2013 SENATE POLITICAL SUBDIVISIONS

SB 2353

2013 SENATE STANDING COMMITTEE MINUTES

Senate Political Subdivisions Committee
Red River Room, State Capitol

SB 2353
February 8, 2013
18590

☐ Conference Committee

Committee Clerk Signature

Explanation or reason for introduction of bill/resolution:

Relating to statewide integrated radio communication; to provide for a legislative management study; and to provide an appropriation

Minutes: You may make reference to "attached testimony."

Chairman Andrist opened the hearing for SB 2353. All senators were present.

Senator Dotzenrod one of the proponents of this bill from District 26. This bill was brought to us by Senator Miller who asked me to join in and sign the bill with him. Mr. Harms was also involved in our discussion of having more efficiency and better use of the radio resource because this emergency service we feel across the state should be part of one network. There should be a better use of what we think is sometimes diverse frequency use and spread out the 911 services and the PSAPS that we have in the state. A lot of our responsibility is not as integrated as it should be.

Robert Harms Lobbyist for Motorola. What we're trying to do with the bill is essentially begin a process that will help the state develop a state wide interoperability plan. I wanted to give you an overview of what it is we're talking about. In North Dakota we have a system a radio system that is essentially at the state level. We have 40 towers around ND that are operated and owned by the North Dakota Department of Transportation. Each of those towers cost about $150,000 a piece not including the land, so the powers are owned and operated by DOT. The brains of the system, is operated by State Radio. State Radio is located within the National Guard. We got to the infrastructure being operated and owned by the DOT; the brains being operated by State Radio and the primary user being a third agency, the Highway Patrol, is also a state structure. Over laid on top of that state structure is the local jurisdictions and the local jurisdictions in the state really boil down to two different kinds. We have a host of small rural jurisdictions. There is 20 + around North Dakota. In Senator Andrist' area we probably have one of those up in the North Central part. The smaller jurisdictions are reliant upon state radio for their communications systems. Another type of local communication systems is the larger jurisdictions Williston, Bismarck, Burleigh, Fargo, Jamestown and Grand Forks. They all essentially have their own systems that are independent and work and serve them really quite well. That is the structure that we have and the technology is eventually all going to have to be replaced. Some of those jurisdictions that was mistakenly put in the bill and I will address that in a

minute, but some of that technology is soon going to be obsolete and will have to be replaced. So we have an opportunity for us as a state, to build a better system that serves the public in a more effective way. See written testimony #1, the amendments (4:33- 8:45)

Chairman Andrist Bob this is my eleventh session here, and I can't remember any where we haven't been fixing state radio. I realize the technology changes, but, it appears to those who aren't very techy that we've tried this many times before and never seem to end up where we want to be. So, I am questioning the appropriation, if we shouldn't just begin with studying how to build an integrated system and what we need because I am sure some of the technologies have changed since we started to fix state radio. I like the concept of your bill, but I am questioning that appropriation? Please comment?

Robert Harms replied I have this kind of sense that you have. I was kind of reflecting on this my 20th session. It seems that I remember writing an executive order similar to the one issued last fall. We've been at this awhile and so, I have the same kind of frustration. I think the state has done an exceptional job using the technology that we've had available, but were reaching the point where we've done all we can with the technology that is available and it's time for us to put some resources to it and put a plan together. I think we should have some money but $5 million I don't think is warranted, but I think we have to pool up what money should be available in the bill and let us demonstrate that. Let the local jurisdictions come forward and let us know what kind of cost we might be looking at. We would have some ability in the interim to get started after the plan is developed.

Senator Howard Anderson I can remember when we talked about state radio and that was going to be the solution to everything. Probably it's typical the way the Legislature operates that we got the three different agencies involved and didn't straighten, that out. But it seems to me and maybe others will answer this question, once we got state radio in place then the next thing we heard was that the ambulances, local county sheriffs, and these other people wanted to come on, the clutter was too much for the system. So they said we can't do this because now we use it for the purposes that the National Guard wanted. The Highway Patrol because of all these other things were coming in. Hopefully we'll hear how the technology now will solve that problem and make an integrated system but not be over burdened by all these other people using it.

Robert Harms replied I think that was exactly where we're headed and what we want to accomplish.

Senator Judy Lee But in Cass and Clay counties and the four metro areas that are Fargo/Morehead/ West Fargo/ Dilworth they have the joint dispatch center and its two states as well. How does that plug in or doesn't it?

Robert Harms replied it does plug in. The interstate connection is a technical area that I would have to defer to others in the room. But I know the Fargo dispatch center is one of the groups that we've been visiting with and they are supportive of the direction that we're headed. They have that additional complexity between the two states, and I guess I might just point out this is part of the reason we think that this bill is important. You're going to see some maps in a minute, and we're the only state in the surrounding region that is still in the

technology position that we are. Minnesota is different, South Dakota basically has reached the point where they should be technologically and ND is the only island out there.
The Fargo dispatch center is one of those centers that is going to have to be replaced in the next two or three years. Their technology will be obsolete and the technology will no longer be serviced and operable. That was part of the reason why we thought it made sense for us to start talking about this as a state. Yes Fargo fits into this matrix that we're talking about.

Senator Judy Lee Are they supportive? **Robert Harms** replied yes they are supportive.

Senator Jim Dotzenrod Referring to the bill, bottom p1, top of page 2, there is a list that goes A-J of the people on this interoperable board. The amendment says on page 1, line 20 insert.... P. 2 line 4 insert and it's a representative. There is no delete language so are you basically with these amendments taking that A-J list and adding two more or was it your intention that what you added would take the place of some of the members that are in the bill? **Robert Harm** replied our intent is to add two and then clarify that the Chief Information Officer, wants to make it clear that that officer is a state officer so the Governance board ends up with a 6-6 split amongst local jurisdictions and state agencies, so we have that balance.

Chairman Andrist But to more specifically answer the question, Bob, we would be adding four people to a ten member board and there would be fourteen. The way I read it. **Robert Harms** replied no I think what we should end up with a board of 6-6 local jurisdictions representatives and 6 state entities represented. **Chairman Andrist** Oh we're adding four and we aren't taking any away. **Senator Judy Lee** Were adding two.

Senator John Grabinger (16:23- 16:44) The radio communications for Jamestown we just did two ago, and invested a lot of money, is it going to be outdated? Can you answer that? **Robert Harms** replied I can. It is just like state radio made the same investment a number of years ago. But that system that we bought in state radio we can add on to, we don't have to throw it over to the junk heap and not build on it. We can build on that system. In Jamestown, specifically, I don't know when that purchase was made but I do know that was one of the jurisdictions where you have 5 larger jurisdictions. I think 2016 is the date when they will have to start making that transition. **Senator John Grabinger** Is Jerry supportive of this, do you know? Has anybody talked to him? **Robert Harms** I'll defer that question to one of the others. I think the answer to that is yes, but I will let somebody else answer that question.

Tom Miller with Motorola (18:13-34:32) See written testimony #2.

Chairman Andrist What you're suggesting it seems to a layman who doesn't understand communications is we've done this before and we don't seem to have what were supposed to have. We're going to have to pass this bill one way or another today to eliminate the appropriation because any bill with appropriations has to be done today.

Senator Howard Anderson How far are we away from transitioning to the secure satellite uplink that Steven Segall used 20 years ago when he made his movie and get away from the towers that we have**? Tom Miller** replied I think we're a long way from that. There is an

inherent problem with satellite communications from a coverage perspective. You see that sometimes when you use your Google maps where you won't have the coverage, so from a mission critical standpoint, I will never believe as a public safety person that satellite was the answer. I think it's a good way to augment communications, but as a primary communication source, I don't believe that it's ever going to be there. In terms of having spent money, that is not unusual in terms in what a lot of the other states have done. I think that is what has driven them to the point where they decided to put a comprehensive plan together, that provides a road map for us so that we know how we're going to be spending our money. What we're going to get in return, how we can leverage the investments we made to date and do it in a strategic manner.

Senator Judy Lee Just quickly, our dispatch center which is 4 cities 2 counties 2 states brought the last ones in because of replacing and needing to upgrade technology. Would it be accurate to say that because of the rapid changes in technology we're just reaching the next level now so it isn't that we didn't do it right before, it's that we got a new right coming? **Tom Miller** replied I think there's a good chance that system could be easily integrated into a shared network. (Example cited 36:30-37:18)

Dave Eischen Large Project Team Director for Motorola for the Midwest. In response to several questions, Project 25, that is a vendor agnostic industry wide standard. So it's not specific to a vendor, many vendors can supply that type of equipment. Relating to the questions about Jamestown, the first is Jerry is supportive of this. In fact the 911 directors statewide are supportive as is the association of this. Relating to the second piece, there are many parts to a dispatch radio system and the pieces that we've spoken to that need to be replaced are not any of the ones that money has been spent on recently. This is Legacy equipment that was purchased actually over 9-10 years ago.

David Sprynczynatyk Adjutant General and also the Director of Emergency Services for the state of North Dakota. In support of most of SB 2353;' the portion that I am not going to speak to is Section 4 which deals with the appropriation, that clearly is a legislative decision that was not in our budget. We will do whatever the Legislature sees fit in that regard. But when we talk about Sections 1-3, and specifically with the amendments that have been proposed to the committee this morning, we're in full support. One of the reason I say that is simply because since 2007, we have had by Executive Order a statewide Interoperable Executive Committee in place. The membership of that committee is almost identical to what you see here with the amendments. The only difference would be the addition of the Police Officers Association. But I will leave a copy of the current Executive Order. The 1st one was put into place in November 2007 by Governor Hoeven and this past year Governor Dalrymple put into place the same Executive Order and the whole purpose of what the statewide interoperable executive committee is to address interoperability in the state. So, SB 2353 would codify what is place now by executive order. One of the challenges for us is to make sure we've included all of the right organizations. There is a lot of interest across the state. State Radio did look at the concept of what has been discussed thus far and the difficulty for us was the cost. We've been told our neighbors to the south spent somewhere in the neighborhood of $40-50 million dollars to go to the type of trunk system that is being discussed. It's a great system and we would've come to the committee in the past but the money was always a difficult situation for us to face. By state law the Adjutant General serves as the Director of Emergency Services and also appoints both

Director of State Radio and Director of Homeland Security and they work for me. Mike Link is the Director of State Radio.

Chairman Andrist Dave you say you are in strong support of the bill, and most of the amendments except you don't want to speak to the appropriation. My interpretation of that statement is you don't feel the rest of the bill would be impaired without the appropriation.

Dave Spryncznatyk replied that would be a fair assessment. I think the concept of a statewide interoperable committee is good. We have it in place now by executive order, codifying it as good. During the Legislative Interim Study I think it is good that it involves the legislature in the process as well, but as it comes to the appropriation and providing funds to the committee and local political subdivisions, that is the decision of the Legislature. If the Legislature makes that choice we'll certainly help to be a part of the committee to oversee those funds.

Chairman Andrist But the plan will work without money? **Dave Spryncznatyk** replied absolutely! The concept as I say is very good and in putting a committee in place in law I think is very good. Doing a legislative study is good, all of that can be done without the appropriation.

Mike Dannenfelzer Manager of the Klein Communications Center, Bismarck. Support of the bill. See written testimony #4 (42:38-45:34).

Senator Howard Anderson Do you remember my previous statement about how our vision for state radio was to provide a connection for everybody. Can you explain just briefly why that didn't work for your group? **Mike Dannenfelzer** replied (simple example 45:58-46:39).Trunking basically takes three, four or five particular radio channels. You can put 100 different groups off of those radio channels and the system determines whose using one of those channels at any given time. So from the users' standpoint it doesn't matter to me if I am using box number one or box number five as long as it is within my talk group I am able to speak. From the standpoint of just capacity, the state radio communication system does not meet our needs.

Mike Link, Director of the State Radio. **Senator Howard Anderson** Can you follow up a little bit with my line of thinking here. How through the study and whatever that we're going to be able to serve these despaired groups around the state better than we have been through State Radio which why our vision didn't come through originally?

Mike Link replied there were some decisions that were made prior to me. There was a study that was done in 1999. Federal engineering did a study of the state radio system and the system across the state. We are the only state that has a State Radio system. State Radio can talk throughout the state. How we do it is not trunked, it is called flat. As Mike described there are 3 frequencies that we use. Channel 1 and channel 2 are for our responders, and channel 3 that is a flat state channel and is actually a federal interoperability channel. So in that federal interoperability channel we have got agreements with Montana, South Dakota, and Minnesota that on that channel we can talk to their public safety officials in their states. So we generally from State Radio, use channel 2 for our dispatch which is the soon to be 24 counties that we dispatch for and then we pretty much

give channel 1 to the counties to use through our tower system. Every public safety radio in North Dakota can contact state radio if they can't contact our local PSAP. The PSAPS operate individually and that is why sometimes the PSAPS cannot communicate on the state radio channels. I agree with Mr. Dannenfelzer that it would not fit the needs of Bismarck. However, it is a system of systems as we would call it so that everybody can contact state radio if they needed to show assistance if they can't contact their PSAP. The PSAPS and there are 21 other PSAPS all have channel 1, channel 2, channel 3, at their base station. We can contact each other. However, on the user level like the PSAPS, the PSAPS like 911 calls in and then they have their own frequency, where they contact their local units. They are just not using the state system to do that. Out of the study of 1999, trunking was an option that was described in there. In a study that I read as another upgrade to the study, I believe it was in 2002-2003 Federal Engineering came back and said they were supportive of our decision not to go trunk at the time because of the cost. It is really driven by the cost. We're in support of another study because since that time, there have been many improvements in technology and the state has advanced in technology and there are things that are coming down the road in technology. One thing is a Federal Initiative that is called First Net. The State Interoperability Executive Committee has been looking at what is First Net going to do for us. It is a data system so your computer will drive like skyping, that system will be set up public safety so a microphone would come off your computer and then that would be your radio system which would be integrated all over the country as designed. Again, it is in the initial stages of design, actually your portable radio would be like a smart phone. That type of system would be the push to talk, to talk back to dispatch. So that would be flat on a broad band system, which would be different than a radio system. We need to have a study to look at all of the opportunities, before in my opinion, move an appropriation to buy something new without looking at what is available and what is up coming.

Senator Jim Dotzenrod From the standpoint of the appropriation, if we sent this bill out without a appropriation and we have all these various stakeholders together with them codified with, what we're doing right now with the board, it would seem to me to still be able to serve a pretty useful function. I am a little concerned about having some money in the bill from the standpoint. If that money got spent it might in some way commit us to follow up spending in order to achieve consistency with the money that has already been spent. So, I'm leaning toward the idea that we really don't need the appropriation. I just wondered what you thought about this?

Mike Link responded if the Legislature is going to do as the bill proposes, do the study, and we don't need the money, then that is appropriate. I look at it and talked to the sponsors of the bill about this and that my concern is, it may take us through the process to do an extensive study about 2 years. So if we appropriate the money for this, and we're really looking at the study, as being the backbone then we've lost two years of that appropriated money that we could carry over once into the next biennium. So if we do the study and then we do the RFP(request for proposals) we may run out of enough time and then need to ask for a re-appropriation in the next biennium. If indeed the study and the RFP happens within this next biennium, then we are ready to do an allocation; come to the legislature and say this is the resolution of the study and here we want to move forward with these recommendations. What do you think? Here is the appropriation that we're asking for to move forward. That is my opinion.

Chairman Andrist closed the hearing for SB 2353.

2013 SENATE STANDING COMMITTEE MINUTES

Senate Political Subdivisions Committee
Red River Room, State Capitol

SB 2353
February 8, 2013
18597-2

☐ Conference Committee

Committee Clerk Signature

Explanation or reason for introduction of bill/resolution:

A Bill for an Act to create two new sections to chapter 37-17.3 of the North Dakota Century Code, relating to statewide integrated radio communication; to provide for a legislative management study; and to provide an appropriation.

Minutes: You may make reference to "attached testimony."

Chairman Andrist reopened the committee hearing for SB 2353. All senators were present.

There was a question about using an appropriation and afterwards Bob Harms said even $100,000 would help. I still don't quite fully understand where the money or how the money would be used. They talk about getting by from smaller political subdivisions or something, but my sense is that its probably the only issue on this bill that we might have question. What is your thinking on it?

