Sixty-fourth Legislative Assembly of North Dakota
In Regular Session Commencing Tuesday, January 6, 2015

SENATE BILL NO. 2016
(Appropriations Committee)
(At the request of the Governor)

AN ACT to provide an appropriation for defraying the expenses of the office of the adjutant general; to provide an appropriation to the information technology department; to provide for transfers; to provide exemptions; to provide a statement of legislative intent; and to declare an emergency.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

SECTION 1. APPROPRIATION. The funds provided in this section, or so much of the funds as may be necessary, are appropriated out of any moneys in the general fund in the state treasury, not otherwise appropriated, and from special funds derived from federal funds and other income, to the office of the adjutant general for the purpose of defraying the expenses of that agency, for the biennium beginning July 1, 2015, and ending June 30, 2017 as follows:

Subdivision 1.

NATIONAL GUARD

	Base Level	Adjustments or Enhancements	Appropriation
Salaries and wages	$6,063,904	$636,876	$6,700,780
Operating expenses	4,112,891	210,000	4,322,891
Capital assets	200,632	187,414	388,046
Grants	509,514	500,000	1,009,514
Civil air patrol	287,451	24,322	311,773
Tuition, recruiting, and retention	2,517,500	0	2,517,500
Air guard contract	11,483,158	(3,428,604)	8,054,554
Army guard contract	59,192,835	750,414	59,943,249
Veterans' cemetery	647,005	164,481	811,486
Reintegration program	1,491,980	411,763	1,903,743
Accrued leave payments	812,098	(812,098)	0
Total all funds	$87,318,968	($1,355,432)	$85,963,536
Less estimated income	70,164,642	(3,230,290)	66,934,352
Total general fund	$17,154,326	$1,874,858	$19,029,184

Subdivision 2.

DEPARTMENT OF EMERGENCY SERVICES

	Base Level	Adjustments or Enhancements	Appropriation
Salaries and wages	$10,553,021	$1,816,888	$12,369,909
Operating expenses	8,364,488	2,882,981	11,247,469
Capital assets	682,000	58,000	740,000
Grants	19,373,247	500,000	19,873,247
Disaster costs	147,718,567	(39,553,083)	108,165,484
Radio communications	0	626,000	626,000
Accrued leave payments	283,895	(283,895)	0
Total all funds	$186,975,218	($33,953,109)	$153,022,109
Less estimated income	177,679,955	(38,461,780)	139,218,175
Total general fund	$9,295,263	$4,508,671	$13,803,934

Subdivision 3.

BILL TOTAL

	Base Level	Adjustments or Enhancements	Appropriation
Grand total general fund	$26,449,589	$7,883,529	$34,333,118
Grand total special funds	247,844,597	(39,692,070)	208,152,527
Grand total all funds	$274,294,186	($31,808,541)	$242,485,645
Full-time equivalent positions	246.00	(12.00)	234.00

SECTION 2. ONE-TIME FUNDING - EFFECT ON BASE BUDGET - REPORT TO SIXTY-FIFTH LEGISLATIVE ASSEMBLY. The following amounts reflect the one-time funding items approved by the sixty-third legislative assembly for the 2013-15 biennium and the 2015-17 one-time funding items included in the appropriation in section 1 of this Act:

One-Time Funding Description	2013-15	2015-17
State radio tower package	$1,175,000	0
Statewide seamless base map	1,150,000	0
State radio communications center	1,201,240	0
Computer-aided dispatch upgrade	340,000	0
Voice incident recorder	150,000	0
State radio suppression project	210,000	0
Disaster coordination contract	1,500,000	200,000
Veterans' bonus program	600,000	500,000
Veterans' book	50,000	0
Veterans' tuition assistance	375,000	0
Next generation 911	0	386,000
Microsoft SQL enterprise for CAD	0	90,000
Message switch test server	0	70,000
Radio tower redundancy	0	80,000
Disaster recovery assistance contract	0	1,000,000
Emergency response supplies	0	550,000
Veterans' cemetery land purchase	0	139,000
Firefighter stipends	0	500,000
Firefighter training	0	1,200,000
Total all funds	$6,751,240	$4,715,000
Less estimated income	2,000,000	1,769,500
Total general fund	$4,751,240	$2,945,500

The 2015-17 one-time funding amounts are not a part of the entity's base budget for the 2017-19 biennium. The adjutant general shall report to the appropriations committees of the sixty-fifth legislative assembly on the use of this one-time funding for the biennium beginning July 1, 2015, and ending June 30, 2017.

SECTION 3. APPROPRIATION - STATE DISASTER RELIEF FUND. Notwithstanding section 37-17.1-27, there is appropriated out of any moneys in the state disaster relief fund in the state treasury, not otherwise appropriated, the sum of $2,000,000, or so much of the sum as may be necessary, to the adjutant general for the purpose of providing for repair and replacement of infrastructure and for removal of debris and other health hazards in recreation service districts that are experiencing chronic flooding, for the period beginning with the effective date of this Act, and ending June 30, 2017. The adjutant general shall consult with the environmental division of the state department of health regarding the process of environmental cleanup.

