

# MICROFILM DIVIDER

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ROLL NUMBER

DESCRIPTION

3053

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Y. Costa Richardson  
Operator's Signature

10/16/03  
Date

2003 HOUSE GOVERNMENT AND VETERANS AFFAIRS

HCR 3053

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10/16/03  
Date

2003 HOUSE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. HCR 3053

House Government and Veterans Affairs Committee

☐ Conference Committee

Hearing Date 2-27-03

Tape Number	Side A	Side B	Meter #
1	x		0-9.6
Committee Clerk Signature <i>Joseph Runkle</i>			

Minutes: Chairman Klein: called the hearing to order. All committee members were present.

Representative Price: was the sponsor of the bill and also gave testimony. There are a whole lot of things in a disaster that people don't even think about. The bill presented is suppose to take a look at if we are ready, and have we given away some power to the executive branch that we did not want to give away. This bill is to really take a look at is bioterrorism and the jurisdiction of the Governor and the State Health Department. Basically we don't have jurisdiction unless Congress will give it to us. Do we want to urge Congress to give us that power? Basically they told us to put a fence around the reservation to keep someone from coming off if they are in that type of situation with the quarantine issue. There are a whole host of things that we are not prepared to deal with both legislatively and the executive branch and thats the reason this resolution is in front of you.

Harold Narum, Assistant Director for the Division of Emergency Management: provided written testimony and appeared on HCR 3053. (SEE ATTACHED TESTIMONY).

Page 2

House Government and Veterans Affairs Committee

Bill/Resolution Number HCR 3053

Hearing Date 2-27-03

Representative Klein: When was the last time the disaster act was updated?

Harold Narum: I believe it was amended in the 1991 session.

Representative Grande: Moved to AMEND HCR 3053.

Representative Meier: SECOND the motion to amend HCR 3053.

Representative Grande: made a DO PASS motion as amended.

Representative Haas: SECOND the motion as amended.

VOTE: 12-YES 0-NO 2-ABSENT (SITTE, WINRICH).

Motion passed.

Representative Devlin: will carry the bill to the floor.

33096.0101  
Title.0200

Adopted by the Government and Veterans  
Affairs Committee  
February 27, 2003

VR  
2/27/03

HOUSE : AMENDMENTS TO HOUSE CONCURRENT RESOLUTION NO. 3053 GVA 2-28-03

Page 1, line 4, after the first "the" insert "privacy," and after "health" insert a comma

Renumber accordingly

Page No. 1

33096.0101

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Salvatore Riccardi  
Operator's Signature

10/6/03  
Date

Date: 2-27-03

Roll Call Vote #:

2003 HOUSE STANDING COMMITTEE ROLL CALL VOTE  
SENATE BILL/RESOLUTION NO. HCR 3053

House GOVERNMENT AND VETERANS AFFAIRS Committee

☐ Check here for Conference Committee

Legislative Council Amendment Number

Action Taken to Amend

Motion Made By Rep Grande Seconded By Rep Meier

Representatives	Yes	No	Representatives	Yes	No
Chairman M.M. Klein	X		B. Amerman	X	
Vice Chairman B.B. Grande	X		L. Potter	X	
W.R. Devlin	X		C. Williams	X	
C.B. Haas	X		L. Winrich	A	A
J. Kasper	X				
L.R. Klemin	X				
L. Meier	X				
M. Sitte	A	A			
W.W. Tieman	X				
R.H. Wikenheiser	X				

Total (Yes) 12 No 0

Absent (2) Rep Sitte Rep Winrich

Floor Assignment

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

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Operator's Signature Yolanda Richardson

Date 10/16/03

Roll Call Vote #: Date: 2-27-03

2003 HOUSE STANDING COMMITTEE ROLL CALL VOTE  
SENATE BILL/RESOLUTION NO. HCR. 3053

House GOVERNMENT AND VETERANS AFFAIRS Committee

☐ Check here for Conference Committee

Legislative Council Amendment Number \_\_\_\_\_

Action Taken Do Pass As Amended

Motion Made By Rep. Grande Seconded By Rep. Haas

Representatives	Yes	No	Representatives	Yes	No
Chairman M.M. Klein	X		B. Amerman	X	
Vice Chairman B.B. Grande	X		L. Potter	X	
W.R. Devlin	X		C. Williams	X	
C.B. Haas	X		L. Winrich	A	A
J. Kasper	X				
L.R. Klemin	X				
L. Meier	X				
M. Sitte	A	A			
W.W. Tieman	X				
R.H. Wikenheiser	X				

