

Sixty-ninth
Legislative Assembly
of North Dakota

SENATE BILL NO. 2332

Introduced by

Senator Boschee

Representatives Brandenburg, Mitskog, Nelson

1 A BILL for an Act to create and enact a new section to chapter 54-27 of the North Dakota
2 Century Code, relating to a legacy earnings emergency services and public safety fund and
3 advisory board; to amend and reenact section 21-10-13 of the North Dakota Century Code,
4 relating to the allocation of legacy fund earnings; and to provide a continuing appropriation.

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

6 **SECTION 1. AMENDMENT.** Section 21-10-13 of the North Dakota Century Code is
7 amended and reenacted as follows:

8 **21-10-13. Legacy earnings fund - State treasurer - Transfers.**

- 9 1. There is created in the state treasury the legacy earnings fund. The fund consists of all
10 moneys transferred to the fund under subsection 2 and all interest and earnings upon
11 moneys in the fund.
- 12 2. Any legacy fund earnings transferred to the general fund at the end of each biennium
13 in accordance with section 26 of article X of the Constitution of North Dakota must be
14 immediately transferred by the state treasurer to the legacy earnings fund.
- 15 3. For each biennium subsequent to the biennium in which the legacy fund earnings are
16 transferred under subsection 2, the amount available for appropriation from the legacy
17 earnings fund is seven percent of the five-year average value of the legacy fund
18 assets as reported by the state investment board. The average value of the legacy
19 fund assets must be calculated using the value of the assets at the end of each fiscal
20 year for the five-year period ending with the most recently completed even-numbered
21 fiscal year.
- 22 4. On July first of each odd-numbered year, from the amount available for appropriation
23 or transfer from the legacy earnings fund for the biennium, the state treasurer shall
24 transfer funding in the following order:

- 1 a. The first one hundred two million six hundred twenty-four thousand dollars or an
- 2 amount equal to the amount appropriated from the legacy sinking and interest
- 3 fund for debt service payments for a biennium, whichever is less, to the legacy
- 4 sinking and interest fund under section 6-09.4-10.1.
- 5 b. The next two hundred twenty-five million dollars to the general fund to provide
- 6 support for tax relief initiatives approved by the legislative assembly.
- 7 c. The next one hundred million dollars to the legacy earnings highway distribution
- 8 fund for allocations under section 54-27-19.3.
- 9 d. The next twenty-five million dollars to the legacy earnings emergency services
- 10 and public safety fund under section 2 of this Act.
- 11 e. Any remaining amounts under this subsection as follows:
- 12 (1) Fifty percent to the general fund.
- 13 (2) The remaining fifty percent to the strategic investment and improvements
- 14 fund to be used in accordance with the provisions of section 15-08.1-08.
- 15 5. If the amounts transferred under subsection 2 exceed the amount available for
- 16 appropriation under subsection 3, the state treasurer shall transfer the excess and any
- 17 remaining amounts after the transfers and appropriations under subsection 4, as
- 18 follows:
- 19 a. Fifty percent to the general fund.
- 20 b. The remaining fifty percent to the strategic investment and improvements fund to
- 21 be used in accordance with the provisions of section 15-08.1-08.

22 **SECTION 2.** A new section to chapter 54-27 of the North Dakota Century Code is created
23 and enacted as follows:

24 **Legacy earnings emergency services and public safety fund - Advisory board -**
25 **Continuing appropriation.**

- 26 1. There is created a North Dakota legacy earnings emergency services and public
- 27 safety fund. The fund consists of all moneys deposited in the fund under section 1 of
- 28 this Act and all interest and earnings of the fund. Moneys in the fund are appropriated
- 29 on a continuing basis to the department of emergency services for distributing grants
- 30 awarded by the advisory board and related administrative costs.
- 31 2. The legacy earnings emergency services and public safety advisory board consists of.

1 a. The following members appointed by the governor:

2 (1) A representative of the North Dakota fire chiefs association.

3 (2) A representative of the North Dakota firefighter's association.

4 (3) A representative of the North Dakota emergency medical services
5 association.

6 (4) A representative of the North Dakota emergency management association.

7 (5) A representative of the North Dakota chiefs of police association.

8 (6) A representative of the North Dakota sheriffs association.

9 (7) A representative of the North Dakota peace officers association.

10 (8) A representative of the North Dakota association of counties.

11 (9) A representative of the North Dakota league of cities.

12 (10) A representative of the North Dakota township officers association.

13 (11) A representative of the North Dakota Indian affairs commission.

14 b. The following members appointed by the chairman of legislative management.

15 (1) A member of house of representatives representing the party with the
16 largest number of members in the house and a member of the house of
17 representatives representing the party with the second largest number of
18 members in the house.

19 (2) A member of senate representing the party with the largest number of
20 members in the senate and a member of the senate representing the party
21 with the second largest number of members in the senate.

22 c. The following ex-officio, nonvoting technical members, appointed by the
23 governor.

24 (1) A representative of the bureau of criminal investigation as recommended by
25 the attorney general.

26 (2) A representative of the department of emergency services.

27 (3) A representative of the department of transportation.

28 (4) A representative of the highway patrol.

29 (5) A representative of the parks and recreation department.

30 (6) A representative of the game and fish department.

1 (7) A representative of the state fire marshal's office as recommended by the
2 insurance commissioner.

3 (8) A representative of the department of health and human services.

4 3. The advisory board shall receive and review applications to provide grants to political
5 subdivisions and tribal governments, including rural fire districts and emergency
6 medical services providers. In reviewing the applications, the board shall rank and
7 award grant applications that address the following priorities:

8 a. Recruiting and retaining qualified public safety personnel.

9 b. Assisting communities with shared services agreements to ensure public safety
10 coverage.

11 c. Expanding resources to ensure timely emergency response in all areas of the
12 state, including pilot programs for a tiered response framework.

13 d. Providing funding to modernize the delivery of emergency services and public
14 safety through innovations at the community and regional level.

15 e. Establishing response teams to respond to mental health emergencies to reduce
16 reliance on law enforcement resources.

17 f. Ensuring access and implementation of appropriate technology and
18 communications infrastructure.

19 g. Identifying or designating an entity to provide technical assistance to covered
20 entities to aid in securing funding from other sources.

21 4. The department of emergency services shall administer the grant program and provide
22 staff services to the advisory board.