

**HOUSE BILL NO. 1435**

Introduced by

Representatives Bosch, Heinert, Nathe, Porter

Senators Cook, Schaible, Wardner

1 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  
2 the North Dakota Century Code, and section 10 of chapter 247 of the 2017 Session Laws,  
3 relating to the governance, purchase, financing, and operation of the ~~state~~statewide  
4 interoperable radio ~~broadcasting system~~network; to provide for a legislative management study;  
5 to provide an appropriation; and to declare an emergency.

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

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

9 **37-17.3-02. ~~State~~Statewide interoperable radio ~~broadcasting system~~network.**

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

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

22 **37-17.3-02.2. North Dakota statewide interoperability executive committee. (Effective**  
23 **through July 31, 2023)**

24 1. The statewide interoperability executive committee consists of:

Sixty-sixth  
Legislative Assembly

- 1 a. The director of state radio or a designee;
- 2 b. The director of the division of homeland security or a designee;
- 3 c. The superintendent of the highway patrol or a designee;
- 4 d. The adjutant general or a designee;
- 5 e. The director of the department of transportation or a designee;
- 6 f. A representative of the North Dakota sheriff's and deputies association;
- 7 g. A representative of the North Dakota emergency managers association;
- 8 h. A representative of the North Dakota fire chiefs association;
- 9 i. A representative of the North Dakota emergency medical services association;
- 10 j. A representative of the North Dakota police chiefs association;
- 11 k. A representative of the North Dakota peace officers association;
- 12 l. A representative of the North Dakota 911 association;
- 13 m. A representative of the North Dakota association of counties;
- 14 n. A representative of the North Dakota league of cities;
- 15 o. The North Dakota chief information officer or a designee;
- 16 ~~n.p.~~ The North Dakota Indian affairs commission executive director or a designee;
- 17 and
- 18 ~~o.q.~~ One member of the North Dakota house of representatives and one member of
- 19 the North Dakota senate appointed by the legislative management.
- 20 2. The committee shall elect a chairman and vice chairman for terms of two years upon
- 21 its initial meeting. ~~The adjutant general shall call and convene the initial meeting.~~
- 22 3. The committee shall prepare recommendations regarding a statewide
- 23 ~~integrated~~ interoperable radio ~~system~~ network with due consideration for all
- 24 stakeholders reliant upon ~~a~~ the statewide interoperable radio ~~communication~~
- 25 ~~system~~ network.
- 26 4. The committee may adopt rules governing the connection or integration of public
- 27 safety answering points to the ~~state~~ statewide interoperable radio ~~broadcasting~~
- 28 ~~system~~ network.
- 29 **North Dakota statewide interoperability executive committee. (Effective after July 31,**
- 30 **2023)**
- 31 1. The statewide interoperability executive committee consists of:

- 1 a. The director of state radio or a designee;
- 2 b. The director of the division of homeland security or a designee;
- 3 c. The superintendent of the highway patrol or a designee;
- 4 d. The adjutant general or a designee;
- 5 e. The director of the department of transportation or a designee;
- 6 f. A representative of the North Dakota sheriff's and deputies association;
- 7 g. A representative of the North Dakota emergency managers association;
- 8 h. A representative of the North Dakota fire chiefs association;
- 9 i. A representative of the North Dakota emergency medical services association;
- 10 j. A representative of the North Dakota police chiefs association;
- 11 k. A representative of the North Dakota peace officers association;
- 12 l. A representative of the North Dakota 911 association;
- 13 m. A representative of the North Dakota association of counties;
- 14 n. A representative of the North Dakota league of cities; and
- 15 m.o. The North Dakota chief information officer or a designee;
- 16 p. The executive director of the North Dakota Indian affairs commission or a
- 17 designee; and
- 18 q. One member of the North Dakota house of representatives and one member of
- 19 the North Dakota senate appointed by the legislative management.
- 20 2. The committee shall elect a chairman and vice chairman for terms of two years upon
- 21 its initial meeting. ~~The adjutant general shall call and convene the initial meeting.~~
- 22 3. The committee shall prepare recommendations regarding a statewide
- 23 ~~integrated~~interoperable radio ~~system~~network with due consideration for all
- 24 stakeholders reliant upon ~~a~~the statewide interoperable radio ~~communication~~
- 25 ~~system~~network.
- 26 4. The committee may adopt rules governing the connection or integration of public
- 27 safety answering points to the ~~state~~statewide interoperable radio ~~broadcasting~~
- 28 systemnetwork.
- 29 **SECTION 3. AMENDMENT.** Section 37-17.3-03 of the North Dakota Century Code is
- 30 amended and reenacted as follows:

1           **37-17.3-03. Political subdivisions may furnish receiving and transmitting sets for**  
2 **enforcement purposes - State cost-share.**

3           1. Each county and organized city within the state may furnish to its law enforcement,  
4 firefighters, and emergency medical personnel the appropriate radio ~~or radio systems~~  
5 that can access the ~~state~~statewide interoperable radio ~~system~~network. Each ~~mobile~~  
6 radio that is programmed to access the ~~state~~statewide interoperable radio  
7 ~~system~~network must be ~~registered with the division of state radio and assigned a unit~~  
8 ~~number~~approved by the statewide interoperability executive committee. ~~A one-time fee~~  
9 ~~of ten dollars for registering and assigning unit numbers must be paid to the director~~  
10 ~~on all newly added radios by the appropriate governmental entity. Agencies with~~  
11 ~~registered radios must validate assigned unit numbers annually~~The chief information  
12 officer shall establish a process to register and audit users of the statewide  
13 interoperable radio network.

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

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

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

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

29           **SECTION 6. LINE OF CREDIT - APPROPRIATION.** The Bank of North Dakota shall extend  
30 a line of credit not to exceed \$80,000,000 ~~at a rate of one and one-half percent over the three-~~  
31 ~~month London interbank offered rate, but may not exceed three percent,~~ to the information

1 | technology department at the prevailing interest rate charged to North Dakota governmental  
2 | entities. The information technology department shall repay the line of credit from funds  
3 | available in the statewide interoperable radio network fund or other funds, as appropriated by  
4 | the legislative assembly. The information technology department may access the line of credit,  
5 | as necessary, to provide funding as authorized by the legislative assembly for statewide  
6 | interoperable radio network projects.

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

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