Vice Chairman Ronald Sorvaag I kind of question the appropriations too. But I would be inclined to move the amendment as it was presented. Appropriations can look at it in greater detail.

Chairman Andrist Which amendment? **Vice Chairman Ronald Sorvaag** I will move this amendment that was presented to us with the appropriations. I will move the amendment without the appropriations first of all.

2nd **Senator Howard Anderson**

Senator Judy Lee I would like us to consider either consider moving it to appropriations for their further review because we are under the gun, or at least putting some modest appropriation in there because there is going to be some expense and they can begin some interoperability. I think there's a benefit to not having to wait two years to do that. So I would rather support an amendment that included the new language but at least have the option for whether we send the whole thing across the wall or we put a small number in there for some kind of assistance. In my opinion there would be some advantage to that. That would be to throw it out in the discussion of the amendment.

Vice Chairman Ronald Sorvaag For my understanding we are moving everything but that

request, so section 4 is still in here until we deal with that. Maybe I made the motion wrong. I would move...

Vice Chairman Ronald Sorvaag I thought you said without the appropriation that Terry has in his amendment. We're still going to have to come back and discuss section 4 in the bill.

Senator Judy Lee I thought you meant taking all of the bill.

Vice Chairman Ronald Sorvaag Section 4 still sits in the bill even with my amendment. We're going to have to come back and talk about the dollar amounts or remove Section 4 with another motion. That was my understanding.

Senator Judy Lee I misunderstood your motion.

Chairman Andrist Senator Sorvaag your motion is to move the amendment through Section 3 on the amendment.

2nd Senator Grabinger

Roll call vote 6-0-0

Chairman Andrist Do you want to reduce the appropriation to the amended request or do you want to reduce it further, or do you want to eliminate it? The one advantage in leaving some money in there is appropriations will get to take a look at it.

Vice Chairman Ronald Sorvaag There was some rewording for this section 4 in his amendment too, so I think we need to consider that but.

Chairman Andrist yes, that replaced section 4. **Vice Chairman Ronald Sorvaag** I just think we need to address it as a separate amendment. Do we want that change in language and then the dollar amount to go with it?

Senator Howard Anderson It sounds like some feedback I got the other day, when we took the $50,000 out of the study bill that made some people mad. Maybe Senator Lee is right and we should leave some money in here so that they have some tools. I am not sure the money should be spending to buy equipment but it could support the study certainly or somebody could do that work. I would say let's use the amendment that we have.

Senator Howard Anderson moved the amendment with the dollar amount of $100,000. We'll use the language of the amendment that Bob presented except change from $500,000 to $100,000.

Chairman Andrist That makes reference to using the money to buy equipment. **Senator Howard Anderson** I think it does. **Senator Judy Lee** I then would prefer the original appropriation amount because unless somebody can clarify this for me. I don't want to focus on any one particular vendor, or anything like that. I understand Project 25 standards isn't necessarily. I want to make sure that does not designate any particular vendor. I want and if

we're going to put a appropriation in, so that there can be some beginning things done, I think that is fine, but I don't want to designate in our amendment that a particular vendor is going to be favored before the study is complete.

Chairman Andrist I didn't see the name of a vendor here. Oh Project 25. **Senator Judy Lee**. I just want to make sure we're not doing something in there that moved it in one particular direction before, so that we have a pre-conceived conclusion before the study is done. As long as everybody else is comfortable that amendment language says what we want it to say without it being directed towards a particular vendor, I am okay. **Chairman Andrist** Is Project 25 vendor specific do you think? Was that a Motorola? **Vice Chairman Ronald Sorvaag** Testimony was to the fact that it's not vendor specific. But it didn't say if it's available to all vendors but not vendor specific. So someone else can do it. That was testified to.

Senator Howard Anderson I will then withdraw my motion because it was not seconded. I agree that we don't want to say the person should be the support and its' got that.

Chairman John Andrist Should we just carve our own in that we appropriate $100,000 to support the study. **Senator John Grabinger** I am going down a different street. I heard the testimony from the general and it said we don't need this appropriation in order to do this study. I kind of go along with that if we don't need it we don't need to put it in here. I just assume leave it out.

Chairman Andrist Is anybody ready for a new motion? **Vice Chairman Ronald Sorvaag** I will make a motion that we further amend and just remove Section 4.

Senator John Grabinger- 2nd

Committee Discussion followed (8:54-11:31) Chairman Andrist asked for more discussion. Vice Chairman Ronald Sorvaag Withdraw my motion for the extra amendment
2nd withdrawn -Senator Grabinger

Chairman Andrist Am I hearing that you want to put $100,000 in then? **Vice Chairman Ron Sorvaag** I would like Senator Judy Lee to make a motion.

Senator Judy Lee My question is which language we prefer, most of it is pretty much the same except where we're talking about the Project 25 standards based central core dispatched equipment. Do we want anything about equipment in there? **Vice Chairman Ronald Sorvaag** I think the other one in the original bill was community specific where in the amended one it's really leaving it up to the discretion of what communities they need it. From that standpoint I would feel a little more comfortable with the amended one.

Senator Judy Lee In the interest of efficiency would you like a motion made to further amend 2353 to use the amendment that was proposed that language but with the amount of $100,000? **Vice Chairman Ronald Sorvaag** I guess I could be comfortable, but I am one with whatever amount. I would be comfortable with that amount.

Senator Judy Lee made a motion to include the language in the Harms amendment for section 4, substituting $100,000 for $500,000. Is that correct? **Senator Judy Lee**: Yes

2nd **Senator Ron Sorvaag**

Role call vote 6-0-0

Vice Chairman Ronald Sorvaag I will move that we approve 2353 as amended and re-refer to the Appropriations Committee.

2nd Senator Grabinger

Roll call vote 6-0-0

Carrier: Vice chairman Ron Sorvaag

13.0842.01001
Title.02000

Adopted by the Human Services Committee

1 of 2

February 8, 2013

2/9/13
TD

PROPOSED AMENDMENTS TO SENATE BILL NO. 2353

Page 1, replace lines 8 through 16 with:

"The legislative assembly finds that effective radio communication is vital to public safety and effective emergency response and law enforcement and declares that a statewide integrated radio communication system will more effectively serve the goals of law enforcement and emergency response personnel and thereby better serve the people of North Dakota. Existing radio systems operated by local jurisdictions serve those jurisdictions adequately, but do not provide the protection and benefits to the citizens of North Dakota that new digital networks being utilized in neighboring states offer."

Page 1, line 20, after "a." insert:"The director of state radio or a designee;

b. "

Page 1, line 21, replace "b." with "c."

Page 1, line 22, replace "c." with "d."

Page 1, line 23, replace "d." with "e."

Page 1, line 24, replace "e." with "f."

Page 2, line 1, replace "f." with "g."

Page 2, line 2, replace "g." with "h."

Page 2, line 3, replace "h." with "i."

Page 2, after line 3, insert:

"j. A representative of the North Dakota police chiefs association;"

Page 2, line 4, replace "i." with "k."

Page 2, line 5, replace "j." with "l."

Page 2, line 5, after "The" insert "North Dakota"

Page 2, line 16, remove "consider studying issues related to the development of the current radio communication"

Page 2, remove lines 17 and 18

Page 2, line 19, replace "board" with "study issues relating to the development of the current radio communication plan, its costs and components, and evolving technologies that will better serve the public. The study must include the input of stakeholders statewide, including local city, local county, and state public service and public safety entities, including those members represented on the board"

Page 2, line 21, replace "$5,000,000" with "$100,000"

Page 2, line 24, remove "equipment to integrate into the state system at Grand"

Page 2, line 25, replace "Forks, Fargo, Wahpeton, Jamestown, and Bismarck" with "project 25 standards-based centralized core dispatch equipment to integrate into a statewide dispatch network open to all city, county, and state agencies within North Dakota"

Page 2, line 26, replace "Funds must be allocated" with "The statewide interoperability board shall allocate funds"

Renumber accordingly

Date: 2-8-13
Roll Call Vote #: 1

2013 SENATE STANDING COMMITTEE
ROLL CALL VOTES
BILL/RESOLUTION NO. 2358

Senate Political Subdivisions Committee

☐ Check here for Conference Committee

Legislative Council Amendment Number

Action Taken: ☐ Do Pass ☐ Do Not Pass ☐ Amended ☐ Adopt Amendment

☐ Rerefer to Appropriations ☐ Reconsider

Motion Made By Sen. Sorvaag Seconded By Sen. Anderson

Senators	Yes	No	Senator	Yes	No
Chairman John Andrist	✓		Senator Jim Dotzenrod	✓	
Vice Chairman Ronald Sorvaag	✓		Senator John Grabinger	✓	
Senator Judy Lee	✓				
Senator Howard Anderson, Jr.	✓				

Total (Yes) 6 No 0

Absent 0

Floor Assignment

If the vote is on an amendment, briefly indicate intent:

Moved amendment without appropriation through Section 3
Harms amendment

Date: 2-8-13
Roll Call Vote #: _ _

2013 SENATE STANDING COMMITTEE
ROLL CALL VOTES
BILL/RESOLUTION NO. 2353

Senate Political Subdivisions Committee

☐ Check here for Conference Committee

Legislative Council Amendment Number _____

Action Taken: ☐ Do Pass ☐ Do Not Pass ☐ Amended ☐ Adopt Amendment

☐ Rerefer to Appropriations ☐ Reconsider

Motion Made By Senator Anderson Seconded By _____

Senators	Yes	No	Senator	Yes	No
Chairman John Andrist			Senator Jim Dotzenrod		
Vice Chairman Ronald Sorvaag			Senator John Grabinger		
Senator Judy Lee					
Senator Howard Anderson, Jr.					

Total (Yes) _____ No _____

Absent _____

Floor Assignment _____

If the vote is on an amendment, briefly indicate intent:

Sen. Anderson moved amendment with Appropriation of $100,000. He then withdrew motion - it was never seconded.

Date: 2-8-13
Roll Call Vote #: _____

2013 SENATE STANDING COMMITTEE
ROLL CALL VOTES
BILL/RESOLUTION NO. 2353

Senate Political Subdivisions Committee

☐ Check here for Conference Committee

Legislative Council Amendment Number Further Amend & remove Sec. 4

Action Taken: ☐ Do Pass ☐ Do Not Pass ☐ Amended ☐ Adopt Amendment

☐ Rerefer to Appropriations ☐ Reconsider

Motion Made By Sen. Sorvaag Seconded By Sen. Grabinger

Senators	Yes	No	Senator	Yes	No
Chairman John Andrist			Senator Jim Dotzenrod		
Vice Chairman Ronald Sorvaag			Senator John Grabinger		
Senator Judy Lee					
Senator Howard Anderson, Jr.					

Total (Yes) _____ No _____

Absent _____

Floor Assignment _____

If the vote is on an amendment, briefly indicate intent: Sr. Sorvaag withdrew the motion, Sr. Grabinger withdrew - 2nd

Date: 2-8-13
Roll Call Vote #: 2

2013 SENATE STANDING COMMITTEE
ROLL CALL VOTES
BILL/RESOLUTION NO. 2353

Senate Political Subdivisions Committee

☐ Check here for Conference Committee

Legislative Council Amendment Number Harms language & substituting $100,000 for $500,000

Action Taken: ☑ Do Pass ☐ Do Not Pass ☐ Amended ☐ Adopt Amendment

☐ Rerefer to Appropriations ☐ Reconsider

Motion Made By Sen. Judy Lee Seconded By Sen. Ron Sorvaag

Senators	Yes	No	Senator	Yes	No
Chairman John Andrist			Senator Jim Dotzenrod		
Vice Chairman Ronald Sorvaag			Senator John Grabinger		
Senator Judy Lee					
Senator Howard Anderson, Jr.					

Total (Yes) 6 No 0

Absent 0

Floor Assignment

If the vote is on an amendment, briefly indicate intent:

Date: 2-8-13
Roll Call Vote #: 3

2013 SENATE STANDING COMMITTEE
ROLL CALL VOTES
BILL/RESOLUTION NO. 2353

Senate Political Subdivisions Committee

☐ Check here for Conference Committee

Legislative Council Amendment Number

Action Taken: ☑ Do Pass ☐ Do Not Pass ☑ Amended ☐ Adopt Amendment

☑ Rerefer to Appropriations ☐ Reconsider

Motion Made By Senator Sorvaag Seconded By Sen. Grabinger

Senators	Yes	No	Senator	Yes	No
Chairman John Andrist	✓		Senator Jim Dotzenrod	✓	
Vice- Chairman Ronald Sorvaag	✓		Senator John Grabinger	✓	
Senator Judy Lee	✓				
Senator Howard Anderson, Jr.	✓				

Total (Yes) 6 No 0

Absent 0

Floor Assignment Vice Chair Sen Sorvaag

If the vote is on an amendment, briefly indicate intent:

REPORT OF STANDING COMMITTEE

SB 2353: Political Subdivisions Committee (Sen. Andrist, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** and **BE REREFERRED** to the **Appropriations Committee** (6 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2353 was placed on the Sixth order on the calendar.

Page 1, replace lines 8 through 16 with:

"The legislative assembly finds that effective radio communication is vital to public safety and effective emergency response and law enforcement and declares that a statewide integrated radio communication system will more effectively serve the goals of law enforcement and emergency response personnel and thereby better serve the people of North Dakota. Existing radio systems operated by local jurisdictions serve those jurisdictions adequately, but do not provide the protection and benefits to the citizens of North Dakota that new digital networks being utilized in neighboring states offer."

Page 1, line 20, after "a." insert:"The director of state radio or a designee;

b. "

Page 1, line 21, replace "b." with "c."

Page 1, line 22, replace "c." with "d."

Page 1, line 23, replace "d." with "e."

Page 1, line 24, replace "e." with "f."

Page 2, line 1, replace "f." with "g."

Page 2, line 2, replace "g." with "h."

Page 2, line 3, replace "h." with "i."

Page 2, after line 3, insert:

"j. A representative of the North Dakota police chiefs association;"

Page 2, line 4, replace "i." with "k."

Page 2, line 5, replace "j." with "l."

Page 2, line 5, after "The" insert "North Dakota"

Page 2, line 16, remove "consider studying issues related to the development of the current radio communication"

Page 2, remove lines 17 and 18

Page 2, line 19, replace "board" with "study issues relating to the development of the current radio communication plan, its costs and components, and evolving technologies that will better serve the public. The study must include the input of stakeholders statewide, including local city, local county, and state public service and public safety entities, including those members represented on the board"

Page 2, line 21, replace "$5,000,000" with "$100,000"

Page 2, line 24, remove "equipment to integrate into the state system at Grand"

Page 2, line 25, replace "Forks, Fargo, Wahpeton, Jamestown, and Bismarck" with "project 25 standards-based centralized core dispatch equipment to integrate into a statewide dispatch network open to all city, county, and state agencies within North Dakota"

Page 2, line 26, replace "Funds must be allocated" with "The statewide interoperability board shall allocate funds"

Renumber accordingly

2013 SENATE APPROPRIATIONS

SB 2353

2013 SENATE STANDING COMMITTEE MINUTES

Senate Appropriations Committee
Harvest Room, State Capitol

SB 2353
February 21,2013
Job # 19297

☐ Conference Committee

Committee Clerk Signature Rose Laning

Explanation or reason for introduction of bill/resolution:

Relating to statewide integrated radio communication; to provide for a legislative management study; and to provide an appropriation.

Minutes: You may make reference to "attached testimony."

Chairman Holmberg opened the hearing on SB 2353. All committee members were present.

Legislative Council - Brady Larson
OMB - Lori Laschkewitsch

Robert Harms, Motorola Solutions (Lobbyist # 308) testified in favor of SB 2353.
The problem they are trying to address is the structure of state radio. The system is owned by DOT. The system is operated by state radio which is a division of the National Guard, and the primary user is the Highway Patrol and other state agencies. At the local jurisdiction it is used by some counties for dispatch. There are inoperable challenges with the system. The large cities have systems that all need to be replaced in the next few years. SB 2353 tries to set up a process so that we have a statewide integrated system. He explained what the bill does. In regard to the money, the bill was put in at $5 million dollars and this was more than needed. Political subdivision brought it to $100,000. They are requesting that SB 2353 be approved at $100,000 and sent to the House and they'll have more information on the costs after crossover.

