

Introduced by

1 A BILL for an Act to amend and reenact section 37-17.3-08 of the North Dakota Century Code,
2 relating to fees charged by the department of emergency services to local law enforcement for
3 access to national crime information; and to provide an appropriation.

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

5 **SECTION 1. AMENDMENT.** Section 37-17.3-08 of the North Dakota Century Code is
6 amended and reenacted as follows:

7 **37-17.3-08. State radio system and service fees.**

8 1. The director shall establish the appropriate fees for access to the state radio
9 system and the service provided to local government users of the mobile data
10 terminal system and North Dakota law enforcement telecommunications systems
11 and other such systems that may be employed that enhance public safety.
12 Changes to fees charged by the division, including schedule of charges for
13 counties and cities, will take effect on July first. The director shall announce any
14 fee increases a minimum of one year ~~prior to~~ before the effective date. When the
15 director considers an adjustment, as a part of the process the director shall consult
16 with representatives of state and local units of government ~~prior to~~ before setting
17 fees. The director may consider economic conditions and the general economy
18 when setting fees. The director shall deposit all revenue obtained under this
19 chapter with the state treasurer for deposit in the state radio broadcasting system
20 operating account. The state radio broadcasting system operating account must
21 be expended pursuant to legislative appropriation for the operation and
22 maintenance of the system. ~~Fee structures will include:~~

23 ~~4. 2. Mobile data terminal fees.~~ The division shall establish and charge fees to provide
24 mobile data terminal service to interested local law enforcement agencies except

1 for local law enforcement agencies using private commercial access to the state
2 message switch. The fees must be based on actual costs incurred by the division
3 for providing the service and will be levied on a per system user basis. State
4 general fund agencies that access the system will not incur any fees for the
5 service.

6 2- 3. Each county and city law enforcement department that accesses the North Dakota
7 teletype system shall pay a fee based upon fifty percent of the actual costs
8 incurred by the division for providing the service. Fees will be levied on a per
9 terminal basis. Other law enforcement affiliated organizations and federal
10 agencies will pay one hundred percent of the actual costs incurred by the division
11 for providing the service. Fees will be levied on a per terminal basis. State general
12 fund agencies that access the system will not incur any fees for the service. City
13 and county law enforcement fees will be based on the following schedule of
14 charges per terminal:

- 15 a. County population of less than five thousand shall pay ~~thirty~~ forty dollars per
16 month.
- 17 b. County population of five thousand or more but less than ten thousand shall
18 pay ~~sixty~~ eighty dollars per month.
- 19 c. County population of ten thousand or more but less than fifteen thousand
20 shall pay ~~ninety~~ one hundred twenty dollars per month.
- 21 d. County population of fifteen thousand or more but less than twenty-five
22 thousand shall pay one hundred ~~twenty~~ sixty dollars per month.
- 23 e. County population of twenty-five thousand or more shall pay ~~one~~ two hundred
24 ~~sixty~~ dollars per month.

25 **SECTION 2. APPROPRIATION.** There is appropriated out of any moneys in the
26 general fund in the state treasury, not otherwise appropriated, the sum of \$110,302, or so much
27 of the sum as may be necessary, to the department of emergency services for the purpose of
28 defraying the expenses of providing mobile data terminal services for the biennium beginning
29 July 1, 2011, and ending June 30, 2013.