

HOUSE BILL NO. 1016

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 adjutant
2 general; to provide for transfers; to provide exemptions; to amend and reenact section
3 37-17.1-27 of the North Dakota Century Code, relating to expenditure from the state disaster
4 relief fund; and to declare an emergency.

5 BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

6 **SECTION 1. APPROPRIATION.** The funds provided in this section, or so much of the funds
7 as may be necessary, are appropriated out of any moneys in the general fund in the state
8 treasury, not otherwise appropriated, and from special funds derived from federal funds and
9 other income, to the office of the adjutant general for the purpose of defraying the expenses of
10 that agency, for the biennium beginning July 1, 2013, and ending June 30, 2015, 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	\$5,153,886	\$2,690,230	\$7,844,116
16	Operating expenses	4,062,891	0	4,062,891
17	Capital assets	229,371	1,141,261	1,370,632
18	Grants	449,514	660,000	1,109,514
19	Civil air patrol	243,353	47,418	290,771
20	Tuition, recruiting, and retention	2,407,500	110,000	2,517,500
21	Air guard contract	10,989,323	758,804	11,748,127
22	Army guard contract	56,110,755	2,423,237	58,533,992
23	Veterans' cemetery	576,916	85,908	662,824
24	Reintegration program	<u>1,477,449</u>	<u>24,144</u>	<u>1,501,593</u>

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1	Total all funds	\$81,700,958	\$7,941,002	\$89,641,960
2	Less estimated income	<u>65,721,902</u>	<u>4,825,927</u>	<u>70,547,829</u>
3	Total general fund	\$15,979,056	\$3,115,075	\$19,094,131

4 Subdivision 2.

5 DEPARTMENT OF EMERGENCY SERVICES

6			Adjustments or	
7		<u>Base Level</u>	<u>Enhancements</u>	<u>Appropriation</u>
8	Salaries and wages	\$11,363,744	(\$792,716)	\$10,571,028
9	Operating expenses	9,930,022	(10,534)	9,919,488
10	Capital assets	802,000	121,240	923,240
11	Grants	71,419,771	(52,046,524)	19,373,247
12	Disaster costs	109,923,008	37,807,346	147,730,354
13	Radio communications	<u>0</u>	<u>3,710,000</u>	<u>3,710,000</u>
14	Total all funds	\$203,438,545	(\$11,211,188)	\$192,227,357
15	Less estimated income	<u>195,382,476</u>	<u>(15,856,622)</u>	<u>179,525,854</u>
16	Total general fund	\$8,056,069	\$4,645,434	\$12,701,503

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	\$24,035,125	\$7,760,509	\$31,795,634
22	Grand total special funds	<u>261,104,378</u>	<u>(11,030,695)</u>	<u>250,073,683</u>
23	Grand total all funds	\$285,139,503	(\$3,270,186)	\$281,869,317
24	Full-time equivalent positions	242.00	4.00	246.00

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

26 **SIXTY-FOURTH LEGISLATIVE ASSEMBLY.** The following amounts reflect the one-time
 27 funding items approved by the sixty-second legislative assembly for the 2011-13 biennium and
 28 the 2013-15 one-time funding items included in the appropriation in section 1 of this Act:

29	<u>One-Time Funding Description</u>	<u>2011-13</u>	<u>2013-15</u>
30	Motorola lease purchase payment	\$1,525,347	\$0

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1	Message switch upgrades	235,000	0
2	Central electronics bank dispatch system	1,100,000	0
3	Technology projects	100,000	0
4	State radio tower package	1,500,000	1,500,000
5	Statewide seamless base map	900,000	1,800,000
6	Military service center east	72,700	0
7	Extraordinary repairs	385,381	0
8	State radio communications center	0	1,201,240
9	Computer-aided dispatch upgrade	0	340,000
10	Voice incident recorder	0	150,000
11	State radio suppression project	0	210,000
12	Disaster coordination contract	0	1,500,000
13	Veterans' bonus program	0	600,000
14	Flood disaster expenditures (special session)	39,500,000	0
15	Flood-damaged school grant	<u>500,000</u>	<u>0</u>
16	Total all funds	\$45,818,428	\$7,301,240
17	Less estimated income	<u>40,000,000</u>	<u>2,000,000</u>
18	Total general fund	\$5,818,428	\$5,301,240

19 The 2013-15 one-time funding amounts are not a part of the entity's base budget for the
 20 2015-17 biennium. The adjutant general shall report to the appropriations committees of the
 21 sixty-fourth legislative assembly on the use of this one-time funding for the biennium beginning
 22 July 1, 2013, and ending June 30, 2015.