Vice Chairman Bowman said that technology changes so fast today. How do we coordinate something that works for everyone rather than just a few subdivisions?

Robert Harms: One thing is to coordinate the purchases of systems so they will integrate with other systems. The last study was done in 1999 and a new study is timely. His understanding is that the technology that we have in place should be built on and not thrown away.

Senator Warner: In discussing procurement contracts, do you anticipate that the local political subdivisions would be able to access the state contract and get some efficiency of costs.

Robert Harms: said that he didn't know how that will work. What the bill contemplates is that there will be grant dollars. They don't see this bill changing any procurement rules. There will be clear cost efficiencies.

Senator Carlisle: The House may take the money out - why wouldn't we take it out here.

Robert Harms: The study will cost several $100,000. He is just asking for the committee's indulgence.

Mike Lynk, Director of State Radio, volunteered to answer any questions about the system. He gave a short overview of the bill. (12:24)

Vice Chairman Bowman talked about the study being outdated by the time it was finished because of technology changing.

Mike Lynk said they are hoping to get out of the study a good overview of what is out there, what is needed to be upgraded and what is needed for the system.

Senator Carlisle asked why this bill was not in their budget that is being heard in the House.

Mike Lynk replied that this is not a department bill.

Chairman Holmberg closed the hearing on SB 2352 and asked for an amendment.

Senator O'Connell moved the amendment.

Senator Wanzek seconded.

Voice vote: amendment approved.

Senator Wanzek moved a do pass as amended on SB 2353

A roll call vote was taken. Yea: 12 Nay: 0 Absent: 1

Motion passed.

Chairman Holmberg: The bill goes back to Political Subs and Senator Sorvaag will carry the bill on the floor.

13.0842.02001
Title.03000

Prepared by the Legislative Council staff for
Senate Appropriations
February 21, 2013

2/21/13
TD

PROPOSED AMENDMENTS TO ENGROSSED SENATE BILL NO. 2353

Page 1, line 1, after "create" insert "and enact"

Page 2, line 23, after the first "the" insert "adjutant general to provide a grant to the"

Renumber accordingly

Date: 2-21-22

Roll Call Vote # 1

2013 SENATE STANDING COMMITTEE
ROLL CALL VOTES

BILL/RESOLUTION NO. 2353

Senate Appropriations Committee

☐ Check here for Conference Committee

Legislative Council Amendment Number

Action Taken DPA

Motion Made By Wanzek Seconded By

Senators	Yes	No	Senator	Yes	No
Chariman Ray Holmberg	✓		Senator Tim Mathern	A	
Co-Vice Chairman Bill Bowman	✓		Senator David O'Connell	✓	
Co-Vice Chair Tony Grindberg	✓		Senator Larry Robinson	✓	
Senator Ralph Kilzer	✓		Senator John Warner	✓	
Senator Karen Krebsbach	✓				
Senator Robert Erbele	✓				
Senator Terry Wanzek	✓				
Senator Ron Carlisle	✓				
Senator Gary Lee	✓				

Total (Yes) 12 No 0

Absent 1

Floor Assignment Pols Sorvaag

If the vote is on an amendment, briefly indicate intent:

REPORT OF STANDING COMMITTEE

SB 2353, as engrossed: Appropriations Committee (Sen. Holmberg, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (12 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). Engrossed SB 2353 was placed on the Sixth order on the calendar.

Page 1, line 1, after "create" insert "and enact"

Page 2, line 23, after the first "the" insert "adjutant general to provide a grant to the"

Renumber accordingly

2013 HOUSE POLITICAL SUBDIVISIONS

SB 2353

2013 HOUSE STANDING COMMITTEE MINUTES

House Political Subdivisions Committee
Prairie Room, State Capitol

SB 2353
March 15, 2013
Job # 19999

☐ Conference Committee

Committee Clerk Signature

Explanation or reason for introduction of bill/resolution:

Relating to statewide integrated radio communication; to provide for a legislative management study; and to provide an appropriation.

Minutes: Testimony 1,2,3,4,5,

Chairman N. Johnson opened the hearing on this SB 2353.

Senator Miller: Introduced bill on behalf of other folks. Related to integrated statewide radio and to get more cooperation with determining what the needs are of the state and county and how all that works. I urge your do pass on the bill.

Rep. L. Meier: Do you know how much money is in the appropriation budget for state radio in this session?

Senator Miller: Initially this bill had $5 million and I think that was more than they needed. I think this board is already meeting I think it is just to put that into code.

Rep. Kathy Hogan: Do you know the history of the 911 board at all?

Senator Miller: I do not know much about that.

Dave Eischen, Director of the Government Projects Team with Motorola Solutions: (See testimony #1) Based out of Minneapolis. Dependable wireless communications are critical for first responders and citizens of North Dakota. Communications for your public safety folks are critical. They must work day in and day out and provide coverage control redundancy far beyond what your public carriers provide. The events of September 11 in New York and disasters that we experience weekly highlight the need for these communications. Project 25 technology is the new term for this technology. As of today more than 36 states have implemented this type of network. Montana, Wyoming, South Dakota and Minnesota have implemented Project 25 Public Safety Network. There are considerable cost savings for the citizens of the state because instead of implementing separate networks for city, county and state agencies there is one network that can be shared. These cost savings are initially in capital and then in long term maintenance savings. Regarding the appropriation that is in there now; there is $100,000 for this study. I

think some others might speak to increasing that so a consulting firm could be retained to help with that study as we have seen in other states. There was initially in there a $5 million allocation that would serve as a core for the dispatch centers throughout the state. What the core would allow is for these dispatch centers to share a network instead of purchasing their own. There are five to six centers in the state right now that need to replace their equipment by 2016. So by doing this by a united effort instead of separate there would be cost savings both initially and long term that would offer redundancy and liability far beyond what they have today. We understand in the procurement process we would work with our customers to get funding so they can implement these networks.

Rep. Klemin: The $100,000 appropriation says it is to purchase project equipment. What can you get for $100,000?

David Ishum: I think it is just to fund the study and not purchase the equipment. Bob Harms was supposes to offer up an amendment that would show that.

Rep. Klemin: The 2016 date you mentioned what is the reverence of that date?

David Ishum: Bismarck, Burleigh, Cass, Fargo, Jamestown, Grand Forks and one other agency all have the same type of equipment that is coming to end of their life in 2016. There are plans to replace the equipment now. They can do it in a combined effort or do it separately.

Rep. Klemin: Is the equipment purchased locally or does the state buy that?

David Ishum: That equipment now is purchased locally through a dealer network in the state of North Dakota and it is purchased by those agencies.

Rep. Kretschmar: Have they set up a board in other states like it is proposed in the bill.

David: Yes they have. South Dakota has a board of about 14 people; 8-9 being local and the remainder being state representatives.

Bob Harms with Motorola: Presenting amendment to offer to the committee (See proposed amendment #2). It just adds to the governing board the North Dakota Peace Officers Association. Most of the major jurisdictions have their own radio communication systems internal. The other part of the radio systems in the state essentially relies on state radio here in Bismarck to provide radio communications so what we end up with here in North Dakota is a fractured system across North Dakota. State Radio is a division within the National Guard. The equipment and towers owned by ND DOT, but the biggest users on the state level are the highway patrol. We have 22 jurisdictions that use that system so what we are trying to do is have this board help us develop an integrated statewide radio communication system. We have been at this effort for 15 years. When we were developing this legislation it was suggested we add a study with this bill so that we can get this accomplished. One of the other things we are trying to do is at least five of those local jurisdictions within the next two years or so is going to have to replace their local communication components. We are trying to create a system that allows us to replace that equipment in a way that builds into a more interrogated statewide system as well.

The bill is essentially designed to accomplish two things; we think we can save the taxpayers money statewide and as they system gets built up we will have a better radio communication system as well.

Rep. Kathy Hogan: Will this replace the advisory committee for 911? So the 911 committee would still exist. This would be another group.

Bob Harms: No. The 911 association is fully supportive of this bill and what we are doing.

Rep. Koppelman: Who are you representing?

Bob Harms: Motorola Solutions.

Rep. Koppelman: When are we going to get it right?

Bob Harms: I think we have managed to upgrade technology and it has been working reasonably well. What is happening right now is we know we have the technology that is going to become obsolete in a couple of years so that brings the need for making this integrated radio system an issue again.

Rep. Koppelman: What is the need to do the change? Why is the equipment antiquated?

Bob Harms: I think so, but I don't know.

Rep. Klemin: As I see the original bill with the $5 million appropriation it seemed like that was going to cover a lot of the requirements of this bill, but with $100,000 appropriation to purchase equipment so what is the point of setting up the board and doing all this stuff without the funding?

Bob Harms: You are right. In the Senate we did not want the $5 million be an issue to kill the bill so the IBL committee took it down just as a place holder. We have talked this week about what to do with regard to appropriation in this committee so what we are anticipating and asking this committee to do is approve the bill and move it into appropriations is come back in and ask that the $100,000 be increased to the study amount or also coupled with a modest amount for potentially equipment purchases.

Rep. J. Kelsh: On the original bill it doesn't mention this better to serve the public but on the first engrossment line 14 of the first page it talks about the networks being utilized in many of the states. Does that mean we would be faced with neighboring states be able to use the same equipment so that we can talk back and forth?

Bob Harms: I don't know that specific language change and to speak to that. Just an example within the last couple of months we are surrounded by other jurisdictions that this will help the bill get to.

Rep. J. Kelsh: On the makeup of the board most of them would be able to use the expense of their boards for pay for these folks?

Bob Harms: The expectation would be the public employees of course would be paid. We don't anticipate any of the appropriation going to paying anything towards that effort.

Rep. Koppelman: I was a co-sponsor of a bill that would prevent double dipping. In other words people who are a state employee or part of another public entity that collect a paycheck and they could not collect from both. I do technology changing so quickly. Are we getting to the point that maybe with some minor tweaking could suffice versus a very sophisticated commercial grade for these kinds of purposes?

Bob Harms: That is a question well above my pay grade. Even though I represent Motorola our expectation that whatever comes out of this bill the procurement process is still going to be the same and followed.

Rep. Kathy Hogan: Do you anticipate that this board will establish those standards and then require local jurisdictions to purchase those standards that have been established and could it become an unfunded mandate?

Bob Harms: I do anticipate the board will set those standards. That is why we have structured the board how we have. The North Dakota Peace Officers Association have equal say as to how those standards would be developed and applied at the local levels.

Rep. Kathy Hogan: You don't however have city or county commissioners who do the funding side. I think it is something we should consider.

Rep. Hatlestad: Will state radio be the center king ping and we all plug in?

Bob Harms: I would say no because State Radio is just one of the rest of the board. I said no initially because I think that causes the local jurisdictions to shutter. Fargo doesn't want to have to come to State Radio for its radio communication systems but we want Fargo to be part of an integrated system.

Rep. Hatlestad: State radio as I recall from previous testimony answers for about 22 PCAPs so if we do this integrated system does that eliminate the 911 system?

Bob Harms: No what it would do if it is a fully integrated system the sheriff in Bowman County or Golden Valley would have the same kind of communications capability that the sheriff in Fargo does now.

Rep. Hatlestad: So basically they would have to replace their equipment with the new equipment.

Bob Harms: Almost all the PCAPs have the P25 most of the counties have now.

Rep. Hatlestad: We have Next Generation 911 coming on line. Is this going to have an impact on that?

Bob Harms: My understanding is that will not solve the problems that we are trying to address in this bill. There are some technical reasons why they don't provide the kind of voice communications that we anticipate that this system would provide.

Rep. J. Kelsh: After the 911 disaster there was a lot of money that passed through is all the equipment obsolete and has to be replaced now?

Bob Harms: I don't know.

Rep. Klemin: Just a question on your amendment to offer the peace officers association. I see the bill already says that the members of this board include the highway patrol, sheriff's and deputies association and the police chiefs association. Who would be in the peace officers association that is not included in this bill?

Bob Harms: The Peace Officers Association includes all of those entities; troopers, local police officers, sheriff's office, corrections officers, PCI.

Jerry Kemit, ND Peace Officers Association: walked up to podium?

Rep. Kathy Hogan: In Fargo we have a joint dispatch center that is well developed in coloration with Clay County and Moorhead and we do that joint stuff and that has been a challenging issue because it crosses so many jurisdictional lines. Do you think this could jeopardize the joint dispatch center?

Bob Harms: No. We visited with the manager of the PCAP in Fargo and he is supportive of this bill.

Rep. M. Klein: Didn't this come about after 911 when the federal government sent out lots of money which was sent out to the locals and they just purchased stuff. Homeland Security finally set some criteria it was a free fall. Is that correct?

Bob Harms: I don't know that the 911 was the culprit? The structure we have in place in North Dakota contributes to that whether those funds came from the federal government or they were given to us from the state.

Mike Lynk, Director, ND Division of State Radio: (See testimony #3, Proposed amendment #4, #5) There is an Executive order setting up a statewide executive committee. There was an executive order under Governor Hoeven in 2009 and reaffirmed in 2012 by Gov. Dairymple. They set up standards for the committee and the membership of the committee. This committee is the recognized committee through the federal government through licensing through the FCC. After the SIEC committee yesterday when we discussed this bill it sets up another committee. It is not the same committee as the executive committee set up. So the amendments I gave you they look like a lot is to try to match the executive committee with what the federal government recognizes and the authority of the SIEC into this bill so ultimately the governor has the option to rescind the executive order and this become law. 44:27 - 52:31

Rep. Koppelman: This is a proposal that has been brought forward by various people that see the need to put this kind of board together, but the legislature is not subject to executive orders. If we pass this bill and say this is what the State of North Dakota is going to do the federal government will then recognize that new entity. Don't you agree?

Mike Lynk: Yes I would agree. We would go through the process like we went through with the SIEC.

Rep. Koppelman: You can come and kill the bill and basically accomplish the same thing.

Rep. Klemin: The appropriation of $500,000 for the study was that done through a legislative type study at that time was that done through a legislative study at that time or was it part of the appropriations to your department?

Mike Lynk: I don't know how that was funded?

Rep. Klemin: Is there an appropriation now in your department's budget that has been considered by appropriations committee that has the study in it?

Mike Lynk: There is not. The infrastructure has developed because of economics. In 2004 study that Mr. Harms was talking about in the adjoining states; Minnesota, South Dakota and Montana is a Motorola trunk system. It allows all agencies to have what would be a control channel into the radio so they could make groups so when you enter into another area you would call dispatch and say I want the Fargo group and through an electronic part of that you would get those channels within your radio. The pros are you can move banks all over the state of North Dakota so as you go into a different area you have those channels that are used in those areas. Discussed the program in great detail.

Rep. Koppelman: We are getting into a lot of detail which system is better or worse. That is what the board or committee would do. I would rather look at the policy. You are talking about a board electing the chairman and vice chairman for two year terms made up from the members of that board. It appears yours would cast in stone that the committee would be chaired by the director of the department of Emergency Services and vice chaired by the director of the division of state radio. You are talking about grants and also multiplying the appropriation five times. I am seeing a disconnect there. Are they wrong on how this would move forward with a $100,000 appropriation?

Mike Lynk: We are recommending that the study will cost $500,000. We think a study should be done.

Rep. Koppelman: If the legislature decides to pass the bill that would be a clear indication that it prefers the legislature do the study and that it not cost more than $100,000 versus the executive branch doing it and it costing $500,000.

Jerry Kevin, ND Peace Officers Association: To support the study portion of this bill. We think it is long overdue. The study should drive what we decide to do with you

Rep. Koppelman: Rep. Hogan brought up a question about what we do in Fargo etc. We are being told sometimes that is not working. Is that true or is it pretty effective

Jerry Kevin: I noticed once we went to narrow band it created some problems because we had some issues. When I was in a car we did have radios that could scan 120 channels and they were banks and frankly I needed a cheat sheet to figure out what bank I was supposed to be on and who is talking to who. Right now I don't think that is happening.

