

Sixty-first  
Legislative Assembly  
of North Dakota

## HOUSE BILL NO.

Introduced by

Representative Kempenich

1 A BILL for an Act to create and enact a new section to chapter 54-59 of the North Dakota  
2 Century Code, relating to powers of the information technology department; and to amend and  
3 reenact sections 37-17.1-02.1, 54-23.2-01, and 57-40.6-12 of the North Dakota Century Code,  
4 relating to state radio within the information technology department.

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

6 **SECTION 1. AMENDMENT.** Section 37-17.1-02.1 is amended:

7 **37-17.1-02.1. Department of emergency services.** The department of emergency  
8 services ~~consists of~~ must have a division of state radio and a division of homeland security.  
9 The adjutant general is the director of the department. ~~The adjutant general shall provide for~~  
10 ~~shared administration of both divisions.~~ The division of homeland security consists of the state  
11 emergency operations center section, the disaster recovery section, and the homeland security  
12 section. ~~The adjutant general shall appoint a separate director of each division.~~ A The division  
13 director serves at the pleasure of the adjutant general. The adjutant general shall fix the  
14 compensation of a the division director within limits of legislative appropriation.

15 **SECTION 2. AMENDMENT.** Section 54-23.2-01 is amended:

16 **54-23.2-01. Definitions.** As used in this chapter, unless the context otherwise  
17 requires:

- 18 1. "Director" means the director of the division of state radio.
- 19 2. "Division" means the division of state radio of the information technology  
20 department of emergency services.
- 21 3. "System" means the state radio broadcasting system.

22 **SECTION 3.** A new section to chapter 54-59 is created:

23 **Division of state radio.** The information technology department must have a division  
24 of state radio. The chief information officer shall appoint a separate director of the division.

1 The division director serves at the pleasure of the chief information officer. The chief  
2 information officer shall fix the compensation of the division director within limits of legislative  
3 appropriation.

4 **SECTION 4. AMENDMENT.** Section 57-40.6-12 is amended:

5 **57-40.6-12. Emergency services communications coordinating committee -**  
6 **Membership - Duties.**

- 7 1. The governing body of a city or county, which adopted a fee on assessed  
8 communications services under this chapter, shall make an annual report of the  
9 income, expenditures, and status of its emergency services communication  
10 system. The annual report must be submitted to the emergency services  
11 communications coordinating committee. The committee is composed of three  
12 members, one appointed by the North Dakota 911 association, one appointed by  
13 the North Dakota association of counties, and one appointed by the ~~adjutant~~  
14 ~~general~~ chief information officer to represent the division of state radio.
- 15 2. The committee shall:
  - 16 a. Recommend to the legislative council changes to the operating standards for  
17 emergency services communications, including training or certification  
18 standards for dispatchers;
  - 19 b. Develop guidelines regarding the allowable uses of the fee revenue collected  
20 under this chapter;
  - 21 c. Request, receive, and compile reports from each governing body on the use  
22 of the proceeds of the fee imposed under this chapter, analyze the reports  
23 with respect to the guidelines, file its report with the legislative council by  
24 November first of each even-numbered year regarding the use of the fee  
25 revenue, and recommend to the legislative assembly the appropriate  
26 maximum fee allowed by section 57-40.6-02; and
  - 27 d. Periodically evaluate chapter 57-40.6 and recommend changes to the  
28 legislative council.
- 29 3. The committee may initiate and administer statewide agreements among the  
30 governing bodies of the local governmental units with jurisdiction over an  
31 emergency 911 telephone system to coordinate the procurement of equipment and

- 1 services, fund the research, administration, and activities of the committee, and
- 2 contract for the necessary staff support for committee activities.