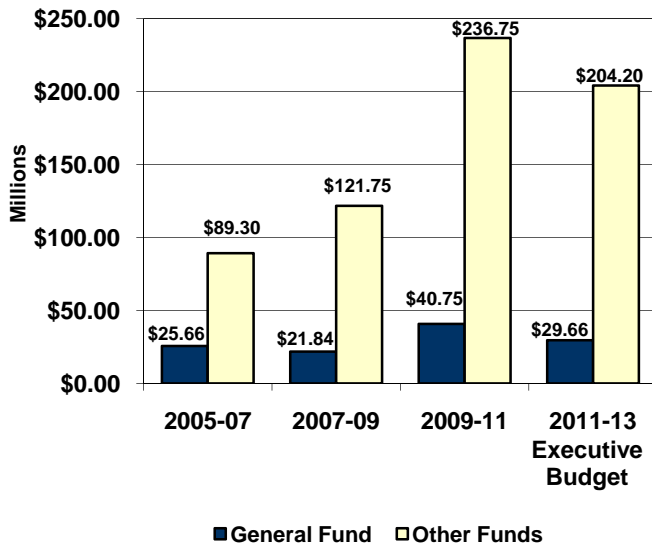


**Department 540 - Adjutant General, including National Guard and Department of Emergency Services
 Senate Bill No. 2016**

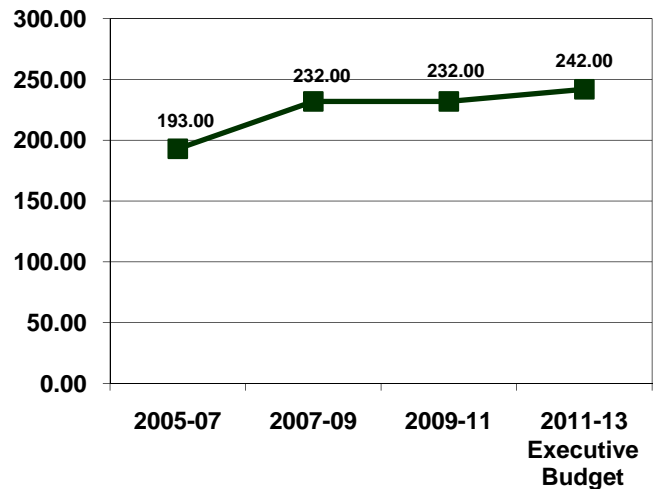
	FTE Positions	General Fund	Other Funds	Total
2011-13 Executive Budget	242.00	\$29,659,125	\$204,204,378	\$233,863,503
2009-11 Legislative Appropriations	232.00	40,745,214	236,751,871	277,497,085 ¹
Increase (Decrease)	10.00	(\$11,086,089)	(\$32,547,493)	(\$43,633,582)

¹The 2009-11 legislative appropriation amounts include \$100,000, of which \$20,000 is from the general fund, for the agency's share of the \$16 million funding pool appropriated to the Office of Management and Budget (OMB) for special market equity adjustments for executive branch employees.

Agency Funding



FTE Positions



Ongoing and One-Time General Fund Appropriations

	Ongoing General Fund Appropriation	One-Time General Fund Appropriation	Total General Fund Appropriation
2011-13 Executive Budget	\$23,788,697	\$5,870,428	\$29,659,125
2009-11 Legislative Appropriations	22,209,867	18,535,347	40,745,214
Increase (Decrease)	\$1,578,830	(\$12,664,919)	(\$11,086,089)

First House Action

Attached is a summary of first house changes.

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

	General Fund	Other Funds	Total
1. Removes one-time federal fiscal stimulus funding (\$3,783,770) provided in the 2009-11 biennium relating to:			
Military energy-related maintenance and repairs		(\$2,522,270)	(\$2,522,270)
Boiler projects at the Minot Armed Forces Reserve Center and the Raymond J. Bohn Armory in Bismarck		(\$500,000)	(\$500,000)
New east operations center in Fargo		(\$450,000)	(\$450,000)
Security software upgrades		(\$311,500)	(\$311,500)
2. Removes one-time funding (\$18,535,347) provided in the 2009-11 biennium relating to:			
Motorola lease	(\$1,525,347)		(\$1,525,347)
Veterans' bonus	(\$500,000)		(\$500,000)

