

**Sixty-eighth Legislative Assembly of North Dakota
In Regular Session Commencing Tuesday, January 3, 2023**

HOUSE BILL NO. 1242
(Representatives Bosch, Heinert, Nathe, Porter)
(Senators Axtman, Davison, Larson)

AN ACT to amend and reenact subsection 2 of section 57-40.6-02 of the North Dakota Century Code, relating to the statewide interoperable radio network; to repeal section 6 of chapter 293 of the 2019 Session Laws, relating to a line of credit authorized for the statewide interoperable radio network project; to provide an appropriation; to provide for a transfer; to provide for a legislative management study; and to declare an emergency.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

SECTION 1. AMENDMENT. Subsection 2 of section 57-40.6-02 of the North Dakota Century Code is amended and reenacted as follows:

2. A political subdivision shall add a fee of fifty cents to the fee imposed on assessed communications services established under subsection 1. The additional fifty cents per communication connection must be remitted to the state treasurer for deposit in the statewide interoperable radio network fund in accordance with section 37-17.3-12 for implementing ongoing administrative and operational maintenance costs of the statewide interoperable radio network. The funds collected under this subsection must be expended in a manner consistent with the recommendations of the statewide interoperability executive committee.

SECTION 2. TRANSFER - BANK OF NORTH DAKOTA PROFITS TO STATEWIDE INTEROPERABLE RADIO NETWORK FUND. The Bank of North Dakota shall transfer the sum of \$20,000,000, or so much of the sum as may be necessary, from the Bank's current earnings and undivided profits to the statewide interoperable radio network fund during the biennium beginning July 1, 2023, and ending June 30, 2025.

SECTION 3. APPROPRIATION - INFORMATION TECHNOLOGY DEPARTMENT - LINE OF CREDIT REPAYMENT - STATEWIDE INTEROPERABLE RADIO NETWORK FUND - ONE-TIME FUNDING. There is appropriated out of any moneys in the statewide interoperable radio network fund in the state treasury, not otherwise appropriated, the sum of \$20,000,000, or so much of the sum as may be necessary, to the information technology department for the purpose of repaying the Bank of North Dakota line of credit authorized in section 6 of chapter 293 of the 2019 Session Laws, for the biennium beginning July 1, 2023, and ending June 30, 2025. This funding is considered a one-time funding item.

SECTION 4. APPROPRIATION - INFORMATION TECHNOLOGY DEPARTMENT - STATEWIDE INTEROPERABLE RADIO NETWORK PROJECT - FEDERAL STATE FISCAL RECOVERY FUND - ONE-TIME FUNDING. There is appropriated from federal funds derived from the state fiscal recovery fund, not otherwise appropriated, the sum of \$80,000,000, or so much of the sum as may be necessary, to the information technology department for the purpose of the statewide interoperable radio network project, for the biennium beginning July 1, 2023, and ending June 30, 2025. This funding is considered a one-time funding item.

SECTION 5. LEGISLATIVE MANAGEMENT STUDY - EMERGENCY AND INTEROPERABLE PUBLIC SAFETY COMMUNICATIONS SYSTEM GOVERNANCE. During the 2023-24 interim, the legislative management shall consider studying emergency and interoperable public safety communications system governance needs and options. The study must:

1. Include an analysis of options to manage and operate state and local emergency and interoperable public safety systems, including the statewide interoperable radio network;

2. Evaluate the current and most appropriate governance roles for each state and local emergency and interoperable public safety government entity;
3. Determine the most appropriate state or local emergency and interoperable public safety government entity to have responsibility for the ongoing administrative and operational maintenance cost of the statewide interoperable radio network; and
4. Consider input from the information technology department, department of emergency services division of state radio, statewide interoperability executive committee, emergency services communications coordinating committee, North Dakota association of counties, and local public safety entities.

The legislative management shall report its findings and recommendations, together with any legislation required to implement the recommendations, to the sixty-ninth legislative assembly.

SECTION 6. REPEAL. Section 6 of chapter 293 of the 2019 Session Laws is repealed.

SECTION 7. EMERGENCY. This Act is declared to be an emergency measure.

Dennis E Johnson
Speaker of the House

Andy Schulte
President of the Senate

Bull J. Reeb
Chief Clerk of the House

Shanda Morgan
Secretary of the Senate

This certifies that the within bill originated in the House of Representatives of the Sixty-eighth Legislative Assembly of North Dakota and is known on the records of that body as House Bill No. 1242 and that two-thirds of the members-elect of the House of Representatives voted in favor of said law.

Vote: Yeas 90 Nays 0 Absent 4

Dennis E Johnson
Speaker of the House

Bull J. Reeb
Chief Clerk of the House

This certifies that two-thirds of the members-elect of the Senate voted in favor of said law.

Vote: Yeas 47 Nays 0 Absent 0

Andy Schulte
President of the Senate

Shanda Morgan
Secretary of the Senate

Received by the Governor at 3:55 PM. on April 10, 2023.

Approved at 6:30 PM. on April 13, 2023.

Doug Burgin
Governor

Filed in this office this 14th day of April, 2023,

at 9:52 o'clock A. M.

Michael Howe
Secretary of State