

2019 HOUSE GOVERNMENT AND VETERANS AFFAIRS

HB 1091

2019 HOUSE STANDING COMMITTEE MINUTES

Government and Veterans Affairs Committee Fort Union, State Capitol

HB 1091
1/11/2019
30683

- ☐ Subcommittee
☐ Conference Committee

Committee Clerk: Carmen Hart

Explanation or reason for introduction of bill/resolution:

Relating to the operations of the department of emergency services

Minutes:

Attachments 1, 2

Chairman Kasper opened the hearing on HB 1091.

Cody Schulz, Deputy Director, Department of Emergency Services and Division of Homeland Security appeared in support. (2:52-4:59) Attachment 1

Vice Chair Steiner: This sectional structure does not meet our current operational requirements. Why not?

Mr. Schulz: Primarily because of the national infinite management system that FEMA puts out. We are now operating under a six sectional structure. The sections are preparedness, response, recovery and mitigation, finance and admin., GIS/mapping, and planning. It is primarily to align with the federal infinite management system.

Chairman Kasper: Asked for Mr. Schulz to write up a memo and submit to the committee. Attachment 2.

Rep. Louser: Are there any services being eliminated by this change?

Mr. Schulz: No service change at all.

Rep. P. Anderson: What are your major concerns?

Mr. Schulz: We look at these in terms of probability or impact. In terms of probability, our No. 1 is natural hazards, flooding. In terms of impact, probably cyber.

Rep. C. Johnson: Is that going to eliminate three positions for those three divisions that are going to be eliminated?

Mr. Schulz: We are the department of emergency services which has two divisions. Under one of those divisions, there are sections. This eliminates that sectional requirement. We will still have two divisions and a director of each one of those divisions, division of homeland security and the division of state radio. There is no change to number of staff required or the division level titles.

Chairman Kasper: Also asked Mr. Schulz to provide an organizational chart to the committee. This is also part of Attachment 2.

Chairman Kasper closed the hearing.

Rep. Rohr made a motion for a DO PASS .

Rep. Schauer seconded the motion.

A roll call vote was taken. 13-0, 1 absent.

Rep. P. Anderson will carry the bill.

Date: 1-11-19
Roll Call Vote #: 1

**2019 HOUSE STANDING COMMITTEE
ROLL CALL VOTES
BILL/RESOLUTION NO. 1091**

House Government and Veterans Affairs Committee

☐ Subcommittee

Amendment LC# or Description: _____

Recommendation: ☐ Adopt Amendment
☒ Do Pass ☐ Do Not Pass ☐ Without Committee Recommendation
☐ As Amended ☐ Rerefer to Appropriations
☐ Place on Consent Calendar
Other Actions: ☐ Reconsider ☐ _____

Motion Made By Rep Rohr Seconded By Rep Schauer

Representatives	Yes	No	Representatives	Yes	No
Chairman Jim Kasper	X		Rep. Pamela Anderson	X	
Vice Chair Vicky Steiner	X		Rep. Mary Schneider	X	
Rep. Jeff Hoverson	X				
Rep. Craig Johnson	X				
Rep. Daniel Johnston	X				
Rep. Karen Karls	X				
Rep. Ben Koppelman	X				
Rep. Vernon Laning	X				
Rep. Scott Louser	X				
Rep. Karen Rohr	X				
Rep. Austen Schauer	X				
Rep. Steve Vetter	X				

Total (Yes) 13 No 0

Absent 1

Floor Assignment Rep. P. Anderson

If the vote is on an amendment, briefly indicate intent:

REPORT OF STANDING COMMITTEE

HB 1091: Government and Veterans Affairs Committee (Rep. Kasper, Chairman)
recommends **DO PASS** (13 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING).
HB 1091 was placed on the Eleventh order on the calendar.

2019 SENATE GOVERNMENT AND VETERANS AFFAIRS

HB 1091

2019 SENATE STANDING COMMITTEE MINUTES

Government and Veterans Affairs Committee Sheyenne River Room, State Capitol

HB1091
2/14/2019
32730

- ☐ Subcommittee
☐ Conference Committee

Committee Clerk: Pam Dever

Explanation or reason for introduction of bill/resolution:

Relating to the operations of the department of emergency services.

Minutes:

Att # 1 – Cody Schulz

Chairman Davison: Call to order and take roll. Attendance was taken and all were present. Let's open the hearing for HB1091. Testimony in support.

Cody Schulz, Deputy Dir. Depart. Emergency Services; Dir., Homeland Security for N.D.: I am here in support of HB1091. (see att # 1) This is clean up language. (1.25—3.31) This bill amends the structure requirements. The functions of the three will stay the same. We will better comply with Federal with this bill.

Chairman Davison: Does the restructuring affect anything with personal?