Base map	(\$2,100,000)		(\$2,100,000)
The Senate reclassified \$100,000 of one-time funding provided in the executive budget for State Radio enhancements to technology projects in the capital assets line item.			
State Radio towers	(\$500,000)		(\$500,000)
Technology projects	(\$1,000,000)		(\$1,000,000)
Technology equipment and software purchases	(\$160,000)		(\$160,000)
2009 flood disaster funding	(\$12,500,000)		(\$12,500,000)
Tornado disaster recovery grants	(\$250,000)		(\$250,000)
3. Adds one-time funding (\$7,172,428) for:			
Motorola lease	\$1,525,347		\$1,525,347
Equipment	\$52,000	\$802,000	\$854,000
The Senate reclassified the \$52,000 general fund appropriation for equipment from one time to ongoing.			
Statewide seamless base map	\$400,000	\$500,000	\$900,000
Message switch upgrades	\$235,000		\$235,000
Central electronics bank dispatch system	\$1,100,000		\$1,100,000
State Radio tower enhancements	\$2,100,000		\$2,100,000
Extraordinary repairs	\$385,381		\$385,381
Military Service Center east (reintegration program)	\$72,700		\$72,700
4. Removes \$35.2 million of special funds appropriated in the 2009-11 biennium from the state disaster relief fund. This reduces the appropriation to the state disaster relief fund from \$43 million to \$7,843,000.		(\$35,157,000)	(\$35,157,000)
5. Adds funding for federal construction projects, including \$20 million for capital construction projects and \$5 million for extraordinary repairs		\$25,000,000	\$25,000,000
6. Adds funding for 4 FTE regional emergency management coordinator positions	\$157,684	\$473,052	\$630,736
7. Adds funding for computer-aided dispatch maintenance fees	\$356,000		\$356,000
8. Adds ongoing funding for a Military Service Center east (reintegration program)	\$77,300		\$77,300
9. Provides funding for 1 FTE custodian (\$79,583) and funding for costs to continue 4 FTE maintenance staff (\$232,140) added in the second year of the 2009-11 biennium for the Regional Training Institute at Camp Grafton in Devils Lake	\$77,932	\$233,792	\$311,723
10. Adds funding for National Guard facility utilities (\$80,000 - Camp Grafton Readiness Center and \$25,000 - Operations center east at Hector Field in Fargo)	\$105,000		\$105,000
11. Adds funding for state facility maintenance and repair of 41 state-supported National Guard facilities	\$265,000		\$265,000
12. Adds funding for National Guard facility insurance to insure the Regional Training Institute and the Camp Grafton Readiness Center	\$16,000		\$16,000
13. Adds funding for Civil Air Patrol FLIR maintenance	\$15,000		\$15,000
14. Adds funding for 5 FTE 119 th Wing firefighter positions at Hector Field in Fargo		\$517,572	\$517,572
15. Adds funding for ongoing State Radio tower expenses	\$180,000		\$180,000

Other Sections in Bill

Section 3 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 North Dakota Veterans' Cemetery for the 2011-13 biennium.

Section 4 provides an additional appropriation, subject to Emergency Commission approval, of any additional funds in the state disaster relief fund, as determined necessary by the Adjutant General for defraying the expenses of state disasters pursuant to Section 37-17.1-27.

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 2009-11 biennium. Any amounts transferred must be reported to OMB.

Section 6 amends Section 6 of 2005 House Bill No. 1017 to provide 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, and 2011-13 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 2013-15 biennium.

Section 7 provides that any unexpended general fund or special funds appropriation authority in the capital assets line item relating to the Next Generation 911 study and State Radio tower study during the 2009-11 biennium is not subject to the provisions of Section 54-44.1-11 and may be continued and expended during the 2011-13 biennium.

Section 8 increases the amount charged for state radio fees.

Section 9 declares Section 4 an emergency.

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 North Dakota 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 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 funding salaries and maintenance at the cemetery.

Significant Audit Findings

Noncompliance with North Dakota Century Code for fees charged by State Radio communications 08-2 (prior recommendation not implemented). The Adjutant General is not charging fees sufficient to cover the costs of providing 911 services, law enforcement telecommunications systems (LETS), and mobile data terminal (MDT) services. The Adjutant General has developed an analysis of actual costs associated with 911, LETS, and MDT services; however, fee adjustments were not implemented within the audited two-year period ended June 30, 2008. The Adjutant General has developed an analysis of actual costs associated with 911, MDT, and LETS services. The Adjutant General is performing quarterly reviews to ensure political subdivisions are charged for the correct number of 911 access lines. In addition, the Adjutant General has established the intent to analyze costs and adjust fees as appropriate on a biennial basis. However, the implementation of these processes occurred outside of the audit period and was not subsequently reviewed by the State Auditor.

Major Related Legislation

Senate Bill No. 2069 - Provides for the reimbursement of certain medical expenses for North Dakota National Guard members while on state active duty.

Senate Bill No. 2369 - This delayed bill provides for a transfer of \$22 million from the permanent oil tax trust fund to the state disaster relief fund and provides authority to the Department of Emergency Services to use this funding for costs associated with state disasters and flood mitigation efforts. The bill specifies funding may be used for the following items:

- State costs relating to flooding that occurs during the spring of 2011, subject to Emergency Commission approval.
- Flood disaster relief or disaster mitigation projects in incorporated cities that:
 - Are in imminent threat of being flooded;
 - Are underserved by adequate flood protection measures;
 - Are expected to lose land due to flooding for one year or longer; and
 - Are ineligible, as determined by the Adjutant General, for other program funds that can be made available based on timeline or project availability.
- State disasters pursuant to Section 37-17.1-27, subject to Emergency Commission approval, not related to flooding that occurs during the spring of 2011.

Senate Bill No. 2369 also provides an appropriation of \$9 million from the state disaster relief fund to the Adjutant General for providing emergency snow removal grants to counties, cities, and townships. A county, township, or city may apply to the Department of Emergency Services for an emergency snow removal grant for reimbursement of up to 60 percent of the costs incurred by the county, township, or city for the period January 2011 through March 2011 that exceed 200 percent of the average costs incurred for these months in 2004 through 2010 disregarding the highest and lowest years' costs. The Department of Emergency Services is to distribute these grants prior to June 30, 2011.

ATTACH:1