2017 HOUSE GOVERNMENT AND VETERANS AFFAIRS

HB 1435

2019 HOUSE STANDING COMMITTEE MINUTES

Government and Veterans Affairs Committee
Fort Union Room, State Capitol

HB 1435
2/7/2019
32386

☐ Subcommittee
☐ Conference Committee

Committee Clerk Signature Carmen Hart

Explanation or reason for introduction of bill/resolution:

Relating to the governance, purchase, financing, and operation of the state radio broadcasting system; to provide for a legislative management study; to provide an appropriation; and to declare an emergency

Minutes: Attachments 1-11

Chairman Kasper opened the hearing on HB 1435.

Rep. Glenn Bosch appeared in support. Attachment 1. (1:05-9:23)

Vice Chair Steiner: Dickinson was left off the heavy industrial building. I am curious why that was?

Rep. Bosch: I think it is dependent on the type of structure that you have. I don't believe it excludes Dickinson. It just wasn't listed in my testimony.

Vice Chair Steiner: If the appropriations or this committee decides to reduce funding, how does that affect the project?

Rep. Bosch: I put the bill together to fund the entire project. I think the public safety community wants to see us make a commitment to the project and not do it in little starts along the way.

Rep. Rohr: How are the reservations implemented in this?

Rep. Bosch: I will defer to the technical people.

Rep. Schneider: You mentioned that 95% of the state was mobile covered and 85% portable. Are there parts not covered, the 5% and 15%, and if so, what are they?

Rep. Bosch: I am going to let others talk about what areas aren't covered.

Rep. Schauer: I see people from Cass County. The system is already hooked into Minnesota because of the delays and the slowness of the state of North Dakota. Why has it taken ten years?

Rep. Bosch: It is a big project, a big step. I think part of it was getting the first responder community in alignment with what they wanted to do and with how they wanted to proceed.

Rep. Schauer: Any pushback on that $86 million?

Rep. Bosch: I haven't had any pushback from them. We have 23 PSAPs right now in the state, and those are the local jurisdictions' responsibility in the bill the way I have it right now.

Duane Schell, Chief Technology Officer, ITD, appeared in support. Attachment 2. He stated that it mirrored the previous speaker, so went on to answering questions.

Mr. Schell: One question around coverage was that 85%, 95% mobile, portable. That is the standard that exists across the country as it relates to public safety coverage. The way we designed the solution was that the 85%, 95% coverage was based on a regional basis. The other question was about the time it has taken. This Statewide Interoperability Executive Committee (SIEC) has been working on this for a number of years. The 64th and 65th assemblies both entailed studies during the interim to build where we are. It was the 65th assembly that provided us some funding through HB 1178 which allowed us to proceed with the expansion and establishment of governance and the execution of a successful procurement.

Rep. Rohr: What about the reservations?

Mr. Schell: We have designed the system to be statewide so that does include the reservations.

Rep. Rohr: Is that $5 million to $10 million after complete implementation of the plan?

Mr. Schell: Yes.

Rep. Schneider: Do you have a map of where those gaps are?

Mr. Schell: Yes, we do have maps that will demonstrate where the coverage is and is not.

Rep. Schneider: She asked if he would furnish the map for the committee, and Mr. Schell agreed. Attachment 3.

Rep. C. Johnson: What is the difference between mobile and portable?

Mr. Schell: The devices that are in the police cruisers, etc. give you the 95% coverage. The devices that the public safety community carries with them like the radios on their hip or lapel mics are the ones that are the 85% coverage.

Chairman Kasper: The RFP has been awarded?

Mr. Schell: Yes, that is correct.

Chairman Kasper: Now it is just the implementation with the financing?

Mr. Schell: Yes. We have an RFP, so we have the design and all the contracts in place.

Rep. Rohr: Could you explain Section 3 of the bill?

Mr. Schell: Section 3 talks about the cost share of the subscriber devices, so those are the radios whether they be in the vehicle or on the person. The intent of this is to provide the stakeholders with a $1,500 stipend, subsidy, or reimbursement for those devices as they are procured to be provision on the system.

Gary Lorenz, Fire Chief for the City of Grand Forks, appeared in support. Attachment 4. (23:01-30:48) During the testimony he played an audio clip.

Rep. C. Johnson: Have you estimated any kind of a cost to your department and requested a budget through the city of Grand Forks?

Mr. Lorenz: I have not put together the exact numbers. We have had some 2020 strategic budget planning meetings already, and myself and other representatives from the city of Grand Forks have made the city aware that there is going to be some upgraded cost needs. I made it clear that there would likely be a local share.

Rep. Rohr: Does the budget include education and training?

Mr. Lorenz: In the RFP the portion of training statewide is covered. From the local perspective, training is critical.

Rep. Rohr: Are you having any staffing issues?

Mr. Lorenz: Our staffing at this time is in pretty good shape.

Jason Stugelmeyer, Deputy Chief of Bismarck Police Department, appeared in support. Attachment 5. (33:54-44:45)

Rep. Louser: Were communications intercepted during the DAPL protest? Would the new system have higher levels of security to prevent those types of things?

Mr. Stugelmeyer: The city of Bismarck does have encryption keys. It does compromise our security on what we are doing. I did not have that security when I went into the rural areas.

Mr. Schell: The new system does have encryption capabilities included as part of the overall solution.

Rep. Rohr: A large percentage of my district is rural. Was there good rural representation on this committee?

Mr. Schell: Our intention here is to cover the entire state including rural North Dakota. If you look at the detailed membership of the governance structure, we have a very nice mix of people to ensure we have the balance across all of those disciplines and ensure everybody has a voice and everybody's needs are taken care of.

Rep. Karls: Is there a backup system?

Mr. Schell: The design and part of the fiscal impacts of this are because of the mission critical nature of the solution to ensure that failures are minimized. The system is designed with a great deal of redundancy. If all else fails, a lot of law enforcement still supplement with cellular technology and those sorts of things.

Chairman Kasper: You have had ten years of study. We have awarded an RFP, and I hear a plea to fund the process. How could we have awarded an RFP and not funded it?

Mr. Schell: With HB 1178 we were encouraged to move forward and do the procurement which was to get beyond our study phase and to get to a point where we had real numbers.

Chairman Kasper: If this bill is passed the way it is, will it provide the timeline and the funding that you need to implement on a timely basis?

Mr. Schell: The current contract we have negotiated talks about a five-year implementation period for the entirety of what has been scoped. It is aggressive but reasonable to be able to achieve.

Chairman Kasper: How does the line of credit of the $80 million and the $40 million interact with each other as far as meeting your five-year timeline?

Mr. Schell: As we built out the schedule and because we were very cognizant that the funding wasn't secured, the detailed timing of those payments hasn't been fully planned out. Within the executive budget we had put forth the $40 million along with the ability to spend special funds. We felt comfortable that was sufficient to get us through the biennium. This bill authorizes the loan amount recognizing the larger cost throughout the duration of the project.

Chairman Kasper: Your timeline and the total implementation is still not secured with this bill? Will this bill secure it so you complete the project?

Mr. Schell: It is highly dependent on the decision which this bill attempts to define as the state's responsibility for the solution versus the local responsibility.

Chairman Kasper: Will this provide the state funding you need?

Mr. Schell: The entire capital expenditure fully loaded within the scope of the contract is $206 million in Rep. Bosch's testimony. Mine indicated $207.1. The differences we are accounting for are some construction cost for network connectivity for the project. If the state chooses within the confines of that total project to support the $120 million, that is the totality

of the funding that we will get from the state, and we will be looking for local contributions for the remainder of that.

Chairman Kasper: If there are no local contributions, would this still complete the statewide system?

Mr. Schell: I believe the funding of this would allow us to stand up the system and we would have participation on the network.

Chairman Kasper: All I am trying to get to is this all the money you need from the state?

Mr. Schell: To be very specific for the total of the project as it is defined in the contract, we need $207 million. If the state chooses to contribute the $120 million plus the resources that are coming from the 50 cent fee that was generated last session, then to be able to complete the entirety of the project the way the contract is scoped, that is incumbent then on the locals to come up with the rest of those resources.

Chairman Kasper: How much does the 50 cent fee produce per year?

Mr. Schell: We are trending right now in the $4.5 to $5 million from that.

Chairman Kasper: The other $80 million will come from the local political subdivisions participating?

Mr. Schell: Yes.

Chairman Kasper: Have you surveyed them to see how many are pretty serious about participating?

Mr. Schell: We have done a lot of surveys both when going through the study process as well as in the interim. We have widespread support for this initiative. Everybody assumes there is going to be a state responsibility and a local responsibility.

Chairman Kasper: You really don't know how much the locals are going to contribute and whether or not they are going to use it?

Mr. Schell: Partially correct. I think everybody assumes they are going to be able to contribute some resources.

Chairman Kasper: You have had ten years to get a buy in. You still don't have a total buy in from all of the potential stakeholders across the state?

Mr. Schell: We have strong buy in. I think it is a financial conservation right now.

Chairman Kasper: Which means how much will they pay? Is that what you mean by a financial conversation?

Mr. Schell: That is correct.

Chairman Kasper: What if their total contribution is less than the $80 million?

Mr. Schell: If we don't have sufficient funds, that limits our ability to build things out and get on the system.

Chairman Kasper: How long do you think you will need to get the local buy ins?

Mr. Schell: I do know many of them have been planning for this and have been setting funds aside for it. The recent conversation is just how much and what that number entails.

Chairman Kasper: Are you estimating they are going to participate to a tune of roughly $80 million?

Mr. Schell: I believe that would be the case.

Rep. Laning: Would the $120 million that the state is looking at enough to finance all of the Highway Patrol radio replacements?

Mr. Schell: The funding here articulates a split. These funds would allow us to contribute $1,500 per device for the Highway Patrol.

Rep. B. Koppelman: If we assumed the locals didn't get on this day one, would the $120 million build out the towers and infrastructure across the state?

Mr. Schell: $97 million encompasses the network. That would be sufficient resources to build out the entirety of the network that is scoped within that contract.

Rep. B. Koppelman: The remainder of that $120 million would at least partially pay for Highway Patrol radio upgrades and also pays a portion of the radio equipment that the locals need to buy?

Mr. Schell: The subscriber devices or the radios would be reimbursed up to $1,500 per device for everybody on the system.

Rep. Schneider: Can you even buy a radio for the $1,500?

Mr. Schell: There are a variety of devices with a lot of features that align with the different disciplines and the different use cases. You do see radios in that $1,500 range.

Rep. B. Koppelman: As I read the bill, the state would write a $40 million check this biennium and would provide a loan through the Bank of ND for $80 million that would be paid back which I figure would be about 20 years. If the legislature extended the $120 million in loan, I figure it would be about 30 years to pay back. Is that a feasible alternative if there is not $40 million to write right away?

Mr. Schell: We will leave that to your decision.

Rep. Rohr: Jason, does this fulfill the need to improve the communication system that you experienced at DAPL, or are there gaps?

Mr. Stugelmeyer: I believe that this should solve a majority of the problems.

Rep. Rohr: What are the gaps?

Mr. Stugelmeyer: I think the gaps might be to the coverage areas. We are hoping to get the minimum we need.

Rep. Schneider: Are drones a possibility to fill in the gaps in the more rural areas?

Mr. Stugelmeyer: Drones are not typically used for communication.

Mike Dannenfelzer, Director of the Central Dakota Communications Center, appeared in support. Attachment 6. (1:07:54-1:11:28)

Rep. C. Johnson: Bismarck expects a cost of about $1 million. Local counties and cities would have to come up with $86 million, so with 53 counties at $1 million each and 33 cities at another $1 million each would cover that $86 million. Is it reasonable to expect those counties and cities to come up with that kind of money?

Mr. Dannenfelzer: We have been advising our financial directors to start saving the dollars and trying to avoid investment in radio communications until we have a direction in this. Local government is not spending money right now, and the departments are hurting. They need the equipment, and they are not getting it. We can't wait any longer.

Donnell Preskey, North Dakota Association of Counties, appeared in support. Attachment 7. Attachment 8 was handed out for Chad Peterson, Cass County Commission who could not appear. (1:12:59-1:16:52)

Rep. Schauer: Cass County was aggressive and made the $14 million commitment. What have the other 52 counties done?

Donnell Preskey: They are on hold waiting and hoping that more extensive funding is approved this session.

Rep. Rohr: Sioux County was part of the whole DAPL experience. Are they at the table, and are there jurisdictional issues here with funding?

Donnell Preskey: We represent all of our counties. Sioux County has all their county agencies even though the reservation consumes the county.

Rep. B. Koppelman: What is the value of adding your group and the League of Cities to the committees?

Donnell Preskey: It is important to have those two groups on that committee, because they are representing the mayors and commissioners, and those are the people who are writing the checks.

Rep. B. Koppelman: Is having those two groups going to expedite the commitment from cities and counties to funding their local share?

Donnell Preskey: I have heard no discussion that we shouldn't be behind this

Chairman Kasper: What have you done for surveying and getting a buy in and commitment from the counties that if this bill goes through, they are going to be on board?

Donnell Preskey: We have heard nothing that there isn't buy in.

Chairman Kasper: Have you heard that there is?

Donnell Preskey: Yes.

Chairman Kasper: Have they taken official positions?

Donnell Preskey: Our resolution has been supported since 2016. Every local elected official has a say in these resolutions. This resolution is on my testimony and is supported by our delegates who vote on this resolution.

Rep. Bosch: One of the requirements on HB 1178 was for the counties to relinquish their frequencies which they have. They are waiting for the state to fund the infrastructure with the $120 million so that they can then buy the radios and local equipment that is their responsibility.

Chairman Kasper: Is that $1,500 part of the $120 million?

Rep. Bosch: It is part of the $120 million. $1,500 is a figure that represents what a radio would cost for a volunteer responder.

Rep. Laning: Tell us what the expected life of the system would be.

Rep. Bosch: 25 years

Rep. B. Koppelman: What is the funding source for the volunteer responders' equipment?

Rep. Bosch: I think it is different for every volunteer jurisdiction.

Rep. Schauer: Cass County was the only one that did it on their own. Do 52 other counties not recognize the need for this and just waiting for the state to move?

Rep. Bosch: The state needed to make a commitment and with the work they did last session, they then felt that they were ready to relinquish those frequencies. I think it would be a mistake to partially fund it.

Jason Olson, City of Minot, Chief of Police, appeared in support. Attachment 9. (1:28:22-1:31:40)

Chairman Kasper: Do you believe the Minot city and county commissions are ready to move forward on a positive manner if we pass this bill?

Mr. Olson: I do.

Eric Hardmeyer, President of Bank of North Dakota, appeared. He presented an amendment which is Attachment 10. (1:32:11-1:33:17)

Chairman Kasper: Claire Ness just sent down another proposed amendment. Attachment 11. Please review what she says. Would adding $80 million behind the $40 million be appropriate based upon the intent of the bill? Do we need the amendment or not?

Mr. Hardmeyer: Yes, if you want to go from $40 million to $80 million. SB 2275 is an infrastructure bill that would allow for communication devices to be purchased by locals.

Dave Eischens, Sales Director with Motorola Solutions appeared to answer questions.

Rep. Louser: What is the ability for Motorola to replace current equipment?

Mr. Eischens: A lot of the equipment out there is now 15 to 20 years old. The parts supplier no longer makes them, so we are shopping on Ebay for replacement parts.

Chairman Kasper: Rep. Louser are you talking about the new system?

Rep. Louser: The old system.

Rep. Schauer: The state is looking at an investment of $207 million. Can we get that coverage up to 90-95% for a $200 million investment?

Mr. Eischens: There isn't such a thing as 100% in radio. You can have mobile towers and repeater stations put up very quickly to cover events. This would have been very useful in the case of DAPL. We are investigating other technologies including now satellite that would integrate seamlessly with the system to try and cover areas where the economics make it very difficult to cover.

Rep. Schauer: Do other states have 80-85%?

Mr. Eischens: You do run into this where terrain is a problem. To approaching 99% coverage, you would start adding very quickly a vast amount of money.

Chairman Kasper: Are you aware of any states that have installed systems like this that have ever achieved 100% coverage?

Mr. Eischens: No, it becomes physically impossible to do that. This is the same technology model that we have seen successful in 40 other states.

Rep. Karls: I witnessed a video of the bridge that went down in Minneapolis. I think it was a satellite phone that saved day.

Mr. Eischens: The cell system did crash, but the technology that is used in Minnesota is the same as being used here. There is a video out showing how that system performed with minimal busies throughout the whole duration of the event and that people were served and the system did take care of public safety.

Rep. B. Koppelman: Is this whole system going to have to be reinvested in 25 years?

Mr. Eischens: There is the civil construction which is the towers and the shelter the equipment goes into. That can last much longer than 25 years. The second part is the equipment that goes at the towers and goes at central locations called bay stations. That equipment we will support for a minimum of 25 years. They do need software upgrades which is a lot cheaper to do. The third piece is the handsets or the radios that go into the vehicles. The life of those are between 12-15 years.

Chairman Kasper closed the hearing.

Chairman Kasper opened the meeting on HB 1435.

Rep. Laning made a motion to adopt the amendments.

Vice Chair Steiner seconded the motion.

Voice vote. Motion carries.

Rep. Hoverson moved we fund the entire $207 million from the state and with a trigger that locals will contribute.

Motion fails for lack of a second.

Rep. B. Koppelman moved an amendment to have the entire amount funded through the provisions in Section 6 which would be $120 million from the Bank of ND with the primary funding source being the 50 cent fee that we previously approved.

Rep. Schauer seconded the motion.

Rep. Laning: Make it a $120 million dollar loan and not $40 million out of _?

Rep. B. Koppelman: The $5 million a year, the primary funding source to pay back this line of credit is not a state appropriation.

Vice Chair Steiner: I am going to resist this amendment, because I think the appropriations committee can figure out which direction to take it.

Chairman Kasper: I agree with Rep. Steiner. This is too late in the bill to make this major change.

Rep. C. Johnson: I am going to resist the motion. There has been a thorough analysis on the appropriation plus the loan funding.

Rep. B. Koppelman: I think it was the policy committee's action that created this fee as the funding mechanism.

Voice vote. Motion fails.

Rep. Laning made a motion for a DO PASS AS AMENDED and rereferred to appropriations.

Vice Chair Steiner seconded the motion.

Chairman Kasper: It is about time.

Rep. Louser: One of the basic functions of government is to protect our citizens, so I am in favor of the motion.

Rep. Schneider: I am also in favor of the motion.

Rep. Schauer: I will vote yes too. I am hoping there is some accountability along with this.

Chairman Kasper: The infrastructure buildout is $120 million. The $80 million is from the users' fees for the radios, etc.

A roll call vote was taken. 13-1, 0 absent.

Rep. Rohr will carry the bill.

19.0656.03006
Title.04000

Adopted by the House Government and
Veterans Affairs Committee
February 7, 2019

CK
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2/7/19

PROPOSED AMENDMENTS TO HOUSE BILL NO. 1435

Page 1, line 3, replace "state" with "statewide interoperable"

Page 1, line 3, remove "broadcasting"

Page 1, line 4, replace "system" with "network"

Page 1, line 9, overstrike "**State**" and insert immediately thereafter "**Statewide interoperable**"

Page 1, line 9, overstrike "**broadcasting system**" and insert immediately thereafter "**network**"

Page 1, line 11, after "a" insert "statewide interoperable"

Page 1, line 11, overstrike "broadcasting"

Page 1, line 12, overstrike "system" and insert immediately thereafter "network"

Page 1, line 17, overstrike "director" and insert immediately thereafter "chief information officer"

Page 1, line 17, overstrike "system" and insert immediately thereafter "statewide interoperable radio network as directed by the statewide interoperability executive committee"

Page 2, line 19, overstrike "The adjutant general shall call and convene the initial meeting."

Page 2, line 20, overstrike "integrated" and insert immediately thereafter "interoperable"

Page 2, line 21, overstrike "system" and insert immediately thereafter "network"

Page 2, line 21, overstrike "a" and insert immediately thereafter "the statewide interoperable"

Page 2, line 21, overstrike "communication"

Page 2, line 22, overstrike "system" and insert immediately thereafter "network"

Page 2, line 24, replace "state" with "statewide interoperable"

Page 2, line 24, replace "broadcasting system" with "network"

Page 3, line 17, overstrike "The adjutant general shall call and convene the initial meeting."

Page 3, line 18, overstrike "integrated" and insert immediately thereafter "interoperable"

Page 3, line 19, overstrike "system" and insert immediately thereafter "network"

Page 3, line 19, overstrike "a" and insert immediately thereafter "the statewide interoperable"

Page 3, line 19, overstrike "communication"

Page 3, line 20, overstrike "system" and insert immediately thereafter "network"

Page 3, line 22, replace "state" with "statewide interoperable"

Page 3, line 22, replace "broadcasting system" with "network"

Page 3, line 28, overstrike "or radio systems"

Page 3, line 29, overstrike "state" and insert immediately thereafter "statewide interoperable"

CK
2 of 2
2/7/19

Page 3, line 29, overstrike "system" and insert immediately thereafter "network"

Page 3, line 29, overstrike "mobile"

Page 3, line 30, overstrike the first "state" and insert immediately thereafter "statewide interoperable"

Page 3, line 30, overstrike "system" and insert immediately thereafter "network"

Page 3, line 30, overstrike "registered with the division of state radio and"

Page 3, line 31, overstrike "assigned a unit number" and insert immediately thereafter "approved by the statewide interoperability executive committee"

Page 3, line 31, overstrike "A one-time fee of ten dollars for registering and assigning unit"

Page 4, overstrike lines 1 and 2

Page 4, line 3, overstrike "numbers annually" and insert immediately thereafter "The chief information officer shall establish a process to register and audit users of the statewide interoperable radio network"

Page 4, line 12, remove "**INTEROPERABLE STATEWIDE**"

Page 4, line 13, replace "**RADIO SYSTEM**" with "**STATEWIDE INTEROPERABLE - RADIO NETWORK**"

Page 4, line 19, overstrike "at a rate of one and one-half percent over the three"

Page 4, line 20, overstrike "month London interbank offered rate, but may not exceed three percent,"

Page 4, line 21, after the first "department" insert "at the prevailing interest rate charged to North Dakota governmental entities"

Page 4, line 27, after "$40,000,000," insert "and from a Bank of North Dakota line of credit, the sum of $80,000,000,"

Page 4, line 28, replace "sum" with "sums"

Renumber accordingly

Date: 2-7-19
Roll Call Vote #: 7

2019 HOUSE STANDING COMMITTEE
ROLL CALL VOTES
BILL/RESOLUTION NO. 1435

House Government and Veterans Affairs Committee

☐ Subcommittee

Amendment LC# or Description: 19.0656.03001 and below

Recommendation: ☒ Adopt Amendment
☐ Do Pass ☐ Do Not Pass ☐ Without Committee Recommendation
☐ As Amended ☐ Rerefer to Appropriations
☐ Place on Consent Calendar

Other Actions: ☐ Reconsider ☐ _____

Motion Made By Rep. Laning Seconded By Rep. Steiner

Representatives	Yes	No	Representatives	Yes	No
Chairman Jim Kasper			Rep. Pamela Anderson		
Vice Chair Vicky Steiner			Rep. Mary Schneider		
Rep. Jeff Hoverson					
Rep. Craig Johnson					
Rep. Daniel Johnston					
Rep. Karen Karls					
Rep. Ben Koppelman					
Rep. Vernon Laning					
Rep. Scott Louser					
Rep. Karen Rohr					
Rep. Austen Schauer			Voice Vote motion carries		
Rep. Steve Vetter					

Total (Yes) _____ No _____

Absent _____

Floor Assignment _____

If the vote is on an amendment, briefly indicate intent:
- Rep. Bosch's amendment which is technical
- Mr. Hardmeyer's amendment to make it prevailing interest rate
Claire Ness's addition of additional appropriations language to clarify

Date: 2-7-19
Roll Call Vote #: 2

2019 HOUSE STANDING COMMITTEE
ROLL CALL VOTES
BILL/RESOLUTION NO. 1435

House Government and Veterans Affairs Committee

☐ Subcommittee

Amendment LC# or Description: _____

Recommendation: ☒ Adopt Amendment
☐ Do Pass ☐ Do Not Pass ☐ Without Committee Recommendation
☐ As Amended ☐ Rerefer to Appropriations
☐ Place on Consent Calendar

Other Actions: ☐ Reconsider ☐ _____

Motion Made By Rep. Hoverson Seconded By none

Representatives	Yes	No	Representatives	Yes	No
Chairman Jim Kasper			Rep. Pamela Anderson		
Vice Chair Vicky Steiner			Rep. Mary Schneider		
Rep. Jeff Hoverson					
Rep. Craig Johnson					
Rep. Daniel Johnston					
Rep. Karen Karls					
Rep. Ben Koppelman					
Rep. Vernon Laning					
Rep. Scott Louser					
Rep. Karen Rohr					
Rep. Austen Schauer					
Rep. Steve Vetter					

Failed for lack of a record

Total (Yes) _____ No _____

Absent _____

Floor Assignment _____

If the vote is on an amendment, briefly indicate intent: To fund the entire $207 million and also with a trigger that locals will contribute

Date: 2-7-19
Roll Call Vote #: 3

2019 HOUSE STANDING COMMITTEE
ROLL CALL VOTES
BILL/RESOLUTION NO. 1435

House Government and Veterans Affairs Committee

☐ Subcommittee

Amendment LC# or Description: _____

Recommendation: ☒ Adopt Amendment
☐ Do Pass ☐ Do Not Pass ☐ Without Committee Recommendation
☐ As Amended ☐ Rerefer to Appropriations
☐ Place on Consent Calendar

Other Actions: ☐ Reconsider ☐ _____

Motion Made By Rep. B. Koppelman Seconded By Rep. Schauer

Representatives	Yes	No	Representatives	Yes	No
Chairman Jim Kasper			Rep. Pamela Anderson		
Vice Chair Vicky Steiner			Rep. Mary Schneider		
Rep. Jeff Hoverson			Voice vote		
Rep. Craig Johnson			motion		
Rep. Daniel Johnston					
Rep. Karen Karls					
Rep. Ben Koppelman					
Rep. Vernon Laning					
Rep. Scott Louser					
Rep. Karen Rohr					
Rep. Austen Schauer					
Rep. Steve Vetter					

Total (Yes) _____ No _____

Absent _____

Floor Assignment _____

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

To have the entire amount funded through the provisions in Section 6 which would be $120 million from the Bank of ND with the primary funding source being the 50 cent fee we previously approved.

Date: 2-7-19
Roll Call Vote #: 4

2019 HOUSE STANDING COMMITTEE
ROLL CALL VOTES
BILL/RESOLUTION NO. 1435

House Government and Veterans Affairs Committee

☐ Subcommittee

Amendment LC# or Description: _____

Recommendation: ☐ Adopt Amendment
☒ Do Pass ☐ Do Not Pass ☐ Without Committee Recommendation
☒ As Amended ☒ Rerefer to Appropriations
☐ Place on Consent Calendar

Other Actions: ☐ Reconsider ☐ _____

Motion Made By Rep. Lanning Seconded By Rep. Steiner

Representatives	Yes	No	Representatives	Yes	No
Chairman Jim Kasper	X		Rep. Pamela Anderson	X	
Vice Chair Vicky Steiner	X		Rep. Mary Schneider	X	
Rep. Jeff Hoverson	X				
Rep. Craig Johnson	X				
Rep. Daniel Johnston		X			
Rep. Karen Karls	X				
Rep. Ben Koppelman	X				
Rep. Vernon Laning	X				
Rep. Scott Louser	X				
Rep. Karen Rohr	X				
Rep. Austen Schauer	X				
Rep. Steve Vetter	X				

Total (Yes) 13 No 1

Absent 0

Floor Assignment Rep. Rohr

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

REPORT OF STANDING COMMITTEE

HB 1435: Government and Veterans Affairs Committee (Rep. Kasper, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** and **BE REREFERRED** to the **Appropriations Committee** (13 YEAS, 1 NAYS, 0 ABSENT AND NOT VOTING). HB 1435 was placed on the Sixth order on the calendar.

Page 1, line 3, replace "state" with "statewide interoperable"

Page 1, line 3, remove "broadcasting"

Page 1, line 4, replace "system" with "network"

Page 1, line 9, overstrike "**State**" and insert immediately thereafter "**Statewide interoperable**"

Page 1, line 9, overstrike "**broadcasting system**" and insert immediately thereafter "**network**"

Page 1, line 11, after "a" insert "statewide interoperable"

Page 1, line 11, overstrike "broadcasting"

Page 1, line 12, overstrike "system" and insert immediately thereafter "network"

Page 1, line 17, overstrike "director" and insert immediately thereafter "chief information officer"

Page 1, line 17, overstrike "system" and insert immediately thereafter "statewide interoperable radio network as directed by the statewide interoperability executive committee"

Page 2, line 19, overstrike "The adjutant general shall call and convene the initial meeting."

Page 2, line 20, overstrike "integrated" and insert immediately thereafter "interoperable"

Page 2, line 21, overstrike "system" and insert immediately thereafter "network"

Page 2, line 21, overstrike "a" and insert immediately thereafter "the statewide interoperable"

Page 2, line 21, overstrike "communication"

Page 2, line 22, overstrike "system" and insert immediately thereafter "network"

Page 2, line 24, replace "state" with "statewide interoperable"

Page 2, line 24, replace "broadcasting system" with "network"

Page 3, line 17, overstrike "The adjutant general shall call and convene the initial meeting."

Page 3, line 18, overstrike "integrated" and insert immediately thereafter "interoperable"

Page 3, line 19, overstrike "system" and insert immediately thereafter "network"

Page 3, line 19, overstrike "a" and insert immediately thereafter "the statewide interoperable"

Page 3, line 19, overstrike "communication"

Page 3, line 20, overstrike "system" and insert immediately thereafter "network"

Page 3, line 22, replace "state" with "statewide interoperable"

Page 3, line 22, replace "broadcasting system" with "network"

Page 3, line 28, overstrike "or radio systems"

Page 3, line 29, overstrike "state" and insert immediately thereafter "statewide interoperable"

Page 3, line 29, overstrike "system" and insert immediately thereafter "network"

Page 3, line 29, overstrike "mobile"

Page 3, line 30, overstrike the first "state" and insert immediately thereafter "statewide interoperable"

Page 3, line 30, overstrike "system" and insert immediately thereafter "network"

Page 3, line 30, overstrike "registered with the division of state radio and"

Page 3, line 31, overstrike "assigned a unit number" and insert immediately thereafter "approved by the statewide interoperability executive committee"

Page 3, line 31, overstrike "A one-time fee of ten dollars for registering and assigning unit"

Page 4, overstrike lines 1 and 2

Page 4, line 3, overstrike "numbers annually" and insert immediately thereafter "The chief information officer shall establish a process to register and audit users of the statewide interoperable radio network"

Page 4, line 12, remove "**INTEROPERABLE STATEWIDE**"

Page 4, line 13, replace "**RADIO SYSTEM**" with "**STATEWIDE INTEROPERABLE - RADIO NETWORK**"

Page 4, line 19, overstrike "at a rate of one and one-half percent over the three"

Page 4, line 20, overstrike "month London interbank offered rate, but may not exceed three percent,"

Page 4, line 21, after the first "department" insert "at the prevailing interest rate charged to North Dakota governmental entities"

Page 4, line 27, after "$40,000,000," insert "and from a Bank of North Dakota line of credit, the sum of $80,000,000,"

Page 4, line 28, replace "sum" with "sums"

Renumber accordingly

2019 HOUSE APPROPRIATIONS

HB 1435

2019 HOUSE STANDING COMMITTEE MINUTES

Appropriations Committee
Roughrider Room, State Capitol

HB 1435
2/13/2019
32661

☐ Subcommittee
☐ Conference Committee

Committee Clerk: Risa Bergquist and Parker Oswald

Explanation or reason for introduction of bill/resolution:

A BILL for an Act to amend and reenact sections 37-17.3-02, 37-17.3-02.2, and 37-17.3-03 of the North Dakota Century Code, and section 10 of chapter 247 of the 2017 Session Laws, relating to the governance, purchase, financing, and operation of the state radio broadcasting system; to provide for a legislative management study; to provide an appropriation; and to declare an emergency.

Minutes:

Chairman Delzer: Opens meeting on HB 1435.

Representative Kasper: It began almost 10 years ago for our first responders to communicate properly. Right now they are using cell phones and they are talking about providing a state wide system. A good example that came up was the DAPL (Dakota Access Pipeline) and down there the coverage for cell phones isn't great and this would solve those issues. They have contracted with Motorola and they said they do this all over the country. Founding comes from 3 sources; a loan from the Bank of North Dakota for $80M, a $40M direct appropriation from SIIF (Strategic Investment and Improvement Fund) and then $86M from the local contribution, for a total of $206M. We had 8 different entities come and testify in favor of this bill. There is only one area that opted out and that was Fargo because they were tired of waiting for it and actually connected with a Moorhead group. They would guarantee any upgrades for 10 years at no charge.

(5:10) Chairman Delzer: The way the bill sits before us is a 20-year payback.

Representative Kasper: I am not aware of that.

Chairman Delzer: We are really hesitant about using SIIF money, did you have the discussion about making the loan for the whole amount of $120M instead of just $80M?

Representative Kasper: We did not.

Representative Boe: Is there a map of those 10-15% of dead spots?

Representative Kasper: We have asked for that and no received anything yet.

Representative Boe: I am afraid that these dead spots will be in the border areas.

Chairman Delzer: IT (Information Technology) has dealt with this and wasn't it also part of the Adjutant General's budget?

Representative Kempenich: IT is the lead agency on this including state radio.

(8:05) Representative Kasper: The systems in place now are old and very expensive to upgrade and if the state does not act, they have to go off and do their own things.

Representative Kempenich: I was going to ask if the people outside of IT were all saying the same things.

Representative Kasper: The Grand Forks Fire Chief and Bismarck Police Department both testified.

(9:05) Chairman Delzer: The locals are responsible for the actual radios we are just supplying the network.

Representative Schobinger: Last session didn't we appropriate or pass a bill that applied for $0.50 to be a cell phone fee? Then there was a second part that would have increased fines, penalties and fees and that bill failed. Why didn't we hear about this during the Governor's address for the importance of this?

Representative J. Nelson: There is also federal issues with connectivity. Was there any discussion to bring in all the players? Border patrol and the federal government?

Representative Kasper: No, we did not get into the area of including federal.

Representative J. Nelson: But everyone else would be on the page. Are they trained to know how to use state radio?

Representative Kasper: Correct, and they were all fully supportive.

Chairman Delzer: You still have the county systems and there will still be issues.

Representative J. Nelson: There were 3 counties involved and maybe there is a cheaper alternative to this as well.

(12:45) Chairman Delzer: Even the address system, Ward and Burleigh did not go with the rest of the state. We run into address issues all of the time.

(13:20) Representative Mock: It was in the Governor's ITD (Information Technology Department) budget.

Representative Nathe: I think DAPL kind of woke everyone up about the need for this. How would Fargo be able to talk to the rest of the state?