Cody, No. We operate under current structure in three areas, but in actuality, we have six functional areas. This aligns with FEMA's guidance and national preparedness. Nothing to do with personal at all. (4.15)

Chairman Davison: Additional support? Agencies? Against? We are closed. (5.01)

2019 SENATE STANDING COMMITTEE MINUTES

Government and Veterans Affairs Committee Sheyenne River Room, State Capitol

HB1091
2/18/2019
32878

- ☐ Subcommittee
☐ Conference Committee

Committee Clerk: Pam Dever

Explanation or reason for introduction of bill/resolution:

Relating to the operations of the department of emergency services.

Minutes:

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Chairman Davison: Look at HB1091.

Sen. Kristin Roers: I think Cody Schulz testified and this would align with the federal organization.

Sen. Kristin Roers: I move a DO PASS.

Sen. Jay Elkin: I second.

Chairman Davison: Any discussion. Looks pretty straight forward.

Vice Chair Meyer: They split the Health Dept. into Environmental Quality Dept. They needed this to go along with that. (1.20)

Chairman Davison: Take the roll: **YES -- 7 NO - 0 -0-absent.**

The DO PASS – passed. Sen. Jay Elkin will carry the bill.

(done – 1.47)

278-19

Date:
Roll Call Vote #: 1

**2019 SENATE STANDING COMMITTEE
ROLL CALL VOTES
BILL/RESOLUTION NO. HB1091**

Senate Government and Veterans Affairs Committee

☐ Subcommittee

Amendment LC# or Description: _____

Recommendation: ☐ Adopt Amendment
☒ Do Pass ☐ Do Not Pass ☐ Without Committee Recommendation
☐ As Amended ☐ Rerefer to Appropriations
☐ Place on Consent Calendar

Other Actions: ☐ Reconsider ☐ _____

Motion Made By Sen. Roers Seconded By Sen. Elkin

Senators	Yes	No	Senators	Yes	No
Chair Davison	<u>/</u>		Sen. Oban	<u>/</u>	
Vice Chair Meyer	<u>/</u>		Sen. Marcellais		
Sen. Elkin	<u>/</u>				
Sen. K. Roers	<u>/</u>				
Sen. Vedaa	<u>/</u>				

Total (Yes) 7 No 0

Absent 0

Floor Assignment Sen. Elkin

If the vote is on an amendment, briefly indicate intent:

REPORT OF STANDING COMMITTEE

HB 1091: Government and Veterans Affairs Committee (Sen. Davison, Chairman)
recommends **DO PASS** (7 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING).
HB 1091 was placed on the Fourteenth order on the calendar.

2019 TESTIMONY

HB 1091

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1-11-19

Testimony – HB 1091
House Government and Veterans Affairs Committee
January 11, 2019
By Cody Schulz
Deputy Director, Department of Emergency Services
Director, Division of Homeland Security

Chairman Kasper and members of the House Government and Veterans Affairs Committee, my name is Cody Schulz. I am the Deputy Director of the Department of Emergency Services (DES) and Director of the Homeland Security Division. I offer this testimony in support of HB 1091.

This bill was filed to address two issues; the organizational structure of the Department of Emergency Services (DES) Division of Homeland Security and the make-up of the Department of Emergency Services Advisory Committee (DESAC).

First, this bill amends NDCC 37-17.1-02.1 regarding the organizational structure of the DES Division of Homeland Security. Currently the law requires the Division to be organized into three sections; the state emergency operations section, the disaster recovery section, and the homeland security section. This sectional structure does not meet our current operational requirements. We believe that eliminating the structural requirements would allow the agency to adapt to changing requirements and technologies, permitting better and more efficient service to the citizens of North Dakota.

The current codification the department's organizational structure down to the sectional level eliminates the flexibility required to achieve maximum efficiency, implement best practices, or enact changes to align with federal standards. Therefore, we respectfully request the sectional organization requirement be struck from the law.

Second, this bill amends NDCC 17-.1-02.2 to change the number of seats on the DESAC from 11 to 12. This change is requested to align with the division of the Department of Health into two cabinet level agencies; Department of Health and Department of Environmental Quality. The additional seat would ensure representation from both departments.

On behalf of the Department of Emergency Services, I recommend HB 1091 receive a Do Pass.

Thank you for your time; I will do my best to answer any questions you may have.



