

SENATE BILL NO. 2292

Introduced by

Senators Sinner, J. Lee, Lyson, Oehlke

Representative Gruchalla

1 A BILL for an Act to create and enact a new subsection to section 37-17.1-04 and a new section
2 to chapter 37-17.1 of the North Dakota Century Code, relating to search and rescue operations;
3 and to amend and reenact section 37-17.1-27 of the North Dakota Century Code, relating to
4 reimbursement of costs under the state disaster relief fund.

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

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

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

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

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

16 1. The chief law enforcement officer of each political subdivision is responsible for local
17 wide area search and rescue activities. The operation of a wide area search and
18 rescue activity must be in accordance with state and local operations plans adopted by
19 the governing body of each subdivision. A state or local operations plan must specify
20 the use of the incident command system for a multiagency or multijurisdictional search
21 and rescue operation. The local emergency management director shall notify the
22 department of emergency services of each wide area search and rescue mission. The
23 local emergency management director shall work in a coordinating capacity directly
24 supporting all wide area search and rescue activities in that political subdivision and in

1 registering each emergency search and rescue worker for employee status. The chief
2 law enforcement official of each political subdivision may restrict access to a specific
3 search and rescue area to personnel authorized by the chief law enforcement official.
4 Access may be restricted only for the time necessary to accomplish the search and
5 rescue mission. An unauthorized person may not interfere with a search and rescue
6 mission.

7 2. If a search and rescue activity results in the discovery of a deceased individual or if
8 any search and rescue worker assists in the recovery of human remains, the chief law
9 enforcement official of the political subdivision shall ensure compliance with chapter
10 11-19.1.

11 3. Upon authorization by the governor and approval of costs by the director of the
12 division of homeland security, expenses incurred in meeting a contingency or
13 emergency arising from a wide area search and rescue operation may be reimbursed
14 under section 37-17.1-22 or 37-17.1-27.

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

17 **37-17.1-27. State disaster relief fund - Creation - Uses.**

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