23 **SECTION 3. VETERANS' CEMETERY MAINTENANCE FUND - APPROPRIATION.** In
 24 addition to the amount appropriated to the adjutant general in the veterans' cemetery line item
 25 in subdivision 1 of section 1 of this Act, there is appropriated any additional funds which are
 26 received and deposited in the veterans' cemetery maintenance fund pursuant to sections
 27 37-03-14 and 39-04-10.10 for the operation of the North Dakota veterans' cemetery for the
 28 biennium beginning July 1, 2013, and ending June 30, 2015.

29 **SECTION 4. MAINTENANCE AND REPAIRS - TRANSFERS.** The adjutant general may
 30 transfer to the operating expenses and capital assets line items contained in section 1 of this
 31 Act up to the sum of \$500,000 from the various other line items contained in section 1 of this

1 Act, as determined necessary by the adjutant general to provide for the maintenance and repair
2 of state-owned armories in this state during the biennium beginning July 1, 2013, and ending
3 June 30, 2015. Any amounts transferred pursuant to this section must be reported to the
4 director of the office of management and budget.

5 **SECTION 5. EXEMPTION.** Any amounts carried over pursuant to section 7 of chapter 42 of
6 the 2011 Session Laws that is unexpended as of June 30, 2013, is not subject to section
7 54-44.1-11 and is available for payment of adjusted compensation to veterans. Any unexpended
8 funds from this appropriation must be transferred to the veterans' cemetery trust fund during the
9 biennium beginning July 1, 2015, and ending June 30, 2017.

10 **SECTION 6. EXEMPTION.** The amount appropriated in the capital assets line for the state
11 radio tower package and statewide seamless base map in section 1, subdivision 2, of
12 chapter 42 of the 2011 Session Laws is not subject to section 54-44.1-11 and any unexpended
13 funds from this line item are available for completing these projects during the biennium
14 beginning July 1, 2013, and ending June 30, 2015.

15 **SECTION 7. EXEMPTION.** The amount appropriated for flood relief or disaster mitigation
16 projects in incorporated cities, and grants to political subdivisions for amounts required to match
17 federal dollars on road grade raising projects and federal emergency relief funding in section 4,
18 subdivisions 2, 3, and 4, of chapter 261 of the 2011 Session Laws is not subject to section
19 54-44.1-11 and any unexpended funds from this appropriation are available for these purposes
20 during the biennium beginning July 1, 2013, and ending June 30, 2015.

21 **SECTION 8. EXEMPTION.** The amount appropriated for grants to cities and counties for
22 flood-impacted housing rehabilitation in section 9 of chapter 579 of the 2011 Session Laws is
23 not subject to section 54-44.1-11 and any unexpended funds from this appropriation are
24 available for these purposes during the biennium beginning July 1, 2013, and ending June 30,
25 2015.

26 **SECTION 9. AMENDMENT.** Section 37-17.1-27 of the North Dakota Century Code is
27 amended and reenacted as follows:

28 **37-17.1-27. State disaster relief fund - Creation - Uses.**

29 There is created in the state treasury a state disaster relief fund. Moneys in the fund are to
30 be used subject to legislative appropriations and emergency commission ~~and budget section~~
31 approval for providing the required state share of funding for expenses associated with state

1 disasters, including providing funds required to match federal funds for expenses associated
2 with presidential-declared disasters in the state, and to defray expenses of the adjutant general
3 in contracting for disaster recovery and mitigation planning and program coordination services.
4 Any interest or other fund earnings must be deposited in the fund. Upon request, the office of
5 the adjutant general shall report to the budget section on expenditures from the fund.

6 **SECTION 10. EMERGENCY.** Of the amount appropriated from the general fund in this Act,
7 funding of \$600,000 in the grants line in subdivision 1 of section 1 of this Act, relating to the
8 veterans' bonus program, \$241,240 in the capital assets line in subdivision 1 of section 1 of this
9 Act, and \$960,000 in the capital assets line in subdivision 2 of section 1 of this Act, relating to
10 the state radio communications center project, is declared to be an emergency measure.