ND Department of Emergency Services

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Ensuring a safe and secure homeland for all North Dakotans

TO: Representative James Kasper
Chairman, House Government and Veterans Affairs Committee

FROM: Cody Schulz
Deputy Director, ND Dep. of Emergency Services (NDDes)
Director, Division of Homeland Security

DATE: January 14, 2019

SUBJECT: HB 1091 Supplemental Information
NDDes Organizational Structure

Currently, NDCC 37-17.1-02.1 prescribes the internal organizational structure of the NDDes, Division of Homeland Security to consist of "the state emergency operations center section, the disaster recovery section, and the homeland security section." This prescribed structure no longer fits the modern emergency management discipline and it does not provide the adaptability the Division of Homeland Security requires to align and organize our current authorized resources to best address ever-emerging disaster and emergency challenges; and meet National and North Dakota Preparedness Goal requirements.

The National and North Dakota Preparedness Goal defines what it means for our national and state "Whole Community" to be prepared for all types of disasters and emergencies. The Whole Community consists of all levels of government as well as Nongovernment and Private Sector Organizations, aligned and synchronized together to provide a safe and secure environment for all citizens. Their relationships are symbiotic in nature, and thus are also horizontally and vertically integrated

The National Preparedness Goal (NPG) was adopted in 2012 by Presidential Policy Directive – 8 and revised in 2015. The state adopted the NPG as the North Dakota Preparedness Goal on October 6, 2017 via Executive Order 2017-17; establishing the NPG as the standard framework from which to address state preparedness efforts and best synergize those efforts across and with the Whole Community

The goal itself is "A secure and resilient nation with the capabilities required across the whole community to prevent, protect against, mitigate, respond to, and recover from the threats and hazards that pose the greatest risk." To accomplish the National and North Dakota Preparedness Goal, we focus and align the Whole Community towards delivering emergency management capacity and capability in five synchronized and mutually supporting Mission Areas. These Mission Areas are addressed continuously and simultaneously with each other in order to save lives, protect property, and preserve the environment. They also occur before, during, and after disasters and emergencies have occurred.

Doug Burgum
Governor

Major General Alan S. Dohrmann
Director – Department of Emergency Services

Cody Schulz
Director - Division of Homeland Security

Mike Lynk
Director - Division of State Radio

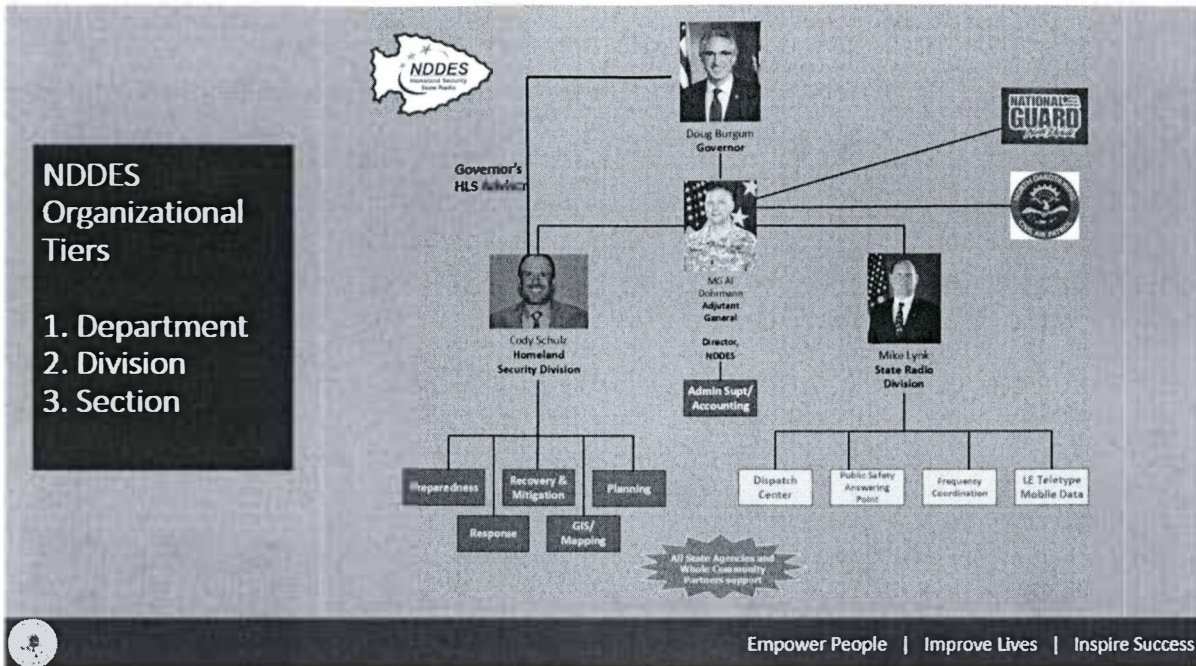
The Mission Areas are:

