strategic investment and  
10 improvements fund appropriated in the camp Grafton expansion line item in subdivision 1 of  
11 section 1 of chapter 41 of the 2019 Session Laws is not subject to section 54-44.1-11 and any  
12 unexpended funds from this appropriation may be used to continue the expansion of camp  
13 Grafton during the biennium beginning July 1, 2021, and ending June 30, 2023.

14 **SECTION 11. LEGISLATIVE INTENT - CAMP GRAFTON EXPANSION.** It is the intent of  
15 the sixty-seventh legislative assembly that:

- 16 1. The adjutant general purchase options during the biennium beginning July 1, 2021,  
17 and ending June 30, 2023, for the purchase or long-term lease of land for the camp  
18 Grafton expansion, including the purchase of no more than one thousand six hundred  
19 acres and the long-term lease of the remainder, not to exceed six thousand acres in  
20 total.
- 21 2. If the adjutant general secures options to purchase or lease all necessary land for the  
22 camp Grafton expansion, the sixty-eighth legislative assembly provide funding and  
23 authority for the purchase or long-term lease of land for the camp Grafton expansion  
24 during the biennium beginning July 1, 2023, and ending June 30, 2025.
- 25 3. The adjutant general not use eminent domain for the expansion of camp Grafton.

26 **SECTION 12. EMERGENCY.** Section 3 of this Act is declared to be an emergency  
27 measure.