Total (Yes) 12 No 0

Absent (2) Rep. Sitte Rep. Winrich

Floor Assignment Rep. Devlin consent calendar

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

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To Costa Richardson 10/16/03  
Operator's Signature Date

**REPORT OF STANDING COMMITTEE (410)**  
February 28, 2003 12:12 p.m.

Module No: HR-36-3655  
Carrier: Devlin  
Insert LC: 33096.0101 Title: .0200

**REPORT OF STANDING COMMITTEE**  
**HCR 3053: Government and Veterans Affairs Committee (Rep. M. Klein, Chairman)**  
recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends  
**DO PASS** (12 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING). HCR 3053 was  
placed on the Sixth order on the calendar.

Page 1, line 4, after the first "the" Insert "privacy," and after "health" Insert a comma

Renumber accordingly

(2) DESK, (3) COMM

Page No. 1

HR-36-3655

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Richard Costa  
Operator's Signature

10/6/03  
Date



2003 SENATE GOVERNMENT AND VETERANS AFFAIRS

HCR 3053

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Yolanda Richardson  
Operator's Signature

10/6/03  
Date

2003 SENATE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. HCR 3053

Senate Government and Veterans Affairs Committee

☐ Conference Committee

Hearing Date 03/20/03

Tape Number	Side A	Side B	Meter #
Tape 1	x		0 to end
Tape 1		x	0-560
Committee Clerk Signature <i>[Signature]</i>			

Minutes:

**Senator Karen Krebsbach, Chairman** opens HCR 3053. All senators present.

**Representative Clara Sue Price** introduces bill. some of the concern is are we really ready for anything from West Nile to a bomb on Garrison Dam.

**Senator Nelson** : Is there a way in a resolution to hurry up this process of the study.

**Rep. Price**: The only way is that you get the specific office being studied get the first report to someone by a specific date.

**Senator Brown**: Reads letter he received from constituent, that refers to this concept.

**Rep. Price**: I feel we need to teach citizens how to fend for themselves just in case some emergency can't reach ASAP.

**Senator Brown**: Communication is viable.

**Senator Krebsbach**: Is there some way we should involve community.

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*[Signature]*  
Operator's Signature

*10/16/03*  
Date

Page 2

Senate Government and Veterans Affairs Committee

Bill/Resolution Number HCR 3053

Hearing Date 03/20/03

**Rep. Price:** I feel our public health people will be on the for front and people be invited to share with this.

**Senator Dever :** Since 9/11 I think a lot has happened how does this effect the legislature, shouldn't we be briefed on some of this.

**Rep. Price:** That is a good point maybe we should at least have them update the leaderships.

There was further discussion on what it was like to be caught in the Minot Disaster with anhydrous ammonia.

*Neutral*

**Douglas Friez, Director of the Division of emergency Management and State's Homeland Security Coordinator.** (Testimony attached)

**Senator Brown:** I think communication is a huge issue and I think more money has to be issued in that aspect.

**Friez:** the 97 flood was the biggest disaster we have ever had. I feel very comfortable with the gubernatorial powers. We need to have the governor with strong power.

**Senator Krebsbach:** Would you have any suggestions to make this resolution better?

**Friez:** Change "emergency powers" to "emergency management systems" maybe.

**Senator Fairfield:** What kind of quick system do we have to look at in a case of emergency?

**Friez:** Have a battery radio, check ready.gov, all kinds of information is out there.

**Senator Dever:** What about mobile home parks, what should we tell these people to do?

**Friez:** that is the most difficult part. In a tornado situation, we need to encourage these people to leave their location during the period watch.

