2023 HOUSE POLITICAL SUBDIVISIONS

HB 1071

2023 HOUSE STANDING COMMITTEE MINUTES

Political Subdivisions Committee
Room JW327B, State Capitol

HB 1071
1/5/2023

Relating to local or regional emergency management organizations

Chairman Longmuir opened the meeting on HB 1071 at 10:30 AM.
Members present: Chairman Longmuir , Vice Chairman Fegley, Representatives Hatlestad, Heilman, Holle, Jonas, Klemin, Motschenbacher, Ostlie, Rios, Toman, Warrey, Davis, and Hager.

Discussion Topics:

- Organization
- Local jurisdiction
- Funding

Darin Hanson, Director ND EMS Services: In favor. Testimony #12377

Hearing closed at 10:42 AM

Chairman Longmuir reopened the meeting for discussion:

Rep. Klemin moved Do Pass and Rerefer to appropriations; seconded by Rep. Heilman.

Representatives	Vote
Representative Donald W. Longmuir	Y
Representative Clayton Fegley	Y
Representative Jayme Davis	Y
Representative LaurieBeth Hager	Y
Representative Patrick Hatlestad	Y
Representative Matt Heilman	Y
Representative Dawson Holle	Y
Representative Jim Jonas	Y
Representative Lawrence R. Klemin	Y
Representative Mike Motschenbacher	Y
Representative Mitch Ostlie	Y
Representative Nico Rios	Y
Representative Nathan Toman	Y
Representative Jonathan Warrey	Y

Roll Call Vote: Yes 14 No 0 Absent 0, motion carries. Rep Hatlestad is carrier

Additional written testimony:
Mary Senger, Burleigh County EMS Director: In Favor Testimony # 12406

Meeting adjourned at 10:45 AM.
Delores Shimek, Committee Clerk

Bill was reconsidered and no standing committee report.

2023 HOUSE STANDING COMMITTEE MINUTES

Political Subdivisions Committee
Room JW327B, State Capitol

HB 1071
1/5/2023

relating to the enforcement and penalties of communities that fail to adopt or enforce floodplain management ordinances as required under the national flood insurance program.

Chairman Longmuir opened the hearing on HB 1071 at 1:45 PM. Members present: Vice Chairman Fegley, Rep. Hatlestad, Rep. Heilman, Rep. Holle, Rep. Jonas, Rep. Klemin, Rep. Motschenbacher, Rep. Ostlie, Rep. Rios, Rep. Toman, Rep. Warrey, Rep. Davis, Rep. Hager

Discussion Topics:

- Rereferal
- Reconsidered

Rep. Klemin moved to reconsider the Do Pass and Rerefer to Appropriations on HB 1071, seconded by Toman. Voice Vote carried. (1:44 PM)

Rep Klemin moved a Do Pass on HB 1071, seconded by Rep Jonas. (1:45 PM)

Representatives	Vote
Representative Donald W. Longmuir	Y
Representative Clayton Fegley	Y
Representative Jayme Davis	Y
Representative LaurieBeth Hager	Y
Representative Patrick Hatlestad	Y
Representative Matt Heilman	Y
Representative Dawson Holle	Y
Representative Jim Jonas	Y
Representative Lawrence R. Klemin	Y
Representative Mike Motschenbacher	Y
Representative Mitch Ostlie	Y
Representative Nico Rios	Y
Representative Nathan Toman	Y
Representative Jonathan Warrey	Y

Yes 14 No 0 Absent 0 Motion carried. Rep Hatlestad is carrier.

Meeting closed at 1:46 PM.

Delores Shimek, Committee Clerk

REPORT OF STANDING COMMITTEE

HB 1071: Political Subdivisions Committee (Rep. Longmuir, Chairman) recommends **DO PASS** (14 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1071 was placed on the Eleventh order on the calendar.

2023 SENATE STATE AND LOCAL GOVERNMENT

HB 1071

2023 SENATE STANDING COMMITTEE MINUTES

State and Local Government Committee
Room JW216, State Capitol

HB 1071
3/2/2023

Relating to local or regional emergency management organizations.

