

Sixty-first
Legislative Assembly
of North Dakota

HOUSE BILL NO.

Introduced by

Representative Kempenich

1 A BILL for an Act to create and enact a new section to chapter 54-59 of the North Dakota
2 Century Code, relating to powers of the information technology department; and to amend and
3 reenact sections 37-17.1-02.1, 54-23.2-01, and 57-40.6-12 of the North Dakota Century Code,
4 relating to state radio within the information technology department.

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

6 **SECTION 1.** A new section to chapter 54-59 of the North Dakota Century Code is
7 created:

8 **Division of state radio.** The information technology department must have a division
9 of state radio. The chief information officer shall appoint a separate director for the division.
10 The division director serves at the pleasure of the chief information officer. The chief
11 information officer shall fix the compensation of the division director within limits of legislative
12 appropriation.

13 **SECTION 2. AMENDMENT.** Section 37-17.1-02.1 of the North Dakota Century Code
14 is amended:

15 **37-17.1-02.1. Department of emergency services.** The department of emergency
16 services ~~consists of~~ must have a division of ~~state radio and a division of~~ homeland security.
17 The adjutant general is the director of the department. ~~The adjutant general shall provide for~~
18 ~~shared administration of both divisions.~~ The division of homeland security consists of the state
19 emergency operations center section, the disaster recovery section, and the homeland security
20 section. ~~The adjutant general shall appoint a separate director of each division.~~ The division
21 director serves at the pleasure of the adjutant general. The adjutant general shall fix the
22 compensation of a the division director within limits of legislative appropriation.

23 **SECTION 3. AMENDMENT.** Section 54-23.2-01 of the North Dakota Century Code is
24 amended:

1 **54-23.2-01. Definitions.** As used in this chapter, unless the context otherwise
2 requires:

- 3 1. "Director" means the director of the division of state radio.
- 4 2. "Division" means the division of state radio of the information technology
5 department ~~of emergency services~~.
- 6 3. "System" means the state radio broadcasting system.

7 **SECTION 4. AMENDMENT.** Section 57-40.6-12 of the North Dakota Century Code is
8 amended:

9 **57-40.6-12. Emergency services communications coordinating committee -**
10 **Membership - Duties.**

- 11 1. The governing body of a city or county, which adopted a fee on assessed
12 communications services under this chapter, shall make an annual report of the
13 income, expenditures, and status of its emergency services communication
14 system. The annual report must be submitted to the emergency services
15 communications coordinating committee. The committee is composed of three
16 members, one appointed by the North Dakota 911 association, one appointed by
17 the North Dakota association of counties, and one appointed by the ~~adjutant~~
18 ~~general~~ chief information officer to represent the division of state radio.
- 19 2. The committee shall:
 - 20 a. Recommend to the legislative council changes to the operating standards for
21 emergency services communications, including training or certification
22 standards for dispatchers;
 - 23 b. Develop guidelines regarding the allowable uses of the fee revenue collected
24 under this chapter;
 - 25 c. Request, receive, and compile reports from each governing body on the use
26 of the proceeds of the fee imposed under this chapter, analyze the reports
27 with respect to the guidelines, file its report with the legislative council by
28 November first of each even-numbered year regarding the use of the fee
29 revenue, and recommend to the legislative assembly the appropriate
30 maximum fee allowed by section 57-40.6-02; and

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- 1 d. Periodically evaluate chapter 57-40.6 and recommend changes to the
- 2 legislative council.
- 3 3. The committee may initiate and administer statewide agreements among the
- 4 governing bodies of the local governmental units with jurisdiction over an
- 5 emergency 911 telephone system to coordinate the procurement of equipment and
- 6 services, fund the research, administration, and activities of the committee, and
- 7 contract for the necessary staff support for committee activities.