**Senator Fairfield:** I feel this "Be Ready" information should be out to the public more.

Page 3

Senate Government and Veterans Affairs Committee

Bill/Resolution Number HCR 3053

Hearing Date 03/20/03

Close HCR 3053.

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Salvatore Riccio  
Operator's Signature

10/16/03  
Date

2003 SENATE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. HCR 3053

Senate Government and Veterans Affairs Committee

☐ Conference Committee

Hearing Date 03/21/03

Tape Number	Side A	Side B	Meter #
Tape 1	x		0-800
Committee Clerk Signature			

Minutes:

Committee discussion on HCR 3053. Senator Brown is absent.

Senator Nelson hands out hoghouse amendment.

Senator Nelson moves to adopt amendment.

Senator Fairfield 2nd

5 Yes 0 No 1 Absent

Senator Nelson moves for a Do pass as amended

Senator Wardner 2nd

5 Yes 0 No 1 Absent

Carrier: Senator Nelson

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Y. Costa Richardson  
Operator's Signature

10/16/03  
Date

Date: 3/21/03  
Roll Call Vote #: 1

**2003 SENATE STANDING COMMITTEE ROLL CALL VOTES**  
**BILL/RESOLUTION NO. 3653**

Senate Government and Veteran Affairs Committee

☐ Check here for Conference Committee

Legislative Council Amendment Number 33096.0201 Title.0300

Action Taken Amendment - hoghouse

Motion Made By Nelson Seconded By Fairfield

[illegible]

Total (Yes) 5 No 0

Absent \_\_\_\_\_

**Floor Assignment** \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

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

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*Y. C. - 1. P. 10/16/03*

Operator's Signature Lo Costa Rickford

10/10/03  
Date

Date: 3/21/02  
Roll Call Vote #: 1

2003 SENATE STANDING COMMITTEE ROLL CALL VOTES  
BILL/RESOLUTION NO. 3053

Senate Government and Veteran Affairs Committee

☐ Check here for Conference Committee

Legislative Council Amendment Number 33096.0201 Title .0300

Action Taken Do Pass as amended

Motion Made By Nelson Seconded By Wardner

Senators	Yes	No	Senators	Yes	No
Senator Karen Krebsbach, Chr.	✓		Senator April Fairfield	✓	
Senator Dick Dever, Vice Chr.	✓		Senator Carolyn Nelson	✓	
Senator Richard Brown					
Senator Rich Wardner	✓				

Total (Yes) 5 No 0

Absent 1

Floor Assignment Nelson

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

Richard Costa  
Operator's Signature

10/16/03  
Date

**REPORT OF STANDING COMMITTEE (410)**  
March 24, 2003 9:34 a.m.

Module No: SR-52-5491  
Carrier: Nelson  
Insert LC: 33096.0201 Title: .0300

**REPORT OF STANDING COMMITTEE**

HCR 3053, as engrossed: Government and Veterans Affairs Committee (Sen. Krebsbach, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (5 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). Engrossed HCR 3053 was placed on the Sixth order on the calendar.

Page 1, line 1, after the second "the" insert "state's" and replace "powers of the" with "management system, the impact of federal emergency reorganization on the state's emergency operations plan, and the emergency management preparedness of state agencies and local governments."

Page 1, remove line 2

Page 1, after line 5, insert:

**"WHEREAS**, the North Dakota disaster act gives the governor broad, but appropriate, powers in the event of a disaster or emergency; and"

Page 1, line 8, remove "on the state"

Page 1, line 9, remove "level" and replace "current emergency powers of the executive branch of" with "the state emergency management system, the impact of federal reorganization on the state's emergency operations plan, and the ability of state agencies and local governments to carry out that plan and"

Page 1, line 10, remove "government to"

Page 1, line 14, after the second "the" insert "state's" and replace "powers of the executive branch" with "management system, the impact of federal emergency management reorganization on the state's emergency operations plan, and the emergency management preparedness of state agencies and local governments"

Renumber accordingly



2003 TESTIMONY

HCR 3053

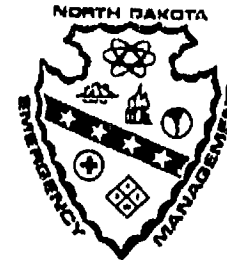
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Salvatore Riccardi  
Operator's Signature

