

Introduced by

Senators Wanzek, Klein, Weber

Representatives Brandenburg, Kempenich, Mitskog

1 A BILL for an Act to provide an appropriation to the adjutant general for snow removal grants  
2 ~~and reimbursements; to provide a transfer~~; to provide for a report; and to declare an emergency.

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

4 **SECTION 1. APPROPRIATION - 2021-23 BIENNIUM - ADJUTANT GENERAL - ~~EARLY~~**  
5 **~~SEASON SNOW REMOVAL GRANTS AND REIMBURSEMENTS -- TRANSFER~~ - REPORT**  
6 **TO LEGISLATIVE MANAGEMENT.**

7 1. There is appropriated out of any moneys in the general fund in the state treasury, not  
8 otherwise appropriated, the sum of ~~\$30,000,000~~\$25,000,000, or so much of the sum  
9 as may be necessary, to the adjutant general for the purpose of providing ~~early season~~  
10 emergency snow removal grants to tribal governments, counties, cities, and townships  
11 ~~and early season emergency snow removal reimbursements to the department of~~  
12 ~~transportation~~, for the period beginning with the effective date of this Act and ending  
13 June 30, 2023. Of the \$25,000,000, up to \$20,000,000 is available for early season  
14 emergency snow removal grants under subsection 2, and any remaining amounts are  
15 available for full season emergency snow removal grants under subsection 3.

16 2. A tribal government, county, city, or township may apply to the department of  
17 emergency services for an early season emergency snow removal grant for  
18 reimbursement of up to sixty percent of the snow removal costs incurred by the tribal  
19 government, county, city, or township for the period of October 1, 2022, through  
20 December 31, 2022, which exceeded ~~two~~one hundred ~~fifty~~fifty percent of the average  
21 snow removal cost for the three-month period of October through December during  
22 the years 2017 through 2021. ~~The department of transportation may submit a request~~  
23 ~~to the department of emergency services for emergency snow removal~~  
24 ~~reimbursements of up to sixty percent of the snow removal costs incurred by the~~

1 department of transportation for the period of October 1, 2022, through December 31,  
2 2022, which exceeded two hundred percent of the average snow removal cost for the  
3 three-month period of October through December during the years 2017 through  
4 2021.

5 3. A tribal government, county, township, or city may apply to the department of  
6 emergency services for a full season emergency snow removal grant for  
7 reimbursement of up to sixty percent of the snow removal costs incurred by the tribal  
8 government, county, city, or township for the period of October 1, 2022, through  
9 April 30, 2023, which exceeded one hundred fifty percent of the average snow  
10 removal cost for the seven-month period of October to April for those years during the  
11 period beginning October 1, 2017, through April 30, 2022.

12 4. Each tribal government, county, city, or township requesting reimbursement under this  
13 section shall submit the request in accordance with guidelines developed by the  
14 department of emergency services. ~~If the department of transportation requests~~  
15 ~~reimbursement under this section, the office of management and budget shall transfer~~  
16 ~~appropriation authority from the adjutant general to the department of transportation in~~  
17 ~~an amount equal to the department's eligible reimbursement requests. An award under~~  
18 subsection 3 must be reduced by any amount awarded under subsection 2. A tribal  
19 government, county, city, or township may not be required to return any funds awarded  
20 under subsection 2 due to the calculation completed under subsection 3.

21 4.5. The department of emergency services shall distribute the grants ~~and provide~~  
22 ~~reimbursements~~ under this section before June 30, 2023, and shall report to the  
23 legislative management regarding the grants awarded.

24 ~~SECTION 2. APPROPRIATION - 2021-23 BIENNIUM - ADJUTANT GENERAL - FULL~~  
25 ~~SEASON SNOW REMOVAL GRANTS AND REIMBURSEMENTS - TRANSFER - REPORT~~  
26 ~~TO LEGISLATIVE MANAGEMENT.~~

27 ~~1.~~ There is appropriated out of any moneys in the general fund in the state treasury, not  
28 otherwise appropriated, the sum of \$5,000,000, or so much of the sum as may be  
29 necessary, to the adjutant general for the purpose of providing full season emergency  
30 snow removal grants to tribal governments, counties, cities, and townships and full

1           season emergency snow removal reimbursements to the department of transportation,  
2           for the period beginning with the effective date of this Act and ending June 30, 2023.

3     ~~2. A tribal government, county, township, or city may apply to the department of~~  
4     ~~emergency services for an emergency snow removal grant for reimbursement of up to~~  
5     ~~sixty percent of the snow removal costs incurred by the tribal government, county, city,~~  
6     ~~or township for the period of October 1, 2022, through April 30, 2023, which exceeded~~  
7     ~~two hundred percent of the average snow removal cost for the seven-month period of~~  
8     ~~October to April for those years during the period beginning October 1, 2017, through~~  
9     ~~April 30, 2022. The department of transportation may submit a request to the~~  
10    ~~department of emergency services for emergency snow removal reimbursements of~~  
11    ~~up to sixty percent of the snow removal costs incurred by the department of~~  
12    ~~transportation for the period of October 1, 2022, through April 30, 2023, which~~  
13    ~~exceeded two hundred percent of the average snow removal cost for the seven-month~~  
14    ~~period of October through April for those years during the period beginning October 1,~~  
15    ~~2017, through April 30, 2022.~~

16    ~~3. An award or reimbursement under this section must be reduced by any amount~~  
17    ~~awarded or reimbursed under section 1 of this Act. The department of transportation, a~~  
18    ~~tribal government, a county, a city, or a township may not be required to return any~~  
19    ~~funds awarded under section 1 of this Act due to the calculation completed under this~~  
20    ~~section.~~

21    ~~4. Each tribal government, county, city, or township requesting reimbursement under this~~  
22    ~~section shall submit the request in accordance with guidelines developed by the~~  
23    ~~department of emergency services. If the department of transportation requests~~  
24    ~~reimbursement under this section, the office of management and budget shall transfer~~  
25    ~~appropriation authority from the adjutant general to the department of transportation in~~  
26    ~~an amount equal to the department's eligible reimbursement requests.~~

27    ~~5. The department of emergency services shall distribute the grants and provide~~  
28    ~~reimbursements under this section before June 30, 2023, and shall report to the~~  
29    ~~legislative management regarding the grants awarded.~~

30    **SECTION 2. EMERGENCY.** This Act is declared to be an emergency measure.