9:00 AM Chair Roers opened the hearing. Present: Chair Roers, Vice Chair Barta, Sen Cleary, Sen Estenson, Sen J Lee, and Sen Braunberger.

Discussion Topics:

- County options
- Increasing turnovers

Debbie LaCombe, ND Emergency Services Chief, testified in support #21433.

Sen Lee moved a DO PASS.

Sen Barta seconded.

Senators	Vote
Senator Kristin Roers	Y
Senator Jeff Barta	Y
Senator Ryan Braunberger	Y
Senator Sean Cleary	Y
Senator Judy Estenson	Y
Senator Judy Lee	Y

VOTE: YES – 6 NO – 0 Absent – 0 Motion PASSED

Sen Braunberger will carry the bill.

9:07 AM Chair Roers closed the hearing.

Pam Dever, Committee Clerk

REPORT OF STANDING COMMITTEE

HB 1071: State and Local Government Committee (Sen. K. Roers, Chairman) recommends **DO PASS** (6 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1071 was placed on the Fourteenth order on the calendar. This bill does not affect workforce development.

TESTIMONY

HB 1071

TESTIMONY OF
DARIN T. HANSON
HOMELAND SECURITY DIVISION DIRECTOR
NORTH DAKOTA DEPARTMENT OF EMERGENCY SERVICES
BEFORE THE 68th LEGISLATIVE SESSION
HOUSE POLITICAL SUBDIVISIONS COMMITTEE
JANUARY 5, 2023
IN SUPPORT OF HOUSE BILL 1071

Chairman Longmuir, members of the House Political Subdivisions Committee, my name is Darin Hanson and I'm the Homeland Security Division Director at the Department of Emergency Services (DES) for the state of North Dakota. I am here today to testify in support of House Bill 1071, a bill that provides an option for local jurisdictions to enter into agreement with the state to fill the role of the local emergency manager.

Having an active local emergency management program ensures every citizen in the state has someone responsible for preparing for, responding to, recovering from disasters. Local preparedness limits impacts on citizens as well as limiting the costs of response and recovery when disasters strike. This value has been previously identified by the legislature and has since become a requirement of each county to establish an emergency management program under North Dakota Century Code (NDCC) 37-17.1-07. The intent of House Bill 1071 is to provide counties who are unable to hire a local or multi-county emergency manager an option to enter into agreement with the state Department of Emergency Services to provide the service through the regional emergency response coordinator program. I would like to stress; this bill does not require any county to enter into an agreement with the state for these services and is intended to fill a gap when a county is unable to find their own local or shared multi-county emergency manager.

Current Century Code (NDCC 37-17.1-07) requires each county to "maintain an emergency management organization that serves the entire county or must be a member of a regional emergency management organization that serves more than one county." While the majority of counties in the state have an emergency management program staffed by one or more emergency managers, there are several instances where multiple counties share an emergency manager effectively. Still, due to limited availability of qualified individuals in some of the state's least populated counties there has been a difficulty to identify, hire and retain emergency managers to meet the current requirements under NDCC and provide professional emergency management services. Most counties in the state participate in the Emergency Management Performance Grant program which provides federal funding to local jurisdictions to support a local program, but the funding is often not enough to pay a full-time emergency manager. Many times, this results in a county employee having emergency manager duties assigned in addition to a separate primary role.

The DES currently employs four regional emergency response coordinators who travel throughout their assigned region and coordinate with local emergency managers to assist with local, state and federal initiatives. During a disaster, they provide a key liaison between local emergency operations leadership and state leadership. The leadership team at NDDES has assessed the anticipated workload increase that HB1071 would create and believe that the

duties can be absorbed within the existing full-time employee and full-time temporary workforce. The regional emergency response coordinators have existing relationships within the counties they may end up serving, as well as programmatic and planning experience in the expected tasks. In the event of a large-scale disaster, NDDES would likely have to scale the response workforce holistically as is already common practice. No significant impacts to state readiness are expected and the minor impacts are deemed worth it to have all citizens in the state covered with a vibrant emergency management program.

