

SENATE BILL NO. 2016

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 statement of legislative intent; to
3 provide for a transfer; 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, 2023, and ending June 30,
10 2025, as follows:

11 Subdivision 1.

12 NATIONAL GUARD

	<u>Governor's</u>		
	<u>Base Level</u>	<u>Recommendation</u>	<u>Appropriation</u>
13 <u>Salaries and wages</u>	<u>\$7,150,489</u>	<u>\$8,014,376</u>	<u>\$7,150,489</u>
14 <u>Operating expenses</u>	<u>3,048,313</u>	<u>3,299,461</u>	<u>3,048,313</u>
15 <u>Capital assets</u>	<u>224,046</u>	<u>47,924,046</u>	<u>224,046</u>
16 <u>Grants</u>	<u>210,916</u>	<u>585,692</u>	<u>210,916</u>
17 <u>Civil air patrol</u>	<u>309,125</u>	<u>389,313</u>	<u>309,125</u>
18 <u>Tuition, recruiting, and retention</u>	<u>3,042,235</u>	<u>3,042,235</u>	<u>3,042,235</u>
19 <u>Air guard contract</u>	<u>8,490,161</u>	<u>8,952,551</u>	<u>8,490,161</u>
20 <u>Army guard contract</u>	<u>48,203,473</u>	<u>52,344,748</u>	<u>48,203,473</u>
21 <u>Veterans' cemetery</u>	<u>1,325,998</u>	<u>1,409,117</u>	<u>1,325,998</u>
22 <u>Reintegration program</u>	<u>925,524</u>	<u>923,694</u>	<u>925,524</u>

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1	Total all funds	\$72,930,280	\$126,885,233	\$72,930,280
2	Less estimated income	56,326,564	106,541,929	56,326,564
3	Total general fund	\$16,603,716	\$20,343,304	\$16,603,716
4		Adjustments or		
5		Base Level	Enhancements	Appropriation
6	Salaries and wages	\$7,150,489	\$757,309	\$7,907,798
7	Operating expenses	3,048,313	251,148	3,299,461
8	Capital assets	224,046	19,500,000	19,724,046
9	Grants	210,916	374,776	585,692
10	Civil air patrol	309,125	78,030	387,155
11	Tuition, recruiting, and retention	3,042,235	320,000	3,362,235
12	Air guard contract	8,490,161	531,148	9,021,309
13	Army guard contract	48,203,473	2,971,364	51,174,837
14	Veterans' cemetery	1,325,998	69,290	1,395,288
15	Reintegration program	925,524	(14,129)	911,395
16	Total all funds	\$72,930,280	\$24,838,936	\$97,769,216
17	Less estimated income	56,326,564	21,716,184	78,042,748
18	Total general fund	\$16,603,716	\$3,122,752	\$19,726,468

19 Subdivision 2.

20 DEPARTMENT OF EMERGENCY SERVICES

21		Governor's		
22		Base Level	Recommendation	Appropriation
23	Salaries and wages	\$12,232,240	\$15,102,859	\$12,232,240
24	Operating expenses	6,502,334	7,815,567	6,502,334
25	Capital assets	660,000	960,000	660,000
26	Grants	14,550,000	27,790,000	14,550,000
27	Disaster costs	51,485,736	74,297,224	51,485,736
28	Total all funds	\$85,430,310	\$125,965,650	\$85,430,310
29	Less estimated income	79,151,794	116,906,914	79,151,794
30	Total general fund	\$6,278,516	\$9,058,736	\$6,278,516
31		Adjustments or		

	Base Level	Enhancements	Appropriation
1			
2	\$12,232,240	\$2,662,351	\$14,894,591
3	6,502,334	1,313,233	7,815,567
4	660,000	300,000	960,000
5	14,550,000	13,868,000	28,418,000
6	51,485,736	165,448,359	216,934,095
7	\$85,430,310	\$183,591,943	\$269,022,253
8	79,151,794	180,105,176	259,256,970
9	\$6,278,516	\$3,486,767	\$9,765,283

10 Subdivision 3.

11 SECTION 1 TOTAL

12 Governor's			
	Base Level	Recommendation	Appropriation
13			
14	\$22,882,232	\$29,402,040	\$22,882,232
15	135,478,358	223,448,843	135,478,358
16	\$158,360,590	\$252,850,883	\$158,360,590
17	222.00	233.00	222.00
18 Adjustments or			
	Base Level	Enhancements	Appropriation
19			
20	\$22,882,232	\$6,609,519	\$29,491,751
21	135,478,358	201,821,360	337,299,718
22	\$158,360,590	\$208,430,879	\$366,791,469
23	222.00	11.00	233.00