Representative Kasper: That discussion did not come up.

Representative Kempenich: It's important to put in a full system and not piece it together.

(17:05) Representative Vigesaa: One of the issues was the fact that that they didn't want to give up their current frequencies, but that has been addressed and they would be allowed to keep their frequencies.

Representative Nathe: How long would the build out take?

Representative Kasper: I think it is over a 5-year period.

Representative Bellew: The local should come up this $86M, where does that money come from?

Chairman Delzer: Part of that is 9-1-1 costs and part is property tax.

Representative Kasper: Ward county does assess a property tax for this fee.

(18:40) Representative J. Nelson: Fargo has chosen to go with the Minnesota example, does the $0.50 surcharge help pay the loan to Bank of North Dakota or how does that flow from Fargo?

Chairman Delzer: That $0.50 probably would.

Representative J. Nelson: That would be paid for the Bank of North Dakota and the local share would go to Moorhead to pay for their space on the system there.

Representative Kasper: I am not familiar with how Fargo is paying for that at all.

Chairman Delzer: Thank you Representative Kasper. We will close this hearing.

2019 HOUSE STANDING COMMITTEE MINUTES

Appropriations Committee
Roughrider Room, State Capitol

HB 1435
2/13/2019
32665

☐ Subcommittee
☐ Conference Committee

Committee Clerk: Risa Bergquist by Caitlin Fleck

Explanation or reason for introduction of bill/resolution:

Adopting amendments.

Minutes:

Chairman Delzer: We will come back to order with HB 1435 I have passed out an amendment 19.0656.04001. (reviews amendment) The purpose is to make it a 120-million-dollar loan.

Representative Meier: So the Bank of North Dakota is good with that amount?

Representative Mock: The governor had 44 million from the strategic investment and improvements fund (SIFF) in the budget and we removed that funding, knowing this bill was out there. I will make a motion to move this amendment.

Representative Vigesaa: Second.

Representative Schobinger: I plan to support the amendment, but I was in the legislature when we talked about wiring this place. I remember asking how long it'll take to rewire this and he said it would be at least 20 years. My concern with this is that we will go on down the line, and within a few years this new technology that we are paying for will then be out dated, but we will still have to be paying on it.

Chairman Delzer: I think this is the best option to do this. Maybe at that point, something comes out that is cheaper or something, I don't know for sure.

Representative Vigesaa: The funding formula we set up last session would the funding source to pay back the loan?

Chairman Delzer: Yes.

Voice vote: motion carries

Representative Mock: Do pass on 1435 as amended.

Representative Sanford: Second.

Representative J. Nelson: We're working off the 04000?

Chairman Delzer: The 04000 is the same as the 03000.

Representative J. Nelson: The amendment doesn't fit because there are no three holes in my copy!

Representative Bellew: This seems like it would be an appropriate use for the SIFF fund, can you tell me again why that wouldn't be? I think there are some questions about the gaps.

Chairman Delzer: We need all the cash that will be built up in there this time, to have a balanced budget next time. We should be closing the gap soon.

Roll Call Vote: 19 Yes, 1 no, 1 Absent.

Motion carries**.**

Representative J. Nelson: I thought that someone at council might try to find us a map of where some of those gaps might exist.

Chairman Delzer: That request is already in.

Floor assignment**: Representative Mock**

Meeting closed.

DP 2/13/19

19.0656.04001
Title.05000

Prepared by the Legislative Council staff for
Representative Delzer
February 11, 2019

PROPOSED AMENDMENTS TO ENGROSSED HOUSE BILL NO. 1435

Page 4, line 28, remove " **- APPROPRIATION**"

Page 4, line 29, replace "$80,000,000" with "$120,000,000"

Page 5, line 1, after "funds" insert "over a period not to exceed thirty years from the date of issuance of the line of credit"

Page 5, line 5, remove "out of any moneys in the strategic"

Page 5, remove line 6

Page 5, line 7, after "from" insert "proceeds of"

Page 5, line 7, replace "$80,000,000" with "$120,000,000"

Page 5, line 7, replace "sums" with "sum"

Renumber accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

This amendment removes a $40,000,000 appropriation from the strategic investment and improvements fund and increases a line of credit from the Bank of North Dakota to the Information Technology Department from $80,000,000 to $120,000,000, to be repaid over 30 years.

Date: 2/13/2019
Roll Call Vote #: 1

2019 HOUSE STANDING COMMITTEE
ROLL CALL VOTES
BILL/RESOLUTION NO. 1435

House Appropriations Committee

☐ Subcommittee

Amendment LC# or Description: **19.0656.04001**

Recommendation: ☒ Adopt Amendment
☐ Do Pass ☐ Do Not Pass ☐ Without Committee Recommendation
☐ As Amended ☐ Rerefer to Appropriations
☐ Place on Consent Calendar

Other Actions: ☐ Reconsider ☐ _____

Motion Made By **Representative Mock** Seconded By **Representative Vigesaa**

Representatives	Yes	No	Representatives	Yes	No
Chairman Delzer					
Representative Kempenich					
Representative Anderson			Representative Schobinger		
Representative Beadle			Representative Vigesaa		
Representative Bellew					
Representative Brandenburg					
Representative Howe			Representative Boe		
Representative Kreidt			Representative Holman		
Representative Martinson			Representative Mock		
Representative Meier					
Representative Monson					
Representative Nathe					
Representative J. Nelson					
Representative Sanford					
Representative Schatz					
Representative Schmidt					

Total (Yes) _____ No _____

Absent _____

Floor Assignment _____

Voice Vote/Motion Carries

Date: 2/13/2019
Roll Call Vote #: 2

2019 HOUSE STANDING COMMITTEE
ROLL CALL VOTES
BILL/RESOLUTION NO. HB 1435

House Appropriations Committee

☐ Subcommittee

Amendment LC# or Description: _____

Recommendation: ☐ Adopt Amendment
☒ Do Pass ☐ Do Not Pass ☐ Without Committee Recommendation
☒ As Amended ☐ Rerefer to Appropriations
☐ Place on Consent Calendar

Other Actions: ☐ Reconsider ☐ _____

Motion Made By **Representative Mock** Seconded By **Representative Sanford**

Representatives	Yes	No	Representatives	Yes	No
Chairman Delzer	X				
Representative Kempenich	X				
Representative Anderson	X		Representative Schobinger	X	
Representative Beadle	X		Representative Vigesaa	X	
Representative Bellew	X				
Representative Brandenburg	X				
Representative Howe	X		Representative Boe		X
Representative Kreidt	X		Representative Holman	X	
Representative Martinson	X		Representative Mock	X	
Representative Meier	X				
Representative Monson	X				
Representative Nathe	X				
Representative J. Nelson	X				
Representative Sanford	X				
Representative Schatz	X				
Representative Schmidt	A				

Total (Yes) 19 No 1

Absent 1

Floor Assignment **Representative Mock**

Motion Carries

REPORT OF STANDING COMMITTEE

HB 1435, as engrossed: Appropriations Committee (Rep. Delzer, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (19 YEAS, 1 NAYS, 1 ABSENT AND NOT VOTING). Engrossed HB 1435 was placed on the Sixth order on the calendar.

Page 4, line 28, remove " **- APPROPRIATION**"

Page 4, line 29, replace "$80,000,000" with "$120,000,000"

Page 5, line 1, after "funds" insert "over a period not to exceed thirty years from the date of issuance of the line of credit"

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Renumber accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

This amendment removes a $40,000,000 appropriation from the strategic investment and improvements fund and increases a line of credit from the Bank of North Dakota to the Information Technology Department from $80,000,000 to $120,000,000, to be repaid over 30 years.

2019 SENATE GOVERNMENT AND VETERANS AFFAIRS

HB 1435

2019 SENATE STANDING COMMITTEE MINUTES

Government and Veterans Affairs Committee
Sheyenne River Room, State Capitol

HB1435
3/14/2019
#33724

☐ Subcommittee
☐ Conference Committee

Committee Clerk: Pam Dever

Explanation or reason for introduction of bill/resolution:
Relating to the governance, purchase, financing, & operation of the statewide interoperable radio network; provide for a legislative management study; provide an appropriation; declare an emergency.

Minutes:

Att #1-3 –Rep. Bosch; Att #4 – Duane Schell; Att #5 –Mike Link; Att #6- Glen Ternes; Att #7 – Gary Lorenz; Att #8 – Mike Dannenfelzer; Att # 9 - 12- Donnell Presky; Att #13- Jim Bugel.

Chairman Davison: Let's open the hearing on HB1435.

Rep. Glenn Bosch, Dist. 30, Bismarck: I am here to introduce HB1435. (see att #1) This is part of a 10-year process to get to where we are today. I have also brought an amendment and a X-mas tree version with me. (see att # 2-#3) The estimated cost of the project is $206 million. Section 6 provides $120 million of credit paid back by the continuation of the $.50 fee as detailed in section 4. The amendment goes back to the original funding mechanism of $40 million from the SIIF fund and $80 million loan from the BND. Look at the X-mas tree to find the changes. (7.25) The $40 million covers the state portion like the towers that is shared. The counties are responsible for $86 million. The $.50 fee covers the part in the middle which is in the amended version of the bill. (9.00) Section 3 talks about a $1,500 radio cost share proposed in the bill. Covers most of the cost of a radio for a volunteer responder. Section 1, line 9, deals with implementation and makes ITD as responsible for the purchasing of the system. The amendment adds Game/Fish and the Health Officer to the list to the committee starting on line 24.

Sen. Erin Oban: Why was the state health officer added? Do we need DEQ included?

Rep. Bosch: The health dept. at times is responds to emergency with public health. They thought it would bring value to the committee. Any questions? (12.51)

Chairman Davison: Do we know if the ITD committee could study that?

Rep. Bosch: During the interim, there was discussion about that. That is an appropriate place for that. (13.33)

Duane Schell, Chief Technology, ITD: (see att# 4) (14.16-15.04) I am here in support of this bill. There has been a lot of work in the community on this already. We have a lot of stake holders that have invested lots of time. The current systems are in dire need of upgrades. Any questions?

Chairman Davison: Can you talk about the process for the RFP and who bid, etc.?

Duane: ITD lead the procurement efforts. We followed all the rules and guidelines of the state. It was a long process and complicated and took over a year for procurement. We received responses from two vendors. Motorola and Harris. We evaluated both and got a contract with Motorola and are ready to go. That was about 18 months ago. HB1178 last session got it started. (17.56) We signed the contract in January, 2019.

Chairman Davison: How do we know, going forward, that the technology will not be outdated right away?

Duane: As we went through the procurement process, we look at national wide areas and studies. P25 Standard is what it is known as. Technology is continually evolving. We asked if we are positioned to adapt to new technologies in the future. We think we are poised as they surface. (19.34) We are comfortable that the LMR, (Land Mobil Receiver) which is the critical piece, is scalable to use video or different types of media to work across counties. We wanted to make sure we have mission critical voice communications. First Net was a nationwide effort to provide a mission critical data network for the public safety area. We have contracts in place with vendors.

Chairman Davison: An example would be a firefighter inside a building and able to communicate outside to the firetruck? That is the mission critical piece we are talking about.

Duane: That is exactly correct.

Sen. Richard Marcellais: Does ITD have a plan on all the implementation on this project?

Duane: As part of the procurement process, there is a plan and statement of works that exist in that contract. Our ability to proceed is contingent on funding and also to pivot technology as appropriate. (22.50) We can adjust the plan.

Sen. Richard Marcellais: Can we get a copy of plan?

Duane: It is public and I can get a copy of contract from website. (23.26) It is over 900 pages. The $40 million aligns with the executive budget.

Mike Link, Dir. of N.D. State Radio: (see att #5) Here to support this bill. Any questions?

Glen Ternes, Lieutenant, Bismarck Police Dept.:(see att #6) We are in support. We have a vested interested. We had lots of difficulties during DAPL. We were hindered during the whole DAPL. (26.00-31.40)

Sen. Richard Marcellais: I was in communications in Vietnam. How often do you encrypt?

Glen: We use 100% of the time in Bismarck.

Gary Lorenz, Fire Chief, Grand Forks: (32.40-36.38) (see att# 7) I also represent the State Interoperable Executive Committee (SIEC). I am here in support of this bill. (36.40-41.00) he played an audio of actual fireman's mayday call) Shows how bad the communications are with present equipment.

Chairman Davison: You feel you will find money for the radios?

Gary: In January we had our strategic budget planning for the city. I made them well aware that this project must be supported and will need local support also.

Mike Dannenfelzer, Dir. Central Dakota Communications Center (CenCom), Bismarck: (see att #8) We have been waiting for years for this bill. We totally support and hope you pass this bill. The $40 million added in is a must. We are using end-of-life equipment and it cannot be kicked down the road any longer. Please Do Pass with amendments.

Sen. Kristin Roers: Is there work being done on a statewide basis to do some standardization. In Fargo/Moorhead area, code 1 and code 2 is delineated by code status. I have talked to EMS in central N.D. and Code 1 and Code 2 mean exactly the opposite thing. Once we get this, will be have standardization in whole state?

Mike: In pockets, yes, and it is a very important study. We have done lots in 911 areas. Legislators and use need to dive in and see what could be done differently and better. (46.00)

Sen. Kristin Roers: I think the conversation needs to be started now.

Sen. Richard Marcellais: If you do have 911 issues, who do you go to get corrected?

Mike: Your local 911 jurisdictions is where to start. The association of counties may be able to help, also.

Donnell Presky, N.D. Association of Counties: Here to support this bill. (see att # 9,10,11,12). I brought letter with me because the storm did not allow these people to come her today to testify. I first hand witnesses the failure of our current system during DAPL. The desperation I heard from the officer who was on calling out to his guys. He heard nothing in response. Heart wrenching. No one should have to endure this. (54.29) Please Do Pass.

Todd Kranda, Kelsch, Kranda Law firm, Mandan: I am here on behalf of Verizon. We support this bill with the amendments. There is a nationwide First Net program. We feel there should be options and not limit exclusive providers here in N.D. During DAPL, we were called upon to help in rural Morton County. Verizon deployed temporary assets to help the ER communications and we did at no cost. (56.33)

Jim Bugel, Vice-Pres of AT & T First Net: (see att #13) We support the investment N.D. is making. Explained the First Net program. (58.3-1.01.36) A lot of states are going to go through what you are now. That is why the amendment is brought forward.

Sen. Kristin Roers: Adding this product on to the current RFP would result in added dollars?

Jim: We are not asking for the RFP to be modified. We ask it be adjacent.

Sen. Kristin Roers: It would be added dollars to be adjacent and make it interoperable.

Jim: That is up to the contractor.

Sen. Kristin Roers: It is interoperable with Motorola which was selected as vendor?

Jim: Motorola is our First Net partner. We would hope they would make that free of charge to the state.

Sen. Kristin Roers: Is there anything that you see in current bill that would disallow to build this LTE. If this amendment did not go through, could this still happen?

Jim: I don't think there is a showstopper in there. The market place will move in this direction. This is an aid. Let's move forward with the LTE integration.

Sen. Kristin Roers: I struggle is we don't have the radio network up yet. To now add another thing in, does not work for me.

Jim: We do not want to held the bill up, just make it richer. (1.04.18) (1.08.30-end of testimony)

Sen. Kristin Roers: What is the difference between AT & T network and First Net network? Are they built off of the same coverage?

Jim: Main difference to First Net is all LT carriers have a core which is the brains and runs it. First Net contracts with AT & T to build a dedicated core. That core gives first responders priority and preemption on any radio out there. No matter what the coverage is, that fuirst responder gets through above any other citizen. With the First Net contracts comes billions to expand and build coverage. The springboard is AT &T commercial coverage. The federal government is paying for cell sites to be built in N.D. There will be AT & T spectrum and First Net spectrum on there.

Sen. Kristin Roers: I feel this is coming a bit late to the process. Were you involved in the RFP process?

Jim: Yes, kind of late to the dance impression, I know. We did not formally respond to the RFP. The RFP was written for an LMR provider. We are not an LMR provider. We submitted a proposal to the governor that was outside the requirements of the LMR. We are not asking to be added to the RFP. We want to make sure that the SCIC uses this as a spring board into LTE and advancing in N.D.

Sen. Kristin Roers: I was part of picking the mobile devices when our new hospital in Fargo was being built. We struggled why we still needed pagers. You have to have the one you know will work every day.

Jim: Completely agree with you. Cellular technology does not go through 3 feet of concrete 5 levels below ground, yet. When you have a global ecosystem that is solving a problem at a market level. Instead of having one company only and having many options, the mission critical standards are being issued. It has to work or public safety will not use it. It is being built to those standards.

Chairman Davison: Any more in support? Agency?

Todd Steinwand, Band of N.D.: I am neutral on this. Our role is to ensure that the financing is appropriate. We do support the amendments. We like the $40 million put in. This is probably a five year projects and it gives us flexibility. We want the project to go through. Any questions?

Chairman Davison: Any opposition to the bill?

Sen. Kristin Roers: Could Duane come back up? After the conversation about the First Net integration, can you tell us that it would add to the cost or do you need the permissive language in there?

Duane Schell, ITD: We were very much aware of the First Net initiative. I personally was the state's representative on a nationwide perspective as that initiative went forward. We believe we have address it in the procurement process. We have the technology incorporated in the package. We believe it is addressed in the contract. (19.24)

Chairman Davison: The hearing is closed. (1.19.31)

2019 SENATE STANDING COMMITTEE MINUTES

Government and Veterans Affairs Committee
Sheyenne River Room, State Capitol

HB1435
3/15/2019
#33803

☐ Subcommittee
☐ Conference Committee

Committee Clerk: Pam Dever

Explanation or reason for introduction of bill/resolution:
Relating to the governance, purchase, financing, & operation of the statewide interoperable radio network; provide for a legislative management study; provide an appropriation; declare an emergency.

Minutes:

Chairman Davison: Look at HB1435. Heard this yesterday.

Sen. Erin Oban: I asked during the hearing about adding the state health officer. If we are expanding that group, you will notice that there are directors of divisions. I feel it would make more sense to have the director of Homeland Security on it. A parallel would be emergency preparedness in Dept. of Health. The Dept. of Environmental Quality is now separate as of last session, so they should be on the list.

Chairman Davison: This bill is going to conference committee. I am wide open on the list. Maybe we can adopt the amendment and vote next week?

Sen. Erin Oban: If we get a clean amendment that is better. I don't like to amend the amendment. I would replace the state health officer with the emergency preparedness.

Chairman Davison: Does the state health officer oversee that position.

Sen. Erin Oban: Yes.

Chairman Davison: Let's take the state health officer out of this. If I find someone way smarter than me, I immediately want them on my committee.

Sen. Erin Oban: The way it is listed currently in the language, is the director of the division of homeland security instead of the head of the department of emergency services. (4.38) That is Cody Schulz right now. But he is not the head of emergency services.

Sen. Kristin Roers: I think when you are talking about an actual emergency and utilizing the radio system, the health officer might make more sense because it may be medical. For

designing the system, I agree that Dr. Glaut makes more sense. This would stay in place after, too.

Chairman Davison: It would depend on what the topic is. Someone else may be better able, so hence the word 'designee' in Code.

Sen. Erin Oban: I really think DEQ needs to be in there. (6.44) They are now two difference agencies.

Chairman Davison: We will send this to appropriations with $40 million attached to it.

Sen. Kristin Roers: We had another proposed amendment by AT & T. Look at yesterday's testimony. I feel that language is unnecessary after listening in the hearing and talking to people after the hearing. The project was designed this way already. I am not concerned with this. I don't think it needs permissive language in the bill.

Sen. Erin Oban: Did Duane say it was already outlines in the RFP? I don't like to name specific in Code. Why would we name First Net in Code? I would remove the words like that employed like 'First Net'. (10.41)

Chairman Davison: You have to trust that ITD has the best interest of everyone involved. You can bridge some of the other equipment even if you have all Motorola towers, etc. I looked this over later and asked if we really need the line of credit in there. Sen. Cook said it was to make sure the counties know we are all in on this. That piece was important to the process that evolved over all these years for the counties. We will take this up next Thursday.

(13.59) done

2019 SENATE STANDING COMMITTEE MINUTES

Government and Veterans Affairs Committee
Sheyenne River Room, State Capitol

HB1435
3/21/2019
#34097
(3.13-7.09)
☐ Subcommittee
☐ Conference Committee

Committee Clerk: Pam Dever

Explanation or reason for introduction of bill/resolution:

Relating to the governance, purchase, financing, and operation of the statewide interoperable radio network; provide for a study; provide an appropriation; declare an emergency.

Minutes: Begin (3.13)

Chairman Davison: We adopted the amendment last week.

Sen. Erin Oban: I did call Dave Glatt from Environmental Quality and asked if he should have a lace on the list. He said 'no'. (3.58)

Chairman Davison: The amendment update page 2, line 19, and adds a couple members. It adds the $40 million back in. This is part of the state's portion. The $.50 fee is from cell fees. This will go to conference committee. I like the amendments. Sen. Holmberg said to send it down with amendments.

Sen. Kristin Roers: I move amendment 19.0656.05001. **Sen. Erin Oban**: I second.

Chairman Davison: Discussion? Take roll: **YES -- 7 NO -- 0 -0-absent.**

Sen. Kristin Roers: I move DO PASS as amended & refer to appropriations.
Sen. Oban: I second.

Chairman Davison: Take roll: **YES -- 7 NO -- 0 -0-absent. HB1435 PASSED**.
Chairman Davison will carry the bill.

SK 1/31

19.0656.05001
Title.06000

Prepared by the Legislative Council staff for
Representative Bosch
March 13, 2019

PROPOSED AMENDMENTS TO REENGROSSED HOUSE BILL NO. 1435

Page 2, overstrike line 17

Page 2, line 19, after "management" insert: ";

r. The director of the game and fish department or a designee; and

s. The state health officer or a designee"

Page 3, line 16, remove "and"

Page 3, line 18, after "management" insert: ";

r. The director of the game and fish department or a designee; and

s. The state health officer or a designee"

Page 4, line 4, overstrike "radio"

Page 4, line 4, after "~~systems~~" insert "personal and vehicular radios"

Page 4, line 23, remove "consider"

Page 4, line 24, replace "studying" with "study"

Page 4, line 28, after "**CREDIT**" insert "**- APPROPRIATION**"

Page 4, line 29, replace "$120,000,000" with "$80,000,000"

Page 5, line 1, remove "over a period not to exceed thirty years from the date of issuance of the line of"

Page 5, line 2, remove "credit"

Page 5, line 5, after "appropriated" insert "out of any moneys in the strategic investment and improvements fund, not otherwise appropriated, the sum of $40,000,000, and"

Page 5, line 6, replace "$120,000,000" with "$80,000,000"

Page 5, line 6, replace the second "sum" with "sums"

Renumber accordingly

3-21-19
Date:
Roll Call Vote #: 1

2019 SENATE STANDING COMMITTEE
ROLL CALL VOTES
BILL/RESOLUTION NO. HB 1435

Senate Government and Veterans Affairs Committee

☐ Subcommittee

Amendment LC# or Description: 19.0656.05001

Recommendation: ☑ Adopt Amendment
☐ Do Pass ☐ Do Not Pass ☐ Without Committee Recommendation
☐ As Amended ☐ Rerefer to Appropriations
☐ Place on Consent Calendar

Other Actions: ☐ Reconsider ☐ _____

Motion Made By Sen. Roers Seconded By Sen. Oban

Senators	Yes	No	Senators	Yes	No
Chairman Davison	✓		Senator Marcellais	✓	
Vice Chairman Meyer	✓		Senator Oban	✓	
Senator Elkin	✓				
Senator Roers	✓				
Senator Vedaa	✓				

Total (Yes) 7 No 0

Absent -0-

Floor Assignment _____

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

Amend passed

Date: 3-21-19
Roll Call Vote #: 2

2019 SENATE STANDING COMMITTEE
ROLL CALL VOTES
BILL/RESOLUTION NO. HB 1435

Senate Government and Veterans Affairs Committee

☐ Subcommittee

Amendment LC# or Description: 19.0652.05201

Recommendation: ☐ Adopt Amendment
☑ Do Pass ☐ Do Not Pass ☐ Without Committee Recommendation
☑ As Amended ☑ Rerefer to Appropriations
☐ Place on Consent Calendar

Other Actions: ☐ Reconsider ☐ _____

Motion Made By Sen. Roers Seconded By Sen. Oban

Senators	Yes	No	Senators	Yes	No
Chairman Davison	/		Senator Marcellais	/	
Vice Chairman Meyer	/		Senator Oban	/	
Senator Elkin	/				
Senator Roers	/				
Senator Vedaa	/				

Total (Yes) 7 No 0

Absent -0-

Floor Assignment Sen. Davison

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

REPORT OF STANDING COMMITTEE

HB 1435, as reengrossed: Government and Veterans Affairs Committee (Sen. Davison, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** and **BE REREFERRED** to the **Appropriations Committee** (7 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). Reengrossed HB 1435 was placed on the Sixth order on the calendar.

Page 2, overstrike line 17

Page 2, line 19, after "management" insert: ";

r. The director of the game and fish department or a designee; and

s. The state health officer or a designee"

Page 3, line 16, remove "and"

Page 3, line 18, after "management" insert: ";

r. The director of the game and fish department or a designee; and

s. The state health officer or a designee"

Page 4, line 4, overstrike "radio"

Page 4, line 4, after "~~systems~~" insert "personal and vehicular radios"

Page 4, line 23, remove "consider"

Page 4, line 24, replace "studying" with "study"

Page 4, line 28, after "**CREDIT**" insert "**- APPROPRIATION**"

Page 4, line 29, replace "$120,000,000" with "$80,000,000"

Page 5, line 1, remove "over a period not to exceed thirty years from the date of issuance of the line of"

Page 5, line 2, remove "credit"

Page 5, line 5, after "appropriated" insert "out of any moneys in the strategic investment and improvements fund, not otherwise appropriated, the sum of $40,000,000, and"

Page 5, line 6, replace "$120,000,000" with "$80,000,000"

Page 5, line 6, replace the second "sum" with "sums"

Renumber accordingly

2019 SENATE APPROPRIATIONS

HB 1435

2019 SENATE STANDING COMMITTEE MINUTES

Appropriations Committee
Harvest Room, State Capitol

HB 1435
3/29/2019
Job # 34371

☐ Subcommittee
☐ Conference Committee

Committee Clerk: Rose Laning / Marne Johnson

Explanation or reason for introduction of bill/resolution:

Relating to the governance, purchase, financing, and operation of the statewide interoperable radio network.

Minutes: Testimony # 1 - 7

Legislative Council: Adam Mathiak & Levi Kinnischtzke
OMB: Becky Keller & Larry Martin

Chairman Holmberg called the committee to order on HB 1435. The concept has been around, but the legislature hasn't stepped up.

(1:20-10:15) Representative Glenn Bosch, Bill Sponsor, District 30, Bismarck, ND
HB 1435 - testimony of Glenn Bosch - Attached # 1.

Chairman Holmberg: Your expertise on this bill precedes you into the room, last time, the legislature determined that we were not going to proceed like folks wanted to. When one looks at the status of the budget today, we are not broke; this bill is moving along.

Senator Dever: The $86 million that is the responsibility of local jurisdictions, is that already in place?

Representative Bosch: This has been a problem for many years. They've been working on plans to have the funding available for them to move forward. Many of the systems they have right now are at end of life, they've been keeping it together with baling wire, shoestrings and secondhand parts. They have been ready for years; they are waiting for us to move forward.

Chairman Holmberg: If the legislature doesn't go forward, some of these users would have to go forward on their own and then not have an integrated system. Which is less than ideal, do you agree?

Representative Bosch: That's exactly right. We saw that happen in Fargo, they moved forward. They system they have purchased and this system would integrate. That's a risk that we face if we don't move forward and show a commitment to the whole project, we'll end up with a newer version of the patchwork system that we have right now.

Senator Mathern: Does this bill authorize any credit to some of these places that are moving forward, for their initiative for moving forward or do they pay twice?

Representative Bosch: To my knowledge the only one who has moved forward at this point is Fargo. By and large the equipment that they have purchased would have been part of their $86 million responsibility already. They haven't paid twice, they haven't really bought their radios, so they would be able to utilize their $1500 share on the radios. The consoles that they have purchased would have been their responsibility anyways.

Chairman Holmberg: They haven't purchased a bunch of assets that will be stranded if we went forward?

Representative Bosch: There may be some tower work that they have done that possibly could have been part of this bill.

Chairman Holmberg: In HB 1018, the BVLOS (Beyond Visual Line of Sight) program, which has $28 million in it. One of the things they are doing is putting out some tower kind of things. Is there anything in this bill that would preclude these folks working with them if there was a tower they needed to finish their system?

Representative Bosch: The fortunate thing is ITD would manage both of these projects, and we hope to find towers that could do double duty.

Senator Robinson: The timing is overdue. We've been talking about this for years. We found out in the DAPL situation that our systems were not friendly, they were very problematic. The baling wire is not an exaggeration. We are long overdue I hope we can move forward this session. Thank you for your leadership.

Statewide Interoperable Radio Network (SIRN)

Duane Schell, Chief Technology Officer, Information Technology Department (ITD); Statewide Interoperability Executive Committee (SIEC) member
Testimony of Duane Schell in support of HB 1435 – Attached # 2.

Duane Schell: Chairman Holmberg had referenced the BVLOS. We're a little bit ahead with the SIRN project. We have a fairly good idea of the tower locations; we have a proposed plan for those locations as that other initiative moves forward, as the RF (Radio Frequency) design for that particular project moves forward, we would be very much interested in reusing any and all assets we can secure for both projects.

(18:20-29:10) Jason Stugelmeyer, Deputy Chief, Bismarck Police Department
Support of SIRN Funding - testimony in support of HB 1435 - Attached # 3.

Senator Bekkedahl: What about the private entities like ambulances? How do they fit into this system? They have to purchase their own or not allowed into this system?

Jason Stugelmeyer: I'm certain they'll be included, but I don't know logistically how that is going to work.

Donnell Preskey, North Dakota Association of Counties (NDACo)
HB 1435 – SIRN Funding testimony in support of HB 1435 – Attached # 4.
Call To Action brochure – Attached # 5.
Letters of support from: Gary Lorenz, Fire Chief, Grand Forks, ND – Attached # 6
Chad Peterson, Vice-Chairman, Cass County Commission – attached # 7.
I want to draw your attention to the number of public safety associations that have been working together on this this session. I have worked very closely with a lot of them.
Cass County did put it to a vote in October to increase a tax to pay for the radio network, they feel strongly that they needed to get moving on this, they could not wait any longer. They have put money in their budget, they estimate that their cost for their system will be $14 million.

Senator Robinson: Moved a Do Pass on HB 1435.
Senator Wanzek: Seconded the motion.

A Roll Call Vote Was Taken: 14 yeas, 0 nays, 0 absent.
Motion carried.

The bill goes back to the GVA committee and **Senator Davison** will carry the bill.

Chairman Holmberg closed the hearing on HB 3471.

Date: 3-29-19

Roll Call Vote #: 1

2019 SENATE STANDING COMMITTEE
ROLL CALL VOTES
BILL/RESOLUTION NO. 1435

Senate Appropriations Committee

☐ Subcommittee

Amendment LC# or Description: _____

Recommendation: ☐ Adopt Amendment
☒ Do Pass ☐ Do Not Pass ☐ Without Committee Recommendation
☐ As Amended ☐ Rerefer to Appropriations
☐ Place on Consent Calendar

Other Actions: ☐ Reconsider ☐ _____

Motion Made By Robinson Seconded By Wanzek

Senators	Yes	No	Senators	Yes	No
Senator Holmberg	✓		Senator Mathern	✓	
Senator Krebsbach	✓		Senator Grabinger	✓	
Senator Wanzek	✓		Senator Robinson	✓	
Senator Erbele	✓				
Senator Poolman	✓				
Senator Bekkedahl	✓				
Senator G. Lee	✓				
Senator Dever	✓				
Senator Sorvaag	✓				
Senator Oehlke	✓				
Senator Hogue	✓				

Total (Yes) 14 No 0

Absent 0

Floor Assignment Sen Davison & VA

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

REPORT OF STANDING COMMITTEE

HB 1435, as reengrossed and amended: Appropriations Committee (Sen. Holmberg, Chairman) recommends **DO PASS** (14 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). Reengrossed HB 1435, as amended, was placed on the Fourteenth order on the calendar.

2019 CONFERENCE COMMITTEE

HB 1435

2019 HOUSE STANDING COMMITTEE MINUTES

Government and Veterans Affairs Committee
Fort Union Room, State Capitol

HB 1435
4/12/2019
34723

☐ Subcommittee
☒ Conference Committee

Committee Clerk: Carmen Hart

Explanation or reason for introduction of bill/resolution:

Relating to the governance, purchase, financing, and operation of the state radio broadcasting system; to provide for a legislative management study; to provide an appropriation; and to declare an emergency

Minutes:

Chairman Kasper opened the conference committee meeting on HB 1435. Others present were Rep. B. Koppelman, Brandenburg, Senators Davison, K. Roers, and Oban. HB 1435 deals with the interoperable system that has been worked on for approximately 10 years in the state of North Dakota. We are trying to get to the point where we can provide the public safety that our first responders need to be able to do their jobs properly and communicate with each other in a manner that works. When the house GVA committee originally passed the bill, it was with a funding level that included $80 million of loan from the Bank of North Dakota and $40 million direct appropriation for a total of $120 million of funding. When the house appropriations committee reviewed it, they put the full $120 million into a loan. Not being able to amend on the floor of the house, we ended up passing the bill to the senate. I believe the senate amended the bill back to its original form of a $40 million appropriation and a $80 million loan.

Chairman Davison: We thought your idea was a good one. As you can see from the senate side, we passed it out of GVA at 7-0 and passed it 47-0 on the senate floor. The bill has a lot of support in the senate and support from the counties, etc. It has been a journey in the last 10 years, and people are ready to see it move forward. The senate is very comfortable where the bill is at.

Rep. Brandenburg: The $40 million cost for me right now is kind of some heartburn. It is not necessarily that I am against it being done, but there are a lot of bills and wants out there. There is about $850 million we have to dig up before we leave this session. Yes, it looks like we could have a forecast to add a little bit more, but I would like to have some other things come together before I support the $40 million coming out of SIIF (Strategic Investment and Improvement Fund). I am not ready today, but I am not saying I won't do it in the future.

Senator K. Roers: One of the conversations that we had was that the debt to income ratio is actually not workable with $120 million as a loan, and so we do need that $40 million to make this essentially a valid loan.

Rep. Brandenburg: I know that, but at this time there is a whole lot of bills out there with a whole lot of money in them. We are going to have to make some decisions as to which one is important. This is important too. Once we say yes, here is $40 million. She is committed. At this point, I just am not ready to say it.

Chairman Kasper: You would say that this bill does not have legislative intent? It has legislative finality?

Rep. Brandenburg: I am just trying not to get myself in trouble. We have to work out a few other details.