10/16/03

North Dakota


## Division of Emergency Management



TO: Matthew M. Klein, Chairman  
Government and Veterans Affairs Committee

JOHN HOEVEN  
GOVERNOR

Maj Gen MICHAEL J. HAUGEN  
ADJUTANT GENERAL

FROM:  Douglas C. Friez, Director  
ND Emergency Management  
Homeland Security Coordinator

DOUGLAS C. FRIEZ  
STATE DIRECTOR

SUBJECT: House Concurrent Resolution NO. 3053

DATE: February 27, 2003

Mr. Chairman, Members of the Committee, I am Harold Narum, Assistant Director of the Division of Emergency Management and the Office of the Homeland Security.


I am here today as a resource, to provide a brief statement regarding our readiness and to make you aware that we are very confident and comfortable that the Governor can implement plans and commit resources to effectively respond and protect the health and welfare of the citizens of North Dakota.

The North Dakota Disaster Act (ND Century Code 37-17.1) gives the Governor broad powers in the event of a major crisis.

To coincide with implementation of those powers, the State Emergency Operations Plan, which coordinates the response of all state agencies to respond and recover from emergency and disaster events, has been updated to include major terrorism events that may threaten our national security.

The 50 state agencies participating in the State Plan are currently involved in a multi-phased exercise, called Vigilant Victor, which is designed to test our ability to effectively implement our plans.

PO Box 5511 • Bismarck, North Dakota 58506-5511  
701-328-8100 • Fax 701-328-8181  
discovernd.com

  
Operator's Signature

10/16/03  
Date

Victor, which is designed to test our ability to effectively implement our plans.

\*The Homeland Security Advisory System and the Emergency Alert System are in place and regularly tested to assure that our citizens can be properly advised should the need arise for heightened security measures.

\* Division of Emergency Management staff and Office of Homeland Security Coordinator are in regular contact with National Homeland Security Department to track changes in the threat levels and the implications on North Dakota.

\*All state agencies designated in the plan regularly interface with their local, federal and private sector counterparts to assure lines of communication are open and functioning should they be needed.

The Homeland Security Coordinator and the Division Staff has taken every opportunity to speak to private sector and service groups to remind them that responding to such events is everyone's responsibility and that they will get their direction from authorities through the media and that they should report unusual activities to law enforcement authorities.

The Governor and state agency heads are briefed regularly on our homeland security status, and checklists that outline actions to be taken to assure our security have been developed for key state officials.

I am available to respond to any questions you may have!

A concurrent resolution directing the Legislative Council to study the state's emergency management system.

**WHEREAS**, terrorism and pestilence pose serious threats to society that may require extraordinary measures to protect the privacy, health, and safety of the citizens of this state; and

**WHEREAS**, the North Dakota Disaster Act gives the Governor broad but appropriate powers in the event of a disaster or emergency; and

**WHEREAS**, the federal government is evaluating and reorganizing federal agencies to increase the national disaster readiness capability; and

**WHEREAS**, a review of disaster response readiness should be conducted to determine the adequacy of the state emergency management system, the impact of federal reorganization on the state's emergency operations plan, and the ability of state agencies and local governments to carry out that plan and ensure that this state is in a position to protect the health and welfare of its citizens if an extraordinary event were to occur;

**NOW, THEREFORE, BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF NORTH DAKOTA, THE SENATE CONCURRING THEREIN:**

That the Legislative Council study the state's emergency management system, the impact of federal emergency management reorganization on the state's emergency operations plan, and the emergency management preparedness of state agencies and local governments; and

**BE IT FURTHER RESOLVED**, that the Legislative Council report its findings and recommendations, together with any legislation required to implement the recommendations, to the Fifty-ninth Legislative Assembly.



**Vision**

*The North Dakota Healthcare Association will take an active leadership role in major healthcare issues.*

**Mission**

*The North Dakota Healthcare Association exists to advance the health status of persons served by the membership.*

Testimony in Support of HCR 3053  
Government and Veterans Affairs Committee  
March 19, 2003

Chairman Klein, members of the Government and Veterans Affairs Committee. I am Arnold R. Thomas, President of the North Dakota Healthcare Association.