24 **SECTION 2. ONE-TIME FUNDING - EFFECT ON BASE BUDGET - REPORT TO THE**
 25 **SIXTY-NINTH LEGISLATIVE ASSEMBLY.** The following amounts reflect the one-time funding
 26 items approved by the sixty-seventh legislative assembly for the 2021-23 biennium and the
 27 2023-25 biennium one-time funding items included in the appropriation in section 1 of this Act:

	One-Time Funding Description	2021-23	2023-25
28			
29	Emergency response equipment and supplies	\$100,000	\$0
30	Dickinson readiness center project	15,500,000	0
31	Military museum	10,000,000	0

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1	Fraine Barracks automation system	320,000	0
2	Fargo readiness center equipment	100,000	0
3	Bridge training site	6,000,000	0
4	Camp Grafton expansion	3,500,000	0
5	Disaster response	887,873	0
6	Payroll expenses	1,000,000	0
7	State active-duty software	450,000	0
8	Camp Grafton housing	2,000,000	0
9	Deferred maintenance	1,000,000	0
10	Total all funds	\$40,857,873	\$0
11	Total other funds	38,877,873	0
12	Total general fund	\$1,980,000	\$0
13	Emergency response equipment and supplies	\$100,000	\$660,000
14	Dickinson readiness center project	15,500,000	8,900,000
15	Military museum	10,000,000	0
16	Fraine Barracks automation system	320,000	0
17	Fargo readiness center equipment	100,000	0
18	Bridge training site	6,000,000	0
19	Camp Grafton expansion	3,500,000	0
20	Disaster response	887,873	0
21	Payroll expenses	1,000,000	0
22	State active-duty software	450,000	0
23	Camp Grafton housing	2,000,000	0
24	Deferred maintenance	1,000,000	0
25	Retirement payouts	0	275,000
26	Statewide interoperable radio network equipment	0	2,700,000
27	Camp Grafton billets	0	5,300,000
28	Minot airport hangar	0	60,000
29	State radio consoles	0	300,000
30	Williston readiness center project	0	2,600,000
31	Safeguarding Tomorrow through Ongoing Risk Mitigation Act	0	1,000,000

1	<u>Disaster grants</u>	0	142,652,500
2	<u>Total all funds</u>	\$40,857,873	\$164,447,500
3	<u>Total other funds</u>	38,877,873	163,987,500
4	<u>Total general fund</u>	\$1,980,000	\$460,000

5 The 2023-25 biennium one-time funding amounts are not a part of the entity's base budget
6 for the 2025-27 biennium. The adjutant general shall report to the appropriations committees of
7 the sixty-ninth legislative assembly on the use of this one-time funding for the biennium
8 beginning July 1, 2023, and ending June 30, 2025.

9 **SECTION 3. 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 that are
12 received and deposited in the veterans' cemetery maintenance fund pursuant to sections
13 37-03-14 and 39-04-10 for the operation of the North Dakota veterans' cemetery for the
14 biennium beginning July 1, 2023, and ending June 30, 2025.

15 **SECTION 4. 2021-23 BIENNIUM APPROPRIATION - TRANSFER - VETERANS'**
16 **CEMETERY TRUST FUND.** There is appropriated out of any moneys in the general fund in the
17 state treasury, not otherwise appropriated, the sum of \$26,656, which the office of management
18 and budget shall transfer to the veterans' cemetery trust fund for the payment of adjusted
19 compensation to veterans in accordance with provisions of section 12 of chapter 41 of the 2019
20 Session Laws, during the period beginning with the effective date of this Act, and ending
21 June 30, 2023.

22 **SECTION 5. ESTIMATED INCOME - FEDERAL STATE FISCAL RECOVERY FUND -**
23 **ADJUTANT GENERAL.** The estimated income line item in subdivision 1 of section 1 of this Act
24 includes \$16,800,000 from the federal state fiscal recovery fund, of which \$5,300,000 is for the
25 construction of billets at Camp Grafton, \$8,900,000 is for the completion of the Dickinson
26 readiness center, and \$2,600,000 is for the design and engineering of the Williston readiness
27 center.

28 **SECTION 6. ESTIMATED INCOME - STRATEGIC INVESTMENT AND IMPROVEMENTS**
29 **FUND - ADJUTANT GENERAL.** The estimated income line item in subdivision 1 of section 1 of
30 this Act includes \$2,700,000 from the strategic investment and improvements fund for statewide
31 interoperable radio network equipment.

1 **SECTION 7. CYBERSECURITY GRANT PROGRAM.** The adjutant general may spend up
2 to \$628,000 from the general fund in the grants line item in subdivision 2 of section 1 of this Act
3 providing grants to political subdivisions for all or a portion of the required ten percent local
4 match for cybersecurity enforcement.

