

PROPOSED AMENDMENTS TO ENGROSSED HOUSE BILL NO. 1016

Page 1, line 2, after "management" insert "and a division of homeland security and state radio communications" and replace "911 services; to provide" with "the division of emergency management; to provide a statement of legislative intent"

Page 1, line 3, remove "authorization for a loan from the Bank of North Dakota"

Page 1, line 4, replace "and to require political subdivision financial participation in the state radio" with "to create and enact a new section to chapter 54-23.2 of the North Dakota Century Code, relating to a division of homeland security and state radio communications advisory commission; and to amend and reenact sections 54-23.2-01, 54-23.2-04.1, 54-23.2-09, 57-40.6-11, and 57-40.6-12 of the North Dakota Century Code, relating to a division of homeland security and state radio communications."

Page 1, remove line 5

Page 1, line 21, replace "3,760,579" with "3,540,596"

Page 2, line 1, replace "23,457,783" with "23,237,800"

Page 2, line 2, replace "19,733,090" with "19,519,635"

Page 2, line 3, replace "3,724,693" with "3,718,165"

Page 2, line 10, replace "6,798,138" with "6,578,155"

Page 2, line 14, replace "62,043,959" with "61,823,976"

Page 2, line 15, replace "56,950,231" with "56,736,776"

Page 2, line 16, replace "5,093,728" with "5,087,200"

Page 2, after line 16, insert:

"SECTION 4. LEGISLATIVE INTENT - FULL-TIME EQUIVALENT POSITIONS. It is the intent of the fifty-ninth legislative assembly that the total full-time equivalent authorization includes 35 full-time equivalent positions for the division of homeland security and state radio communications, consisting of 29 positions relating to state radio communications, 5 positions authorized during the 2003-05 biennium by the emergency commission for homeland security, and 1 deputy director position from the division of emergency management."

Page 2, replace lines 22 through 31 with:

"SECTION 6. PERFORMANCE AUDIT - DIVISION OF EMERGENCY MANAGEMENT. The state auditor shall conduct a performance audit of the division of emergency management, including a review of fees collected for 911 services and the utilization of the fees during the biennium beginning July 1, 2005, and ending June 30, 2007. The audit must include a recommendation by the state auditor of the appropriate method of funding costs incurred by the division of emergency management for providing 911 services, including the costs incurred by the division for answering calls

from counties not under contract with the division for 911 services. The state auditor must be granted access to all county and county consortium records pertaining to 911 information. The results of the audit must be presented to the legislative audit and fiscal review committee and filed with the appropriations committee of the sixtieth legislative assembly."

Page 3, remove lines 1 through 7

Page 3, replace lines 18 through 22 with:

"SECTION 8. AMENDMENT. Section 54-23.2-01 of the North Dakota Century Code is amended and reenacted as follows:

54-23.2-01. Definitions. ~~Wherever the word "director" is hereinafter used, it shall mean the director of the office of management and budget. The word "system" hereinafter used shall mean~~ As used in this chapter, unless the context otherwise requires:

1. "Director" means the adjutant general.
2. "Division" means the division of homeland security and state radio communications.
3. "System" means the state radio broadcasting system.

SECTION 9. AMENDMENT. Section 54-23.2-04.1 of the North Dakota Century Code is amended and reenacted as follows:

54-23.2-04.1. Lost or runaway children and missing persons. ~~The state radio department~~ division shall:

1. Establish and maintain a statewide file system for the purpose of effecting an immediate law enforcement response to reports of lost or runaway children and missing persons. ~~The state radio department shall implement~~
2. Implement a data exchange system to compile, to maintain, and to make available for dissemination to North Dakota and to out-of-state law enforcement agencies, descriptive information ~~which~~ that can assist appropriate agencies in recovering lost or runaway children and missing persons.
- 2- ~~3.~~ 3. Establish contacts and exchange information regarding lost or runaway children and missing persons with the national crime information center.
- 3- ~~4.~~ 4. Notify all enforcement agencies that reports of lost or runaway children and missing persons ~~shall~~ must be entered as soon as the minimum level of data specified by the ~~state radio department~~ division is available to the reporting agency and that no waiting period for entry of such data exists. If the enforcement agency is unable to enter the data, the ~~state radio department shall~~ division immediately upon notification shall enter the information into the national crime information center file.
- 4- ~~5.~~ 5. Compile and retain information regarding lost or runaway children or missing persons in a separate file, in a manner that allows the information to be used by law enforcement and other agencies ~~deemed~~ considered appropriate by the ~~state radio department~~ division, for investigative purposes. The enforcement agency is responsible for maintaining the disposition of the case and ~~shall~~ periodically shall review the case with the

reporting party and the ~~state radio department~~ division to ensure all available information is included and to determine the current status of the case.

