

**2015 HOUSE APPROPRIATIONS**

**HB 1011**

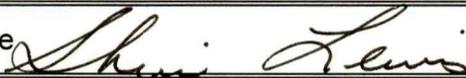
## 2015 HOUSE STANDING COMMITTEE MINUTES

Appropriations Committee - Government Operations Division  
Medora Room, State Capitol

HB1011  
1/16/2015  
Recording Job# 22060

- Subcommittee  
 Conference Committee

Committee Clerk Signature



### Explanation or reason for introduction of bill/resolution:

A BILL for an Act to provide an appropriation for defraying the expenses of the highway patrol; to provide for a transfer; and to provide for expense payments to highway patrol officers.

### Minutes:

See attachment A.

**Chairman Brandenburg:** Opened the hearing on HB1011.

**Mike Gerhardt, Colonel, ND Highway Patrol:** See testimony attachment A.

**Representative Kempenich:** What's your average age in the Highway Patrol?

**Mike Gerhardt:** We are a fairly young agency. For the most part everyone is under 40.

Mike Gerhardt continued with his testimony.

**Chairman Brandenburg:** For the \$220,000.00; you budgeted \$300,000.00; what's happening that it's costing more? Did you get a bid and it came in higher or did you add more equipment to it that made it higher?

**Mike Gerhardt:** The contract vendors are having trouble finding help. They're paying their help more and they're passing that cost on to us as an agency.

Mike Gerhardt continued with his testimony.

**Chairman Brandenburg:** You can't even get 22 gauge shells anymore. Do you have the same problem?

**Mike Gerhardt:** We have significant delays in our orders due to the fact of supply and demand.

Mike Gerhardt continued with his testimony.

**Chairman Brandenburg:** Where's it at with the new training academy?

**Mike Gerhardt:** The location for phase 1 and phase 2 is east of town. The city of Bismarck donated 50 acres to the highway patrol. Phase 1, which was the driving pad, has been completed; and the shooting range is in the process of being completed. That should be completed in June.

**Chairman Brandenburg:** So the building hasn't physically been started yet. Is that correct?

**Mike Gerhardt:** That's correct. The shooting range building has not been completed.

**Representative Hogan:** Are all your cars supplied with videos? How are your policies and do you have any issues with that?

**Mike Gerhardt:** All our vehicles do have in car videos. Our policy is that anytime we're dealing with the public in an enforcement type setting, the video is on. The video not only records video; it records audio as well. All of dealings with the public are recorded.

**Representative Hogan:** Do you know how standard that practice is with cities and counties?

**Mike Gerhardt:** I don't have that information. I can get it for you.

**Representative Glassheim:** We're struggling with what the revenues are going to be based on the price of oil. With this facility, why is it necessary that the people stay there? Can't you do training without dormitory like things or is that somehow part of the training?

**Mike Gerhardt:** Some officers do stay off site. However, during our correctional officer basic training we require lodging on site. The training starts at about 5:00 and there's room inspections, flag duty, p. t., etc. It builds that regimentation that's needed to show the commitment to citizens of this state.

Mike Gerhardt continued with his testimony.

**Chairman Brandenburg:** When you say "calls for service"; you mean they're getting phone calls and requests for law enforcement assistance? I'm just trying to understand what you're saying.

**Mike Gerhardt:** There could be anything from a call to a crash, impaired driver call, reckless driver, to assisting another law enforcement agency with a domestic, with a bar fight, a gun call; any type of call that we would receive or would generate a response.

Mike Gerhardt continued with his testimony.

Mike Gerhardt introduced a video of scenarios and citizens saying thank you.

**Representative Kempenich:** What is your time schedule for phase II?

**Mike Gerhardt:** We've been dealing with some architects to get a general cost; we'd have to do an architectural plan. I'm hoping that we could get a good portion of it done the next biennium if approved.

**Chairman Brandenburg:** You're trying to finish up your phase I; with your shooting range and driving pad. That's my understanding.

**Representative Kempenich:** Are you on budget with the driving and shooting facility?

**Mike Gerhardt:** As far as the driving pad and shooting range, we've down scaled the shooting range to 8 lanes vs 12 lanes; and we cut out a classroom to complete the project. It should be completed in June.

**Representative Kempenich:** Do you have a breakdown of your organizational chart? Can you show where they're stationed?

**Mike Gerhardt:** We can get that for you.

**Chairman Brandenburg:** Can you explain the numbers for the extra troopers?

**Mike Gerhardt:** We can get that for you.

**Representative Hogan:** On page 2 where you went through your statistics; I was surprised at the decrease in DUI arrests. Do you think that's a result of the law change?

**Mike Gerhardt:** It's our focus to pull impaired drivers off the road. It's not from a lack of effort. I don't know if it's tied to a legislative change or not.

**Representative Hogan:** It's a pretty significant decrease.

**Mike Gerhardt:** Yes.

**Representative Skarphol:** Can you provide us with the continuing appropriation information on your asset forfeiture fund? Give us the history and the current status please.

**Mike Gerhardt:** Absolutely.

**Representative Kempenich:** Where are you at with your permits?

**Mike Gerhardt:** The auto routing system has taken the pressure off industry as far as being timely. We don't receive any complaints.

**Representative Skarphol:** Is there an automated link with the oil and gas association county system?

**Mike Gerhardt:** We're able to provide that permit information to them; but, we're not linked with them at this time.

**Representative Skarphol:** So they can't go to one site and get both the state and county information at this time.

**Mike Gerhardt:** That's correct.

**Representative Glassheim:** Are we getting fees that pay for the cost of issuing the permits? How much of those do you use and what kind of time do you put in issuing them?

**Mike Gerhardt:** The permit system is automated. We have a permit office that helps handle those calls. The troopers on the road spend very little time dealing with permits. The fees vary by the permit. There is a \$15.00 surcharge fee as far as the automated routing.

**Representative Glassheim:** Based on mileage?

**Mike Gerhardt:** There are numerous types of permits. I can provide you a list.

**Representative Kempenich:** I think we did put on some extra fees for this. How long ago was that?

**Mike Gerhardt:** The project review was a \$1.8 million project. It was paid ahead of schedule. Currently there are certain plan enhancements to the project that benefit industry. The cost for plan enhancements is \$1.3 million; which would be paid for by the funds generated with the \$15.00 surcharge fee.

**Chairman Brandenburg:** Closed the hearing.

# 2015 HOUSE STANDING COMMITTEE MINUTES

Appropriations Committee - Government Operations Division  
Medora Room, State Capitol

HB1011  
1/21/2015  
Recording Job# 22331

- Subcommittee  
 Conference Committee

Committee Clerk Signature



## Explanation or reason for introduction of bill/resolution:

A BILL for an Act to provide an appropriation for defraying the expenses of the highway patrol; to provide for a transfer; and to provide for expense payments to highway patrol officers.

## Minutes:

See attachment A.

**Vice Chairman Brandenburg:** Opened the discussion on HB1011.

**Mike Gerhardt, Colonel, ND Highway Patrol:** See testimony attachment A.

**Vice Chairman Brandenburg:** When you say you can't fill the spots, you mean that nobody wants to go there? Are you waiting for people to apply?

**Mike Gerhardt:** When we hire new troopers, we can tell them where we want them to go. But as you move up in rank, many times it requires a transfer. There's less willingness to move if you're getting promoted to a sergeant or captain.

**Vice Chairman Brandenburg:** Just so I can understand the ranking system; you have trooper, sergeant and positions in between? So in order to fill a position in Williston, is that a trooper position or sergeant position?

**Mike Gerhardt:** That would have been a commander position. That would have been a captain or lieutenant and I wasn't able to fill it.

Mike Gerhardt continued with his testimony.

**Vice Chairman Brandenburg:** You said the total number of fatal crashes went down? Is that correct?

**Mike Gerhardt:** In the last 2 years the number has dropped. At the end of 2013 we had 133 fatal crashes; as of December 31, 2014 we had 123 fatal crashes.

**Representative Skarphol:** Have you ever done an analysis of what's the wide variation between the west and east parts of the state?

**Mike Gerhardt:** We've seen trends with alcohol, speed, safety restraint use; specific to the northwest, we've seen a huge increase in commercial motor vehicle fatal crashes. It's due to the increase in commercial motor vehicle traffic.

**Representative Skarphol:** With that being said, it would be interesting to see the traffic counts for the various regions in the state. Some point in time, I'd like the committee to get them so we can have a discussion about that.

**Vice Chairman Brandenburg:** I went up highway 85 just because I wanted to see what the traffic was like and it's interesting. It would be interesting to see some statistics on that road. I'd like to know the violations and the deaths, etc.

**Representative Skarphol:** In providing that information, make sure you let us know whether it's state highways or county roads.

**Mike Gerhardt:** I can give you some right now and other information we'll have to work with DOT. For 2014 fatal crashes the road classifications are that 7% were on the interstate, 25% were on us highways, 23% were on state highways, 32% were on county and township roads, 5% were on BIA roads and 9% were in the city.

**Representative Skarphol:** Can you provide that to the committee?

**Mike Gerhardt:** Absolutely.

**Representative Hogan:** Do you know how that compares to other states? I was surprised at the low number on the interstate.

**Mike Gerhardt:** I don't know how that compares to other states. I have general numbers as to how that compares to Minnesota, Montana, Wyoming and South Dakota; but, not broken down by specific roads.

**Representative Hogan:** Has that trend changed at all?

**Mike Gerhardt:** I'm not certain of that.

Mike Gerhardt continued with his testimony.

**Chairman Thoreson:** What is the gender breakdown of troopers?

**Mike Gerhardt:** I believe we have 7 sworn females in the field; we have a total of 36 females in our agency.

Mike Gerhardt continued with his testimony.

**Representative Kempenich:** Are you losing troopers to local jurisdictions?

**Mike Gerhardt:** We do lose troopers to other agencies.

**Representative Kempenich:** Do you have a class right now?

**Mike Gerhardt:** We have a class that graduates in 2 weeks; we are currently in the hiring cycle; we're doing backgrounds and will make offers. We're probably looking at 15 or 16 new troopers.

**Representative Skarphol:** When you lose a trooper to Billings county, is it because of the fact that they pay better?

**Mike Gerhardt:** My understanding was that pay was a factor and this trooper either started out equal to or greater than what we paid.

**Representative Hogan:** I know 15 years ago you used to recruit heavily from the local law enforcement scene. Are you able to hire any local law enforcement or are you primarily starting with new trainees?

**Mike Gerhardt:** It's a mixture of both.

**Representative Hogan:** So you're able to hire some local law enforcement; so it's a give and take?

**Mike Gerhardt:** It is give and take.

**Vice Chairman Brandenburg:** Another thing has to be if there are openings and positions and upward mobility; so those things factor in. Is that part of the issue also?

**Mike Gerhardt:** I believe that is part of it. If I were to move to the Bismarck Police Department, I could start out as patrolman and maybe someday make it chief and never have to move; where with us there is that requirement.

**Representative Boehning:** When you pick up these new recruits that have never been in law enforcement before, do you pay for the training at 100% or does the potential trooper pay for some of that training?

**Mike Gerhardt:** They are an employee at the time so we cover the training. The training is 25 weeks at the training academy.

**Representative Boehning:** If at the end of the 25 weeks they don't pass their test, then they are no longer a state employee? Do they go through the training once again?

**Mike Gerhardt:** If there is an issue with a recruit trooper it may not take 25 weeks to identify that. At some point we might end up having to terminate that employment; depending on the issues they may be able to reapply.

**Representative Kempenich:** Where do you get most of your recruits? Are you requiring 4 year degrees?

**Aaron Hummel, Captain, ND Highway Patrol:** We have increased our recruiting efforts in Minnesota; because we've had challenges with the constant hiring we've been in. The last 2 hiring cycles we have tested in Bloomington, MN.

**Representative Kempenich:** I was wondering if your requirements were a 2 or 4 year degree.

**Aaron Hummel, Captain, ND Highway Patrol:** We prefer 4 year degrees. The minimum is 160 semester credit hours; so a 2 year with work related experience would also be able to apply.

Mike Gerhardt continued with his testimony.

**Representative Kempenich:** Do you have the ability to ice that for different conditions?

**Mike Gerhardt:** No we don't. We try to get it cleared off as much as we can because the emergency vehicle operations have different things they go through; such as controlled braking, serpentine, etc.

**Representative Kempenich:** Do you have the ability to water it down in the summer?

**Mike Gerhardt:** At this time we don't.

Mike Gerhardt continued with his testimony.

**Representative Kempenich:** Phase II is in the same general location?

**Mike Gerhardt:** Yes it is.

Mike Gerhardt continued with his testimony.

**Vice Chairman Brandenburg:** Colonel Prochniak worked pretty hard on this last session. I see you did reduce the size of the classroom; was that what you were trying to do is stay within that budget?

**Mike Gerhardt:** We did downsize the project to make the footprint smaller due to managing inflationary prices. Even with that the prices did come up to \$27.5 million; which was more than what it was prior.

**Vice Chairman Brandenburg:** How much more was it?

**Mike Gerhardt:** We requested \$6 million and received \$5 million. We downsized it to make sure we could get it within budget.

Mike Gerhardt continued with his testimony.

**Representative Skarphol:** How frequently do your officers have to go in and qualify? How many other law enforcement entities use it? What's the utilization of this facility?

**Mike Gerhardt:** In Bismarck we don't have a range. We have an outdoor range that we can use and a private range that we can use; but we don't always necessarily have full access to a range at any given time. During the basic academy when we teach law enforcement, they're shooting on a fairly regular basis to be proficient. State troopers do a winter shoot, throughout the summer and an annual qualification shoot. Every law enforcement officer has to at least qualify annually to carry a sidearm.

**Representative Skarphol:** That applies to county sheriffs, city policemen; all law enforcement must qualify in some place? Not necessarily at your facility but somewhere in the state? Are there other shooting ranges that are utilized for law enforcement.

**Mike Gerhardt:** Both are correct. All law enforcement has to qualify annually. Law enforcement agencies across the state do find it challenging to find places to shoot. We put through 200 officers in the last 2 to 3 years through basic training.

**Representative Kempenich:** We had a long debate about this last session. This is a rifle range also?

**Mike Gerhardt:** The indoor range will not handle a rifle round. But the outdoor range there's an option in our budget for an enhanced backstop that would allow us to use rifles at the outdoor range.

**Representative Skarphol:** Do you set the qualifications that need to be set as a chief law enforcement agency in the state of North Dakota? Are you the one that says these are the requirements that law enforcement has to meet at every level?

**Mike Gerhardt:** It's set by the Peace Officers Standing Training board. That's made up of law enforcement agencies across the state.

**Representative Skarphol:** What's the discussion that's taking place about security in our state buildings?

**Mike Gerhardt:** There was a bill yesterday about legislator's carrying concealed weapons. We provided neutral testimony. We provide the most security that we can provide in the current format. There are many things we do behind the scenes that aren't necessarily open to the public; such as monitoring with cameras.

**Representative Skarphol:** I know there are discussions taking place about hardening the building; for example the west doors.

**Mike Gerhardt:** There has been hardening of the building as far as parking. Some of it has been for beautification. If you notice a lot of the closer parking is no longer there.

Mike Gerhardt continued with his testimony.

**Representative Kempenich:** Did you have to turn the M-14's back into the military?

**Mike Gerhardt:** Yes we turned them back.

Mike Gerhardt continued with his testimony.

**Representative Skarphol:** Do the drugs that you confiscate provide value for your asset forfeiture fund? Is there some research facility that pays anything for that type of material?

**Mike Gerhardt:** No. We either end up turning it over the DEA or destroying it. It has no value to our agency other than getting it off the street.

**Representative Boehning:** Does the DEA take it for free of charge?

**Mike Gerhardt:** I'd have to check into that?

**Representative Boehning:** When you destroy it yourself, how do you dispose of it?

**Mike Gerhardt:** Depending on what it is; for example, marijuana, I know there have been times when's it's been disposed by burning or we turn it over to state toxicology. It depends on the product. We do have a recording process that records how it's all tracked from the time we take it into custody to the time it's destroyed.

Mike Gerhardt continued with his testimony.

**Representative Kempenich:** Do you track the permits on highway 85?

**Mike Gerhardt:** I believe we can query some of that.

**Representative Skarphol:** Is that something that should be entered on the GIS system? Can we find that out as a private citizen?

**Mike Gerhardt:** I'm not sure of the availability of it.

**Representative Skarphol:** I would think that with the new system you have it should be capable of being linked to so on a daily basis the numbers should change. Maybe we could have council check on whether or not that's available somewhere.

**Mike Gerhardt:** I would offer when this was getting started we took a lot of calls and complaints do to the fact that it was hard for us to keep up with the demand. Since this has been in place it's been a blessing because we haven't received many complaints.

**Representative Skarphol:** Is the new system smart phone capable?

**Mike Gerhardt:** Yes it is.

Mike Gerhardt continued with his testimony.

**Vice Chairman Brandenburg:** When you say \$2.8 million I'm trying to understand what that cost would come in at?

**Mike Gerhardt:** It's pretty detailed as far as getting all the data from the county roads and integrating that into the current system.

**Representative Kempenich:** This will be a statewide system?

**Mike Gerhardt:** I don't believe we've gotten to that point in the discussion.

**Representative Skarphol:** The current system you have and the link that you have with the oil and gas counties; if I'm wanting a permit that involves both state and county roads, I could do all this on a smart phone? You can link him to the county permit system and he can get his county permit at the same time in the oil and gas counties? Is the new \$2.8 million project to accomplish the same thing in those counties that aren't part of the association of oil and gas counties?

**Mike Gerhardt:** The ability to use a smart phone to get a permit works on the state system. I don't know if it works on the county system. You can take a permit number from the state system and apply it to the permit system; and it will populate the fields of the county system to make it more timely. I'm not sure if you can do that from a smart phone.

**Representative Skarphol:** Without having that link that would allow for the continuation into the county system, I fail to see how your electronic permitting system could have value. It has to recognize what county roads can be used in order for you to tell them what state roads they need to use. If you direct them to county roads that they can't use, your system is rather worthless. Is there one more step you have to do?

**Mike Gerhardt:** That is correct. The state system doesn't route onto county roads at this time. We could make that happen with the auto routing project.

Mike Gerhardt continued with his testimony.

**Representative Skarphol:** The \$2,065,473.00 dollars you referred to, that's not money you have available and for the projects listed further down you say the balance of \$2,065,473.00.

**Mike Gerhardt:** That would be money available to do some of the projects I have listed. However, it would not cover the full cost of the full integration of counties on the auto routing.

**Representative Skarphol:** Do you need a continuing appropriation or do you have continuing appropriation or do you have continuing appropriation authority to spend that? Do you need that authority in your budget to be able to spend this money?

**Mike Gerhardt:** I think we have the authority.

**Representative Skarphol:** When you say you collected \$4.3 million; you've expended \$2.3 million and you have \$2 million left in the short time you've had it available. The \$2.8 million you say is needed to complete the project; would appear to be available in this next biennium. Is that a correct assumption?

**Mike Gerhardt:** That would be correct.

**Vice Chairman Brandenburg:** What were you getting before with the permitting process?

**Mike Gerhardt:** It really is driven by industry for the needs across the state. That fund is specific to use for maintaining and enhancing the system for industry.

**Representative Skarphol:** A couple years ago it was purported that the officers in the Williston office spent about 60% of their time in the office doing permits. Because of the changes with the electronic permit system, has that been substantially reduced? Has that not resulted in your officers being able to spend more time on the road?

**Mike Gerhardt:** That's absolutely correct. There's less demand for our troopers on the road to issue permits because of the auto routing system.

**Representative Skarphol:** So there's double value with what's been done with this technology.

**Mike Gerhardt:** That's correct.

**Representative Kempenich:** What would be the rank of a division commander?

**Mike Gerhardt:** That would be a captain.

**Representative Kempenich:** What about the motor carriers; are they within that or is that a separate ranking system?

**Mike Gerhardt:** It is. We have motor carrier troopers assigned to the east and region. We also have motor carrier troopers assigned to the motor carrier division. We created a motor carrier division specific to the fact that we wanted to continue to meet the needs of industry as well as protect infrastructure.

**Representative Kempenich:** How many mobile units do you have for motor carriers?

**Mike Gerhardt:** All of our motor carrier troopers carry portable scales. We also have 4 mobile trailer type scales that we will use to do weight enforcement. The trailer-type scales allow us to weigh more vehicles in less time.

**Representative Skarphol:** How do you gauge your success with how you protect highways from overweight vehicles? Do you communicate with the counties as to their success?

**Mike Gerhardt:** As far as gauging our success, I don't look at the fees as part of our success. The reason we do motor carrier enforcement is to protect infrastructure; there's a lot of tax dollars that go into maintaining and fixing our highways. In 2013-2014 our overload numbers were fairly comparable.

**Representative Kempenich:** How many of those inroad sites are around? In Bowman the fixed scales operate fairly frequently; how many fixed scales do you have?

**Mike Gerhardt:** I can get you the number.

**Representative Skarphol:** I have to believe that there is new technology coming out with regard to your capabilities. Is there anything new coming as far as truck weights?

**Mike Gerhardt:** The WIM sites do some of that. We can sit by a WIM with our mobile data terminals and access that WIM site and monitor the weights as they go across. When we find someone that we believe are in excess we can make the stop.

**Representative Boehning:** Can you explain what a WIM site is?

**Mike Gerhardt:** It's a weigh in motion site. It's a measuring device that's implanted in the ground. When a truck goes across it, it will capture the weight; and it's software driven and interface with that site and monitor the weights as they go across.

**Vice Chairman Brandenburg:** We understand there needs to be some upgrades done to your radios.

**Mike Gerhardt:** Some of the challenges we face are driven by technology. In the old analog system we didn't face some of those challenges. With narrow banding and going to digital it takes my voice and breaks it down into a code. On the other end, it puts it back into my voice. If anything gets messed up in between, it can come out a garbled mess.

**Representative Skarphol:** Do you boost your signals on your mobile devices?

**Mike Gerhardt:** I'm going to ask my chief of staff to come up.

**Representative Skarphol:** I understand there's a cost to do this. I'm curious if law enforcement has those provisions.

**Brandon Solberg, Major, North Dakota Highway Patrol:** For cellular devices we do have Wilson apps in our vehicles and they help to boost our cellular signal for voice; but also our mobile data computers. Verizon has the state pretty well covered as far as our data and voice needs. The issues we're having have to do with our police mobile radios. It's a separate system from a cellular network. We do boost our signal through the use of an external antenna. In areas where towers are at different heights and different distances; we're having some problems hitting those tower sites.

**Representative Skarphol:** Is there a way to boost them other than the antenna?

**Mike Gerhardt:** Not that I'm aware of. Some other issues have to do more with the digital technology. We did an internal survey and about 1/3 of our officers felt more comfortable using a cell phone than they did a police mobile radio.

**Vice Chairman Brandenburg:** That's something we heard and that's something we're going to have to figure out how to fix.

**Representative Kempenich:** Is state radio a middle man for you? You do have some money for replacement radios in your budget; don't you?

**Brandon Solberg:** State radio worked quite well as far as having coverage. As more first responders have been added to the system, that's putting a lot of pressure on the entire state sharing one or two frequencies. It's not enough to handle the load that's currently there. The statewide interoperability executive committee has met on this and the highway patrol has one slot on that committee; it's made up of communications and other law enforcement. They conducted a study on what a solution to be and they recommended a trunk system. It has a lot more frequencies available and works through computer software.

