

Introduced by

Government and Veterans Affairs Committee

(At the request of the Division of Emergency Management)

1 A BILL for an Act to amend and reenact section 37-17.1-23 of the North Dakota Century Code,
2 relating to use of Federal Emergency Management Agency administrative fees for payments of
3 loans from the Bank of North Dakota.

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

5 **SECTION 1. AMENDMENT.** Section 37-17.1-23 of the 1997 Supplement to the North
6 Dakota Century Code is amended and reenacted as follows:

7 **37-17.1-23. Disaster or emergency recovery funding - Loan authorization.** When
8 approved by the emergency commission, the division of emergency management is authorized
9 to borrow from the Bank of North Dakota, to match federal funds under the Robert T. Stafford
10 Disaster Emergency Assistance Act [Public Law 93-288, as amended]. In addition to the
11 principal repayment, the Bank of North Dakota shall receive interest on the loan at a rate equal
12 to other state agency borrowings. On behalf of the state, the division of emergency
13 management shall administer the disaster or emergency recovery program according to state
14 procedures based on federal laws or regulations. After a county or group of counties have
15 been declared a major disaster or emergency area by the president, the division shall submit a
16 request to the emergency commission for:

- 17 1. Approval to make an application for a loan from the Bank of North Dakota;
- 18 2. Approval for additional personnel required to perform the anticipated recovery
19 activities; and
- 20 3. Authority to spend additional state and federal funds for the recovery program.

21 If the request is acceptable, the emergency commission shall approve the request and issue a
22 notice of their action to the division, Bank of North Dakota, and the office of management and
23 budget. The division shall keep the emergency commission apprised of the progress of the
24 recovery operation and submit a final report upon completion of the project. The emergency

Fifty-sixth
Legislative Assembly

1 commission is responsible to repay any loan, including accrued interest, from the Bank of North
2 Dakota which is provided under this section. ~~The emergency commission is authorized to~~
3 ~~repay the loan utilizing federal recovery administrative reimbursements to the state under Public~~
4 ~~Law 93-288, as amended, and any other moneys remaining in the contingency fund.~~ If at the
5 end of the biennium a balance exists on the loan, the emergency commission shall request the
6 legislative assembly for a deficiency appropriation to repay the loan.