

**Sixty-second Legislative Assembly of North Dakota
In Regular Session Commencing Tuesday, January 4, 2011**

SENATE BILL NO. 2107
(Transportation Committee)
(At the request of the Adjutant General)

AN ACT to amend and reenact sections 37-17.1-23 and 39-10-03.2 of the North Dakota Century Code, relating to the disaster or emergency loan funding process and removal of department of emergency services from blue light rulemaking.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

SECTION 1. AMENDMENT. Section 37-17.1-23 of the North Dakota Century Code is amended and reenacted as follows:

37-17.1-23. Disaster or emergency recovery funding - Loan authorization.

1. When approved by the emergency commission, the ~~division of homeland security~~office of the adjutant general is authorized to borrow from the Bank of North Dakota, to match federal funds under the Robert T. Stafford Disaster Emergency Assistance Act [Public Law 93-288, as amended]. In addition to the principal repayment, the Bank of North Dakota shall receive interest on the loan at a rate equal to other state agency borrowings. On behalf of the state, the ~~division of homeland security~~office of the adjutant general shall administer the disaster or emergency recovery program according to state procedures based on federal laws or regulations. After a county or group of counties have been declared a major disaster or emergency area by the president, the ~~division~~office of the adjutant general shall submit a request to the emergency commission for:
 - a. Approval to make an application for a loan from the Bank of North Dakota;
 - b. Approval for additional personnel required to perform the anticipated recovery activities; and
 - c. Authority to spend additional state and federal funds for the recovery program.
2. If the request is acceptable, the emergency commission shall approve the request and issue a notice of its action to the ~~division~~office of the adjutant general, Bank of North Dakota, and the office of management and budget. The ~~division~~office of the adjutant general shall keep the emergency commission apprised of the progress of the recovery operation and submit a final report upon completion of the project. The ~~emergency commission~~office of the adjutant general is responsible to repay any loan, including accrued interest, from the Bank of North Dakota which is provided under this section. If at the end of the biennium a balance exists on the loan, the ~~emergency commission~~office of the adjutant general shall request the legislative assembly for a deficiency appropriation to repay the loan.

SECTION 2. AMENDMENT. Section 39-10-03.2 of the North Dakota Century Code is amended and reenacted as follows:

39-10-03.2. Class C authorized emergency vehicles.

All class B specifications apply to class C authorized emergency vehicles except that a ~~rotating~~ blue flashing light must be displayed in place of an amber light as provided in section 39-10-03.1. ~~With respect to vehicles used by state and local disaster emergency services personnel, the division of homeland security is responsible for adopting rules for the use of flashing blue lights in accordance with chapter 28-32.~~

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-second Legislative Assembly of North Dakota and is known on the records of that body as Senate Bill No. 2107.

Senate Vote: Yeas 47 Nays 0 Absent 0

House Vote: Yeas 94 Nays 0 Absent 0

Secretary of the Senate

Received by the Governor at _____ M. on _____, 2011.

Approved at _____ M. on _____, 2011.

Governor

Filed in this office this _____ day of _____, 2011,

at _____ o'clock _____ M.

Secretary of State