**Representative Skarphol:** What's the cost of the project? Tell us what your comfort level is that the new radios you have in your budget are going to solve 90% of your problem.

**Brandon Solberg:** I do know that this system I talked about is very expensive; but, any entity can tie into this system. The system is estimated at about \$160 million; from start to finish. That's covering all the infrastructure and the equipment needs for all entities involved.

**Representative Skarphol:** Over what time frame?

**Brandon Solberg:** If that was taken under consideration by a legislative assembly, that timeline would be up to you as far as how the funding is implemented. I would say a few years to get everything implemented even if funding was available.

**Representative Skarphol:** And the 90% comfort level?

**Brandon Solberg:** Those new radios are capable of going onto a trunk system; it would just require a software upgrade. It would cost a few hundred dollars per radio; it wouldn't necessarily require a different mobile radio.

**Vice Chairman Brandenburg:** So you're saying the radios you're looking at would be adaptable to this new trunk system?

**Brandon Solberg:** That's correct.

**Representative Skarphol:** Brady could you get a breakdown for who would be responsible for what? I'm assuming local political subdivisions would be responsible for a share of that. Is that public information as far as the research that's been done?

**Brandon Solberg:** I believe the study was provided to the executive committee. I can get you a copy.

**Representative Boehning:** How's the communication working between other political subdivisions? Are you able to communicate with them fairly easily? Do you have to have another frequency or another radio to communicate?

**Brandon Solberg:** I would say that in some areas where agencies are using the same state radio channel that we're using, communication is a little smoother. In the majority of locations that's not happening. They have their own county frequencies or city frequencies. Our code plug in our radio has nearly 200 frequencies and so we try to narrow that down by banks for each of our regional offices.

**Representative Boehning:** You are able to communicate if you catch their call; and if you miss it you have to scan the frequency?

**Brandon Solberg:** That's correct. If we can catch it we can communicate with them; that's what we try to do.

**Representative Kempenich:** Are these able to be upgraded?

**Brandon Solberg:** I will bring a summary of our internal survey.

**Representative Kempenich:** Where are you at within your ranges of salaries?

**Mike Gerhardt:** With our trooper level it takes approximately 10 years.

**Representative Kempenich:** Can you bring some graphs to show where you're at within your organization?

**Mike Gerhardt:** We'll get those to you.

**Chairman Thoreson:** Closed the discussion on HB1011.

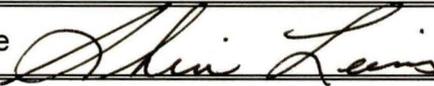
# 2015 HOUSE STANDING COMMITTEE MINUTES

Appropriations Committee - Government Operations Division  
Medora Room, State Capitol

HB1011  
2/6/2015  
Recording Job# 23398

- Subcommittee  
 Conference Committee

Committee Clerk Signature



## Explanation or reason for introduction of bill/resolution:

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## Minutes:

See attachment A.

**Chairman Thoreson:** Opened the discussion on HB1011.

**Mike Gerhardt, Colonel, ND Highway Patrol:** See attachment A.

**Representative Skarphol:** The one area of increase on that chart is cities. Do you just attribute that to more traffic in the cities?

**Mike Gerhardt:** That could very well be just increased traffic.

Mike Gerhardt continued with his presentation.

**Chairman Thoreson:** That's later on in the packet of information. Is that correct?

**Mike Gerhardt:** That's correct.

Mike Gerhardt continued with his presentation.

**Chairman Thoreson:** So just about every other state except us has the trunk system.

**Mike Gerhardt:** That's correct.

**Representative Skarphol:** Do you have any idea when these states moved to that trunk system?

**Mike Gerhardt:** We can find that out.

**Representative Skarphol:** I'm curious about how they justified it in order to get it accomplished. Did they have some unique funding mechanism that was enabling to them that we haven't taken advantage of?

**Mike Gerhardt:** We can look into that and get that information to you.

Mike Gerhardt continued with his presentation.

**Representative Skarphol:** Since the change with regard to going to portable units; is enforcement more adequately protecting our roads?

**Mike Gerhardt:** We're addressing it better today than we have in the past because we've taken a mobile approach. We still utilize our fixed scales; but not on a 24/7 basis.

**Chairman Thoreson:** So you just set up for an hour or two at one spot and pick up and go to the next one?

**Mike Gerhardt:** Correct.

**Representative Skarphol:** Are you seeing the same percentage of violations? Are those violations more dramatic or less dramatic than they used to be?

**Mike Gerhardt:** It depends on the part of the state we work in. In the east we still deal with overweight vehicles; but not as frequent or as in excess as we do in the west.

**Representative Skarphol:** What's the most egregious you've seen?

**Mike Gerhardt:** We can look into that.

**Representative Skarphol:** Is it a graduated scale so as the amount they're over increases, the severity increases at an accelerated pace?

**Mike Gerhardt:** Yes.

**Representative Skarphol:** So if you're 5,000lb over it's so much, if you're 20,000lb over it's more than 4 times over?

**Mike Gerhardt:** The greater the weight the greater the fine. It increases significantly when you go over the threshold.

**Vice Chairman Brandenburg:** In the last few years everyone has scales in their trucks.

**Mike Gerhardt:** The legal weights on highways can change so it can happen where somebody if they're not monitoring that change, I can see where it can happen.

**Chairman Thoreson:** With the revenue forecast changing, we're going to be doing some changes with the idea over the next month or so we'll see if there's a new forecast with better news.

**Mike Gerhardt:** I realize that our agency may not get all of our requests fulfilled.

Mike Gerhardt continued with his presentation.

**Representative Kempenich:** Is that able to take care of the issue?

**Mike Gerhardt:** Internally we struggled for a while to determine. We have troopers that still wish we had 308's in the field. A 308 will go through a building and our concern is that we don't want it to go through the other side and hurt or kill a citizen. That drove our decision to the 223. Our training is to neutralize the threat.

**Representative Skarphol:** Where do you train now for your rifles?

**Mike Gerhardt:** Currently we go to a private range by Moffit; which is about 30 miles away and pay about \$250.00 to \$300.00/per day to train. We use the game and fish public range; but it's an inconvenience to the public. We don't necessarily want to the public to see it.

**Representative Skarphol:** How many areas in the state can officers train that you're aware of?

**Mike Gerhardt:** I'm not certain where they would go in that area of the state.

Mike Gerhardt continued with his presentation.

**Chairman Thoreson:** Is it some type of a device or product?

**Mike Gerhardt:** It goes underneath the car and it's like dollies and they can control it to take pressure off one wheel.

Mike Gerhardt continued with his presentation.

**Representative Skarphol:** If you don't get increased FTE's, what is your need to run a class, what do you anticipate as far as loss of officers? How do you deal with that?

**Mike Gerhardt:** We have 14 recruits today that are graduating and they will hit the road Monday. We currently have 17 vacancies which we are in the process of filling. We will be going through backgrounds and making conditional offers in the next month or two. We're doing backgrounds on 31 individuals.

**Representative Skarphol:** What's been the trend for the last 3 years as far as vacancies on an annual basis?

**Aaron Hummel, Captain, ND Highway Patrol:** Until 5 or 6 years ago we were looking at 8 or 9 vacancies per year. The last biennium we were given the additional 15 troopers. We have had a larger than normal amount of retirements that have occurred. That academy class would begin in May of 2015.

**Representative Skarphol:** You're hopeful that you're going to retain everyone?

**Aaron Hummel:** We're hopeful.

**Vice Chairman Brandenburg:** You have 31 going into the next class; I think you meant May of 2015. Out of this 31, will you end up with 31?

**Aaron Hummel:** Until these troopers that graduate today hit the road, we are currently 31 troopers short.

**Vice Chairman Brandenburg:** How many do you have come into a class?

**Aaron Hummel:** If we're able to find 17 qualified out of the 31 backgrounds; we will train them and hire them.

**Representative Kempenich:** Are you getting competitive applicants?

**Aaron Hummel:** Over the last 2 hiring cycles we added a Bloomington, MN test site. The quality we're seeing at the Bloomington site is very good. We do intend to go back there. The reason why we chose the Bloomington site is because of the airline hub.

**Representative Kempenich:** You're getting competitive?

**Aaron Hummel:** We are competitive in terms of salary.

**Representative Boehning:** What is the normal retirement age?

**Aaron Hummel:** We have the rule of 80; the normal PERS retirement is the rule of 85. The average retirement age is going to be 53 to 55 years of age.

**Representative Boehning:** Do you have a chart shows how many are getting ready to retire?

**Aaron Hummel:** We don't have that. PERS used to send an eligibility for retirement list where we had those dates. We could calculate out what we anticipate for retirements based on ages and the rule of 80.

**Representative Boehning:** If you're going to have a lot maybe that's something we have to plan out in the biennium before so we can ramp up to it.

**Aaron Hummel:** I would say in the next 5 to 10 years we don't see that; it would be driven more so by resignations.

**Representative Boehning:** One of the things I noticed driving in the state is that I can drive down Highway 2 and I'll see 3 troopers plus a couple of sheriff's on the road. When I drive I-29, I don't see any normally. Are they working different shifts because I drive the same time periods?

**Mike Gerhardt:** There are different schedules. It could be the troopers scheduled on I-29 were called to a different location.

Mike Gerhardt continued with his presentation.

**Chairman Thoreson:** Were they the group

**Representative Vigesaa:** How many of those graduates are North Dakota natives?

**Aaron Hummel:** About half.

**Representative Skarphol:** In the budget detail that we get to look at does the budget detail reflect the same list of options that you discussed or is that different from what we would see? Can you provide the document that you spoke from that talked about the options and priorities that you had?

**Mike Gerhardt:** That would be in the original submission.

**Representative Kempnich:** This statewide communication has been ongoing ever since I've been up here.

**Representative Skarphol:** What's the source of that map? I'm wondering if it's an apples to apples comparison to what's being proposed in North Dakota at \$160 million.

**Brandon Solberg, Chief of Staff, ND Highway Patrol:** This map came from Televate's study; it's a 71 page report. This shows our region; but, in that report it states that there are only 2 states in the nation that don't have some sort of trunk system; and that's Vermont and North Dakota.

**Representative Skarphol:** If we're going to get serious about a trunk has any interim committee taken a look at the funding mechanisms in neighboring states or across the nation that would give us some insight to pay for something like this?

**Chris Kadrmas, Fiscal Analyst, ND Legislative Council:** I am not aware; but I can check with Brady to see if there's been any studies done?

**Representative Skarphol:** If they haven't I'm tempted to propose that we amend something in for a study of that issue in the event we do want to move forward.

**Brandon Solberg:** I know that the department of emergency services does have some funding set aside within their budget bill. It is part of an agency bill at this time at least for partial funding.

**Representative Boehning:** In North Dakota we have 22 PSAP's; do other states have one or two centralized locations or are they spread out all over like we are?

**Brandon Solberg:** Every state is probably set up differently. In North Dakota with 22 Public Safety Answering Points; they have their own dispatch centers and they might have

multiple counties and cities. They don't really rely on state radio. If a trunk radio system was in place, all of these entities could still continue to operate independently; but they'd be tied to one network so they could still communicate with anyone tied to this statewide network.

**Representative Boening:** I'd be more in favor of having two or three central locations vs having 22 of them.

**Chairman Thoreson:** I think it's time that we seriously look at this; because there will be an issue somewhere down the line that can affect public safety.

**Chris Kadrmas:** Currently Mr. Knudson is not aware of any studies. I will look into it further with Brady.

**Chairman Thoreson:** I was on the information technology committee and we had some discussion but not really a study into what was requested here.

**Representative Skarphol:** It was indicated earlier that we would receive a document for each of the budgets that would have blank columns for the amendments we were going to propose. Is that still the plan?

**Chris Kadrmas:** That's correct. I can provide with that document. Are you speaking specifically towards the highway patrol?

**Chairman Thoreson:** For all of them.

**Chris Kadrmas:** We can get those to you.

**Chairman Thoreson:** Closed the discussion.

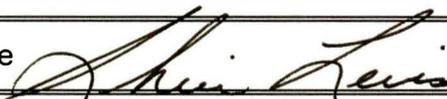
# 2015 HOUSE STANDING COMMITTEE MINUTES

## Appropriations Committee - Government Operations Division Medora Room, State Capitol

HB1011  
2/10/2015  
Recording Job# 23603

- Subcommittee  
 Conference Committee

Committee Clerk Signature



### Explanation or reason for introduction of bill/resolution:

A BILL for an Act to provide an appropriation for defraying the expenses of the highway patrol; to provide for a transfer; and to provide for expense payments to highway patrol officers.

### Minutes:

See attachment A.

*Handout #1*

**Chairman Thoreson:** Opened the discussion on HB1011.

**Representative Vigesaa:** I was wondering about the ammunition increase?

**Mike Gerhardt, Colonel, ND Highway Patrol:** It's due to just inflationary pressures. Ammunition is hard to get.

**Representative Vigesaa:** The increased building lease costs.

**Mike Gerhardt:** Those are three known increases where our leases have come due. Three of our eight offices have increased.

**Representative Hogan:** Are those all in the west or are they scattered throughout the state?

**Mike Gerhardt:** Fargo, Grand Forks and Bismarck. (*Handout #1*)

**Representative Skarphol:** What are you paying per square foot?

**Brandon Solberg, Major, ND Highway Patrol:** This number represents three of eight regional offices; that's for longer term contracts we've signed.

**Representative Skarphol:** Can you give us Fargo/Grand Forks roughly?

**Brandon Solberg:** I would say that's probably about the same. It's in the \$13.00 to \$14.00//sq. ft. range.

**Representative Vigesaa:** The maintain motor pool funding of \$188,000.00,

**Mike Gerhardt:** That increase is due to the increases that we're being given by DOT state fleet.

**Representative Kempenich:** What's your current fleet rate now?

**Mike Gerhardt:** It's \$.64/mile plus the depreciation we accrue every month on each vehicle; that's roughly \$400/month per vehicle.

**Representative Kempenich:** What is your new rate?

**Brandon Solberg:** I can get this information to you.

**Representative Kempenich:** It's per month also. What is your replacement rate on cars?

**Brandon Solberg:** It's about \$.08/mile.

**Representative Kempenich:** Do you go on miles or on year?

**Brandon Solberg:** We try to follow the 48 month replacement cycle; so every four years. The first priority would be on the months of service; the second priority would be on mileage. I would say roughly 100,000 miles would be the target.

**Representative Vigesaa:** Could you outline again the \$626,000.00 for replacing mobiles? Is that just going to newer technology to replace stuff that's outdated?

**Mike Gerhardt:** That's right. Those radios reached their end of life cycle 2 years ago. It's harder to get parts and vendor services. The new radios would be able to adapt to any technology that state radio would provide.

**Representative Skarphol:** Do they go out on bids?

**Mike Gerhardt:** There's a procurement process.

**Representative Skarphol:** All of the radios that are going to be utilized across government; all of those go with a sole source provider?

**Mike Gerhardt:** For state government we would all follow similar procurement procedures. However, when we're talking about counties and cities they may have their own rules.

**Representative Skarphol:** Can we ask Brady?

**Brady Larson, Fiscal Analyst, ND Legislative Council:** I can check with procurement to get that information.

**Representative Skarphol:** Just because we've done something the same old way doesn't mean we should continue to do it that way.

**Representative Vigesaa:** I would suggest we move the base payroll changes over, the 3% and 3% salary increase, the health insurance increase. We would move the equipment start-up costs, the increased lease, the IT, ammunition, equipment adjustments, the motor pool funding, the vehicle equipment installation and other base budget adjustments.

**Representative Kempenich:** The other base budget adjustments; was that operating?

**Mike Gerhardt:** Correct. The \$135,486.00 is option number 1 and it's the salary adjustment for our step system.

**Representative Kempenich:** I'll move the \$66,000.00 for the skid car. You're putting together an outdoor gun range?

**Mike Gerhardt:** There's a gun range that was donated to us by the Bismarck Police Department. Phase 1 that was approved last session included an indoor range. One of our optional items for this biennium is a new backstop for the outdoor range; and I think it was \$80,000.00. That's to afford law enforcement to use long rifles.

**Representative Kempenich:** I'll move that over. I'll also move the radios over.

**Representative Boehning:** On the retirement item I would move the 1% for \$39,360.00.

**Mike Gerhardt:** Under the other vehicle equipment installs, during my original testimony we had \$300,000.00. Because our vehicle install contract expired, for the new contract we asked for a total of \$540,000.00 for your consideration.

**Chairman Thoreson:** So that would be a total of \$540,000.00?

**Mike Gerhardt:** That's right

**Chairman Thoreson:** Do you have a breakdown of how much is general fund and how much is other funds on that?

**Brady Larson:** It would be 87% general fund and 13% highway tax distribution.

**Chairman Thoreson:** Who made the motion to move over the \$300,000.00? Do you want to change that to reflect the adjustment or how do you wish to handle that?

**Representative Vigesaa:** I'm going to leave it where it was.

**Representative Skarphol:** What happens if the highway distribution fund distributes more money to you than what's indicated on here? Do you have the opportunity to spend it? This quoted as \$10,220,645.00; is there any possibility that this number would be lesser or greater than that?

**Brady Larson:** The highway tax distribution fund gets all the motor vehicle taxes and registration fees. The amount that's shown for the highway patrol gets pulled off the top and anything that remains after that goes to the counties, cities and townships. If you look

at section 3 of the bill, there is an amount stated as far as what's coming from the highway tax distribution fund. The highway patrol couldn't receive any money in excess of amount from the fund.

**Representative Skarphol:** What sets that number?

**Brady Larson:** The highway patrol budget is 87% general funded and 13% highway tax distribution funded. Based on whatever you fund in the budget, that's what sets that \$10 million. So if you cut money, that amount would go down or if you add in funding that amount would go up.

**Representative Skarphol:** When we're done the budget is \$60 million and then that number would be reduced. Is that correct?

**Brady Larson:** That's correct.

**Representative Hogan:** That 13% is set someplace else in code or is that a decision we can make?

**Brady Larson:** That's not set in code anywhere. If you look back for the history of the funding for the highway patrol; it's gone from the state highway fund to fully funded from the general fund. I'm not certain how this percentage was set but it certainly could be changed. In the final amendments I'll adjust that number accordingly.

**Representative Hogan:** Do you have any idea when that percentage was established?

**Brady Larson:** I don't; but I can get that information. We often get questioned about the history of the funding for the highway patrol.

**Representative Kempenich:** I think it's based on the inspectors. Are we taking it out of the highway trust fund?

**Brady Larson:** The highway tax distribution fund.

**Representative Kempenich:** Did you get the number of overweight permits?

**Mike Gerhardt:** The quantity permits or the fees? I believe we submitted the different breakdowns of the types of permits. We can get that for you.

**Chairman Thoreson:** Closed the discussion.

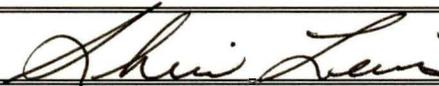
## 2015 HOUSE STANDING COMMITTEE MINUTES

Appropriations Committee - Government Operations Division  
Medora Room, State Capitol

HB1011  
2/17/2015  
Recording Job# 23955

- Subcommittee  
 Conference Committee

Committee Clerk Signature



### Explanation or reason for introduction of bill/resolution:

A BILL for an Act to provide an appropriation for defraying the expenses of the highway patrol; to provide for a transfer; and to provide for expense payments to highway patrol officers.

### Minutes:

See attachment A

**Chairman Thoreson:** Opened the discussion on HB1011.

**Representative Boehning:** Does that decrease reflect the 4 FTE's we didn't include in the health insurance? Is that why we have a lower number there?

**Adam Mathiak, Fiscal Analyst, ND Legislative Council:** In the executive recommendation, their health insurance and performance was all in the top part for the salary changes. We automatically adjusted those amounts.

**Representative Boehning:** Since there were 4 FTE's; shouldn't it be closer to \$48,000.00?

**Adam Mathiak:** It would be the increase on their health insurance.

**Representative Boehning:** Shouldn't we see a decrease on that line? This would only reflect the increase for the 4 FTE's if they had been included.

**Adam Mathiak:** The \$17,000.00 would have been the health insurance. That's the total health insurance that would have been associated with those 4 FTE positions.

**Representative Boehning:** That was just related to the 4 positions?

**Adam Mathiak:** It would have just been related to the 4 positions.

**Becky Keller, Fiscal Analyst, ND Office of Management and Budget:** The health insurance increase is just that \$179.00/month for the biennium for the four.

**Representative Skarphol:** I notice on this budget the performance salary increase has been moved across. The \$1.488 million has been moved across. Was that intended?

**Becky Keller:** The performance is being moved across on all of them; it's the equity that's not being moved across. The performance was dropped to the 3% and 3%.

**Representative Vigesaa:** The other base budget adjustments for \$135,000.00 was in regard to a step up in their grade level. Would council or OMB know what that is?

**Adam Mathiak:** On the green sheet the description says continues funding provided in the 2013-2015 biennium for energy impact costs. So it would be related to some sort of salary adjustment.

**Becky Keller:** It is a continuation from a previous biennium; when we set our base limit for the agency it's usually a little higher than what your actual base is. Even though they took out the energy impact funding, they reassigned that funding to something else to meet our base limit. It's a combination of operating increases and maybe a little bit of salary.

**Vice Chairman Brandenburg:** We're looking at the \$108,000.00 and the \$27,000.00 for a total of \$135,000.00. What is the carry over and what's added?

**Becky Keller:** The \$135,486.00 was funding for the cost to continue to meet the base limit. Some of it would be operating or extraordinary repairs; where we allowed them a cost to continue amount. When you look at your base limit, and you compare it to our base limit, this is the difference that legislative council couldn't identify.

**Vice Chairman Brandenburg:** This would be for working on the cars, putting radios in.

**Becky Keller:** Yes. It could be anything that they reassigned those dollars to.

**Chairman Thoreson:** It's a catchall category. Anything that wouldn't be reflected in other lines get put into this line.

**Becky Keller:** Right.

**Representative Hogan:** Because there's \$500,000.00 plus \$626,000 for purchase of mobile radios; do we want to have a clause about legislative intent to work with ITD on integrating the Televate study?

**Chairman Thoreson:** We're going to put something in ITD's budget. This may change before we're all done.

**Vice Chairman Brandenburg:** Made a motion for a "Do Pass as Amended".

**Representative Skarphol:** Seconded the motion.

Roll call vote: 7 Yeas 0 Nays 1 Absent

Motion carried.

Representative Vigesaa carried the bill.

**Chairman Thoreson:** Closed the discussion.

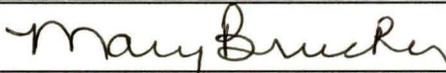
# 2015 HOUSE STANDING COMMITTEE MINUTES

**Appropriations Committee**  
Roughrider Room, State Capitol

HB 1011  
2/19/2015  
24187

- Subcommittee  
 Conference Committee

Committee Clerk Signature



## **Explanation or reason for introduction of bill/resolution:**

Provide an appropriation for defraying expenses of Highway Patrol

**Minutes:**

*(Recording was not running for the first part of these minutes)*

**Representative Vigesaa:** Presented amendment 15.8119.01002. On the bill page 1 line 24 that was removed. We did not grant the four additional troopers and did not allow them the 27.5 for the building. **Made a motion to move the amendment 01002.**

**Vice Chairman Keith Kempenich: Seconded.**

**Chairman Jeff Delzer:** What are they doing on the \$66,000 on the skid compared to what you guys saw already?

**Representative Vigesaa:** This is something that goes underneath a vehicle and they can adjust it to simulate it sliding and slipping.

