

Introduced by

Senators Clemens, Conley, Dwyer

Representatives Becker, Marschall

1 A BILL for an Act to amend and reenact section 37-17.1-03 of the North Dakota Century Code,
2 relating to limiting or restricting the operation of a private business.

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

4 **SECTION 1. AMENDMENT.** Section 37-17.1-03 of the North Dakota Century Code is
5 amended and reenacted as follows:

6 **37-17.1-03. Limitations.**

7 Nothing in this chapter may:

8 1. Interfere with the course or conduct of a labor dispute, except that actions otherwise
9 authorized by this chapter or other laws may be taken when necessary to forestall or
10 mitigate imminent or existing danger to public health or safety.

11 2. Interfere with dissemination of news or comment on public affairs. Any
12 communications facility or organization, including radio and television stations, wire
13 services, and newspapers may be required to transmit or print public service
14 messages furnishing information or instructions in connection with a disaster or
15 emergency situation.

16 3. Affect the jurisdiction or responsibilities of units of the armed forces of the United
17 States or of this state, or of any personnel thereof, when on active duty. State and
18 local emergency operational plans must place reliance upon the forces available for
19 performance of functions related to disasters or emergencies.

20 4. Limit, modify, or abridge the authority of the governor to proclaim martial law, provide
21 aid or assistance to civil authorities, or exercise any other powers vested in the
22 governor under the Constitution of North Dakota, or statutes, common law, or
23 sovereign powers of this state independent of, or in conjunction with, any provisions of
24 this chapter.

- 1 5. Change or modify the responsibilities of the American National Red Cross as defined
- 2 by the Congress of the United States in 36 U.S.C. 300101.
- 3 6. Limit or restrict the operation of a private business, except a business may be subject
- 4 to restrictions imposed by the governing body of the county where the business is
- 5 located during a declared disaster or emergency.