

Introduced by

Government and Veterans Affairs Committee

(At the request of the Adjutant General)

1 A BILL for an Act to create and enact section 37-17.1-14.6 of the North Dakota Century Code,
2 relating to a mutual aid compact with the northern emergency management; and to amend and
3 reenact sections 37-17.1-14.2 and 37-17.1-14.3 of the North Dakota Century Code, relating to
4 agreements for mutual aid.

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

6 **SECTION 1. AMENDMENT.** Section 37-17.1-14.2 of the North Dakota Century Code is
7 amended and reenacted as follows:

8 **37-17.1-14.2. Interstate mutual aid agreements.**

- 9 1. This state may enter into an interstate mutual aid agreement or compact with any state
10 that has enacted or shall enact the compact substantially in the form contained in
11 section 37-17.1-14.5.
- 12 2. ~~The governor may enter into an interstate agreement with any state if the governor~~
13 ~~finds that joint action with that state is desirable in meeting common intergovernmental~~
14 ~~problems of emergency or disaster prevention, preparedness, mitigation, response,~~
15 ~~and recovery.~~ This state may enter the northern emergency management assistance
16 compact with any state or Canadian province that has enacted or shall enact the
17 compact substantially in the form contained in section 37-17.1-14.6.
- 18 3. ~~The governor may deny the request of a requesting state as the governor determines~~
19 ~~necessary.~~ This state may enter an interstate agreement with any state if the governor
20 finds that joint action with that state is desirable in meeting common intergovernmental
21 problems of emergency or disaster prevention, protection, mitigation, response, and
22 recovery.
- 23 4. ~~All interstate mutual aid compacts and other interstate agreements to which this state~~
24 ~~is a party dealing with disaster or emergency prevention, preparedness, response,~~

1 ~~recovery, or mitigation must be reviewed and made current every four years. This state~~
2 ~~may enter intergovernmental arrangements with neighboring Canadian provinces for~~
3 ~~the purpose of exchanging emergency or disaster resources. When considered of~~
4 ~~mutual benefit, the governor may, subject to the limitations of law enter such~~
5 ~~agreements.~~

6 5. If a person holds a license, certificate, or other permit issued by any state or political
7 subdivision evidencing the meeting of qualifications for professional, mechanical, or
8 other skills, the person may render aid involving that skill in this state to meet an
9 emergency or disaster, and this state shall give due recognition to the license,
10 certificate, or other permit.

11 6. ~~When considered of mutual benefit, the governor may, subject to the limitations of law,~~
12 ~~enter into intergovernmental arrangements with neighboring provinces of Canada for~~
13 ~~the purpose of exchanging disaster or emergency resources. All interstate mutual aid~~
14 ~~compacts and other interstate agreements, to which this state is a party, dealing with~~
15 ~~emergency or disaster prevention, protection, mitigation, response, and recovery must~~
16 ~~be reviewed and made current every four years.~~

17 **SECTION 2. AMENDMENT.** Section 37-17.1-14.3 of the North Dakota Century Code is
18 amended and reenacted as follows:

19 **37-17.1-14.3. Authority to join interstate mutual aid agreements - Interstate compacts.**

- 20 1. The governor, in the name of the state, may join with other states and Canadian
21 provinces in the interstate mutual aid agreement or compact.
- 22 2. The governor may negotiate and execute such supplemental agreements as may be
23 necessary and proper to fully carry out the terms and provisions of the ~~interstate-~~
24 ~~mutual aid agreement~~agreements or ~~compact~~compacts as set forth in ~~section~~sections
25 37-17.1-14.5 and 37-17.1-14.6.
- 26 3. The governor may deny the request of a requesting state or Canadian province as the
27 governor determines necessary.
- 28 4. Local emergency management organizations may enter interstate mutual aid
29 agreements with nearby political subdivisions or public response entities. Such
30 agreements are valid once filed with the department of emergency services.

- 1 b. A co-chair elected from the participating provinces.
2 3. The co-chairs shall be elected biannually in alternate years.
3 4. In the event a co-chair is unable to fulfill the co-chair's term, a special election shall be
4 held at the next meeting, regular or special, to fill the remainder of the co-chair's term.

5 **ARTICLE V - SUBCOMMITTEES AND WORKING GROUPS**

- 6 1. The compact board of directors may appoint subcommittees and working groups as
7 needed.
8 2. Each subcommittee and working group shall be co-chaired by a representative of a
9 Canadian and a United States party jurisdiction.
10 3. The subcommittees and working groups shall report to this compact through the
11 co-chairs and the co-chairs are ex officio members of all subcommittees and working
12 groups.

13 **ARTICLE VI - MEETINGS**

- 14 1. This compact shall meet at least once a year at locations to be determined by the
15 board of directors.
16 2. Special meetings may be held at any time by order of the co-chairs.
17 3. Meetings may be held by conference call or other communication facilities that permit
18 all persons participating in the meeting to communicate with each other, and all
19 persons participating in the meeting by such means are deemed to be present.
20 4. A jurisdiction may participate at its own cost in any meeting by telephone or other
21 communication facilities that permit all persons participating in the meeting to
22 communicate with each other, and a person participating in a meeting by such means
23 is deemed to be present at the meeting.
24 5. The newest co-chair shall be responsible for creating a record of decisions for each
25 meeting.
26 6. The newest co-chair shall be responsible for distributing meeting agendas, records of
27 decisions, and any documents slated for discussion at a meeting to the board of
28 directors.
29 7. A meeting agenda and any documents slated for discussion at a meeting should be
30 circulated to the board of directors a minimum of thirty days prior to the meeting.
31 8. All meetings shall follow a form agreed to by the co-chairs.