Mike Daninfelzer, Combined Communication Center Manager in Bismarck: We have spent a lot of money on radio systems primarily because there is not been another option statewide. We are hoping from this bill comes a broader vision from the state on what we might be able to do to better integrate radio systems statewide.

Rep. Koppelman: The amendments they would change the intent of the bill quite a bit. As a local entity do you have a preference?

Mike Daninfelzer: The bill is as it stands the study is the most important piece.

Opposition: None

Neutral: None

Hearing closed.

2013 HOUSE STANDING COMMITTEE MINUTES

House Political Subdivisions Committee
Prairie Room, State Capitol

SB 2353
March 21, 2013
Job # 20298

☐ Conference Committee

Committee Clerk Signature

Minutes: You may make reference to "attached testimony."

Chairman N. Johnson reopened the meeting on SB 2353. We have not acted on anything on this bill. We have amendments from Mike Lynk and the peace officers amendment.

Motion made to move Mike Lynk's amendments by Rep. A. Maragos; Seconded by Rep. Koppelman then withdrawn because thought he was talking about the first amendment by peace officers. Then seconded by Rep. Kathy Hogan:

Rep. Koppelman: I did visit with Mr. Lynk after this was proposed and I will resist these amendments because he has a good point because I think the name of the entity just because of the federal recognition. What would happen if the bill as proposed were to pass; but instead of calling it the board if we simply continued to call it the committee which is what the current name is and that is what has been recognized by the federal government they would just continue to recognize it. It wouldn't change anything. The rest of it bothers me. In the bill it calls for a board and in describing the board it says the board shall elect a chairman and vice chairman etc. We are including a lot of political subdivisions as part of this board in addition to state officials would decide who would chair the board and who would vice chair and that would be for a two year term. I think that is healthy. The amendment would mandate that the committee has to be chaired by the director of EMS and vice chaired by the director of the division of State Radio for eternity. I don't think that is healthy. In the bill they are changing the $100,000 appropriation to a $500,000 appropriation. I am going to oppose the amendment.

Rep. Ben Hanson: I am also going to oppose that amendment. The management study in section 3. A technician from state radio and the only viable option in his opinion would be a trunk system so a shall study of integrations plan and appropriating money to it when we already know the only viable option is the trunk system and we know what the cost of those systems are by getting bids on them. So I am opposed to the rest of that in the amendment too.

Rep. M. Klein: When some of that money came after 911 and was sent out to all the counties a lot of money was spent foolishly on systems that didn't talk to each other. After we finally got State Radio and the Department of EMS to take control things straightened out. Now we are going back to let this group take over. I think we have to tie this to the

Department of EM and let them operate otherwise we are going to end up with another system with so many different pieces getting involved.

Rep. Klemin: This bill is all premature. We had several people testify that the study part was the important part. Originally the bill called for spending a lot more money on a consultant to do a study and that was the main reason for the appropriation. The whole point of the bill is premature. The Governor established this Statewide Intraoperative ability Executive Committee by Executive order last fall and what these amendments do is to put that Executive Order into the law. It is a hog house amendment. We had several people testify that the study is really what they needed so for everything in the bill is premature. The governors committee that was set up is capable of reviewing all these things that are coming up. In the bill the study was a legislative management study and in the amendments that were proposed it was to change that to the engineering study done and that increased the appropriation to $500,000. I think it should be a legislative management study. I am going to oppose the proposed amendments.

Rep. J. Kelsh: Am I correct in you saying you do not think we need the study at this time?

Rep. J. Kelsh: I don't think we should have the study proposed in the amendment that we are talking about which is to hire the engineering company. If we went back to the original bill I don't think we should have that study. The committee the governor set up can look at that whole issue.

Rep. Kathy Hogan: Are you supporting killing the bill?

Rep. Klemin: That would be correct.

Chairman N. Johnson: If this was important to do why wasn't it in their agency budget to say let's put some money in and see what is going on too.

Rep. L. Meier: I agree totally with that. They have a large budget and if they thought it was important they should have put this in their budget.

Rep. Ben Hanson: The governor's commission that you referenced; that is already up and running?

Rep. Klemin: Yes

Voice vote failed.

Motion made to amend; 1. Replace the board with the committee name-NDSIEC, page 1, line 17 & 18 replacing Statewide Interoperability Board with NDSIEC. Page 2, line 20 replace board with NDSIEC plus amendment proposed by Senator Miller on page 2, line 6 insert a member of the peace officers association and to remove the appropriation by Rep. Koppelman: Seconded by Rep. A. Maragos

Rep. Toman: You are proposing to remove section 3 & 4 insert all those other name changes and the peace officers accordingly. Is that correct?

Rep. Koppelman: I am not proposing to remove Section 3. I am asking to remove the appropriation so the changes would be keep the name of the committee versus the board as the bill calls for; remove Section 4 the appropriation; adopt the amendment that adds the peace officers association and change from a mandatory study to shall consider for a legislative management study.

Rep. Klemin: I still don't like the whole bill and it is way premature. I don't want to adopt the amendments because I think they will not improve the bill so I am going to resist the amendments and leave the bill the way it is and kill the bill.

Rep. J. Kelsh: In that committee there are the highway patrol, sheriff's deputies, fire chief's and police chiefs are represented. Do we need to have the peace officers in there too?

Rep. Koppelman: I think we do. The peace officers if the broadest group representing people in that profession.

Rep. L. Meier: I am going to resist the motion as well for the amendments. I think if this bill would pass with those amendments and then go to conference committee in the Senate there is a good chance the money would get put in again for the study and I think this bill is premature.

Chairman N. Johnson: Voice vote did not work.

Roll call vote: 6 Yes 9 No 0 No Failed

Do Not Pass Motion Made by Rep. Klemin: Seconded by Rep. Ben Hanson

Vote: 14 Yes 1 No 0 Absent Carrier: Rep. Ben Hanson

Closed.

:

2013 HOUSE STANDING COMMITTEE MINUTES

House Political Subdivisions Committee
Prairie Room, State Capitol

SB 2353
March 28, 2013
Job # 20622

☐ Conference Committee

Committee Clerk Signature

Minutes: Proposed amendment #1

Chairman N. Johnson opened the meeting on SB 2353. We first need to vote to reconsider if we would like to reconsider.

Motion made to reconsider by Rep. Hatlestad: Seconded by Rep. J. Kelsh:

Chairman N. Johnson to reconsider our actions whereby we recommended a do not pass on reengrossed SB 2353.

Rep. Klemin: I am going to resist the motion to reconsider. I don't think these amendments really change my mind on anything that is done here. When we originally looked at this bill on March 21 and voted we had amendments that were failed 9-5 and then we voted a do not pass 14-1 and the whole issue here was that us doing anything was very premature 2. The governor has already set up a committee to be working on this and that committee is capable of doing anything that needs to be done before the next session. I don't think we need to reconsider this. I think we should leave what we did in effect.

Rep. Koppelman: Basically what the amendments do is change the name to the committee. Looks like we change the biennium for the study? Legislative council changed it to an interim study rather than a biennium. Then we did remove the appropriation. I would recommend we reconsider so we can further discuss the amendment you prepared.

Rep. Kathy Hogan: I am going to support reconsideration. I have gotten a number of contacts from local law enforcement saying they think this is a big enough issue that the interim study is worth it.

Voice vote carried.

Chairman N. Johnson: We now have SB 2353 in front of us again. See proposed amendment .03002) These amendments that I provided does what we talked about last time and that was basically to keep the name the same as in the governor's Executive Order. It adds the peace officers association member. It does say shall rather than a mandatory one so that would be something in there and it does take out the appropriations. Since we passed it out I have talked with people in the IT and they said it would be good to have legislative involvement in this study; wherein with the governor's committee there is not legislative involvement. 1. This would diffuse what is going on and have more

eyes looking at it. 2. So the legislature is aware of what comes out of that committee and will have some background in it before it comes out. I like to Rep. Todd Porter this morning and asked him about this technology. He said one of the things it does is allows a lot more interconnection where people can talk to each other. He gave examples in 2009 when the flood in the valley was going on and EMS needed to talk between Moorhead and Fargo side they couldn't communicate but they were working with the same emergency. The trunk system would allow them to do that whether this particular group that brought the bill in would be provider all those questions would be what the committee would need to address.

Rep. Koppelman: I think the chairman has described well why this needs to be done. The key issues are the name remains the same so the entity remains the same as she said. The legislative involvement that you mentioned is important because we represent the people back home that are affected by this and it is hard to have the executive branch involved, but that extra input is important both for our information. I do like taking the appropriation out. Let the experts that work for the state give us the information we need and let the legislature study it in the interim with their involvement and then it becomes statuary also.

Motion made to move amendment .03002 by Rep. A. Maragos; Seconded by Rep. Koppelman:

Rep. Klemin: If we pass this the amendment doesn't change some things in the bill such as the board shall provide for key components and provide for support of key components, but they are not going to have any money to do that. That is on page 2, line 9. Line 13 the committee shall manage a statewide integrated radio system which isn't going to exist if don't think. Then we have a study to assist with a statewide intraoperative of the plan to study issues relating to the development of this plan. We have a study going on before the study is done. I am not sure how this will work?

Rep. Koppelman: I am not sure the language in the bill is all that programmatic but I think what we would accomplish in passing the amended bill would be in conference committee on this bill.

Rep. Klemin: On page 2, line 11 the committee is going to provide for financial and technical assistance to local jurisdictions to try search through this system and they get that money where?

Chairman N. Johnson: Maybe we need to delete lines 9-14 on the second page in addition? Then just leave the study part of it.

Rep. Klemin: This statutory committee, what are they going to do? I don't see that they will be doing anything so the only thing left is the study.

Rep. Koppelman: The governor has issued an executive order; he has created a committee; where do they get their money and how do they do what they do. They do it through the normal appropriations process of executive branch of government. I am hoping the study would give some direction on this in terms of implementation.

Rep. M. Klein: I believe this is premature. We are creating another committee to do what? They have no guidelines or money to do this. I think we should kill this bill.

Rep. Kathy Hogan: The other alternative is on line 13; page 2 we could say the committee shall prepare recommendations regarding a statewide integrated radio system with due consideration and those regulations then could go to the legislative study. Then delete subsection 3.

Rep. Toman: Is there anything in the study that state radio doesn't already know needs to happen? Do we need to create a board to study this?

Mike Lynk, State Radio: As if gave you some amendments before it refined some of the verbiage that was looking at the study. In 1999 they did this state radio study; in 2004 that was updated but there has never been a study to look at the other 21 PSAPs and how they integrate. Now state radio is an umbrella and they independently dispatch through their system so if we are integrating all the radio traffic then we have not looked at those local jurisdictions and how that would integrate into new technology.

Rep. J. Kelsh: Sub section 3 on page 2 mentioned that should be taken out. If it does mean dollars is there anything in your budget to provide money to do that?

Mike Lynk: No there is not.

Rep. Klemin: The original study was a full blown engineering study. If we are going to have a study maybe it should not be with a consultant. It might be appropriate to only have Section 3 remain in this bill for the legislative management study, but to provide that legislative management with cooperate with the statewide interoperability executive committee established by the governors executive order and including a representative of the peace officers association because the rest of this is just see the need for this. The study was the more important part of this whole bill except it can't be the same kind of study as originally envisioned because that was an engineering type study.

Chairman N. Johnson: there has been a motion to adopt the amendments. I think they need more work.

Rep. Toman: I agree with Rep. Koppelman to set up a board with oversight of what we do create, but I do not know if that is premature or not.

Rep. Klemin: I don't think we need to set up this statutory committee to do that because we already had the governor's executive committee.

Rep. Koppelman: What was through thought on line 13 that you mentioned?

Rep. Kathy Hogan: I put in the board shall prepare commendations regarding a statewide integrated radio system.

Rep. Koppelman moved we further amend the motion to adopt the amendment to also delete subsection 3 of section 2, which are lines 9 - 12 of page 2. Also to amend line 13 to delete the words manage a substitute prepare a recommendations regarding. That would get us to a point so what we would have left is the creation of the entity called the committee and get rid of some of this authority that is in the bill for that group; it would preserve the study and it would put them in a relationship working with state radio and we would not have the appropriation so we would be accomplishing what we were just talking about. Seconded by Rep. Kathy Hogan:

Voice vote carried.

Chairman N. Johnson: We have a motion already by Rep. A. Maragos; Seconded by Rep. Koppelman .03002.

Voice vote carried.

Do Pass as Amended Motion made by Rep. A. Maragos; Seconded by Rep. Beadle:

Rep. Kretschmar: If we pass the bill as it now stands before us will be end up with the committee outlining the bill in the governor's committee also?

Chairman N. Johnson: I believe they are the same committee. In the amendment we changed the name to pattern off the same committee as in the governor's executive order.

Rep. Koppelman: I think we are codifying what the governor has done by executive order and just changing its makeup slightly. Now by law we would be creating a committee so he could still do something else to keep a separate committee going, but I don't know why he would do that. We are blessing what he has done and simply changing it a bit.

Vote: 11 Yes 4 No 0 Absent Carrier: Rep. Toman (changed later from Rep. K. Koppelman)

Closed.

3/28/13

13.0842.03003
Title.04000

Adopted by the Political Subdivisions Committee

March 28, 2013

PROPOSED AMENDMENTS TO REENGROSSED SENATE BILL NO. 2353

Page 1, line 2, after the semicolon insert "and"

Page 1, line 3, remove "; and to provide an appropriation"

Page 1, line 17, replace "**Statewide**" with "**North Dakota statewide**"

Page 1, line 17, replace "**board**" with "**executive committee**"

Page 1, line 18, replace "board" with "executive committee"

Page 2, line 5, after "k." insert: "A representative of the North Dakota peace officers association;

l. "

Page 2, line 6, replace "l." with "m."

Page 2, line 7, replace "board" with "committee"

Page 2, line 9, remove "The board shall provide for key components and provide for support of key"

Page 2, remove lines 10 through 12

Page 2, line 13, remove "4."

Page 2, line 13, replace "board" with "committee"

Page 2, line 13, replace "manage" with "prepare recommendations regarding"

Page 2, line 15, replace "2013-15 biennium" with "2013-14 interim"

Page 2, line 17, replace "study" with "consider studying"

Page 2, line 20, replace "board" with "statewide interoperability executive committee. The legislative management shall report its findings and recommendations, together with any legislation required to implement the recommendations, to the sixty-fourth legislative assembly"

Page 2, remove lines 21 through 31

Renumber accordingly

Date: 3-21-13
Roll Call Vote #: 1

2013 HOUSE STANDING COMMITTEE
ROLL CALL VOTES
BILL/RESOLUTION NO. 2353

House Political Subdivisions Committee

☐ Check here for Conference Committee

Legislative Council Amendment Number

Action Taken: ☐ Do Pass ☐ Do Not Pass ☑ Amended ☐ Adopt Amendment

☐ Rerefer to Appropriations ☐ Reconsider

Motion Made By Rep. Maragos Seconded By Rep. K. Hogan

Representatives	Yes	No	Representatives	Yes	No
Chairman Nancy Johnson			Rep. Ben Hanson		
Vice Chairman Patrick Hatlestad			Rep. Kathy Hogan		
Rep. Thomas Beadle			Rep. Jerry Kelsh		
Rep. Matthew Klein			Rep. Naomi Muscha		
Rep. Lawrence Klemin					
Rep Kim Koppelman					
Rep. William Kretschmar					
Rep. Alex Looysen					
Rep. Andrew Maragos					
Rep. Lisa Meier					
Rep. Nathan Toman					

Total (Yes) No

Absent

Floor Assignment

If the vote is on an amendment, briefly indicate intent:

Do proposed Amend #4
Voice Vote!
Failed!

