

Introduced by

Senators Stenehjem, G. Lee, Wanzek, Robinson

Representatives Carlson, D. Johnson

( Approved by the Delayed Bills Committee)

1 A BILL for an Act to provide appropriations to the department of emergency services for  
2 emergency snow removal grants, flood mitigation, and for state disasters; to provide for a  
3 transfer; and to declare an emergency.

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

5 **SECTION 1. APPROPRIATION.** There is appropriated out of any moneys in the state  
6 disaster relief fund in the state treasury, not otherwise appropriated, the sum of \$9,000,000, or  
7 so much of the sum as may be necessary, to the adjutant general for the purpose of providing  
8 emergency snow removal grants, for the period beginning with the effective date of this Act and  
9 ending June 30, 2011. A county, township, or city may apply to the department of emergency  
10 services for an emergency snow removal grant for reimbursement of up to sixty percent of the  
11 snow removal costs incurred by the county, township, or city for the period January 2011  
12 through March 2011 that exceeded two hundred percent of the average snow removal cost for  
13 these months during the years ~~2006~~2004 through 2010 disregarding the year with the highest  
14 snow removal cost for these months and the year with the lowest snow removal cost for these  
15 months. Each county, township, or city requesting reimbursement under this section shall  
16 submit the request in accordance with rules developed by the department of emergency  
17 services. The department of emergency services shall distribute the grants prior to June 30,  
18 2011, and shall report to the budget section regarding the grants awarded under this section.

19 **SECTION 2. APPROPRIATION - TRANSFER - PERMANENT OIL TAX TRUST FUND -**  
20 **STATE DISASTER RELIEF FUND.** There is appropriated out of any moneys in the permanent  
21 oil tax trust fund in the state treasury, not otherwise appropriated, the sum of \$22,000,000,  
22 which the office of management and budget shall transfer to the state disaster relief fund during  
23 the period beginning with the effective date of this Act and ending June 30, 2011.

1       **SECTION 3. APPROPRIATION.** There is appropriated out of any moneys in the state  
2 disaster relief fund in the state treasury, not otherwise appropriated, the sum of \$22,000,000, or  
3 so much of the sum as may be necessary, to the department of emergency services for the  
4 purpose of defraying expenses associated with state disasters and for flood mitigation efforts,  
5 for the period beginning with the effective date of this Act and ending June 30, 2013. The funds  
6 provided in this section may be used by the department of emergency services for:

- 7       1. State costs relating to flooding that occurs during the spring of 2011, subject to  
8 emergency commission approval.
- 9       2. Flood disaster relief or disaster mitigation projects in incorporated cities that:
- 10       a. Are in imminent threat of being flooded;
- 11       b. Are underserved by adequate flood protection measures;
- 12       c. Are expected to lose land due to flooding for one year or longer; and
- 13       d. Are ineligible, as determined by the adjutant general, for other program funds that  
14 can be made available based on timeline or project availability.
- 15       3. State disasters pursuant to section 37-17.1-27, subject to emergency commission  
16 approval, not related to flooding that occurs during the spring of 2011.

17       **SECTION 4. EMERGENCY.** This Act is declared to be an emergency measure.