

July 2009

## OTHER DUTIES OF THE PUBLIC SAFETY AND TRANSPORTATION COMMITTEE - BACKGROUND MEMORANDUM

In addition to the study responsibilities assigned to the Public Safety and Transportation Committee for the 2009-10 interim, the committee has also been assigned to receive the following reports:

- A report from the Emergency Services Communications Coordinating Committee regarding the use of assessed communication service fee revenue and recommendations regarding changes to the operating standards for emergency services communications.
- A report from the Department of Transportation regarding any transfer between operating and capital assets line items when it is cost-effective for the construction and maintenance of highways.
- A report from the Department of Emergency Services regarding emergency snow removal grants distributed to counties, townships, and cities.
- Reports from the Department of Emergency Services regarding emergency disaster relief grants awarded to political subdivisions.

### EMERGENCY SERVICES COMMUNICATIONS COORDINATING COMMITTEE

North Dakota Century Code (NDCC) Section 57-40.6-12 (attached as [Appendix A](#)) provides that the governing body of each city or county which has adopted a fee on assessed service for 911 services is to make an annual report of income, expenditures, and status of its emergency services communication system. The annual report is submitted to the Emergency Services Communications Coordinating Committee to analyze the reports with respect to appropriate guidelines. The Emergency Services Communications Coordinating Committee compiles the reports and then files a report with the Legislative Council by November 1 of each even-numbered year regarding the committee's findings.

The Emergency Services Communications Coordinating Committee is composed of four members--one appointed by the North Dakota 911 Association, one appointed by the North Dakota Association of Counties, one appointed by the Chief Information Officer of the state, and one appointed by the Adjutant General representing the Division of State Radio. Duties of the committee include:

- Recommending changes to the operating standards for emergency services communications, including training of certification standards for dispatchers.
- Developing guidelines regarding the allowable uses of fee revenue collected under NDCC

Chapter 57-40.6 (Emergency Services Communications Systems).

- Periodically evaluating NDCC Chapter 57-40.6 and recommending changes.
- Serving as the governmental body to coordinate plans for implementing emergency 911 services and Internet protocol enabled emergency applications for 911.

During the 2007-08 interim, the Energy Development and Transmission Committee was assigned to receive reports from the Emergency Services Communications Coordinating Committee.

### DEPARTMENT OF TRANSPORTATION LINE ITEM TRANSFERS

Section 13 of 2009 Senate Bill No. 2012 (attached as [Appendix B](#)) authorizes the director of the Department of Transportation to transfer funds between the operating and capital assets line items of the department appropriation when it is cost-effective for the construction and maintenance of highways. The Department of Transportation is to notify the Office of Management and Budget and Legislative Council of any transfer made pursuant to the section.

### EMERGENCY SNOW REMOVAL GRANTS AND EMERGENCY DISASTER RELIEF GRANTS

Section 4 of 2009 Senate Bill No. 2012 (attached as [Appendix C](#)) establishes a state disaster relief fund to provide funding for defraying the expenses of state disasters, including funds required to match federal funds for expenses associated with presidential-declared disasters in the state. Sections 5 through 8 of Senate Bill No. 2012 provide for a transfer of \$43 million from the general fund to the state disaster relief fund and appropriate the funding to the Adjutant General for emergency snow removal grants and emergency disaster relief grants. Sections 7 and 8 of Senate Bill No. 2012 direct the Department of Emergency Services to provide reports to the Budget Section regarding the distribution of emergency snow removal and disaster relief grants. The Legislative Council has directed the Public Safety and Transportation Committee to receive the reports in addition to the Budget Section.

#### Emergency Snow Removal Grants

Up to \$20 million of the \$43 million appropriated from the state disaster relief fund to the Adjutant General was allowed to be used for emergency snow removal grants prior to June 30, 2009. A county, township, or city was allowed to apply to the Department of Emergency Services for an emergency

snow removal grant for reimbursement of up to 50 percent of the costs of snow removal incurred by the entity for the period January 2009 through March 2009 that exceeds 200 percent of the average costs incurred for these months in 2004 through 2008. Each entity requesting reimbursement was to submit the request in accordance with the rules developed by the Department of Emergency Services. The Department of Emergency Services was to distribute the emergency snow removal grants prior to June 30, 2009.

#### **Emergency Disaster Relief Grants**

Up to \$23 million of the \$43 million appropriated from the state disaster relief fund to the Adjutant General may be used for emergency disaster relief grants. Any political subdivision receiving federal emergency relief funding relating to disasters occurring from January 2009 to June 2009 may apply to the Department of Emergency Services for an

emergency disaster relief grant of up to 50 percent of the local match required to receive the federal emergency relief funding. Each political subdivision requesting an emergency disaster relief grant is to submit the request in accordance with rules developed by the Department of Emergency Services. The Department of Emergency Services may provide up to \$13 million of emergency disaster relief grants and may seek Budget Section approval to distribute additional grants. Any funding not distributed to political subdivisions may be used to match federal disaster relief funds received for state purposes, subject to Budget Section approval. The Department of Emergency Services is to report during the fourth quarter of calendar year 2009 and the third quarter of calendar year 2010 regarding emergency disaster relief grants awarded.

ATTACH:3