Date: 3-21-13
Roll Call Vote #: 2

2013 HOUSE STANDING COMMITTEE
ROLL CALL VOTES
BILL/RESOLUTION NO. 2353

House Political Subdivisions Committee

☐ Check here for Conference Committee

Legislative Council Amendment Number

Action Taken: ☐ Do Pass ☐ Do Not Pass ☑ Amended ☐ Adopt Amendment

☐ Rerefer to Appropriations ☐ Reconsider

Motion Made By Rep. Koppelman Seconded By Rep. Maragos

Representatives	Yes	No	Representatives	Yes	No
Chairman Nancy Johnson	✓		Rep. Ben Hanson		✓
Vice Chairman Patrick Hatlestad		✓	Rep. Kathy Hogan		✓
Rep. Thomas Beadle	✓		Rep. Jerry Kelsh		✓
Rep. Matthew Klein		✓	Rep. Naomi Muscha		✓
Rep. Lawrence Klemin		✓			
Rep Kim Koppelman	✓				
Rep. William Kretschmar	✓				
Rep. Alex Looysen	✓				
Rep. Andrew Maragos	✓				
Rep. Lisa Meier		✓			
Rep. Nathan Toman		✓			

Total (Yes) 6 No 9

Absent 0

Floor Assignment

If the vote is on an amendment, briefly indicate intent: Failed

1. Replace board with NDSIEC
2. Add peace officers - Miller proposals
3. Approved remove appropriations.
4. Shall conduct management study.

Date: 3-21-13
Roll Call Vote #: 3

2013 HOUSE STANDING COMMITTEE
ROLL CALL VOTES
BILL/RESOLUTION NO. 2353

House Political Subdivisions Committee

☐ Check here for Conference Committee

Legislative Council Amendment Number

Action Taken: ☐ Do Pass ☑ Do Not Pass ☐ Amended ☐ Adopt Amendment

☐ Rerefer to Appropriations ☐ Reconsider

Motion Made By Rep L. Klein Seconded By Rep. B. Hanson

Representatives	Yes	No	Representatives	Yes	No
Chairman Nancy Johnson	✓		Rep. Ben Hanson	✓	
Vice Chairman Patrick Hatlestad	✓		Rep. Kathy Hogan	✓	
Rep. Thomas Beadle	✓		Rep. Jerry Kelsh	✓	
Rep. Matthew Klein	✓		Rep. Naomi Muscha	✓	
Rep. Lawrence Klemin	✓				
Rep Kim Koppelman	✓				
Rep. William Kretschmar	✓				
Rep. Alex Looysen	✓				
Rep. Andrew Maragos		✓			
Rep. Lisa Meier	✓				
Rep. Nathan Toman	✓				

Total (Yes) 14 No 1

Absent 0

Floor Assignment Rep. B. Hanson

If the vote is on an amendment, briefly indicate intent:

Date: 3-28-13
Roll Call Vote #: 1

2013 HOUSE STANDING COMMITTEE
ROLL CALL VOTES
BILL/RESOLUTION NO. 2353

House Political Subdivisions Committee

☐ Check here for Conference Committee

Legislative Council Amendment Number _____

Action Taken: ☐ Do Pass ☐ Do Not Pass ☐ Amended ☐ Adopt Amendment

☐ Rerefer to Appropriations ☒ Reconsider

Motion Made By Rep. P. Hatlestad Seconded By Rep. J. Kelsh

Representatives	Yes	No	Representatives	Yes	No
Chairman Nancy Johnson			Rep. Ben Hanson		
Vice Chairman Patrick Hatlestad			Rep. Kathy Hogan		
Rep. Thomas Beadle			Rep. Jerry Kelsh		
Rep. Matthew Klein			Rep. Naomi Muscha		
Rep. Lawrence Klemin					
Rep Kim Koppelman					
Rep. William Kretschmar					
Rep. Alex Looysen					
Rep. Andrew Maragos					
Rep. Lisa Meier					
Rep. Nathan Toman					

Total (Yes) _____ No _____

Absent _____

Floor Assignment _____

If the vote is on an amendment, briefly indicate intent:

Voice Vote, carried!

Date: 3-28-13
Roll Call Vote #: 2

2013 HOUSE STANDING COMMITTEE
ROLL CALL VOTES
BILL/RESOLUTION NO. 2353

House Political Subdivisions Committee

☐ Check here for Conference Committee

Legislative Council Amendment Number -03002

Action Taken: ☐ Do Pass ☐ Do Not Pass ☑ Amended ☐ Adopt Amendment

☐ Rerefer to Appropriations ☐ Reconsider

Motion Made By Rep. Maragos Seconded By Rep. K. Koppelman

Representatives	Yes	No	Representatives	Yes	No
Chairman Nancy Johnson			Rep. Ben Hanson		
Vice Chairman Patrick Hatlestad			Rep. Kathy Hogan		
Rep. Thomas Beadle			Rep. Jerry Kelsh		
Rep. Matthew Klein			Rep. Naomi Muscha		
Rep. Lawrence Klemin					
Rep Kim Koppelman					
Rep. William Kretschmar					
Rep. Alex Looysen					
Rep. Andrew Maragos					
Rep. Lisa Meier					
Rep. Nathan Toman					

Total (Yes) _____ No _____

Absent _____

Floor Assignment _____

If the vote is on an amendment, briefly indicate intent:

Voice vote carried!

Date: 3-28-13
Roll Call Vote #: 3

2013 HOUSE STANDING COMMITTEE
ROLL CALL VOTES
BILL/RESOLUTION NO. 2353

House Political Subdivisions Committee

☐ Check here for Conference Committee

Legislative Council Amendment Number

Action Taken: ☐ Do Pass ☐ Do Not Pass ☒ Amended ☐ Adopt Amendment
Further

☐ Rerefer to Appropriations ☐ Reconsider

Motion Made By Rep. K. Koppelman Seconded By Rep. K. Hogan

Representatives	Yes	No	Representatives	Yes	No
Chairman Nancy Johnson			Rep. Ben Hanson		
Vice Chairman Patrick Hatlestad			Rep. Kathy Hogan		
Rep. Thomas Beadle			Rep. Jerry Kelsh		
Rep. Matthew Klein			Rep. Naomi Muscha		
Rep. Lawrence Klemin					
Rep Kim Koppelman					
Rep. William Kretschmar					
Rep. Alex Looysen					
Rep. Andrew Maragos					
Rep. Lisa Meier					
Rep. Nathan Toman					

Total (Yes) No

Absent

Floor Assignment

If the vote is on an amendment, briefly indicate intent:

delete lines 9-12, Pg 2; line 13, Committee shall

Voice Vote carried

Date: 3-28-13
Roll Call Vote #: 4

2013 HOUSE STANDING COMMITTEE
ROLL CALL VOTES
BILL/RESOLUTION NO. 2353

House Political Subdivisions Committee

☐ Check here for Conference Committee

Legislative Council Amendment Number _____

Action Taken: ☑ Do Pass ☐ Do Not Pass ☑ Amended ☐ Adopt Amendment

☐ Rerefer to Appropriations ☐ Reconsider

Motion Made By Rep. Maragos Seconded By Rep. T. Beadle

Representatives	Yes	No	Representatives	Yes	No
Chairman Nancy Johnson	✓		Rep. Ben Hanson	✓	
Vice Chairman Patrick Hatlestad	✓		Rep. Kathy Hogan	✓	
Rep. Thomas Beadle	✓		Rep. Jerry Kelsh	✓	
Rep. Matthew Klein		✓	Rep. Naomi Muscha	✓	
Rep. Lawrence Klemin		✓			
Rep Kim Koppelman	✓				
Rep. William Kretschmar		✓			
Rep. Alex Looysen	✓				
Rep. Andrew Maragos	✓				
Rep. Lisa Meier		✓			
Rep. Nathan Toman	✓				

Total (Yes) 11 No 4

Absent 0

Floor Assignment Rep. N. Toman

If the vote is on an amendment, briefly indicate intent:

REPORT OF STANDING COMMITTEE

SB 2353, as reengrossed: Political Subdivisions Committee (Rep. N. Johnson, Chairman) recommends **DO NOT PASS** (14 YEAS, 1 NAYS, 0 ABSENT AND NOT VOTING). Reengrossed SB 2353 was placed on the Fourteenth order on the calendar.

REPORT OF STANDING COMMITTEE

SB 2353, as reengrossed: Political Subdivisions Committee (Rep. N. Johnson, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (11 YEAS, 4 NAYS, 0 ABSENT AND NOT VOTING). Reengrossed SB 2353 was placed on the Sixth order on the calendar.

Page 1, line 2, after the semicolon insert "and"

Page 1, line 3, remove "; and to provide an appropriation"

Page 1, line 17, replace "**Statewide**" with "**North Dakota statewide**"

Page 1, line 17, replace "**board**" with "**executive committee**"

Page 1, line 18, replace "board" with "executive committee"

Page 2, line 5, after "k." insert: "A representative of the North Dakota peace officers association;

l. "

Page 2, line 6, replace "l." with "m."

Page 2, line 7, replace "board" with "committee"

Page 2, line 9, remove "The board shall provide for key components and provide for support of key"

Page 2, remove lines 10 through 12

Page 2, line 13, remove "4."

Page 2, line 13, replace "board" with "committee"

Page 2, line 13, replace "manage" with "prepare recommendations regarding"

Page 2, line 15, replace "2013-15 biennium" with "2013-14 interim"

Page 2, line 17, replace "study" with "consider studying"

Page 2, line 20, replace "board" with "statewide interoperability executive committee. The legislative management shall report its findings and recommendations, together with any legislation required to implement the recommendations, to the sixty-fourth legislative assembly"

Page 2, remove lines 21 through 31

Renumber accordingly

2013 CONFERENCE COMMITTEE

SB 2353

2013 SENATE STANDING COMMITTEE MINUTES

Senate Political Subdivisions Committee
Red River Room, State Capitol

SB 2353
April 11, 2013
21105

☒ Conference Committee

Committee Clerk Signature

Explanation or reason for introduction of bill/resolution:

Relating to statewide integrated radio communication; to provide for a legislative management study; and to provide an appropriation

Minutes: You may make reference to "attached testimony."

Senator Ron Sorvaag, Senator Howard Anderson, Senator John Grabinger, Representative Patrick Hatlestad, Representative Nathan Toman, Representative Jerry Kelsh were present in the Conference Committee for SB 2353.

Senator Sorvaag, Rep. Hatlestad could you explain your amendments to the committee? He referenced the second engrossed 04000, basically on line 17 we changed the name to Executive Committee which would fall in line with the Governors' committee was called. On page 2, line 5 we included the Peace Officers Association; lines 10-13 we eliminated Section 3; moved line 14 up and then made several word changes. So #4 becomes #3. Basically in section 3, we eliminated the money, the $100,000 that was in the one that across to us, the money for the study. We agreed with the idea of the study but eliminated the money and then throughout the bill, anyplace there was a word 'board' we change to committee. Basically that is the overview of what we did with the bill.

Chairman Ronald Sorvaag why did you add the peace officer one, because initially there was 10 and we increased it to 12, with the idea of 6 locals and 6 state, and now it makes the board up to 13. Was that a request**? Representative Haltlestad** replied it was a request from the peace officer association.

Chairman Sorvaag I am looking at the Christmas tree one, it was where you removed Subsection 3 of section 2, that whole section. Was there a reason for removing that paragraph? Representative Hatlestad replied basically they didn't feel that it was necessary, that if the study was done that they could up with basically a lot of the things that this will do. But we wanted to see what the study would do first before we put any money. I think there was a money issue in three too.

Senator Anderson Without the money for the study they felt that Legislative Management could fund it themselves? They had enough money, or what was the rationale for that? Representative Hatlestad replied we felt that if they really would have wanted the study in state radio, they should have the money in their budget. They could find money in the

budget to coordinate all of these activities. We also felt that the governors' committee probably has some money for their meetings and they could also incorporate that agenda item so there was no real need for additional funds yet.

Chairman Sorvaag But the Section 4 that you eliminated wasn't part of the study, that appropriation was $100,000 to use as seed money for some of the local governments that were going to upgrade their systems and it was an idea so they would stay on the same platform as what the state wanted. That's why we had this section 4. It was not part of the study. I know what you're getting at, should you study it first and then spend it, but the idea was to leave that seed money just encourage to stay in the same operating platform that was presumed going to be what state radio would go forward on.

Representative Hatlestad replied when we looked at they indicated that in 2016, most of the systems then would be coming up to the point where they would start with their equipment change over so we thought we would have the 2015 session, we would have the results of the study and then from that we could look at what their financial needs would be for equipment so we thought this was putting the wagon ahead of the horse.

Chairman Sorvaag We were explained that 2 or 3 of the larger communities were going to start in the next year or so, gradually making change over and that was the reason we left the money in there.

Senator Grabinger Essentially we were thinking we were going to be proactive on that, rather than reactive. If we do the study first, then we become reactive in these cities.

Representative Hatlestad replied I don't disagree with the idea of being proactive. What I was seeing is that there we some that said we need a change in equipment, some saying we're going to upgrade anyhow so all we had to do was have an idea of what we needed that they were going to have to spend the money regardless. So there were going to have to come with money and therefore we felt we would need the study first rather than leap ahead and somebody start buying equipment without the study. We took the money out.

Representative Kelch If they are going to buy the equipment anyway, with this being a grant from the Adjutant General they would have equipment that would be compatible with everybody instead of them buying equipment that may not be compatible. That may be one reason to have some money back into the bill for those reasons, that if need equipment and need to do it before the 2016, if we have some money in the bill, they can say this is the kind of equipment that you need to buy if you're going to get this grant. That's one of the reasons for having some money in the bill.

Representative Hatlestad I guess my attitude is that the committee that the governor put together they should be meeting right away regularly, and they should then start putting together #1 whether they want to do the system, #2 and what system #3 then if anybody is going to start buying early, then they would know what direction we're taking. But I don't think we want to throw the money out there. Spend. I don't think the money should be there. But that is personal.

Senator John Grabinger I'll make a motion, and I'll explain it first. I agree with the addition of the Representative of the North Dakota Peace Officer Association, I think that is a good choice. Then changing it to committee rather than board where necessary is appropriate. In Subsection 3, I don't have a problem, I think you're concerns are valid on that but I do think it's important that we include Section 4 and include the funding.

Senator John Grabinger, Therefore I will make a motion to include the, we can change the amendment, correct? **Chairman Sorvaag** From my understanding of the process, we would have to ask the House to recede from their amendments and then he would have to put all this back in as amendments. You can't partial that out.

Chairman Ron Sorvaag The motion would be that the House recede and then you would make a new amendment to. We can do it in one motion. **Senator John Grabinger** then I would move that the House recede....**Chairman Sorvaag** is that right or do we have to ask you to recede and then start over again.

Representative Hatlestad I would think we have to recede first before we make a motion.

Senator Anderson What the motion would be would we would recede and further amend, that's how the motion would read.

Chairman Sorvaag The motion is that the House recede from its amendments and that SB 2353 be amended as followed. You can do that in one motion.

Representative Kelch I think we're pretty much of agreement with the Executive Committee and the study. Can we just separate out the money portion that needs to be amended or do we have to recede from all the amendments?

Chairman Sorvaag replied I am not sure I think you need to recede but we could put an amendment back in to accept all those and then we could do a separate amendment on the appropriation. I think it gets us to the same point. I think technically you have to recede from it all, then amend it back in and then we can negotiate the amendment.

Representative Hatlestad what was the amount of money you were thinking about putting in? **Senator John Grabinger** We we're going to reinstate the $100,000.

Chairman Ron Sorvaag We will look at some wording and make sure we get it worded right here, if we can parcel. I don't think we can, but we can discuss this. We are obviously together in most of what you did and there is just one area so, we will have another meeting on that.

Chairman Ron Sorvaag adjourned for the day.

2013 SENATE STANDING COMMITTEE MINUTES

Senate Political Subdivisions Committee
Red River Room, State Capitol

SB 2353
April 16, 2013
21181

☒ Conference Committee

Committee Clerk Signature

Explanation or reason for introduction of bill/resolution:

Relating to statewide integrated radio communication; to provide for a legislative management study; and to provide an appropriation

Minutes: You may make reference to "attached testimony."

Chairman Sorvaag opened the conference committee for SB2353. Senators Sorvaag, Grabinger, Anderson, Representatives Hatlestad, Toman, Kelsch were present.