- **PREVENTION:** Those capabilities the Whole Community delivers before, during, and after a disaster or emergency which are necessary to avoid, prevent, or stop a threatened or actual adversarial act. It is focused on ensuring we are optimally prepared to prevent an imminent adversarial attack within the United States and North Dakota.
- **PROTECTION:** Those capabilities the Whole Community delivers before, during, and after a disaster or emergency which are necessary to safeguard the homeland against adversarial acts and technological or natural disasters. It is focused on actions to protect the citizens, residents, visitors, and critical assets, systems, and networks against the greatest risks to our Nation and State in a manner that allows our interests, aspirations, and way of life to thrive.
- **MITIGATION:** Those capabilities the Whole Community delivers primarily before and after a disaster or emergency which are necessary to reduce loss of life and property by lessening the impact of and exposure to disasters and emergencies. It is focused on the premise that individuals, the private sector, communities, critical infrastructure, and the State and Nation as a whole are made more resilient when the consequences and impacts, the duration, and the financial and human costs to respond to and recover from adverse incidents are all reduced.
- **RESPONSE:** Those capabilities the Whole Community delivers primarily during a disaster or emergency which are necessary to save lives, protect property and the environment, and meet basic human needs after an incident has occurred. It is focused on ensuring that the Nation and State can effectively respond to any threat or hazard, including those with cascading effects, with an emphasis on saving and sustaining lives and stabilizing the incident; as well as rapidly meeting basic human needs, restoring basic services and community functionality, establishing a safe and secure environment, and supporting the transition to recovery.
- **RECOVERY:** Those capabilities the Whole Community delivers after a disaster or emergency which are necessary to assist communities affected by an incident in recovering effectively and returning to a new normal. It is focused on a timely restoration, strengthening, and revitalization of the infrastructure; housing; a sustainable economy; and the health, social, cultural, historic, and environmental fabric of communities affected by a catastrophic incident

In order for the Whole Community to meet the requirements of these Mission Areas, collaboration functions common to each must be successfully accomplished. Those functions are planning, coordination of operations, information and intelligence sharing; establishing and maintaining a common operating picture; and public information and warning.

If HB 1091 passes, the Division of Homeland Security intends to re-organize existing resources as shown below. This re-organization will best allow the Division to address ever-emerging disaster and emergency challenges and meet National and North Dakota Preparedness Goal requirements by aligning the agency primarily along the aforementioned Mission Area lines, with some North Dakota specific efficiencies and supplements. It will allow the agency to apply the strategy of synchronized planning and coordination across all Mission Areas.

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- **Planning** – This section will be responsible for developing multi-hazard/threat-based synchronized, vertically and horizontally integrated Whole Community approaches to the coordinated delivery of resources across all Mission Areas. They will also provide for the reduction of uncertainty in disaster and emergency decision making (before, during, and after incidents) though assuring information and intelligence is shared and a common operating picture is established and maintained across the Whole Community
- **Preparedness (Includes Prevention and Protection)** – This section will focus on developing capacity and capability across all Mission Areas through the establishment of emergency management standards and evaluation methods across the Whole Community; coupled with the provision and monitoring of grant funding for planning, talent acquisition and retention, equipment and technology acquisition and maintenance. They will also provide and support training and exercising in the delivery of capacity and capability across all Mission Areas
- **Response** – This section will execute synchronized Whole Community plans focused on the coordinated delivery of capacity and capability primarily concentrated on:
 - Infrastructure Systems
 - Critical Transportation and Evacuation
 - Fire Management and Suppression
 - Fatality Management
 - Mass Care
 - Search and Rescue
 - Interoperable Communications
 - Logistics and Supply Chain Management
 - Public Health, Healthcare, and Emergency Medical Services
- **Recovery and Mitigation** - This section will execute synchronized Whole Community plans focused on the coordinated delivery of capacity and capability primarily concentrated on:

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- Community Resilience
- Long-term Vulnerability Reduction
- Post-incident Economic Recovery
- Health and Social Services
- Housing Repair/restoration
- Natural and Cultural Resource restoration

➡ *GIS and Mapping* – This section creates maps and visual products for use in emergency management planning and execution. It also generates analytical, data management and visualization tools. GIS can be used for situational awareness, identifying ideal locations for prepositioning assets ahead of an impact, and understanding the relationship between hazard exposure and social vulnerability as part of the hazard mitigation planning process. GIS models and simulation capabilities enable decision makers to both exercise plans during non-disaster times and also understand near real-time possibilities during an event.

➡ *Administration and Accounting (shared with the entire Department)* – This section is responsible for budgeting, grant management, human resource management, financial management, audit compliance, and general fiscal oversight. Budgeting in this section consists of managing the department's funds, acquiring and distributing grants as well as tracking costs during a disaster or event.

HB 1091
2-14-19
AH #1
P81

Testimony – HB 1091
Senate Government and Veterans Affairs Committee
February 14, 2019
By Cody Schulz
Deputy Director, Department of Emergency Services
Director, Division of Homeland Security

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