

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; to provide an exemption; to provide a report; to provide legislative intent; and
3 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

		Adjustments or		
	<u>Base Level</u>	<u>Enhancements</u>	<u>Appropriation</u>	
13				
14				
15	Salaries and wages	\$6,833,766	\$317,263	\$7,151,029
16	Operating expenses	2,767,321	280,992	3,048,313
17	Capital assets	224,046	21,500,000	21,724,046
18	Grants	210,916	0	210,916
19	Civil air patrol	305,134	4,365	309,499
20	Tuition, recruiting, and retention	4,782,072	(1,739,837)	3,042,235
21	Air guard contract	8,571,129	(74,738)	8,496,391
22	Army guard contract	46,940,013	1,686,682	48,626,695
23	Veterans' cemetery	1,151,906	174,648	1,326,554
24	Reintegration program	<u>1,051,168</u>	<u>(124,701)</u>	<u>926,467</u>

Sixty-seventh
Legislative Assembly

1	Total all funds	\$72,837,471	\$22,024,674	\$94,862,145
2	Less estimated income	<u>54,214,657</u>	<u>23,911,970</u>	<u>78,126,627</u>
3	Total general fund	\$18,622,814	(\$1,887,296)	\$16,735,518
4	Subdivision 2.			

DEPARTMENT OF EMERGENCY SERVICES

6			Adjustments or	
7		<u>Base Level</u>	<u>Enhancements</u>	<u>Appropriation</u>
8	Salaries and wages	\$10,986,431	\$986,330	\$11,972,761
9	Operating expenses	8,060,574	(1,458,240)	6,602,334
10	Capital assets	0	660,000	660,000
11	Grants	16,273,425	(1,723,425)	14,550,000
12	Disaster costs	<u>36,555,085</u>	<u>12,430,330</u>	<u>48,985,415</u>
13	Total all funds	\$71,875,515	\$10,894,995	\$82,770,510
14	Less estimated income	<u>63,108,132</u>	<u>13,276,877</u>	<u>76,385,009</u>
15	Total general fund	\$8,767,383	(\$2,381,882)	\$6,385,501

Subdivision 3.

SECTION 1 TOTAL

18			Adjustments or	
19		<u>Base Level</u>	<u>Enhancements</u>	<u>Appropriation</u>
20	Grand total general fund	\$27,390,173	(\$4,269,178)	\$23,121,019
21	Grand total special funds	<u>117,322,789</u>	<u>37,188,847</u>	<u>154,511,636</u>
22	Grand total all funds	\$144,712,986	\$32,919,669	\$177,632,655
23	Full-time equivalent positions	222.00	(2.00)	220.00

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

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

28	<u>One-Time Funding Description</u>	<u>2019-21</u>	<u>2021-23</u>
29	Fraine Barracks automation system	\$0	\$320,000
30	Emergency response equipment and supplies	0	100,000
31	Fargo Readiness Center equipment	0	100,000

Sixty-seventh
Legislative Assembly

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

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

16 **SECTION 3. APPROPRIATION - NORTH DAKOTA MILITARY MUSEUM.** The adjutant
17 general may accept up to \$10,000,000 from other funds, including private and federal funds, the
18 sum of which is appropriated to the adjutant general for the construction of a North Dakota
19 military museum during the period beginning with the effective date of this Act, and ending
20 June 30, 2023. The adjutant general, with the approval of the governor, may enter into an
21 agreement with the director of the parks and recreation department or the state historical
22 society for the construction of a new facility, the renovation of an existing property, and the
23 operations and maintenance of a military museum. The funding provided in this section is
24 considered a one-time funding item.

25 **SECTION 4. VETERANS' CEMETERY MAINTENANCE FUND - APPROPRIATION.** In
26 addition to the amount appropriated to the adjutant general in the veterans' cemetery line item
27 in subdivision 1 of section 1 of this Act, there is appropriated any additional funds that are
28 received and deposited in the veterans' cemetery maintenance fund pursuant to sections
29 37-03-14 and 39-04-10.10 for the operation of the North Dakota veterans' cemetery for the
30 biennium beginning July 1, 2021, and ending June 30, 2023.

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

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

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

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

20 **SECTION 8. EXEMPTION.** The sum of \$450,000 from the strategic investment and
21 improvements fund and \$66,000 from the general fund appropriated for computer-aided
22 dispatch equipment in subdivision 2 of section 1 of chapter 41 of the 2019 Session Laws is not
23 subject to section 54-44.1-11 and any unexpended funds from this appropriation may be used
24 for computer-aided dispatch equipment during the biennium beginning July 1, 2021, and ending
25 June 30, 2023.

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

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

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

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

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