Senator Sorvaag I know we've talked and everybody is comfortable with the whole bill, Sections 1 and 2 and even Sec. 3. We've talked about Section 4, and putting that back into the bill. I think the only part of this discussion is would we want to put that $100,000 or some money into the study. This would give Legislative Council the ability to hire experts, for people to put in a study for state radio.

Senator Anderson it seems to me the money that is in their originally, was not for a study, the money was in there was for buying equipment. So we need to decide if we should put this money in for a study instead of the original intent?

Senator Sorvaag Yes, that original bill came with $5M dollars in it and then, they lowered it to $500,000 and then we lowered to $100,000. But our intent and at that time the discussion was that four of the major cities were looking like they were going to be upgrading before the study would be done. This was to encourage them to do this Platform 25. But I think people realized that the $100,000 wouldn't be enough, it wasn't worth it. Taking that out was the right thing to do. But some of the parties would like to see more money put into the study and with Legislative Council directing to hire someone to do this study. There is no question that State Radio is very important and it needs to work. Do you want to leave it as you sent it over, or do we want to put money into it for a study?

Senator John Grabinger I really didn't hear about the $100,000 wouldn't be an effective amount anyway until after our conference committee hearing last time. It would not be enough money to do anything, so, they would just assume it be left in for a study. Personally I don't know what the amount should be to do a study of this magnitude.

Representative Kelch We had the same conversation the $100,000 is nothing but they want the study, otherwise in two years we'll be going to be sitting in the same position we are right now, without knowing where to go. I don't know how much money we need for a study, but $100,000 I am assuming you're going to bring not very many experts.

Representative Hatlestad How many groups are involved or would be involved in the study. Now we know the PSAPS are. In going through another bill morning when we were on the floor, relating to PSAPS and in there it stated that they have an Emergency Service Communication Coordinating Committee that sets their standards. So if they have such a committee then the PSAPS could among themselves, set up what they think they should need and coordinate with State Radio, so in that case I think giving them any money out would be unnecessary. Now I don't know how many other groups would be involved here. It says state wide, city, local, county, State Public Service, so if there aren't any other groups out there other than PSAPS and State Radio they should be able to sit down and work it out. We don't need the study.

Representative Kelsh requested the Director of State Radio, Mike Link to come to the podium for questions and answers for the study.

Mike Link Director of State Radio (5:23-6:38) explained his reasons for wanting the study.
Representative Hatlestad Can you tell me how many groups you think would be involved in this study if we chose to pursue it?

Representative Hatlestad So then by virtue of the fact that this committee already exists they could already determine what type of equipment they think that the system needs.

Mike Link The reason that we need to have the study, I believe, is that we need to do some work. The studies that have been done at State Radio, involve and engineering study that was done in 1999 and then a relook at that 2001, it was an engineering study. I called the firm for an update of that and it is $500,000. For what we were looking at is the study needs to look at all of the PSAPS connectivity with State Radio. If we want that integrated system that the bill talks about, then the integrated system needs to incorporate all of the land/mobile radio systems that the PSAPS have, and how they would integrate in together. (Reference to testimony in committee 8:07- 8:39) To do an integration and to do it properly, from the departments standpoint we feel that we need to support the study to look at the unknown of what exactly does the other PSPS have and how would they integrate into a new system?

Senator Ron Sorvaag, they would like to see the study independent of both radio and the PSAPS and whether Legislative Council or somebody else oversees it and hires consultants.

Mike Link I support that. I found when I was testifying on this bill there are a lot of blanks that the Legislature needs, I need to educate the Legislature on. If it is a legislative study then I think that opportunity to get this work done and look at it independent study and educate the legislature on the current system and where we need to move forward will benefit us both.

Senator Sorvaag, but from your discussions, that was one engineering firm. But the $100,000 probably isn't going to go very far.

Mike Link The $100,000, is a start of hiring a consultant to look specifically at new technology. We can get that piece done. If the SIEC is in charge of gathering the information for the legislative study, then we can leverage our disciplines, the board that is in there to get that information and how it all can be integrated using the PSAPS because the 911 Association is also on the SIEC.

Senator Sorvaag the consultant could use all that too. It would save dollars and time too.

Represenatative Hatlestad it would seem to me then, that if you can gather that information you could bring Motorola and all of those people in, would that be a cost to you, to this committee, the SIEC committee? Is that going to be a cost to them to bring these people into this committee and this is what is available?

Mike Link I can't speak as to whether Motorola would charge the committee to come and speak to them. I can go by what my experience on some of these committees and other vendors coming in. They don't mind coming in because they may pick up a sale later. So they don't charge us to come in. It would be gathering that information. What I really want to look at is, First net, is the federal initiative to move all land mobile radio digital over a 700 megaherts system. Basically, your radio becomes a computer. That is emerging in about 5-10 years down the road, the voice capability will be there. There is a lot of PSAPS that will need to upgrade before that, but to identify that gap in between now and when we get there because First Net is mandated from the federal government, we need to have a good analysis and I think a vendor or expert in the field can help us with that.

Senator Ron Sorvaag I would like to take one more meeting and I would like to pursue more discussion as to what the dollars in a study. I think that is the only decision we have.

Representative Kelch Rep. Hatlesdad and I were on the 2009 session committee where we had talked about more towers and things and those were all taken out at that time. My concern is we kind of keep kicking this can down the road, it's time to get a system that is working not only for North Dakota, but across the borders.

Senator Sorvaag We've gathered the information the last two sessions and we're getting to the point where we need to make sure we get this system, especially when we've got system's upgrading all the time, that we're working towards this integrated system.

Senator Anderson On the other hand we just talked about we had an engineering study in 1999, and an upgrade in 2001. I didn't hear if anything came from that study or if we made use of it?

Representative Hatlestad As part of that we talked about in 2009, using State Radio using Verizon, AT&T towers instead of building our own, why not rent space. I don't know if something like that could come out of this situation. As Mike said $500,000 that one person quoted him, and $100,000 then to me would be a waste of time and money. **Senator Sorvaag** we need to look what's out there, an independent study. We'll adjourn for now.

2013 SENATE STANDING COMMITTEE MINUTES

Senate Political Subdivisions Committee
Red River Room, State Capitol

SB 2353
April 17, 2013 (A.M.)
21199

☒ Conference Committee

Committee Clerk Signature

Explanation or reason for introduction of bill/resolution:

Relating to statewide integrated radio communication; to provide for a legislative management study; and to provide an appropriation

Minutes: You may make reference to "attached testimony."

Chairman Sorvaag continued the discussion on SB 2353. Senators Sorvaag, Anderson, Grabinger, Representatives Hatlestad, Toman, Kelch were in attendance.

Chairman Sorvaag I think our discussion has been that we are in agreement with everything, the first two parts with all the amendments that were made in Section1,2. The only discussion we've had is whether we should stay with the way the House brought it over and just have a legislative management study and just for an option for a discussion, there were some amendment with just putting the $100,000 of the original Senate bill had in for appropriations. That was for equipment but this would move it up into a study that allows LC to contract with a consultant. The idea was that the consultant would be doing inventory of equipment and studying-whatever he could do for $100,000, this in on the table for discussion.

Representative Hatlestad I looked at the state committee that the governor had created and I assume they will meet at some point during the year. Every group that would be involved in this combined radio system should be represented on that committee. I would think they could go back to their groups and say okay what do we have, what do we think we need, what direction do we want to take and they could pass that on to the Legislative Council. I don't know that we need to punch a bunch of money into that situation but again, that's personal.

Senator Grabinger My problem with that is it puts us two years down the road again. I think if we, and my opinion is if we put some money into a study here and give them the opportunity to get the information we need to get this done right. I would like to see us do it right and get that information. I suggest we certainly go ahead with this. I don't think it's a lot of money, but it will get the ball rolling and get them going on this.

Senator Grabinger I would move that we accede to the House and then further amend this with the amendments he brought #13.0842.03005.

Representative Jerry Kelch Did you say accede or the House recedes from the amendments?

Senator Sorvaag the Senate would accede to your amendments and further amends

Representative Jerry Kelch this says the proposed amendments be engrossed 2353 that the House recede from its amendments as stated, and then further amend. That should be the motion.

Senator Anderson I think with all of the language that you have in this amendment, I think you're looking at recedes and amend. I don't think because you have everything in here, I don't think you can accede. **Senator Sorvaag** It can be done either way.

Senator Grabinger I'll remove my original motion and if there is no objection. Senator Sorvaag replied there was not a second on that motion. Senator Grabinger I move that the House recede to its amendments and then we further amend SB 2353 with the amendments of 13.0842.03005.

Representative Kelch 2nd.

Discussion:
Senator Anderson We've heard that if they could make some significant progress with the $100,000, and this puts it into the hands of the Legislative Management that they can go ahead and do a study if they want. If they want to spend the money they can, or they can save it and if they don't feel it's appropriate to spend and they want to take a different approach, they can certainly do that too. It doesn't say they have to spend it too.

Senator Sorvaag I think they would have too, this is because it is getting rid of this in this Section 3 legislative and putting in the appropriations, it says the Legislative Council will do it. So, I don't think this is optional because we're replacing I think here. But the idea was it wouldn't be optional.

Representative Toman I am going to resist that motion. I am not convinced from the technology standpoint that is going to get us too our ultimate goal. I think it just might throwing money away without a plan.

Representative Hatlestad I agree with Rep. Toman. I think that the State Radio, I think the PSAPS, could all put money in their proposed budget for 2015, and certainly they've got two years to work on what they need and get together and come up with solutions to the problem without spending $100,000 on an inadequate study. So I to will oppose.

Representative Jerry Kelsh I don't know where the PSAPS will come up with their money, other than I suppose with property taxpayers back in their subdivisions. I guess I am concerned that if we don't do a study that is somewhat comprehensive and $100,000 isn't going to be a great study. We're going to be back here in two years with the same exact concerns that we have right now, and that is really nobody knows where we are at as far as having a state wide system where everybody can talk to everybody. We've been kind of doing this since 2009, we simply rent some towers and I don't think that is hardly become a

possibility. So we are kind of in the same place we were four years ago. If we don't do something, we're going to be in the same place two years from now as we are 6 years ago. That kind of worries me, I think the technology has changing and we need to know what's best, we need to know how to make it work, and I think we need to do something at this point.

Representative Toman I agree with Rep. Kelsh that either way it's going to put us back here and if we spend $100,000 its going to put us back here. Technology is going to change whether we do this study funded or unfunded, and I think that we have to be careful not just say we're going down this road. Obviously, that is what the study is for, but, without a mandate, and we're talking about a unfunded mandate, I don't know how we're going to get all those different players to the table. Besides the Board and hopefully they can agree on the road to take and they can propose the budget of what its going to cost them to do that because if we don't go down the road Rep. Kelsh is talking about, and just kick it down the road, we're still going to have a fractured system, so we need to support the study but I won't support the $100,000 because that is not going to get us anywhere from a technology standpoint in my opinion. That is not enough money. We were going to go to the first link system and digital and the study could bring that out and what that costs to all the different PSAPS and then we could submit the budget saying what this is going to cost for everybody to be integrated.

Senator Sorvaag The confusion is why our amendment because the first one we made was off the 3000 version. I was confused looking at it, but it was from the one we had sent over to you that he had wrote the amendment off, that's why the wording had to be different. It wasn't worked off the 4000.

Rep. Hatlestad I am concerned also if we're facing a federal mandate, and we don't know when, and don't know what, then I think we've got a problem. We could do all kinds of things and then find out we just dismantled the system and we have to do what the feds want anyhow. I think the board they have enough people on their representing all of the various areas I think they can consult, with their own membership and over the next two years come up with a plan that will work and I would support a study, but I don't support the $100,000.

Roll call vote 4 yes, 2 no, motion fails.

Rep. Jerry Kelsh Are my colleagues thinking that they don't want to spend any money, I am just wondering where they are in that process?

Rep. Toman I am not against funding a unified system and $100,000 in my opinion isn't going to get us to that goal. I think we need to poll that information with the federal mandate and then present what it's going to cost and have that input as a part of our appropriations budget.

Rep. Hatlestad I am thinking if the Legislative management picks this study then they would fund this study. I don't think $100,000 would do the job that we want to do anyhow. I will support the study but not the money.

Rep. Hatlestad I would move that we support all the things in the bill that we support the

House version including the study, but excluding the $100,000.

Senator Sorvaag So we're going to ask the Senate to accede to 4000, correct? To accede to the House amendments which would be version 4000? That is the intent of your motion, so we're clear?

2nd Rep. Toman

Roll call vote Sen. Sorvaag- no
Sen. Anderson- yes
Sen. Grabinger- no
Rep. Hatlestad- yes
Rep. Toman - yes
Rep. Jerry Kelsh- no

Senator Sorvaag Motion fails. We'll have to meet again. We'll adjourn for today.

2013 SENATE STANDING COMMITTEE MINUTES

Senate Political Subdivisions Committee
Red River Room, State Capitol

SB 2353
April 17, 2013 P.M.
21222

☒ Conference Committee

Committee Clerk Signature

Explanation or reason for introduction of bill/resolution:

Relating to statewide integrated radio communication; to provide for a legislative management study; and to provide an appropriation

Minutes: You may make reference to "attached testimony."

Chairman Sorvaag reopened the conference committee on SB 2353. Senators Sorvaag, Anderson and Grabinger, Representatives Hatlestad, Toman, Kelsh were in attendance.

Representative Hatlestad brought forth an amendment 13.0842.03006. He explained it to the conference committee members. (1:20- 2:52)

Representative Jerry Kelsh All this does is add the appropriation of $25,000 to what the amendments were this morning? Is that correct?

Representative Hatlestad replied the study and everything is there and we just added the $25,000 to it.

Senator Sorvaag Everything else the bill is the same which is basically the committee with the governor has always done through Executive order and making it statutory. But then it gives them money for expenses.

Representative Hatlestad I would move that we accept the amendments to the agreed upon bill, House version of the 2353, and add the appropriation to it.

Senator Sorvaag What it reads at the top the House recedes from its amendments and amends as follows # 13.0842.03006.

Senator Howard Anderson- 2nd

Roll call vote: Senator Sorvaag yes
Senator Anderson yes
Senator Grabinger yes
Representative Hatlestad yes
Representative Toman yes
Representative Jerry Kelsh yes

Senator Sorvaag Motion Carries; **Senate Carrier** Senator Sorvaag

13.0842.03006
Title.05000

Prepared by the Legislative Council staff for
Representative Hatlestad
April 17, 2013

4-17-13

PROPOSED AMENDMENTS TO REENGROSSED SENATE BILL NO. 2353

That the House recede from its amendments as printed on pages 1066 and 1067 of the Senate Journal and pages 1156 and 1157 of the House Journal and that Reengrossed Senate Bill No. 2353 be amended as follows:

Page 1, line 17, replace "**Statewide**" with "**North Dakota statewide**"

Page 1, line 17, replace "**board**" with "**executive committee**"

Page 1, line 18, replace "board" with "executive committee"

Page 2, line 5, after "k." insert "A representative of the North Dakota peace officers association;

l."

Page 2, line 6, replace "l." with "m."

Page 2, line 7, replace "board" with "committee"

Page 2, line 9, remove "The board shall provide for key components and provide for support of key"

Page 2, remove lines 10 through 12

Page 2, line 13, remove "4."

Page 2, line 13, replace "board" with "committee"

Page 2, line 13, replace "manage" with "prepare recommendations regarding"

Page 2, line 15, replace "2013-15 biennium" with "2013-14 interim"

Page 2, line 17, replace "study" with "consider studying"

Page 2, line 20, replace "board" with "statewide interoperability executive committee. The legislative management shall report its findings and recommendations, together with any legislation required to implement the recommendations, to the sixty-fourth legislative assembly"

Page 2, replace lines 21 through 31 with:

"**SECTION 4. APPROPRIATION.** There is appropriated out of any moneys in the general fund in the state treasury, not otherwise appropriated, the sum of $25,000, or so much of the sum as may be necessary, to the department of emergency services for the purpose of paying the costs of the members of the statewide interoperability executive committee expenses, including travel expenses, in providing an inventory of technologies used for radio communications, and with the remainder to the department of homeland security to analyze information, for the biennium beginning July 1, 2013, and ending June 30, 2015."