I support HCR 3053, to study the emergency powers of the executive branch.

In light of recent national and international events, this is an especially timely resolution. It will help the legislative assembly determine whether current statutes and rules are adequate to meet the needs of our citizens in cases of emergency. It will furthermore help the citizens of North Dakota understand the governmental mechanisms that are in place to ensure their safety and welfare in cases of emergency.

We respectfully ask for a "Do Pass" on HCR 3053.

PO Box 7340 Bismarck, ND 58507-7340 Phone 701-224-9732 Fax 701-224-9529

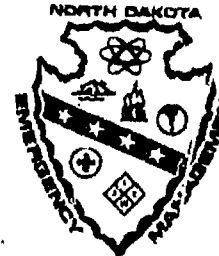
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*Yolanda Pickford*  
Signature

10/16/03  
Date


North Dakota

## Division of Emergency Management



TO: Senator Karen K. Krebsbach, Chairperson  
Senate Government and Veterans Affairs Committee

JOHN HOEVEN  
GOVERNOR  
Maj Gen MICHAEL J. HAUGEN  
ADJUTANT GENERAL

FROM:  Douglas C. Friez, Director  
ND Emergency Management  
Homeland Security Coordinator

DOUGLAS C. FRIEZ  
STATE DIRECTOR

SUBJECT: House Concurrent Resolution NO. 3053

DATE: March 20, 2003

Madame Chair, Members of the Committee, I am Doug Friez, Director of the Division of Emergency Management and the State's Homeland Security Coordinator.

I am here today to provide a brief statement regarding our Emergency Management and Homeland Security posture and to make you aware that we are confident and comfortable that the Governor can implement plans and commit resources to effectively respond and protect the health and welfare of the citizens of North Dakota.

The North Dakota Disaster Act (ND Century Code 37-17.1) gives the Governor broad but appropriate powers in the event of a disaster or emergency.

To coincide with implementation of those powers, the State Emergency Operations Plan, which coordinates the response of all state agencies to support local response to, and recovery from emergency and disaster events, has been updated to include Homeland Security initiatives. This plan enhancement process is an on-going effort of networking and documentation.

Additionally, the 50 state agencies tasked in the State Plan as well as local & tribal governments are currently involved in a multi-phased exercise, called Vigilant Victor, which is designed to test our ability to effectively implement our plans in a Homeland Security event.

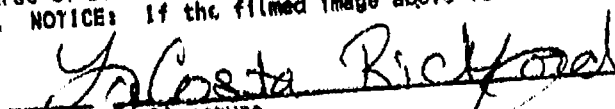
The Homeland Security Advisory System and the Emergency Alert System are in place and regularly tested to help assure that our citizens can be properly advised should the need arise for heightened security measures. In fact, just this week these procedures were effectively implemented to support the national threat level change.

At the Division of Emergency Management we have established on going dialogue and operational interface with the federal Department of Homeland Security and its member agencies.

PO Box 5511 • Bismarck, North Dakota 58506-5511

J:\HOME\Admin Assistant 2003\Correspondence-Doug Friez\030303-0100 • Fax 701-328-8181  
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Operator's Signature

10/16/03  
Date

LP

All state agencies designated in the plan regularly interface with their local, federal and private sector counterparts to assure lines of communication are open and functioning should they be needed and to constantly facilitate the private, public and individual partnership required in this Homeland Security initiative as well as to ensure continued success in our pre-existing emergency management roles and responsibilities.

Myself and staff have met with private sector representatives, service groups and individuals to remind them that responding to such events is everyone's responsibility and that they will get their direction from authorities through various sources, and that they should report unusual activities to law enforcement authorities.

The Governor and state agency heads are briefed regularly on our homeland security and emergency management status, and there are checklists that outline actions to be taken to help assure the security and safety of our state and citizens.

I am eager to respond to any questions you may have!

J:\HOME\Admin Assistant 2003\Correspondence-Doug FKrebsbach-3-19-03-.doc

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D. Costa Richford  
Operator's Signature

10/16/03  
Date