Rep. B. Koppelman: I fully support the project. I understand that with the way this was brought to the legislature, it was kind of counting on the grant funds. I feel like I don't know the whole picture on the SIIF fund at the moment. I think I will ultimately support it, but I don't know if I am quite ready to make a motion today.

Chairman Kasper: We can ask for a motion and see what happens, or we can ask Rep. Brandenburg to go and find out where the SIIF is at and give us real details.

Rep. Brandenburg: Hopefully, by next week we will have a better handle on where we are going.

Senator Oban moved to adjourn.

Senator K. Roers seconded the motion.

The meeting was adjourned until next week.

2019 HOUSE STANDING COMMITTEE MINUTES

Government and Veterans Affairs Committee
Fort Union Room, State Capitol

HB 1435
4/17/2019
34796

☐ Subcommittee
☒ Conference Committee

Committee Clerk: Carmen Hart

Explanation or reason for introduction of bill/resolution:

Relating to the governance, purchase, financing, and operation of the state radio broadcasting system; to provide for a legislative management study; to provide an appropriation; and to declare an emergency

Minutes: Attachment 1-2

Chairman Kasper opened the conference committee meeting on HB 1435. Others present were Rep. B. Koppelman, Brandenburg, Senators Davison, K. Roers, and Oban. An amendment (19.0656.05003) was handed out. Attachment 1. Both house and senate leadership approved of this amendment. The amendment works on bill 05000 (Attachment 2). This amendment reduces the Bank of ND line of credit for the statewide interoperable radio network from $120 million to $80 million and provides $20 million from the strategic investment and improvement fund and $20 million from the Bank of ND profits.

Rep. B. Koppelman: I think this is a reasonable compromise. All it does is change where the money comes from, but it gives the bill sponsor and those behind this effort what they need to build this network. **I would move that the senate recede from senate amendments and further amend this bill with the amendments numbered 5003.**

Rep. Brandenburg seconded the motion.

A roll call vote was taken. 6-0, 0 absent.

Chairman Kasper: Hopefully, both chambers will agree, and we will have a radio system that we can finally build in the state of North Dakota to help our first responders, police officers, highway patrol, etc. to be able to communicate safely and properly the way they need to. Thank you, committee, for your patience and efforts.

Rep. Brandenburg: I also say thank you for the committee and to the senators too for being patient until we worked through this process.

The meeting was adjourned.

DP 9/17/19

19.0656.05003
Title.07000

Prepared by the Legislative Council staff for
Representative Delzer
April 16, 2019

PROPOSED AMENDMENTS TO REENGROSSED HOUSE BILL NO. 1435

That the Senate recede from its amendments as printed on pages 1420 and 1421 of the House Journal and pages 1051 and 1052 of the Senate Journal and that Reengrossed House Bill No. 1435 be amended as follows:

Page 1, line 4, after the third semicolon insert "to provide for a transfer;"

Page 4, line 29, replace "$120,000,000" with "$80,000,000"

Page 5, line 1, replace "thirty" with "twenty"

Page 5, after line 4, insert:

"**SECTION 7. TRANSFER - BANK OF NORTH DAKOTA PROFITS - STATEWIDE INTEROPERABLE RADIO NETWORK FUND.** The industrial commission shall transfer the sum of $20,000,000 from the current earnings and accumulated undivided profits of the Bank of North Dakota to the statewide interoperable radio network fund, during the period beginning with the effective date of this Act, and ending June 30, 2021."

Page 5, line 5, after "appropriated" insert "out of any moneys in the strategic investment and improvements fund, not otherwise appropriated, the sum of $20,000,000, out of any moneys in the statewide interoperable radio network fund, not otherwise appropriated, the sum of $20,000,000, and"

Page 5, line 6, replace "$120,000,000" with "$80,000,000"

Page 5, line 6, replace the second "sum" with "sums"

Page 5, line 8, replace "biennium beginning July 1, 2019" with "period beginning with the effective date of this Act"

Page 5, line 9, replace "Section 6" with "Sections 6, 7, and 8"

Page 5, line 9, replace "is" with "are"

Renumber accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

This amendment reduces the Bank of North Dakota line of credit for the statewide interoperable radio network from $120 million to $80 million and provides $20 million from the strategic investment and improvements fund and $20 million from Bank of North Dakota profits.

Date: 4-17-19
Roll Call Vote #: 7

2019 HOUSE CONFERENCE COMMITTEE
ROLL CALL VOTES

BILL/RESOLUTION NO. 1435 as (re) engrossed

House Government and Veterans' Affairs Committee

Action Taken

- ☐ **HOUSE accede to Senate Amendments**
- ☐ **HOUSE accede to Senate Amendments and further amend**
- ☐ **SENATE recede from Senate amendments**
- ☒ **SENATE recede from Senate amendments and amend as follows**

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

Motion Made by: Rep. B Koppelman Seconded by: Rep. Brandenburg

Representatives	4/11/2	4/11/7		Yes	No	Senators	4/11/2	4/11/7		Yes	No
Chairman Kasper	X	X		X		Chairman Davison	X	X		X	
Rep. B. Koppelman	X	X		X		Senator K. Roers	X	X		X	
Rep. Brandenburg	X	X		X		Senator Oban	X	X		X	
Total Rep. Vote						Total Senate Vote					

Vote Count Yes: 6 No: 0 Absent: 0

House Carrier Chairman Kasper Senate Carrier Chairman Dawson

LC Number 19.0656 . 05003 of amendment

LC Number 19.0656 . 07000 of engrossment

Emergency clause added or deleted

Statement of purpose of amendment

Insert LC: 19.0656.05003
House Carrier: Kasper
Senate Carrier: Davison

REPORT OF CONFERENCE COMMITTEE

HB 1435, as reengrossed: Your conference committee (Sens. Davison, K. Roers, Oban and Reps. Kasper, B. Koppelman, Brandenburg) recommends that the **SENATE RECEDE** from the Senate amendments as printed on HJ pages 1420-1421, adopt amendments as follows, and place HB 1435 on the Seventh order:

That the Senate recede from its amendments as printed on pages 1420 and 1421 of the House Journal and pages 1051 and 1052 of the Senate Journal and that Reengrossed House Bill No. 1435 be amended as follows:

Page 1, line 4, after the third semicolon insert "to provide for a transfer;"

Page 4, line 29, replace "$120,000,000" with "$80,000,000"

Page 5, line 1, replace "thirty" with "twenty"

Page 5, after line 4, insert:

"**SECTION 7. TRANSFER - BANK OF NORTH DAKOTA PROFITS - STATEWIDE INTEROPERABLE RADIO NETWORK FUND.** The industrial commission shall transfer the sum of $20,000,000 from the current earnings and accumulated undivided profits of the Bank of North Dakota to the statewide interoperable radio network fund, during the period beginning with the effective date of this Act, and ending June 30, 2021."

Page 5, line 5, after "appropriated" insert "out of any moneys in the strategic investment and improvements fund, not otherwise appropriated, the sum of $20,000,000, out of any moneys in the statewide interoperable radio network fund, not otherwise appropriated, the sum of $20,000,000, and"

Page 5, line 6, replace "$120,000,000" with "$80,000,000"

Page 5, line 6, replace the second "sum" with "sums"

Page 5, line 8, replace "biennium beginning July 1, 2019" with "period beginning with the effective date of this Act"

Page 5, line 9, replace "Section 6" with "Sections 6, 7, and 8"

Page 5, line 9, replace "is" with "are"

Renumber accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

This amendment reduces the Bank of North Dakota line of credit for the statewide interoperable radio network from $120 million to $80 million and provides $20 million from the strategic investment and improvements fund and $20 million from Bank of North Dakota profits.

Reengrossed HB 1435 was placed on the Seventh order of business on the calendar.

2017 TESTIMONY

HB 1435

#1
HB 1435
2-7-19

HB-1435

Chairman Kasper and members of the GVA committee, my name is Glenn Bosch, Representative from District 30 Bismarck. I'm here this morning to introduce HB1435.

Today, Public safety communications systems in the State of North Dakota are at a critical juncture. The State's current mission critical networks are comprised of a patchwork of dozens of aging and disparate systems that have not kept pace with the public safety community's evolving needs for increased reliability, performance, and interoperability. Land mobile radios serve as an essential communications tool for over 900 public safety and other public-sector agencies comprised of 20,000 users and devices and 23 Public Safety Answering Points ("PSAP", "Dispatch", or 9-1-1 Call Centers") distributed across all 53 counties and several state agencies. Many of these systems—primarily anchored on 1970s technology, and implemented individually by State, local, and municipal entities over the past three decades—will soon reach the end of their functional lifecycle and, as the vendors begin to sunset old technologies, will no longer be supported by their manufacturers.

Officially established by Governor Jack Dalrymple in 2009 and revised on September 14, 2012 under Executive Order 2012-10, the Statewide Interoperability Executive Committee, or SIEC, was established as a collaboration among representatives from state agencies and responder groups from across North Dakota counties, townships and cities for the purpose of continually improving effective communication between emergency first responders, emergency management personnel and other emergency service providers critical for federal, state and local governments during an emergency.

Then during the 63rd Legislative Assembly, the Legislature codified the work of the SIEC, establishing the Committee as a permanent body under NC 37-17.3-02.1. with a diverse membership under the premise that a statewide integrated radio communication system would more effectively serve the goals of law enforcement and emergency response personnel and thereby better serve the people of North Dakota. In 2014, several member organizations of the SIEC jointly funded a study to explore options and determine whether the State needed to consider changes to mission critical communications.

Based on this initial report, the 64th State Legislature charged "the [North Dakota] Information Technology Department [ITD], under the direction of the SIEC to determine the *feasibility* and *desirability* of implementing a *Statewide Interoperable Radio Network* (or SIRN 20/20) and provide a holistic evolution of the State and Local communications networks into a single integrated statewide solution. The SIRN 20/20 plan was designed to address the demand from population and emergency incident growth, enhance statewide interoperability and other prevailing first-responder safety expectations, and prevent technology obsolescence, all in a cost-effective and timely manner, and under a sustainable and well-governed framework.

After reviewing the study results, the 65th Legislative Assembly drafted and approved legislation authorizing ITD to begin implementation of a statewide interoperable radio network. HB-1178 and SB-2021 provided an appropriation derived from an additional $.50 fee collected on communications connections and loan authorization from the Bank of North Dakota. Based on a combination of the appropriation in SB2021 and the language in HB-1178, ITD was authorized to execute a procurement of $28.7m. To date, other than the cost for the development of the RFP, that money has not been spent and approximately $5m in fees have been collected. The bills also continued to mature the makeup of the SIEC committee, adding three new members, including representatives from the House and Senate as well as adding the ND Indian Affairs Commission to the panel to ensure inclusion across all aspects of North Dakota public safety, planning, procurement, and operations.

#1
HB 1435
2-7-19

Lastly, 1178, required entities operating public-safety answering points to relinquish legal rights to any radio frequencies required for the for the operation of the network.

On November 6th, 2017 an RFP was issued for a system that when completed would provide 95% mobile and 85% portable coverage across North Dakota, including specific coverage for the 112 most populous cities (population over 500 and county seats). Additionally, 20Db coverage (Heavy Industrial Building) would be provided in seven identified urban areas, Bismarck/Mandan, Fargo/West Fargo, Grand Forks, Williston, Minot & Jamestown.

After an extensive procurement process, an intend to award was issued to Motorola Solutions on January 10th, 2019. The award, contingent on funding, was approximately $206m. Generally, the cost can be broken down into three major categories, towers ($97m), subscriber devices (radios, $100m)), and core systems (councils, $9m).

As you can see, HB1435 is the result of nearly a 10-year collaborative effort from the Public Safety community to improve communications among our states First Responders. The bill before you details the Financial, Implementation and Governance of the proposed project.

FINANCIAL

To recap the total project cost is estimated at $206M, Section 7 of the bill provides a $40M appropriation from the strategic investment and improvement fund.

Section 6 provides a $80M line of credit, paid back by the continuation of the $.50 connection fee as detailed in Section 4.

This total, of $120M, funds the required towers, state radio councils, and a $1500 radio cost share outlined in Section 3.

The remaining project costs, approximately $86M, are the responsibility of the local jurisdictions (cities and counties).

IMPLEMENTATION

Section 1 line 9 of the bill establishes ITD as the department responsible for the procurement of the system. ITD has been involved with the entire RFP process, is represented on the SIEC, and has extensive experience in the deployment of large technology projects.

Also, in Section 1, lines 12-14 provides clarity as to the State's responsibility to fund only the required tower infrastructure and the councils used by State Radio.

GOVERNANCE

Section 2 authorizes the SIEC committee to adopt rules regarding the operation of the radio network and adds representatives from the ND Association of Counties and League of Cities to the committee.

Section 3 authorizes ITD to track and audit users of the system. This process will be important as the system is deployed, and ongoing maintenance costs are allocated to the users of the system.

Chairman Kasper and members of the committee, as you can see this bill is final part of a long and thoughtful process, at this point, I'll stand for questions and ask for your support of the bill.

#1
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19.0656.03001
Title.

Prepared by the Legislative Council staff for
Representative Bosch
February 1, 2019

PROPOSED AMENDMENTS TO HOUSE BILL NO. 1435

Page 1, line 3, replace "state" with "statewide interoperable"

Page 1, line 3, remove "broadcasting"

Page 1, line 4, replace "system" with "network"

Page 1, line 9, overstrike "**State**" and insert immediately thereafter "**Statewide interoperable**"

Page 1, line 9, overstrike "**broadcasting system**" and insert immediately thereafter "**network**"

Page 1, line 11, after "a" insert "statewide interoperable"

Page 1, line 11, overstrike "broadcasting"

Page 1, line 12, overstrike "system" and insert immediately thereafter "network"

Page 1, line 17, overstrike "director" and insert immediately thereafter "chief information officer"

Page 1, line 17, overstrike "system" and insert immediately thereafter "statewide interoperable radio network as directed by the statewide interoperability executive committee"

Page 2, line 19, overstrike "The adjutant general shall call and convene the initial meeting."

Page 2, line 20, overstrike "integrated" and insert immediately thereafter "interoperable"

Page 2, line 21, overstrike "system" and insert immediately thereafter "network"

Page 2, line 21, overstrike "a" and insert immediately thereafter "the statewide interoperable"

Page 2, line 21, overstrike "communication"

Page 2, line 22, overstrike "system" and insert immediately thereafter "network"

Page 2, line 24, replace "state" with "statewide interoperable"

Page 2, line 24, replace "broadcasting system" with "network"

Page 3, line 17, overstrike "The adjutant general shall call and convene the initial meeting."

Page 3, line 18, overstrike "integrated" and insert immediately thereafter "interoperable"

Page 3, line 19, overstrike "system" and insert immediately thereafter "network"

Page 3, line 19, overstrike "**a**" and insert immediately thereafter "the statewide interoperable"

Page 3, line 19, overstrike "communication"

Page 3, line 20, overstrike "system" and insert immediately thereafter "network"

Page 3, line 22, replace "state" with "statewide interoperable"

Page 3, line 22, replace "broadcasting system" with "network"

Page 3, line 28, overstrike "or radio systems"

Page 3, line 29, overstrike "state" and insert immediately thereafter "statewide interoperable"

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Page 3, line 29, overstrike "system" and insert immediately thereafter "network"

Page 3, line 29, overstrike "mobile"

Page 3, line 30, overstrike the first "state" and insert immediately thereafter "statewide interoperable"

Page 3, line 30, overstrike "system" and insert immediately thereafter "network"

Page 3, line 30, overstrike "registered with the division of state radio and"

Page 3, line 31, overstrike "assigned a unit number" and insert immediately thereafter "approved by the statewide interoperability executive committee"

Page 3, line 31, overstrike "A one-time fee of ten dollars for registering and assigning unit"

Page 4, overstrike lines 1 and 2

Page 4, line 3, overstrike "numbers annually" and insert immediately thereafter "The chief information officer shall establish a process to register and audit users of the statewide interoperable radio network"

Page 4, line 12, remove "**INTEROPERABLE STATEWIDE**"

Page 4, line 13, replace "**RADIO SYSTEM**" with "**STATEWIDE INTEROPERABLE - RADIO NETWORK**"

Renumber accordingly

#2
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2-7-19

HB 1435 TESTIMONY
HOUSE GOVERNMENT AND VETERANS AFFAIRS
BY: DUANE SCHELL, CHIEF TECHNOLOGY OFFICER
INFORMATION TECHNOLOGY DEPARTMENT (ITD)
FEBRUARY 7, 2019

Mr. Chairman and members of the committee, my name is Duane Schell. I am the Chief Technology Officer at the Information Technology Department (ITD). In addition, I represent the Chief Information Officer on the Statewide Interoperability Executive Committee (SIEC) and I currently serve as the chair of that committee. The purpose of my testimony is to provide you with a high-level overview of the statewide interoperability radio network (SIRN) project as this bill provides both policy and funding that will impact this effort.

The SIRN project is an effort to provide a single, statewide, mission critical voice solution that will meet the demanding needs of the public safety community. This collaborative effort has been evolving for multiple biennium with an objective to resolve significant challenges that currently exist within the current communications systems. The challenges that exist today can be summarized into three broad categories: interoperability, coverage and aging infrastructure.

The first challenge, interoperability, is a term that can be interpreted in many ways. From a public safety communications perspective, interoperability is the ability for public safety officials to be able to communicate effectively and seamlessly across the various disciplines and across jurisdictional boundaries. Existing communications system which are comprised of dozens of disparate and independently managed solutions, leveraging technologies, designs and principles that date back to the 1970s, simply do not provide the effective and seamless communications that the public safety community requires.

The second challenge is coverage. We as citizens expect public safety officials to perform their mission regardless of location no matter how rural and remote the location or how large, complex and hardened the building or structure may be. Existing communications systems simply fall short of the coverage standards and expectations required by the public safety community. Where coverage is insufficient and, in some cases, non-existent, communications are likewise insufficient and sometimes non-existent putting both our public safety officials and the citizens they serve at risk.

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The last challenge is aging infrastructure. Existing public safety communications systems have significant amounts of infrastructure that is at or near its end of life and end of support dates from the various manufacturers. Infrastructure no longer supported by their respective manufacturer, places the system at risk; in jeopardy of being able to maintain the stringent uptime and reliability requirements that are required by a mission critical communications system.

HB 1178 of the 65th legislative assembly provided direction and funding that allowed this initiative to move forward; beginning the process of addressing and solving these challenges. Efforts this biennium include: the expansion and establishment of governance and the execution of a successful procurement. The governance structure builds upon the current SIEC including a subcommittee to support ongoing operations and four regional boards, providing a voice to every 911 jurisdiction. The successful procurement included an extensive, detailed and thorough analysis performed in collaboration with the community, which resulted in a contract with Motorola Solutions that will allow us to move into the next phase and begin solving the challenges previously articulated.

The contract with Motorola Solutions includes a five-year plan that will provide the public safety community with a mission critical voice solution that will meet the detailed requirements of the community and will address the challenges surrounding interoperability, coverage, and aging infrastructure. The capital expense for the entire project is $207.1M. $206M is contained within the contract that includes all the infrastructure, hardware, software and professional service to support the initiative. To provide connectivity for the solution we are estimating $1.1M in network construction. The estimated annual operating expense for the complete solution is between $5M and $10M annually.

This concludes my prepared remarks. I would be happy to answer any questions.

Duane Schell
Chief Technology Officer
Information Technology Department
701.328.4360
dschell@nd.gov

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NDLA, H GVA - Hart, Carmen

From: Schell, Duane M.
Sent: Thursday, February 07, 2019 6:30 PM
To: Kasper, Jim M.; NDLA, H GVA - Hart, Carmen
Subject: HB 1435 - information request
Attachments: SIRN -Portable 2.7.19.jpg; SIRN -Mobile 2.7.19.jpg

Good afternoon Representative Kasper and Ms. Hart,

As requested by the committee, relating to HB 1435, enclosed are the coverage maps for the SIRN project. The two maps represent the mobile and portable coverage for the proposed solution. As was reported, the minimum mobile coverage requirement is 95% and the minimum portable coverage requirement is 85%. You will notice that a statewide view shows extremely good coverage and in order to see the coverage gaps, particularly for mobile coverage, you will need very high resolution and need to zoom in quite a bit. The portable coverage is a little more obvious to identify where some the gaps exist. I would also like to remind the committee actual coverage may change as we enter into project execution and perform detailed analysis. In the event coverage does change in the analysis phase, the minimum requirements do not change.

If I can be of any additional assistance, please do not hesitate to ask.

Best Regards!
Duane

Duane Schell
Chief Technology Officer

701.328.4360 • dschell@nd.gov • www.nd.gov/itd

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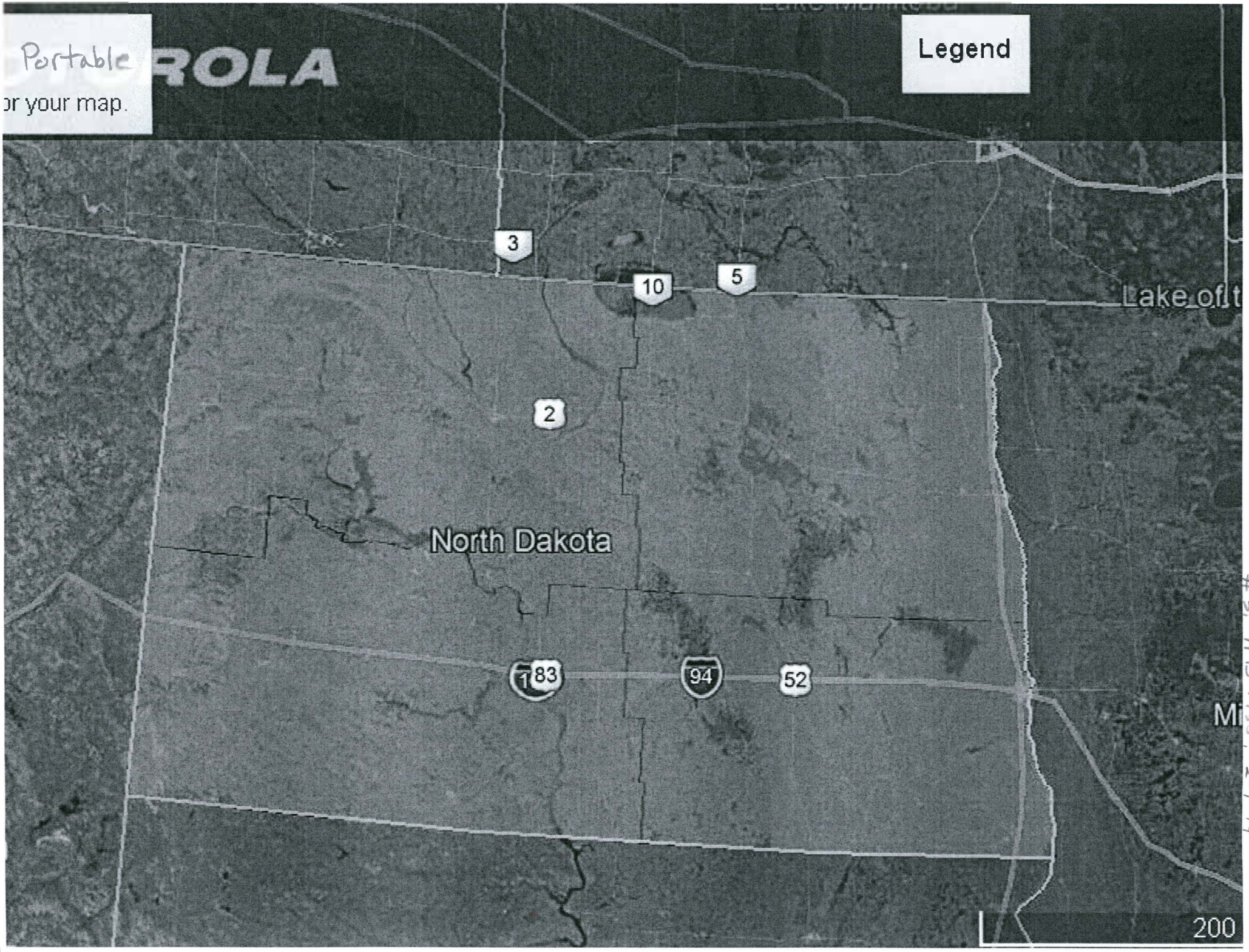

#3, HB 1435, 2-7-19

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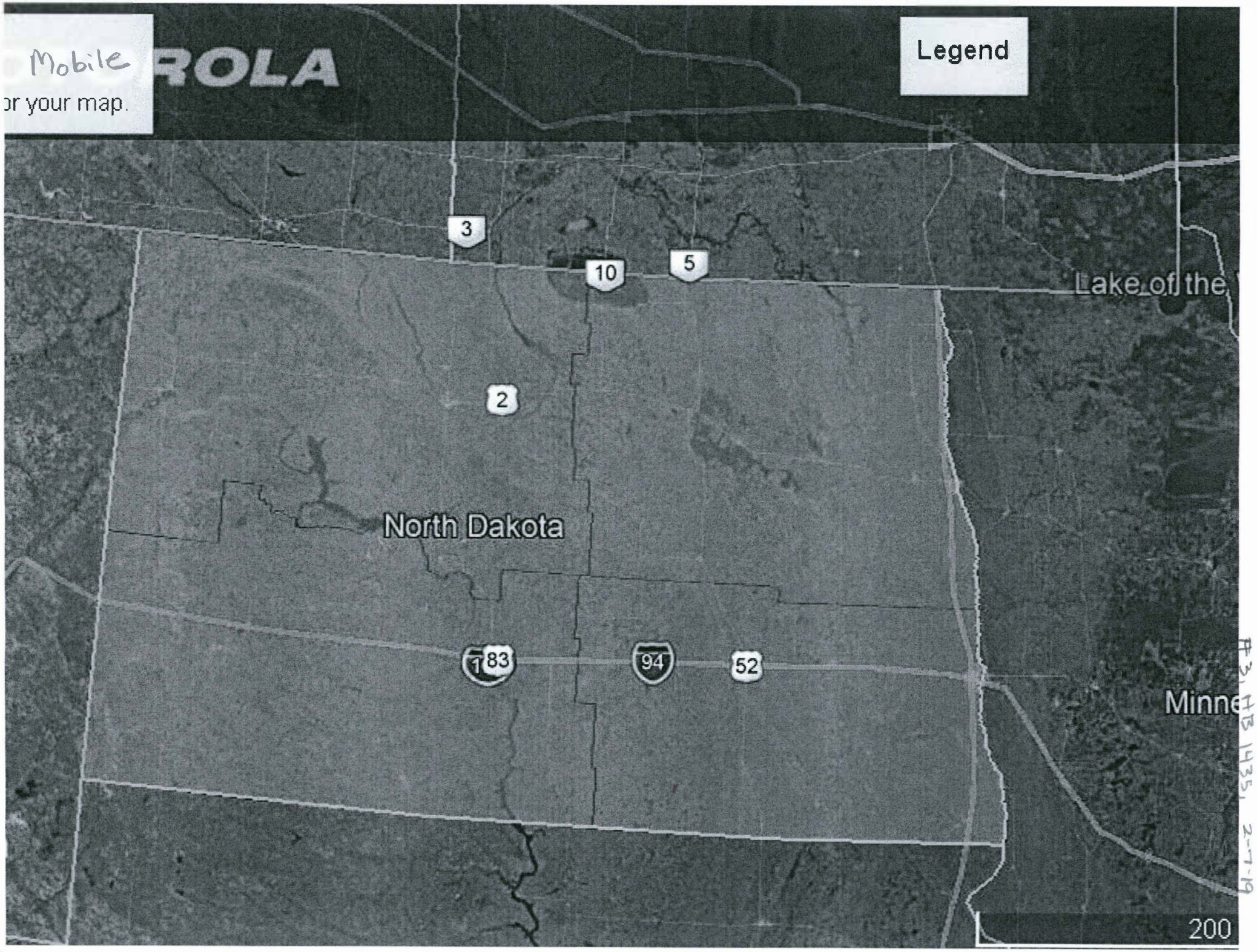

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HB 1435
2-7-19

Testimony on House Bill 1435

House Government and Veterans Affairs

By Gary Lorenz

February 7, 2019

Mr. Chairman and members of the committee, my name is Gary Lorenz, Fire Chief for the City of Grand Forks. I also represent the North Dakota Fire Chief's Association on the State Interoperable Executive Committee (SIEC) where I currently serve as Vice Chair for that committee. I am here today in support of all proposed funding in House Bill 1435 for the State Interoperable Radio Network (SIRN). While there have been significant advancements in technology over the past several decades, the use of land mobile radios by first responders as a primary means of communication has remained constant during this time.

The Grand Forks Fire Department, like many fire departments, has a vast assortment of tools and equipment used to mitigate the numerous types of emergency situations that the fire department is called upon to respond. For example, medical emergencies, vehicle crashes, fires, hazardous material incidents, technical rescue, natural disasters and today, active shooter and other terroristic threats. While many of these incidents require different specialized equipment, there is one vital tool that is used at every one of these events. That is a two-way radio. Effective, consistent, and reliable communications is vital to the day to day operations of the fire department.

I have served as a firefighter, apparatus operator, company officer, and assistant chief and now chief. During my 29 year career, I have responded to thousands of calls. On every one of these calls a two-way radio was used. These radios provided the necessary method to communicate with the dispatch center, between other fire department personnel, and with other agencies. While not every call for service presents a life threatening situation, I have been on calls where I believe the use of a two-way radio likely saved firefighters lives. Two incidents in particular come to mind. One involved a fire in a large apartment complex where after a roof collapse a firefighter became trapped and called a "Mayday" using his two-way radio. Fortunately, the firefighter was not injured. But imagine this firefighter being trapped and not having the ability to call for help. The second incident involved an intentionally set fire in a nightclub in an older building located in center of the downtown area. The fire was initially started on the second floor towards the rear of the building with the use of gasoline. Several fire crews were inside the structure attempting to extinguish the fire when a captain who was working to advance fire hoses into the

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building heard strange noises coming from within the building. Using his portable radio, he made the announcement of "emergency traffic". The purpose of this announcement was to advice personnel on scene to stop and pay attention to the radio. After hearing the "emergency traffic" announcement, two firefighters who were advancing into the first floor stopped to listen to the radio. Before the captain could make the next announcement, a large boiler crashed through the second floor and ended up in the basement. Had these two firefighters not stopped after hearing this announcement, their direction of travel would have put them directly below the boiler. While these two firefighters suffered minor burns from the ensuing flash over, their lives were potentially saved because of the announcement they heard on the two-way radio.

The Grand Forks Fire Department, along with the Devils Lake Fire Department, provides mutual aid regional response to the Northeast quarter of North Dakota for hazardous materials and structural collapse incidents. Currently within the state are dozens, if not hundreds, of independent fragmented radio systems, which presents significant communication challenges between different agencies. The SIRN system that has been vetted and approved by responders from around the state as well as the SIEC, provides the type of agency interoperable communications necessary for these types of mutual aid responses.

Many agencies from around the state are faced with aging radio equipment that has reach the end of its life and is no longer being factory supported. Up to this point, there has been no clear direction for these agencies in regards to what their next radio system should be. In addition, radio communication challenges and the subject of a needed state wide radio network has been a topic during the previous two legislative sessions. Thanks to a tremendous amount of work by a large number of individuals from around state, I believe that the radio network that has been proposed and approved provides a clear path and will deliver effective, reliable and interoperable communications for responders throughout the State of North Dakota for many years. I encourage your support for the SIRN project.

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Prepared for:
House GVA Committee
2/7/16
By: Jason Stugelmeyer, Deputy Chief Bismarck Police Department

RE: HB 1435 – Support of SIRN Funding

My name is Jason Stugelmeyer and I am currently a Deputy Chief with the Bismarck Police Department and we are in support of HB1435.

My department along with fellow officers from around the state have a vested interest in this project. We rely on the radio infrastructure and supplementing portable/mobile radios on a daily basis. Having an antiquated or obsolete radio system is a safety concern for our general public and officers. When this equipment is operational we are able to respond to scenes faster and we are able to communicate information accurately when seconds count. The problem that we are finding is that our equipment is becoming less operational as we are resorting to trying to fix issues that are not being supported by Motorola.

I have some real life examples in which I can testify in front of you today that indicates our communication infrastructure system is in need of repair and or upgrades. As you listen to these examples please be aware that as commanders, we are charged with making sure our field personnel possess the tools they need to keep themselves safe and return to their families at the end of the shift.

I was a field commander during the DAPL protest situation and was in the field nearly every day of the 7 month long protest. There were times we needed to send personnel close to the camp to conduct operations and surveillance. This meant, we had to send officers into an area where there was limited to no cell phone coverage and no radio communications. If they were discovered, they would have no way of contacting headquarters for assistance, and we had no way of knowing if they were ok or not.

This situation was very evident during one operation where we sent officers to block a bridge where hostile actions were taking place. These hostile actions included multiple vehicles being burned on the roadway and bridges, officers being shot at with a pistol, and later in the evening, Molotov cocktails being thrown in their direction. During this operation we learned from our air support that protesters were blocking the roadway with modified spike strips, the same roadway and direction our officers were headed. For several minutes we tried to abort the effort by calling on the land radio to the officers. There was no response because the radio system failed us. By sheer luck, our air support, which we do not have 99.9 percent of the time, was able to contact the officers at what was possibly the last minute, avoiding a catastrophe. **My entire time spent during the DAPL protest was hindered by poor radio communications.**

My previous job in our department was supervising school resource officers. You may or may not have heard about some of the bomb threats and other threats made to our students last year. During some of those threats we were not able to communicate to the SRO that was inside that particular school. So it is disheartening, to say at the least, that we had a real time threat at a school in which a school officer was present, only to find out we could not communicate to him what was happening. **Seconds matter in**

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those type of situations and we lost valuable seconds that day due to the failures in our communications system.

While these situations I have described turned out ok it does show that the system is broke and is in need of urgent repair.

I would also like to explain some of the funding issues we have had over the years. Our special teams rely heavily on homeland security grants that are administered by ND Department of Emergency Services. We have been told for approximately 5 years that they will not fund any communications equipment. Likewise, our City is reluctant to fund any portable or mobile radio systems. The reasons for this make sense. We don't want to invest in something that might not work with the new system or something that could be funded with state and federal funds. It sounds like we are coming close to a resolution on requirements but respectfully ask that this buildout be expedited to help the end users of this system.

Approximately 70% of our radios for the 129 sworn officers at the BPD are obsolete. This means that when a radio breaks there is no support to fix it. We were forced to purchase 3 radios at the price of $13,764. Because we have not been able to replace radios on a rotational basis due to the pause in funding, we are left with a tremendous price tag in one lump sum. These price tags are very hard to swallow for municipalities especially with pricing as high as this equipment is.

The financial impact to our department is:

166 portable radios will have to be replaced in our inventory. ($4,500 each = $747,000 total for portables). 66 mobile radios ($5,150 each = $339,900) The total impact to BPD is approximately $1,086,900. This does not include other city entities such as fire and public works.

