

Sixty-ninth
Legislative Assembly
of North Dakota

PROPOSED AMENDMENTS TO

SENATE BILL NO. 2332

Introduced by

Senator Boschee

Representatives Brandenburg, Mitskog, Nelson

1 A BILL ~~for an Act to create and enact a new section to chapter 54-27 of the North Dakota~~
2 ~~Century Code, relating to a legacy earnings emergency services and public safety fund and~~
3 ~~advisory board; to amend and reenact section 21-10-13 of the North Dakota Century Code,~~
4 ~~relating to the allocation of legacy fund earnings; and to provide a continuing appropriation~~for an
5 Act to provide for a legislative management study of grant funding for emergency services and
6 public safety.

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

8 ~~— **SECTION 1. AMENDMENT.** Section 21-10-13 of the North Dakota Century Code is~~
9 ~~amended and reenacted as follows:~~

10 ~~— **21-10-13. Legacy earnings fund – State treasurer – Transfers.**~~

11 ~~— 1. There is created in the state treasury the legacy earnings fund. The fund consists of all~~
12 ~~moneys transferred to the fund under subsection 2 and all interest and earnings upon~~
13 ~~moneys in the fund.~~

14 ~~— 2. Any legacy fund earnings transferred to the general fund at the end of each biennium~~
15 ~~in accordance with section 26 of article X of the Constitution of North Dakota must be~~
16 ~~immediately transferred by the state treasurer to the legacy earnings fund.~~

17 ~~— 3. For each biennium subsequent to the biennium in which the legacy fund earnings are~~
18 ~~transferred under subsection 2, the amount available for appropriation from the legacy~~
19 ~~earnings fund is seven percent of the five-year average value of the legacy fund~~
20 ~~assets as reported by the state investment board. The average value of the legacy~~

1 fund assets must be calculated using the value of the assets at the end of each fiscal
2 year for the five-year period ending with the most recently completed even-numbered
3 fiscal year.

4 ~~4.~~ On July first of each odd-numbered year, from the amount available for appropriation
5 or transfer from the legacy earnings fund for the biennium, the state treasurer shall
6 transfer funding in the following order:

7 ~~a.~~ The first one hundred two million six hundred twenty-four thousand dollars or an
8 amount equal to the amount appropriated from the legacy sinking and interest
9 fund for debt service payments for a biennium, whichever is less, to the legacy
10 sinking and interest fund under section ~~6-09.4-10.1~~.

11 ~~b.~~ The next two hundred twenty-five million dollars to the general fund to provide
12 support for tax relief initiatives approved by the legislative assembly.

13 ~~c.~~ The next one hundred million dollars to the legacy earnings highway distribution
14 fund for allocations under section ~~54-27-19.3~~.

15 ~~d.~~ The next twenty-five million dollars to the legacy earnings emergency services
16 and public safety fund under section 2 of this Act.

17 ~~e.~~ Any remaining amounts under this subsection as follows:

18 ~~(1)~~ Fifty percent to the general fund.

19 ~~(2)~~ The remaining fifty percent to the strategic investment and improvements
20 fund to be used in accordance with the provisions of section ~~15-08.1-08~~.

21 ~~5.~~ If the amounts transferred under subsection 2 exceed the amount available for
22 appropriation under subsection 3, the state treasurer shall transfer the excess and any
23 remaining amounts after the transfers and appropriations under subsection 4, as
24 follows:

25 ~~a.~~ Fifty percent to the general fund.

26 ~~b.~~ The remaining fifty percent to the strategic investment and improvements fund to
27 be used in accordance with the provisions of section ~~15-08.1-08~~.

28 ~~**SECTION 2.** A new section to chapter 54-27 of the North Dakota Century Code is created~~
29 ~~and enacted as follows:~~

~~1 — **Legacy earnings emergency services and public safety fund – Advisory board –**~~

~~2 **Continuing appropriation.**~~

~~3 — 1. There is created a North Dakota legacy earnings emergency services and public~~
~~4 safety fund. The fund consists of all moneys deposited in the fund under section 1 of~~
~~5 this Act and all interest and earnings of the fund. Moneys in the fund are appropriated~~
~~6 on a continuing basis to the department of emergency services for distributing grants~~
~~7 awarded by the advisory board and related administrative costs.~~