SECTION 4. APPROPRIATION - INFORMATION TECHNOLOGY DEPARTMENT. There is appropriated out of any moneys in the general fund in the state treasury, not otherwise appropriated, the sum of $1,500,000, or so much of the sum as may be necessary, to the information technology

department for the purpose of planning and coordinating the implementation of the statewide radio interoperability network as provided in section 6 of this Act, for the biennium beginning July 1, 2015, and ending June 30, 2017. The funding provided in this section is considered a one-time funding item.

SECTION 5. STATEWIDE RADIO INTEROPERABILITY NETWORK - LEGISLATIVE INTENT - REPORT TO THE SIXTY-FIFTH LEGISLATIVE ASSEMBLY. The information technology department, under the direction of the statewide interoperability executive committee, shall determine the feasibility and desirability of implementing a statewide radio interoperability network. The department shall consult with representatives of political subdivisions and private entities affected by the implementation of the network to determine participation in the project. If the department determines it is feasible and desirable to proceed with the project, the department shall enter into agreements, including joint powers agreements, with affected entities to delineate the roles and responsibilities of each entity to implement the project. The agreements must detail estimated future project costs to be paid by each entity.

The information technology department shall report to the appropriations committees of the sixty-fifth legislative assembly regarding the department's evaluation of the project, participation by affected entities, and recommendations for proceeding with the project or discontinuing future participation. It is the intent of the sixty-fourth legislative assembly that future legislative appropriations be provided for the state's share of the core project if the information technology department determines it is feasible and desirable to proceed with the project.

SECTION 6. STATE RADIO POSITIONS - REALIGNMENT. The salaries and wages line item in subdivision 2 of section 1 of this Act includes $192,621 from the general fund to realign state radio dispatch positions within the employee classification system.

SECTION 7. INSURANCE TAX DISTRIBUTION FUND - FIRE DEPARTMENT PAYMENTS - FIREFIGHTER TRAINING STIPENDS. Notwithstanding chapter 18-04, the insurance commissioner, as requested by the director of the department of emergency services, shall provide up to $500,000 of funding appropriated from the insurance tax distribution fund in section 2 of Senate Bill No. 2010 as approved by the sixty-fourth legislative assembly, to the department of emergency services for the purpose of providing stipends to firefighters participating in approved training activities, for the biennium beginning July 1, 2015, and ending June 30, 2017. Any funds not used pursuant to this section by June 30, 2017, must be retained in the insurance tax distribution fund for disbursement to fire districts during the 2017-19 biennium.

SECTION 8. VETERANS' CEMETERY MAINTENANCE FUND - APPROPRIATION. In addition to the amount appropriated to the adjutant general in the veterans' cemetery line item in subdivision 1 of section 1 of this Act, there is appropriated any additional funds which are received and deposited in the veterans' cemetery maintenance fund pursuant to sections 37-03-14 and 39-04-10.10 for the operation of the North Dakota veterans' cemetery for the biennium beginning July 1, 2015, and ending June 30, 2017.

SECTION 9. MAINTENANCE AND REPAIRS - TRANSFERS. The adjutant general may transfer to the operating expenses and capital assets line items contained in section 1 of this Act up to the sum of $500,000 from the various other line items contained in section 1 of this Act, as determined necessary by the adjutant general to provide for the maintenance and repair of state-owned armories in this state during the biennium beginning July 1, 2015, and ending June 30, 2017. Any amounts transferred pursuant to this section must be reported to the director of the office of management and budget.

SECTION 10. FUNDING TRANSFERS - STATE EMPLOYEE COMPENSATION ADJUSTMENTS - EXCEPTION. Notwithstanding section 54-16-04, the adjutant general may transfer appropriation authority between line items within each subdivision of section 1 of this Act and between subdivisions within section 1 of this Act, as it relates to state employee compensation increases authorized by the sixty-fourth legislative assembly, for the biennium beginning July 1, 2015, and ending June 30, 2017. The adjutant general shall notify the office of management and budget of any transfer made under this section.

SECTION 11. EXEMPTION. The amount appropriated in the radio communications line for statewide seamless base map, state radio tower package, computer-aided dispatch upgrade, and the voice incident recorder, in subdivision 2 of section 1 of chapter 16 of the 2013 Session Laws is not subject to section 54-44.1-11 and any unexpended funds are available for completing these projects during the biennium beginning July 1, 2015, and ending June 30, 2017.

