

Introduced by

Representative Becker

1 A BILL for an Act to amend and reenact subsection 6 of section 37-17.1-05 of the North Dakota
2 Century Code, relating to the governor's authority during a declared state or disaster or
3 emergency.

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

5 **SECTION 1. AMENDMENT.** Subsection 6 of section 37-17.1-05 of the North Dakota
6 Century Code is amended and reenacted as follows:

- 7 6. In addition to any other powers conferred upon the governor by law, the governor may:
- 8 a. Suspend the provisions of any regulatory statute prescribing the procedures for
9 conduct of state business, or the orders, rules, or regulations of any state agency,
10 if strict compliance with the provisions of any statute, order, rule, or regulation
11 would in any way prevent, hinder, or delay necessary action in managing a
12 disaster or emergency.
 - 13 b. Utilize all available resources of the state government as reasonably necessary
14 to manage the disaster or emergency and of each political subdivision of the
15 state.
 - 16 c. Transfer the direction, personnel, or functions of state departments and agencies
17 or units thereof for the purpose of performing or facilitating emergency
18 management activities.
 - 19 d. Subject to any applicable requirements for compensation under section
20 37-17.1-12, commandeer or utilize any private property if the governor finds this
21 necessary to manage the disaster or emergency.
 - 22 e. Direct and compel the evacuation of all or part of the population from any stricken
23 or threatened area within the state if the governor deems this action necessary

- 1 for the preservation of life or other disaster or emergency mitigation, response, or
2 recovery.
- 3 f. Prescribe routes, modes of transportation, and destinations in connection with an
4 evacuation.
- 5 g. Control ingress and egress in a designated disaster or emergency area, the
6 movement of persons within the area, and the occupancy of premises therein.
- 7 h. Suspend or limit the sale, dispensing, or transportation of ~~alcoholic beverages,~~
8 explosives; and combustibles, not including ammunition.
- 9 i. Make provision for the availability and use of temporary emergency housing.
- 10 j. Make provisions for the control, allocation, and the use of quotas for critical
11 shortages of fuel or other life and property sustaining commodities.
- 12 k. Designate members of the highway patrol, North Dakota national guard, or others
13 trained in law enforcement, as peace officers.