**Chairman Jeff Delzer:** They already have one and they want a second?

**Representative Vigesaa:** No, this is new. This actually goes underneath a vehicle.

**Chairman Jeff Delzer:** How many vacant FTEs do they have?

**Representative Vigesaa:** Currently they have 16 trooper vacancies.

**Chairman Jeff Delzer:** Did you ask them about their roll up dollars then?

**Representative Vigesaa:** We did not.

**Chairman Jeff Delzer:** With 16 vacancies that has to be a pretty good amount of money.

**Representative Vigesaa:** They said they are currently evaluating 31 applicants to fill those positions.

**Chairman Jeff Delzer:** But they still have the training to go through. I would guess they are probably using some of this on overtime but that's the real question. If you get a chance check into that.

**Representative Vigesaa:** There is nearly a \$1 million reduction in base funding adjustments and that's because of the new troopers they hired the last biennium and they aren't projecting they will have those costs this biennium. There is a reduction of \$944,000 in the base funding because of the lack of startup costs this next biennium.

**Chairman Jeff Delzer:** The amendment is going from 42 to 46 general fund?

**Representative Vigesaa:** That is correct.

**Representative Skarphol:** With regard to the vehicle equipment installation costs of \$300,000 there was \$520,000 in the budget. They rebid the installation costs and got a new bid is \$830,000 so they are \$530,000 short. They are going to have some difficulties.

**Chairman Jeff Delzer:** What did you do on the travel costs; gas per gallon?

**Representative Vigesaa:** We did not make an adjustment there. With regard to the 16 vacancies in trooper positions, a good portion of that is they have had a large number of retirements in the last two years. They just had a class graduate with 14 graduates.

**Chairman Jeff Delzer:** One of the things I've noticed is it seems like we have a colonel there for two to three years then they retire so I hope at some point we would address that.

**Vice Chairman Keith Kempenich:** We probably won't see that now; their average age now in patrol is 35 years old.

**Voice vote to adopt the amendment 01002: Motion carried.**

**Representative Vigesaa: Made a motion for a do pass as amended.**

**Representative Brandenburg: Seconded.**

**Roll Call Vote: 22 YES 1 NO 0 ABSENT**

**Representative Vigesaa will carry this bill.**

*Handwritten:*  
2-20-15  
183

PROPOSED AMENDMENTS TO HOUSE BILL NO. 1011

Page 1, line 2, after the semicolon insert "to provide for legislative intent;"

Page 1, replace lines 11 through 18 with:

"Administration	\$3,466,113	\$277,840	\$3,743,953
Field operations	48,596,777	6,689,221	55,285,998
Law enforcement training academy	1,682,043	(1,602,043)	80,000
Accrued leave payments	<u>1,110,651</u>	<u>(1,110,651)</u>	<u>0</u>
Total all funds	\$54,855,584	\$4,254,367	\$59,109,951
Less estimated income	<u>12,594,542</u>	<u>399,905</u>	<u>12,994,447</u>
Total general fund	\$42,261,042	\$3,854,462	\$46,115,504
Full-time equivalent positions	213.00	0.00	213.00"

Page 1, remove line 24

Page 2, replace line 1 with:

"Mobile radio equipment	\$0	\$626,000"
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Page 2, replace lines 10 through 12 with:

"Total all funds	\$6,145,000	\$772,000
Total special fund	<u>798,000</u>	<u>96,000</u>
Total general fund	\$5,347,000	\$676,000"

Page 2, line 15, replace "sixty-fourth" with "sixty-fifth"

Page 2, line 18, replace "\$10,220,645" with "\$6,606,826"

Page 2, after line 29, insert:

**"SECTION 5. LEGISLATIVE INTENT - RADIO COMMUNICATIONS.** It is the intent of the sixty-fourth legislative assembly that the information technology department be responsible for the oversight of the installation of any radio communications equipment by an executive branch state agency. It is further the intent of the sixty-fourth legislative assembly that the information technology department develop a process to implement the recommendations of the North Dakota statewide radio system assessment and evolution study as presented to the statewide interoperability executive committee."

Re-number accordingly

**STATEMENT OF PURPOSE OF AMENDMENT:**

**House Bill No. 1011 - Highway Patrol - House Action**

	Base Budget	House Changes	House Version
Administration	\$3,466,113	\$277,840	\$3,743,953
Field operations	48,596,777	6,689,221	55,285,998
Law enforcement training	1,682,043	(1,602,043)	80,000

2013

academy			
Accrued leave payments	1,110,651	(1,110,651)	
Total all funds	\$54,855,584	\$4,254,367	\$59,109,951
Less estimated income	12,594,542	399,905	12,994,447
General fund	\$42,261,042	\$3,854,462	\$46,115,504
FTE	213.00	0.00	213.00

**Department No. 504 - Highway Patrol - Detail of House Changes**

	Adds Funding for Base Payroll Changes <sup>1</sup>	Adds Funding for Salary and Benefit Increases <sup>2</sup>	Provides Funding for Increased Operations Costs <sup>3</sup>	Provides Other Base Funding Adjustments <sup>4</sup>	Adds Funding for One-Time Equipment and Upgrades <sup>5</sup>	Total House Changes
Administration	\$78,108	\$199,732				\$277,840
Field operations	4,028,152	2,173,583	740,000	(944,514)	692,000	6,689,221
Law enforcement training academy	(1,682,043)				80,000	(1,602,043)
Accrued leave payments	(1,110,651)					(1,110,651)
Total all funds	\$1,313,566	\$2,373,315	\$740,000	(\$944,514)	\$772,000	\$4,254,367
Less estimated income	154,075	475,519	86,277	(411,966)	96,000	399,905
General fund	\$1,159,491	\$1,897,796	\$653,723	(\$532,548)	\$676,000	\$3,854,462
FTE	0.00	0.00	0.00	0.00	0.00	0.00

<sup>1</sup> Funding is added for cost-to-continue 2013-15 biennium salaries and benefit increases and for other base payroll changes. Funding for salaries and operations of the law enforcement training academy division is also integrated into the field operations division.

<sup>2</sup> The following funding is added for 2015-17 biennium performance salary adjustments of 2 to 4 percent per year and increases in monthly health insurance premiums:

	General Fund	Other Funds	Total
Salary increase - Performance	\$1,188,888	\$299,268	\$1,488,156
Health insurance increase	708,908	176,251	885,159
Total	\$1,897,796	\$475,519	\$2,373,315

<sup>3</sup> Funding is added for the following operations cost increases:

	General Fund	Other Funds	Total
Increased building lease costs	\$108,223	\$7,777	\$116,000
Information technology increases	32,000	4,000	36,000
Ammunition increase	87,500	12,500	100,000
Maintain motor pool funding	164,000	24,000	188,000
Vehicle equipment installation costs	262,000	38,000	300,000
Total	\$653,723	\$86,277	\$740,000

<sup>4</sup> Base funding levels are adjusted for the following:

	General Fund	Other Funds	Total
Remove equipment startup costs for new troopers authorized in 2013-15 biennium	(\$686,000)	(\$94,000)	(\$780,000)
Equipment adjustments, including \$300,000 reduction in federal funds for equipment	44,966	(344,966)	(300,000)
Other base budget adjustments	108,486	27,000	135,486
Total	(\$532,548)	(\$411,966)	(\$944,514)

<sup>5</sup> One-time funding is added for the following equipment and upgrades:

	General Fund	Other Funds	Total
Replace mobile radio equipment	\$548,000	\$78,000	\$626,000
Upgrade outdoor gun range	70,000	10,000	80,000
Skid car training system	58,000	8,000	66,000

303

Total	\$676,000	\$96,000	\$772,000
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This amendment also:

- Adjusts Section 3 of the bill to reduce the amount of funding provided from the highway tax distribution fund from \$10,220,645 to \$6,609,633.
- Adds a section of legislative intent that the Information Technology Department be responsible for the oversight of the installation of radio communications equipment by state agencies and that the department develop a process to implement the recommendations of the North Dakota Statewide Radio Systems Assessment and Evolution Study as presented to the Statewide Interoperability Executive Committee.

**2015 HOUSE STANDING COMMITTEE  
 ROLL CALL VOTES  
 BILL/RESOLUTION NO. HB1011**

House Appropriations - Government Operations Divison Committee

Subcommittee

Amendment LC# or Description: \_\_\_\_\_

Recommendation:  Adopt Amendment  
 Do Pass     Do Not Pass     Without Committee Recommendation  
 As Amended     Rerefer to Appropriations  
 Place on Consent Calendar

Other Actions:  Reconsider     \_\_\_\_\_

Motion Made By Representative Brandenburg Seconded By Representative Skarphol

Representatives	Yes	No	Representatives	Yes	No
Chairman Thoreson	X		Representative Hogan	X	
Vice Chairman Brandenburg	X		Representative Glassheim		
Representative Kempenich	X				
Representative Vigessaa	X				
Representative Boehning	X				
Representative Skarphol	X				

Total (Yes) 7 No 0

Absent 1

Floor Assignment Representative Vigessa

If the vote is on an amendment, briefly indicate intent:



Date: 2/19/15

Roll Call Vote #: 2

2015 HOUSE STANDING COMMITTEE  
ROLL CALL VOTES  
BILL/RESOLUTION NO. 1011

House Appropriations Committee

Subcommittee

Amendment LC# or Description: 15.8119.01002

Recommendation:  Adopt Amendment  
 Do Pass  Do Not Pass  Without Committee Recommendation  
 As Amended  Rerefer to Appropriations  
 Place on Consent Calendar  
Other Actions:  Reconsider  \_\_\_\_\_

Motion Made By: Vigessa Seconded By: Brandenburg

Representatives	Yes	No	Absent	Representatives	Yes	No	Absent	Representatives	Yes	No	Absent
Chairman Jeff Delzer		✓		Representative Nelson	✓			Representative Boe	✓		
Vice Chairman Keith Kempenich	✓			Representative Pollert	✓			Representative Glassheim	✓		
Representative Bellew	✓			Representative Sanford	✓			Representative Guggisberg	✓		
Representative Brandenburg	✓			Representative Schmidt	✓			Representative Hogan	✓		
Representative Boehning	✓			Representative Silbernagel	✓			Representative Holman	✓		
Representative Dosch	✓			Representative Skarphol	✓						
Representative Kreidt	✓			Representative Streyle	✓						
Representative Martinson	✓			Representative Thoreson	✓						
Representative Monson	✓			Representative Vigessaa	✓						

Totals

(Yes)	<u>22</u>
No	<u>1</u>
Absent	<u>0</u>
Grand Total	<u>23</u>

Floor Assignment: Vigessa

If the vote is on an amendment, briefly indicate intent: \_\_\_\_\_

**REPORT OF STANDING COMMITTEE**

**HB 1011: Appropriations Committee (Rep. Delzer, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (22 YEAS, 1 NAYS, 0 ABSENT AND NOT VOTING). HB 1011 was placed on the Sixth order on the calendar.

Page 1, line 2, after the semicolon insert "to provide for legislative intent;"

Page 1, replace lines 11 through 18 with:

"Administration	\$3,466,113	\$277,840	\$3,743,953
Field operations	48,596,777	6,689,221	55,285,998
Law enforcement training academy	1,682,043	(1,602,043)	80,000
Accrued leave payments	1,110,651	(1,110,651)	0
Total all funds	\$54,855,584	\$4,254,367	\$59,109,951
Less estimated income	12,594,542	399,905	12,994,447
Total general fund	\$42,261,042	\$3,854,462	\$46,115,504
Full-time equivalent positions	213.00	0.00	213.00"

Page 1, remove line 24

Page 2, replace line 1 with:

"Mobile radio equipment	\$0	\$626,000"
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Page 2, replace lines 10 through 12 with:

"Total all funds	\$6,145,000	\$772,000
Total special fund	798,000	96,000
Total general fund	\$5,347,000	\$676,000"

Page 2, line 15, replace "sixty-fourth" with "sixty-fifth"

Page 2, line 18, replace "\$10,220,645" with "\$6,606,826"

Page 2, after line 29, insert:

**"SECTION 5. LEGISLATIVE INTENT - RADIO COMMUNICATIONS.** It is the intent of the sixty-fourth legislative assembly that the information technology department be responsible for the oversight of the installation of any radio communications equipment by an executive branch state agency. It is further the intent of the sixty-fourth legislative assembly that the information technology department develop a process to implement the recommendations of the North Dakota statewide radio system assessment and evolution study as presented to the statewide interoperability executive committee."

ReNUMBER accordingly

**STATEMENT OF PURPOSE OF AMENDMENT:**

**House Bill No. 1011 - Highway Patrol - House Action**

	<b>Base Budget</b>	<b>House Changes</b>	<b>House Version</b>
Administration	\$3,466,113	\$277,840	\$3,743,953
Field operations	48,596,777	6,689,221	55,285,998
Law enforcement training academy	1,682,043	(1,602,043)	80,000
Accrued leave payments	1,110,651	(1,110,651)	
Total all funds	\$54,855,584	\$4,254,367	\$59,109,951
Less estimated income	12,594,542	399,905	12,994,447
	\$42,261,042	\$3,854,462	\$46,115,504

General fund			
FTE	213.00	0.00	213.00

**Department No. 504 - Highway Patrol - Detail of House Changes**

	Adds Funding for Base Payroll Changes <sup>1</sup>	Adds Funding for Salary and Benefit Increases <sup>2</sup>	Provides Funding for Increased Operations Costs <sup>3</sup>	Provides Other Base Funding Adjustments <sup>4</sup>	Adds Funding for One-Time Equipment and Upgrades <sup>5</sup>	Total House Changes
Administration	\$78,108	\$199,732				\$277,840
Field operations	4,028,152	2,173,583	740,000	(944,514)	692,000	6,689,221
Law enforcement training academy	(1,682,043)				80,000	(1,602,043)
Accrued leave payments	(1,110,651)					(1,110,651)
<b>Total all funds</b>	<b>\$1,313,566</b>	<b>\$2,373,315</b>	<b>\$740,000</b>	<b>(\$944,514)</b>	<b>\$772,000</b>	<b>\$4,254,367</b>
Less estimated income	154,075	475,519	86,277	(411,966)	96,000	399,905
<b>General fund</b>	<b>\$1,159,491</b>	<b>\$1,897,796</b>	<b>\$653,723</b>	<b>(\$532,548)</b>	<b>\$676,000</b>	<b>\$3,854,462</b>
FTE	0.00	0.00	0.00	0.00	0.00	0.00

<sup>1</sup> Funding is added for cost-to-continue 2013-15 biennium salaries and benefit increases and for other base payroll changes. Funding for salaries and operations of the law enforcement training academy division is also integrated into the field operations division.

<sup>2</sup> The following funding is added for 2015-17 biennium performance salary adjustments of 2 to 4 percent per year and increases in monthly health insurance premiums:

	General Fund	Other Funds	Total
Salary increase - Performance	\$1,188,888	\$299,268	\$1,488,156
Health insurance increase	708,908	176,251	885,159
<b>Total</b>	<b>\$1,897,796</b>	<b>\$475,519</b>	<b>\$2,373,315</b>

<sup>3</sup> Funding is added for the following operations cost increases:

	General Fund	Other Funds	Total
Increased building lease costs	\$108,223	\$7,777	\$116,000
Information technology increases	32,000	4,000	36,000
Ammunition increase	87,500	12,500	100,000
Maintain motor pool funding	164,000	24,000	188,000
Vehicle equipment installation costs	262,000	38,000	300,000
<b>Total</b>	<b>\$653,723</b>	<b>\$86,277</b>	<b>\$740,000</b>

<sup>4</sup> Base funding levels are adjusted for the following:

	General Fund	Other Funds	Total
Remove equipment startup costs for new troopers authorized in 2013-15 biennium	(\$686,000)	(\$94,000)	(\$780,000)
Equipment adjustments, including \$300,000 reduction in federal funds for equipment	44,966	(344,966)	(300,000)
Other base budget adjustments	108,486	27,000	135,486
<b>Total</b>	<b>(\$532,548)</b>	<b>(\$411,966)</b>	<b>(\$944,514)</b>

<sup>5</sup> One-time funding is added for the following equipment and upgrades:

	General Fund	Other Funds	Total
Replace mobile radio equipment	\$548,000	\$78,000	\$626,000
Upgrade outdoor gun range	70,000	10,000	80,000
Skid car training system	58,000	8,000	66,000
<b>Total</b>	<b>\$676,000</b>	<b>\$96,000</b>	<b>\$772,000</b>

This amendment also:

- Adjusts Section 3 of the bill to reduce the amount of funding provided from the highway tax distribution fund from \$10,220,645 to \$6,609,633.
- Adds a section of legislative intent that the Information Technology Department be responsible for the oversight of the installation of radio communications equipment by state agencies and that the department develop a process to implement the recommendations of the North Dakota Statewide Radio Systems Assessment and

Evolution Study as presented to the Statewide Interoperability Executive Committee.

**2015 SENATE APPROPRIATIONS**

**HB 1011**

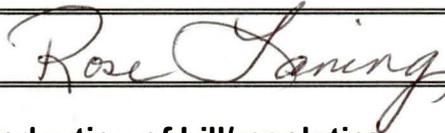
# 2015 SENATE STANDING COMMITTEE MINUTES

Appropriations Committee  
Harvest Room, State Capitol

HB1011  
3/12/2015  
Job # 24764

- Subcommittee  
 Conference Committee

Committee Clerk Signature



## Explanation or reason for introduction of bill/resolution:

A BILL for an Act to provide an appropriation for defraying the expenses of the highway patrol.

## Minutes:

Attachment 1

Legislative Council - Brady Larson  
OMB - Becky Keller

**Chairman Holmberg** called the committee to order on HB 1011.

**Colonel Mike Gerhart, Superintendent, North Dakota Highway Patrol:**  
Testified in favor of HB 1011. Testimony - Attachment 1.

(11:09) **Senator Robinson:** What is "authorized FTE equipment"? - What's included?

**Mike Gerhart:** It's the equipment they're issued when we hire them, firearms, etc.

**Senator Robinson:** You have seven vacancies? If you would fill those, what would your total force number be?

**Mike Gerhart:** We're authorized for 168 sworn.

**Chairman Holmberg** announced the subcommittee: **Senator Wanzek, Senator Krebsbach, and Senator O'Connell.**

(20:16) **Senator Heckaman:** When you bid for the vehicle installation costs and it states that you take the lowest bid, were you able to get a variety of bids or is there only one or two agencies that bid this?

**Mike Gerhart:** I believe it was two agencies and much of the inflationary prices or costs are passed on to us. They have the same pressure trying to hire people and their labor costs are passed on to us.

**Senator O'Connell:** From the time you get a new recruit until you get him into the vehicle for his first day on the job, how much money have you got tied up in equipment and personnel? The car is around \$45,000-50,000?

**Mike Gerhart:** The car bids are right around \$31,000-32,000. We'll gather that information for you.

(22:58) **Chairman Holmberg** asked if each officer or trooper have his own vehicle that they keep with them at all times or are they shared?

**Mike Gerhart:** They have their own vehicle that they have with them. They are on call and if they have to respond from their homes, they each have their own vehicle.

**Senator Carlisle:** How many unfilled positions now?

**Mike Gerhart:** We currently have 17 vacancies, and we're in the process of completing backgrounds for 21 to fill those vacancies. We plan to fill them by May of this year.

**Senator Carlisle:** If you filled those, you still need 4 new trooper positions? If you backfilled your 17, you'd be pretty well caught up? Or has all this just happened in the last couple years?

**Mike Gerhart:** The backfilling of 17 will get us to the 116 to authorize. These four that I'm requesting are specific to provide 24 hour coverage in Williston.

27:00) **Senator Krebsbach:** I recall being short anywhere from 12 to 15 to 17 patrol people for the last few years. We constantly keep graduation but it seems like we can't quite catch up. Are we doing any recruiting out of state?

**Mike Gerhart:** We do actively recruit in state and out of state. We've increased our population by a few from Minnesota. We brought some people in from out of state. We hope we can keep them here. They've worked out very well for us.

**Senator G. Lee:** Looking at your organizational chart in the four different regions, the staffing fairly consistent between the regions, what makes you decide that you're going to put more in one place than the other? You've got 27 troopers in the SE and 26 in the SW, you'd think the traffic and population numbers would be quite a bit different between the two, just for example.

**Mike Gerhart:** I meet on a regular basis with my command staff in the field and we work that out. Traffic patterns, the population, a lot of times it's on how we manage our workload. In the Williston area, I've had troopers that covered 18 fatal crashes in a year and a half and they burn out. To try and balance that workload across the state is important to help manage burn out and retain our employees.

**Senator G. Lee:** It doesn't necessarily mean the traffic pattern and the population, I'm thinking in the SE there would be more population, more traffic, more trucks in terms of

actual back and forth on interstate highways than in the north or southwest, so it doesn't really relate to or it's just the bad guys, if you will, as to what draws you to a particular area?

**Mike Gerhart:** Specific to crash data, and that's an area how we gauge how we allocate our resources, the NW region had 52 fatality crashes; the SW region with 25; then the SE with 24 and the NE with 22. The NE, SW and SE when it comes to fatal crashes, are fairly on par with each other, even tho there's different population and different traffic counts. The NW is where we're getting hit the hardest - not only with fatal crashes, but commercial motor vehicle involved crashes. Of the fatal commercial motor vehicle involved crashes, there was a total of 38.

**Senator Bowman:** Do you keep track of which states are involved in these fatal commercial motor vehicle accidents? When I'm driving, I notice cars going 15-20 mph faster than anyone else and they're from Colorado, Utah and WY?

**Mike Gerhart:** There is a couple things we do with the commercial motor vehicle companies and crashes. If a commercial motor vehicle company is involved in a crash, they can be flagged for an audit and either us or the feds will go into their company and make sure their practices, books and safety records are intact. We're also tracking companies - not only semis, but the white pickups going up and down the road. When they're involved in a fatal crash, we want to track them and then reach back to their company and offer our services to help educate them on safety.

**Senator O'Connell:** On truck regulatory, what are their primary duties; who do you choose as someone in the car or someone in the truck regulator?

**Mike Gerhart:** We created a division. We used to have a trooper here and a trooper there that. Their focus is educating commercial motor vehicle companies and then regulating companies whether it's weight enforcement or doing roadside safety inspections. They are protecting infrastructure by doing weight enforcement and by going into companies and looking through their records and doing audits. And they also do roadside inspections. When they're roadside, they're doing inspections; vehicles are coming in and they're inspecting them for their equipment. They're also looking at the driver logbook, medical card, and making sure the driver qualifications are adequate. How we select them? It's basically selected by if they have an interest in it because we put a lot of time and training into our employees. If there's an interest, we may be able to keep them in there. It's a different type of work than traffic enforcement. You have to be more mechanically inclined.