5 **SECTION 8. EXEMPTION - MAINTENANCE AND REPAIRS - TRANSFERS.**
6 Notwithstanding section 54-16-04, the director of the office of management and budget shall
7 transfer up to \$500,000 of appropriation authority to the operating expenses and capital assets
8 line items contained in section 1 of this Act, as requested by the adjutant general to provide for
9 the maintenance and repair of state-owned armories in this state during the biennium beginning
10 July 1, 2023, and ending June 30, 2025. The adjutant general shall notify the legislative council
11 of any transfers made pursuant to this section.

12 ~~**SECTION 6. EXEMPTION - MAINTENANCE AND REPAIRS - TRANSFERS.**~~
13 ~~Notwithstanding section 54-16-04, the director of the office of management and budget shall~~
14 ~~transfer up to \$500,000 of appropriation authority to the operating expenses and capital assets~~
15 ~~line items contained in section 1 of this Act, as requested by the adjutant general to provide for~~
16 ~~the maintenance and repair of state-owned armories in this state during the biennium beginning~~
17 ~~July 1, 2023, and ending June 30, 2025. The adjutant general shall notify the legislative council~~
18 ~~of any transfers made pursuant to this section.~~

19 **SECTION 9. EXEMPTION - UNEXPENDED APPROPRIATIONS.** The following
20 appropriations are not subject to the provisions of section 54-44.1-11 and may be continued into
21 the biennium beginning July 1, 2023, and ending June 30, 2025:

- 22 1. The sum of \$450,000 appropriated from the strategic investment and improvements
23 fund for computer-aided dispatch equipment in section 12 of chapter 16 of the 2021
24 Session Laws;
- 25 2. The sum of \$3,042,235 appropriated from the general fund for tuition assistance,
26 recruiting and retention incentives to eligible current and former members of the North
27 Dakota national guard in subdivision 1 of section 1 of chapter 16 of the 2021 Session
28 Laws;
- 29 3. The sum of \$80,000 appropriated from the general fund and \$240,000 of federal funds
30 for the Fraine Barracks automation system in subdivision 1 of section 1 of chapter 16
31 of the 2021 Session Laws;

- 1 4. The sum of \$15,500,000 appropriated from federal funds for the construction of the
- 2 Dickinson readiness center in subdivision 1 of section 1 of chapter 16 of the 2021
- 3 Session Laws;
- 4 5. The sum of \$6,000,000 appropriated from federal funds for the line of communication
- 5 bridge training site in subdivision 1 of section 1 of chapter 16 of the 2021 Session
- 6 Laws;
- 7 6. Any amounts remaining from the national guard training area and facility development
- 8 trust fund and the strategic investment and improvements fund for the expansion of
- 9 Camp Grafton in section 3 and section 14 of chapter 16 of the 2021 Session Laws;
- 10 7. Any amounts remaining for the purpose of defraying COVID-19 and other expenses in
- 11 subdivision 7 of section 1 of chapter 27 and subdivision 7 of section 2 of chapter 28 of
- 12 the 2021 Session Laws;
- 13 8. Any amounts remaining from the federal state fiscal recovery fund for replacing the
- 14 state active duty software and maintenance in subsection 24 of section 1 of
- 15 chapter 550 of the 2021 Special Session Session Laws; and
- 16 9. Any amounts remaining from the federal state fiscal recovery fund for enhancing
- 17 housing at Camp Grafton in subsection 31 of section 1 of chapter 550 of the 2021
- 18 Special Session Session Laws.

19 **SECTION 10. CAMP GRAFTON - LEGISLATIVE INTENT.** It is the intent of the sixty-eighth
20 legislative assembly that:

- 21 1. The adjutant general contract for the purchase or long-term lease of land for the Camp
- 22 Grafton expansion, including the purchase of no more than one thousand six hundred
- 23 acres and the long-term lease of the remainder, not to exceed six thousand acres in
- 24 total.
- 25 2. The adjutant general not use eminent domain for the expansion of Camp Grafton.

26 **SECTION 11. GIFTS, DONATIONS, AND BEQUESTS - NORTH DAKOTA MILITARY**
27 **MUSEUM.** The adjutant general may accept gifts, grants, and donations, including those from
28 private and federal sources, and deposit the funds in the state treasury for the construction of a
29 North Dakota military museum during the biennium beginning July 1, 2023, and ending June 30,
30 2025.

1 **SECTION 12. EMERGENCY.** The sum of \$628,000 in the grants line item of subdivision 2
2 of section 1 of this Act and sections 4 and 7 of this Act are declared to be an emergency
3 measure.