Sixty-fifth Legislative Assembly of North Dakota
In Regular Session Commencing Tuesday, January 3, 2017

SENATE BILL NO. 2106
(Political Subdivisions Committee)
(At the request of the Adjutant General)

AN ACT to amend and reenact section 37-17.3-08 of the North Dakota Century Code, relating to the state radio fee system.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

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

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

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

2. ~~The division shall establish and charge fees to provide mobile data terminal service to interested local law enforcement agencies except for local law enforcement agencies using private commercial access to the state message switch. The fees must be based on actual costs incurred by the division for providing the service and will be levied on a per system user basis. State general fund agencies that access the system will not incur any fees for the service.~~

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

   a. County population of less than five thousand shall pay forty dollars per month.

   b. County population of five thousand or more but less than ten thousand shall pay eighty dollars per month.

   c. County population of ten thousand or more but less than fifteen thousand shall pay one hundred twenty dollars per month.

   d. County population of fifteen thousand or more but less than twenty-five thousand shall pay one hundred sixty dollars per month.

e.   County population of twenty-five thousand or more shall pay two hundred dollars per month.

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President of the Senate

_____
Speaker of the House

_____
Secretary of the Senate

_____
Chief Clerk of the House

This certifies that the within bill originated in the Senate of the Sixty-fifth Legislative Assembly of North Dakota and is known on the records of that body as Senate Bill No. 2106.

Senate Vote: Yeas 46   Nays 0   Absent 1

House Vote: Yeas 94   Nays 0   Absent 0

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Secretary of the Senate

Received by the Governor at _____M. on _____, 2017.

Approved at _____M. on _____, 2017.

_____
Governor

Filed in this office this _____day of _____, 2017,

at _____ o'clock _____M.

_____
Secretary of State