**Senator O'Connell:** And they still have the same duties as the regular trooper on the road?

**Mike Gerhart:** Yes, they are a sworn trooper. Their focus is on commercial motor vehicle enforcement where our troopers in the sedans focus on traffic enforcement. But getting back to the commercial motor vehicle fatals, a snapshot of 2014 year to date: the SE had three; SW had four; NE had four and the NW had 27.

**Senator G. Lee:** Are the regions geographically equal in terms of size? Are you just quartering the state or are you moving the lines one way or another?

**Mike Gerhart:** They are fairly equal.

**Senator Bowman:** How many big trucks are involved in accidents? Most of the ones I hear it's a pickup running into a truck at an intersection or icy road. Is that kind of ordinary that these trucks are involved in a lot of these fatal accidents?

**Mike Gerhart:** Those numbers that I just offered reflect semis - like the 27, the 4, the 4 and the 3. That's a semi or bigger commercial motor vehicle. It's not an industry pick-up.

(38:55) **Senator Robinson:** How many females are on the force now?

**Mike Gerhart:** Thirty six females in our agency and seven are sworn.

42:32 **Senator Heckaman:** Does the academy belong to the Highway Patrol or Bismarck State right now?

**Mike Gerhart:** The building belongs to the North Dakota Highway Patrol.

**Senator Heckaman:** Are you going to enter into a lease agreement with Bismarck State - or a sale agreement?

**Mike Gerhart:** We haven't gotten to that yet, but we'd be happy to work that out if this worked out but we haven't had those discussions.

**Senator Heckaman:** That would certainly generate some kind of income toward project, right? (answer - Absolutely.)

(43:48) **Senator Carlisle:** Highway Patrol owns the building, and BSC the land?

**Mike Gerhart:** I believe that part of the land is owned by the National Guard. The other part of the land is owned by the state college.

**Senator Carlisle:** If something like that happened, would they have to go thru higher ed or they'd have to have the money to buy the building? Have you checked that out?

**Mike Gerhart:** I have not checked that out.

(46:00) **Senator Heckaman:** We've had requests thru DES to purchase new radios. Are these similar or compatible or different and you'd have to change when they went into their phase funding?

**Mike Gerhart:** These would be compatible with whatever upgrades they would implement.

(47:53) **Senator O'Connell:** Do you have dead spots with your patrol radios? Especially when you get up into the Turtle Mts.

**Mike Gerhart:** As far as radio communications, in car, because of the digital frequency, yes. I don't know if it's because of a dead spot or if it's more driven by technology. There

are times when you have line of site with a car and nothing happens. Then there are times where you can be driving your patrol car and you can hear a trooper in Fargo like he's sitting next to you. It's fragmented.

**Senator O'Connell:** This could be a dangerous situation?

**Mike Gerhart:** Yes. Some of our officers at times will use their cell phone because they're not sure if their mobile radio will work.

(52:06) **Senator O'Connell:** Before you took your position, on housing, where are you drawing the line of who gets housing allowance and who doesn't?

**Mike Gerhart:** As far as energy impact, we have 30 employees that live in the counties of Mountrail, McKenzie, Williams and Dunn and they receive \$500/month. As far as housing assistance, we have two in McKenzie, five in Williams, one in Dunn and one in Stark and one in McHenry. It's challenging not only to find quality people to do this job, but also finding them a suitable place to live.

**Senator O'Connell:** Could the subcommittee get a map of who is stationed in what city or county?

**Senator Krebsbach:** In the past, there was a line item for mileage or car expenses. The other one was the uniform fee and the cleaning of the uniforms. Maybe that's included in that \$200 per diem per month.

**Mike Gerhart:** As far as the uniform cleaning and maintenance, that is part of the uniform per diem. That also includes the meals away from home. As far as the mileage, we requested the \$188,000 to cover the increases in mileage. That was approved by the House. In the back of our testimony there is a breakdown of how DOT comes up with that formula.

**Chairman Holmberg** closed the hearing on HB 1011.

# 2015 SENATE STANDING COMMITTEE MINUTES

## Appropriations Committee Harvest Room, State Capitol

HB 1011  
4/1/2015  
Job # 25709

- Subcommittee  
 Conference Committee

Committee Clerk Signature

*Emmey Brothey for Rose Janney*

### Explanation or reason for introduction of bill/resolution:

A BILL for an Act to provide an appropriation for defraying the expenses of the highway patrol.

### Minutes:

Attachments: n/a

Legislative Council - Brady Larson  
OMB - Becky Keller

**Senator Wanzek** called the sub-committee to order on HB 1011. Senator Krebsbach and Senator O'Connell were also present.

Asked Colonel Gerhart to go over changes and said that the committee is aware of the salaries. Senator Wanzek said the committee is primarily talking about the additional FTEs that the House took out, phase 2 of the law enforcement training center, and an additional request regarding equipment (the expenses came in over what the House had allowed for that expenditure).

**Colonel Mike Gerhart, Superintendent, North Dakota Highway Patrol:** As far as the differences between what the House has offered and what we're requesting for the Senate to reinstate; one of the issues is the vehicle installation contract. We originally requested \$300,000 based off of information we had at the time and was approved through the Governor's office. Prior to session, the contract had expired and we went through the proper procurement procedures; we had two vendors in Bismarck that provided a bid and the bid came in \$520,000 so we are currently \$220,000 short of what is required in that contract. That contract consists of equipment that is installed in our vehicles, much of the inflationary pressures that we were offered by the vendor were due to the fact that that business has a hard time staffing currently in Bismarck; it's very competitive in the Bismarck area so they are basically passing their wages and salary pressures onto us as an agency.

**Senator Krebsbach:** From what I'm reading in your testimony from before, the projection was to be \$830,000 which is \$520,000 more than was budgeted. But now you're going on to say that you are just requesting an additional \$220,000; so I need a little explanation.

**Colonel Gerhart:** The original request was for \$300,000 but the full request we need was for the \$520,000 so the difference would be \$220,000. We currently have \$300,000 in our

budget which we have been operating on for the last decade. With the \$300,000 we currently have plus the \$520,000, we would be able to meet those inflationary costs.

**Senator O'Connell** moved to add \$220,000 to the vehicle equipment installation line item.

**Senator Krebsbach** seconded the motion.

**Voice vote carried.**

**Colonel Gerhart:** That additional request was also approved through the Governor's office so they were aware of the difference.

**Senator Wanzek:** If we go to the FTE's now; can you convince me that you need all four of them?

**Colonel Gerhart:** I'm requesting 4 additional FTEs for positions to be specifically placed in the Williston-Watford City area to provide 24 hour coverage in that area. We currently have 24 hour call coverage where someone is always available, but you don't always have someone present. Our calls have increased 49% from the hours of midnight to 6 am show the need for additional troopers. My goal is to enhance traffic safety and help save lives. Many of our bad crashed occur after midnight and there are many times when we have to call troopers out; my hope is that if we have troopers out doing the job that we can make a difference.

**Senator Krebsbach** moved to forward the 4 troopers in the Williston/Watford City area.

**Senator O'Connell** seconded the motion.

**Senator O'Connell** asked if the troopers are getting burnt out.

**Colonel Gerhart:** We are constantly monitoring burn-out. It's one of the challenges we face and part of the challenge is due to the fact that the level of activity is different there than other places in the state. One trooper was lost to the oil field because of burn-out; I was able to get him back, however. But burn-out is definitely an issue.

**Senator Wanzek:** I'm assuming not everywhere in the state gets 24 hour patrol coverage but it is because of the nature of the activity and the increased service needs there that you feel that area need full time patrol?

**Colonel Gerhart:** That is correct; we did have 24 hour coverage a while back in the Fargo area, but we pushed resources to the west. If I was to be fully staffed today, I still wouldn't be able to provide 24 hour coverage in the Williston area.

**Voice vote carried.**

**Senator Wanzek:** Law enforcement training center - phase 2. We are talking \$24M of general funds and approximately \$3.442M of special funds for a total of \$27M. And that would fully complete all of phase 2, correct?

**Colonel Gerhart:** Correct.

**Senator O'Connell** moved to restore and continue with phase 2.

**Senator Krebsbach** seconded and said it may be contingent on secondary income.

**Senator Wanzek:** I've heard some discussion about a trigger, maybe we can discuss by putting it in there. We are going to have negotiations with the House and I'm sure there is going to be some push back there. I think all three of us in visiting feel pretty strongly that we've initiated the project and we want to finish it. We'll do our best to present it to the full committee.

**Senator Krebsbach:** I think we'll be holding onto this for a short while and then maybe we'll be determined by then whether it will be a trigger or a general.

**Voice vote carried.**

**Colonel Gerhart:** I very much appreciate the support. The public always expects us to get it right and that happens through the right training. We need the facility and the citizens need their enforcement to have the right training.

**Senator Krebsbach:** I appreciate that you do the training for fire fighters.

**Senator O'Connell:** Is there anything that is on the top of your list that we haven't talked about?

**Colonel Gerhart:** No, but I appreciate the support.

**Senator Wanzek:** I'd add that I've had constituents and a niece that went through the training so I understand how it benefits beyond the patrol.

**Senator Wanzek** adjourned the subcommittee meeting on HB 1011.

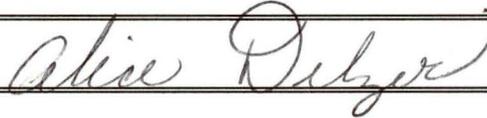
# 2015 SENATE STANDING COMMITTEE MINUTES

**Appropriations Committee**  
Harvest Room, State Capitol

HB 1011  
4/8/2015  
Job # 25940

- Subcommittee  
 Conference Committee

Committee Clerk Signature



## Explanation or reason for introduction of bill/resolution:

A BILL for an Act to defray the expenses of the Highway Patrol. (Do Pass as Amended)

## Minutes:

Amendment # 15.8119.02002

**Chairman Holmberg** called the committee to order on Wednesday, April 8, 2015 in regards to HB 1011. All committee members were present except V.Chairman Bowman. Alex Cronquist, Legislative Council and Tammy Dolan, OMB, were also present.

**Senator Wanzek** presented amendments # 15.8119.02002. He explained the amendments. He stated they made two changes from the House version. The subcommittee added 4 troopers in the Williston area. The HP felt they wanted 24/7 patrol in that area. The other change is in the dollar amount for equipment for the patrol cars. (4.00)

**Senator Wanzek moved the amendment # 15.8119.02002. 2<sup>nd</sup> by Senator O'Connell.**

**Chairman Holmberg:** All in favor of the amendment say aye. It carried.

**Senator Wanzek moved Do Pass as Amended on HB 1011. 2<sup>nd</sup> by Senator O'Connell.**

**Chairman Holmberg:** Call the roll on a Do Pass as Amended on HB 1011.

A Roll Call vote was taken. Yea: 13; Nay: 0; Absent: 0.

**Senator Wanzek** will carry the bill. The hearing was closed on HB 1011.

10f2  
 JW  
 4815

PROPOSED AMENDMENTS TO ENGROSSED HOUSE BILL NO. 1011

Page 1, replace lines 12 through 19 with:

"Administration	\$3,466,113	\$264,288	\$3,730,401
Field operations	48,596,777	7,855,421	56,452,198
Law enforcement training academy	1,682,043	(1,602,043)	80,000
Accrued leave payments	1,110,651	(1,110,651)	0
Total all funds	\$54,855,584	\$5,407,015	\$60,262,599
Less estimated income	12,594,542	533,160	13,127,702
Total general fund	\$42,261,042	\$4,873,855	\$47,134,897
Full-time equivalent positions	213.00	4.00	217.00"

Page 2, line 19, replace "\$6,606,826" with "\$6,752,491"

Renumber accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

House Bill No. 1011 - Highway Patrol - Senate Action

	Base Budget	House Version	Senate Changes	Senate Version
Administration	\$3,466,113	\$3,743,953	(\$13,552)	\$3,730,401
Field operations	48,596,777	55,285,998	1,166,200	56,452,198
Law enforcement training academy	1,682,043	80,000		80,000
Accrued leave payments	1,110,651			
Total all funds	\$54,855,584	\$59,109,951	\$1,152,648	\$60,262,599
Less estimated income	12,594,542	12,994,447	133,255	13,127,702
General fund	\$42,261,042	\$46,115,504	\$1,019,393	\$47,134,897
FTE	213.00	213.00	4.00	217.00

Department No. 504 - Highway Patrol - Detail of Senate Changes

	Adjusts Funding for Health Insurance Premium Increases <sup>1</sup>	Adds 4 Trooper FTE Positions <sup>2</sup>	Increases Funding for Vehicle Equipment Installation <sup>3</sup>	Total Senate Changes
Administration	(\$13,552)			(\$13,552)
Field operations	(140,789)	1,086,989	220,000	1,166,200
Law enforcement training academy				
Accrued leave payments				
Total all funds	(\$154,341)	\$1,086,989	\$220,000	\$1,152,648
Less estimated income	(30,560)	135,815	28,000	133,255
General fund	(\$123,781)	\$951,174	\$192,000	\$1,019,393
FTE	0.00	4.00	0.00	4.00

<sup>1</sup> Funding for employee health insurance premiums is adjusted to reflect the revised premium estimate of \$1,130.22 per month.

2012

<sup>2</sup> Funding is added for 4 new trooper FTE positions as follows:

Base salaries and benefits	\$646,849
Operating expenses and equipment	402,000
3 percent annual salary increases	23,880
Health insurance premiums	14,260
Total	<hr/> \$1,086,989

<sup>3</sup> Additional funding is added for vehicle equipment installation costs to provide total increased funding of \$520,000. The House increased funding for vehicle equipment installation costs by \$300,000.

---

This amendment also amends Section 3 of the bill to adjust the amount of funding provided from the highway tax distribution fund from \$6,606,826 to \$6,752,491.

Date: 4-8-15  
Roll Call Vote #: 1

2015 SENATE STANDING COMMITTEE  
ROLL CALL VOTES  
BILL/RESOLUTION NO. 1011

Senate Appropriations Committee

Subcommittee

Amendment LC# or Description: 15.8119.02002

- Recommendation:  Adopt Amendment  
 Do Pass     Do Not Pass     Without Committee Recommendation  
 As Amended     Rerefer to Appropriations  
 Place on Consent Calendar  
Other Actions:  Reconsider     \_\_\_\_\_

Motion Made By Wanzek    Seconded By O'Connell

Senators	Yes	No	Senators	Yes	No
Chairman Holmberg			Senator Heckaman		
Senator Bowman			Senator Mathern		
Senator Krebsbach			Senator O'Connell		
Senator Carlisle			Senator Robinson		
Senator Sorvaag					
Senator G. Lee					
Senator Kilzer					
Senator Erbele					
Senator Wanzek					

Total (Yes) \_\_\_\_\_ No \_\_\_\_\_

Absent \_\_\_\_\_

Floor Assignment \_\_\_\_\_

If the vote is on an amendment, briefly indicate intent:

*Voice Vote  
Carried*

Date: 4-8-15  
Roll Call Vote #: 2

2015 SENATE STANDING COMMITTEE  
ROLL CALL VOTES  
BILL/RESOLUTION NO. 1011

Senate Appropriations Committee

Subcommittee

Amendment LC# or Description: \_\_\_\_\_

Recommendation:  Adopt Amendment  
 Do Pass  Do Not Pass  Without Committee Recommendation  
 As Amended  Rerefer to Appropriations  
 Place on Consent Calendar  
Other Actions:  Reconsider  \_\_\_\_\_

Motion Made By Wanzek Seconded By O'Connell

Senators	Yes	No	Senators	Yes	No
Chairman Holmberg	✓		Senator Heckaman	✓	
Senator Bowman	✓		Senator Mathern	✓	
Senator Krebsbach	✓		Senator O'Connell	✓	
Senator Carlisle	✓		Senator Robinson	✓	
Senator Sorvaag	✓				
Senator G. Lee	✓				
Senator Kilzer	✓				
Senator Erbele	✓				
Senator Wanzek	✓				

Total (Yes) 13 No 0

Absent 0

Floor Assignment Wanzek

If the vote is on an amendment, briefly indicate intent:

**REPORT OF STANDING COMMITTEE**

**HB 1011, as engrossed: Appropriations Committee (Sen. Holmberg, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (13 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). Engrossed HB 1011 was placed on the Sixth order on the calendar.

Page 1, replace lines 12 through 19 with:

"Administration	\$3,466,113	\$264,288	\$3,730,401
Field operations	48,596,777	7,855,421	56,452,198
Law enforcement training academy	1,682,043	(1,602,043)	80,000
Accrued leave payments	<u>1,110,651</u>	<u>(1,110,651)</u>	<u>0</u>
Total all funds	\$54,855,584	\$5,407,015	\$60,262,599
Less estimated income	<u>12,594,542</u>	<u>533,160</u>	<u>13,127,702</u>
Total general fund	\$42,261,042	\$4,873,855	\$47,134,897
Full-time equivalent positions	213.00	4.00	217.00"

Page 2, line 19, replace "\$6,606,826" with "\$6,752,491"

ReNUMBER accordingly

**STATEMENT OF PURPOSE OF AMENDMENT:**

**House Bill No. 1011 - Highway Patrol - Senate Action**

	Base Budget	House Version	Senate Changes	Senate Version
Administration	\$3,466,113	\$3,743,953	(\$13,552)	\$3,730,401
Field operations	48,596,777	55,285,998	1,166,200	56,452,198
Law enforcement training academy	1,682,043	80,000		80,000
Accrued leave payments	<u>1,110,651</u>			
Total all funds	\$54,855,584	\$59,109,951	\$1,152,648	\$60,262,599
Less estimated income	<u>12,594,542</u>	<u>12,994,447</u>	133,255	13,127,702
General fund	\$42,261,042	\$46,115,504	\$1,019,393	\$47,134,897
FTE	213.00	213.00	4.00	217.00

**Department No. 504 - Highway Patrol - Detail of Senate Changes**

	Adjusts Funding for Health Insurance Premium Increases <sup>1</sup>	Adds 4 Trooper FTE Positions <sup>2</sup>	Increases Funding for Vehicle Equipment Installation <sup>3</sup>	Total Senate Changes
Administration	(\$13,552)			(\$13,552)
Field operations	(140,789)	1,086,989	220,000	1,166,200
Law enforcement training academy				
Accrued leave payments				
Total all funds	(\$154,341)	\$1,086,989	\$220,000	\$1,152,648
Less estimated income	<u>(30,560)</u>	<u>135,815</u>	<u>28,000</u>	<u>133,255</u>
General fund	(\$123,781)	\$951,174	\$192,000	\$1,019,393
FTE	0.00	4.00	0.00	4.00

<sup>1</sup> Funding for employee health insurance premiums is adjusted to reflect the revised premium estimate of \$1,130.22 per month.

<sup>2</sup> Funding is added for 4 new trooper FTE positions as follows:

Base salaries and benefits	\$646,849
Operating expenses and equipment	402,000
3 percent annual salary increases	23,880
Health insurance premiums	<u>14,260</u>

Total \$1,086,989

<sup>3</sup> Additional funding is added for vehicle equipment installation costs to provide total increased funding of \$520,000. The House increased funding for vehicle equipment installation costs by \$300,000.

---

This amendment also amends Section 3 of the bill to adjust the amount of funding provided from the highway tax distribution fund from \$6,606,826 to \$6,752,491.

**2015 CONFERENCE COMMITTEE**

**HB 1011**

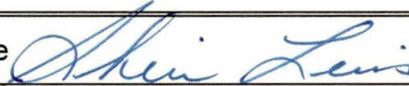
# 2015 HOUSE STANDING COMMITTEE MINUTES

Appropriations Committee - Government Operations Division  
Medora Room, State Capitol

HB1011  
4/16/2015  
Recording Job# 26163

Subcommittee  
 Conference Committee

Committee Clerk Signature



## Explanation or reason for introduction of bill/resolution:

A BILL for an Act to provide an appropriation for defraying the expenses of the highway patrol; to provide for a transfer; and to provide for expense payments to highway patrol officers.

## Minutes:

"Click to enter attachment information."

**Chairman Vigesaa:** Opened the conference committee on HB1011.

**Senator Wanzek:** Explained the changes to HB1011.

**Senator O'Connell:** Basically it's your lights, computers and all your safety equipment. Just a basic patrol car is what they get from state fleet and everything else has to be added afterwards.

Senator Wanzek continued with his explanation.

**Chairman Vigesaa:** Was bid process done in between the time we heard the bill and you heard the bill? Was that something we had information on and didn't give them any more than \$300,000.00?

**Senator O'Connell:** The impression was that it came in after the House and the Senate was the first one to get that information.

**Senator Wanzek:** The contract expired December 31, 2014. I'm not sure how soon they got those bids out. I'm assuming that was the case, they didn't have the bid when you visited the bill the first time.

**Chairman Vigesaa:** When we had the hearing on our side, they had 16 vacant positions. That's why we removed the four FTE's; because we felt that if they had 16 vacant spots, why would they need an additional four. Do you have any updated information as to how they are sitting on their vacant FTE's at the present?

**Senator Wanzek:** I would have to say not. I can't say that I analyzed that in depth before this meeting. If they could achieve that need through some of those vacancies, I don't know. I would have to see how long those vacancies have been there. There's always going to be a certain level of vacancies. If there are vacancies open beyond a year, then I would start wondering why.

**Senator O'Connell:** I talked to law enforcement back home and as people are leaving the state, they're cleaning out the vacant farms and homes as they're going. You have a lot more crime going on now than there was before.

**Chairman Vigesaa:** We know that the traffic is going to be reduced. We know that when the rigs are down by 100, there is going to be less traffic on the roads. That in conjunction with the 16 vacancies; that's why the House felt at the time we had the hearing that we could remove the FTE's. I suspect that the House's position is going to remain that we leave them out for now.

**Representative Kempenich:** At the time, those four weren't dedicated to any area. They mentioned the northwest part but they didn't mention that they were going to target that. They mentioned the Dickinson and Williston district but they didn't say that all four of them were going in that direction. The reason we used \$300,000.00 is that it was an RA3 equipment installation with the governor's budget at the time.

**Senator Krebsbach:** They do have a graduating class and I think they were getting all of those placed as quickly as they graduated from the academy. The troopers are really suffering from burnout in the west and that's why I felt that it's important to get replacements. They want 24 hour coverage in that area.

**Senator O'Connell:** They were giving Fargo 24 coverage. Fargo doesn't have 24 hour coverage now because they put troopers other places. They just had one trooper quit in the last month; he went to one of the counties and they were paying \$6,000.00/month more than the highway patrol. They said even with the four coming in, they were hoping to get Fargo back with 24 hour coverage.

**Senator Krebsbach:** We didn't include the phase II project; I feel it's necessary and should be done. Right now we have part of the training out there with the gun range and the track. If they can get the rest of this facility there, they can move it off Bismarck campus and we can put it all in one spot. I hope we can address this two years from now.

**Chairman Vigesaa:** I think we'll reschedule because we want some time to contemplate the FTE's.

**Representative Kempenich:** This is just the two areas where we're hung up?

**Senator Wanzek:** Yes.

**Chairman Vigesaa:** You made the appropriate changes on the health insurance?

**Senator Wanzek:** Yes.

**Chairman Vigesaa:** Closed the conference committee.

# 2015 HOUSE STANDING COMMITTEE MINUTES

Appropriations Committee - Government Operations Division  
Medora Room, State Capitol

HB1011  
4/17/2015  
Recording Job# 26217

Subcommittee  
 Conference Committee

Committee Clerk Signature



## Explanation or reason for introduction of bill/resolution:

A BILL for an Act to provide an appropriation for defraying the expenses of the highway patrol; to provide for a transfer; and to provide for expense payments to highway patrol officers.

