

**TESTIMONY OF
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BEFORE THE 68th LEGISLATIVE SESSION
SENATE APPROPRIATIONS COMMITTEE
JANUARY 25, 2023
IN SUPPORT OF SENATE BILL 2183**

Chairman Bekkedahl, members of the Senate Appropriations Committee, my name is Darin Hanson and I'm the Homeland Security Division Director at the Department of Emergency Services (NDDDES) for the State of North Dakota. I am here today to testify in support of Senate Bill 2183.

According to the National Weather Service (NWS), the 2022-2023 winter season has already proven to be far above normal in terms of snowfall totals. Through January 12, 2023, areas such as Dickinson, Bismarck, and Jamestown have already received more snow than they would normally receive for an entire winter season. With the NWS predicting lower temperatures and more precipitation through the next few months, there is still potential for more winter storms and additional snow removal costs before the winter season is finally over.

Generally, the State of North Dakota tries to use federal funding whenever possible to address impacts from natural hazards. However, when it comes to snow removal assistance, the funding that is available from the Federal Emergency Management Agency (FEMA) under their Public Assistance (PA) Program is simply too limiting to be of much use when dealing with an above average winter season. According to federal regulations, FEMA will only provide 48 hours of snow removal assistance to a county or tribe that received enough snow from a single storm to break their historical record or come within 10% of their historical record. Additionally, that county or tribe is then required to exceed their disaster cost threshold based on only 48 hours of snow removal expenses before they can be included as part of a federal disaster declaration. Exceeding those damage thresholds with only 48 hours of snow removal costs is extremely difficult for most counties and tribes to accomplish, and for larger counties such as Burleigh or Cass, it's basically impossible because their thresholds to be included are so high due to their population base.

Senate Bill 2183 would give some reprieve to our tribal governments, counties, cities, and townships that have already been left with dwindling budgets that have been sapped due to large snowstorms that impacted the state in late 2022. Additionally, the bill provides an opportunity for the ND Department of Transportation to offset snow removal costs. Senate Bill 2183, as proposed, would provide \$30,000,000 in state funding to qualifying applicants for early snow removal costs incurred from October 1, 2022 through December 31, 2022, as well as an additional \$5,000,000 for season wide snow removal costs incurred from October 1, 2022 through April 30, 2023.

At this time, NDDDES would recommend amending the proposed legislative bill to only focus on the early snow removal costs that were incurred between October 1, 2022 and December 31, 2022, and also reducing the proposed appropriation for that date range from \$30,000,000 down to \$20,000,000. The current snowfall totals that have impacted the state have been much higher than average, but a similar snow removal bill that was approved in 2011 for \$9,000,000 was fully utilized and helped offset the increased costs of snow removal at that time. An increase to

\$20,000,000 would keep in line with inflation, help address increased costs incurred by the ND Department of Transportation and stay in line with the Governor's expectations as mentioned during the 2023 State of the State address.

The final funds that are appropriated for this bill will be distributed via grants that the NDDOT, counties, cities, and tribes would apply for through the NDDDES. Townships are also eligible to receive state funds for their increased snow removal costs, but they will be required to apply for funding through their respective county. NDDDES would be the administrative agency for these grants, which is a process that we are familiar with having done a similar reimbursement program in 2009 and 2011.

To qualify for an early snow removal grant, a jurisdiction must have spent more than 200% of its 5-year snow removal average for the months of October, November, and December 2022. Those that qualify can be reimbursed 60% of their eligible expenses incurred over those time periods. And if the total amount of eligible requests exceeds the funding appropriated, each eligible jurisdiction would receive a prorated amount of their eligible request.

Some of the reimbursable items a local jurisdiction could claim for reimbursement would include:

- Contractor costs
- Equipment rental plus operator, fuel and small repairs
- Equipment hours
- Consumable materials (sand, salt, and cutting edges).
- Personnel and benefits
- Pushback and hauling

Mr. Chairman, this completes our testimony. I'd like to reemphasize that local jurisdictions have already stretched their budgets to pay for snow removal expenses. There is a lot of winter left to contend with and storms are likely to impact the state, Senate Bill 2183 would provide tremendous relief to our local jurisdictions, freeing up funds for potential future events. Also, NDDDES is familiar with the grant distribution process and is equipped to handle fund distribution from the state to our local communities.