

**Sixty-third Legislative Assembly of North Dakota
In Regular Session Commencing Tuesday, January 8, 2013**

SENATE BILL NO. 2292
(Senators Sinner, J. Lee, Lyson, Oehlke)
(Representative Gruchalla)

AN ACT to create and enact a new subsection to section 37-17.1-04 and a new section to chapter 37-17.1 of the North Dakota Century Code, relating to search and rescue operations; and to amend and reenact section 37-17.1-27 of the North Dakota Century Code, relating to reimbursement of costs under the state disaster relief fund.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

SECTION 1. A new subsection to section 37-17.1-04 of the North Dakota Century Code is created and enacted as follows:

"Wide area search and rescue" means the employment, coordination, and utilization of available resources and personnel in activities occurring within large geographical areas for the purpose of locating, relieving distress, and preserving the life of an individual reported or believed to be lost, stranded, or deemed a high-risk missing individual, and removing any survivor to a place of safety.

SECTION 2. A new section to chapter 37-17.1 of the North Dakota Century Code is created and enacted as follows:

Wide area search and rescue activities - Powers and duties of local officials - Costs.

1. The chief law enforcement officer of each political subdivision is responsible for local wide area search and rescue activities. The operation of a wide area search and rescue activity must be in accordance with state and local operations plans adopted by the governing body of each subdivision. A state or local operations plan must specify the use of the incident command system for a multiagency or multijurisdictional search and rescue operation. The local emergency management director shall notify the department of emergency services of each wide area search and rescue mission. The local emergency management director shall work in a coordinating capacity directly supporting all wide area search and rescue activities in that political subdivision and in registering each emergency search and rescue worker for employee status. The chief law enforcement official of each political subdivision may restrict access to a specific search and rescue area to personnel authorized by the chief law enforcement official. Access may be restricted only for the time necessary to accomplish the search and rescue mission. An unauthorized person may not interfere with a search and rescue mission.
2. If a search and rescue activity results in the discovery of a deceased individual or if any search and rescue worker assists in the recovery of human remains, the chief law enforcement official of the political subdivision shall ensure compliance with chapter 11-19.1.
3. Upon authorization by the governor and approval of costs by the director of the division of homeland security, expenses incurred in meeting a contingency or emergency arising from a wide area search and rescue operation may be reimbursed under section 37-17.1-22 or 37-17.1-27.

SECTION 3. AMENDMENT. Section 37-17.1-27 of the North Dakota Century Code is amended and reenacted as follows:

37-17.1-27. State disaster relief fund - Creation - Uses.

There is created in the state treasury a state disaster relief fund. Moneys in the fund are to be used subject to legislative appropriations and emergency commission and budget section approval for providing the required state share of funding for expenses associated with presidential-declared disasters in the state and for the purposes of reimbursing costs under section 2 of this Act. Any interest or other fund earnings must be deposited in the fund.

President of the Senate

Speaker of the House

Secretary of the Senate

Chief Clerk of the House

This certifies that the within bill originated in the Senate of the Sixty-third Legislative Assembly of North Dakota and is known on the records of that body as Senate Bill No. 2292.

Senate Vote: Yeas 45 Nays 2 Absent 0

House Vote: Yeas 90 Nays 2 Absent 2

Secretary of the Senate

Received by the Governor at _____ M. on _____, 2013.

Approved at _____ M. on _____, 2013.

Governor

Filed in this office this _____ day of _____, 2013,

at _____ o'clock _____ M.

Secretary of State