## Minutes:

"Click to enter attachment information."

**Chairman Vigesaa:** Opened the conference committee on HB1011.

**Chairman Vigesaa:** The House isn't ready to add any FTE's at this time.

**Colonel Mike Gerhardt, Superintendent, ND Highway Patrol:** We've made offers to 16 new hires and that academy will start this spring; and we have 18 vacancies. My hope was to be fully staffed going into this spring; however, we did 20 backgrounds and of those 20, three had already accepted employment elsewhere and the fourth one didn't work out. We have seen a lot of turnover in the last 3 or 4 years. One of our big focuses is staffing and retention. Today we're caught up to where we were four or five years ago. The four FTE's were looking for today are specific to the northwest. We've had a 49% increase in calls for service after midnight.

**Chairman Vigesaa:** You have 18 vacancies currently and there is a class starting soon of 16. If all 16 go through the academy and are placed, you'd have two additional vacancies.

**Mike Gerhardt:** That's correct.

**Chairman Vigesaa:** Of the 16 how many do you feel will get through the training and actually be hired; because I know you don't always get 100% of the academy recruits that are actually hired by the highway patrol.

**Mike Gerhardt:** Our goal is to have 100% complete the process and be successful. The last academy class we had, we had two who did not make it through probation. This class that just graduated, we have two that are questionable. The decision hasn't been made; that will have to be made in the next month or two.

**Chairman Vigesaa:** If those two don't make the grade, would that be 20 vacancies then?

**Mike Gerhardt:** It would be four vacancies that we would have if those two don't continue on.

**Representative Kempenich:** There are some issues up there and there has been some stuff moved around. Our discussions on adding new FTE's have been that we need to keep the ones we have and not add new FTE's. I think we should be looking at realigning the classifications; that we provide some funds to be able to retain what we do have so we're not losing them to different political subdivisions. As far as the House is concerned right now, we're hiring vacant FTE's and until that changes we're going to move very far on these FTE issues until we see some changes with what's going on there.

**Chairman Vigesaa:** Over the last biennium how many troopers went from your staff to a political subdivision that offered more incentive or more pay?

**Mike Gerhardt:** I can think of two. One of the people we were offering a position to went to Dunn county. I lost a trooper who was stationed in Killdeer and he went to Billings county.

**Senator O'Connell:** If your salary was higher that you offer, is there a possibility for that?

**Mike Gerhardt:** I think it's some of the challenges that we face in the west and I don't think we're going to fix them with money. Our troopers in Williston get an extra \$500.00/month for energy impact. That doesn't necessarily keep them there. I'm not sure if you were to offer more money to keep people there; I don't know that it would work.

**Representative Kempenich:** We've seen this and we've had conversations about housing in Williston. One of the problems I see is that you're taking some young people and putting them in some very unusual circumstances right away. Adding people and not retaining what we do have it going to be a hard sell. You're taking vacant positions and rolling up dollars and that's why I'd like to be more upfront with what we're doing in your compensation packages. If that's what we need, then we go from there by adding more people.

**Senator Krebsbach:** I firmly believe that we can't shift that many from one place to another. Even in the eastern part of the state there has been great increases in traffic in the Fargo area. I see justification for additional bodies. There's burnout going on the Williston area. I think it's total justifiable to add some FTE's in this case.

**Senator O'Connell:** It's safety not only for the public but for them also. They're asking for 24 hour coverage. I'm solid on the four FTE's myself.

**Chairman Vigesaa:** If any FTE's are granted, what is the soonest that they would be in the field?

**Mike Gerhardt:** We're starting an academy class in May; which we have the 16. We'd be looking at January for the next class.

**Chairman Vigesaa:** If they're retained and hired, when would they actually go out?

**Mike Gerhardt:** It's a 25 week program so after 25 weeks they would hit the road. During that 25 weeks they are salaried; they're an employee.

**Senator O'Connell:** In reality we only have to come up with funding for one year. So I don't see the extra cost or hang up here.

**Senator Wanzek:** Of those open FTE's, I'm assuming they come from certain areas around the state. Are some of those open ones from the Williston area? How many do we have in the Williston/Watford city area?

**Mike Gerhardt:** We have one open FTE in the Williston area. The additional FTE's would be to supplement the ones we have there now.

**Senator O'Connell:** You run an eight hour shift. What are the hours for the shift?

**Mike Gerhardt:** It is an eight hour shift; we are considering a 10 hour shift to help modify the burnout.

**Senator O'Connell:** To have one you actually need four; because you have three shifts plus you have one on vacation all the time.

**Mike Gerhardt:** That's correct.

**Senator Wanzek:** What do we currently have for numbers in that Watford/Williston area?

**Mike Gerhardt:** We have 10 troopers stationed in Williston and we have 5 in Watford City.

**Senator O'Connell:** We have a training academy that looks like WWI; with the facilities they have to put up with. You should think about completing phase II when we come back for the next meeting.

**Chairman Vigesaa:** Closed the conference committee.

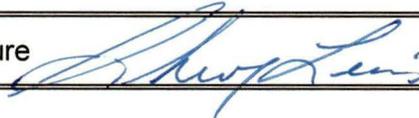
# 2015 HOUSE STANDING COMMITTEE MINUTES

Appropriations Committee - Government Operations Division  
Medora Room, State Capitol

HB1011  
4/20/2015  
Recording Job# 26280

Subcommittee  
 Conference Committee

Committee Clerk Signature



## Explanation or reason for introduction of bill/resolution:

A BILL for an Act to provide an appropriation for defraying the expenses of the highway patrol; to provide for a transfer; and to provide for expense payments to highway patrol officers.

## Minutes:

See attachment A

**Chairman Vigesaa:** Opened the conference committee on HB1011.

**Representative Boe:** Substituted for Representative Glasheim.

**Senator Wanzek:** See attachment A.

**Senator Wanzek:** I heard if they don't get the four FTE's that they won't be able to provide 24/7 patrol. The colonel did share with me that they would be willing to look at a 10 hour vs an 8 hour schedule and they would be able to provide an extended patrol. He felt maybe with two FTE's we could do that. There's some concern about the dollars in the rest of his budget; trying to maintain these patrolmen and the burnout rate. It was mentioned in our last meeting that maybe we should look at the dollars rather than the FTE's.

**Representative Kempenich:** Last week we heard that we had issues and we're basically hiring vacant FTE's. That's one of the things that's concerning; because we started out the session with 16 open positions. They graduated 16 and filled them; we heard the other day that there are 18 vacant positions again. They hired 16 to go through the next class; which leaves two more vacant positions plus the four. We're going to have to address this vacant issue. I think we should be honest about where we're at here instead of adding more vacant positions then rolling up the dollars and using it as funding for salaries. It gets to be problematic to me and to the House in general as it leaves impression that there are people on the road and there really isn't. The experience isn't there. We were at a meeting and the attorney general indicated that the local political subdivisions have increased their law enforcement capacity about 82% out west. That's one of the things I'm seeing also. If we're just adding numbers and not putting boots on the ground that are physically there; I beg the question, why are we doing it. I think the House is going to have some issues about adding something until we figure out how we're going to retain people.

**Senator O'Connell:** I think we need to stick with the four.

**Representative Vigesaa:** The House view point is that we're not going to do four FTE's. As Representative Kempenich so eloquently said that we're basically adding four more vacant FTE's; until there's evidence that those are going to be filled on a continuing basis, I don't know why we would do that.

**Senator Krebsbach:** I thought I heard that twelve of those 16 will be graduating from class and they will be filled and two of them retired. Will they be filled? Yes they will be; they even try to bring in experienced people from out of state if they can. I don't see the big problem with the vacancies like some people do. Even if there are vacancies there, they're for a different region, different area perhaps than what we're looking for in this case.

**Senator Wanzek:** The other day during the meeting some of the House members had expressed interest in putting some funding in to try and address the salary thing with those troopers that are out there. Do you have any idea what you were thinking? If we go with less FTE's or no FTE's, is there room to negotiate some dollars there?

**Representative Kempenich:** That \$500.00/month that was in OMB for \$14.7 million is gone and I don't know if that's coming back. That extra impact money that they were using is not here. What I was looking at was where they were at. I've heard some of the patrolmen out west have gone to local subdivisions; and I've heard some have hired off to oil company positions. I'd like to see us retain what we have and pay them what we need to. If they're looking at local political subdivisions, we need to look at what some of the problems are and if salary is one of them. I don't like the idea of just hiring vacant positions and thinking that we're doing something. We hired 15 last session and there were 7 that went out during the interim; that's 22 that went out last biennium. Since we've started we've had 32 vacant positions open up and that's what's concerning.

**Senator Wanzek:** I hear there's concern for the turnover rate that he's seeing within these positions and he does feel that we need to do something about addressing that but I'm not hearing any proposals yet.

**Representative Kempenich:** I did leave a message with the colonel and we'll have to see if they have any documentation put together. In the past we've done sergeants and troopers and tried to look at that. I'd like to see their organizational chart and see where their vacant FTE's are today.

**Chairman Vigesaa:** I think it was Representative Kempenich that mentioned reclassification or some additional salaries. I seemed to get the indication from the colonel that it wasn't necessarily the dollars that attracted people to go up into the Williston area; because they indicated that some troopers wouldn't take the Williston position even if they were offered more per month.

**Senator O'Connell:** I don't like to see them going to 10 hour shifts. I think there's a safety factor.

**Chairman Vigesaa:** Maybe we can have a visit with the colonel about some of the salary issues we've talked about.

**Senator Wanzek:** We'll have to go back to the drawing board.

**Senator O'Connell:** What are the top two priorities?

**Chairman Vigesaa:** Last week we agreed to the installation of equipment; and that's \$220,000.00. We're still at zero FTE's right now.

**Chairman Vigesaa:** Closed the conference committee.

# 2015 HOUSE STANDING COMMITTEE MINUTES

Appropriations Committee - Government Operations Division  
Medora Room, State Capitol

HB1011  
4/21/2015  
Recording Job# 26310

Subcommittee  
 Conference Committee

Committee Clerk Signature



## Explanation or reason for introduction of bill/resolution:

A BILL for an Act to provide an appropriation for defraying the expenses of the highway patrol; to provide for a transfer; and to provide for expense payments to highway patrol officers.

## Minutes:

See attachment A.

**Chairman Vigesaa:** Opened the conference committee on HB1011.

**Representative Boe:** Substituted for Representative Glasheim.

**Senator Wanzek:** I think we're willing to hear if there's a negotiable position somewhere between the four FTE's and zero. You've drawn attention to the vacancies and you're wondering if these FTE's wouldn't be vacant for most of the biennium also. I'm trying to figure out where you're at; we're apparently \$1,048,000.00 increase on the Senate side and we started with zero on your side.

**Chairman Vigesaa:** If there were two additional FTE's granted and we said they wouldn't be eligible for an academy until January 2016; would it be such a thing that they wouldn't have them available until the middle of 2016 so that they could be added in the second half of the biennium. Is that a distinct possibility?

**Colonel Mike Gerhardt, Superintendent, ND Highway Patrol:** That would be possible. We could run either a January 2016 or summer academy; depending on our vacancies at the time.

**Senator O'Connell:** Give me a scenario between two troopers and three troopers.

**Mike Gerhardt:** When we prepared the budget the idea was we were going to provide 24 hour coverage in the Williston/Watford area. That consisted of the four FTE's that we needed to make that happen. Anything less than that, we're not able to provide the 24 hour coverage. However, it would still augment our current resources in the area. The difference between three and two; it's the difference between 12 and 13 troopers in the Williston area.

**Chairman Vigesaa:** The class you're going to be starting in May; and I think you have 16 people enrolled. Won't some of those potentially be assigned to the Williston or Watford City area so that you would have the coverage that you desire?

**Mike Gerhardt:** Yes. There are many that are going there but there are others that are transferring out at the same time. So we're still at a net of 10.

**Senator O'Connell:** I've been stuck on four since day one. I can't see moving off the four.

**Representative Kempenich:** I think we have some bigger issues that weren't brought up earlier. The \$14.7 million isn't going to show up anywhere for this energy impact that we've done in the past. I received word yesterday that the energy impact isn't going to happen. Can you explain this document?

**Mike Gerhardt:** See attachment A.

**Representative Kempenich:** You included this in your budget; but were these numbers in your base? Were you assuming that you would go to OMB to get the money?

**Mike Gerhardt:** My understanding was it was going to be in the OMB budget and then we'd make a request through them.

**Representative Kempenich:** You didn't have it in this budget.

**Mike Gerhardt:** It's not in our budget.

**Senator Wanzek:** What would the impact of losing those dollars do for that area? I'm assuming it wouldn't be good.

**Mike Gerhardt:** It would be a pretty significant impact to us. It's not all about dollars living up there. Quite frankly, the troopers living there are not at the top of our pay grade; it takes 10 years to get to market point. They're very reliant on this energy impact funding for quality of life. My concern would be that we would have a lot of transfer that would come in or they would quit if we didn't secure the funding.

**Senator O'Connell:** The market point, is that in your policy or in code? Can that be moved down from 10 to 5 or 6 years?

**Mike Gerhardt:** That's within our internal step program. Currently, it takes a trooper at the trooper grade 10 years to get to market point. That's how we've operated. Over the past ten years we went from 18 to 10; we would like to get it to 6 at some point.

**Representative Kempenich:** You mentioned yesterday about a two biennium approach to get to that 6 year. We were talking about finding rollup dollars for the second half; because we're funding some vacancies right now.

**Mike Gerhardt:** Our current vacancies that we have; we commit that funding toward our internal step process. We are reliant on vacancies to cover the steps. Our goal is to be fully staffed; so it is somewhat problematic.

**Chairman Vigesaa:** One thought I had is to authorize the two FTE's but require you to find the dollars to fund those. If we authorized them January 1, 2016 or July 1, 2016; to authorize you the two FTE's and require you to find the funding from the rollup dollars to fund those two positions. You indicated that most of the rollup dollars that you do acquire you're using that in your step plan.

**Representative Kempenich:** It's \$1.154 million if we start on the 6 year; so it would be a little over \$560,000.00. If we do the four FTE's you're going to use most of that money to take care of your impact needs.

**Chairman Vigesaa:** When you look at this document it states that they assume 14 vacancies per biennium and if we're going to give two more; then we'd change that number to 16 because we're just adding two more FTE's to the vacancy list. That's where we're struggling to add the additional personnel.

**Representative Kempenich:** My whole approach is to get people out there so we're keeping them. With this impact fund, we knew from year's past it's been there.

**Senator O'Connell:** If it's not in OMB we're going to have to have an amendment for down here then.

**Mike Gerhardt:** The 14 vacancies that we average over a biennium; we don't have 14 vacancies at any one time. Currently we have two vacancies.

**Representative Kempenich:** We've been through this before and we understand you have a pool.

**Senator O'Connell:** How many troopers would be impacted this time if you didn't get that the impact funding?

**Mike Gerhardt:** We're looking at 29 FTE's that would be impacted by not receiving those funds.

**Chairman Vigesaa:** If we did do something with the steps that would lessen your need to use rollup dollars then for helping along with that system. Would that be correct?

**Mike Gerhardt:** That would be correct. The more we reduce the steps, the less we're reliant; the less we need vacancy funds to cover the steps if we can build it into the base.

**Senator O'Connell:** Ten years is a long time and any time we get it closer to the steps it's better for morale and keeps people in place.

**Senator Wanzek:** This is the first time I've heard of the impact dollars. It will create a significant problem if those dollars aren't there for that area. Isn't that the whole problem with trying to keep these guys on the job?

**Mike Gerhardt:** If we can reduce the steps, they get to their market point sooner, it helps with recruitment, it helps with retention. We've talked about how we would like to have more experience in the Williston area. If we have less people leaving, there's less vacancies, less transfers; so people would potentially be locked into the Williston area for a longer period of time.

**Chairman Vigesaa:** Closed the conference committee.

# 2015 HOUSE STANDING COMMITTEE MINUTES

Appropriations Committee - Government Operations Division  
Medora Room, State Capitol

HB1011  
4/22/2015  
Recording Job# 26351

Subcommittee  
 Conference Committee

Committee Clerk Signature

## Explanation or reason for introduction of bill/resolution:

A BILL for an Act to provide an appropriation for defraying the expenses of the highway patrol; to provide for a transfer; and to provide for expense payments to highway patrol officers.

## Minutes:

"Click to enter attachment information."

**Chairman Vigesaa:** Opened the conference committee on HB1011.

**Representative Kempenich:** The conversation at our last meeting was they brought in these steps and if you split the number in half you get \$577,103.00. Brandon sent an email out to me last evening and their looking at \$318,000.00 on housing and \$240,000.00 in salaries. We took that to our people and they thought it might be a little high for what we wanted to do. We're making a proposal of the \$577,103.00 plus the \$392,000.00 had originally for what they're using this biennium and putting that together for a proposal of \$969,103.00; and putting 2 FTE's in for the second part of the year with no funding.

**Senator Wanzek:** You're talking about allowing two FTEs?

**Representative Kempenich:** We'd allow them. We're having a struggle on our side with FTE's in general.

**Senator Wanzek:** Are you talking that even the one time funding they'd have to find?

**Representative Kempenich:** We can do the \$85,000.00 for the one time.

**Chairman Vigesaa:** In addition to that, we would fund the energy impact funding they had in this biennium which was \$392,000.00. They've been using the rollup dollars for energy impact funding and helping to fund the troopers and to incentivize them to go to the west. If we provide the steps reduction over the two bienniums and give them this energy impact funding, they're rollup dollars should be sufficient to have the salaries for two FTE's in the second half of the biennium. The total package would be about \$1 million; which is about the same as the request for the four FTE's. It would also restructure their pay schedule a little bit so they get advanced at a much quicker pace and hopefully that we keep some in

the west. The funding we're going to give them can also be used to help with rental assistance in the western part.

**Senator Wanzek:** So the energy impact would be \$392,000.00.

**Representative Kempenich:** \$558,000.00 was what they wanted.

**Senator Wanzek:** You're not giving them the \$558,000.00?

**Representative Kempenich:** They're looking at the total numbers. They told us to take 70% of that away. We're kind of on our own here.

**Chairman Vigesaa:** We're trying to help them with their structure. It's a better overall pay plan. With us providing the energy impact dollars that they had last time, I think their rollup dollars with their current and future vacancies should be able to fund two more troopers in the second half of the biennium.

**Senator Wanzek:** I know we talk a lot about the rollup dollars. Is it possible for Brady to come up with a dollar amount that would equal in a biennium? Is that possible to do?

**Brady Larson, Fiscal Analyst, ND Legislative Council:** It would be difficult to try to quantify that amount. It varies by agency and vacancy. If there are retirements there would be retirement leave payout. We could see if we could come up with something.

**Senator Wanzek:** I'm sensing that we won't get it done in this meeting. I don't doubt that there are some rollup dollars that they could probably use. The \$392,000.00 shouldn't be looked as part of the increase because that was always assumed to be in the OMB budget. I visited with our leader and he said to make sure that they get the impact dollars.

**Representative Kempenich:** That's going to take some time because OMB hasn't been discussed on our side.

**Senator Wanzek:** I had permission from my leader to put it in here.

**Representative Kempenich:** The problem is that it's not here today. Technically, the way the patrol works is they average 13.8 vacancies during the course of the biennium. It is going to be tough to put a dollar amount on that because you can't use 13.8 as a number. It also indicates that salaries are not being paid through the course of the biennium of equaling to 13.8 at some point. Most of the time you know they're open for the better part of a year because of the recruitment process. They indicated earlier that they were using some of these rollups in this step program to try to keep pace with some of it.

**Senator Wanzek:** I'm not implying that you are wrong. If we're going to expect them to use rollup dollars, and I hear it in a lot of budgets, it would be nice to know what those rollup dollars are. Then I would agree with you and do it.

**Senator Krebsbach:** I'm trying to recall how many vacancies we have right now. There's not a lot of rollup dollars with two.

**Senator O'Connell:** What's the cost for the step?

**Chairman Vigesaa:** The \$392,000.00 that they had in this biennium, if we do condense these steps, they're going to get an automatic increase in salary.

**Representative Boe:** It occurred to me that if you have two FTE positions open for the first half of the biennium, those would incur rollup dollars. Those dollars should be available to fill those positions and pay for the two extras. If you're re-appropriating the rollup dollars for some other purpose so that they're not available for that, then we're not looking at appropriating the funds in the right spot or somebody's not asking for the right funds in the right spot.

**Chairman Vigesaa:** Brady do you think you would be able to do any kind of estimating on rollup dollars or be able to visit with the patrol about what they have accumulated over a biennium.

**Brady Larson:** I should be able to. My initial thought would be general fund turn back at the end of a biennium; that would indicate any funds that aren't reallocated for the step program or other purposes.

**Senator Wanzek:** You talked about funding the two FTE's and funding the one-time; what if we were to go to six months of funding for those two FTE's which would be an additional \$194,856.00. I figured those two FTE's would cost \$194,000.00 with the \$85,000.00

**Chairman Vigesaa:** The one time is included in that?

**Senator Wanzek:** Yes.

**Chairman Vigesaa:** Closed the conference committee.

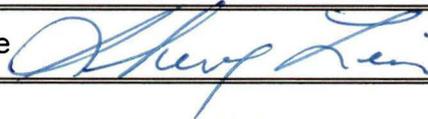
# 2015 HOUSE STANDING COMMITTEE MINUTES

Appropriations Committee - Government Operations Division  
Medora Room, State Capitol

HB1011  
4/24/2015  
Recording Job# 26400

Subcommittee  
 Conference Committee

Committee Clerk Signature



## Explanation or reason for introduction of bill/resolution:

A BILL for an Act to provide an appropriation for defraying the expenses of the highway patrol; to provide for a transfer; and to provide for expense payments to highway patrol officers.

## Minutes:

"Click to enter attachment information."

**Chairman Vigesaa:** Opened the conference on HB1011.

**Chairman Vigesaa:** The House would make an offer at this point for two FTE's at full funding including the one-time cost for those troopers for the second half of the biennium; so starting July 1, 2016. We'll cover the \$220,000.00 for the vehicle installation costs, which we've agreed to already. We would like to have a section that these two new FTE's would not be truck regulatory; but they would be highway troopers.

**Senator O'Connell:** That last statement bothers me a little because we're starting to micromanage them. I think they know their needs better than we do.

**Chairman Vigesaa:** Through most of the testimony it was that they wanted to be able to go to 24 hour coverage with troopers. I think that would be the intention of the additional FTE's; even if it's legislative intent that that's where the bodies are most needed.

**Senator Wanzek:** The one question would be that we discussed last time was the impact dollars. We've heard from the colonel a concern for those dollars and how they keep them on the job. I'm hearing that you're proposing not to even consider those.

**Chairman Vigesaa:** At this point, our offer would be what I stated.

**Senator Wanzek:** We feel pretty strongly that those impact dollars need to be available to them. I know that there's some heartburn over it from the way it was maybe abused by some other agencies. I haven't heard that this agency has done that. We're talking about \$391,000.00 that they spent last time. I'm thinking that we still need to be helping them. I visited with our leader this morning and he suggested that it be restricted to the four big counties in that oil area; and that it's maxed at \$500.00/month. He suggested something

along the lines of only those dollars over a certain level of rent per month. I'm willing to trust the patrol to manage that effectively and efficiently. I think without having that included, it's pretty hard to accept the offer.