By delaying funding for this project, we are just kicking the can down the road at the expense of our citizen's safety. Everyone from all 4 corners of the state will benefit from this project. I believe that if we pass this bill we will be on pace to stop the bleeding so to speak, and hopefully prevent some of the failures I described. I respectfully ask that you fund this project and give HB 1435 a Do Pass Recommendation.

Jason Stugelmeyer
Deputy Chief
Bismarck Police Department
701-223-1212

CenCom

Mandan Bismarck Burleigh

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HB 1435
2-7-19

February 7, 2019
House Government and Veterans Affairs
Honorable Chairman Jim Kasper

HB 1435
Support

Chairman Kasper and members of the House Government and Veterans Affairs, for the record my name is Mike Dannenfelzer, Director of the Central Dakota Communications Center (CenCom). Our Agency provides public safety communications services for the Bismarck/Mandan community, Burleigh County, and the southeast portion of McLean County, including the City of Wilton. I am a member of the Statewide Interoperability Executive Committee (SIEC) representing the ND 911 Association and am here in support of the new Statewide Interoperable Radio Network (SIRN) project and this bill, to ensure its construction and success.

I first testified on this initiative during the 2013 Session to bring awareness to the Legislature that there was an opportunity coming to finally fix an issue with public safety communications in North Dakota. For years, local governments were left to build standalone land mobile radio systems to support public safety. This was due to there being no broader statewide vision to support public safety and ensure the necessary coverage existed for local agencies to adopt and use a single system. With these separate systems, interoperability among agencies is limited, users lose the ability to communicate when they leave their system coverage, and when users need to respond to other areas of the State to assist with critical events (like the recent DAPL protests) it takes many hours, or days, and technical efforts so that they can at least minimally communicate and even then, coverage and resources are limited.

The opportunity I was referring to in 2013 was the coming end-of-support that would hit many of these systems and require simultaneous investments to update segregated systems. It was an opportunity to study the issue and come up with a better solution and a wiser statewide investment. What I'd hoped in 2013 was the coming together of the public safety community to support a

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transition to a new standards-based, Project 25 radio network that would serve the entire State for many years. Since 2013, each interim has been spent studying the issue, educating and building consensus, issuing an RFP, and finally a contract was signed in January of this year. With now broad support, we have the opportunity to build that envisioned, standards-based, interoperable Project 25 solution that will serve this State for the next 25 years.

HB 1435 acknowledges many things that were laid out and recommended through the Televate consulting study discussed during the 2017 Session. It establishes leadership by the State to provide a funding mechanism to ensure full execution of the project, assists local government with a grant program to facilitate adoption, adds additional representation to the SIEC from the North Dakota Association of Counties and League of Cities, and alters some language to reflect the new system and its intent to be a statewide interoperable radio network used by all first responders throughout the State.

Section 5 also acknowledges the desire to further study the overall governance and funding of emergency and interoperable public safety communications systems. As it stands today, there are several committees and boards, some established via legislation and others established via joint powers agreements, to govern different aspects of emergency communications. I think it would help to enlighten the Legislature as to how complex this field is but also assist all of us with looking at newer, innovative ways to cooperate and share information across agencies and jurisdictions, given that appropriate agreements are in place.

Ultimately, HB 1435s most important sections implement a system in North Dakota that is long overdue. We have no more time to study or push this project farther down the road. Our Agency has waited responsibly and patiently on the State with this project while we could have moved ahead years ago on our own. HB 1435 provides clarity, direction and confidence for public safety moving forward and I urge a **DO PASS**.

Thank you and I will answer any questions you may have.

Mike Dannenfelzer
Communications Director
9-1-1 STEPS Chairman
SIEC Member – 911 Association
Dakota NENA President

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

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2-7-19

Testimony Prepared for the
House Government & Veterans Affairs
February 6, 2019
By: Donnell Preskey, NDACo

NDACo
NORTH DAKOTA ASSOCIATION OF COUNTIES

RE: HB 1435 – SIRN Funding

Good morning Chairman Kasper and committee members, I am Donnell Preskey with the North Dakota Association of Counties. First, I would like to draw your attention to the handout that is being distributed. Listed on this document are the numerous associations who stand in support of HB 1435 and the other SIRN funding included in HB 1021. We recognize the urgent need and importance of securing 100% of the funding needed for this project this session. You will hear from several of these coalition members today.

The funding of a statewide interoperable radio system is a top priority of many of our county associations including commissioners, sheriffs and 9-1-1. In fact, we have had a resolution on record supporting the funding of the SIRN project since 2016.

2016-02. Statewide Interoperable Radio Network (SIRN) 20/20. *SIRN 20/20 is a statewide initiative to study and recommend a consensus solution for delivering, integrating, and supporting mission critical interoperable radios systems and training for first responders and the public safety community. North Dakota's first responders have continued to provide a safe environment for the State; however, the current approach to how we utilize land mobile radios has its limits. In order to continually improve service to the public and effectively work together in delivering fire, rescue, law enforcement and aid across the State, we need to transition to an interoperable solution that ensures responders have the means to assist each other and the people of North Dakota regardless of their state, local, or tribal affiliation. This Association supports efforts to design, implement, and appropriately fund a statewide integrated and interoperable mission critical land mobile radio (LMR) network solution assisting public safety personnel in their ability to communicate effectively and reliably while carrying out their duties.*

I first hand, witnessed the failure of our current system while on "loan" to assist Morton County during the Dakota Access Pipeline protest and I can tell you the desperation I heard from the officer on a radio calling out to his guys in the field and hearing nothing was heart-wrenching. It is something our law enforcement nor any of our public safety entities should have to endure. This simple form of communication should be guaranteed to them. I'm asking for you to make that happen. Please support HB 1435.

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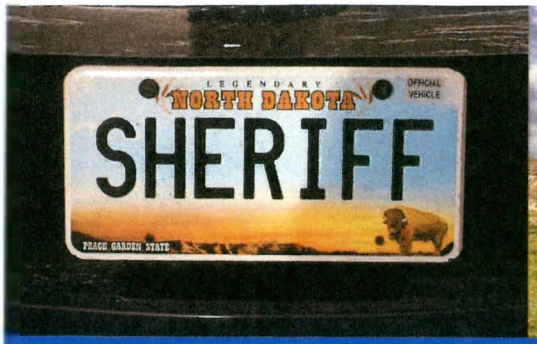

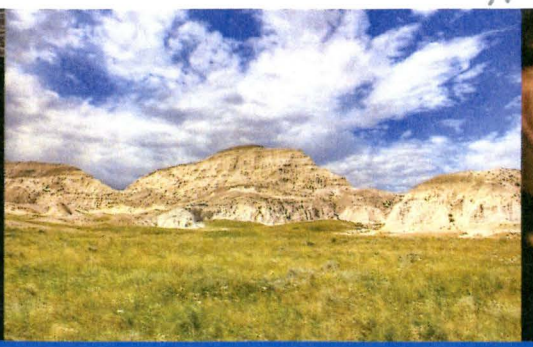

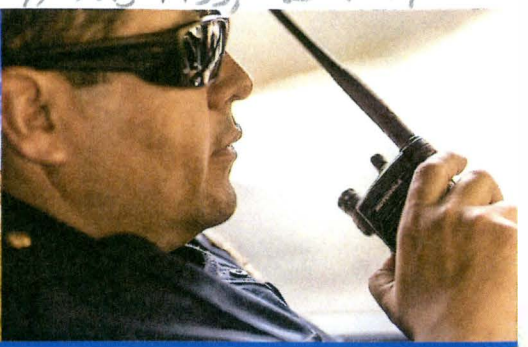

CALL TO ACTION FOR THE STATEWIDE INTEROPERABLE RADIO NETWORK (SIRN)

We the associations listed below, support the critically needed Statewide Interoperable Radio Network (SIRN). Reliable radio communications are the lifeline for the first responders and the citizens they serve. Studies and surveys completed confirmed grave shortcomings in the existing communications systems including:

- **Poor Coverage**
- **Limited Interoperability**
- **Over 40% of Existing Equipment is at End of Repairable Life**
- **Fragmented Disparate Systems**

These issues place first responders and our citizens at risk.

This need has been discussed at the legislature since 2013 when the above studies were authorized and completed in 2014 -2015. In 2015, additional fees were authorized, and the Legislature directed ITD to determine the feasibility of a statewide radio interoperability network. In 2017 partial funding was appropriated, with the intent to begin constructing the SIRN system through HB 1178.

An RFP for the system was released in November of 2017 with contract awarded and signed in January of 2019. The contract provides for a single unified statewide system utilizing Project 25 technology a nationwide public safety standard that can serve all the first responders of North Dakota. Over 40 states/provinces have successfully implemented this type of system including our neighbors of South Dakota, Wyoming, Minnesota, Manitoba, Iowa, Nebraska and Kansas.

The time to finally solve this is now. If funding is not achieved this Session it will continue to put first responders and citizens at risk. Public safety agencies across the state will continue to either patch existing, deficient systems or construct more disparate systems that will further aggravate the existing problems.

Adequate funding resides in HB1021 and HB1435 but BOTH are needed to fund this essential project. If anything less than this funding is achieved, participation from all state and local agencies will not be realized.

We ask for your support for the funding in HB1021 and HB1435 for SIRN.

NDACo NORTH DAKOTA ASSOCIATION OF COUNTIES

BAND broadband association of north dakota

North Dakota 911 Association

North Dakota League of Cities

North Dakota Peace Officers Association

Broadband Association of North Dakota
North Dakota 911 Association
North Dakota Association of Counties
North Dakota Fire Chief's Association
North Dakota League of Cities
North Dakota Peace Officers Association
North Dakota Police Chiefs Association
North Dakota Sheriffs and Deputies Association

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2-7-19

Testimony to the
House Government Affairs Committee
February 7, 2019
Vice Chairman Chad Peterson, Cass County Commission

Regarding: House Bill 1435 – SIRN Funding

Representative Kasper and committee members, I am Chad Peterson, Vice Chairman of the Cass County Commission. As one of my national appointments, I also serve on the National Association of Counties (NACo) Justice and Public Safety Committee. I support House Bill 1435 that would fund SIRN funding.

The problem we all face is this; as of December 2018 the systems we use to keep the public safe are no longer supported technologically. Or worse, new replacements for equipment are not available for purchase should they quit functioning. As an example; as of 2013, the radios our deputies in Cass use were no longer being manufactured. Fourteen of the twenty six dispatch centers are currently being affected by this issue. The systems we have on place need to evolve.

It was over six years ago that we learned the technology we use to ensure the safety of residents and visitors was coming to the end of its useful life. In preparation for this our local public safety leaders, police chiefs, fire chiefs, etc. have been doing their best to plan for this by stockpiling technology to replace items as they fail and further investigating proposed solutions and their associated costs. Meanwhile, over the last three sessions we've asked state leaders to put in place funding for replacement of these systems knowing the overall expense will be cumbersome those large and small. The requests have not been not been fully funded. We are one of only two states not to take action on this. Vermont is the other.

Two and a half years ago, with the support of local government, the Red River Regional Dispatch Center Board of Directors elected to proceed in formal negotiations to join with the Minnesota network called the Allied Radio Matrix for Emergency Response (ARMER). After 18 month of negotiations and review by six levels of administration, the MN ARMER system agreed to the proposal and we joined with them. On October 2018 Cass County decided we could not wait for the state to take action. With +22% of the overall state population and over 30,000 people that commute to work within Cass borders, we decided that there was too much at risk should our systems fail. It will take almost two years to implement all changes and updates required. The total cost of this system will be $14,000,000. This will be paid for by using local property taxes for five years. There was a public vote to use sales tax, but it failed by a narrow margin.

If the state chooses not to act, local political entities will have to resolve the issue piecemeal before systems fail. The end result could involve multiple service providers, varied technologies and increased costs. Interoperability (ease of communications between political subdivisions and private users) could also be troublesome. The total cost of this system throughout North Dakota has been estimated between $150,000,000 and $250,000,000. The costs may be higher or lower depending on technology, conditions of existing infrastructure (i.e. towers) and startup date.

We need to act now and resolve this matter using a statewide solution. I'd be happy to talk more about this any time you wish. Again, I support House Bill 1435 that would fund SIRN.

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ND HOUSE GOVERNMENT AND VETERANS AFFAIRS COMMITTEE
2/7/2019

House Bill No.1435

TO: Chairman Jim Kasper, Government and Veterans Affairs Committee

FROM: Jason Olson, City of Minot - Chief of Police

Thank you for accepting my testimony on behalf of HB 1435. I am in support of this bill and urge your committee to recommend a DO PASS to the house floor.

- CURRENT SITUATION
  - The SIRN radio project, as validated in the previous legislatively mandated study done by Televate, is badly needed by North Dakota emergency responders.
  - Much of the current radio equipment used by emergency responders is out of date or at end of manufacturer support and in need of replacement.
  - The estimated costs of bringing the various systems up to date exceeds the cost of the system proposed in the SIRN project.
  - The current situation is that the radios used by emergency responders are a mix of disparate radio systems that do not talk to each other or have the level of frequency coverage of the proposed SIRN project.
  - If the SIRN project does not become the solution for failing radio systems, agencies across the state will be forced to invest more funding into systems that provide lessor capabilities than what the SIRN project would have provided.
- SOLUTION
  - Rather than have agencies across the state put more money into these out of date systems, it makes sense to build an interoperable and versatile communications network that can serve all first responders with excellent coverage and interoperability.
  - The SIRN project provides flexibility for integration with LTE technology to enhance and/or replace traditional Land/Mobile Radios (LMR) as it evolves while maintaining a very reliable "public safety" grade system going for decades to come across the state.
  - The time to fully fund and support this vital project has arrived. The studies have been done, the RFP was issued and the contract to move forward has been awarded.
  - Moving forward with a fully funded project will give certainty to many agencies who are in limbo with their current radio systems and serve to maximize participation and adoption by responders across the state.
  - The citizens will be well-served by making sure that emergency responders are equipped with state of the art, reliable communications which are so vital in carrying out their duties.

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numbers must be paid to the director on all newly added radios by the appropriate governmental entity. Agencies with registered radios must validate assigned unit numbers annually.

2. The information technology department may provide a state cost-share for each radio purchased under this section. The state cost-share for each radio is one thousand five hundred dollars unless the cost of the radio is less than one thousand five hundred dollars in which case the state cost-share is the cost of the radio.

SECTION 4. AMENDMENT. Section 10 of chapter 247 of the 2017 Session Laws is amended and reenacted as follows:

SECTION 10. EXPIRATION DATE. ~~This~~Sections 3, 6, 7, 8, and 9 of this Act ~~is~~are effective through July 31, 2023, and after that date ~~is~~are ineffective.

SECTION 5. LEGISLATIVE MANAGEMENT STUDY - INTEROPERABLE STATEWIDE RADIO SYSTEM. During the 2019-20 interim, the legislative management shall consider studying consolidated emergency and interoperable public safety communications system governance and funding options. The legislative management shall report its findings and recommendations, together with any legislation required to implement the recommendations, to the sixty-seventh legislative assembly.

SECTION 6. LINE OF CREDIT - APPROPRIATION. The Bank of North Dakota shall extend a line of credit not to exceed $80,000,000 at ~~a rate of one and one-half percent over the three month London interbank offered rate, but may not exceed three percent, to the information technology department~~ the prevailing interest rate charged to North Dakota governmental entities. The information technology department shall repay the line of credit from funds available in the statewide interoperable radio network fund or other funds, as appropriated by the legislative assembly. The information technology department may access the line of credit, as necessary, to provide funding as authorized by the legislative assembly for statewide interoperable radio network projects.

SECTION 7. APPROPRIATION. There is appropriated out of any moneys in the strategic investment and improvements fund, not otherwise appropriated, the sum of $40,000,000, or so much of the sum as may be necessary, to the information technology department for the purpose of statewide interoperable radio network projects, for the biennium beginning July 1, 2019, and ending June 30, 2021.

SECTION 8. EMERGENCY. Section 6 of this Act is declared to be an emergency measure.

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HB 1435

Our fiscal staff recommends that we add additional appropriations language to HB 1435 to clarify the line of credit is appropriated to ITD. Specifically, in section 7 of the bill (page 4, line 27), they recommend adding the phrase "and from a Bank of North Dakota line of credit, the sum of $80,000,000," right after the phrase "sum of $40,000,000,".

Thanks,

Claire J. Ness

Counsel

Legislative Council

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HB-1435

Chairman Davison and members of the GVA committee, for the record, I'm Glenn Bosch, Representative from District 30 Bismarck. I'm here today to introduce HB1435 and before I discuss the bill, I'd like to give the committee a brief history of how the bill was developed.

Today, Public safety communications systems in the State of North Dakota are at a critical juncture. The State's current mission critical networks are comprised of a patchwork of dozens of aging and disparate systems that have not kept pace with the public safety community's evolving needs for increased reliability, performance, and interoperability. Land mobile radios serve as an essential communications tool for over 900 public safety and other public-sector agencies comprised of 20,000 users and devices and 23 Public Safety Answering Points ("PSAP", "Dispatch", or 9-1-1 Call Centers") distributed across all 53 counties and several state agencies. Many of these systems implemented individually by State, local, and municipal entities over the past three decades—will soon reach the end of their functional lifecycle and, as the vendors begin to sunset old technologies, will no longer be supported by their manufacturers.

Officially established by Governor Jack Dalrymple in 2009 and revised on September 14, 2012 under Executive Order 2012-10, the Statewide Interoperability Executive Committee, or SIEC, was established as a collaboration among representatives from state agencies and responder groups from across North Dakota counties, townships and cities for the purpose of continually improving effective communication between emergency first responders, emergency management personnel and other emergency service providers critical for federal, state and local governments during an emergency.

Then during the 63rd Legislative Assembly, the Legislature codified the work of the SIEC, establishing the Committee as a permanent body under NC 37-17.3-02.1. with a diverse membership under the premise that a statewide integrated radio communication system would more effectively serve the goals of law enforcement and emergency response personnel and thereby better serve the people of North Dakota. In 2014, several member organizations of the SIEC jointly funded a study to explore options and determine whether the State needed to consider changes to mission critical communications.

Based on this initial report, the 64th State Legislature charged "the [North Dakota] Information Technology Department [ITD], under the direction of the SIEC to determine the *feasibility* and *desirability* of implementing a *Statewide Interoperable Radio Network* (or SIRN 20/20) and provide a holistic evolution of the State and Local communications networks into a single integrated statewide solution. The SIRN 20/20 plan was designed to address the demand from population and emergency incident growth, enhance statewide interoperability and other prevailing first-responder safety expectations, and prevent technology obsolescence, all in a cost-effective and timely manner, and under a sustainable and well-governed framework.

After reviewing the study results, the 65th Legislative Assembly drafted and approved legislation authorizing ITD to begin implementation of a statewide interoperable radio network. HB-1178 and SB-2021 provided an appropriation derived from an additional $.50 fee collected on communications connections and loan authorization from the Bank of North Dakota. Based on a combination of the appropriation in SB2021 and the language in HB-1178, ITD was authorized to execute a procurement of $28.7m. To date, other than the cost for the development of the RFP, that money has not been spent and approximately $5m in fees have been collected. The bills also continued to mature the makeup of the SIEC committee, adding three new members, including representatives from the House and Senate as well as adding the ND Indian Affairs Commission to the panel to ensure inclusion across all aspects of North Dakota public safety, planning, procurement, and operations.

Lastly, 1178, required entities operating public-safety answering points to relinquish legal rights to any radio frequencies required for the for the operation of the network.

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On November 6th, 2017 an RFP was issued for a system that when completed would provide 95% mobile and 85% portable coverage across North Dakota, including specific coverage for the 112 most populous cities (population over 500 and county seats). Additionally, 20Db coverage (Heavy Industrial Building) would be provided in eight identified urban areas, Bismarck/Mandan, Fargo/West Fargo, Grand Forks, Williston, Dickinson, Minot & Jamestown.

After an extensive procurement process, an intend to award was issued to Motorola Solutions on January 10th, 2019. The award, contingent on funding, was approximately $206m. Generally, the cost can be broken down into three major categories, towers ($97m), subscriber devices (radios, $100m)), and core systems (councils, $9m).

As you can see, HB1435 is the result of nearly a 10-year collaborative effort from the Public Safety community to improve communications among our states First Responders. The bill before you details the Financial, Implementation and Governance of the proposed project.

FINANCIAL

To recap the total project cost is estimated at $206M. Section 6 provides a $120M line of credit, paid back by the continuation of the $.50 connection fee as detailed in Section 4.

This $120M, funds the required towers, state radio councils, and a $1,500 radio cost share outlined in Section 3.

The remaining project costs, approximately $86M, are the responsibility of the local jurisdictions (cities and counties).

IMPLEMENTATION

Section 1 line 9 of the bill establishes ITD as the department responsible for the procurement of the system. ITD has been involved with the entire RFP process, is represented on the SIEC, and has extensive experience in the deployment of large technology projects.

Also, in Section 1, lines 12-14 provides clarity as to the State's responsibility to fund only the required tower infrastructure and the councils used by State Radio.

GOVERNANCE

Section 2 authorizes the SIEC committee to adopt rules regarding the operation of the radio network and adds representatives from the ND Association of Counties and League of Cities to the committee.

Section 3 authorizes ITD to track and audit users of the system. This process will be important as the system is deployed, and ongoing maintenance costs are allocated to the users of the system.

Lastly, Section 5 asks legislative management to consider a study the governance and funding of our state's public safety. Clear governance will be more important than ever as we move into a unified infrastructure.

Chairman Davison and members of the committee, as you can see this bill is final part of a long and thoughtful process, at this point, I'll stand for questions and ask for your support of the bill.

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19.0656.05001
Title.

Prepared by the Legislative Council staff for
Representative Bosch
March 13, 2019

PROPOSED AMENDMENTS TO REENGROSSED HOUSE BILL NO. 1435

Page 2, overstrike line 17

Page 2, line 19, after "management" insert: ";

r. The director of the game and fish department or a designee; and

s. The state health officer or a designee"

Page 3, line 16, remove "and"

Page 3, line 18, after "management" insert: ";

r. The director of the game and fish department or a designee; and

s. The state health officer or a designee"

Page 4, line 4, overstrike "radio"

Page 4, line 4, after "~~systems~~" insert "personal and vehicular radios"

Page 4, line 23, remove "consider"

Page 4, line 24, replace "studying" with "study"

Page 4, line 28, after "**CREDIT**" insert "**- APPROPRIATION**"

Page 4, line 29, replace "$120,000,000" with "$80,000,000"

Page 5, line 1, remove "over a period not to exceed thirty years from the date of issuance of the line of"

Page 5, line 2, remove "credit"

Page 5, line 5, after "appropriated" insert "out of any moneys in the strategic investment and improvements fund, not otherwise appropriated, the sum of $40,000,000, and"

Page 5, line 6, replace "$120,000,000" with "$80,000,000"

Page 5, line 6, replace the second "sum" with "sums"

Renumber accordingly

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19.0656.05001

Sixty-sixth
Legislative Assembly
of North Dakota

SECOND ENGROSSMENT

REENGROSSED HOUSE BILL NO. 1435

Bosch

Introduced by

Representatives Bosch, Heinert, Nathe, Porter

Senators Cook, Schaible, Wardner

A BILL for an Act to amend and reenact sections 37-17.3-02, 37-17.3-02.2, and 37-17.3-03 of the North Dakota Century Code, and section 10 of chapter 247 of the 2017 Session Laws, relating to the governance, purchase, financing, and operation of the statewide interoperable radio network; to provide for a legislative management study; to provide an appropriation; and to declare an emergency.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

SECTION 1. AMENDMENT. Section 37-17.3-02 of the North Dakota Century Code is amended and reenacted as follows:

37-17.3-02. ~~State~~Statewide interoperable radio ~~broadcasting system~~network.

The ~~director~~chief information officer of the information technology department may purchase the necessary apparatus and equipment to construct or establish a statewide interoperable radio ~~broadcasting~~ ~~system~~network for this state ~~that~~which enables seamless interoperable communications from local, state, and federal levels. However, the chief information officer may not use state funds including resources from the statewide interoperable radio network fund for dispatch consoles, connectivity, and associated necessary software, equipment, or services to support a public safety answering point unless these items are intended for use by a state agency or state department. The ~~director~~chief information officer is charged with the operation and maintenance of the ~~system~~statewide interoperable radio network as directed by the statewide interoperability executive committee.

SECTION 2. AMENDMENT. Section 37-17.3-02.2 of the North Dakota Century Code is amended and reenacted as follows:

37-17.3-02.2. North Dakota statewide interoperability executive committee. (Effective through July 31, 2023)

1. The statewide interoperability executive committee consists of:

a. The director of state radio or a designee;

b. The director of the division of homeland security or a designee;

c. The superintendent of the highway patrol or a designee;

d. The adjutant general or a designee;

e. The director of the department of transportation or a designee;

f. A representative of the North Dakota sheriff's and deputies association;

g. A representative of the North Dakota emergency managers association;

h. A representative of the North Dakota fire chiefs association;

i. A representative of the North Dakota emergency medical services association;

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

k. A representative of the North Dakota peace officers association;

l. A representative of the North Dakota 911 association;

m. A representative of the North Dakota association of counties;

n. A representative of the North Dakota league of cities;

o. The North Dakota chief information officer or a designee;

~~n.~~p. The North Dakota Indian affairs commission executive director or a designee; ~~and~~

~~o.~~q. One member of the North Dakota house of representatives and one member of the North Dakota senate appointed by the legislative management;

r. The director of the game and fish department or a designee; and

s. The state health officer or a designee.

2. The committee shall elect a chairman and vice chairman for terms of two years upon its initial meeting. ~~The adjutant general shall call and convene the initial meeting.~~

3. The committee shall prepare recommendations regarding a statewide ~~integrated~~interoperable radio ~~system~~network with due consideration for all stakeholders reliant upon athe statewide interoperable radio ~~communication system~~network.

4. The committee may adopt rules governing the connection or integration of public safety answering points to the statewide interoperable radio network.

North Dakota statewide interoperability executive committee. (Effective after July 31, 2023)

1. The statewide interoperability executive committee consists of:
   a. The director of state radio or a designee;
   b. The director of the division of homeland security or a designee;
   c. The superintendent of the highway patrol or a designee;
   d. The adjutant general or a designee;
   e. The director of the department of transportation or a designee;
   f. A representative of the North Dakota sheriff's and deputies association;
   g. A representative of the North Dakota emergency managers association;
   h. A representative of the North Dakota fire chiefs association;
   i. A representative of the North Dakota emergency medical services association;
   j. A representative of the North Dakota police chiefs association;
   k. A representative of the North Dakota peace officers association;
   l. A representative of the North Dakota 911 association;
   m. A representative of the North Dakota association of counties;
   n. A representative of the North Dakota league of cities; ~~and~~
   ~~m.~~o. The North Dakota chief information officer or a designee;
   p. The executive director of the North Dakota Indian affairs commission or a designee; ~~and~~
   q. One member of the North Dakota house of representatives and one member of the North Dakota senate appointed by the legislative management;
   r. The director of the game and fish department or a designee; and
   s. The state health officer or a designee.
2. The committee shall elect a chairman and vice chairman for terms of two years upon its initial meeting. ~~The adjutant general shall call and convene the initial meeting.~~
3. The committee shall prepare recommendations regarding a statewide ~~integrated~~interoperable radio ~~system~~network with due consideration for all stakeholders reliant upon athe statewide interoperable radio ~~communication system~~network.
4. The committee may adopt rules governing the connection or integration of public safety answering points to the statewide interoperable radio network.

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SECTION 3. AMENDMENT. Section 37-17.3-03 of the North Dakota Century Code is amended and reenacted as follows:

37-17.3-03. Political subdivisions may furnish receiving and transmitting sets for enforcement purposes - State cost-share.

1. Each county and organized city within the state may furnish to its law enforcement, firefighters, and emergency medical personnel the appropriate ~~radio or radio systems~~ personal and vehicular radios that can access the ~~state~~statewide interoperable radio ~~system~~network. Each ~~mobile~~ radio that is programmed to access the ~~state~~statewide interoperable radio ~~system~~network must be ~~registered with the division of state radio and assigned a unit number~~approved by the statewide interoperability executive committee. ~~A one-time fee of ten dollars for registering and assigning unit numbers must be paid to the director on all newly added radios by the appropriate governmental entity. Agencies with registered radios must validate assigned unit numbers annually~~The chief information officer shall establish a process to register and audit users of the statewide interoperable radio network.
2. The information technology department may provide a state cost-share for each radio purchased under this section. The state cost-share for each radio is one thousand five hundred dollars unless the cost of the radio is less than one thousand five hundred dollars in which case the state cost-share is the cost of the radio.

SECTION 4. AMENDMENT. Section 10 of chapter 247 of the 2017 Session Laws is amended and reenacted as follows:

SECTION 10. EXPIRATION DATE. ~~This~~Sections 3, 6, 7, 8, and 9 of this Act ~~is~~are effective through July 31, 2023, and after that date ~~is~~are ineffective.

SECTION 5. LEGISLATIVE MANAGEMENT STUDY - STATEWIDE INTEROPERABLE - RADIO NETWORK. During the 2019-20 interim, the legislative management shall ~~consider studying~~study consolidated emergency and interoperable public safety communications system governance and funding options. The legislative management shall report its findings and recommendations, together with any legislation required to implement the recommendations, to the sixty-seventh legislative assembly.

SECTION 6. LINE OF CREDIT - APPROPRIATION. The Bank of North Dakota shall extend a line of credit not to exceed ~~$120,000,000~~$80,000,000 to the information technology

department at the prevailing interest rate charged to North Dakota governmental entities. The information technology department shall repay the line of credit from funds available in the statewide interoperable radio network fund or other funds ~~over a period not to exceed thirty years from the date of issuance of the line of credit~~, as appropriated by the legislative assembly. The information technology department may access the line of credit, as necessary, to provide funding as authorized by the legislative assembly for statewide interoperable radio network projects.

SECTION 7. APPROPRIATION. There is appropriated out of any moneys in the strategic investment and improvements fund, not otherwise appropriated, the sum of $40,000,000, and from proceeds of a Bank of North Dakota line of credit, the sum of ~~$120,000,000~~$80,000,000, or so much of the ~~sum~~sums as may be necessary, to the information technology department for the purpose of statewide interoperable radio network projects, for the biennium beginning July 1, 2019, and ending June 30, 2021.

SECTION 8. EMERGENCY. Section 6 of this Act is declared to be an emergency measure.

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HB 1435 TESTIMONY
SENATE GOVERNMENT AND VETERANS AFFAIRS
BY: DUANE SCHELL, CHIEF TECHNOLOGY OFFICER
INFORMATION TECHNOLOGY DEPARTMENT (ITD)
MARCH 14, 2019

Mr. Chairman and members of the committee, my name is Duane Schell. I am the Chief Technology Officer at the Information Technology Department (ITD). In addition, I represent the Chief Information Officer on the Statewide Interoperability Executive Committee (SIEC) and I currently serve as the chair of that committee. The purpose of my testimony is to provide you with a high-level overview of the statewide interoperability radio network (SIRN) project as this bill provides both policy and funding that will impact this effort.

The SIRN project is an effort to provide a single, statewide, mission critical voice solution that will meet the demanding needs of the public safety community. This collaborative effort has been evolving for multiple biennium with an objective to resolve significant challenges that currently exist within the current communications systems. The challenges that exist today can be summarized into three broad categories: interoperability, coverage and aging infrastructure.

The first challenge, interoperability, is a term that can be interpreted in many ways. From a public safety communications perspective, interoperability is the ability for public safety officials to be able to communicate effectively and seamlessly across the various disciplines and across jurisdictional boundaries. Existing communications system which are comprised of dozens of disparate and independently managed solutions, leveraging technologies, designs and principles that date back to the 1970s, simply do not provide the effective and seamless communications that the public safety community requires.

The second challenge is coverage. We as citizens expect public safety officials to perform their mission regardless of location no matter how rural and remote the location or how large, complex and hardened the building or structure may be. Existing communications systems simply fall short of the coverage standards and expectations required by the public safety community. Where coverage is insufficient and, in some cases, non-existent, communications are likewise insufficient and sometimes non-existent putting both our public safety officials and the citizens they serve at risk.

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The last challenge is aging infrastructure. Existing public safety communications systems have significant amounts of infrastructure that is at or near its end of life and end of support dates from the various manufacturers. Infrastructure no longer supported by their respective manufacturer, places the system at risk; in jeopardy of being able to maintain the stringent uptime and reliability requirements that are required by a mission critical communications system.

HB 1178 of the 65th legislative assembly provided direction and funding that allowed this initiative to move forward; beginning the process of addressing and solving these challenges. Efforts this biennium include: the expansion and establishment of governance and the execution of a successful procurement. The governance structure builds upon the current SIEC including a subcommittee to support ongoing operations and four regional boards, providing a voice to every 911 jurisdiction. The successful procurement included an extensive, detailed and thorough analysis performed in collaboration with the community, which resulted in a contract with Motorola Solutions that will allow us to move into the next phase and begin solving the challenges previously articulated.

The contract with Motorola Solutions includes a five-year plan that will provide the public safety community with a mission critical voice solution that will meet the detailed requirements of the community and will address the challenges surrounding interoperability, coverage, and aging infrastructure. The capital expense for the entire project is $207.1M. $206M is contained within the contract that includes all the infrastructure, hardware, software and professional service to support the initiative. To provide connectivity for the solution we are estimating $1.1M in network construction. The estimated annual operating expense for the complete solution is between $5M and $10M annually.

This concludes my prepared remarks. I would be happy to answer any questions.

Duane Schell
Chief Technology Officer
Information Technology Department
701.328.4360
dschell@nd.gov

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Testimony – HB 1435
Senate Government and Veterans Affairs Committee
March 13, 2019
By Michael Lynk
Division of North Dakota State Radio
Director, Division of North Dakota State Radio

Good afternoon, Mr. Chairman and members of the Senate Appropriations committee, my name is Mike Lynk. I am the Director for The State of North Dakota at the Division of State Radio. I offer this testimony in support of HB 1435.

While House Bill 1021, originally provided funding for the Information Technology Department (ITD) to develop a new land mobile radio system, the funding was removed from HB 1021 with the intent of placing the funding into HB1435. I am here today to support the Governor's budget recommendation originally in HB 1021 in regard to the Statewide Interoperability Radio Network (SIRN). The Governor's budget recommendation totaling $40 million in SIIF funding, will allow us to move forward with this critical public safety system.

In 2014 and again in 2016 studies were conducted to examine the feasibility of a Statewide Land Mobile Radio system that would connect all North Dakota Dispatch Centers and Public Safety responders together into one statewide system. In August 2016, a final report was received and shortly after a statewide SIRN governance structure was developed from the bottom up to facilitate a communication path of unity toward a goal of one public safety communication system statewide (SIRN).

In the past several months members of the public safety community have worked very hard to identify the critical needs of SIRN and worked through the procurement process. This initial funding is a start and will send a message to the public safety community that we are committed to public safety and a statewide integrated system.

On behalf of the Department of Emergency Services and the Division of State Radio, I support the Governor's budget recommendation.

Thank you for your time; I will do my best to answer any questions you may have.

