

Testimony Prepared for the  
**House Political Subdivisions**  
February 4<sup>th</sup>, 2021  
By: Donnell Preskey, NDACo



**RE: Opposition on HB 1457 – Length of time to extend emergencies**

Chairman Dockter and committee members, I'm Donnell Preskey with the North Dakota Association of Counties. NDACo represents North Dakota's 53 counties. We speak today in opposition to HB 1457 as written but offer a suggested amendment, which would change our position on this bill.

This bill seeks to shorten the length of time a local disaster, emergency or mandatory evacuation orders may be in effect. Specifically, it says these orders may not exceed 15 days from when the order is issued without being reauthorized.

This creates some logistical, burdensome issues for our counties. As 20 counties hold meetings only once a month, they would need to hold special meetings to reauthorize. NDACo is recommending a small change to this bill by increasing the days from 15 to 45 days. This would take into consideration those commissions that only meet once a month and allow them to take care of this business during regular scheduled meetings. This in turn would also address the financial burden of holding additional meetings along with the commissioner's additional time away from their full-time jobs.

I want to stress, except for the COVID-19 pandemic, disasters and emergency orders start and finish at the local level. A large majority of our county disaster and emergency orders extend for a lengthy amount of time – 1 to 2 years. These disasters or emergencies are declared to address:

- Flood emergencies
- Snow emergencies
- Fire declarations – linked to fire index (goes "on" and "off" depending on fire index)
- Drought declarations
- Disaster declarations (Northwood Tornado)

The main reason for declaring these disasters or emergencies is to leverage FEMA funds. Once declared at the local level, if the damage meets a certain threshold, the state can declare it an emergency and forward the declaration to the President for his consideration of a Presidential declaration. In most cases, the emergency is continued until the damage has been repaired or the emergency situation no longer exists.