Renumber accordingly

Date 4-11-13

Roll Call Vote # 1

2013 SENATE CONFERENCE COMMITTEE
ROLL CALL VOTES

BILL/RESOLUTION NO. S.B. 2353 as (re) engrossed

Senate Senate Political Subdivisions **Committee**

Action Taken

- ☐ SENATE accede to House Amendments
- ☐ SENATE accede to House Amendments and further amend
- ☐ HOUSE recede from House amendments
- ☑ HOUSE recede from House amendments and amend as follows
- ☐ **Unable to agree**, recommends that the committee be discharged and a new committee be appointed

Motion Made by: _____ Seconded by: _____

Senators	4/11	4/16	4/17	Yes	No	Representatives	4/11	4/16	4/17	Yes	No
S. Sorvaag	✓	✓	✓	✓		Rep. Hatlestad	✓	✓	✓		✓
S. Anderson	✓	✓	✓	✓		Rep. Toman	✓	✓	✓		✓
S. Grabinger	✓	✓	✓	✓		Rep. Klein	✓	✓	✓		
										✓	
Total Senate Vote						Total Rep. Vote					

Vote Count Yes: _____ No: _____ Absent: _____

Senate Carrier _____ House Carrier _____

LC Number _____ . _____ of amendment

LC Number _____ . _____ of engrossment

Date 4-17-13

Roll Call Vote # 2

2013 SENATE CONFERENCE COMMITTEE
ROLL CALL VOTES

BILL/RESOLUTION NO. 2353 as (re) engrossed

Senate Political Subdivisions **Committee**

Action Taken

- ☐ SENATE accede to House Amendments
- ☑ SENATE accede to House Amendments and further amend
- ☐ HOUSE recede from House amendments
- ☐ HOUSE recede from House amendments and amend as follows
- ☐ **Unable to agree**, recommends that the committee be discharged and a new committee be appointed

Motion Made by: _____ Seconded by: _____

Senators	4/17			Yes	No	Representatives	4/17			Yes	No
Sen. Sorvaag					✓	Rep. Hatlestad				✓	
S. Anderson				✓		Rep. Toman				✓	
S. Grabinger					✓	Rep. Kelsh					✓
Total Senate Vote						Total Rep. Vote					

Vote Count Yes: _____ No: _____ Absent: _____

Senate Carrier _____ House Carrier _____

LC Number _____ . _____ of amendment

LC Number _____ . _____ of engrossment

Date 4-17-13

Roll Call Vote # 3

2013 SENATE CONFERENCE COMMITTEE
ROLL CALL VOTES

BILL/RESOLUTION NO. 2353 as (re) engrossed

Senate Political Subdivision **Committee**

Action Taken

- ☐ SENATE accede to House Amendments
- ☐ SENATE accede to House Amendments and further amend
- ☐ HOUSE recede from House amendments
- ☑ HOUSE recede from House amendments and amend as follows

3006

- ☐ **Unable to agree**, recommends that the committee be discharged and a new committee be appointed

Motion Made by: Represent. Hatlestad Seconded by: Senator Anderson

Senators	M/M			Yes	No	Representatives				Yes	No
Sen. Sorvaag				✓		Rep. Hatlestad				✓	
Sen. Anderson				✓		Rep. Toman				✓	
Sen. Grabinger				✓		Rep. Kelsh				✓	
Total Senate Vote				3		Total Rep. Vote				3	

Vote Count Yes: 6 No: _____ Absent: _____

Senate Carrier Sen. Sorvaag House Carrier _____

LC Number _____ . _____ of amendment

LC Number _____ . _____ of engrossment

REPORT OF CONFERENCE COMMITTEE

SB 2353, as reengrossed: Your conference committee (Sens. Sorvaag, Anderson, Grabinger and Reps. Hatlestad, Toman, J. Kelsh) recommends that the **HOUSE RECEDE** from the House amendments as printed on SJ pages 1156-1157, adopt amendments as follows, and place SB 2353 on the Seventh order:

That the House recede from its amendments as printed on pages 1066 and 1067 of the Senate Journal and pages 1156 and 1157 of the House Journal and that Reengrossed Senate Bill No. 2353 be amended as follows:

Page 1, line 17, replace "**Statewide**" with "**North Dakota statewide**"

Page 1, line 17, replace "**board**" with "**executive committee**"

Page 1, line 18, replace "board" with "executive committee"

Page 2, line 5, after "k." insert "A representative of the North Dakota peace officers association;

l."

Page 2, line 6, replace "l." with "m."

Page 2, line 7, replace "board" with "committee"

Page 2, line 9, remove "The board shall provide for key components and provide for support of key"

Page 2, remove lines 10 through 12

Page 2, line 13, remove "4."

Page 2, line 13, replace "board" with "committee"

Page 2, line 13, replace "manage" with "prepare recommendations regarding"

Page 2, line 15, replace "2013-15 biennium" with "2013-14 interim"

Page 2, line 17, replace "study" with "consider studying"

Page 2, line 20, replace "board" with "statewide interoperability executive committee. The legislative management shall report its findings and recommendations, together with any legislation required to implement the recommendations, to the sixty-fourth legislative assembly"

Page 2, replace lines 21 through 31 with:

"**SECTION 4. APPROPRIATION.** There is appropriated out of any moneys in the general fund in the state treasury, not otherwise appropriated, the sum of $25,000, or so much of the sum as may be necessary, to the department of emergency services for the purpose of paying the costs of the members of the statewide interoperability executive committee expenses, including travel expenses, in providing an inventory of technologies used for radio communications, and with the remainder to the department of homeland security to analyze information, for the biennium beginning July 1, 2013, and ending June 30, 2015."

Renumber accordingly

Reengrossed SB 2353 was placed on the Seventh order of business on the calendar.

2013 TESTIMONY

SB 2353

#1

AMENDMENTS TO SB 2353 February 8, 2013

P. 1, remove line 8 through 17, and "public" at line 18, and insert:

"The legislative assembly finds that effective radio communication is vital to public safety and effective emergency response and law enforcement and declares that a statewide integrated radio communication system will more effectively serve the goals of law enforcement and emergency response personnel and thereby better serve the people of North Dakota . Existing radio systems operated by local jurisdictions serve those jurisdictions adequately But do not provide the protection and benefits to the citizens of North Dakota that new digital networks being utilized in neighboring states offer".

P. 1, line 20 insert, "Director of State Radio or a designee"

P. 2, line 4 insert, "A representative of the North Dakota Police Chiefs Association"

P. 2, line 5 after "The" and before "chief" insert "North Dakota"

P. 2, remove lines 14 through 19 and insert:

"SECTION 3. LEGISLATIVE MANAGEMENT STUDY During the 2013-15 biennium, to assist with the development of statewide interoperability plan, the legislative management shall study and issue a report to the Legislative Council, concerning issues related to the development of the current radio communication plan, its costs and components, and evolving technologies that will better serve the public. The study must include the input of stakeholders statewide including local city, county, and state public service and public safety, including those members represented on the board."

P. 2, remove lines 20 through 28 and insert the following:

"There is appropriated out of any moneys in the general fund in the state treasury, not otherwise appropriated, the sum of $500,000, or so much of the sum as may be necessary, to the statewide interoperability board for the purpose of purchasing necessary equipment at the state level to begin development of the statewide integrated radio communication program and to purchase Project 25 standards based centralized core dispatch equipment to integrate into a statewide dispatch network open to all local, city and county and state agencies within North Dakota, for the biennium beginning July 1, 2013, and ending June 30, 2015. Funds must be allocated through grant requests solicited, reviewed, and approved by the statewide interoperability board in a manner that will most effectively move the state toward an integrated radio communication system.

#2

(Miller) Testimony to the North Dakota State Legislature

Introduction

- Retired Deputy Director of the Michigan State Police - 25 years
- State Project Director for construction of the first P25 statewide public safety communications system in the US
- Congressional Testimony on PS Interoperability
- Currently the Director of Government Markets for Motorola Solutions
- Spent the last 15 years working to improve public safety communications in NA
- Dramatic progress for public safety across the U.S
    - Michigan – Interoperability success at the Super Bowl, MLB All-Star Game, Blackout, Benton Harbor Riots, Katrina Response
    - Hurricane Sandy
    - Newtown Shooting

North Dakota's Current Challenges

- P25 Conventional System with 1-2 channels that require manual interface, limited talkpaths. A lot of good work has taken place by the state to meet public safety's demands, but requirements and needs have evolved to the point where you're the technology cannot support the long term needs of PS

Trends in Public Safety Communications – Best Practices

- Statewide & Regional Shared Systems (standards based digital IP based networks)
- Enhanced Operability (coverage, capacity, security, and redundancy)
- Interoperability – inter/intra agency, system to system, state to state (ND Border States)
- Incident Command – officer safety, improved efficiency, mutual aid, special events, major incidents
- Leverage shared infrastructure to reduce costs and promote collaboration
- Broad choice in end user equipment at different pricing levels
- Access to state of the art technology for a small and large agencies
- Other key requirements

- NG911
- Advanced Messaging
- GPS/Mapping
- Data Sharing
- Video

Proposed Legislation

- Identifies a strategic and responsible approach consistent with the best practices established by the 34 states that have implemented, or are in the process of implementing P25 shared systems
- Funding in this bill supports dispatch console upgrades across ND, establishing a foundation for public safety interoperability that puts the state on a path towards a phased migration of its public safety network.
  - Mention my experience with the Michigan Legislature, emphasize the importance of being a good steward of tax payer funds and how this upgrade reflects those priorities
- Bill provides funding to conduct a study on next steps for the state's public safety network. Again, this represents a strategic approach that will help the state insure that decisions are made that will insure the long-terms needs of the state's first responders are met

Closing

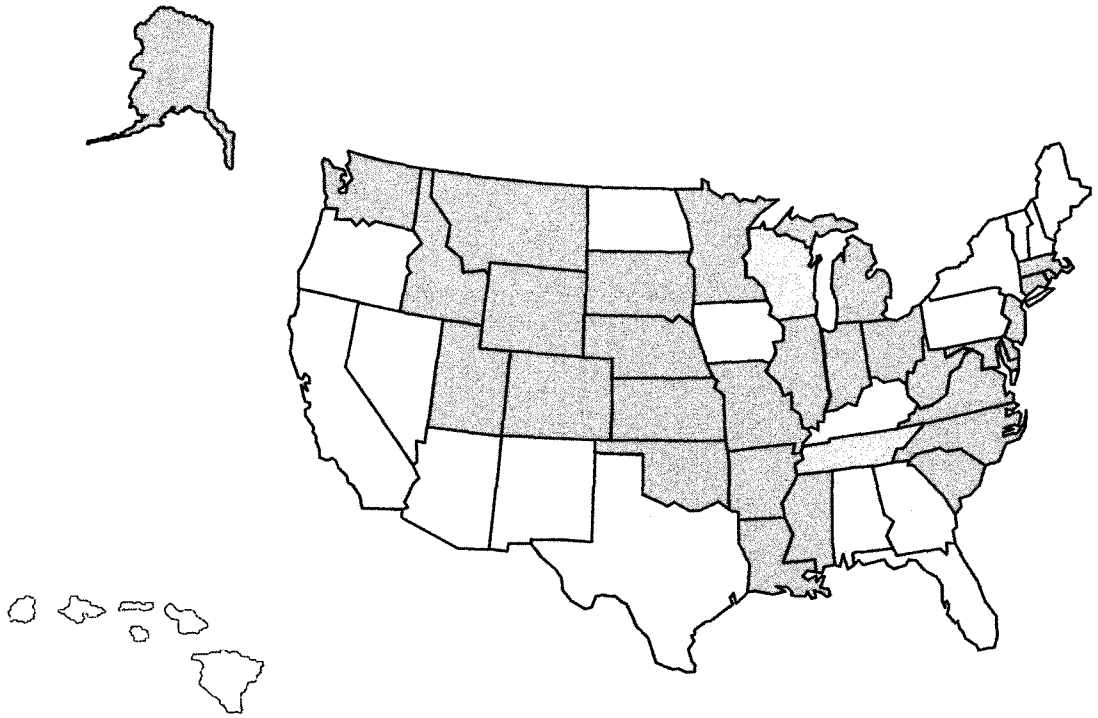
- ND is a vibrant state with expanding economy, your success comes challenges as I know you realize
- I know you recognize that your mission critical infrastructure needs to be a key component of your plans to sustain your economic development
- Your public safety infrastructure is a major element of that infrastructure
- This bill represents a very good first step towards insuring North Dakota Public Safety agencies are prepared to meet the increasing demands being placed them

- If appreciate your time and attention, and I am grateful for the opportunity to address the committee today.
- I would be happy to answer any questions the committee would have at this time.

INTRODUCTION

As increased economic times have come to North Dakota the increase in activity has placed stress upon many types of public infrastructure in North Dakota. One in particular is in public safety communications as the demand for more and

PROJECT 25 - PUBLIC SAFETY STATEWIDE TRUNKING SYSTEMS



State of
North Dakota
Office of the Governor

Jack Dalrymple
Governor

Executive Order 2012-10

WHEREAS, effective communication between emergency first responders, emergency management personnel and other emergency service providers is critical for federal, state and local governments during an emergency; and

WHEREAS, the Federal Communication Commission ("FCC") has provided for the creation of a Statewide Interoperability Executive Committee ("SIEC") within each state to administer public safety communication interoperability resources; and

WHEREAS, oversight for providing policy level direction related to planning, designing and implementing guidelines, best practices and standard approaches to address North Dakota's public safety communications interoperability issues is necessary in order to ensure a cooperative and effective system of communication.

NOW, THEREFORE, I, Jack Dalrymple, by virtue of the authority vested in me as Governor of the State of North Dakota, do hereby establish the North Dakota Statewide Interoperability Executive Committee ("NDSIEC") to be composed of representatives from each state agency, division, or responder group as set forth below:

- Division of Homeland Security
- Division of State Radio
- North Dakota Highway Patrol
- North Dakota Nation Guard
- North Dakota Department of Transportation
- North Dakota Sheriff's Association
- North Dakota Emergency Mangers Association
- North Dakota Fire Chiefs Association
- North Dakota EMS Association
- North Dakota 911 Association
- North Dakota Information Technology Department

The Interoperability Executive Committee shall be chaired by the Director of the Department of Emergency Services and vice-chaired by the Director of the Division of State Radio. The Committee shall work to foster collaboration among stakeholders at the state and federal level, which also include tribal interests. The following shall be the priorities for the Committee:

- Coordinate and manage use of all state-designated and state-licensed radio frequencies used for public safety and emergency communications and serve as the point of contact with the Federal Communications Commission on matters relating to allocation, use, and licensing of radio spectrum. These actions will require the completion of the Frequency Management Plan.
- Seek support, including possible federal or other funding, for state-sponsored wireless communications systems.
- Develop recommendations for legislation that may be required to promote interoperability of state wireless communications systems.
- Foster cooperation and coordination among public safety and emergency response organizations.
- Work with all wireless communications user groups and associations to ensure interoperability among all public safety and emergency response wireless communications systems. These actions will require the completion of a Standard Signal Operating Instructions ("SSOI") for all public safety radio users in the state.

The Committee shall, as required, establish sub-committees and/or working groups to assist with:

- Technical knowledge or research needed for decision making.
- Identification of technologies that could be used by the state of North Dakota to promote interoperable communications.
- Development of a frequency use plan that will promote spectrum efficiencies.
- Identification of sustainable funding sources.
- Assistance to state and local jurisdiction in finding funding solutions for their interoperability projects.

This order is issued upon the following bases and for the following reasons:

The Governor is vested with the executive authority pursuant to Article V, Section 1 of the North Dakota Constitution.

An Interoperability Executive Committee is needed to coordinate and prioritize communication requirements in the state and its actions and recommendations will greatly enhance the likelihood of federal support for interoperable communication requirements in the state.

An Interoperability Executive Committee is needed to keep the agencies and public of North Dakota informed with respect to communication requirements to ensure the rapid and effective response to any emergency situation.

This order amends and supersedes Executive Order 2007-17, pertaining to the same subject. This order is effective immediately and will continue until further order of the Governor.