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Prepared for:
Senate Committee
3/14/19
By: Glen Ternes, Lieutenant Bismarck Police Department

RE: HB 1435 – Support of Statewide Interoperable Radio Network Funding

My name is Glen Ternes and I am a Lieutenant with the Bismarck Police Department. We are in support of HB1435.

My department along with fellow officers from around the state have a vested interest in this project. We rely on the radio communications infrastructure and portable and mobile radios on a daily basis. Having an antiquated or obsolete radio system is a safety concern for our general public and officers. When this equipment is operational we are able to respond to scenes faster and we are able to communicate information accurately. The problem that we are finding is that our equipment is becoming less operational. Many of our radios, both mobile and portable are functional only until they need to be serviced. The radios are then taken out of service because they are no longer supported by Motorola.

I will share several examples with you of Interoperability issues that I witnessed over the past several years. These issues indicate that our communication infrastructure system is in need of repair and or upgrades.

One of my responsibilities at the Bismarck Police Department is the Commander of the West Dakota Swat Team. Our team is a regional team and we travel outside the Bismarck/Mandan area on occasion. We encounter many problems with our radios when we operate outside of the Bismarck/Mandan area, both with operational security and range, because we may have to switch to a channel that has no encryption, and is not repeated. The range issue is extremely worrisome because I always fear that an officer may not be able to hear a very important transmission and I am responsible for doing my best to keep our public safe and to ensure that our officers return home to their families safely. I also worry because using a channel that is not encrypted is not secure. An individual using a scanner has the capability to listen to our transmissions and depending on this individual intentions, knows in advance what we are going to do and when. I witness these issues every time the West Dakota Swat Team has to deploy to an area where we can no longer use our local channels.

I was also a field commander during the DAPL protest, which took me out of Bismarck and into Morton County for most of a seven-month time frame. There were times we needed to send officers close to the camp to collect information and to try to enforce the law. This meant we had to send officers into an area where there was limited to no cell phone coverage and no radio communications. If those Officers needed to call for help, they had no way of contacting headquarters for assistance, and we had no way of knowing they were in danger.

This situation was very evident during one operation where we sent officers to block a bridge where hostile actions were taking place. These hostile actions included multiple vehicles being burned on the roadway and bridges, officers being shot at with a pistol, and later in the evening, Molotov cocktails being thrown in our direction. During this operation we learned from our air support that protesters

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were blocking the roadway with modified spike strips, the same roadway and direction our officers were traveling. For several minutes we tried to abort the effort by calling on the land radio to the officers. There was no response because the radio system failed us. We were lucky this day that that air support, which we do not have 99.9 percent of the time, was able to contact the officers at what was possibly the last minute, avoiding a catastrophe. Our entire time during that we spent during DAPL was hindered by poor radio signals and compatibility of radio systems.

I would also like to explain some of the funding issues we have had over the years. Our special teams rely heavily on homeland security grants that are administered by ND Department of Emergency Services. We have been told for approximately 5 years that they will not fund any communications equipment. Likewise, our City is reluctant to fund any portable or mobile radio systems. The reasons for this make sense. We don't want to invest in something that might not work with the new system or something that could be funded with state and federal funds. It sounds like we are coming close to a resolution on requirements but respectfully ask that this buildout be expedited to help the end users of this system.

Approximately 70% of our radios for the 129 sworn officers at the BPD are obsolete. This means that when a radio breaks there is no support to fix it. We were forced to purchase 3 radios at the price of $13,764. Because we have not been able to replace radios on a rotational basis, we are left with tremendous price tag in one lump sum. These price tags are very hard to swallow for municipalities especially with pricing as high as portable and mobile radio equipment.

The estimated financial impact to our department is as follows

166 portable radios will have to be replaced in our inventory. ($4,500 each = $747,000 total for portables). 66 mobile radios ($5,150 each = $339,900) The total impact to BPD is approximately $1,086,900. This does not include other city entities such as fire and public works.

We are always hopeful that we do not have a large scale emergency or disaster, but inevitably these situations occur. I believe that if this bill passes, all emergency services benefit including federal, state and local. This infrastructure and radio system requirements will assist us in helping the citizens in our great state. I respectfully ask that you fund this project and give HB 1435 a Do Pass Recommendation.

Glen Ternes
Lieutenant
Bismarck Police Department
701-223-1212

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att #7
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Testimony on House Bill 1435

Senate Government and Veterans Affairs

By Gary Lorenz

March 14, 2019

Mr. Chairman and members of the committee, my name is Gary Lorenz, Fire Chief for the City of Grand Forks. I also represent the North Dakota Fire Chief's Association on the State Interoperable Executive Committee (SIEC) where I currently serve as Vice Chair for that committee. I am here today in support of all proposed funding in House Bill 1435 for the State Interoperable Radio Network (SIRN). While there have been significant advancements in technology over the past several decades, the use of land mobile radios by first responders as a primary means of communication has remained constant during this time.

The Grand Forks Fire Department, like many fire departments, has a vast assortment of tools and equipment used to mitigate the numerous types of emergency situations that the fire department is called upon to respond. For example, medical emergencies, vehicle crashes, fires, hazardous material incidents, technical rescue, natural disasters and today, active shooter and other terroristic threats. While many of these incidents require different specialized equipment, there is one vital tool that is used at every one of these events. That is a two-way radio. Effective, consistent, and reliable communications is vital to the day to day operations of the fire department.

I have served as a firefighter, apparatus operator, company officer, and assistant chief and now chief. During my 29 year career, I have responded to thousands of calls. On every one of these calls a two-way radio was used. These radios provided the necessary method to communicate with the dispatch center, between other fire department personnel, and with other agencies. While not every call for service presents a life threatening situation, I have been on calls where I believe the use of a two-way radio likely saved firefighters lives. Two incidents in particular come to mind. One involved a fire in a large apartment complex where after a roof collapse a firefighter became trapped and called a "Mayday" using his two-way radio. Fortunately, the firefighter was not injured. But imagine this firefighter being trapped and not having the ability to call for help. The second incident involved an intentionally set fire in a nightclub in an older building located in center of the downtown area. With the use of gasoline, the fire was initially started on the second floor towards the rear of the building. Several fire crews were inside the structure attempting to extinguish the fire when a captain who was working to advance fire hoses into the

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building heard strange noises coming from within the building. Using his portable radio, he made the announcement of "emergency traffic". The purpose of this announcement was to advice personnel on scene to stop and pay attention to the radio. After hearing the "emergency traffic" announcement, two firefighters who were advancing into the first floor stopped to listen to the radio. Before the captain could make the next announcement, a large boiler crashed through the second floor and ended up in the basement. Had these two firefighters not stopped after hearing this announcement, their direction of travel would have put them directly below the boiler. While these two firefighters suffered minor burns from the ensuing flash over, their lives were potentially saved because of the announcement they heard on the two-way radio.

The Grand Forks Fire Department, along with the Devils Lake Fire Department, provides mutual aid regional response to the Northeast quarter of North Dakota for hazardous materials and structural collapse incidents. Currently within the state are dozens, if not hundreds, of independent fragmented radio systems, which presents significant communication challenges between different agencies. The SIRN system that has been vetted and approved by responders from around the state as well as the SIEC, provides the type of agency interoperable communications necessary for these types of mutual aid responses.

Many agencies from around the state are faced with aging radio equipment that has reach the end of its life and is no longer being factory supported. Up to this point, there has been no clear direction for these agencies in regards to what their next radio system should be. In addition, radio communication challenges and the subject of a needed state wide radio network has been a topic during the previous two legislative sessions. Thanks to a tremendous amount of work by a large number of individuals from around state, I believe that the radio network that has been proposed, and approved, provides a clear path and will deliver effective, reliable and interoperable communications for responders throughout the State of North Dakota for many years. I encourage your support for the SIRN project.

CenCom

Mandan Bismarck Burleigh

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March 14, 2019
Senate Government and Veterans Affairs
Honorable Chairman Kyle Davison

HB 1435
Support

Chairman Davison and members of the Senate Government and Veterans Affairs, for the record my name is Mike Dannenfelzer, Director of the Central Dakota Communications Center (CenCom). Our Agency provides public safety communications services for the Bismarck/Mandan community, Burleigh County, and the southeast portion of McLean County, including the City of Wilton. I am a member of the Statewide Interoperability Executive Committee (SIEC) representing the ND 911 Association and am here in support of the new Statewide Interoperable Radio Network (SIRN) project and this bill, to help ensure its construction and success.

I first testified on this initiative during the 2013 Session to bring awareness to the Legislature that there was an opportunity coming to finally fix an issue with public safety communications in North Dakota. For years, local governments were left to build standalone land mobile radio systems to support public safety. This was due to there being no broader statewide vision to support public safety and ensure the necessary coverage existed for local agencies to adopt and use a single system. With these separate systems, interoperability among agencies is limited, users lose the ability to communicate when they leave their system coverage, and when users need to respond to other areas of the State to assist with critical events (like the recent DAPL protests) it takes many hours, or days, and technical efforts so that they can at least minimally communicate and even then, coverage and resources are limited.

The opportunity I was referring to in 2013 was the coming end-of-support that would hit many of these systems and require simultaneous investments to update segregated systems. It was an opportunity to study the issue and come up with a better solution and a wiser statewide investment. What I'd hoped in 2013 was the coming together of the public safety community to support a transition to a new standards-based, Project 25 radio network that would serve the entire State for many years. Since 2013, each interim has been spent studying the issue, educating and building

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consensus, issuing an RFP, and finally a contract was signed in January of this year. With now broad support, we have the opportunity to build that envisioned, standards-based, interoperable Project 25 solution that will serve this State for the next 25 years. Project 25 is a proven and reliable standard for public safety communications endorsed by the Federal Government and public safety groups throughout the country.

HB 1435 acknowledges many things that were laid out and recommended through the Televate consulting study discussed during the 2017 Session. It establishes leadership by the State to provide a funding mechanism to ensure full execution of the project, assists local government with a grant program to facilitate adoption, adds additional representation to the SIEC from the North Dakota Association of Counties and League of Cities, and alters some language to reflect the new system and its intent to be a statewide interoperable radio network used by all first responders throughout the State.

Section 5 also acknowledges the desire to further study the overall governance and funding of emergency and interoperable public safety communications systems. As it stands today, there are several committees and boards, some established via legislation and others established via joint powers agreements, to govern different aspects of emergency communications. I think it would help to enlighten the Legislature as to how complex this field is but also assist all of us with looking at newer, innovative ways to cooperate and share information across agencies and jurisdictions, given that appropriate agreements are in place.

Ultimately, HB 1435s most important sections implement a system in North Dakota that is long overdue. We have no more time to study or push this project farther down the road. Our Agency has waited responsibly and patiently on the State with this project while we could have moved ahead years ago on our own. HB 1435 provides clarity, direction and confidence for public safety moving forward and I urge a **DO PASS**.

Thank you and I will answer any questions you may have.

Mike Dannenfelzer
Communications Director
9-1-1 STEPS Chairman
SIEC Member – 911 Association
Dakota NENA President

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

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Testimony Prepared for the
Senate Government & Veterans Affairs
March 13, 2019
By: Donnell Preskey, NDACo

NDACo
NORTH DAKOTA ASSOCIATION OF COUNTIES

pg 1

RE: HB 1435 – SIRN Funding

Good morning Chairman Davison and committee members, I am Donnell Preskey with the North Dakota Association of Counties. First, I would like to draw your attention to the handout that is being distributed. Listed on this document are the numerous associations who stand in support of HB 1435 and the funding of the Statewide Interoperable Radio Network. We recognize the urgent need and importance of securing 100% of the funding needed for this project this session. You have heard from several of these coalition members today.

The funding of a statewide interoperable radio system is a top priority of many of our county associations including commissioners, sheriffs and 9-1-1. In fact, we have had a resolution on record supporting the funding of the SIRN project since 2016.

2016-02. Statewide Interoperable Radio Network (SIRN) 20/20. *SIRN 20/20 is a statewide initiative to study and recommend a consensus solution for delivering, integrating, and supporting mission critical interoperable radios systems and training for first responders and the public safety community. North Dakota's first responders have continued to provide a safe environment for the State; however, the current approach to how we utilize land mobile radios has its limits. In order to continually improve service to the public and effectively work together in delivering fire, rescue, law enforcement and aid across the State, we need to transition to an interoperable solution that ensures responders have the means to assist each other and the people of North Dakota regardless of their state, local, or tribal affiliation. This Association supports efforts to design, implement, and appropriately fund a statewide integrated and interoperable mission critical land mobile radio (LMR) network solution assisting public safety personnel in their ability to communicate effectively and reliably while carrying out their duties.*

The 2017 Legislative body approved an additional .50 9-1-1 fee, paid for by anyone that has a phone (landline or cell), to start building a fund to pay for the SIRN project. That .50 fee is on your phone bills, both landline and cell, and is illustrated as a "county 9-1-1 fee". There is a feeling from our county members that this local tax should be dedicated for the local share of the cost. In addition, they have concerns with the state solely relying on the .50 9-1-1 fee to fund the entirety of this project.

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$40 million of state funds was included in this bill as it was introduced. That number was an important component of the original bill as it reflected the state's share and its commitment to the project. We fully support the amendment presented by Representative Bosch regarding the funding and strongly urge you to restore the $40 million.

On a personal note, I first hand, witnessed the failure of our current system while on "loan" to assist Morton County during the Dakota Access Pipeline protest and I can tell you the desperation I heard from the officer on a radio calling out to his guys in the field and hearing nothing was heart-wrenching. It is something our law enforcement nor any of our public safety entities should have to endure. This simple form of communication should be guaranteed to them.

I'm asking for you to make that happen. Please support HB 1435.

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Testimony to the
Senate Government Veterans Affairs Committee
March 13, 2019
Vice Chairman Chad Peterson, Cass County Commission

Regarding: House Bill 1435 – SIRN Funding

Representative Davison and committee members, I am Chad Peterson, Vice Chairman of the Cass County Commission. As one of my national appointments, I also serve on the National Association of Counties (NACo) Justice and Public Safety Committee. I support House Bill 1435 that would fund SIRN funding.

The problem we all face is this; as of December 2018 the systems we use to keep the public safe are no longer supported technologically. Or worse, new replacements for equipment are not available for purchase should they quit functioning. As an example; as of 2013, the radios our deputies in Cass use were no longer being manufactured. Fourteen of the twenty six dispatch centers are currently being affected by this issue. The systems we have on place need to evolve.

It was over six years ago that we learned the technology we use to ensure the safety of residents and visitors was coming to the end of its useful life. In preparation for this our local public safety leaders, police chiefs, fire chiefs, etc. have been doing their best to plan for this by stockpiling technology to replace items as they fail and further investigating proposed solutions and their associated costs. Meanwhile, over the last three sessions we've asked state leaders to put in place funding for replacement of these systems knowing the overall expense will be cumbersome those large and small. The requests have not been not been fully funded. We are one of only two states not to take action on this. Vermont is the other.

Two and a half years ago, with the support of local government, the Red River Regional Dispatch Center Board of Directors elected to proceed in formal negotiations to join with the Minnesota network called the Allied Radio Matrix for Emergency Response (ARMER). After 18 month of negotiations and review by six levels of administration, the MN ARMER system agreed to the proposal and we joined with them. On October 2018 Cass County decided we could not wait for the state to take action. With +22% of the overall state population and over 30,000 people that commute to work within Cass borders, we decided that there was too much at risk should our systems fail. It will take almost two years to implement all changes and updates required. The total cost of this system will be $14,000,000. This will be paid for by using local property taxes for five years. There was a public vote to use sales tax, but it failed by a narrow margin.

If the state chooses not to act, local political entities will have to resolve the issue piecemeal before systems fail. The end result could involve multiple service providers, varied technologies and increased costs. Interoperability (ease of communications between political subdivisions and private users) could also be troublesome. The total cost of this system throughout North Dakota has been estimated between $150,000,000 and $250,000,000. The costs may be higher or lower depending on technology, conditions of existing infrastructure (i.e. towers) and startup date.

We need to act now and resolve this matter using a statewide solution. I'd be happy to talk more about this any time you wish. Again, I support House Bill 1435 that would fund SIRN.

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Emmons County Sheriff's Office

Phone (701) 254-4411 * Fax (701) 254-5311 * gsanders@nd.gov

Gary Sanders, Sheriff P.O. Box 159 * Linton, North Dakota 58552-0159

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pg 1

Testimony – HB 1435

Senate Government and Veterans Affairs Committee

March 14th, 2019 not here.

Greetings Mr. Chairman and members of the Senate & Veterans Affairs Committee, my name is Gary Sanders and I'm the Sheriff of Emmons County and provide you with the following testimony in support of HB 1435.

Due to the severe winter storm I am unable to make a personal appearance at the hearing as previously scheduled to present this testimony to encourage the committee to support the funding and implementation of the statewide SIRN 20-20 Radio Project and adding a member of the ND Association of Counties (NDACo) to the Statewide Interoperability Executive Committee (SIEC) Board to represent the interests of the 53 counties.

As the Sheriff of a small rural sheriff's office in south central North Dakota and having 30 years of law enforcement experience, I have had the opportunity to experience many times the importance of having reliable radio communications, especially during a critical or dangerous situation in the field.

The current statewide radio system being used today is a single frequency system that's been in use for several decades. I would compare this current radio system to much like the old "Party Line" telephone system in which you would have to wait your turn to use the phone as only one person in a specific area could use the telephone at a time and your conversation could be heard by others listening in where you may not want them listening to your conversation.

The current radio system does not allow multiple law enforcement officers or other first responders to talk on the same radio channel in to the dispatcher within a 40-50 mile radius of a specific State Radio tower without "walking on" or covering each other's conversation making it difficult or impossible for the dispatcher to understand or hear the officer calling in.

This is a common issue or experience today for first responders, especially during an event or critical situation when multiple officers, fire personnel or EMS are responding to an incident. Each responder must wait until the channel is clear to relay their message or information to the dispatcher or other responders to hear. The current radio system also lacks the ability of encryption, allowing unauthorized persons or the public to intercept and listen to sensitive radio traffic using scanners that Law Enforcement may not want known involving tactical responses or other sensitive information.

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The ability for all first responders to have the ability and coverage of a statewide radio system that provides what the proposed SIRN 20-20 system is offering is critical to ALL first responders. The proposed SIRN 20-20 system offers a trunked radio system with multiple talking groups and vastly improves coverage in both rural and metropolitan areas throughout the entire state that will resolve many of the shortcomings and concerns of the current radio system.

The current radio system also lacks the technology and coverage to provide proper interoperability between agencies and jurisdictions as was evident during the DAPL Protest in southern Morton County which jeopardized the safety of the public and numerous public safety personnel.

The proposed SIRN 20-20 system also allows for the integration with LTE and Wi-Fi technologies when they someday become available to meet the critical mission standards of reliability and coverage not yet available by the industry for radio communications needed for public safety purposes.

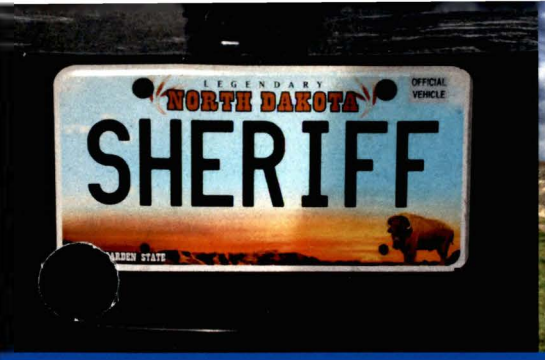
The importance for the various Police, Fire, EMS and other public safety officials in having access to a robust, reliable radio system with proper coverage and proven technology is critical for the safety and well-being of all first responders and the general public.

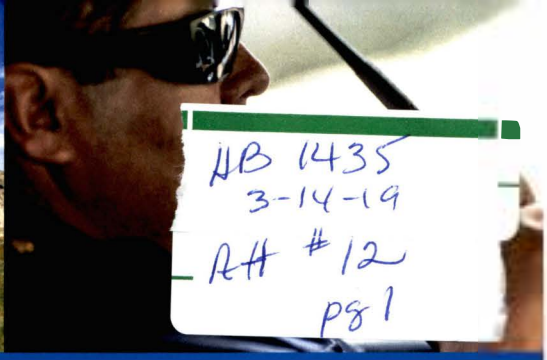
This need for the SIRN 20-20 Radio System is critical and should be fully funded and implemented sooner than later. The various radio issues, concerns and needs have been properly identified and a solution provided through the previous statewide Televate Study which identified those issues, concerns and needs and the work already completed by the SIEC Board during this long and detailed process.

In closing I would like to thank for your time and dedication and I would encourage and request your support of HB 1435.

Respectfully,

Gary R. Sanders, Sheriff
Emmons County Sheriff's Office





CALL TO ACTION FOR THE STATEWIDE INTEROPERABLE RADIO NETWORK (SIRN)

We the associations listed below, support the critically needed Statewide Interoperable Radio Network (SIRN). Reliable radio communications are the lifeline for the first responders and the citizens they serve. Studies and surveys completed confirmed grave shortcomings in the existing communications systems including:

- **Poor Coverage**
- **Limited Interoperability**
- **Over 40% of Existing Equipment is at End of Repairable Life**
- **Fragmented Disparate Systems**

These issues place first responders and our citizens at risk.

This need has been discussed at the legislature since 2013 when the above studies were authorized and completed in 2014 -2015. In 2015, additional fees were authorized, and the Legislature directed ITD to determine the feasibility of a statewide radio interoperability network. In 2017 partial funding was appropriated, with the intent to begin constructing the SIRN system through HB 1178.

An RFP for the system was released in November of 2017 with contract awarded and signed in January of 2019. The contract provides for a single unified statewide system utilizing Project 25 technology a nationwide public safety standard that can serve all the first responders of North Dakota. Over 40 states/provinces have successfully implemented this type of system including our neighbors of South Dakota, Wyoming, Minnesota, Manitoba, Iowa, Nebraska and Kansas.

The time to finally solve this is now. If funding is not achieved this Session it will continue to put first responders and citizens at risk. Public safety agencies across the state will continue to either patch existing, deficient systems or construct more disparate systems that will further aggravate the existing problems.

Adequate funding resides in HB1021 and HB1435 but BOTH are needed to fund this essential project. If anything less than this funding is achieved, participation from all state and local agencies will not be realized.

Donnell Presky
Att #12

HB1435 has received a DO PASS from The Government and Veterans Affairs and Appropriations Committees. Please Vote Yes For HB1435.

NORTH DAKOTA ASSOCIATION OF COUNTIES

broadband association of north dakota

North Dakota 911 Association

- Broadband Association of North Dakota
- North Dakota 911 Association
- North Dakota Association of Counties
- North Dakota Fire Chief's Association
- North Dakota League of Cities
- North Dakota Peace Officers Association
- North Dakota Police Chiefs Association
- North Dakota Sheriffs and Deputies Association

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p 8/

Testimony before the Senate Government and Veterans Affairs Committee

Mr. James Bugel, Vice President, FirstNet Program, AT&T

March 14, 2019

Chairman Davison and Members of the Committee:

Thank you for this opportunity to discuss AT&T's perspective on next-generation public safety communications and the expansion of rural broadband technologies that the FirstNet initiative is bringing to North Dakota. AT&T supports state investment in public safety communication technology, and we're strong advocates that current and future state investments should reflect the future of public safety communications.

FirstNet is the Nationwide Public Safety Broadband Network (NPSBN) called for by Congress in response to the recommendation of the 9/11 Commission based on its assessment of the communications issues that plagued first responders during the terrorist attacks of September 11, 2001. The need for FirstNet was identified due to the lack of interoperable communications between existing land mobile radio (LMR) systems as well as the lack of prioritization for first responders relying on commercial cellular networks. In 2012, Congress set aside a band of spectrum and created the federal First Responder Network Authority (FirstNet Authority), which is responsible for ensuring FirstNet meets the existing and future voice and data needs of America's first responders. After a competitive request for proposal (RFP) process, AT&T was awarded the FirstNet contract in March 2017 to build, operate and maintain the NPSBN in public-private partnership with the FirstNet Authority.

The FirstNet Authority and AT&T worked closely with the state to develop the FirstNet state plan for North Dakota, based upon the expressed needs and priorities of local, tribal, state and federal first responders. In December 2017, Governor Burgum made the decision for North Dakota to opt into FirstNet. Since the state's opt-in, we have made progress extending wireless coverage and capacity. First responders are using FirstNet today in North Dakota to communicate during their daily operations and emergency events.

North Dakota, like many other states, is at a crossroads as it considers how best to support the communications needs of its first responders. House Bill 1435 authorizes initial funding for a statewide radio network to enable interoperable communications at the local, state and federal levels. I urge this committee to consider an amendment to the legislation, as follows, that ensures next-generation, LTE-enabled technologies are supported and the benefits of FirstNet infrastructure and assets are utilized to the maximum extent possible as the state builds its Statewide Interoperability Radio Network (SIRN):

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Page 1, line 19, after the period insert: "The committee shall ensure that next-generation technologies like that employed by FirstNet, including LTE-enabled technologies and non-proprietary, open standard platforms, are integrated into the statewide interoperable radio network to the maximum extent possible."

Ensuring "next generation" technology is supported by the SIRN network is essential to advancing North Dakota's statewide interoperable communications capabilities. If this goal is not advanced, and instead proprietary solutions and legacy systems are perpetuated, state and local governments in North Dakota will find themselves paying more for what equates to fewer capabilities for their first responders. North Dakota has the opportunity to avoid the challenges that have plagued other states and localities, and instead, the state can pivot and make meaningful investments in next-generation technology.

As your state considers how best to address its aging LMR systems that are today anchored in 1970's technology and approaching their end of life, I urge North Dakota to consider how FirstNet and LTE-enabled technology can help you advance your state's public safety communications priorities. Harnessing the power of FirstNet can help you simultaneously cut down on future maintenance, operation and upgrade costs. By requiring the SIRN network to be built upon open, non-proprietary standards and utilizing the benefits of FirstNet infrastructure and assets to the maximum extent possible, North Dakota can be a national leader in public safety communications and drive innovation and advanced capabilities for first responders in North Dakota.

LTE-enabled technology offers distinct benefits. LMR networks have not traditionally supported apps, video and multimedia, but FirstNet does. FirstNet's purpose-built device ecosystem provides an alternative to costly two-way radios. Instead of spending on equipment with heavy CapEx/OpEx costs that can soon become out of date, the public safety industry is shifting to a software as a service (SaaS) platform – just like nearly every other industry. Public safety communications is rapidly changing, and FirstNet and LTE-enabled technology are the future. We can expect to see as much progress over the next 60 months as what has occurred over the last 60 years.

I caution states that are contemplating investments that push them deeper into legacy technology. It is critical to watch out for and avoid the old traps of proprietary, closed architecture and a closed device ecosystem that would limit choice for public safety as well as limit competition and innovation in the market. A proprietary, closed architecture platform would potentially result in higher costs for North Dakota to bear and fewer advanced capabilities for first responders. As such, I urge North Dakota to utilize FirstNet and LTE-enabled technology to the maximum extent possible to ensure your first responders are at the forefront of advanced communication tools and capabilities.

AT&T is currently working with the State of North Dakota and agencies in Morton County on a Radio over IP Push-to-Talk trial that integrates LTE and LMR technologies to meet the county's needs. This 60-day trial will continue through April 2019. This trial is a good first step, but it should not stop here. The state should consider how future

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investments in FirstNet and LTE-enabled technology can propel North Dakota's public safety communications forward.

The FirstNet buildout is critical to the first responder community in North Dakota, but unlike traditional investments in LMR systems, this infrastructure investment also improves access to high-speed broadband for communities across the state. As a result of North Dakota opting into FirstNet, wireless coverage and capacity is being expanded across North Dakota. FirstNet Primary Users have priority and preemption on public safety's Band 14 spectrum, as well as on AT&T's commercial LTE spectrum. When there is surplus capacity on the FirstNet public safety spectrum, that additional capacity can be used to support commercial traffic, improving service for commercial wireless users. This means rural healthcare, rural learning, and rural businesses in North Dakota stand to benefit from every dollar that's invested into expanding FirstNet coverage and capacity.

For example, North Dakota's energy industry could benefit from enhanced AT&T coverage in the state's oil patch. Using enhanced push-to-talk technology, workers can access improved communications and interoperability – from point of extraction to point of delivery. Farmers can use internet of things (IoT) solutions and precision agriculture to boost crop yields and monitor their fields and farm operations. Students needing the Internet to complete their homework and those wanting to enroll in online classes will have improved access to high-speed wireless broadband. Rural citizens across North Dakota and the elderly in long-term care facilities can avoid traveling long distances to healthcare facilities by utilizing telehealth solutions. This can help improve patient outcomes and reduce costs. Expanded wireless coverage will also help facilitate the sharing and use of data collected by drones with the industries that are increasingly relying on drone technology to support their day-to-day operations. North Dakota has distinguished itself as a national leader in drone technology, and improved wireless coverage will provide the necessary connectivity to support drone-based technology.

I encourage this committee to support next generation voice and data technologies for first responders in HB 1435 and ensure the benefits of FirstNet infrastructure and assets are utilized to the maximum extent possible. This is good for the long-term objectives of public safety, and it's good for the taxpayers of North Dakota. North Dakota has a unique opportunity to lean in and maximize the advanced capabilities of FirstNet. With that, I offer my support for HB 1435 as amended.

Mr. Chairman, I again want to thank you for the opportunity to share the FirstNet vision with your committee. We look forward to continue working with the state on its FirstNet implementation in support of North Dakota's first responders and all those they protect.

I look forward to answering any questions you might have.

AT&T

James Bugel
Vice President
AT&T FirstNet Program

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1120 20th Street, NW
Suite 800
Washington, DC 20036

T: 202.457.2052
att.com

March 15, 2019

Sen GVA

The Honorable Kyle Davison
North Dakota Legislative Assembly
Senate Government and Veterans Affairs Committee
Bismarck, North Dakota 58505

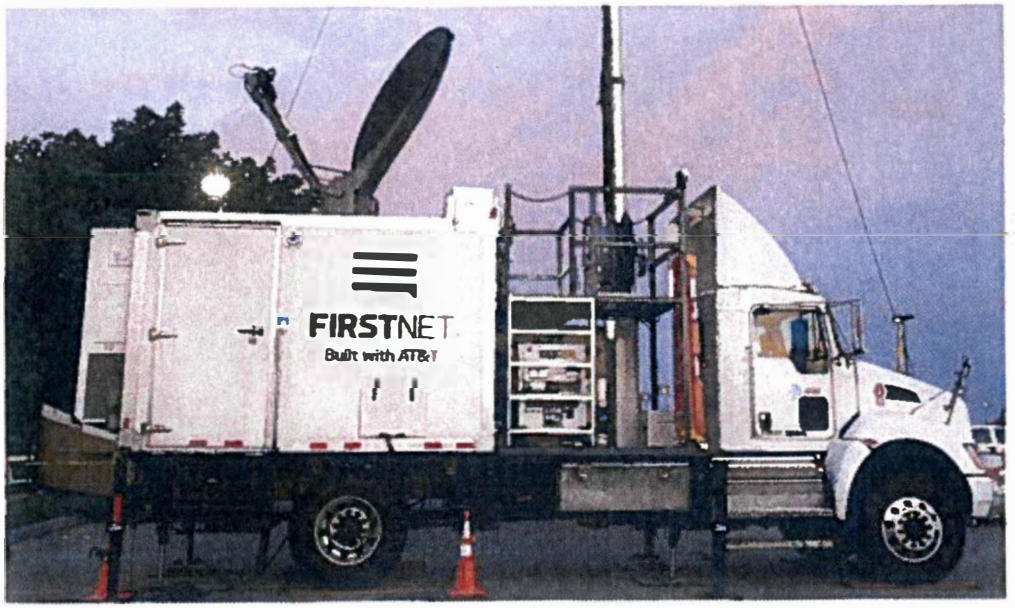
Chairman Davison and Members of the Committee:

Thank you for the opportunity to testify before your committee. I appreciated the opportunity to discuss next-generation public safety communications and the expansion of high-speed wireless broadband that FirstNet is bringing to North Dakota.

I am enclosing the unsolicited proposal, titled "North Dakota LMR to LTE Push-to-Talk Solutions – Interoperability and Transition." AT&T shared this proposal with the North Dakota Information Technology Department in May 2018.

I also wanted to share information regarding the FirstNet Response Operations Program. Public safety agencies subscribing to FirstNet have access to a nationwide fleet of 72 dedicated deployable network assets. These assets can be requested 24/7 for planned events or emergencies to help first responders stay connected and operate faster, safer and more effectively when lives are on the line. The assets function like mobile cell sites and can be quickly deployed to ensure first responders have the connectivity they need – when and where they need it. The assets are strategically staged across the country, enabling a 14-hour delivery window following the initial emergency request. The dedicated deployable assets are available at no additional charge to FirstNet subscribers.

FirstNet Satellite Cell on Light Truck (SatCOLT)



One of the 72 dedicated deployable units available to FirstNet subscribers.

AT&T

James Bugel
Vice President
AT&T FirstNet Program

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1120 20th Street, NW
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Washington, DC 20036

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In 2018 alone, the FirstNet Response Operations Program supported nearly 100 emergency and event response efforts via asset deployments and other solutions.

This includes active shooter situations, tornadoes in the east, wildfires across the western states, deployments for Hurricanes Florence and Michael, and search and rescue operations in South Dakota.

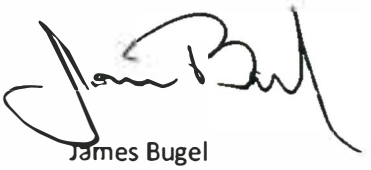
The FirstNet Response Operations Program has a process and resources for dedicated liaisons to provide 24/7 support to state emergency operations centers (EOCs) during emergency incidents. During Hurricane Florence and Hurricane Michael, FirstNet liaisons supported the EOCs in the affected states, quickly solving for public safety's communications needs and challenges by deploying FirstNet network assets and expediting network restoration in critical areas.

Liaisons function as the primary link between public safety and their FirstNet resources, coordinating across federal, state, local and tribal agencies, giving public safety agencies a level of support during emergencies unavailable before FirstNet.

In addition to the FirstNet-dedicated fleet, public safety subscribers also benefit from AT&T's commercial network deployment and management of its fleet of commercial network assets – which is one of the nation's largest and most advanced disaster response programs.

Thank you again for the opportunity to testify and share the FirstNet vision with your committee. Thank you for your time and consideration.

Sincerely,



James Bugel
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AT&T

FIRSTNET
Built with AT&T

North Dakota LMR to LTE PTT Solutions – Interoperability and Transition

May 30, 2018
Unsolicited Proposal

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1 LMR to LTE – Providing Tomorrow's Push-to-Talk (PTT) Needs Today

AT&T is leading the charge to break down the wall between LMR and LTE, providing the next-generation, mission-critical communications through a highly secure and reliable network to connect first responders to their communities and life-saving resources.