- 5- 6. Provide prompt confirmation of the receipt and entry of the lost or runaway children and missing persons report into the file system to the enforcement agency providing the report or to the parent, guardian, or identified family member as provided in subsection ~~6~~ 7.
- 6- 7. Allow any parent, guardian, or identified family member to submit a missing persons report to the ~~state radio department~~ division which will be included in the ~~state radio department~~ division file system and transmitted to the national crime information center, if they are unable to receive services from the local law enforcement agency.
- 7- 8. Compile and maintain a historical data repository relating to missing persons for all of the following purposes:
 - a. To develop and improve techniques utilized by law enforcement agencies when responding to reports of missing persons.
 - b. To provide a factual and statistical base for research ~~that~~ which would address the problem of lost or runaway children and missing persons.

SECTION 10. AMENDMENT. Section 54-23.2-09 of the North Dakota Century Code is amended and reenacted as follows:

54-23.2-09. Mobile data terminal and 911 service fees. ~~State radio communications~~

1. The division shall establish and charge fees to provide mobile data terminal service to interested local law enforcement agencies. The fees must be based on actual costs incurred by ~~state radio communications~~ the division for providing the service.

~~State radio communications~~

2. The division may provide 911 services to a political subdivision with a population of fewer than twenty thousand and shall charge at least twenty cents per telephone access line and wireless access line for 911 services provided to political subdivisions. The fee for 911 wireless services must be charged to and paid by the political subdivision receiving services from ~~state radio communications~~ the division under this section from and after the date of the agreement entered into by the political subdivision or its designee under section 57-40.6-05, whether the date of that agreement is before or after April 4, 2003. Each county currently receiving 911 services from ~~state radio communications~~ the division shall abide by the standards established by law.

SECTION 11. A new section to chapter 54-23.2 of the North Dakota Century Code is created and enacted as follows:

Advisory commission. The division of homeland security and state radio communications advisory commission consists of five members appointed by the governor. Each member must be appointed for a term of four years. Each member of the advisory commission is entitled to be paid a per diem of sixty-two dollars and fifty cents per day and is entitled to be reimbursed for the member's actual and necessary expenses at the rates and in the manner provided by law for other state officers. The compensation and expenses must be paid out of division appropriations. The advisory

commission shall advise the division regarding collaboration with political subdivisions and potential efficiencies with state radio communications.

SECTION 12. AMENDMENT. Section 57-40.6-11 of the North Dakota Century Code is amended and reenacted as follows:

57-40.6-11. Annual report to legislative council. ~~State radio~~ The division of homeland security and state radio communications, in cooperation with entities affected by this section and section 57-40.6-10, shall facilitate the review of emergency 911 telephone system standards and guidelines and shall report annually to the legislative council on the operation of and any recommended changes in the standards and guidelines.

SECTION 13. AMENDMENT. Section 57-40.6-12 of the North Dakota Century Code is amended and reenacted as follows:

57-40.6-12. Reports of coordination of public safety answering points coverage. The governing body of a city or county, which adopted a fee on telephone exchange access service and wireless service under this chapter, shall make an annual report of the income, expenditures, and status of its emergency services communication system. The annual report must be submitted to the ~~state radio~~ division of homeland security and state radio communications and to the public safety answering points coordinating committee. The committee is composed of three members, one appointed by the North Dakota 911 association, one appointed by the North Dakota association of counties, and one appointed by the ~~office of management and budget adjutant general~~ to represent the ~~state radio~~ division of homeland security and state radio communications. The public safety answering points coordinating committee shall file its report with the legislative council by November first of each even-numbered year."

Renumber accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

House Bill No. 1016 - Division of Emergency Management - Senate Action

	EXECUTIVE BUDGET	HOUSE VERSION	SENATE CHANGES	SENATE VERSION
Salaries and wages	\$6,821,939	\$6,798,138	(\$219,983)	\$6,578,155
Operating expenses	3,325,844	3,325,844		3,325,844
Capital assets	4,957,923	4,957,923		4,957,923
Grants	<u>46,962,054</u>	<u>46,962,054</u>		<u>46,962,054</u>
Total all funds	\$62,067,760	\$62,043,959	(\$219,983)	\$61,823,976
Less estimated income	<u>56,961,521</u>	<u>56,950,231</u>	<u>(213,455)</u>	<u>56,736,776</u>
General fund	\$5,106,239	\$5,093,728	(\$6,528)	\$5,087,200
FTE	54.00	54.00	0.00	54.00

Dept. 512 - Division of Emergency Management - Detail of Senate Changes

	REDUCES RECOMMENDED FUNDING FOR HEALTH INSURANCE ¹	REDUCES FUNDING FOR SALARIES AND WAGES ²	TOTAL SENATE CHANGES
Salaries and wages	(\$6,490)	(\$213,493)	(\$219,983)
Operating expenses			
Capital assets			
Grants			
Total all funds	(\$6,490)	(\$213,493)	(\$219,983)
Less estimated income	<u>(2,939)</u>	<u>(210,516)</u>	<u>(213,455)</u>
General fund	(\$3,551)	(\$2,977)	(\$6,528)
FTE	0.00	0.00	0.00

¹ This amendment reduces funding for state employee health insurance premiums from \$559.15 to \$553.95 per month.

² This amendment reduces funding for salaries and wages by \$213,493, of which \$2,977 is from the general fund to remove funding related to continuing salary increases provided to Division of Emergency Management employees not directly affiliated with homeland security and state radio responsibilities during the 2003-05 biennium.