**Chairman Vigesaa:** I'm looking at what was given us for energy impact funding last biennium. Salaries were \$265,000.00 and rental assistance was about \$127,000.00. The information was that they were using vacant FTE funding to help along with some of the salary portion of that. Some of the rollup dollars was helped along with some of the salaries in the step system to assist those troopers who were in the west.

**Colonel Mike Gerhardt, Superintendent, ND Highway Patrol:** The energy impact dollars were all dollars that went to the west. The rollup dollars are used to fund our step system; but it applies to troopers across the entire state.

**Chairman Vigesaa:** None of these rollup dollars were part of this \$265,000.00 that's listed here that went to salaries for energy impact?

**Mike Gerhardt:** That's correct.

**Senator Wanzek:** Brady you had sent us an email about some of the turn back dollars. The 2011-2013 biennium was \$65,000.00 roughly. Is there any idea of what it's going to be this biennium?

**Mike Gerhardt:** It would be approximately \$110,000.00 to \$120,000.00 turn back.

**Senator Wanzek:** Considering that those dollars did come from the pool we'd probably stick pretty tough on the impact fund.

**Representative Kempenich:** We're only supposed to talk about the differences; we made an offer last week and we're not getting very far. We're making an offer of two FTE's; that's the differences. The Senate put in four and we're offering two and putting in equipment.

**Chairman Vigesaa:** I think the idea is to talk about the differences between the two versions of the bill; which were basically the FTE's and the vehicle installation costs. I think we are also as firm in our position. There will be some rollup dollars and the patrol can use those as they see fit. It can be used for energy impact, it could be for their steps, or whatever they like to use it for.

**Senator Wanzek:** The comment has been made that we need to address the differences; but I think we're all guilty. We all came with a different or different proposal. It was offered that we look at improving the steps. We're trying to find the best option here to help them do their job; and that's what's important to us. We'll take a look at that.

**Chairman Vigesaa:** We'll have another meeting.

**Chairman Vigesaa:** Closed the conference committee.

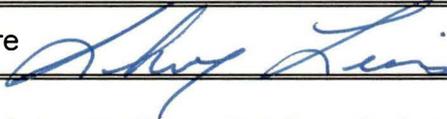
# 2015 HOUSE STANDING COMMITTEE MINUTES

Appropriations Committee - Government Operations Division  
Medora Room, State Capitol

HB1011  
4/24/2015  
Recording Job# 26421

Subcommittee  
 Conference Committee

Committee Clerk Signature



## Explanation or reason for introduction of bill/resolution:

A BILL for an Act to provide an appropriation for defraying the expenses of the highway patrol; to provide for a transfer; and to provide for expense payments to highway patrol officers.

## Minutes:

"Click to enter attachment information."

**Chairman Vigesaa:** Opened the conference committee on HB1011.

**Senator Wanzek:** Made a motion to recede from the Senate amendments and further amend. We would go with two FTE's fully funded and back in the \$220,000.00 for the vehicle equipment installation needs.

**Senator O'Connell:** Seconded the motion.

**Senator Krebsbach:** Did you say the two fully funded for two years was a one-time?

**Chairman Vigesaa:** No.

**Senator Krebach:** Just the \$220,000.00 is one-time.

**Chairman Vigesaa:** Yes.

**Senator Wanzek:** The one-time funding as I understand is for the two vehicles for the two new FTE's.

**Chairman Vigesaa:** Is there going to be some more refined numbers when we see the final amendments as far as what the actual costs are?

**Brady Larson, Fiscal Analyst, ND Legislative Council:** The final cost for two positions for the biennium will be around \$543,000.00. That will be split 87% general funding and 13% highway tax distribution fund. The motion would also include the adjustment to health insurance premiums as is standard.

**Chairman Vigesaa:** I would like to have it in the record that it's the intent of the House to be traffic troopers and not truck regulatory.

**Senator Wanzek:** That's our intent also. I would rather say that rather than put it in the motion.

**Chairman Vigesaa:** Their request was to get to the 24 hour coverage and Brady said that in the statement of purpose he can specifically put traffic trooper in the language when he drafts the amendments so that the intent is clear.

**Roll Call Vote:**

1 of 2  
 TD  
 4/27/15

PROPOSED AMENDMENTS TO ENGROSSED HOUSE BILL NO. 1011

That the Senate recede from its amendments as printed on pages 1497 and 1498 of the House Journal and pages 1289 and 1290 of the Senate Journal and that Engrossed House Bill No. 1011 be amended as follows:

Page 1, replace lines 12 through 19 with:

"Administration	\$3,466,113	\$264,288	\$3,730,401
Field operations	48,596,777	7,311,926	55,908,703
Law enforcement training academy	1,682,043	(1,602,043)	80,000
Accrued leave payments	<u>1,110,651</u>	<u>(1,110,651)</u>	<u>0</u>
Total all funds	\$54,855,584	\$4,863,520	\$59,719,104
Less estimated income	<u>12,594,542</u>	<u>467,999</u>	<u>13,062,541</u>
Total general fund	\$42,261,042	\$4,395,521	\$46,656,563
Full-time equivalent positions	213.00	2.00	215.00"

Page 2, after line 4, insert:

"New trooper startup costs		0	85,000"
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Page 2, replace lines 11 through 13 with:

"Total all funds		\$6,145,000	\$857,000
Total special fund		<u>798,000</u>	<u>107,050</u>
Total general fund		\$5,347,000	\$749,950"

Page 2, line 19, replace "\$6,606,826" with "\$6,687,330"

Renumber accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

House Bill No. 1011 - Highway Patrol - Conference Committee Action

	Base Budget	House Version	Conference Committee Changes	Conference Committee Version	Senate Version	Comparison to Senate
Administration	\$3,466,113	\$3,743,953	(\$13,552)	\$3,730,401	\$3,730,401	
Field operations	48,596,777	55,285,998	622,705	55,908,703	56,452,198	(543,495)
Law enforcement training academy	1,682,043	80,000		80,000	80,000	
Accrued leave payments	<u>1,110,651</u>					
Total all funds	\$54,855,584	\$59,109,951	\$609,153	\$59,719,104	\$60,262,599	(\$543,495)
Less estimated income	<u>12,594,542</u>	<u>12,994,447</u>	68,094	<u>13,062,541</u>	<u>13,127,702</u>	(65,161)
General fund	\$42,261,042	\$46,115,504	\$541,059	\$46,656,563	\$47,134,897	(\$478,334)
FTE	213.00	213.00	2.00	215.00	217.00	(2.00)

**Department No. 504 - Highway Patrol - Detail of Conference Committee Changes**

	Adjusts Funding for Health Insurance Premium Increases <sup>1</sup>	Adds 2 Traffic Trooper Positions <sup>2</sup>	Increases Funding for Vehicle Equipment Installation <sup>3</sup>	Total Conference Committee Changes
Administration	(\$13,552)			(\$13,552)
Field operations	(140,789)	543,494	220,000	622,705
Law enforcement training academy				
Accrued leave payments				
<b>Total all funds</b>	<b>(\$154,341)</b>	<b>\$543,494</b>	<b>\$220,000</b>	<b>\$609,153</b>
Less estimated income	(30,560)	70,654	28,000	68,094
<b>General fund</b>	<b>(\$123,781)</b>	<b>\$472,840</b>	<b>\$192,000</b>	<b>\$541,059</b>
FTE	0.00	2.00	0.00	2.00

<sup>1</sup> Funding for employee health insurance premiums is adjusted to reflect the revised premium estimate of \$1,130.22 per month.

<sup>2</sup> Funding is added for 2 new traffic trooper FTE positions for the 2015-17 biennium as follows:

Base salaries and operating expenses	\$439,424
Salary increase	11,940
Health insurance premium increases	7,130
One-time equipment costs	85,000
<b>Total</b>	<b>\$543,494</b>

The House did not add any trooper FTE positions and the Senate added 4 FTE positions.

<sup>3</sup> Additional funding is added for vehicle equipment installation costs to provide total increased funding of \$520,000, the same as the Senate version. The House increased funding for vehicle equipment installation costs by \$300,000.

This amendment also amends Section 3 of the bill to adjust the amount of funding provided from the highway tax distribution fund from \$6,606,826 to \$6,687,330.

Date: 4/16/2015

Roll Call Vote #:

2015 HOUSE CONFERENCE COMMITTEE  
ROLL CALL VOTES

BILL/RESOLUTION NO. HB1011 as (re) engrossed

House Government Operations Committee

- Action Taken
- HOUSE accede to Senate Amendments
  - HOUSE accede to Senate Amendments and further amend
  - SENATE recede from Senate amendments
  - SENATE recede from Senate amendments and amend as follows
  - Unable to agree, recommends that the committee be discharged and a new committee be appointed

Motion Made by: \_\_\_\_\_ Seconded by: \_\_\_\_\_

Representatives	4-16	4-17	4-20	Yes	No	Senators	4-16	4-17	4-20	Yes	No
Don Vigesaa	X	X	X			Terry Wanzek	X	X	X		
Keith Kempenich	X	X	X			Karen Krebsbach	X	X	X		
Eliot Glassheim	X	X				David O'Connell	X	X	X		
Tracy Boe			X								
Total Rep. Vote						Total Senate Vote					

Vote Count Yes: \_\_\_\_\_ No: \_\_\_\_\_ Absent: \_\_\_\_\_

House Carrier \_\_\_\_\_ Senate Carrier \_\_\_\_\_

LC Number \_\_\_\_\_ of amendment

LC Number \_\_\_\_\_ of engrossment

Emergency clause added or deleted

Statement of purpose of amendment



**REPORT OF CONFERENCE COMMITTEE**

**HB 1011, as engrossed:** Your conference committee (Sens. Wanzek, Krebsbach, O'Connell and Reps. Vigesaa, Kempenich, Boe) recommends that the **SENATE RECEDE** from the Senate amendments as printed on HJ pages 1497-1498, adopt amendments as follows, and place HB 1011 on the Seventh order:

That the Senate recede from its amendments as printed on pages 1497 and 1498 of the House Journal and pages 1289 and 1290 of the Senate Journal and that Engrossed House Bill No. 1011 be amended as follows:

Page 1, replace lines 12 through 19 with:

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Field operations	48,596,777	7,311,926	55,908,703
Law enforcement training academy	1,682,043	(1,602,043)	80,000
Accrued leave payments	<u>1,110,651</u>	<u>(1,110,651)</u>	<u>0</u>
Total all funds	\$54,855,584	\$4,863,520	\$59,719,104
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Page 2, line 19, replace "\$6,606,826" with "\$6,687,330"

Renumber accordingly

**STATEMENT OF PURPOSE OF AMENDMENT:**

**House Bill No. 1011 - Highway Patrol - Conference Committee Action**

	Base Budget	House Version	Conference Committee Changes	Conference Committee Version	Senate Version	Comparison to Senate
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Less estimated income	<u>12,594,542</u>	<u>12,994,447</u>	68,094	<u>13,062,541</u>	<u>13,127,702</u>	(65,161)
General fund	\$42,261,042	\$46,115,504	\$541,059	\$46,656,563	\$47,134,897	(\$478,334)
FTE	213.00	213.00	2.00	215.00	217.00	(2.00)

**Department No. 504 - Highway Patrol - Detail of Conference Committee Changes**

Adjusts	Adds 2 Traffic	Increases	Total
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	Funding for Health Insurance Premium Increases <sup>1</sup>	Trooper Positions <sup>2</sup>	Funding for Vehicle Equipment Installation <sup>3</sup>	Conference Committee Changes
Administration	(\$13,552)			(\$13,552)
Field operations	(140,789)	543,494	220,000	622,705
Law enforcement training academy				
Accrued leave payments				
Total all funds	(\$154,341)	\$543,494	\$220,000	\$609,153
Less estimated income	(30,560)	70,654	28,000	68,094
General fund	(\$123,781)	\$472,840	\$192,000	\$541,059
FTE	0.00	2.00	0.00	2.00

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<sup>2</sup> Funding is added for 2 new traffic trooper FTE positions for the 2015-17 biennium as follows:

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Total	\$543,494

The House did not add any trooper FTE positions and the Senate added 4 FTE positions.

<sup>3</sup> Additional funding is added for vehicle equipment installation costs to provide total increased funding of \$520,000, the same as the Senate version. The House increased funding for vehicle equipment installation costs by \$300,000.

This amendment also amends Section 3 of the bill to adjust the amount of funding provided from the highway tax distribution fund from \$6,606,826 to \$6,687,330.

Engrossed HB 1011 was placed on the Seventh order of business on the calendar.

**2015 TESTIMONY**

**HB 1011**

**Department 504 - Highway Patrol  
 House Bill No. 1011**

**Executive Budget Comparison to Prior Biennium Appropriations**

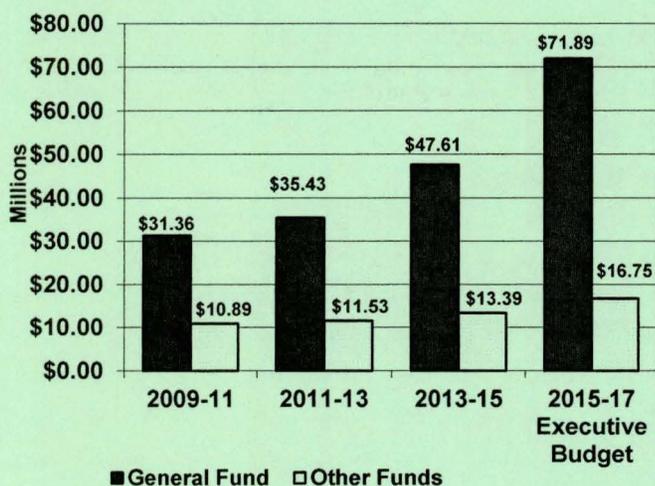
	FTE Positions	General Fund	Other Funds	Total
2015-17 Executive Budget	217.00	\$71,885,849	\$16,747,158	\$88,633,007
2013-15 Legislative Appropriations <sup>1</sup>	213.00	47,608,042	13,392,542	61,000,584
Increase (Decrease)	4.00	\$24,277,807	\$3,354,616	\$27,632,423

<sup>1</sup>The 2013-15 biennium appropriations amounts do not include general fund allocations of \$391,976 to the agency from the state agency energy impact funding pool for temporary salary adjustments (\$265,000) and rental assistance payments (\$126,976) for agency employees located in areas of the state affected by energy development.

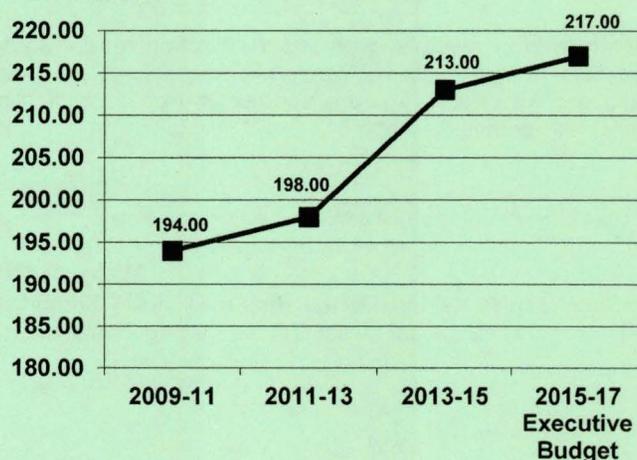
**Ongoing and One-Time General Fund Appropriations**

	Ongoing General Fund Appropriation	One-Time General Fund Appropriation	Total General Fund Appropriation
2015-17 Executive Budget	\$47,119,849	\$24,766,000	\$71,885,849
2013-15 Legislative Appropriations	42,261,042	5,347,000	47,608,042
Increase (Decrease)	\$4,858,807	\$19,419,000	\$24,277,807

**Agency Funding**



**FTE Positions**



**Base Level Comparison**

	General Fund	Other Funds	Total
2015-17 Executive Budget	\$71,885,849	\$16,747,158	\$88,633,007
2015-17 Base Level	42,261,042	12,594,542	54,855,584
Increase (Decrease)	\$29,624,807	\$4,152,616	\$33,777,423

Attached as an appendix is a detailed comparison of the executive budget to the agency's base level appropriations.

**Executive Budget Highlights**

	General Fund	Other Funds	Total
1. Provides funding for state employee salary and benefit increases, of which \$2,022,697 relates to performance increases, \$191,306 is for market equity adjustments, \$902,430 is for health insurance increases, and \$199,089 is for retirement contribution increases	\$2,660,149	\$655,373	\$3,315,522
2. Adds funding for 4 new FTE sworn officer positions and related operating equipment	\$917,992	\$130,857	\$1,048,849
3. Provides funding for increases in building lease costs (\$116,000), information technology costs (\$36,000), ammunition expenses (\$100,000), and motor pool rental rates (\$188,000)	\$391,723	\$48,277	\$440,000

4. Adds funding for vehicle equipment installation costs	\$262,000	\$38,000	\$300,000
5. Continues funding provided in the 2013-15 biennium for energy impact costs	\$135,486	\$0	\$135,486
6. Provides <b>one-time funding</b> for Phase II of the new law enforcement training academy facility	\$24,090,000	\$3,442,000	\$27,532,000
7. Provides <b>one-time funding</b> to replace mobile radio equipment	\$548,000	\$78,000	\$626,000
8. Provides <b>one-time funding</b> for upgrades to an outdoor gun range	\$70,000	\$10,000	\$80,000
9. Provides <b>one-time funding</b> for a skid car training system	\$58,000	\$8,000	\$66,000

### Other Sections in Bill

**Highway tax distribution fund** - Section 3 provides for \$10,220,645 of special funds from the highway tax distribution fund to be used for Highway Patrol operations.

**Highway Patrol officer per diem** - Section 4 provides for highway patrol officer per diem of \$200 per month during the 2015-17 biennium, the same as provided during the 2013-15 biennium. The per diem payments are in lieu of reimbursement for meal and other expenses while in travel status within the state.

### Continuing Appropriations

**Highway Patrol assets forfeiture fund** - North Dakota Century Code Section 39-03-18 - Consists of funds obtained from seized assets that may be used for paying expenses associated with the inventory and selling of seized assets, to pay for overtime relating to certain investigations, for purchasing equipment related to criminal interdiction, or to be used to match federal funding for certain programs.

**Motor carrier electronic permit transaction fund** - Section 39-12-02 - An additional fee of \$15 is charged for issuing an oversize or overweight vehicle permit electronically. The additional fee is deposited in the motor carrier electronic permit fund and deposits in the fund are appropriated on a continuing basis to the Highway Patrol for the maintenance of the online electronic permitting system.

### Significant Audit Findings

There are no significant audit findings for this agency.

### Major Related Legislation

**Senate Bill No. 2046 - Mental Health First-Aid Training** - Provides a \$25,000 general fund appropriation to the Highway Patrol to provide mental health first-aid training for state and local law enforcement.

**House Appropriations Committee  
HB 1011 – Highway Patrol Appropriations  
Submitted by  
Michael Gerhart, North Dakota Highway Patrol**

**January 16, 2015**

**Introduction**

Good morning, Mr. Chairman, and members of the House Appropriations Committee.

I am Colonel Mike Gerhart, superintendent of the North Dakota Highway Patrol. It is an honor to be representing the Highway Patrol today.

Over the past biennium, the NDHP has faced ongoing challenges due to the increased demand for law enforcement services, increased inflationary costs, and the continued focus of recruitment and retention efforts, especially in the west. These challenges are not unique to the North Dakota Highway Patrol and are indicative of growth in the state. Throughout this change and growth, the commitment to our mission has remained, to make a difference every day by providing high quality law enforcement services to keep North Dakota safe and secure.

Prior to receiving the appointment of superintendent, I have held different positions in the department to include safety and education officer, Law Enforcement Training Academy director, and my last position, field operations commander. My emphasis as field operations commander was directed toward public safety, educating motorists, officer safety, employee welfare, and partnering with local agencies. These points of emphasis continue today.

Today, like in years past, all employees of the North Dakota Highway Patrol strive to make a difference each and every day by giving their best. Whether it's during safety presentations or through strong enforcement measures, investigating a crash, helping a stranded motorist, or assisting other agencies, our personnel take pride in performing their duties and serving the citizens of this great state. Simply put, they are proud to wear the uniform of a North Dakota state trooper; they are proud to work for the patrol and I appreciate their efforts.

As an agency, the NDHP is committed to enhancing traffic safety through education efforts, high visibility patrol saturations, a focus on crash-causing violations and continued partnerships with traffic safety stakeholders. The following chart is an overview of the NDHP's efforts over the past two years:

	2013	2014
Road Patrol Hours	161,449	159,398
Traffic Stops	73,900	78,601
Traffic Citations	71,565	73,262
Written Warnings	33,240	38,083
Crashes Investigated	3,187	2,489
Criminal Arrests	7,457	8,244
Safety Talks	386	341
Motor Carrier Permits Issued	159,961	262,087
Assist Other Government Agency	1,948	1,910
Calls for Service	13,572	13,176
Total CAD Incidents	101,343	104,797
DUI Arrests	1,936	1,673
Drug-related Arrests	919	1,046
Weapon Offenses	106	131
Motorist Assists/Abandoned Vehicles	10,378	10,239
Crash Investigation On-Scene Hours	7,245	6,664
Crash Investigation Follow-up Hours	4,178	3,286
Overloads	1,320	1,212

Although these numbers measure performance and effort, I don't believe they are a true measure of success. Success is challenging to measure in law enforcement because it's based on numbers that are not easily acquired. Law enforcement efforts prevent crimes from occurring, change behaviors of the motoring public, make our highways safer by preventing crashes, and most importantly, save lives.

Having the necessary resources to fulfill our mission daily is of the utmost importance, not only for the men and women who put on the uniform each and every day, but for the citizens we serve.

**Major Agency Accomplishments 2013-2014**

- The permit and automated routing project was completed during the current biennium. It consisted of a redesign of the NDHP's current application and the integration of an automated routing component. The project also included the ability to share data with the Association of Oil and Gas Producing Counties permitting system. This large IT project was completed on time and under budget. The NDHP was named the 2014 North Dakota IT Champion by the Information Technology Council of North Dakota for this project. The NDHP, in cooperation with the DOT, continues to make improvements to the system that enhance traffic safety and benefit the motor carrier industry.