~~8 — 2. The legacy earnings emergency services and public safety advisory board consists of:~~

~~9 — a. The following members appointed by the governor:~~

~~10 — (1) A representative of the North Dakota fire chiefs association.~~

~~11 — (2) A representative of the North Dakota firefighter's association.~~

~~12 — (3) A representative of the North Dakota emergency medical services~~
~~13 association.~~

~~14 — (4) A representative of the North Dakota emergency management association.~~

~~15 — (5) A representative of the North Dakota chiefs of police association.~~

~~16 — (6) A representative of the North Dakota sheriffs association.~~

~~17 — (7) A representative of the North Dakota peace officers association.~~

~~18 — (8) A representative of the North Dakota association of counties.~~

~~19 — (9) A representative of the North Dakota league of cities.~~

~~20 — (10) A representative of the North Dakota township officers association.~~

~~21 — (11) A representative of the North Dakota Indian affairs commission.~~

~~22 — b. The following members appointed by the chairman of legislative management:~~

~~23 — (1) A member of house of representatives representing the party with the~~
~~24 largest number of members in the house and a member of the house of~~
~~25 representatives representing the party with the second largest number of~~
~~26 members in the house.~~

~~27 — (2) A member of senate representing the party with the largest number of~~
~~28 members in the senate and a member of the senate representing the party~~
~~29 with the second largest number of members in the senate.~~

~~30 — c. The following ex-officio, nonvoting technical members, appointed by the~~
~~31 governor.~~

- 1 ~~_____ (1) A representative of the bureau of criminal investigation as recommended by~~
- 2 ~~_____ the attorney general.~~
- 3 ~~_____ (2) A representative of the department of emergency services.~~
- 4 ~~_____ (3) A representative of the department of transportation.~~
- 5 ~~_____ (4) A representative of the highway patrol.~~
- 6 ~~_____ (5) A representative of the parks and recreation department.~~
- 7 ~~_____ (6) A representative of the game and fish department.~~
- 8 ~~_____ (7) A representative of the state fire marshal's office as recommended by the~~
- 9 ~~_____ insurance commissioner.~~
- 10 ~~_____ (8) A representative of the department of health and human services.~~
- 11 ~~_____ 3. The advisory board shall receive and review applications to provide grants to political~~
- 12 ~~_____ subdivisions and tribal governments, including rural fire districts and emergency~~
- 13 ~~_____ medical services providers. In reviewing the applications, the board shall rank and~~
- 14 ~~_____ award grant applications that address the following priorities:~~
- 15 ~~_____ a. Recruiting and retaining qualified public safety personnel.~~
- 16 ~~_____ b. Assisting communities with shared services agreements to ensure public safety~~
- 17 ~~_____ coverage.~~
- 18 ~~_____ c. Expanding resources to ensure timely emergency response in all areas of the~~
- 19 ~~_____ state, including pilot programs for a tiered response framework.~~
- 20 ~~_____ d. Providing funding to modernize the delivery of emergency services and public~~
- 21 ~~_____ safety through innovations at the community and regional level.~~
- 22 ~~_____ e. Establishing response teams to respond to mental health emergencies to reduce~~
- 23 ~~_____ reliance on law enforcement resources.~~
- 24 ~~_____ f. Ensuring access and implementation of appropriate technology and~~
- 25 ~~_____ communications infrastructure.~~
- 26 ~~_____ g. Identifying or designating an entity to provide technical assistance to covered~~
- 27 ~~_____ entities to aid in securing funding from other sources.~~
- 28 ~~_____ 4. The department of emergency services shall administer the grant program and provide~~
- 29 ~~_____ staff services to the advisory board.~~

**SECTION 1. LEGISLATIVE MANAGEMENT STUDY - GRANT FUNDING FOR
EMERGENCY SERVICES AND PUBLIC SAFETY.** During the 2025-26 interim, the legislative

1 management shall consider studying options to provide grant funding for emergency services
2 and public safety. The study, if conducted, must include a review of the amount of grant funding
3 needed, potential funding sources, entities to be eligible to receive a grant, types of expenses to
4 be eligible for reimbursement through a grant program, the appropriate agency to administer a
5 grant program, and options to establish a grant program oversight committee. The legislative
6 management shall report its findings and recommendations, together with any legislation
7 required to implement the recommendations, to the seventieth legislative assembly.