

Sixty-fifth  
Legislative Assembly  
of North Dakota

**HOUSE BILL NO. 1106**

Introduced by

Political Subdivisions Committee

(At the request of the Adjutant General)

- 1 A BILL for an Act to amend and reenact section 37-17.1-04 of the North Dakota Century Code,
- 2 relating to definitions of disasters and emergencies.

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

- 4 **SECTION 1. AMENDMENT.** Section 37-17.1-04 of the North Dakota Century Code is
- 5 amended and reenacted as follows:

**6 37-17.1-04. Definitions.**

7 As used in this chapter:

- 8 1. "Critical industry sectors" means any of the sixteen nationally identified critical
- 9 infrastructure sectors identified by the United States government whose assets,
- 10 systems, and networks, whether physical or virtual, are considered so vital to the
- 11 United States and the state that the sectors' incapacitation or destruction would have a
- 12 debilitating effect on security, economic security, public health or safety, or any
- 13 combination thereof.

- 14 2. "Disaster" means the occurrence of widespread or severe damage, injury, or loss of
- 15 life or property resulting from any natural or manmade cause, including fire, flood,
- 16 earthquake, severe high and low temperatures, tornado storm, wave action, chemical
- 17 spill, or other water or air contamination, epidemic, blight, drought, infestation,
- 18 explosion, riot, or hostile military or paramilitary action, or cyber attack which is
- 19 determined by the governor to require state or state and federal assistance or actions
- 20 to supplement the recovery efforts of local governments in alleviating the damage,
- 21 loss, hardship, or suffering caused thereby.

- 22 2.3. "Disaster or emergency worker" means any person performing disaster or emergency
- 23 responsibilities or duties at any place in this state subject to the order or control of, or
- 24 pursuant to a request of, the state government or any political subdivision.

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- 1       3.4. "Emergency" means any situation that is determined by the governor to require state  
2       or state and federal response or mitigation actions to immediately protect lives and  
3       property, to provide for public health and safety, or to avert or lessen the threat of a  
4       disaster. Emergencies require an immediate supplement to local governments to-  
5       protect lives and property, to provide for public health and safety, or to avert or lessen  
6       the threat of a disaster or aid to critical industry sectors that provide essential lifeline  
7       services.
- 8       4.5. "Emergency management" means a comprehensive integrated system at all levels of  
9       government and in the private sector which provides for the development and  
10      maintenance of an effective capability to prevent, mitigate, prepare for, respond to,  
11      and recover from known and unforeseen hazards or situations, caused by an act of  
12      nature or man, which may threaten, injure, damage, or destroy lives, property, or our  
13      environment.
- 14      5.6. "Homeland security" means a concerted national effort to prevent terrorist attacks  
15      within the United States, reduce America's vulnerability to terrorism, and minimize the  
16      damage and recover from attacks in the United States.
- 17      6.7. "Incident command system" means a standardized on-scene incident management  
18      concept designated specifically to allow responders to adopt an integrated  
19      organizational structure equal to the complexity and demands of any single incident or  
20      multiple incidents without being hindered by jurisdictional boundaries.
- 21      7.8. "Mass care" means food, clothing, shelter, and other necessary and essential  
22      assistance provided to a large number of affected people in response to, or recovery  
23      from, a disaster or emergency.
- 24      8.9. "National incident management system" means a system that provides a consistent  
25      nationwide approach for federal, state, and local governments to work effectively and  
26      efficiently together to prepare for, respond to, and recover from domestic incidents  
27      regardless of cause, size, or complexity.
- 28      9.10. "Wide area search and rescue" means the employment, coordination, and utilization of  
29      available resources and personnel in activities occurring within large geographical  
30      areas for the purpose of locating, relieving distress, and preserving the life of an

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- 1 individual reported or believed to be lost, stranded, or deemed a high-risk missing
- 2 individual, and removing any survivor to a place of safety.