- The NDHP reorganized from four geographical regions and motor carrier operations to three divisions. The benefits of the restructure include streamlined management, resource sharing, and continuity and efficiency of operations.
- The NDHP received funding to complete an emergency vehicle operations driving pad and indoor firing range for law enforcement training. The driving pad was completed in the fall of 2014 and has been used to train officers from across the state. The indoor firing range is scheduled to be completed in the spring of 2015. I would like to thank Governor Dalrymple and the legislative body for their support of phase I. It has provided a benefit to law enforcement agencies across the state and will continue in the future.
- The NDHP was awarded the Bismarck-Mandan Young Professionals Network 'Top 10 Workplaces Award' in 2014. Businesses employing professionals under the age of 40 are measured on their innovation, recruitment and advancement, and overall benefits to young professionals. Recruitment remains an ongoing challenge for the NDHP. This award reflects our commitment to recruitment and retention efforts. The NDHP hired 37 troopers over the last two years due to attrition and additional authorized sworn positions. We are in the process of hiring 15 troopers for the next academy class that will begin May of 2015. These efforts reflect our goal of full staffing of the agency.
- The NDHP trained all of its troopers in active threat response training. The training is beneficial to our troopers who may provide a primary response to active threat calls or while assisting other agencies. The NDHP provided active threat training to law enforcement agencies in the Watford City area and will continue to provide this training to other law enforcement agencies across the state.
- The NDHP recognized the need to provide weapons instructor training courses to other law enforcement agencies statewide. The NDHP conducted four firearms instructor courses. Two were completed in Bismarck, one in Grand Forks and one in Minot. Officers from more than 20 state and local agencies attended the training. These officers became POST-certified to conduct firearms training and qualify other officers. The NDHP works with its partners to consistently update the training, ensuring officers around the state are receiving training in accordance with the latest industry standards.

## **Overview of the agency**

The primary duty of the North Dakota Highway Patrol is to keep the motoring public safe as they travel the state's 70,000 square miles. This is accomplished through enforcement efforts and services that include public education programs to reduce crashes and encourage safe driving practices. The NDHP is the main authority for enforcing laws and regulations relating to the commercial vehicle industry. The department provides security and protection for the Governor, the Supreme Court, the Legislative Assembly, and other elected government officials. The NDHP assists local agencies with responses to calls for service when situations arise that exceed the limits of local resources. The NDHP oversees the operation, maintenance, and administration of the Law Enforcement Training Academy. The LETA provides basic and advanced training for all law enforcement officers in North Dakota.

Field operations is the largest component of our agency. The state is divided into three field operation divisions: west, east, and motor carrier operations. Field operations is supported by the administration component of the agency. The administration component is comprised of two divisions: administrative services and support services. The administrative services division includes human resources, safety and education, the Law Enforcement Training Academy, and capitol security. The support services division includes planning and research, project management, procurement, property, accreditation, and information technology.

The Chairman of the House Appropriations Committee, Representative Jeff Delzer, requested I cover six items related to the Highway Patrol's budget. I submitted several attachments as references, and I will be available to answer questions regarding the information provided during my testimony.

The first item requested is the latest financial audit findings for the NDHP. During the last federal audit covering fiscal years 2011 and 2012, the NDHP received two findings. The first federal audit finding was that costs determined to be ineligible were billed to the Motor Carrier Safety Assistance Program and New Entrant grants. In response, the NDHP reimbursed the Federal Motor Carrier Safety Administration \$23,897 for unused leave and updated procedures for advanced and supplemental payroll to record only eligible salary costs as federal expenses.

The second federal audit finding was that the NDHP did not have adequate internal controls over federal programs to ensure transactions are properly recorded and accounted for. In response, the NDHP started completing monthly reconciliations of federal revenues and expenditures and upgraded the agency's daily activity system to provide detailed information regarding all federal payroll activity.

During the last state audit for 2011 and 2012, the NDHP received four formal recommendations. The first recommendation was to have someone independent of drawing down federal funds perform a reconciliation at least annually. In response, the NDHP worked with the Federal Motor Carrier Safety Administration to obtain a report that can be used to reconcile federal revenues reflected in PeopleSoft, and this reconciliation is performed at least annually.

The second recommendation was to ensure proper permit fees are collected in accordance with North Dakota Century and Administrative Code and recorded correctly in our receipt system. In response, the NDHP fixed a rounding error that was occurring with ton mile fee calculations in the electronic receipt system and conducted random sampling of permit cash receipts to verify the correction.

The third recommendation was to specify ton mile fee amounts in North Dakota Administrative Code. In response, the NDHP completed the administrative rule update process to specifically identify ton mile fees under North Dakota Administrative Code 38-06-03-01 to correspond with the existing authority under North Dakota Century Code 39-12-02 which allows the NDHP to charge appropriate permit fees.

The fourth recommendation was to ensure all asset deletions are completed in a timely manner and all deletions are authorized prior to removal from PeopleSoft. In response, the NDHP implemented procedures to delete assets within three business days of actual surplus. Surplus Property also released a new software program called AssetWorks which allows state agencies to authorize surplus requests and track assets electronically.

As a result of these past audit findings, the NDHP created an audit review committee comprised of several key employees. The mission of the committee is to identify and implement solutions to resolve current audit findings and to prevent future findings. In addition, the NDHP is in the process of hiring an administrative staff officer who will be assigned internal control duties including procedures for random sampling of financial transactions.

Returning to Representative Delzer's request, the second item is the three major components making up our base budget. Those are salaries, operating expenses, and capital assets. The chart below identifies funding levels within each component.

<b>Major Components</b>	<b>Amounts</b>
Salaries	\$38,923,584
Operating Expenses	\$15,230,000
Capital Assets	\$702,000
<b>Total Base Budget</b>	<b>\$54,855,584</b>

The third item is major ongoing funding increases or decreases approved by the 2011 and 2013 Legislative Assemblies. In 2011 the NDHP was authorized three motor carrier enforcement trooper positions at a cost of \$726,000 and ITD increases of \$136,000. In 2013 the NDHP was authorized 15 trooper positions at a cost of \$3,844,000 and state fleet mileage was increased by \$1,606,000.

The fourth item is a comparison of estimated spending to appropriations for the 2013-2015 biennium. Attachment 1 is a spreadsheet showing a breakdown by program area, and the department as a whole is below.

Line Item	2013-2015 appropriation	Expenses to 12/31/14	% expended under current appropriation	Estimated expenses remaining	Estimated unexpended appropriation on 6/30/15
Salaries	\$39,331,000	\$28,177,110	3.36%	\$11,062,450	\$92,000
Operating Exp.	16,178,000	10,061,371	12.21%	5,938,629	24,000
Capital Assets	5,883,000	3,211,891	21.8%	2,821,109	4,000
<b>Totals</b>	<b>\$61,392,560</b>	<b>\$41,450,372</b>	<b>7.48%</b>	<b>\$19,822,188</b>	<b>\$120,000</b>

As of December 31, there were no major variances to the appropriated amounts listed above.

The fifth item is specific to the budget changes requested in the NDHP budget. They are prioritized by order of importance in Attachment 2, and I will provide a general overview of each requested change.

**Priority #1**

**Salary Base Adjustment: \$135,486 (ongoing)**

The NDHP is requesting funding above the base level to avoid making a reduction in salaries. Historically, the NDHP has started each biennium underfunded in salaries due to a step system that has been in place for several decades. Employees are hired below market policy point and step adjustments help employees reach that mark after several years of service. For example, it takes a new trooper ten years to reach top pay, which is just above market policy point.

Due to the burden placed on the NDHP budget every biennium, an internal salary administration study is planned. Future solutions may include reducing or eliminating steps or requesting adequate funding to cover steps to help recruit and retain employees.

## **Priority #2**

### **State Fleet Services mileage: \$188,000 (ongoing)**

The NDDOT has revised its method of calculating motor pool costs. DOT's budgeting guidelines are attached to my testimony. The new method separates depreciation costs at a set rate per vehicle from motor pool costs at a set rate per mile. Also factored into the projected costs are the NDHP's number of patrol vehicles in service and the monthly miles per vehicle. The NDHP relies heavily on this funding because without suitable patrol vehicles and the ability to operate them, the mission of the Highway Patrol would be in jeopardy. Troopers must continue to proactively patrol the state's highways and respond to increasing calls for service.

## **Priority #3**

### **Vehicle equipment installation contract: \$520,000 (ongoing)**

The price to install equipment in new patrol vehicles and uninstall equipment from old vehicles has increased due to inflation. Those costs are passed onto our agency from vendors who provide the service. The original request was for an estimated increase of \$300,000; however, the NDHP's vehicle installation contract expired after we submitted our budget to OMB. Updated contract pricing has caused the NDHP to make a request to this committee for \$520,000 which is an increase of \$220,000 more than the original request. This executive budget change has been approved by the Governor's Office and OMB.

In the past, the NDHP covered vehicle installation costs by moving funds from other operating expenses rather than requesting budget increases, but the costs have reached a point where additional funding is needed. This request provides the NDHP the ability to outfit new vehicles with equipment such as in-car video cameras, security partitions, police radios, emergency lighting, and other essential law enforcement equipment. To mitigate ongoing inflationary increases, the NDHP is in the process of scaling down to four vehicle types.

## **Priority #4**

### **Operating Expense Increases: \$252,000 (ongoing)**

Three increases in operating expenses were identified for the 2015-2017 biennium. The first is lease rate increases totaling \$116,000 based on existing contract pricing. This request covers known increases for three of eight regional offices. The second is ITD increases of \$36,000 necessary to cover costs to allow employees to access a new electronic records management system. The records management system is used by officers to issue warnings and citations and complete case/incident reports electronically. The third is \$100,000 in known ammunition cost increases based on updated state contract pricing and agency training needs. The costs of ammunition have grown over the last several years as demand has increased.

**Priority #5**

**Public Safety Training Facility Phase II: \$27,532,000 (one-time)**

Since its inception in 1970, the North Dakota Law Enforcement Training Academy has been committed to providing quality training to the state. With the passage of time and the evolution of curriculum, the needs of students and staff have outgrown the current facility. The current facility is located adjacent to the Bismarck State College campus.

The current building has three classrooms and lodging for 48 officers. The facility was constructed in 1970 with an addition in 1997. The current facility has difficulty meeting the current training demands of law enforcement agencies. Over the past biennium, the LETA has graduated 207 peace officers and 152 correctional officers. Although those numbers seem large, there are still waiting lists for both career fields which could be minimized with more classroom space.

The building wasn't originally designed for co-ed lodging. The current facility has the capacity to lodge 48 officers; however, due to limitations with restrooms, only 10 females can be lodged at one time. In an article titled "The Next War for Talent" in the December 2014 *Law and Order* magazine, author Dwayne Orrick wrote, "Women compose 51 percent of the population and 60 percent of college graduates, but only 18 percent of law enforcement officers. In the coming years, recruiting and retaining female candidates in equal numbers to male recruits will be an organizational imperative to surviving the talent war."

The new facility would provide 90 beds with shared bathrooms. This will provide more privacy and the capacity to lodge an equal number of men and women at the same time. The new facility has five classrooms which will allow the training staff to focus on basic training for law enforcement and correctional officers, enhanced training for law enforcement, and multi-disciplinary training for fire and EMS. Training is essential for first responders and is directly related to the ability to provide quality service to our citizens.

### Agencies Attending the Last Six Basic Academies

Rolla PD	Golden Valley SO	Stutsman Co SO
SW Narcotics Task Force	Burke Co SO	Metro Area Narcotics Task Force
Bismarck PD	Stark Co SO	Morton Co SO
ND Parole and Probation	Emmons Co SO	Grand Forks PD
Dickinson PD	Mercer Co SO	Belfield PD
McLean Co SO	Rolette Co SO	New Town PD
Burleigh Co SO	Tioga PD	North Dakota Highway Patrol
Surrey PD	McHenry Co SO	Williston PD
Grant Co SO	Richland Co SO	Bowman PD
Cass Co SO	Devils Lake PD	Dunn Co SO
Hettinger Co SO	Ward Co SO	Jamestown PD
Kidder Co SO	McKenzie Co SO	Valley City PD
Grand Forks SO	Kenmare PD	West Fargo PD
Mountrail Co SO	Bowman Co SO	Watford City PD
ND Game and Fish Dept.		

During the last legislative session, the NDHP received funding for an emergency vehicle driving pad and an indoor firing range. The driving pad is finished, and the firing range will be completed in June of this year. Due to a reduction in requested funding, the firing range was downsized and an attached classroom will not be built.

The 50 acres of land for phases I and II, valued at more than \$1 million, was donated to the NDHP by the City of Bismarck. I'm thankful for their generosity. If phase II is completed, the current Law Enforcement Training Academy would be vacated. Bismarck State College has identified an immediate need for the building to help address a growing student body. Attachment 3 is a cost breakdown of phase II which was downsized from six classrooms to five and from 120 beds to 90 to mitigate inflationary costs. Also attached are letters of support from public safety stakeholders.

#### Priority #6

**Four new traffic enforcement troopers: \$1,049,000 (\$878,849 ongoing; \$170,000 one-time equipment)**

The NDHP is seeking four additional traffic troopers to be stationed in the Williston and/or Watford City areas. The additional troopers will provide 24-hour patrol coverage due to the increased activity and provide assistance to local law enforcement agencies.

During the past four years, troopers in the Williston and Watford City area have responded to 123 injury and 43 fatal crashes occurring between midnight and 6 a.m. The chart below depicts the increased activity specific to the NW region between the hours of midnight and 6 a.m.

<b>Activity Type Midnight – 6 a.m.</b>	<b>2011</b>	<b>2012</b>	<b>2013</b>	<b>2014</b>	<b>Increase from 2011</b>
Overtime Hours	541	631	785	758	17%
Compensation Hours	60	104	98	122	34%
Traffic Citations	1,241	1,653	2,181	2,178	27%
Field Contacts	1,061	1,147	1,671	1,877	28%
Calls for Service	146	157	180	217	49%

The chart below provides an overview of average work activity for a traffic enforcement trooper during 2014 along with the projected workload of four additional troopers.

<b>2014 Work Hours and Activities Northwest Region</b>		
<b>Traffic Enforcement Trooper</b>	<b>One Trooper</b>	<b>Four Troopers</b>
Truck Enforcement Hours	26	102
Road Patrol Hours	1,172	4,688
Miles of Road Patrol	26,338	105,352
Citations	658	2,632
Warnings	411	1,644
Highway Assists	48	192
Calls of Service	43	172
Fatality Crashes	2	8
Injury Crashes	7	28
Property Crashes	14	56
Community Policing	29	116
Driver/Vehicle Inspections	26	104
DUI	20	80
Drugs	11	44
Weapons	4	16
Right-of-Way	48	192
Seatbelts	93	372
Traffic Stops	732	2,928

### **Priority #7**

#### **Mobile radio replacement: \$626,000 (one-time)**

In 2005, the Highway Patrol purchased Motorola XTL 5000 mobile radios. The XTL radios are 10 years old and reached the end of production cycle two years ago. Once radios reach the end of production cycle, it can be difficult to get parts and vendor support when issues arise. The new mobile radios are Motorola APX 6500s which cost \$3,750 per unit for a total of \$596,250 for 159 units. These radios are able to handle future technology upgrades. The labor to swap mobile radios in an equipped vehicle is approximately \$188 per vehicle for a total of \$29,892 for 159 units. Mobile radios are used by troopers every shift and are vital to their safety.

### **Priority #8**

#### **Skid car system: \$66,000 (one-time)**

The skid car system allows officers to train on loss of control and recovery during emergency vehicle operations. It helps drivers prepare for slippery driving conditions while operating on a dry, paved surface. The system can be used with various vehicle types.



### **Priority #9**

#### **Outdoor range upgrade: \$80,000 (one-time)**

The Bismarck Police Department built an outdoor shooting range that was transferred to the NDHP. This outdoor range is located on the land donated to the NDHP by the City of Bismarck. The outdoor range is used only for handguns because of the limitations of the current backstop. Long rifles are essential equipment for law enforcement and are used when responding to active threat situations. The upgrade will provide law enforcement the ability to conduct long rifle training at the outdoor range.

Weapons training and proficiency is a requirement for law enforcement. Currently, we use a private outdoor range, when available, at an average fee of \$250 per day. When the private range is not available, training is held at an older outdoor range owned by the State Penitentiary. Due to its close proximity to Apple Creek Elementary School, we are limited in the times it can be used and the weapons that can be fired. This upgrade will lift these constraints and allow officers to receive necessary training.

The sixth and final item requested by Representative Delzer is any known or potential changes in the level of federal funding to be received by our agency. At this time no changes are planned.

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Mr. Chairman, members of the committee, the NDHP budget has many considerations. These include inflationary costs impacting the agency's operations, enhancements to public safety training, and radio communications for troopers on the road. The request for traffic troopers is in response to the growing needs created by increased activity and the need to provide 24-hour coverage in the northwest. I respectfully ask you to consider these requests.

I would like to share a few high-risk incidents our agency has encountered. Many of our duties involve an element of danger. The following videos show the potentially devastating outcomes.

Not only does our agency face dangerous situations, we also provide professional public service day in and day out. The Highway Patrol prides itself on professionalism.

Our agency receives a lot of thank you messages from the public. We value their words of gratitude and present their thanks to the troopers involved. Attached to your testimony are some letters we've received. The next video shows two citizens expressing their thanks.

The mission of the North Dakota Highway Patrol is to make a difference every day by providing high quality law enforcement services to keep North Dakota safe and secure. The men and women of our agency are committed to this mission, and I am proud of each and every one of them.

Mr. Chairman, this concludes my testimony. I would be happy to answer any questions.

**Attachment 1**

**North Dakota Highway Patrol  
Base Budget by Program**

<b>Administration Line Item</b>	<b>2013-2015 appropriation Dec. 31, 2014</b>	<b>Expenses to Dec. 31, 2014</b>	<b>% expended under current appropriation</b>	<b>Estimated expenses remaining</b>	<b>Estimated unexpended appropriation on 6/30/15</b>
Salaries	3,214,532	2,387,350	0.73%	819,182	8,000
Operating Expenses	310,000	179,685	17.04%	128,315	2,000
Capital Assets	36,000	16,700	28.61%	19,300	0
<b>Totals</b>	<b>3,560,532</b>	<b>2,583,735</b>	<b>2.43%</b>	<b>966,797</b>	<b>10,000</b>

<b>Field Operations Line Item</b>	<b>2013-2015 appropriation Dec. 31, 2014</b>	<b>Expenses to Dec. 31, 2014</b>	<b>% expended under current appropriation</b>	<b>Estimated expenses remaining</b>	<b>Estimated unexpended appropriation on 6/30/15</b>
Salaries	35,169,791	25,088,445	3.66%	10,001,346	80,000
Operating Expenses	14,976,000	9,329,691	12.70%	5,626,309	20,000
Capital Assets	856,000	854,534	-24.83%	1,466	0
<b>Totals</b>	<b>51,001,791</b>	<b>35,272,670</b>	<b>5.84%</b>	<b>15,629,121</b>	<b>100,000</b>

<b>LETA Line Item</b>	<b>2013-2015 appropriation Dec. 31, 2014</b>	<b>Expenses to Dec. 31, 2014</b>	<b>% expended under current appropriation</b>	<b>Estimated expenses remaining</b>	<b>Estimated unexpended appropriation on 6/30/15</b>
Salaries	947,237	701,315	0.96%	241,922	4,000
Operating Expenses	738,000	551,995	0.20%	184,005	2,000
Capital Assets	5,145,000	2,340,657	29.51%	2,800,343	4,000
<b>Totals</b>	<b>6,830,237</b>	<b>3,593,967</b>	<b>22.38%</b>	<b>3,226,270</b>	<b>10,000</b>

<b>Department Line Item</b>	<b>2013-2015 appropriation Dec. 31, 2014</b>	<b>Expenses to Dec. 31, 2014</b>	<b>% expended under current appropriation</b>	<b>Estimated expenses remaining</b>	<b>Estimated unexpended appropriation on 6/30/15</b>
Salaries	39,331,560	28,177,110	3.36%	11,062,450	92,000
Operating Expenses	16,024,000	10,061,371	12.21%	5,938,629	24,000
Capital Assets	6,037,000	3,211,891	21.80%	2,821,109	4,000
<b>Totals</b>	<b>61,392,560</b>	<b>41,450,372</b>	<b>7.48%</b>	<b>19,822,188</b>	<b>120,000</b>

## Attachment 2

### North Dakota Highway Patrol Budget Change Requests

#### Listed By Priority

**1. Salary base adjustment**

- Ongoing budget change - \$135,486

**2. State fleet services mileage rate**

- Ongoing budget change - \$188,000

**3. Vehicle equipment installation contract**

- Ongoing budget change - \$520,000

**4. Operating expense increases**

- Ongoing budget change - \$252,000
  - \$116,000 in office lease rate increases
  - \$36,000 in ITD rate increases
  - \$100,000 in ammunition cost increases

**5. Public safety training facility phase II**

- One time budget change - \$27,532,000

**6. Four new traffic enforcement troopers**

- Ongoing budget change for salaries/benefits - \$878,849
- One time budget change for equipment - \$170,000

**7. Mobile radio replacement**

- One time budget change - \$626,000

**8. Skid car system**

- One time budget change - \$66,000

**9. Outdoor range upgrade**

- One time budget change - \$80,000

### Attachment 3

## North Dakota Highway Patrol Public Safety Training Facility - Phase II Opinion of Probable Cost

<i>Description</i>	<i>Cost</i>
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<b>Offsite</b>	
Water/Sewer	\$ 166,300
Gas/Electrical	\$ 130,000
<b>Subtotal</b>	<b>\$ 296,300</b>

<b>Site Development</b>	
Grading/Paving	\$ 2,461,324
Utilities	\$ 214,650
Sewer/Detention Ponds	\$ 571,394
Fencing/Lighting	\$ 176,920
Landscaping/Erosion	\$ 414,076
Outdoor Training	\$ 821,215
<b>Subtotal</b>	<b>\$ 4,659,579</b>

<b>Public Safety Facility</b>	
Training Center	\$ 5,770,727
Dormitory	\$ 9,102,597
Outside Buildings	\$ 962,000
Fire Training Components	\$ 2,120,000
<b>Subtotal</b>	<b>\$ 17,955,324</b>

<b>Summary</b>	
Subtotals	\$ 22,911,203
Contingency 10%	\$ 2,291,120
Phase I Completion	\$ 456,000
Professional Fees 7%	\$ 1,796,082
ITD Charges	\$ 77,595
<b>Estimated Total</b>	<b>\$ 27,532,000</b>

# NORTH DAKOTA DEPARTMENT OF TRANSPORTATION

(May 2014)

## STATE FLEET SERVICES BUDGET GUIDELINES 2015-2017 BIENNIUM

### ASSIGNED VEHICLE BUDGET GUIDELINES

DESCRIPTION	GROUP NO.	OPER RATE	REPLCMNT RATE	MILE/HOUR RATE	DEPREC/MONTH
Mini Pass. Van	1	0.410	0.02	0.430	225.00
Sedan/Wagon	2	0.290	0.04	0.330	158.00
<b>Light</b> Pickup/Cargo Van/Full-Size Utility	3	0.500	0.06	0.560	177.00
<b>Heavy</b> Pickup/Van/Full-Size Utility	4	0.630	0.04	0.670	213.00
<b>Highway Patrol</b>	<b>7</b>	<b>0.460</b>	<b>0.08</b>	<b>0.540</b>	<b>401.00</b>
Game Enforcement/Special	9	0.410	0.07	0.480	324.00
Facility Service Vehicle	12	1.200	0.08	1.280	101.00
Compact Utility/All	13	0.420	0.05	0.470	215.00
Miscellaneous Truck/Mid-Size Bus	18	37.100	8.00	45.100	244.00
Distributor Truck	19	41.250	5.00	46.250	289.00
Sign Truck/Garbage Truck	20	34.000	22.00	56.000	464.00
Tandem Axle Truck/All	22	62.000	15.00	77.000	563.00
Truck Tractor	23	47.000	11.00	58.000	251.00
Water Commission Truck	27	51.000		51.000	1,061.00
Lineworker Truck	29	21.000		21.000	194.00
Shuttle Bus	30	30.000	1.00	31.000	519.00
Fuel Truck	31	6.000	8.00	14.000	443.00
Drill Truck	32	41.000	20.00	61.000	814.00

### FLEET MOTOR POOL VEHICLE BUDGET GUIDELINES

DESCRIPTION	GROUP NO.	OPER & DEPREC RATE	REPLCMNT RATE	MILE/HOUR RATE
Mini Pass. Van	1	0.69	0.02	0.71
Sedan/Wagon	2	0.45	0.04	0.49
<b>Light</b> Pickup/Cargo Van/Full-Size Utility	3	0.71	0.06	0.77
<b>Heavy</b> Pickup/Van/Full-Size Utility	4	0.88	0.04	0.92
Highway Patrol	7	0.72	0.08	0.80
Game Enforcement/Special	9	0.59	0.07	0.66
Facility Service Vehicle	12	1.76	0.08	1.84
Compact Utility/All	13	0.65	0.05	0.70
Miscellaneous Truck/Mid-Size Bus	18	53.00	8.00	61.00
Rotary Snowplow	24	206.00		206.00
Medical Simulator Trucks	25	42.00		42.00

**North Dakota Highway Patrol  
Letters of Support  
Public Safety Training Facility**

# Bismarck

City Administration

January 13, 2015

Representative Blair Thoreson  
Chairman  
Government Operations Division  
Appropriations Committee  
North Dakota House of Representatives  
State Capitol Building  
600 East Boulevard Avenue  
Bismarck, ND 58505

**RE: HB 1011**

Dear Representative Thoreson and Appropriations Committee members:

On behalf of the City of Bismarck, I would like to express our support for construction of Phase II of the Law Enforcement Training Academy and the appropriation for this facility contained in House Bill 1011.