1.1 Introduction

North Dakota is at a crossroads – build a new, but limited, P25 Land Mobile Radio (LMR) systems or rethink the possibilities of supporting public safety with an alternative that "leapfrogs" P25 technology with the next generation of Long-Term Evolution (LTE) Push-to-Talk (PTT) capability, while gaining the full benefits of a highly secure, public safety broadband network dedicated to public safety when they need it. Specifically, the introduction of IP standards has revolutionized LMR – shifting it from proprietary, single vendor networks to open interface, multi-vendor environments. More importantly, IP-based interoperability has shattered the wall between LMR and Push-to-Talk over Cell (PoC) users -- providing direct communication across both networks and making dispatch and resource coordination easier and more efficient.

As such, AT&T is leading the market with the largest LMR compliant, broadband interoperability service in North America. AT&T was selected to join with the First Responder Network Authority in a public-private partnership to build, operate and maintain FirstNet – the first-ever nationwide communications platform dedicated to America's public safety agencies. FirstNet Built with AT&T provides nationwide coverage, reliable wireless voice and data services, and essential public safety applications. The challenge with a traditional P25 network is that it only provides voice and limited data capabilities, and most of the LTE-like capabilities and features are not available, either today or in the future.

In fact, AT&T's has done extensive research, LMR customer focus-groups, and roundtables to listen, understand, and identify the pain points for existing LMR public safety customers and decisions that they have to make to continue to best serve their community. Key issues identified include:

- **Lack of Required Coverage** – Current radio systems deliver limited coverage
- **Limited Capacity** – Growing communication needs outpace system capacity
- **Budgetary Concerns** – Radio system and devices too expensive
- **Lack of Broadband Data** – No support for broadband data applications
- **Technology Obsolescence** – System overhaul can be an expensive capital upgrade

FirstNet Built with AT&T is the embodiment of what public safety entities have been seeking for decades. Only FirstNet brings the ability to deliver this network to public safety users, establishing confidence in the solution through direct oversight by the First Responder Network Authority, regular briefings before Congress, and visibility across the political spectrum. No other carrier is obligated to deliver the specific milestones, accountability, and oversight that AT&T has accepted as part of its obligation to deliver for public safety.

Using FirstNet as the communications backbone, North Dakota LMR users of our Enhanced Push-to-Talk (EPTT) application have access to all of the traditional LMR capabilities as well as AT&T's LTE broadband wireless network, to include an additional 20MHz of 700 MHz Band 14 spectrum as provided in the buildout of the National Public Safety Broadband Network (NPSBN). What does that mean for the State of North Dakota? -- The FirstNet EPTT service plans will provide "always on" priority and preemption so that first responder voice, as well as data, and video communications, are always at the front of the line to gain access to available

network resources. These expanded capabilities exceed that of today's traditional voice-centric LMR systems, and we accomplish that through hosted, cloud-based interoperability between LMR and LTE, with managed end-to-end service on AT&T's mobility network. This represents the next generation of communication services for first responders, and it will continue to be enhanced with the roll-out of Mission-Critical PTT (MCPTT) in the next 12-18 months for subscribers of AT&T's FirstNet services.

Using the FirstNet EPTT solution, also provides North Dakota with the following value advantages over a traditional P25 solution (**Figure 1-1**):

	Carrier-Based PoC Solution	LMR Systems
Handset OS supported	iOS, Android, Windows, embedded; smartphones, tablets, phablets	Proprietary
Ruggedized handsets, including intrinsically safe	Available	Available
Accessories	Yes (Wide Portfolio)	Yes
Corporate administrative tools for contact and group managements	Yes (allows an admin to manage contacts and groups, synched to PTT clients in real time and over-the-air (OTA)	Programming tool cannot synch groups to radios wirelessly in real time
Auto pairing	Auto loading of up to 50 PTT contacts	No
1:1 calls and group calls	Yes	1:1 call very resource inefficient
Ad hoc group call	Yes (user can select multiple contacts and then immediately start a group call	No
API for third-party apps	Yes	No
Presence	Yes (Available, Do Not Disturb, or Unavailable)	No
Prioritized group scanning	Yes	Yes
Broadcast calling	Yes	Yes
Late join capability	Yes (allows user to join group call after it starts)	Yes (some systems)
Supervisory override (allows the supervisor to take the floor any time	Yes	Yes
Call-me alert	Yes (alert to contacts with DND status	Yes
Text and multimedia messaging; location tracking	Available	Limited
Security	AES 256 and FIPS 140-2 Level I	Depends on system and application
Dispatch console	Integrated solution	Yes
LMR/cellular interoperability	Yes – wireless (donor) and wireline (IP)	With separate equipment
Network Development and Rollout	$0	Hundreds of Thousands to Millions of Dollars
Cost of Devices (per user)	$300-$800	$700-$7,000
Device subsidies available with multi-year contracts	Yes	No
Dispatcher or Manager Dashboard and Communication Device	$30 per dispatcher unit	Costs vary but run in thousands of dollars

Extract: "Push-to-talk Over Cellular: The Next Generation for Land Mobile Radio" (A Frost & Sullivan White Paper)

Figure 1-1: LTE PTT Provides Features over a Traditional LMR System. *North Dakota's LTE PTT users will have available a broad range of features and services not available with a conventional P25 network.*

AT&T believes there is a better, more cost-effective solution for the state, and we provide this Unsolicited Proposal as an alternative to building a replacement P25 network. The challenge faced by North Dakota is no different than most of the other states that have aging P25 systems, to include coverage, budgetary and capacity concerns.

> "We see this as the future of how our agencies communicate because they get push-to-talk, and they have the ability to use productivity apps, location awareness and all the other mobile broadband tools they want without any capital investment."
>
> *Michael Newburn, Wireless and Radio Solutions Manager, Fairfax County, Virginia*

We believe a FirstNet-centric solution that provides LMR to LTE interoperability to be a more efficient, cost-effective, and highly secure solution with vast network capacity and interconnectivity within North Dakota, as well as across the United States if required (**Table 1-1**). Having a wide area network in place today with the potential to interoperate with such a network provides North Dakota with the opportunity to leapfrog legacy P25 technology and develop a network that offers voice, video, and data to its first responder community. This results in a faster time to solution and provides much needed interoperability across the state for public safety users. LMR to broadband LTE, through FirstNet, is purpose-built, highly prioritized, highly reliable, and highly secure.

In addition, our expanded LTE technology has secondary benefits beyond the first responder community—providing a highly secure, highly responsive communications capability for other industries and economic development programs across North Dakota. For example, North Dakota's energy industry could benefit from enhanced AT&T coverage in the state's gas and oil regions. Using EPTT technology, workers subscribing to AT&T's commercial EPTT services could also realize improved communications and interoperability – from point of extraction to point of delivery.

Table 1-1: Features and Benefits of the FirstNet EPTT Approach. *AT&T's brings the full power of the AT&T infrastructure, network experience, and program management to fully meet North Dakota's public safety PTT modernization requirements.*

Feature	Benefit to the North Dakota
The Power of LMR to Broadband LTE EPTT – • AT&T provides its strength as the leader in IP communications bringing all the benefits of LTE to the PTT public safety user. • Uses open IP-based standards that offer simple, reliable, and scalable solution.	• Provides first responders with nationwide, priority and preemptive communications across the state, and the nation when required. • Provides a complete user experience not available with traditional LMR, to include voice, data, and video in a highly secure environment.
Fully Integrated Solution with FirstNet – • AT&T brings the strength of FirstNet to meet today's PTT requirements. • Provides the foundation to support the near-term deployment of MCPTT – a quantum step in PTT.	• Provides the full power of the FirstNet infrastructure and resources with specialized public safety customer support and priority service. • Provides an economically priced alternative for adding PTT services by eliminating the need for expensive new radios by deploying PTT services on existing iOS or Android phones.
Constant Focus on Evolving Technology – • AT&T provides long-standing leadership within telecommunications industry standards organizations, including the 3rd Generation Partnership Project (3GPP) initiative.	• Drives new leading-edge innovation for use in IP telephony and PTT technology. • Implementation of industry standards leads to interoperability. • Leading design and development by the global leader in communications results in continuous improvements for the state.

Feature	Benefit to the North Dakota
Dedicated Program Delivery Using Industry Best Practices – • Team AT&T program management processes are built upon the Project Management Institute (PMI) and other industry standards organizations, including the Information Technology Infrastructure Library (ITIL), International Organization for Standardization (ISO), and Capability Maturity Model Integration (CMMI).	• Program management processes informed and shaped by the most current and best management practices. • Effective, efficient, and low risk management processes. • Provides repeatable processes to avoid confusion among stakeholders during program execution. • TL 9000, ISO 9001:2015, Lean Six Sigma (LSS), and CMMI certifications.
Clear Lines of Communications – • The AT&T FirstNet Program Manager (PM) has a direct link to our Global Public Sector leadership to provide a short path for issue resolution and corporate support across organizational lines.	• Speeds decision making and issue resolution for North Dakota by providing direct access to the public safety leadership team within AT&T. • The state receives focused attention and our uncompromised priority from AT&T's senior leadership.

In the end, the combination of the many technologies brought by FirstNet establishes the initial foundation of the purpose-built, highly secure, highly prioritized platform for delivering the PTT solutions public safety demands right now. The more significant value of our approach is in how we are using this platform to drive continuous innovation to deliver the promise of future PTT technologies to enable North Dakota to accomplish effectively and efficiently its public safety mission today and long into the future.

1.2 FirstNet in North Dakota

As part of the FirstNet consultation process, we learned that the key issues North Dakota faced related to geographical coverage areas, program costs, availability of devices, and quality of customer care and support. More specifically, you recommended that coverage be expanded in rural areas, including the Bakken formation, deployables be quickly available to the state for dealing with emergency situations, the state's costs and liabilities for the network be limited, the cost of services and devices take account of affordability concerns, and customer care and support recognize the critical nature of the public safety mission.

The FirstNet Authority, in partnership with AT&T, addresses those concerns by focusing on coverage, to include the rural population. Specifically, once the build out of FirstNet in the state is complete, coverage will include:

- **99.9%** of North Dakota's population
- **99.3%** of North Dakota's geography
- **99.9%** of North Dakota's rural population

With the addition of additional towers in the state to handle remote LMR-type areas, the capacity will continue to expand (See Section 2.2, Coverage and Capacity for more details). In the end, this fully integrated LTE coverage is significant as it far exceeds the coverage provided by the existing patchwork approach of today's existing LMR systems (**Figure 1-2**). With the addition of EPTT on the FirstNet broadband network, public safety users have access to a competitively priced alternative for adding PTT services while enjoying the full benefits of a robust LTE network.

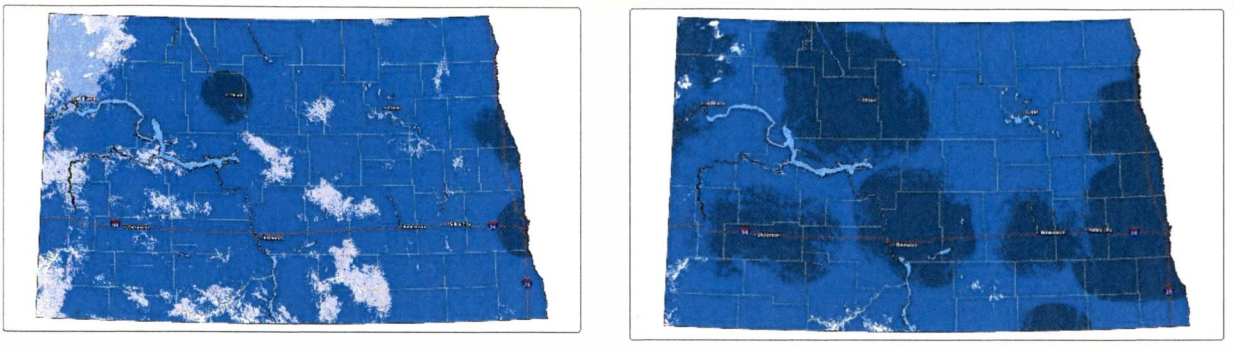

Figure 1-2: FirstNet Coverage Maps of North Dakota.

Our long-term FirstNet commitment is to erase the "digital divide" between the technologies available to public safety in urban versus rural areas. Working with rural telecommunications providers – such as Sagebrush in North Dakota – allows us to minimize "phased deployment" impacts and achieve prioritized service in many rural areas quickly. As technology evolves, so will our support to North Dakota by continuously expanding and investing in the network in tune with the state's needs. That means advances in push-to-talk technology, such as MCPTT, will evolve in step with the state's needs.

In addition to supporting the state, our FirstNet footprint is nationwide – providing first responders with highly prioritized, highly secure voice and data services beyond the state borders when the mission requires it. Those are mission critical features not available with any LMR network. In addition, FirstNet delivers a portfolio of specialized applications, services, and devices, customized for public safety. Our network needs to provide service everywhere public safety needs to respond, not just to where people live. AT&T has the nation's best data network to meet your wireless LMR LTE needs today and will continue to grow our network to prove the best coverage nationwide for the public safety community across the entire AT&T LTE network including the dedicated Band Class 14. **Figure 1-3** illustrates FirstNet coverage reflecting the deployment of Band Class 14 within the next 5 years, added to the existing AT&T LTE spectrum portfolio.

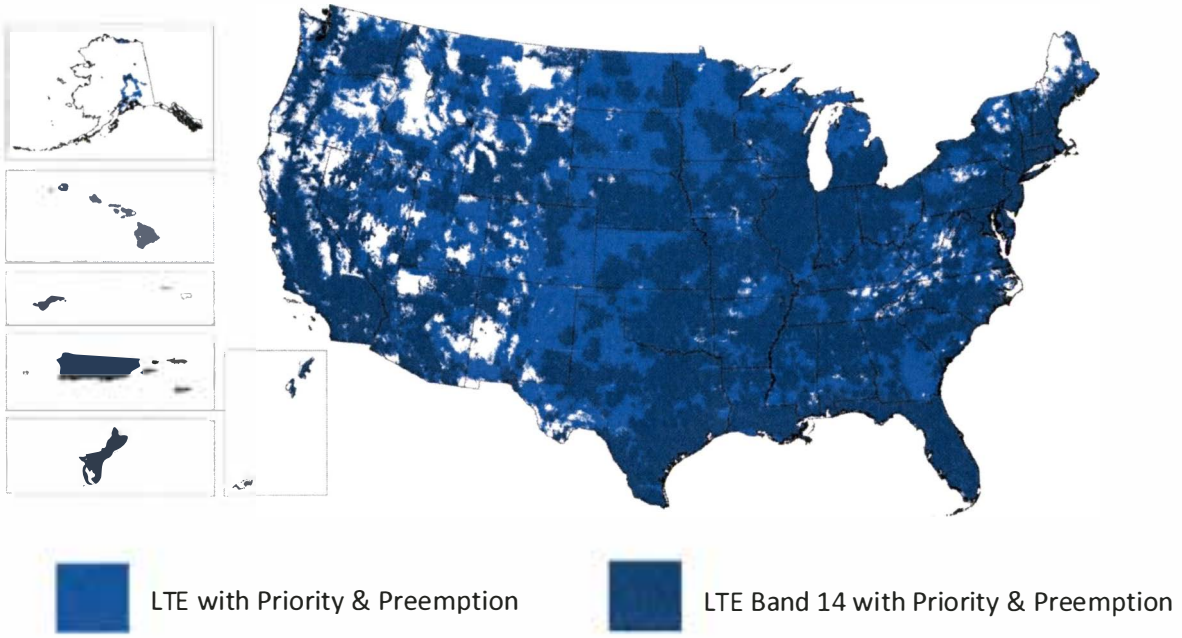

Figure 1-3: FirstNet Coverage Reflecting the Deployment of Band Class 14.

Focusing on rigorous architecture, design, implementation, test, and operations, we provide North Dakota a network with high reliability and with a focus on interoperability and openness of our environment. AT&T networks and services are built on widely adopted industry standards for maintaining large mobile ecosystem and facilitating interoperability – allowing us to operate at 99.99 percent availability in the mobile IP core.

Current and Future Essential Network Services: One of the fundamental principles in the design of FirstNet was that first responders should not need to sacrifice the key features available in commercial LTE wireless networks today. As a result, FirstNet supports essential network services (**Table 1-2**):

Table 1-2: Essential Network Services. *EPTT users gain the full benefits of a broadband LTE network, plus the convenience of PTT services.*

Service	Description	External Interfaces
Messaging	Text/ Multimedia Message Service (MMS) messaging and RCS-based/IR.94 advanced messaging	Internet, Gateway GPRS Support Node (GGSN)/ inter-carrier text gateways
Streaming Video/Audio Services	OTT streaming of audio/video content	Internet or local content sources
LTE data transport	Core LTE data transport and internetworking	Internet, private PSE networks via custom APN
VoLTE	Voice and High Definition (HD) Voice calling over LTE	Public Switched Telephone Network (PSTN), select inter-carrier VoLTE roaming gateways
M2M	Device Provisioning, control center - Category M (CAT-M) or Narrow-Band Internet of Things (NB-IoT)	Internet, private PSE networks via custom APN
IMS services	IMS-based rich communication services	Internet, IMS-based service gateways
Broadcast/	Broadcast and multicast services	Internet, external service gateways

Service	Description	External Interfaces
multicast		
Presence	RCS5 based User Capability Exchange	Internet, external service gateways
Location services	Device-based and network-based Location Based Service (LBS)	Internet, private PSE networks via custom APN
Device management	Network based control of devices	Internet, external service gateways
Device authentication	Network based authentication/device Identification (ID) 3GPP defined LTE security architecture	Internet, external service gateways
Lawful intercept	Communications Assistance for Law Enforcement Act compliant intercept	Secured law enforcement gateways only
Next Generation 911 (NG911) services	Emergency Services IP Network (ESInet)-based 911 services	AT&T or other ESInet gateways
WEA	WEA	Secured WEA gateway only
Roaming	GSMA-standard domestic or international roaming	Internetwork Packet Exchange (IPX) interfaces to roaming teammates

Quality of Service, Priority, and Preemption (QPP): The QPP framework developed by AT&T for FirstNet users is revolutionary in two ways:

1.) QPP is available not only on Band 14 (which AT&T is currently deploying across the country), but on all AT&T LTE commercial bands as well. This means that FirstNet subscribers will receive QPP benefits not just on the 20 MHz of Band 14 spectrum (once deployed), but on more than 100 MHz of spectrum across North Dakota and in most areas of the United States (**Table 1-3**).

2.) AT&T's QPP capability for FirstNet subscribers is "always on" and managed automatically by the network. There is no need for a disaster to be declared or for human intervention to invoke these capabilities; they are "always on" 24 x 7 x 365 and invoked automatically by the network when it senses congestion.

Table 1-3: QPP Capabilities and Benefits to FirstNet Users.

Capability	Benefits
Access Class Barring and High Priority Access	User access controls so critical users can access the system in extreme congestion.
Allocation and Retention Priority and Preemption	Resource allocation control so that bearer access requests are accepted when resources are constrained. Also enables priority users to preempt existing users
QoS Class Identifier	LTE Traffic forwarding treatment attribute that facilitates high priority traffic to receive more RAN resources than standard traffic.
Guaranteed Bit Rate, Maximum Bit Rate	Provides consistent throughput experience by specifying maximum and long-term average/guaranteed bit rates for a bearer
Dynamic QPP	Set of capabilities to enable on-demand manipulation of QoS parameters based on user, application, or service needs.

This provides the user of PTT technology over LTE to have guaranteed availability when needed. The AT&T FirstNet model also incorporates features to facilitate priority and preemption parameters for local control (**Figure 1-4**). The keys to our approach lie in three concepts: 1) use of 3GPP defined access classes and standardized LTE QoS mechanisms; 2) an automated network congestion management algorithm to automatically throttle lower-priority users in case of emergency; and 3) the ability of public safety agencies to modify their users' priority settings through an online tool in near-real time.

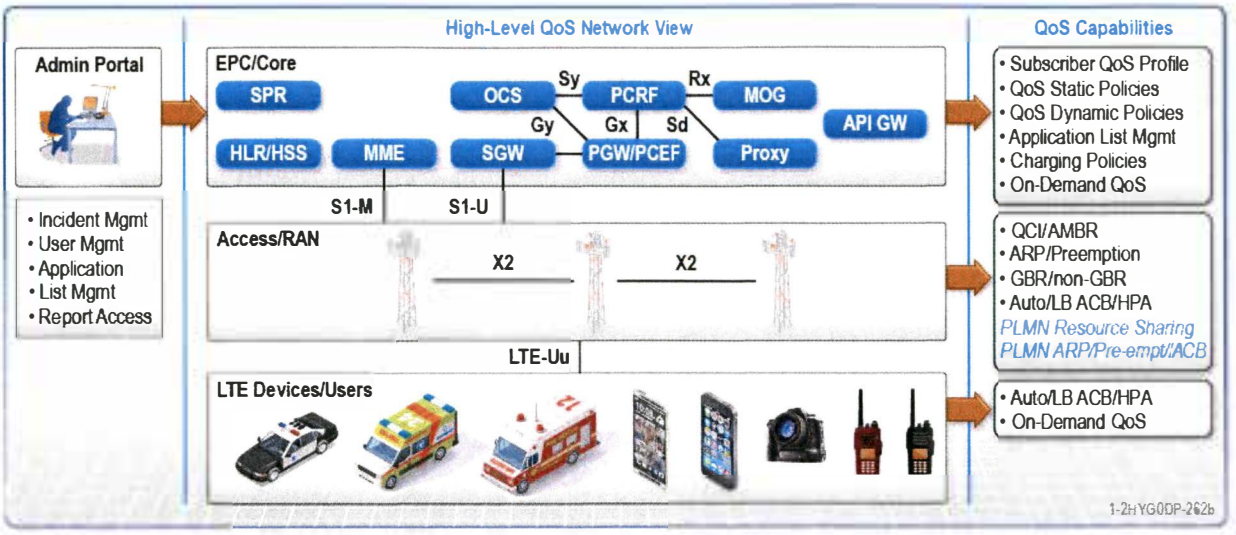

Figure 1-4: AT&T FirstNet QPP High-Level Network View. *First responders receive the priority and preemption they need from the multi-layered AT&T QPP strategy.*

2 LMR to LTE PTT Architecture

AT&T is the largest provider of PTT and land mobile radio (LMR) interoperability solutions globally, providing states with a trusted provider in the design and augmentation, or replacement of an aging two-way radio systems. AT&T is the only PTT provider with a fully integrated (via API) voice dispatch feature on AT&T Workforce Manager application with an ability to not only keep track of the vehicles, assets, but also to have near real time location of personnel in the building or vehicle or in the field to manage mission or business critical operation or incidents. And all these applications are supported over 50 LTE devices and PTT-centric accessories. As part of the FirstNet solution, AT&T is committed to bringing public safety the cutting-edge tools and technologies they need for every day and every emergency. This includes giving public safety access to mission-critical push-to-talk, messaging and mapping services that will enhance first responders' communications capabilities and situational awareness. In its use of FirstNet, North Dakota public safety users will benefit from the global advances in LTE wireless technologies previously only afforded to commercial wireless users. Those advancements going forward provide improved PTT performance in areas such as voice quality, latency, and security – all mission areas critical to public safety PTT.

2.1 LMR to LTE Gateway

AT&T's EPTT is a robust Voice over IP Push-To-Talk solution that provides one-to-one and one-to-many talk group capability, as illustrated in **Figure 2-1**. AT&T EPTT harnesses our mobile broadband speeds, expansive wireless network coverage, and broad portfolio of devices, along with the power of IP-based technology. EPTT offers North Dakota users with faster and enhanced collaboration, lower cost of ownership, and greater potential for integration with mobile applications.

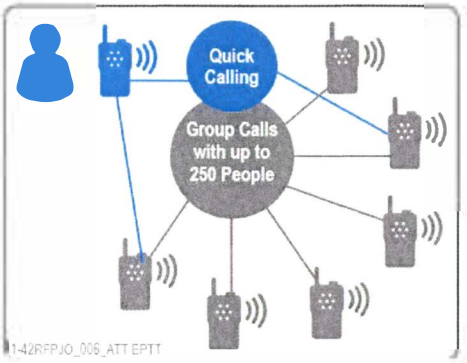

Figure 2-1: AT&T EPTT Enables Multiple Group Talk Capabilities.

AT&T EPTT is broadly deployed in the Federal Government and used by agencies seeking to augment and enhance their LMR networks on a carrier grade, national 4G LTE network. Using both Open Mobile Alliance (OMA) and IP-based standards, AT&T offers a first-of-its-kind PTT solution that provides customers with seamless communications across their LMR systems and their EPTT handset, across our 4G LTE network.

The operation of AT&T Enhanced Push-to-Talk interoperability with Land Mobile Radio Systems includes:

- Interconnection and patching between existing two-way LMR systems and AT&T Enhanced Push-to-Talk user groups
- Scalable and Reliable Solutions
  - Intergroup Calling
  - Instant Personal Alert feature - from Land Mobile Radio dispatcher to Enhanced Push-to-Talk device
  - Enhanced Push-to-Talk and Land Mobile Radio Talkgroup Scanning
  - Optimized network & support
- On-Premise IP Connectivity, leveraging open standard interface connection, such as Console Subsystem Interface (CSSI), Inter-RF Subsystem Interface (ISSI), or Radio over IP (RoIP) options, to do interoperability with various customer Land Mobile Radio systems

AT&T EPTT provides superior features and an excellent user experience:

- Sub-second latency, Fast call setup times
- View real-time presence/status of your talk group members
- Supervisory override functionality
- Use on 3G/4G HSPA/4G LTE/Wi-Fi data networks
- AES 256-bit encryption, with FIPS 140-2
- Optional interoperability with land mobile radio systems is available using CSSI, ISSI, or ROIP industry standard interfaces
- Optional integrated Dispatch Console functionality is available for Windows 7/10 PCs which give a dispatcher the ability to manage multiple talk groups. Enables efficient work assignments; can be part of a COOP or disaster response

In addition, unlike the other wireless broadband carriers, AT&T has a contractually committed roadmap to deliver Mission Critical services on the FirstNet network, to include MCPTT. These features, which will be built on the FirstNet core during 2019-2022, include cutting-edge public safety specific features not previously available anywhere. Adopting FirstNet EPTT provides the State of North Dakota with forward compatibility and a commitment to new and enhanced features that will change the way that public safety communicates (**Table 2-1**).

Table 2-1: Future Mission-Critical Services to be Available on FirstNet Core.

Feature
Enhanced LTE Public Safety Grade (**PSG**) voice telephony
Mission-critical PTT
Broadcast services for WEA
ProSe
Mission-critical data
Mission-critical M2M
Mission-critical location services

2.2 Coverage and Capacity

As part of the FirstNet build in the state, first responders will have robust broadband coverage (as discussed in Section 1.2, FirstNet in North Dakota). However, when comparing the LTE coverage with the dispersed LMR systems across the state, there are a few additional areas we recommend adding new site builds to provide equivalent LTE coverage to best accommodate the LMR to LTE PTT solution.

Starting in the northwest corner is the Sagebrush area. Working with our rural provider, we already plan to use 23 existing sites, but with this proposal we would build an additional five new sites with broadband capability to provide expanded mobile service coverage. Across the state, we would be adding an additional 88 new sites, over and above the current FirstNet plan to build 35 new sties as part of the opt-in consultation discussions (**Figure 2-2**).

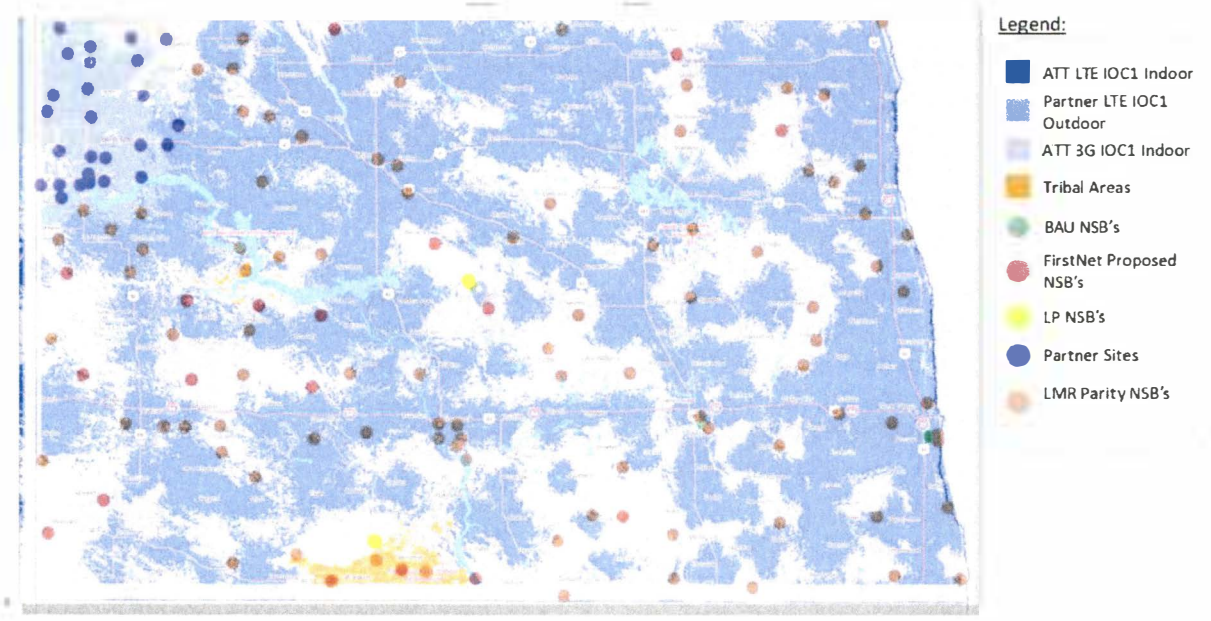

Figure 2-2: LMR Parity and Coverage Advantage.

Funding for these additional sites to better accommodate LMR to LTE would come from a partnership with the state using funds previously allocated for the LMR network build. However, based on actual state funding and the potential number of consoles that need replacing due to end of life considerations, we would need to revisit the actual number of new site builds. All those details will be negotiated as part of the LMR to LTE project plan/schedule.

Also, it is important to consider that no one can be certain of the extent and effects of an event or disaster, but AT&T is in a strong position for preparedness to extend coverage or restore service during an outage situation – another advantage for North Dakotas adoption of an LMR LTE solution. Our Business Continuity Team plans for and responds to a wide variety of situations that can affect the AT&T network and the public safety network. Our plans are designed to get the network back to business as usual as quickly and safely as possible. The planning process includes incorporating improvement opportunities from previous events into future response activities.

AT&T has an experienced and proven Public Safety Response Program (PSRP) team that is ready and capable to serve FirstNet subscribers in North Dakota. AT&T has more than 320 disaster recovery vehicles to help provide expedient resolution of network issues. We have

invested more than $600 million in our PSRP program, and our team members have spent more than 125,000 working hours on field exercises and deployments over the last two decades. Our commitment to public safety has not gone unnoticed with AT&T being the first company nationwide to receive DHS's Private Sector Preparedness Program (PS-Prep) certification.

The PSRP methodology provides rapid recovery of network services that have been destroyed by a natural or man-made disaster. PSRP assets include emergency communications capabilities (e.g., satellite Cell-on-Light Trucks (COLTs), Cell-on-Wheels (COWs), emergency communications vehicles, and radio equipment) that can be used for relief efforts as well as network recovery responses. The AT&T end-to-end program complies with leading practices as recommended by the FCC Communications Security, Reliability, and Interoperability Council.

Rapid Response Deployable Assets: The AT&T PSRP Team, which is responsible for the rapid recovery of service at AT&T network sites following catastrophic events, will develop and maintain a nationwide fleet of 72 Band 14 capable COWs and COLTs, to be used by public safety. An example is shown in **Figure 2-3**. These assets are dedicated for deployments specifically at the request of FirstNet customers, such as the North Dakota SPOC, and is in addition to the more than 320 disaster recovery vehicles already maintained by PSRP.

Key advantages of the FirstNet PSRP deployable approach include:

- The 72 FirstNet SatCOLT and COW deployable assets will be incremental to the AT&T existing PSRP assets (COWs/COLTs, portable generators, and other AT&T emergency communications vehicles).
- SatCOLTs will be Band 14 enabled.
- Provide voice (including Voice over IP, VoLTE), data, location, messaging, FirstPriority™ (QPP).
- Designed to be capable of up to 25Mbps downlink and 8 Mbps uplink.
- Recovery Time Objective of up to 14 hours once approved.

Figure 2-3: FirstNet Built with AT&T SatCOLT Deployable.

If needed by the State of North Dakota, AT&T is also developing a capability for states and agencies such to purchase their own FirstNet-compatible deployable units**.** These units, which are intended to support smaller user groups (up to 50 simultaneous users) of FirstNet subscribers only, can be made available in a wide variety of form factors ranging from flyaway kits (airline checkable or SUV-mountable) up through trailers or mounted on existing command vehicles. The customer-owned deployable capability is expected to be available in 2019 and AT&T can provide a detailed technical briefing on this anticipated future capability upon request.

Last, to expand coverage to the maximum extent possible, AT&T also has available to the state a robust set of Mobile Satellite Services (MSS) capabilities for individual, vehicle, boat, or aircraft-mounted connectivity. This optional service provided through our FirstNet teammate, Inmarsat, allows MSS options for access diversity, terrain independence, connectivity, and priority access. MSS services can be used in the most remote areas wherever there is line of sight to satellites – significantly improving coverage capability, if and when needed. AT&T has

unmatched experience supporting National Security/Emergency Preparedness (NS/EP) capabilities and delivering priority communications for first responders.

FirstNet Response Operations: AT&T FirstNet has committed to directly aligning itself with public safety to meet the connectivity issues afflicting public safety during large emergencies. This joint effort is officially named the FirstNet Response Operations Group – comprised of various subject matter experts to include police, fire, rescue, and military operations. This specialized team will spearhead efforts and directly integrate with public safety personnel in North Dakota, as well as every state and territory, to customize an emergency operations plan. Tailored to each state, the emergency operations plan will include key positions focused on streamlining FirstNet's emergency response. The key positions include the FirstNet response Operations Liaison, an AT&T employee who trains with and responds to state Emergency Operations Center (EOC) activations. This Liaison will be embedded with the Communications Emergency Support Function in each EOC and will be the single resource for all requests from public safety. They will, in direct coordination with the national response framework and active EOC's, work to identify the best location for FirstNet deployable assets. The Liaison will respond to the EOC and provide on-site support for the entirety of the time the EOC is open. This type of network backup is not readily available for LMR/P25 systems without significant investment by the state in equipment and personnel.

2.3 PSAP Interoperability

FirstNet fully supports Public Safety Enterprise Networks (PSEN) and Public Safety Answering Points (PSAP) per national and local regulatory requirements, via circuit switched PSTN traditionally, and IP PSAPs with direct IP connectivity (**Figure 2-4**). AT&T has actively participated in the National Emergency Number Association (NENA), Association of Public Safety Communications Officials (APCO), 3GPP, and the Alliance for Telecommunications Industry Solutions (ATIS) standards groups for emergency calling, including those standards that address user communication with a PSAP via an ESInet. Adherence to these standards enables effective network implementation and operation.