Executed at Bismarck, North Dakota this 14th day of September, 2012

Jack Dalrymple
Governor

ATTEST:

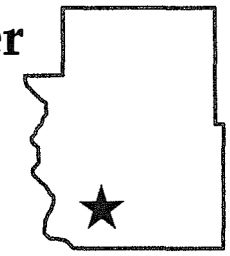
Secretary of State

Deputy

Bismarck

Combined Communications Center

2301 University Dr., Bldg 21 ★ Bismarck, ND 58504-7595
Phone: 701-222-6727 ★ Fax: 701-221-6804



February 8, 2013
Senate Political Subdivisions Committee
Honorable Chairman John Andrist

SB 2353
Support

Chairman Andrist and members of the Senate Political Subdivisions Committee, for the record my name is Mike Dannenfelzer. I manage the Bismarck/Burleigh Combined Communications Center here in Bismarck. We are supportive of the concepts in this bill, primarily a new study into public safety land mobile radio in North Dakota, and the potential for better integrating radio systems across the State.

Like many local governments over the years, we have made significant investment in radio communications systems to serve our law enforcement, fire services, emergency medical services, public works and highway departments and ultimately our residents, businesses and visitors. These investments have been made on a local basis to serve local needs due to there not being an option to use a more integrated statewide system. The current State Radio communications system does not meet our needs or the needs of larger communities across the State. Language relating to "segregated radio systems" may be factual but that reality was born out of necessity.

The last meaningful study of public safety radio communications in North Dakota was done in the 1990s. With changes in technology over the last 10 years alone, the time would be opportune to contract a new study into where we are at today, and where we can go as a State inclusive of all communities within the State. I believe that this bill would allow a request for proposals from interested radio communications consulting firms to conduct a new statewide study to include long-term governance of any resultant radio system.

As for the makeup of the "board" noted in Section 2, it may be most appropriate to codify the Statewide Interoperable Executive Committee, created by Executive Order. One item I would consider with the makeup of this Committee is the value of local representation to make certain

that local needs are met. My understanding is there has been additional discussion on this issue but we would certainly agree that local government needs (large and small) must be considered.

The appropriation in Section 4 would permit some flexibility in implementing interconnecting technologies between local and regional Public Safety Answering Points (PSAPs) in the interim. We know that any future for an integrated radio communications system in North Dakota will require such connectivity, increasing the capability of PSAPs to provide backup to each other, create efficiency, and lower costs by allowing multiple agencies to work together, much like we have been doing with 9-1-1 projects over the last 10 years. Though this appropriation does not necessarily improve interoperability from one law enforcement agency to another directly, it does create interoperability between the PSAPs serving those agencies and allows for the ability to have one PSAP take over radio communications for another in the event of a major disaster (ex. Flood, severe weather, long-term power outages).

Thank you for the opportunity to testify and I would answer any questions you might have.

Mike Dannenfelzer
Communications Manager
Chairman 9-1-1 STEPS
Dakota NENA Vice President
Statewide Interoperable Executive Committee

The Bismarck/Burleigh Combined Communications Center is a consolidated public safety answering point providing Enhanced 9-1-1 and public safety communications services for the City of Bismarck, Burleigh County and the southeast portion of McLean County, including the City of Lincoln.

#1

Dave Eischens Motorola Solutions

Good morning Madam Chair, Representatives. My name is Dave Eischens I am currently a Director of the Government Projects Team with Motorola Solutions. I have been with Motorola for 32 years primarily working with state and local agencies like North Dakota. Motorola Solutions is one of the leading providers of wireless communications and other solutions for public safety both in the US and worldwide.

Dependable ~~warless~~ WIRELESS communications are a lifeline for first responders and the citizens they serve. Communications for public safety are mission critical. They must work day in and day out, excel during emergencies and provide coverage, control, redundancy, capacity and interoperability far beyond what public carrier networks offer. The events of 911 and disasters both natural and manmade that we experience weekly highlight the need for mission critical public safety radio communications.

Many states have recognized this and have implemented state wide integrated public safety radio communication networks utilizing the industry standard Project 25 technology. This technology offers advanced features specific to public safety's requirements and provides choice among multiple vendors like Motorola that manufacture and implement this technology. As of today more than 36 states have implemented this type of statewide network and many others are in planning stages. In fact your neighboring states of Montana, Wyoming, South Dakota and Minnesota have all implemented these networks. Aside from providing the benefits mentioned before the citizens of those states realize cost saving through sharing of one infrastructure instead of multiple agencies building their own networks. These cost savings are both initial in captiol and long term in maintenance costs. For North Dakota to investigate and plan for a public safety

communications network is a worthy exercise for the first responders and citizens of North Dakota.

Regarding the appropriation for $3M there is an opportunity for more immediate sharing of equipment and cost savings for dispatch centers in the state. Many of the larger dispatch centers will need to upgrade their existing equipment within the next two to three years. These agencies can continue to purchase their own equipment or purchase a common network core that the dispatch center could share. This would offer reliability and redundancy far beyond what they experience today. It would also offer significant cost savings through purchasing and maintaining one common network core instead of multiples purchased by separate agencies.

This network core could also serve as the core for a state public safety radio communication network. This would allow the plan to move faster to serve the needs of public safety.

Regarding Motorola's position here, we understand that a RFP or other purchasing process would follow. The Project 25 technology can be supplied by multiple vendors. We are acting here like we have in many other states to support our customer funding efforts with the understadnign that a open procurement process will follow.

I appreciate your time an attention and would answer any questions that you have.

Thank You

#2

PROPOSED AMENDMENTS TO SECOND ENGROSSMENT SB 2353

March 15, 2013

Page 2, line 6 insert: A member of the peace officers association

#3

TESTIMONY – SB 2353
HOUSE POLITICAL SUBDIVISIONS COMMITTEE
MARCH 15, 2013
BY MIKE LYNK
DIRECTOR, DIVISION OF STATE RADIO

Madam Chairman and members of the committee, my name is Mike Lynk. I am the Director of the North Dakota Division of State Radio.

SB2353 language creates four (4) new sections to chapter 37-17.3 of the North Dakota Century code, "State Radio Broadcasting System". I recommend that the bill be amended to reflect the current State of North Dakota Executive Order 2012-10, attached.

Section 1 of the bill page 1 lines 12-14 is opinion based and I recommend be omitted.

Section 2 of the bill Page 1 line 18 and 19 "Statewide interoperability board" I recommend changing to the North Dakota Statewide Interoperability Executive Committee (NDSIEC). SIEC is a federally recognized committee name and is consistent with the executive order. I recommend page 2 lines 7-14 be omitted and insert language consistent with the current executive order.

I support Section 3 to conduct a study of the public safety wireless communication system. The last Division of State Radio thorough engineering study was conducted in 1999 and updated in 2004. A comprehensive statewide Public Safety Land Mobile Radio (LMR) system needs to be studied to identify State and local systems interoperability. There have been many new technologies developed and evolving technologies since the last study and the State would benefit from a new comprehensive study.

Section 4, Current language, I believe is premature until the study is completed and should support the funding of the study. For your consideration, I suggest the amended language funding the study.

I ask the committee support for the amendments and will respond to questions.

#4

PROPOSED AMENDMENTS TO SENATE BILL NO. 2353

Page 1, line 2, Replace "statewide integrated radio communication" with "public safety land mobile radio (LMR) system"

Page 1, line 2, Replace "legislative management " with "public safety land mobile radio"

Page 1, Remove lines 12 through 14,

Page 1, line 17 and 18, Replace "Statewide interoperability board" with "North Dakota Statewide Interoperability Executive Committee (NDSIEC)"

Page 2, lines 7 through 14, Replace with:

2. The committee-shall be chaired by the Director of the Department of Emergency Services and vice-chaired by the Director of the Division of State Radio.

3. The committee shall work to foster collaboration among stakeholders at the state and federal level, which also include tribal interests. The following shall be the priorities for the Committee.

    a. Coordinate and manage use of all state-designated and state-licensed radio frequencies used for public safety and emergency communications and serve as the point of contact with the Federal Communications Commission on matters relating to allocation, use, and licensing of radio spectrum. These actions will require the completion of the Frequency Management Plan.

    b. Seek support, including possible federal or other funding, for state, sponsored wireless communication systems.

    c. Develop recommendations for legislation that may be required to promote interoperability of state wireless communications system.

    d. Foster cooperation and coordination among public safety and emergency response organizations.

    e. Work with all wireless communications user groups and associations to ensure interoperability among all public safety and emergency response wireless communications systems. These actions will require the completions of a Standard Signal Operating Instructions (SSOI) for all public safety radio users in the state.

4. The committee shall, as required, establish sub-committees and/or working groups to assist with:

    a. Technical knowledge or research needed for decision making.

b. Identification of technologies that could be used by the state of North Dakota to promote interoperable communications.

c. Development of a frequency use plan that will promote spectrum efficiencies.
d. Identification of sustainable funding sources.

e. Assistance to state and local jurisdictions in finding funding solutions for their interoperability projects.

Page 2, line 15, Replace "LEGISLATIVE MANAGEMENT STUDY." with "PUBLIC SAFETY LAND MOBILE RADIO COMMUNICATION STUDY."

Page 2, line 15 through 18, Replace "to assist with the development of a statewide interoperability plan, the legislative management shall study issues relating to the development of the current radio communication plan, its costs and components, and evolving technologies that will better serve the public."

with "a study of the statewide public safety land mobile radio system (LMR) shall be conducted. The study will identify the current public safety LMR components and interoperability. The study will make recommendations to improve the public safety LMR interoperability to include both current and evolving technologies, cost, compliance, and deployment timelines.

Page 2, line 20, Replace "board" with "NDSIEC.

Page 2, line 22, Replace "$100,000" with "$500,000"

Page 2, line 23, Replace "provide a grant to the statewide" with "conduct the study."

Page 2, line 24 through 31, Remove

Renumber as needed

State of
North Dakota
Office of the Governor

Jack Dalrymple
Governor

#5

Executive Order 2012-10

WHEREAS, effective communication between emergency first responders, emergency management personnel and other emergency service providers is critical for federal, state and local governments during an emergency; and

WHEREAS, the Federal Communication Commission ("FCC") has provided for the creation of a Statewide Interoperability Executive Committee ("SIEC") within each state to administer public safety communication interoperability resources; and

WHEREAS, oversight for providing policy level direction related to planning, designing and implementing guidelines, best practices and standard approaches to address North Dakota's public safety communications interoperability issues is necessary in order to ensure a cooperative and effective system of communication.

NOW, THEREFORE, I, Jack Dalrymple, by virtue of the authority vested in me as Governor of the State of North Dakota, do hereby establish the North Dakota Statewide Interoperability Executive Committee ("NDSIEC") to be composed of representatives from each state agency, division, or responder group as set forth below:

- Division of Homeland Security
- Division of State Radio
- North Dakota Highway Patrol
- North Dakota Nation Guard
- North Dakota Department of Transportation
- North Dakota Sheriff's Association
- North Dakota Emergency Mangers Association
- North Dakota Fire Chiefs Association
- North Dakota EMS Association
- North Dakota 911 Association
- North Dakota Information Technology Department

The Interoperability Executive Committee shall be chaired by the Director of the Department of Emergency Services and vice-chaired by the Director of the Division of State Radio. The Committee shall work to foster collaboration among stakeholders at the state and federal level, which also include tribal interests. The following shall be the priorities for the Committee:

- Coordinate and manage use of all state-designated and state-licensed radio frequencies used for public safety and emergency communications and serve as the point of contact with the Federal Communications Commission on matters relating to allocation, use, and licensing of radio spectrum. These actions will require the completion of the Frequency Management Plan.
- Seek support, including possible federal or other funding, for state-sponsored wireless communications systems.
- Develop recommendations for legislation that may be required to promote interoperability of state wireless communications systems.
- Foster cooperation and coordination among public safety and emergency response organizations.
- Work with all wireless communications user groups and associations to ensure interoperability among all public safety and emergency response wireless communications systems. These actions will require the completion of a Standard Signal Operating Instructions ("SSOI") for all public safety radio users in the state.

The Committee shall, as required, establish sub-committees and/or working groups to assist with:

- Technical knowledge or research needed for decision making.
- Identification of technologies that could be used by the state of North Dakota to promote interoperable communications.
- Development of a frequency use plan that will promote spectrum efficiencies.
- Identification of sustainable funding sources.
- Assistance to state and local jurisdiction in finding funding solutions for their interoperability projects.

This order is issued upon the following bases and for the following reasons:

The Governor is vested with the executive authority pursuant to Article V, Section 1 of the North Dakota Constitution.

An Interoperability Executive Committee is needed to coordinate and prioritize communication requirements in the state and its actions and recommendations will greatly enhance the likelihood of federal support for interoperable communication requirements in the state.

An Interoperability Executive Committee is needed to keep the agencies and public of North Dakota informed with respect to communication requirements to ensure the rapid and effective response to any emergency situation.

This order amends and supersedes Executive Order 2007-17, pertaining to the same subject. This order is effective immediately and will continue until further order of the Governor.

Executed at Bismarck, North Dakota this 14th day of September, 2012

Jack Dalrymple
Governor

ATTEST:

Secretary of State

Deputy

13.0842.03002
Title.

Prepared by the Legislative Council staff for #1
Representative N. Johnson
March 27, 2013

PROPOSED AMENDMENTS TO REENGROSSED SENATE BILL NO. 2353

Page 1, line 2, after the semicolon insert "and"

Page 1, line 3, remove "; and to provide an appropriation"

Page 1, line 17, replace "**Statewide**" with "**North Dakota statewide**"

Page 1, line 17, replace "**board**" with "**executive committee**"

Page 1, line 18, replace "board" with "executive committee"

Page 2, line 5, after "k." insert "A representative of the peace officers association;

l."

Page 2, line 6, replace "l." with "m."

Page 2, line 7, replace "board" with "committee"

Page 2, line 9, replace "board" with "committee"

Page 2, line 13, replace "board" with "committee"

Page 2, line 15, replace "2013-15 biennium" with "2013-14 interim"

Page 2, line 17, replace "study" with "consider studying"

Page 2, line 20, replace "board" with "statewide interoperability executive committee. The legislative management shall report its findings and recommendations, together with any legislation required to implement the recommendations, to the sixty-fourth legislative assembly"

Page 2, remove lines 21 through 31

Renumber accordingly

13.0842.03005
Title. Not used

Prepared by the Legislative Council staff for
Senator Sorvaag
April 16, 2013

PROPOSED AMENDMENTS TO REENGROSSED SENATE BILL NO. 2353

That the House recede from its amendments as printed on pages 1066 and 1067 of the Senate Journal and pages 1156 and 1157 of the House Journal and that Reengrossed Senate Bill No. 2353 be amended as follows:

Page 1, line 17, replace "**Statewide**" with "**North Dakota statewide**"

Page 1, line 17, replace "**board**" with "**executive committee**"

Page 1, line 18, replace "board" with "executive committee"

Page 2, line 5, after the underscored period insert "A representative of the North Dakota peace officers association;

l."

Page 2, line 6, replace "l." with "m."

Page 2, line 7, replace "board" with "committee"

Page 2, line 9, remove "The board shall provide for key components and provide for support of key"

Page 2, remove lines 10 through 12

Page 2, line 13, remove "4."

Page 2, line 13, replace "board" with "committee"

Page 2, line 13, replace "manage" with "prepare recommendations regarding"

Page 2, line 15, replace "2013-15 biennium" with "2013-14 interim"

Page 2, line 20, replace "board" with "statewide interoperability executive committee. The legislative management may contract with a consultant to inventory the technologies used by public service and public safety entities and to advise as to the compatibility of the technologies. The legislative management shall report its findings and recommendations, together with any legislation required to implement the recommendations, to the sixty-fourth legislative assembly"

Page 2, replace lines 21 through 31 with:

"**SECTION 3. APPROPRIATION.** There is appropriated out of any moneys in the general fund in the state treasury, not otherwise appropriated, the sum of $100,000, or so much of the sum as may be necessary, to the legislative council for the purpose of contracting for a consultant as allowed by section 2 of this Act, for the biennium beginning July 1, 2013, and ending June 30, 2015."

Renumber accordingly