SECTION 12. EXEMPTION. The amount appropriated in the operating expenses line for the computer-aided dispatch upgrade and the disaster coordination contract in subdivision 2 of section 1 of chapter 16 of the 2013 Session Laws is not subject to section 54-44.1-11 and any unexpended funds are available for these purposes during the biennium beginning July 1, 2015, and ending June 30, 2017.

SECTION 13. EXEMPTION. The amount appropriated in the operating expenses line for the writing, publishing, and distribution of a record of all North Dakota veterans, including a record of all North Dakotans killed in action and missing in action since statehood, subdivision 1 of section 1 of chapter 16 of the 2013 Session Laws is not subject to 54-44.1-11 and any unexpended funds are available for the collecting of information on North Dakotans who served in a theatre or area of armed conflict since the Vietnam conflict during the biennium beginning July 1, 2015, and ending June 30, 2017.

SECTION 14. EXEMPTION. The amount appropriated in the tuition, recruiting, and retention line item in subdivision 1 of section 1 of chapter 16 of the 2013 Session Laws is not subject to section 54-44.1-11, and any unexpended funds from this appropriation may be used to provide tuition assistance, recruiting and retention incentives to eligible members of the North Dakota national guard during the biennium beginning July 1, 2015, and ending June 30, 2017.

SECTION 15. EXEMPTION. The amount appropriated in the tuition, recruiting, and retention line item in section 3 of chapter 16 of the 2013 Session Laws is not subject to section 54-44.1-11 and any unexpended funds from this appropriation may be used to provide tuition assistance to eligible members of the North Dakota national guard, during the biennium beginning July 1, 2015, and ending June 30, 2017, contingent upon the adjutant general certifying to the office of management and budget that the national guard has received a new assignment in association with the Grand Forks air force base.

SECTION 16. EXEMPTION. Any amounts carried over pursuant to section 9 of chapter 16 of the 2013 Session Laws that is unexpended as of June 30, 2015 is not subject to section 54-44.1-11 and is available for payment of adjusted compensation to veterans. Any unexpended funds from this appropriation must be transferred to the veterans' cemetery trust fund during the biennium beginning July 1, 2015, and ending June 30, 2017.

SECTION 17. EXEMPTION. Any amounts carried over in the radio communications line for the state radio tower package pursuant to section 10 of chapter 16 of the 2013 Session Laws that is unexpended as of June 30, 2015, is not subject to section 54-44.1-11. Any unexpended funds are available for state radio tower package costs during the biennium beginning July 1, 2015, and ending June 30, 2017.

SECTION 18. EXEMPTION. Any amounts carried over in the disaster costs line for flood relief or disaster mitigation projects in incorporated cities, and grants to political subdivisions for amounts required to match federal dollars on road grade raising projects and federal emergency relief funding pursuant to section 11 of chapter 16 of the 2013 Session Laws that is unexpended as of June 30, 2015, is not subject to section 54-44.1-11. Any unexpended funds from this appropriation are available for these purposes during the biennium beginning July 1, 2015, and ending June 30, 2017.

SECTION 19. EXEMPTION. Any amounts carried over in the disaster costs line for grants to cities and counties for flood-impacted housing rehabilitation pursuant to section 12 of chapter 16 of the 2013 Session Laws that is unexpended as of June 30, 2015, is not subject to section 54-44.1-11. Any

unexpended funds from this appropriation are available for these purposes during the biennium beginning July 1, 2015, and ending June 30,2017.

SECTION 20. EMERGENCY. Funding of $500,000 from the general fund in the grants line item in subdivision 1 of section 1 of this Act, relating to the veterans' bonus program, funding of $386,000 from the general fund in the radio communications line item in subdivision 2 of section 1 of this Act, relating to next generation 911, funding of $209,280 from the general fund in the operating line item in subdivision 2 of section 1 of this Act, relating to next generation 911 maintenance, funding of $382,000 from the general fund in the operating line item in subdivision 2 of section 1 of this Act relating to statewide base map maintenance, and funding of $2,000,000 from the state disaster relief fund in section 4 of this Act relating to repair and replacement of infrastructure and removal of debris and other health hazards, are declared to be an emergency measure.

President of the Senate

Speaker of the House

Secretary of the Senate

Chief Clerk of the House

This certifies that the within bill originated in the Senate of the Sixty-fourth Legislative Assembly of North Dakota and is known on the records of that body as Senate Bill No. 2016 and that two-thirds of the members-elect of the Senate voted in favor of said law.

Vote: Yeas 46 Nays 1 Absent 0

President of the Senate

Secretary of the Senate

This certifies that two-thirds of the members-elect of the House of Representatives voted in favor of said law.

Vote: Yeas 88 Nays 0 Absent 6

Speaker of the House

Chief Clerk of the House

Received by the Governor at 4:18 P.M. on May 4, 2015.

Approved at 10:08 a.M. on May 13, 2015.

Governor

Filed in this office this 14th day of May, 2015,

at 917 o'clock A M.

Secretary of State