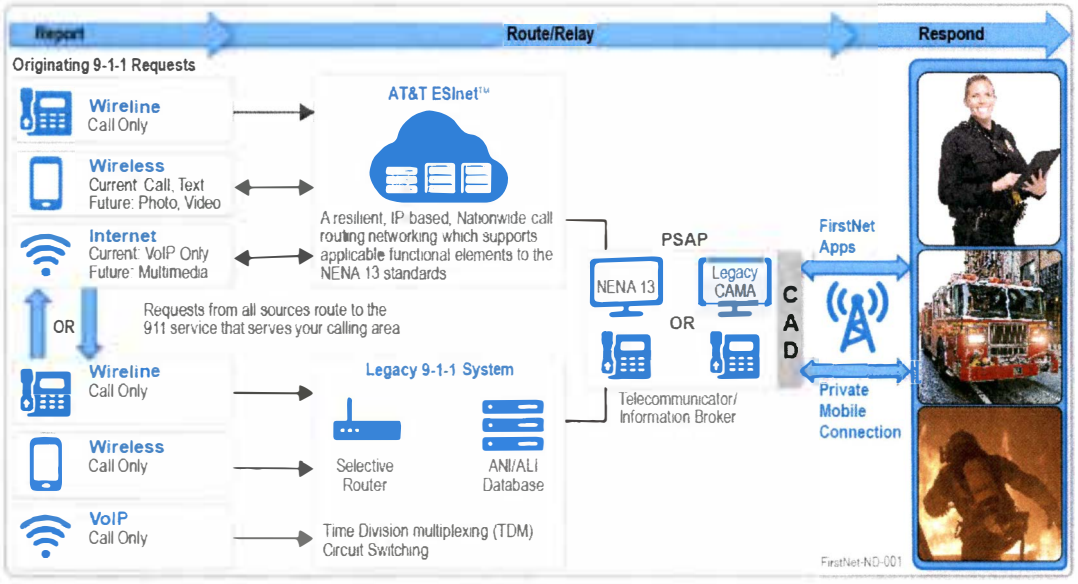

Figure 2-4: Connecting Emergency Requests with the Right First Responders.

Our solution for FirstNet enables connectivity between PSEN and our dedicated public safety network. With the use of a Private Mobile Connection (PMC) service, individual PSEs can establish a formal interconnection between their PSEN and FirstNet. Additionally, PSEN and PSAPs can utilize FirstNet Applications as an informal interconnection to securely share and transfer information to first responders in the field.

The PMC solution enables PSENs to create a private network within the wireless public safety network, providing secured end-to-end connectivity. First responders will have the ability to receive rich information to increase their situational awareness using the modernized IP network. For example, in the future, a witness at the scene of a car accident can send 9-1-1 a picture or video of the incident, which can be shared with EMS, so they arrive better prepared and with the right resources. The public safety broadband network will be able to use the existing AT&T architecture for routing emergency calls, and where diverse backhaul is available, the PMC solution can be leveraged in backup scenarios to provide path diversity when a PSEN's primary wireline connectivity is disrupted.

The mobility PMC enables FirstNet customers to extend their existing Wide-Area Network (WAN) to wireless devices on the FirstNet network. By using the PMC service, individual public safety agencies will be able to extend their PSEN across the network, in effect providing secured end-to-end connectivity. First responders are highly mobile workers and regularly require remote access to sensitive information and government databases to perform their job functions, such as EMS personnel accessing medical information and law enforcement accessing criminal background information. The PMC solution provides a secure method for first responders to access and share sensitive information by creating a custom Access Point Name (APN) for the PSEN, establishing a closed user group that isolates the PSEN's traffic. The FirstNet System Architecture Evolution Gateway/Packet Data Network Gateway/Policy and Changing Execution Function (SGW/PGW/PCEF) will support security and policy features required for public safety users.

Did You Know?

At this year's Boston Marathon, fire, police and incident response teams from Boston and Brookline, Mass., tested a variety of devices and applications connected to FirstNet's dedicated core network. First responders used FirstNet-ready devices with push-to-talk and land mobile radio integration applications.

Also, fire and police used location tracking applications with new capabilities for coordination response efforts to track personnel and resources. For the first time, the Boston Fire Department could see the exact position of individual responders displayed on screens in their communications center and mobile command units. Commanders knew which responder was closest to an incident and made real-time decisions to dispatch the closest responder saving valuable time.

Extract from FirstNet Blogs
"FirstNet is 'Boston Strong' at the 2018 Marathon"

Pairs of PMC routers can be implemented at the AT&T data centers for backend connectivity to North Dakota PSAPs. Multiple backend connections can be hosted on the same routers to connect to public safety agencies around the country. AT&T will provide the following options for network-to-network connectivity between AT&T-hosted FirstNet and PSENs:

- AT&T VPN (AVPN/EVPN) services via the AT&T Global MPLS Network
- IPsec VPN tunnels via the internet can be terminated at the AT&T Data Centers

AT&T will enable split access connection for NPSBN. Split access connection is a PMC-LTE service that allows PMC-LTE customers' wireless devices to connect to multiple destination networks via the AT&T wireless data network. For example, the FirstNet user equipment can access the PSAP/agency enterprise network and a second destination such as another public safety intranet or the public internet (**Figure 2-5**).

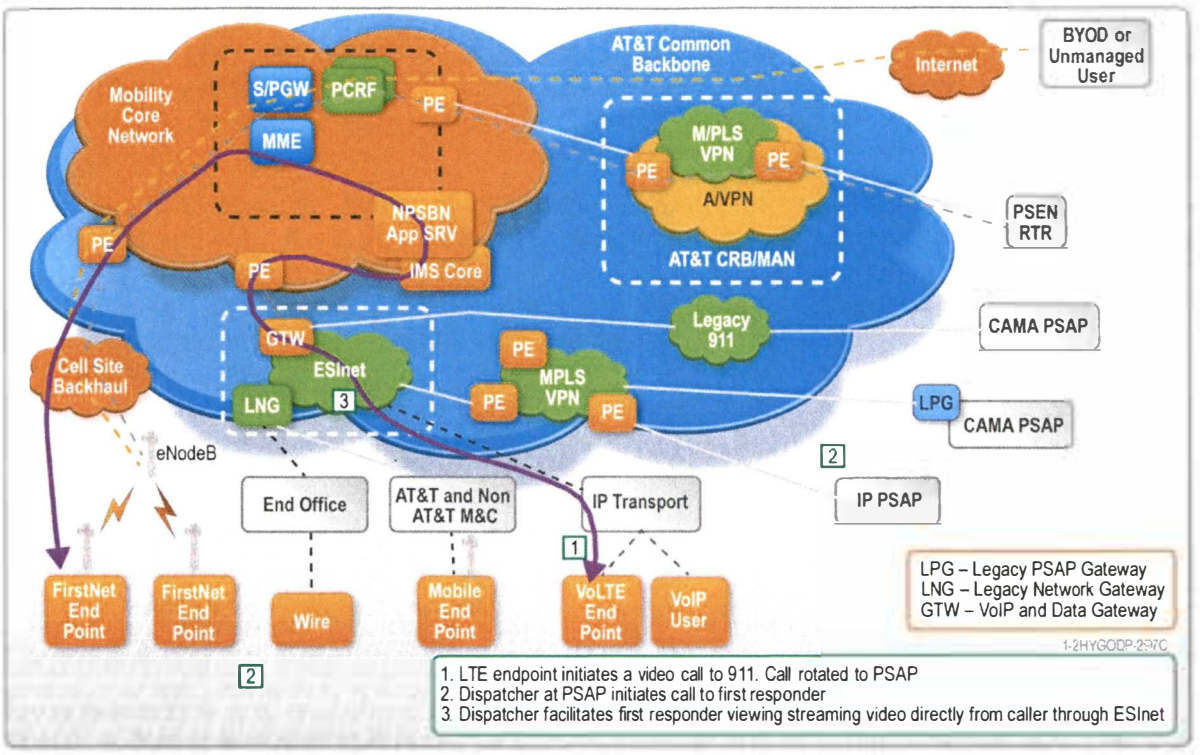

Figure 2-5: High Level Mobility LTE Network with PSEN and PSAP.
Vision of a possible path for a high-level video call from PSAP to FirstNet user.

The PMC APN and ESInet solutions are fully available today and proven. AT&T will maintain and manage these PSEN and PSAP connections, including ongoing network additions, upgrades, updates, configuration changes, rearrangements, assignments, and removals as part of our solution.

In addition, AT&T could improve the current interoperable landscape in the state by implementing multiple LMR to LTE solutions, not limited to those listed below:

- **Shared System Interoperability**: Where common system or channel use between agencies promotes interoperability for today's public safety community, we could use that commonality between systems with AT&T's EPTT as a managed solution – providing interoperability between agencies and user on shared channels while introducing EPTT access to users. This is especially important to North Dakota first responders when providing support services to Border States.
- **Shared Channel Interoperability:** We could provide national, state, and local interoperability channels to facilitate device to device communications for FirstNet users in North Dakota. This applies to radios operating in the VHF High Band, UHF Band, or 700/800 MHz band. The dedicated interoperability channels in each band can be used for inter-agency communications using EPTT in the ROIP solution, as well as within and between North Dakota and its bordering states.
- **Console Patching**: This solution would allow for dispatch personnel to promote interoperability between users through console patching. We could use on-premise gateways to promote interoperability between any analog/digital system and AT&T's EPTT service during North Dakota's EPTT to MCPTT transition. These gateways would

allow systems to use console-based IP technologies to facilitate interconnectivity via patching between North Dakota systems and users.

- **Radio over IP Gateway**: AT&T's ROIP Gateway could connect the EPTT user to any legacy LMR radio user via a mobile radio. Taking a commonly programmed LMR radio and connecting it to FirstNet, via EPTT, would allow any radio to connect to any other radio or anyone within coverage utilizing ATT's EPTT. This ROIP functionality can serve as a transitional solution to ubiquitous EPTT, and eventual MCPTT, coverage in North Dakota.

As PTT communication technology evolves using global advancements in capabilities and PTT services, we expect the ground-breaking MCPTT capabilities to be available in approximately 12-18 months. The good news is that MCPTT standards have been finalized, and the public safety community is starting to see hybrid devices that offer both legacy LMR and LTE service to users. Over time, these hybrid devices will continue to evolve with MCPTT providing critical data, imaging, and video functionality to users. We believe that North Dakota is in a unique position to be at the forefront of tomorrow's PTT technologies, while improving voice and data interoperability today for North Dakota's public safety users.

2.4 Dispatch Console Options

Another issue facing North Dakota is the P25 dispatch consoles that are nearing end of life. Candidly, we have heard differing accounts as to what type of consoles and how many consoles are facing obsolescence. As such, if the state agrees to pursue the alternative LMR to LTE solution, we will coordinate with each PSAP to inventory console equipment and make a final recommendation to augment their existing LMR systems with broadband LTE systems. AT&T teams with leading dispatch console and gateway providers and is ideally suited to recommend an augmentation plan for North Dakota's existing aged system to interwork with LTE system. This provides the state an ease of mind to make a "needed investment at the right time" and to maximize their radio communication operation/service while bridging to PTT over LTE.

AT&T offers variety of interoperability options utilizing open standards like APCO Project 25 CSSI, ISSI, or RoIP, so that AT&T Enhanced Push-to-Talk provides seamless IP-based interoperability to augment and extend LMR networks (**Figure 2-6**). IP-based interoperability simplifies the effort required to expand the number of push-to-talk users and dispatchers that can communicate simultaneously and provides a single interface capable of supporting a large number of concurrent sessions.

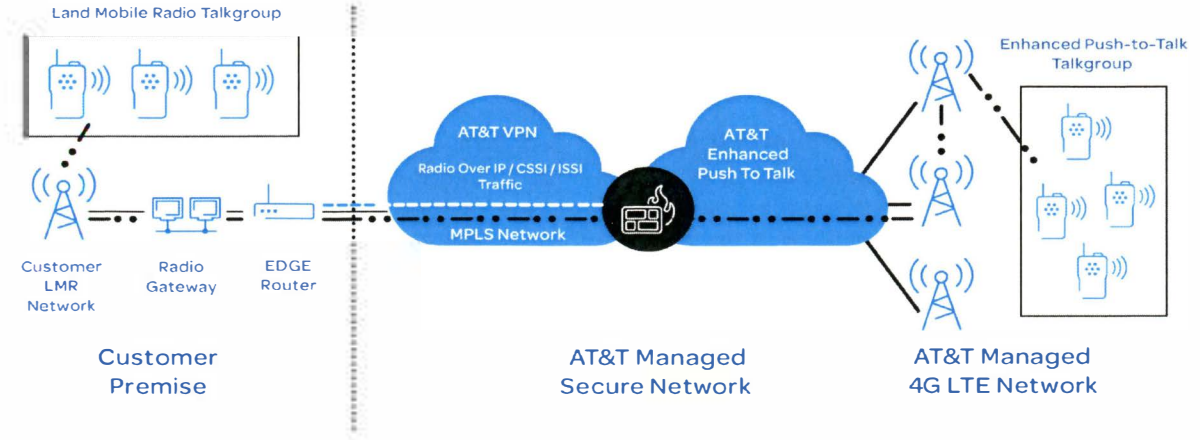

Figure 2-6: Diagram of Connecting On-Prem LMR with LTE EPTT.

AT&T supports on premise dispatch consoles solutions from both Avtec and Zetron, and RoIP gateway solution from Vocality and JPS InterOp Solutions which support per session connectivity between the AT&T and LMR networks. With AT&T EPTT and IP-based interoperability solution (**Table 2-2**), LMR customers can now free up capacity, add users, expand coverage, and preserve their network investment while eliminating the need to add new LMR sites or expensive devices, frequencies, or equipment.

Table 2-2: LTE LMR Interoperability Solution.

	LTE LMR Interoperability Solution Menu
✓	EPTT Client
✓	EPTT Device portfolio
✓	Accessory portfolio
✓	Command/Control center HW/SW including dispatch console
✓	Interoperability Gateway
✓	Secure VPN
✓	AT&T Dynamic Traffic Management
✓	End to End Support & Service

The benefits include:

- Fully-integrated, distributed PoC solution with the carrier grade reliability and security
- Nationwide coverage and optional international roaming for PoC users.
- QoS and priority (and optional pre-emption) call treatment with AT&T Dynamic Traffic Management (ADTM)
- Managed network extended to the customer premise.
- API integration to key mobile applications such as field workforce management including vehicle and asset tracking solutions.
- Broad portfolio of AT&T certified PoC devices and accessories

2.5 Security

Security is a cornerstone of AT&T's FirstNet network philosophy. With cyber-attacks and cybercrime dramatically increasing and the ability to combat these threats becoming more complex, network security is paramount to mission assurance. Public safety entities are often the target of criminals, hacktivists, and bad state actors. Our Global Technology Operations Center (GTOC) and Security Operations Center (SOC) play a vital role in enabling the highest level of security standards to be maintained across our network.

In addition to security standards and operating procedures, AT&T has continued to invest in a comprehensive, integrated end-to-end service to deliver a highly secured, redundant public safety grade network. These services provide solutions to secure the FirstNet complex networking environment and contain features designed to protect the network against cyber-attacks, while enabling the mission of public safety. Since network security is part of our DNA, AT&T's continual investment is a no-cost, benefit to North Dakota FirstNet subscribers, unlike LMR manufacturers who offer updated system security for a recurring annual fee paid for by the LMR customer.

AT&T Managed Security Services also offer a state of the art sophisticated and security-savvy suite of services that provide pinpoint managed security services and provide organizations with continuous business operations, mission progress, and accomplishment. For example,

AT&T offers optional mobility-optimized VPN capabilities and can provide application-layer solutions for FIPS 140-2 level security. FirstNet also provides a dedicated application store, with a focused collection of secure, robust public safety mobile applications. Collectively, these capabilities can help to provide the state's first responders with public safety grade security and integrity.

AT&T understands the importance of balancing cybersecurity, mission needs, and accessibility against our approach to services, applications, devices, architecture, and operations. AT&T will provide a secure solution that protects PSE information across the network infrastructure. AT&T has data protection processes in place and will manage and safeguard PII information and HIPAA, CJIS, and PCI data in compliance with laws, regulations, and standard practices.

Architecture Security

Our security architecture provides an end-to-end safeguard and mitigation approach to minimize the threat impact, not only on devices, but also across the network. Our mobile cybersecurity architecture provides the inherent security of the wireless network and overlays mobile Virtual Private Network (mVPN), Enterprise Mobility Management (EMM), Mobile Application Management (MAM), System on a Chip (SOC), and value-added services. The state's public safety users have the option of overlaying additional value-added security for additional protection. This comprehensive approach allows first responders to acquire basic wireless services with all the inherent security controls while opting for additional services such as EMM, email security, and mVPN as their mission requires. Our layered approach enables PSEs to increase security services as needed.

Our solution supports public safety entities with their own EMM, while providing security for Bring-Your-Own-Device (BYOD), applications, and wearables. The AT&T EMM solution will allow local control and management while providing scalability, security, and availability. EMM will provide management of FirstNet capabilities across all internal sub-groups (whether by geography, division, first responder roles, or other segmentations) in one, single administrative console. The system will also define administrators and delegate management of the entire mobile deployment to local PSEN teams aligned to FirstNet's management structure.

Applications Security

AT&T provides an application ecosystem architecture specifically designed to meet the objectives of FirstNet, with integrated end-to-end security, and strong governance processes for application development and certification. The architecture will support all persons within the public safety user's groups using Attribute-Based Access Control (ABAC), including those with fully managed enterprise devices and those with unmanaged devices including individually responsible users. The applications store will feature secured FirstNet applications procured through a public safety entities' EMM solution and community applications that can be downloaded by users.

AT&T EMM, combined with network provisioning strategies, provides unique capabilities to securely match devices to data center resources. AT&T EMM supports AES-256 encryption on devices, provides EMM capabilities (such as application containerization, per-application VPN, and remote wipe), and integrates Identity Management (IdM) to authorize user access to the device. Security is architected in the platform and extensible to devices and applications. The open APIs, in both platform and devices, allow FirstNet to incorporate leading solutions.

User logging security is provided through our ICAM solution, providing a single sign-on (SSO) that federates even the most complex on-premise active directory topologies and removing the

need for complex logins by establishing trust between user, device, network, and application. It offers step-up to seamless biometric, multi-factor authentication and authorization, and Active Directory/Lightweight Directory Access Protocol (AD/LDAP) integration.

The combined security approach enforces network access restriction policies and segregates traffic from the device to specific workloads. This substantially reduces attack vectors of malware or viruses that could do significant harm to first responders and provides secured application coexistence. Overall, the AT&T FirstNet approach offers superior end-to-end security while delivering applications, regardless of the device.

PSE users will be able to continue to access their current PSEN back-office IT resources. FirstNet application access will be protected using strong authentication requirements. Application access security will consist of ICAM, IdM, and optional integration with AD/LDAP (to reuse existing authentication credentials for console and end users). Additionally, the system will use certificates or multi-factor authentication to protect FirstNet application data. The objective of conditional access is to seamlessly provide FirstNet network access based on a comprehensive set of vectors that minimize any security risks and provide access based on the user's security credentials.

Public Safety Enterprise Network (PSEN) Security

PSEN security is delivered through a multi-layered approach (defense-in-depth) that combines the inherent security standards offered by the commercial wireless network while layering additional security capabilities like IPSEC VPNs. Private Mobile Connection (PMC) delivers the basis of our wireline network security solution. The PMC architecture can be viewed as the inter-networking of our wireless data network and the PSEN.

PMC provides PSEs with flexible cellular network solutions that are tailored to support their existing data networking environment. Based on the data networking environment that the public safety entity has, PMC can support cellular network connectivity to a PSE through the internet or an AT&T MPLS VPN. If end-to-end encryption of data in transit is required to meet FISMA or other security requirements, public safety entities can use their own VPN/EMM solutions, or AT&T can provide managed solutions that can fulfill the requirement. When customers require the flexibility provided by the cellular network, PMC provides the ability for mobile or remote locations to connect to the enterprise WAN.

AT&T offers a variety of security solutions to further protect the first responder. We will provide public safety entities security consulting services resulting in a proactive, comprehensive approach to security and compliance across PSE operations. Our 20,000 security specialists and consultants have accreditation in the latest security certifications and are knowledgeable across all aspects of security and provide solid methodologies for validating and streamlining regulatory compliance.

The AT&T Managed Security Services offer a state of the art suite of services that provide organizations information assurance of mission-critical functions and across business operations. We can provide public safety users with a suite of cybersecurity services that will be integrated to deliver multi-level protection. These services will provide FirstNet with standards-based policy and protocols across the FirstNet infrastructure.

Security Operations Center (SOC)

The SOC maintains 24x7x365 situational awareness through the collection of information from the FirstNet infrastructure. It provides experienced and certified personnel for monitoring, engineering, and forensics. The SOC communicates and reports to FirstNet leadership through

the AT&T Chief Information Security Officer (CISO). Operational support for the FirstNet infrastructure will be provided through the AT&T Global Technology Operations Center (GTOC). The GTOC is co-located with our SOC. The GTOC and SOC play a vital role in maintaining the highest level of security standards across our global network. Network security is a cornerstone of the AT&T philosophy. Our SOC Total Monitoring Service (TMS) provides the core functions of collection, analysis, and reporting security network threats and events, offering near real-time situational awareness on the network.

In addition to the security standards and operating procedures, AT&T has and continues to invest in developing and applying tools to achieve world-class reliability and security services. These services provide solutions to support complex networking environments that help our customers design, deploy, manage, and evolve networks, systems, and applications that are reliable and contain security features that protect against cybersecurity attacks. This process requires the ability to automate threat management.

The people, processes, and tools detailed in our SOC approach enables us to: 1) collect, maintain, and share information about threats on the FirstNet infrastructure through the correlation of network information collected from the infrastructure; 2) provide monitoring and analysis of users, systems, and access; 3) share information and collaborate with security personnel through an online portal and system reports; and 4) allow security operations personnel to assess, analyze, and evaluate infrastructure data for accuracy, importance, and implications. AT&T has invested significantly in the development of a suite of tools and technologies to predict many events before they became full-blown incidents.

In contrast, some states have created their own Network Operations Center to monitor system performance and security of their P25 systems. Unfortunately, those recurring costs in regard to hardware, software and personnel are the responsibility of the state administering the system. Again, because security is a cornerstone to the AT&T network, those ongoing investment expenses are absorbed within our day-to-day operations. That is why we are able to handle more than 197 petabytes of data traffic on an average day to nearly every continent and country with up to 99.999 percent reliability. In the end, AT&T's defense-in-depth of our LTE network provides LTE PTT users an added layer of confidence and reliability not fully realized in a traditional P25 operation. The result? —highly secure, highly reliable communications when and where needed.

2.6 PTT Ecosystem: Meeting the Current and Future Needs of Public Safety

AT&T has an extensive EPTT Ecosystem to meet the needs of North Dakota and public safety users, including standards-based LMR interoperability, integrated management solutions, and extensive devices and accessories (**Figure 2-7**).

AT&T Enhanced Push-to-Talk Ecosystem

Standards based interoperability and APIs

- LMR interoperability
- Web APIs
- Mobile APIs

Integrated solutions

- Mobile Resource Management including AT&T Mobile Forms and AT&T Workforce Manager
- AT&T Dynamic Traffic Management
- Integrated Dispatch

Devices and accessories

- Rugged, non-rugged and intrinsically safe
- Feature phones, smartphones, mobile computers and tablets
- Accessories for nearly every device type and work need

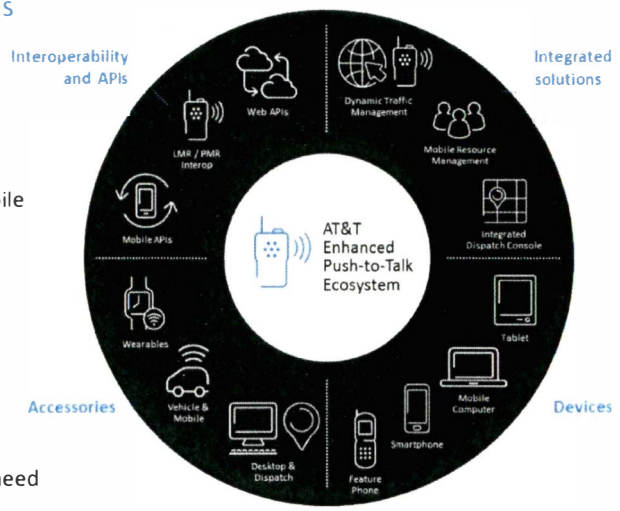

Figure 2-7: AT&T Has an Extensive, Mature EPTT Ecosystem.

Unlike narrowband PTT systems with limited data capabilities, with AT&T Enhanced Push-to-Talk over broadband LTE system, there are several purpose-built business applications that can be integrated with EPTT to reduce the cost and improve the productivity of public safety operation.

AT&T has been a pioneer in introducing a more modularized, integrated portfolio of mobile workforce management applications and, in the process, has helped to move the field service management industry away from standalone silos app solutions. Instead of a static list of features, the AT&T Workforce Manager suite offers a number of different task modules for public safety agencies to customize their operation.

With AT&T Workforce Manager, public safety agencies will have the ability to not only keep track of vehicles and assets but also have near real time location of personnel to manage voice and data communication:

- Work dispatch including Voice feature - Integrated with AT&T Push to Talk via API
  - Intelligent tracking gives dispatchers continuous view of workers for instant voice communication
  - Instantly see contacts and their availability via web portal
  - Hold group coordination with up to 250 enabled devices
- Mobile Forms
  - Form Work flows allows employees to work together to fill out a single wireless document
  - Include signatures and pictures of the assignment and send to the office
- Reporting
  - Vehicle, asset, personnel, location (geofence) historical locations
  - Paperwork for past visits, inspections, future planning
- Intelligent tracking

    - GPS locations from workers' mobile devices provide easy visibility of employee whereabouts. You can set alerts for events, such as arrivals and departures from specific locations.
- Vehicle and Mobile asset tracking
    - Monitor and report driver behaviors that could prove to be detrimental to vehicle integrity, while also keeping updated on service needs. Get more visibility on the current locations of critical mobile assets.
- Mobile Time Keeping
    - The mobile time clock lets remote employees clock in and out while on the go and tracks the activities.

Also, AT&T has a long and outstanding history as a provider of a wide range of first-class device options to our customers. From spearheading the global introduction of the Apple iPhone to certifying thousands of specialty/IoT-focused devices, AT&T has an impressive track record of delivering the selection of devices that our customers demand. Our longstanding relationships with Original Equipment Manufacturers (OEMs) and certification processes, along with our device purchasing power and track record of innovation, provide an advantage to FirstNet and to North Dakota.

Specifically, for EPTT devices, AT&T provides first responders with a device portfolio that is:

- Fully 3GPP compliant and able to use the full range of commonly implemented 3GPP network services
- Able to use commercial wireless bands that will rapidly incorporate Band 14 within the IOC/FOC timelines
- Fully interoperable with the FirstNet applications ecosystem, with a wide variety of form factors and OSs
- Fully supportive of GSMA USIM/UICC standards and capable of roaming, domestically and in more than 200 countries internationally
- Able to support all major Enterprise Mobility Management (EMM) capabilities such as containerization, Mobile Device Management (MDM), Mobile Application Management(MAM), Mobile Content Management (MCM), and BYOD

AT&T currently works with over 50 device OEMs, e.g., Sonim, Samsung, Apple, and Nokia, to bring the latest device technology to market. Since partnering with FirstNet, AT&T has certified 17 devices on our network as "***FirstNet Ready***," and we have launched an applications ecosystem tailored specifically to first responders. Most of those are capable of Push-to-Talk technology.

Due to the life-critical importance of the public safety mission, we have focused an emphasis on providing ultra-rugged, hardened devices to meet the most rigors of the most demanding operating environment. Today, we offer a variety of EPTT Sonim devices, such as the latest Sonim XP8, that has been military tested (Mil-Spec 810G) and rated (IP68/IP69K) under extreme conditions. The result? —the first responder can be confident that regardless of the mission environment, the phone is ready to work with easy access to push to talk communication, situational awareness, and emergency services. Also, both the Sonim XP8 and XP5s are capable of supporting all LTE bands including Band 14.

A sample of some of the many EPTT devices are displayed in **Table 2-3**.

Table 2-3: AT&T EPTT Mobile Devices. *AT&T can provide North Dakota with a broad variety of FirstNet Ready certified EPTT capable device.*

AT&T Enhanced Push-to-Talk Mobile Devices		
PTT-Centric	EPTT application is fully embedded into a proprietary device; Ruggedized Android devices with dedicated PTT button; **Large, tactile, and intuitive** EPTT, SOS and volume buttons, controls and keys make communication easy and error-free; **Loud and Clear Audio** through dual front-facing speakers with noise-cancellation; **Military tested and rated** under the most extreme conditions	 Sample of Sonim XP Ruggedized Phones
iOS	Nearly all iOS devices (iPhone and tables) are EPTT compatible	 Sample of Apple iPhones and iPads
Android	35+ Android devices are in the EPTT portfolio, including tables, smartphones, and purpose-built devices with dedicated PTT button	 Sample of Samsung Galaxy Phones

In addition, AT&T stocks a variety of essential accessories for EPTT devices to meet the mission critical demands of the public safety user (**Table 2-4**):

Table 2-4: Sample of AT&T EPTT Key Accessories. *AT&T accessories will address popular requirements for Sonim, Samsung, Kyocera phones.*

 VALOR Remote Speaker Microphone	 GPS Lockbox Wired Professional Install Vehicle Kit	 Sonim XPand Connector 900 MHz digital transceiver

AT&T is also the leader in the IoT ecosystem. As the U.S. mobile carrier with the largest number

of IoT devices on its network (more than 16 million), AT&T has more than 2,300 certified IoT devices and signed more than 300 corporate agreements to connect these devices across multiple industries (e.g., automotive, smart cities, and security). This significant IoT presence allows AT&T to drive Band 14 capabilities into public safety-centric IoT devices, e.g., body cameras, eCitation terminals, vehicle mounted cameras, and automatic license plate recognition systems.

With the accelerating pace of change in mobile communications, first responders have an ever-expanding portfolio of capabilities to enhance information gathering, sharing, and proactive analysis well beyond voice communications. For example, AT&T is working with OEMs on Band 14 capable devices, as well as the next generation MCPTT device portfolio. We also maintain a focus on rugged devices and accessories with easy access to PTT communications, situational awareness, and emergency services. Also, OEMs are working with us on direct mode accessories to allow PTT communication situations where broadband or Wi-Fi signal may not be readily available.

To bridge the transition and speed user acceptance, AT&T proposes to offer up to one year of free service for 2,000 Sonim XP8 or XP5s rugged phones. In addition, we will provide a subsidy of up to $400 on the devices.

3 Program Management

Team AT&T brings an integrated management approach and public safety communications experience to the North Dakota PTT to LTE project, backed by more than 140 years of communications success with industry best practices. The value is that North Dakota has access to the best-of-breed in technology and innovation developed for our commercial telecommunications network, with a full-time project manager, Garett Doyle, and staff dedicated to designing, building, and supporting the evolution from PTT to LTE PTT.

Mr. Doyle will work with our existing AT&T FirstNet Program Management Organization to facilitate continuity in design, implementation, and schedule of the LMR to LTE project with the larger FirstNet buildout. The North Dakota Project Manager will work with the state SPOC to coordinate project scope, objectives, and milestone schedules to facilitate a smooth implementation. In the end, the Project Manager has responsibility for overall project performance –meeting resource needs, deliverables, milestone requirements, and providing user satisfaction.

4 Transition and Delivery Schedule

An important part of schedule planning is identifying the sequences, task dependencies, and durations of all activities needed to meet project requirements, milestones, and deliverables. The key artifact is the Integrated Master Schedule (IMS), and we have already developed a high-level draft as part of our proposal development efforts. Working with the State of North Dakota, we will finalize the IMS after contract award, along with validation of the project scope. The IMS, built in Microsoft Project, will serve as the controlling document for project schedule. It will detail all the work tasks and activities, projected start and end dates, predecessor and successor relationships, and the critical paths necessary to accomplish the total work required for the North Dakota LMR to LTE project.

Figure 4-1 provides an initial snapshot of the major milestones.

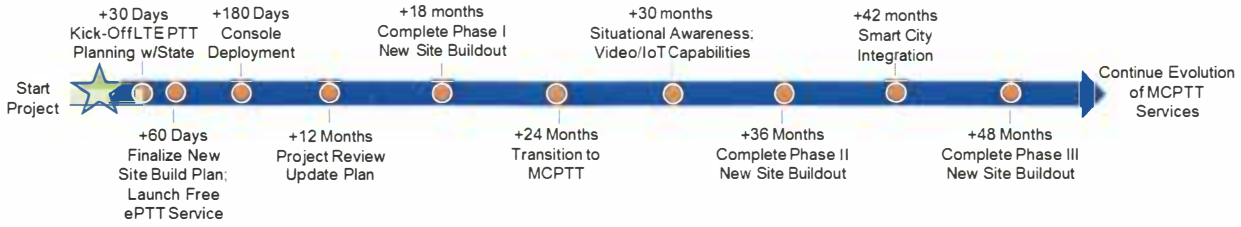

Figure 4-1: North Dakota High-Level Timeline. *Tracking major milestone/task areas*

5 Recommendations/Next Steps

AT&T looks forward to continuing the discussion regarding this unsolicited proposal and teaming with the State of North Dakota on this PTT project that leapfrogs current P25 technologies. Specifically, AT&T's PTT over cellular solution, in conjunction with other voice and data solutions, not only is capable of fully supporting the first responder experience in North Dakota, but also results in a faster time to solution and facilitate much needed interoperability starting with adoption. Our solution also provides the framework for MCPTT over LTE evolution in the near future.

Towards that end, North Dakota and AT&T should consider the following actions:

- Enter into a public-private partnership that upfront shifts the state's $40 million budget earmarked for the buildout of the proposed P25 network to our proposed LTE PTT statewide solution, plus provide $4.5 million annual maintenance fee – which is substantially less OPEX than the annual recurring costs for an LMR network.
- Evaluate all the existing console systems and assess partial or full replacement of these dispatch consoles. Based on AT&T's assessment of the condition of North Dakota's existing radio communication network, we will be able to best recommend options to extend the current service of the state's operation to bridge LMR to LTE PTT services.
    - Upgrading the console system will offer a significant saving to customer by preventing them to make a huge investment in replacing their entire analog system with APCO P25 system. Instead, North Dakota can hold on to part of their existing system and off-load some to the LTE system (and bypass an interim migration to P25).
    - The bridging solution by AT&T will allow North Dakota to continue their operation, and in parallel, thoroughly examine their future needs and develop a smooth roadmap to migrate to LTE PTT on the nationwide FirstNet network.
- Integration Options:
    - For mission critical use cases and high traffic/high quantity of talkgroups, we recommend CSSI connectivity via Zetron Acom or Max dispatch console platform. This will enable the state to off-load some of the mobile or portable analog devices with replacement AT&T smart or feature phones.
    - For business critical or less traffic/small quantity of talkgroups, we recommend Vocality RoIP solution. It is an IP based connectivity to AT&T Enhanced Push-to-Talk server in a secure cloud. However, on the state's LMR side, it requires donor phones for each talkgroup.
- Finalize negotiations with AT&T on the specific buildout location of additional sites and services to provide PTT services to existing LMR users, based on available funding from the state.

