

Fifty-ninth
Legislative Assembly
of North Dakota

ENGROSSED HOUSE BILL NO. 1016

Introduced by

Appropriations Committee

(At the request of the Governor)

1 A BILL for an Act to provide an appropriation for defraying the expenses of the division of
2 emergency management; to provide for a performance audit of 911 services; to provide
3 authorization for a loan from the Bank of North Dakota; to provide for a report to the legislative
4 council; and to require political subdivision financial participation in the state radio
5 communications system migration project.

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

7 **SECTION 1. BASE LEVEL FUNDING INFORMATION.** The amounts identified in this
8 section represent the base level funding component appropriated to the division of emergency
9 management under the supervision of the adjutant general in section 3 of this Act as follows:

10 Salaries and wages	\$3,037,559
11 Operating expenses	1,637,032
12 Capital assets	12,000
13 Grants	<u>33,899,585</u>
14 Total all funds - Base level	\$38,586,176
15 Less estimated income - Base level	<u>37,217,141</u>
16 Total general fund - Base level	\$1,369,035

17 **SECTION 2. FUNDING ADJUSTMENTS OR ENHANCEMENTS INFORMATION.** The
18 amounts identified in this section represent the funding adjustments or enhancements to the
19 base funding level for the division of emergency management under the supervision of the
20 adjutant general which are included in the appropriation in section 3 of this Act as follows:

21 Salaries and wages	\$3,760,579
22 Operating expenses	1,688,812
23 Capital assets	4,945,923
24 Grants	<u>13,062,469</u>

1	Total all funds - Adjustments/enhancements	\$23,457,783
2	Less estimated income - Adjustments/enhancements	<u>19,733,090</u>
3	Total general fund - Adjustments/enhancements	\$3,724,693

4 **SECTION 3. APPROPRIATION.** The funds provided in this section, or so much of the
5 funds as may be necessary, are appropriated out of any moneys in the general fund in the state
6 treasury, not otherwise appropriated, and from special funds derived from federal funds and
7 other income, to the division of emergency management under the supervision of the adjutant
8 general for the purpose of defraying the expenses of that agency, for the biennium beginning
9 July 1, 2005, and ending June 30, 2007, as follows:

10	Salaries and wages	\$6,798,138
11	Operating expenses	3,325,844
12	Capital assets	4,957,923
13	Grants	<u>46,962,054</u>
14	Total all funds	\$62,043,959
15	Less estimated income	<u>56,950,231</u>
16	Total general fund appropriation	\$5,093,728

17 **SECTION 4. STATE HAZARDOUS CHEMICALS PREPAREDNESS AND**
18 **RESPONSE FUND.** The sum of \$225,553, or so much of the sum as may be necessary,
19 included in the estimated income line item in section 3 of this Act, is from the state hazardous
20 chemicals preparedness and response fund and may be spent by the division of emergency
21 management for the purposes provided in section 37-17.1-07.1.

22 **SECTION 5. PERFORMANCE AUDIT - 911 SERVICES.** The state auditor shall
23 conduct a performance audit of the fees collected for 911 services and the utilization of such
24 fees during the biennium beginning July 1, 2005, and ending June 30, 2007. The audit must
25 include a recommendation by the state auditor of the appropriate method of funding costs
26 incurred by the division of emergency management for providing these services, including the
27 costs incurred by the division for answering calls from counties not under contract with the
28 division for 911 services. The results of the audit must be presented to the legislative audit and
29 fiscal review committee and the appropriations committees of the sixtieth legislative assembly.

30 **SECTION 6. STATE RADIO COMMUNICATIONS - LOAN AUTHORIZATION.**
31 Subject to the approval of the emergency commission and the budget section, the division of

1 emergency management may borrow an amount not to exceed \$900,000 from the Bank of
2 North Dakota for expenses associated with the migration of the state radio communications
3 system from analog to digital during the biennium beginning July 1, 2005, and ending June 30,
4 2007. The loan only may be provided if the division has the prior written approval to repay any
5 loan, including accrued interest, from future funding made available from the United States
6 department of homeland security. Any funds borrowed by the division under this section are
7 hereby appropriated.

8 **SECTION 7. HOMELAND SECURITY FUNDING ALLOCATION REVIEW PROCESS -**
9 **REPORT TO THE LEGISLATIVE COUNCIL.** The division of emergency management shall
10 implement during the 2005-06 interim a review process relating to the division's allocation of
11 federal homeland security funds to political subdivisions. The process must assure that all
12 agencies and responders are involved in the distribution of the federal funds and that the
13 priorities included in the local needs assessment are met. The division, as requested, shall
14 provide an appropriate committee of the legislative council a report detailing the uses of federal
15 homeland security funds at the state and local level and a report regarding any discrepancies
16 relating to the needs assessment completed by the division and purchases made with federal
17 homeland security funds.

18 **SECTION 8. State radio communications system migration project - Political**
19 **subdivision financial participation.** The division of emergency management shall require
20 political subdivisions to spend a portion of federal homeland security funding allocations on
21 costs associated with the migration of the state radio communications system from analog to
22 digital.