As described in the previously submitted and attached fiscal note detail, the anticipated fiscal effect on the state is an estimated general fund revenue not to exceed $193,176 in the 2023-2025 biennium. The estimated income was based on 4 counties participating for the full biennium with each paying for 25% of a regional emergency response coordinator's salary and benefits. In the 2025-2027 biennium, the estimates were doubled to include 8 counties paying the 25% rate. In the 2025-2027 biennium, any revenues exceeding 25% of an individual regional coordinator's income would reimburse the state Homeland Security Grant Program (HSGP) that funds 75% of the coordinator position. Both the 23-25 and 25-27 projections were calculated using the highest reasonable rate of program adoption but are expected to be lower than reported. In practice, I expect participating counties to reimburse the state with grant funds provided by FEMA via DES, making the practical impact on counties negligible. There are currently no identified counties waiting to participate in the program.

Mr. Chairman, this completes our testimony. I would like to leave you with these final thoughts. Disasters are becoming more frequent and more impactful across the world, the country, and the state. At this pivotal time emergency managers are becoming more important than ever, but the challenging workforce environment has made it difficult to recruit the professionals needed to serve the citizens. Providing our counties with another tool in the toolbox at no additional cost to the state helps to ensure that our local jurisdictions can prepare for, respond to and recover from disasters. The citizens deserve that.

HB 1071 Testimony
Political Subdivisions Committee
January 5, 2023
Mary H. Senger, Director
Burleigh County Emergency Management

Chairman Dockter and members of the Political Subdivisions Committee, my name is Mary Senger, Emergency Management Director for Burleigh County, and I am in support of HB 1071.

NDCC 37.17.1-07 requires each county to "maintain an emergency management organization that serves the entire county or must be a member of a regional emergency management organization that serves more than one county." Throughout the years, the State's smaller-populated counties have struggled to fill vacant Emergency Manager positions.

In 2011, Burleigh County signed a Joint Powers Agreement with Emmons County to provide emergency management services which continues to be renewed yearly. This was the first agreement in North Dakota between two counties for emergency management services and paved the way for other counties to duplicate.

Not every Emergency Manager is willing and/or able to take on another county for emergency management. Through the years, I have been approached to take on additional counties; however, as a one-person department, I have declined.

Counties need another option for emergency management services, and I welcome this opportunity.

TESTIMONY OF
DEBBIE LACOMBE
HOMELAND SECURITY PREPAREDNESS CHIEF
NORTH DAKOTA DEPARTMENT OF EMERGENCY SERVICES
BEFORE THE 68th LEGISLATIVE SESSION
SENATE STATE AND LOCAL GOVERNMENT COMMITTEE
MARCH 2, 2023
IN SUPPORT OF HOUSE BILL 1071

Chairman Roers, members of the Senate State and Local Government Committee, my name is Debbie LaCombe and I'm the Preparedness Chief at the Department of Emergency Services (DES) for the State of North Dakota. I am here today to testify in support of House Bill 1071, a bill that provides an option for local jurisdictions to enter into agreement with the state to fill the role of the local emergency manager.

Having an active local emergency management program ensures every citizen in the state has someone responsible for preparing for, responding to and recovering from disasters. Local preparedness limits impacts on citizens, as well as limits the costs of response and recovery when disasters strike. This value has been previously identified by the legislature and has since become a requirement for each county to establish an emergency management program under North Dakota Century Code (NDCC) 37-17.1-07. The intent of House Bill 1071 is to provide counties who are unable to hire a local or multi-county emergency manager an option to enter into agreement with the Department of Emergency Services to provide this service through the regional emergency response coordinator program. I would like to stress; this bill does not require any county to enter into an agreement with the state for these services and is intended to fill a gap when a county is unable to find their own local or shared multi-county emergency manager.

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Ms. Chairman, this completes our testimony. I would like to leave you with these final thoughts. Disasters are becoming more frequent and more impactful across the world, the country, and the state. At this pivotal time emergency managers are becoming more important than ever, but the challenging workforce environment has made it difficult to recruit the professionals needed to serve the citizens. Providing our counties with another tool in the toolbox at no additional cost to the state helps to ensure that our local jurisdictions can prepare for, respond to and recover from disasters. The citizens deserve that.