AT&T is committed to offer flexible open-standard interoperability solutions to North Dakota to augment their existing LMR systems with broadband LTE system as a starting point. Rather than build a new P25 LMR system, AT&T has developed a solid and broad eco-system around AT&T Enhanced Push-to-Talk (with a plan toward MCPTT) with an integrated network solution, API-based mobile applications, a large portfolio of devices and accessories, and dedicated and scaled support/services. We stand ready to fully support North Dakota in this important LTE PTT endeavor.

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HB-1435

Chairman Holmberg and members of the Appropriations committee, for the record, I'm Glenn Bosch, Representative from District 30 Bismarck. I'm here today to review HB1435 and before I walk through the bill, I'd like to give the committee a brief history of how the bill was developed.

Today, Public safety communications systems in the State of North Dakota are at a critical juncture. The State's current mission critical networks are comprised of a patchwork of dozens of aging and disparate systems that have not kept pace with the public safety community's evolving needs for increased reliability, performance, and interoperability. Land mobile radios serve as an essential communications tool for over 900 public safety and other public-sector agencies comprised of 20,000 users and devices and 23 Public Safety Answering Points ("PSAP", "Dispatch", or 9-1-1 Call Centers") distributed across all 53 counties and several state agencies. Many of these systems implemented individually by State, local, and municipal entities over the past three decades—will soon reach the end of their functional lifecycle and, as the vendors begin to sunset old technologies, will no longer be supported by their manufacturers.

Officially established by Governor Jack Dalrymple in 2009 and revised on September 14, 2012 under Executive Order 2012-10, the Statewide Interoperability Executive Committee, or SIEC, was established as a collaboration among representatives from state agencies and responder groups from across North Dakota counties, townships and cities for the purpose of continually improving effective communication between emergency first responders, emergency management personnel and other emergency service providers critical for federal, state and local governments during an emergency.

Then during the 63rd Legislative Assembly, the Legislature codified the work of the SIEC, establishing the Committee as a permanent body under NC 37-17.3-02.1. with a diverse membership under the premise that a statewide integrated radio communication system would more effectively serve the goals of law enforcement and emergency response personnel and thereby better serve the people of North Dakota. In 2014, several member organizations of the SIEC jointly funded a study to explore options and determine whether the State needed to consider changes to mission critical communications.

Based on this initial report, the 64th State Legislature charged "the [North Dakota] Information Technology Department [ITD], under the direction of the SIEC to determine the *feasibility* and *desirability* of implementing a *Statewide Interoperable Radio Network* (or SIRN 20/20) and provide a holistic evolution of the State and Local communications networks into a single integrated statewide solution. The SIRN 20/20 plan was designed to address the demand from population and emergency incident growth, enhance statewide interoperability and other prevailing first-responder safety expectations, and prevent technology obsolescence, all in a cost-effective and timely manner, and under a sustainable and well-governed framework.

After reviewing the study results, the 65th Legislative Assembly drafted and approved legislation authorizing ITD to begin implementation of a statewide interoperable radio network. HB-1178 and SB-2021 provided an appropriation derived from an additional $.50 fee collected on communications connections and loan authorization from the Bank of North Dakota. Based on a combination of the appropriation in SB2021 and the language in HB-1178, ITD was authorized to execute a procurement of $28.7m. To date, other than the cost for the development of the RFP, that money has not been spent and approximately $5m in fees have been collected. The bills also continued to mature the makeup of the SIEC committee, adding three new members, including representatives from the House and Senate as well as adding the ND Indian Affairs Commission to the panel to ensure inclusion across all aspects of North Dakota public safety, planning, procurement, and operations.

Lastly, 1178, required entities operating public-safety answering points to relinquish legal rights to any radio frequencies required for the for the operation of the network.

On November 6th, 2017 an RFP was issued for a system that when completed would provide 95% mobile and 85% portable coverage across North Dakota, including specific coverage for the 112 most populous cities (population over 500 and county seats). Additionally, 20Db coverage (Heavy Industrial Building) would be provided in eight identified urban areas, Bismarck/Mandan, Fargo/West Fargo, Grand Forks, Williston, Dickinson, Minot & Jamestown.

After an extensive procurement process, an intend to award was issued to Motorola Solutions on January 10th, 2019. The award, contingent on funding, was approximately $206m. Generally, the cost can be broken down into three major categories, towers ($97m), subscriber devices (radios, $100m)), and core systems (councils, $9m).

As you can see, HB1435 is the result of nearly a 10-year collaborative effort from the Public Safety community to improve communications among our states First Responders. The bill before you details the Financial, Implementation and Governance of the proposed project.

FINANCIAL

To recap the total project cost is estimated at $206M. Section 6 provides a $80M line of credit, paid back by the continuation of the $.50 connection fee as detailed in Section 4.

Section 7 of the bill provides an appropriation of $40M from the Strategic Investment and Improvements Fund.

This $120M, funds the required towers, state radio councils, and a $1,500 radio cost share outlined in Section 3.

The remaining project costs, approximately $86M, are the responsibility of the local jurisdictions (cities and counties).

IMPLEMENTATION

Section 1 line 9 of the bill establishes ITD as the department responsible for the procurement of the system. ITD has been involved with the entire RFP process, is represented on the SIEC, and has extensive experience in the deployment of large technology projects.

Also, in Section 1, lines 12-14 provides clarity as to the State's responsibility to fund only the required tower infrastructure and the councils used by State Radio.

GOVERNANCE

Section 2 authorizes the SIEC committee to adopt rules regarding the operation of the radio network and adds representatives from the ND Association of Counties, League of Cities, Health Department, and Game and Fish to the committee.

Section 3 authorizes ITD to track and audit users of the system. This process will be important as the system is deployed, and ongoing maintenance costs are allocated to the users of the system.

Lastly, Section 5 asks legislative management to study the governance and funding of our state's public safety community. Clear governance will be more important than ever as we move into a unified infrastructure.

Chairman Holmberg and members of the committee, as you can see this bill is final part of a long and thoughtful process, at this point, I'll stand for questions and ask for your support of the bill.

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HB 1435 TESTIMONY
SENATE APPROPRIATIONS COMMITTEE
BY: DUANE SCHELL, CHIEF TECHNOLOGY OFFICER
INFORMATION TECHNOLOGY DEPARTMENT (ITD)
MARCH 29, 2019

Mr. Chairman and members of the committee, my name is Duane Schell. I am the Chief Technology Officer at the Information Technology Department (ITD). In addition, I represent the Chief Information Officer on the Statewide Interoperability Executive Committee (SIEC) and I currently serve as the chair of that committee. The purpose of my testimony is to provide you with a high-level overview of the statewide interoperability radio network (SIRN) project as this bill provides both policy and funding that will impact this effort.

The SIRN project is an effort to provide a single, statewide, mission critical voice solution that will meet the demanding needs of the public safety community. This collaborative effort has been evolving for multiple biennium with an objective to resolve significant challenges that currently exist within the current communications systems. The challenges that exist today can be summarized into three broad categories: interoperability, coverage and aging infrastructure.

The first challenge, interoperability, is a term that can be interpreted in many ways. From a public safety communications perspective, interoperability is the ability for public safety officials to be able to communicate effectively and seamlessly across the various disciplines and across jurisdictional boundaries. Existing communications system which are comprised of dozens of disparate and independently managed solutions, leveraging technologies, designs and principles that date back to the 1970s, simply do not provide the effective and seamless communications that the public safety community requires.

The second challenge is coverage. We as citizens expect public safety officials to perform their mission regardless of location no matter how rural and remote the location or how large, complex and hardened the building or structure may be. Existing communications systems simply fall short of the coverage standards and expectations required by the public safety community. Where coverage is insufficient and, in some cases, non-existent, communications are likewise insufficient and sometimes non-existent putting both our public safety officials and the citizens they serve at risk.

The last challenge is aging infrastructure. Existing public safety communications systems have significant amounts of infrastructure that is at or near its end of life and end of support dates from the various manufacturers. Infrastructure no longer supported by their respective manufacturer, places the system at risk; in jeopardy of being able to maintain the stringent uptime and reliability requirements that are required by a mission critical communications system.

HB 1178 of the 65th legislative assembly provided direction and funding that allowed this initiative to move forward; beginning the process of addressing and solving these challenges. Efforts this biennium include: the expansion and establishment of governance and the execution of a successful procurement. The governance structure builds upon the current SIEC including a subcommittee to support ongoing operations and four regional boards, providing a voice to every 911 jurisdiction. The successful procurement included an extensive, detailed and thorough analysis performed in collaboration with the community, which resulted in a contract with Motorola Solutions that will allow us to move into the next phase and begin solving the challenges previously articulated.

The contract with Motorola Solutions includes a five-year plan that will provide the public safety community with a mission critical voice solution that will meet the detailed requirements of the community and will address the challenges surrounding interoperability, coverage, and aging infrastructure. The capital expense for the entire project is $207.1M. $206M is contained within the contract that includes all the infrastructure, hardware, software and professional service to support the initiative. To provide connectivity for the solution we are estimating $1.1M in network construction. The estimated annual operating expense for the complete solution is between $5M and $10M annually.

This concludes my prepared remarks. I would be happy to answer any questions.

Duane Schell
Chief Technology Officer
Information Technology Department
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dschell@nd.gov

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Prepared for:
Senate Appropriations
3/29/2019
By: Jason Stugelmeyer, Deputy Chief Bismarck Police Department

RE: HB 1435 – Support of SIRN Funding

My name is Jason Stugelmeyer and I am currently a Deputy Chief with the Bismarck Police Department and we are in support of HB1435.

My department along with fellow officers from around the state have a vested interest in this project. We rely on the radio infrastructure and supplementing portable/mobile radios on a daily basis. Having an antiquated or obsolete radio system is a safety concern for our general public and officers. When this equipment is operational we are able to respond to scenes faster and we are able to communicate information accurately when seconds count. The problem that we are finding is that our equipment is becoming less operational as we are resorting to trying to fix issues that are not being supported by Motorola.

I have some real life examples in which I can testify in front of you today that indicates our communication infrastructure system is in need of repair and or upgrades. As you listen to these examples please be aware that as commanders, we are charged with making sure our field personnel possess the tools they need to keep themselves safe and return to their families at the end of the shift.

I was a field commander during the DAPL protest situation and was in the field nearly every day of the 7 month long protest. There were times we needed to send personnel close to the camp to conduct operations and surveillance. This meant, we had to send officers into an area where there was limited to no cell phone coverage and no radio communications. If they were discovered, they would have no way of contacting headquarters for assistance, and we had no way of knowing if they were ok or not.

This situation was very evident during one operation where we sent officers to block a bridge where hostile actions were taking place. These hostile actions included multiple vehicles being burned on the roadway and bridges, officers being shot at with a pistol, and later in the evening, Molotov cocktails being thrown in their direction. During this operation we learned from our air support that protesters were blocking the roadway with modified spike strips, the same roadway and direction our officers were headed. For several minutes we tried to abort the effort by calling on the land radio to the officers. There was no response because the radio system failed us. By sheer luck, our air support, which we do not have 99.9 percent of the time, was able to contact the officers at what was possibly the last minute, avoiding a catastrophe. **My entire time spent during the DAPL protest was hindered by poor radio communications.**

My previous job in our department was supervising school resource officers. You may or may not have heard about some of the bomb threats and other threats made to our students last year. During some of those threats we were not able to communicate to the SRO that was inside that particular school. So it is disheartening, to say at the least, that we had a real time threat at a school in which a school officer was present, only to find out we could not communicate to him what was happening. With a failure in communication, officers are not able to locate a potential active shooter and more importantly, are not

able to coordinate rescue efforts of potential victims. **Seconds matter in those type of situations and we lost valuable seconds that day due to the failures in our communications system.**

While these situations I have described turned out ok it does show that the system is broke and is in need of urgent repair.

I would also like to explain some of the funding issues we have had over the years. Our special teams rely heavily on homeland security grants that are administered by ND Department of Emergency Services. We have been told for approximately 5 years that they will not fund any communications equipment. Likewise, our City is reluctant to fund any portable or mobile radio systems. The reasons for this make sense. We don't want to invest in something that might not work with the new system or something that could be funded with state and federal funds. It sounds like we are coming close to a resolution on requirements but respectfully ask that this buildout be expedited to help the end users of this system.

Approximately 70% of our radios for the 129 sworn officers at the BPD are obsolete. This means that when a radio breaks there is no support to fix it. We were forced to purchase 3 radios at the price of $13,764. Because we have not been able to replace radios on a rotational basis due to the pause in funding, we are left with a tremendous price tag in one lump sum. These price tags are very hard to swallow for municipalities especially with pricing as high as this equipment is.

The financial impact to our department is:

166 portable radios will have to be replaced in our inventory. ($4,500 each = $747,000 total for portables). 66 mobile radios ($5,150 each = $339,900) The total impact to BPD is approximately $1,086,900. This does not include other city entities such as fire and public works.

Funding is critical and a state commitment is necessary. Any delay in funding for this project will be at the expense of our citizen's safety. Everyone from all four corners of the state will benefit from this project. I believe that if we pass this bill we will be on pace to stop the bleeding so to speak, and hopefully prevent additional failures like I described. I respectfully ask that you support the proposed $40 million state funding for this project.

Jason Stugelmeyer
Deputy Chief
Bismarck Police Department
701-223-1212

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Testimony Prepared for the
Senate Appropriations
March 29, 2019
By: Donnell Preskey, NDACo

NDACo
NORTH DAKOTA ASSOCIATION OF COUNTIES

RE: HB 1435 – SIRN Funding

Good morning Chairman Holmberg and appropriations members, I am Donnell Preskey with the North Dakota Association of Counties. First, I would like to draw your attention to the handout that is being distributed. Listed on this document are the numerous associations who stand in support of HB 1435 and the funding of the Statewide Interoperable Radio Network. We recognize the urgent need and importance of securing 100% of the funding needed for this project this session.

The funding of a statewide interoperable radio system is a top priority of many of our county associations including commissioners, sheriffs and 9-1-1. In fact, we have had a resolution on record supporting the funding of the SIRN project since 2016.

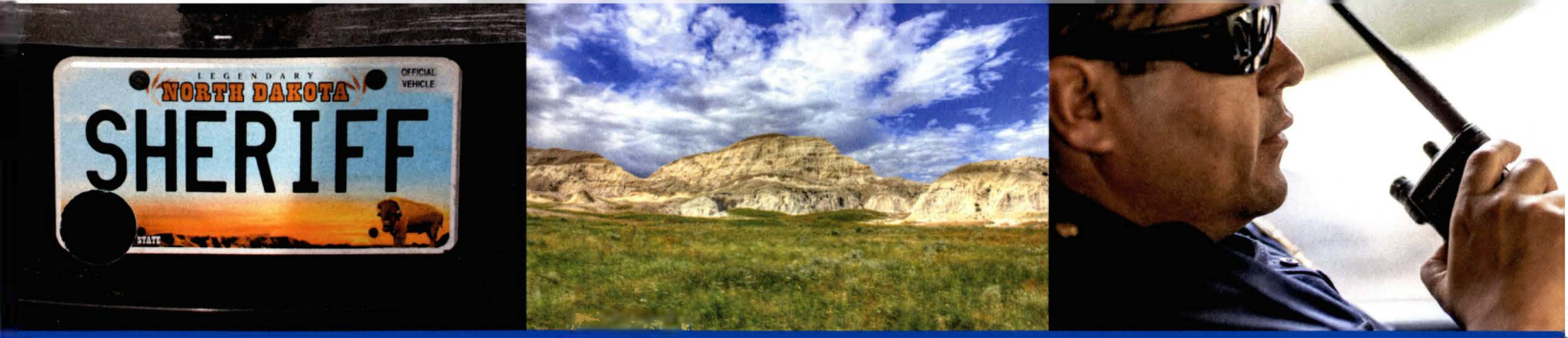
2016-02. Statewide Interoperable Radio Network (SIRN) 20/20. *SIRN 20/20 is a statewide initiative to study and recommend a consensus solution for delivering, integrating, and supporting mission critical interoperable radios systems and training for first responders and the public safety community. North Dakota's first responders have continued to provide a safe environment for the State; however, the current approach to how we utilize land mobile radios has its limits. In order to continually improve service to the public and effectively work together in delivering fire, rescue, law enforcement and aid across the State, we need to transition to an interoperable solution that ensures responders have the means to assist each other and the people of North Dakota regardless of their state, local, or tribal affiliation. This Association supports efforts to design, implement, and appropriately fund a statewide integrated and interoperable mission critical land mobile radio (LMR) network solution assisting public safety personnel in their ability to communicate effectively and reliably while carrying out their duties.*

The 2017 Legislative body approved an additional .50 9-1-1 fee, to start building a fund to pay for the SIRN project. That .50 fee is on your phone bills, both landline and cell, and is illustrated as a "county 9-1-1 fee". There is a feeling from our county members that this local tax should be dedicated for the local share of the cost. In addition, they have concerns with the state solely relying on the .50 9-1-1 fee to fund the entirety of this project.

$40 million of state funds was included in this bill as it was introduced, the House Appropriations committee removed the funding, however the Senate GVA restored the $40 million. That funding is an important component of the bill as it reflects the state's share and its commitment to the project.

On a personal note, I first hand, witnessed the failure of our current system while on "loan" to assist Morton County during the Dakota Access Pipeline protest and I can tell you the desperation I heard from the officer on a radio calling out to his guys in the field and hearing nothing was heart-wrenching. It is something our law enforcement nor any of our public safety entities should have to endure. This simple form of communication should be guaranteed to them.

I'm asking for you to make that happen. Please support HB 1435 and the $40 million investment in this critical infrastructure.



CALL TO ACTION FOR THE STATEWIDE INTEROPERABLE RADIO NETWORK (SIRN)

We the associations listed below, support the critically needed Statewide Interoperable Radio Network (SIRN). Reliable radio communications are the lifeline for the first responders and the citizens they serve. Studies and surveys completed confirmed grave shortcomings in the existing communications systems including:

- **Poor Coverage**
- **Limited Interoperability**
- **Over 40% of Existing Equipment is at End of Repairable Life**
- **Fragmented Disparate Systems**

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These issues place first responders and our citizens at risk.

This need has been discussed at the legislature since 2013 when the above studies were authorized and completed in 2014 -2015. In 2015, additional fees were authorized, and the Legislature directed ITD to determine the feasibility of a statewide radio interoperability network. In 2017 partial funding was appropriated, with the intent to begin constructing the SIRN system through HB 1178.

An RFP for the system was released in November of 2017 with contract awarded and signed in January of 2019. The contract provides for a single unified statewide system utilizing Project 25 technology a nationwide public safety standard that can serve all the first responders of North Dakota. Over 40 states/provinces have successfully implemented this type of system including our neighbors of South Dakota, Wyoming, Minnesota, Manitoba, Iowa, Nebraska and Kansas.

The time to finally solve this is now. If funding is not achieved this Session it will continue to put first responders and citizens at risk. Public safety agencies across the state will continue to either patch existing, deficient systems or construct more disparate systems that will further aggravate the existing problems.

Adequate funding resides in HB1021 and HB1435 but BOTH are needed to fund this essential project. If anything less than this funding is achieved, participation from all state and local agencies will not be realized.

HB1435 has received a DO PASS from The Government and Veterans Affairs and Appropriations Committees. Please Vote Yes For HB1435.

North Dakota Peace Officers Association

NDACo
NORTH DAKOTA ASSOCIATION OF COUNTIES

BAND
broadband association of north dakota

North Dakota 911 Association

- Broadband Association of North Dakota
- North Dakota 911 Association
- North Dakota Association of Counties
- North Dakota Fire Chief's Association
- North Dakota League of Cities
- North Dakota Peace Officers Association
- North Dakota Police Chiefs Association
- North Dakota Sheriffs and Deputies Association

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Testimony on House Bill 1435

Senate Appropriations Committee

By Gary Lorenz

March 29, 2019

Mr. Chairman and members of the committee, my name is Gary Lorenz, Fire Chief for the City of Grand Forks. I also represent the North Dakota Fire Chief's Association on the State Interoperable Executive Committee (SIEC) where I currently serve as Vice Chair for that committee. I am here today in support of all proposed funding in House Bill 1435 for the State Interoperable Radio Network (SIRN). While there have been significant advancements in technology over the past several decades, the use of land mobile radios by first responders as a primary means of communication has remained constant during this time.

The Grand Forks Fire Department, like many fire departments, has a vast assortment of tools and equipment used to mitigate the numerous types of emergency situations that the fire department is called upon to respond. For example, medical emergencies, vehicle crashes, fires, hazardous material incidents, technical rescue, natural disasters and today, active shooter and other terroristic threats. While many of these incidents require different specialized equipment, there is one vital tool that is used at every one of these events. That is a two-way radio. Effective, consistent, and reliable communications is vital to the day to day operations of the fire department.

I have served as a firefighter, apparatus operator, company officer, and assistant chief and now chief. During my 29 year career, I have responded to thousands of calls. On every one of these calls a two-way radio was used. These radios provided the necessary method to communicate with the dispatch center, between other fire department personnel, and with other agencies. While not every call for service presents a life threatening situation, I have been on calls where I believe the use of a two-way radio likely saved firefighters lives. Two incidents in particular come to mind. One involved a fire in a large apartment complex where after a roof collapse a firefighter became trapped and called a "Mayday" using his two-way radio. Fortunately, the firefighter was not injured. But imagine this firefighter being trapped and not having the ability to call for help. The second incident involved an intentionally set fire in a nightclub in an older building located in center of the downtown area. With the use of gasoline, the fire was initially started on the second floor towards the rear of the building. Several fire crews were inside the structure attempting to extinguish the fire when a captain who was working to advance fire hoses into the

building heard strange noises coming from within the building. Using his portable radio, he made the announcement of "emergency traffic". The purpose of this announcement was to advice personnel on scene to stop and pay attention to the radio. After hearing the "emergency traffic" announcement, two firefighters who were advancing into the first floor stopped to listen to the radio. Before the captain could make the next announcement, a large boiler crashed through the second floor and ended up in the basement. Had these two firefighters not stopped after hearing this announcement, their direction of travel would have put them directly below the boiler. While these two firefighters suffered minor burns from the ensuing flash over, their lives were potentially saved because of the announcement they heard on the two-way radio.

The Grand Forks Fire Department, along with the Devils Lake Fire Department, provides mutual aid regional response to the Northeast quarter of North Dakota for hazardous materials and structural collapse incidents. Currently within the state are dozens, if not hundreds, of independent fragmented radio systems, which presents significant communication challenges between different agencies. The SIRN system that has been vetted and approved by responders from around the state as well as the SIEC, provides the type of agency interoperable communications necessary for these types of mutual aid responses.

Many agencies from around the state are faced with aging radio equipment that has reach the end of its life and is no longer being factory supported. Up to this point, there has been no clear direction for these agencies in regards to what their next radio system should be. In addition, radio communication challenges and the subject of a needed state wide radio network has been a topic during the previous two legislative sessions. Thanks to a tremendous amount of work by a large number of individuals from around state, I believe that the radio network that has been proposed, and approved, provides a clear path and will deliver effective, reliable and interoperable communications for responders throughout the State of North Dakota for many years. I encourage your support for the SIRN project.

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Testimony to
Senate Appropriations
Vice Chairman Chad Peterson, Cass County Commission

Regarding: House Bill 1435 – SIRN Funding

Senator Holmberg and committee members, I am Chad Peterson, Vice Chairman of the Cass County Commission. As one of my national appointments, I also serve on the National Association of Counties (NACo) Justice and Public Safety Committee. I support House Bill 1435 that would fund SIRN funding.

The problem we all face is this; as of December 2018 the systems we use to keep the public safe are no longer supported technologically. Or worse, new replacements for equipment are not available for purchase should they quit functioning. As an example; as of 2013, the radios our deputies in Cass use were no longer being manufactured. Fourteen of the twenty six dispatch centers are currently being affected by this issue. The systems we have on place need to evolve.

It was over six years ago that we learned the technology we use to ensure the safety of residents and visitors was coming to the end of its useful life. In preparation for this our local public safety leaders, police chiefs, fire chiefs, etc. have been doing their best to plan for this by stockpiling technology to replace items as they fail and further investigating proposed solutions and their associated costs. Meanwhile, over the last three sessions we've asked state leaders to put in place funding for replacement of these systems knowing the overall expense will be cumbersome those large and small. The requests have not been not been fully funded. We are one of only two states not to take action on this. Vermont is the other.

Two and a half years ago, with the support of local government, the Red River Regional Dispatch Center Board of Directors elected to proceed in formal negotiations to join with the Minnesota network called the Allied Radio Matrix for Emergency Response (ARMER). After 18 month of negotiations and review by six levels of administration, the MN ARMER system agreed to the proposal and we joined with them. On October 2018 Cass County decided we could not wait for the state to take action. With +22% of the overall state population and over 30,000 people that commute to work within Cass borders, we decided that there was too much at risk should our systems fail. It will take almost two years to implement all changes and updates required. The total cost of this system will be $14,000,000. This will be paid for by using local property taxes for five years. There was a public vote to use sales tax, but it failed by a narrow margin.

If the state chooses not to act, local political entities will have to resolve the issue piecemeal before systems fail. The end result could involve multiple service providers, varied technologies and increased costs. Interoperability (ease of communications between political subdivisions and private users) could also be troublesome. The total cost of this system throughout North Dakota has been estimated between $150,000,000 and $250,000,000. The costs may be higher or lower depending on technology, conditions of existing infrastructure (i.e. towers) and startup date.

We need to act now and resolve this matter using a statewide solution. I'd be happy to talk more about this any time you wish. Again, I support House Bill 1435 that would fund SIRN.

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19.0656.05003
Title.

Prepared by the Legislative Council staff for
Representative

April 16, 2019

PROPOSED AMENDMENTS TO REENGROSSED HOUSE BILL NO. 1435

That the Senate recede from its amendments as printed on pages 1420 and 1421 of the House Journal and pages 1051 and 1052 of the Senate Journal and that Reengrossed House Bill No. 1435 be amended as follows:

Page 1, line 4, after the third semicolon insert "to provide for a transfer;"

Page 4, line 29, replace "$120,000,000" with "$80,000,000"

Page 5, line 1, replace "thirty" with "twenty"

Page 5, after line 4, insert:

"**SECTION 7. TRANSFER - BANK OF NORTH DAKOTA PROFITS - STATEWIDE INTEROPERABLE RADIO NETWORK FUND.** The industrial commission shall transfer the sum of $20,000,000 from the current earnings and accumulated undivided profits of the Bank of North Dakota to the statewide interoperable radio network fund, during the period beginning with the effective date of this Act, and ending June 30, 2021."

Page 5, line 5, after "appropriated" insert "out of any moneys in the strategic investment and improvements fund, not otherwise appropriated, the sum of $20,000,000, out of any moneys in the statewide interoperable radio network fund, not otherwise appropriated, the sum of $20,000,000, and"

Page 5, line 6, replace "$120,000,000" with "$80,000,000"

Page 5, line 6, replace the second "sum" with "sums"

Page 5, line 8, replace "biennium beginning July 1, 2019" with "period beginning with the effective date of this Act"

Page 5, line 9, replace "Section 6" with "Sections 6, 7, and 8"

Page 5, line 9, replace "is" with "are"

Renumber accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

This amendment reduces the Bank of North Dakota line of credit for the statewide interoperable radio network from $120 million to $80 million and provides $20 million from the strategic investment and improvements fund and $20 million from Bank of North Dakota profits.

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HB 1435
4-17-19

19.0656.05000

SECOND ENGROSSMENT

Sixty-sixth
Legislative Assembly
of North Dakota

REENGROSSED HOUSE BILL NO. 1435

Introduced by

Representatives Bosch, Heinert, Nathe, Porter

Senators Cook, Schaible, Wardner

A BILL for an Act to amend and reenact sections 37-17.3-02, 37-17.3-02.2, and 37-17.3-03 of the North Dakota Century Code, and section 10 of chapter 247 of the 2017 Session Laws, relating to the governance, purchase, financing, and operation of the statewide interoperable radio network; to provide for a legislative management study; to provide an appropriation; and to declare an emergency.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

SECTION 1. AMENDMENT. Section 37-17.3-02 of the North Dakota Century Code is amended and reenacted as follows:

37-17.3-02. ~~State~~Statewide interoperable radio ~~broadcasting system~~network.

The ~~director~~chief information officer of the information technology department may purchase the necessary apparatus and equipment to construct or establish a statewide interoperable radio ~~broadcasting system~~network for this state ~~that~~which enables seamless interoperable communications from local, state, and federal levels. However, the chief information officer may not use state funds including resources from the statewide interoperable radio network fund for dispatch consoles, connectivity, and associated necessary software, equipment, or services to support a public safety answering point unless these items are intended for use by a state agency or state department. The ~~director~~chief information officer is charged with the operation and maintenance of the ~~system~~statewide interoperable radio network as directed by the statewide interoperability executive committee.

SECTION 2. AMENDMENT. Section 37-17.3-02.2 of the North Dakota Century Code is amended and reenacted as follows:

37-17.3-02.2. North Dakota statewide interoperability executive committee. (Effective through July 31, 2023)

1. The statewide interoperability executive committee consists of:

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a. The director of state radio or a designee;
b. The director of the division of homeland security or a designee;
c. The superintendent of the highway patrol or a designee;
d. The adjutant general or a designee;
e. The director of the department of transportation or a designee;
f. A representative of the North Dakota sheriff's and deputies association;
g. A representative of the North Dakota emergency managers association;
h. A representative of the North Dakota fire chiefs association;
i. A representative of the North Dakota emergency medical services association;
j. A representative of the North Dakota police chiefs association;
k. A representative of the North Dakota peace officers association;
l. A representative of the North Dakota 911 association;
m. A representative of the North Dakota association of counties;
n. A representative of the North Dakota league of cities;
o. The North Dakota chief information officer or a designee;
~~n.~~p. The North Dakota Indian affairs commission executive director or a designee; and
~~o.~~q. One member of the North Dakota house of representatives and one member of the North Dakota senate appointed by the legislative management.

2. The committee shall elect a chairman and vice chairman for terms of two years upon its initial meeting. ~~The adjutant general shall call and convene the initial meeting.~~

3. The committee shall prepare recommendations regarding a statewide ~~integrated~~interoperable radio ~~system~~network with due consideration for all stakeholders reliant upon ~~a~~the statewide interoperable radio ~~communication system~~network.

4. The committee may adopt rules governing the connection or integration of public safety answering points to the statewide interoperable radio network.

North Dakota statewide interoperability executive committee. (Effective after July 31, 2023)

1. The statewide interoperability executive committee consists of:
a. The director of state radio or a designee;

b. The director of the division of homeland security or a designee;

c. The superintendent of the highway patrol or a designee;

d. The adjutant general or a designee;

e. The director of the department of transportation or a designee;

f. A representative of the North Dakota sheriff's and deputies association;

g. A representative of the North Dakota emergency managers association;

h. A representative of the North Dakota fire chiefs association;

i. A representative of the North Dakota emergency medical services association;

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

k. A representative of the North Dakota peace officers association;

l. A representative of the North Dakota 911 association;

m. A representative of the North Dakota association of counties;

n. A representative of the North Dakota league of cities; ~~and~~

~~m.~~o. The North Dakota chief information officer or a designee;

p. The executive director of the North Dakota Indian affairs commission or a designee; and

q. One member of the North Dakota house of representatives and one member of the North Dakota senate appointed by the legislative management.

2. The committee shall elect a chairman and vice chairman for terms of two years upon its initial meeting. ~~The adjutant general shall call and convene the initial meeting.~~

3. The committee shall prepare recommendations regarding a statewide ~~integrated~~interoperable radio ~~system~~network with due consideration for all stakeholders reliant upon ~~a~~the statewide interoperable radio ~~communication system~~network.

4. The committee may adopt rules governing the connection or integration of public safety answering points to the statewide interoperable radio network.

SECTION 3. AMENDMENT. Section 37-17.3-03 of the North Dakota Century Code is amended and reenacted as follows:

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37-17.3-03. Political subdivisions may furnish receiving and transmitting sets for enforcement purposes - State cost-share.

1. Each county and organized city within the state may furnish to its law enforcement, firefighters, and emergency medical personnel the appropriate radio ~~or radio systems~~ that can access the ~~state~~statewide interoperable radio ~~system~~network. Each ~~mobile~~ radio that is programmed to access the ~~state~~statewide interoperable radio ~~system~~network must be ~~registered with the division of state radio and assigned a unit number~~approved by the statewide interoperability executive committee. ~~A one-time fee of ten dollars for registering and assigning unit numbers must be paid to the director on all newly added radios by the appropriate governmental entity. Agencies with registered radios must validate assigned unit numbers annually~~The chief information officer shall establish a process to register and audit users of the statewide interoperable radio network.
2. The information technology department may provide a state cost-share for each radio purchased under this section. The state cost-share for each radio is one thousand five hundred dollars unless the cost of the radio is less than one thousand five hundred dollars in which case the state cost-share is the cost of the radio.

SECTION 4. AMENDMENT. Section 10 of chapter 247 of the 2017 Session Laws is amended and reenacted as follows:

SECTION 10. EXPIRATION DATE. ~~This~~Sections 3, 6, 7, 8, and 9 of this Act ~~is~~are effective through July 31, 2023, and after that date ~~is~~are ineffective.

SECTION 5. LEGISLATIVE MANAGEMENT STUDY - STATEWIDE INTEROPERABLE - RADIO NETWORK. During the 2019-20 interim, the legislative management shall consider studying consolidated emergency and interoperable public safety communications system governance and funding options. The legislative management shall report its findings and recommendations, together with any legislation required to implement the recommendations, to the sixty-seventh legislative assembly.

SECTION 6. LINE OF CREDIT. The Bank of North Dakota shall extend a line of credit not to exceed $120,000,000 to the information technology department at the prevailing interest rate charged to North Dakota governmental entities. The information technology department shall repay the line of credit from funds available in the statewide interoperable radio network fund or

other funds over a period not to exceed thirty years from the date of issuance of the line of credit, as appropriated by the legislative assembly. The information technology department may access the line of credit, as necessary, to provide funding as authorized by the legislative assembly for statewide interoperable radio network projects.

SECTION 7. APPROPRIATION. There is appropriated from proceeds of a Bank of North Dakota line of credit, the sum of $120,000,000, or so much of the sum as may be necessary, to the information technology department for the purpose of statewide interoperable radio network projects, for the biennium beginning July 1, 2019, and ending June 30, 2021.

SECTION 8. EMERGENCY. Section 6 of this Act is declared to be an emergency measure.