The City of Bismarck donated land for the construction of the training academy in the hope that we could assist the state in moving this badly needed facility from the design table to construction. Public safety is a top concern for all of us. Ensuring our law enforcement and other first responders have access to high quality training is important. The Bismarck Police also provide instructors for some of the training offered at the academy. Our state needs a fully operational safety training facility to meet the needs of our first responders.

We support the North Dakota Highway Patrol as they seek funding to complete Phase II of the Law Enforcement Training Academy. We look forward to the day in which this facility will be able to meet the needs for statewide public safety entities to provide both initial and ongoing training.

Thank you for your consideration of the training center request.

Respectfully,



Parrell D. Grossman

City Commissioner  
for the Bismarck City Commission





January 6, 2015

North Dakota Highway Patrol  
600 E. Boulevard Ave. Dept. 504  
Bismarck, ND 58505

On behalf of Bismarck State College, I would like to express our support for Phase II of the Law Enforcement Training Academy.

Safety of our students and employees is a top concern at BSC and we work closely with law enforcement to secure our campus. Ensuring our law enforcement and other first responders have access to high quality training is a priority.

Additionally, as BSC explores the reactivation of a Fire Science program on campus, we want to make sure that the initial training and continuing education the graduates of our program will receive is the best it can be.

With the current Academy on our campus, I have had a chance to see some of the training that occurs and gotten a glimpse of the fine men and women taking the training. The work these people do is invaluable and I believe that North Dakota needs a fully operational safety training facility to meet these needs.

We support the North Dakota Highway Patrol as they seek funding to complete Phase II of the Law Enforcement Training Academy. Together, we can build a new, better-equipped training facility for statewide public safety entities to provide professional initial and ongoing training.

Cordially,

A handwritten signature in black ink that reads 'Dave Clark'. The signature is written in a cursive, flowing style.

Dave Clark  
Interim President

dv



Organized  
1911

## North Dakota Peace Officers Association

Phone (701) 952-0208 Fax (701) 952-0683 1210 9th St. SW Jamestown, North Dakota 58401-4518  
[www.ndpoa.org](http://www.ndpoa.org)

**PRESIDENT**  
THOMAS IVERSON  
Bismarck

**1st VICE PRESIDENT**  
MIKE REITAN  
West Fargo

**2nd VICE PRESIDENT**  
JACKIE LUNDSTROM  
Bismarck

**3rd VICE PRESIDENT**  
RICK MAJERUS  
Fargo

**4th VICE PRESIDENT**  
DARIN FERDERER  
Bismarck

**PAST PRESIDENT**  
MIKE NASON  
Minot

**SECRETARY/TREASURER**  
GARY BITZ  
Jamestown

Colonel Gerhart,

On behalf of the North Dakota Peace Officers Association, I would like to express our support for Phase II of the Law Enforcement Training Academy.

Public safety is a top concern and ensuring our law enforcement and other first responders have access to high quality training is important. Our state needs a fully operational safety training facility to meet these needs.

We support the North Dakota Highway Patrol as they seek funding to complete Phase II of the Law Enforcement Training Academy. Together, we can build a new, better-equipped training facility for statewide public safety entities to provide professional initial and ongoing training.

Sincerely,

Tom Iverson, President  
North Dakota Peace Officers Association



**BURLEIGH COUNTY SHERIFF'S DEPT.**

**PAT HEINERT, SHERIFF**



514 E. Thayer  
P.O. BOX 1416  
BISMARCK, ND 58502-1416

TELEPHONE 701-222-6651  
FAX 701-221-6899

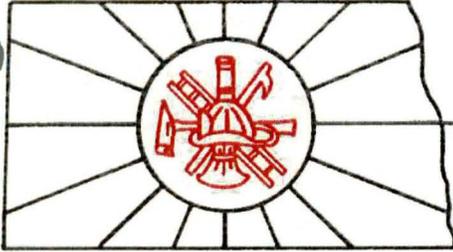
TO: House Appropriations  
DATE: January 9, 2015  
FROM: Pat Heinert, Sheriff *RLOW*  
RE: HB 1011 – North Dakota Highway Patrol Budget

On behalf of the people of Burleigh County and the members of the Burleigh County Sheriff's Department and Detention Center, I would like to express our support for Phase II of the Law Enforcement Training Academy.

Over these past few years community safety issues have risen to the top of the list for most people in our community. Recently Burleigh and Morton County voters passed a ½ cent sales tax to build a new jail facility mainly for community safety reasons. Trained Law Enforcement Officers are vital to keep our communities safe. With the passage of the NDHP budget, Phase II, Law Enforcement Academy, we can move forward in assisting all communities with trained Law Enforcement.

I ask for your continued support of Law Enforcement in North Dakota by voting in favor of the North Dakota Highway Patrol budget, specifically Phase II, North Dakota Law Enforcement Training Academy. In return we will continue to hire and train professional Law Enforcement Officials who will help keep each and every community in North Dakota safe.

Thank You.



## *North Dakota Firefighter's Association*

6909 Aurora Loop • P.O. Box 6127 • Bismarck, ND 58506-6127  
701-222-2799 • Fax: 701-222-2899

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Organized June 4, 1884 Incorporated January 20, 1901

December 29, 2014

Colonel Michael T. Gerhart  
North Dakota Highway Patrol  
600 E. Boulevard Ave.  
Dept. 504  
Bismarck, ND 58505

Dear Colonel Gerhart:

On behalf of the North Dakota Firefighter's Association, I would like to express our support for Phase II of the Law Enforcement Training Academy.

Public safety is a top concern and ensuring our law enforcement and other first responders have access to high quality training is important. Our state needs a fully operational safety training facility to meet these needs.

We support the North Dakota Highway Patrol as they seek funding to complete Phase II of the Law Enforcement Training Academy. Together, we can build a new, better-equipped training facility for statewide public safety entities to provide professional initial and ongoing training.

Sincerely,

Renee Loh  
Executive Director  
North Dakota Firefighter's Association

**North Dakota Highway Patrol  
Thank You Letters**

North Dakota Highway Patrol  
223 East Broadway Suite 304  
Williston, ND 58801-6123

KIK  
12/4/13

November 19, 2013

Dear Trooper Jones,

It has taken me so long to simply write this note to thank you for your help and kindness. It has been a difficult few months. In this busy world, one does not always get the education of a horrible accident. It is an education that one does not want. I want to thank you for support and understanding and helping us get through it. I want to thank you for your unbelievable kindness to go out of your way and help us. You are a wonderful young man, much like my son that died. You are a stand up honest man that has a wonderful way about him.

We cannot thank you enough or repay you for your kindness.

Sincerely,



Patricia Idler

Rory Sawyer Idler  
3/23/2013

Its sent  
24

GI  
293  
TI

Stacy Woldie  
PO Box 1613, Bismarck, ND 58502  
stacywoldie@yahoo.com  
701-390-7618

North Dakota Highway Patrol  
601 Channel Drive  
Bismarck, ND 58501

To: Commanding Officer

Re: Trooper Ryan Duletski

December 26, 2014

I write this letter to express my appreciation for the professionalism and compassion of Trooper Ryan Duletski and to request that he be commended. I am a commercial truck driver working for a company located in Bismarck, North Dakota. On November 25, 2014, my employer sent me out with a set of three trailers during a "No Travel Advisory" for Central North Dakota against my misgivings about pulling three trailers out in those conditions. My employer's justification for that was that since I would be driving to the East to Fargo, I would be driving out of the area of the "No Travel Advisory" zone and not be affected.

Approximately eight miles outside of Bismarck at the Apple Creek Rest Area, weather conditions of ice combined with wind caused the third trailer on my set to be torn off of the back my set leaving it tossed on its side on the shoulder of the road. The violence of the force that sheered the metal hook that secured that trailer whipped my tractor from one side of the road to the other putting me in fear of going into to the ditches on both sides of the road. But, when the trailer was finally broken off, the brakes lost air and the tractor trailer set came safely to a stop in the middle of the original travel lane.

Fortunately for me, Trooper Duletski was right there merging onto the highway from the Apple Creek Rest Area at the time that all of this occurred. His first concern was to inquire about my welfare. Upon determining that I was unharmed, he requested that I move the set to the shoulder and then asked for me to provide him with all necessary documentation for the vehicles involved while he secured the area for other travelers who might be approaching the scene. Because of the brutal weather conditions outside, he joined me inside of my cab at that time to give me instructions and to comfort me. After that, he exited my cab inviting me to join him in his squad car stationed behind the fallen trailer after I had gathered the information that he needed for his report.

When I joined him inside of his squad car, I noticed that he secured his seat belt, so I secured my seatbelt there as well. The Trooper's demeanor remained professional yet compassionate and comforting. Again, I was grateful to have been blessed to have such a member of the North Dakota Highway Patrol on scene with me during this time of great distress. I was not hurt. No other travelers were hurt. It was a catastrophic event, but not fatal or injurious for anybody. Nevertheless, Trooper Duletski deserves recognition.

In these times when servants of law enforcement are being unfairly criticized, I want to commend the actions of Troopers like Duletski and also to commend the North Dakota Highway Patrol Department. I was so blessed to have this Trooper on scene to diffuse the situation, to call for a tow, and to comfort me. My employer put me out of service pending investigation. Their investigation found that I could not have prevented what happened. Having Trooper Duletski as a witness on the scene, I am sure, was a big factor that helped me to keep my job.

Happy New Year. Many Blessings Upon You and All of Your Staff.

Sincerely,

  
Stacy Woldie



3 September 2013

Captain Kyle Kirchmeier, District Commander  
Bismarck District / North Dakota State Patrol  
601 Channel Drive  
Bismarck, North Dakota 58501

**Ref: Trooper Steven A. Mayer**

*File  
9/4/13  
Stroer  
good job on  
your efforts!!  
JK*

Dear Captain Kirchmeier

Would you be kind enough to recognize the exemplary performance of one of your Troopers on behalf of St. Alexius Medical Center, and a patient's very grateful family. On September 1<sup>st</sup>, Trooper Steven Mayer, was the first to arrive at the scene of a medical emergency. A heart attack victim had collapsed in cardiac arrest while traveling with her husband on the Interstate 94, East of Bismarck, having suffered a heart attack. Trooper Mayer very appropriately began CPR in an attempt to resuscitate the patient. He further correctly managed the victim's airway, performed CPR and then applied the automatic defibrillator and administered a life-saving shock to the victim.

As you are well aware, these situations require aggressive and appropriate interventions if the victim is to be resuscitated. Time is of the absolute essence. Trooper Mayer was able to shock the patient into a potentially resuscitable rhythm by his quick actions and continued CPR until the Paramedics arrived. I'm told he was of great assistance to them as well as they continued the fight to save her life. Ultimately and unfortunately, the victim eventually succumbed to her heart attack. However, the patient's husband and family were well aware that Trooper Mayer did everything in his power to save her life and were very grateful.

Please extend our deep appreciation to Trooper Mayer, and the thanks of an appreciative family. His actions were in keeping with the highest traditions of the law enforcement profession, and reflect great pride on the North Dakota State Patrol.

Best regards,

Dr. Gordon D. Leingang, DO, FACEP, FACOEP  
Emergency Trauma Physician / EMS Medical Director

27

*"Let all be received as Christ."*

-----Original Message-----

From: [itd@nd.gov](mailto:itd@nd.gov) [mailto:[itd@nd.gov](mailto:itd@nd.gov)] On Behalf Of North Dakota State Highway Patrol

Sent: Thursday, August 29, 2013 1:03 PM

To: Dietz, Chelsey N.

Subject: Form submission from: Contact Form

Submitted on Thursday, August 29, 2013 - 13:03 Submitted by anonymous user: [165.234.159.252] Submitted values are:

Name: Daniel Fleming  
Subject: Officer Commendation  
E-mail Address: [dpfleming212@gmail.com](mailto:dpfleming212@gmail.com)  
Phone Number: 3175171355  
Highway Patrol Office: Human Resources

*JP 200*

Message:

I am uncertain which office this should be submitted to, please forward the message on if this is incorrect. "Near New Salem in Morton County, ND"

I was stopped by Officer J. Thompson (No. 324) on the 13th of August along I-94 for exceeding the speed limit. I was on a road trip passing through North Dakota. Although getting stop was not part of my plan, I was impressed by the professionalism, speed, and courtesy Officer Thompson had towards me. As an out of state driver just passing though, Thompson clearly explained why he felt it was needed to stop my vehicle, he efficiently asked for my information and destination, and best of all he clearly explained the process for handling the citation. Although it would have been great to not have been stopped and cited, I felt Officer Thompson did a great job and should be commended for his work in the state of North Dakota. Just in case, additional information: This is not a statement of guilt.

**Ruud, Lt. Norman C.**

---

**From:** NDHP Bismarck Office  
**Sent:** Tuesday, July 23, 2013 3:50 PM  
**To:** Ruud, Lt. Norman C.  
**Subject:** FW: Form submission from: Contact Form

-----Original Message-----

**From:** [itd@nd.gov](mailto:itd@nd.gov) [mailto:[itd@nd.gov](mailto:itd@nd.gov)] On Behalf Of North Dakota State Highway Patrol  
**Sent:** Wednesday, July 17, 2013 10:45 AM  
**To:** NDHP Bismarck Office  
**Subject:** Form submission from: Contact Form

Submitted on Wednesday, July 17, 2013 - 10:44 Submitted by anonymous user: [165.234.159.251]  
Submitted values are:

**Name:** Clyde Ferree  
**Subject:** Thank you  
**E-mail Address:** [ferree4@gmail.com](mailto:ferree4@gmail.com)  
**Phone Number:** 3096966247

**Highway Patrol Office:** Bismarck

**Message:** We had an accident on July 6 just East Of Hazen. Along w/ myself was my Son , Daughter-inlaw and 3 granddaughters 5 years & under. Thank goodness we where not hurt. There was debris on the Road that come to find totaled the Van with extensive damage underneath. The State Patrol Officer That was on the Scene was very accommodating I think his Name was [redacted] rek out of New Salem, working in Conjunction with the County. They kept us safe from the traffic on the Highway and gave us ride to the Hotel which was a blessing. We where told since it was the 100 year Celebration of Hazen that we may only be able to find a place to camp out. The Tow truck driver secured a place a the hotel after a cancellation. After a Nice Vacation in Mt Rushmore then to have this happen on our way back to Minot AFB made it made it somewhat bearable with the Kind Patrol officers and People of North Dakota. This was the True definition of to Protect & Serve

The results of this submission may be viewed at:  
<http://www.nd.gov/ndhp/node/65/submission/4467>

**House Bill 1011 – Highway Patrol  
House Appropriations Committee  
Government Operations Division  
Representative Blair Thoreson, Chairman**

**January 21, 2015**

**Agency Breakdown**

- Organizational chart - attached
- Post locations of troopers - attached
- Average age of sworn officers – 35.4 YOA
- Years of service of sworn officers as of December 31, 2014:

<b>Years of Service</b>	<b>Quantity</b>	<b>Percent</b>
0 to 4	47	30.7%
5 to 9	48	31.4%
10 to 14	25	16.3%
15 to 19	14	9.2%
20 to 24	16	10.4%
25+	3	2.0%

**Law Enforcement Video Cameras**

- 115 law enforcement agencies were researched and 109 of them have video camera systems in patrol vehicles. Six agencies do not.
- Three agencies reported using body cameras: Richland County Sheriff's Office, UND Police Department, and Grand Forks Police Department.

**Public Safety Facility – Phase I Status**

Phase I of the public safety facility project included the construction of a multi-use emergency vehicles operations driving pad and indoor firing range. The emergency vehicle operations driving pad was completed in early November, 2014. The first training session occurred on November 18<sup>th</sup>, 2014.



The driving pad is 300' x 1200' of asphalt with an additional section of gravel (50' x 600') that was added to allow students to experience driving on gravel in an emergency vehicle operation setting. Colored concrete plugs were added to the driving pad to identify the location for trainers to place cones. These colored plugs allow for rapid setup of the emergency driving course.



The driving pad will allow for all public safety first responders in fire, EMS, and law enforcement fields to receive training on the safe operation of an emergency vehicle in high and slow speed situations. Vehicle operators will gain experience on how to effectively navigate and appropriately react to hazards they may encounter while responding to calls for service.

Work on the footings for the indoor shooting range began the week of November 18, 2014. On January 5, 2015, the first sections of precast concrete walls were placed. This project is currently on schedule and will be finished in April of 2015.



Due to budget limitations some modifications to the original plan were made. For example, the number of firing lanes was reduced from 16 to 12 and a training room that had been planned for the firing range building will not be built. This entire project is expected to be completed within budget.

<i>Phase I - Budget Status</i>				
Description	Budget	Amount Paid to Date	Amount Remaining	Percent Complete
Professional Fees	\$ 350,000	\$ 340,527	\$ 9,473	97%
Construction Costs	\$ 4,650,000	\$ 2,094,700	\$ 2,555,300	45%
<b>Total</b>	<b>\$ 5,000,000</b>	<b>\$ 2,435,227</b>	<b>\$ 2,564,773</b>	

**Public Safety Facility – Phase II Project Schedule**

EAPC, the architect handling Phase I, provided the following timeline for completion of Phase II:

- Design process – 6 to 9 months
- Bidding and groundbreaking – Spring of 2016
- Construction phase – 2 years
- Project start to completion – 30 to 36 months

## **Asset Forfeiture Fund**

North Dakota Century Code 39-03-18 covers the Highway Patrol asset forfeiture fund. Funds are allowed to be used “for purchasing equipment related to criminal interdiction.” Based on this century code, use of the fund must be personally approved, in writing, by the superintendent and the director of the office of management and budget.

On July 18, 2014, the Highway Patrol obtained written authorization from the director of OMB and the superintendent to use \$278,600 for the purchase of new rifles. Patrol rifles may be used by troopers during criminal interdiction activities such as felony traffic stops involving the transportation of illegal drugs.

New 5.56mm rifles were ordered for all sworn officers shortly after authorization was obtained. These new rifles will replace M14 rifles that were loaned to the Highway Patrol by the Department of Defense. M14 rifles were used by the military in the 1960's, and the Highway Patrol received them in May of 1991. They are being replaced after 23 years of service for the following reasons:

- There is no M14 armorer program to maintain the weapons
- M14 rifles are difficult to repair due to limited parts and available gunsmiths
- Several rifles were found to have head spacing issues
- M14 rifles are large in size and use .308 caliber rounds so they are not preferred when dealing with an active threat situation

One large forfeiture in May of 2011 resulted in the transfer of \$171,783 to the Highway Patrol's asset forfeiture fund. As a comparison, five forfeitures were logged in 2013 for a total of \$11,751. After the rifle purchase, the asset forfeiture account balance is \$2,910.07.

## **Electronic Permit System**

A \$15 permit fee was implemented to cover (1) the cost of a redesign of the Highway Patrol permit application, (2) the procurement of an automated routing component, and (3) the integration of both systems. ProMiles was selected as the automated routing vendor following an extensive request for proposal process. The project was expanded to include a data sharing web interface with the Association of Oil and Gas Producing Counties permitting system.

The projected cost of the project was \$1,824,842. The actual loan amount was \$1,716,000, and it was paid in full in May of 2014. As of December 31, 2014, \$4,392,915 has been collected in the electronic permits transaction fund and \$2,327,442 has been expended for a balance of \$2,065,473.

The electronic permit system has ongoing fees estimated at \$270,200 per year for ProMiles annual maintenance, ITD hosting and maintenance, and programming maintenance. There are also several enhancements planned for the 2015-2017 biennium including:

- Four maintenance projects per year at \$20,000 each - \$160,000
- User managed vehicle configuration - \$150,000
- Addition of specialized trailers - \$50,000
- Statewide base map - \$400,000
- System process changes - \$300,000
- External system redesign - \$50,000
- Overhead sign structure system - \$300,000

There is currently an interface to the ND Association of Oil & Gas Producing Counties' permit system from the Highway Patrol's system. Users have the option to type in their state permit number and pull data fields into the county permit they are requesting. One enhancement to the Highway Patrol's routing system that would be an option in the future is the addition of county and township roads. Currently, only state and federal highways are routed. This upgrade would cost approximately \$2,800,000 to complete.

Related to the distribution of permit fees other than the \$15 transaction fee, the majority of funds go to the highway tax distribution fund. A small portion, slightly over 1.3%, goes to a special fuel tax fund.

Executive Offices  
1622 E. Interstate Ave.  
Bismarck, ND 58503



(701) 221-0567 Voice  
(701) 221-0693 Fax  
(877) 221-3672 Toll Free  
[www.ndemsa.org](http://www.ndemsa.org)

January 16, 2015

Colonel Michael Gerhart  
North Dakota Highway Patrol  
600 East Boulevard Ave  
Bismarck, ND 58505

Dear Colonel Gerhart:

On behalf of the North Dakota Emergency Medical Services Association, I would like to express our support and the support of the EMS industry for Phase II of the Public Safety Training Academy.

The safety and well-being of the citizens of our great state is a significant concern. Ensuring that our public safety professionals; EMS, fire, law enforcement, and other first responders, have access to high quality training is vital. The state of North Dakota needs a training facility that meets the current and future training needs. Our state will continue to grow and as training evolves we must adapt and have the facilities to meet new demands.

The North Dakota EMS Association utilized the law enforcement training center for over ten years to test the psychomotor practical skills of various EMT levels. This is now done by another organization however the law enforcement training center is the continued site of the state practical. This site has always been an ideal facility however with added skill stations our EMT students and exam proctors would welcome this additional training space.

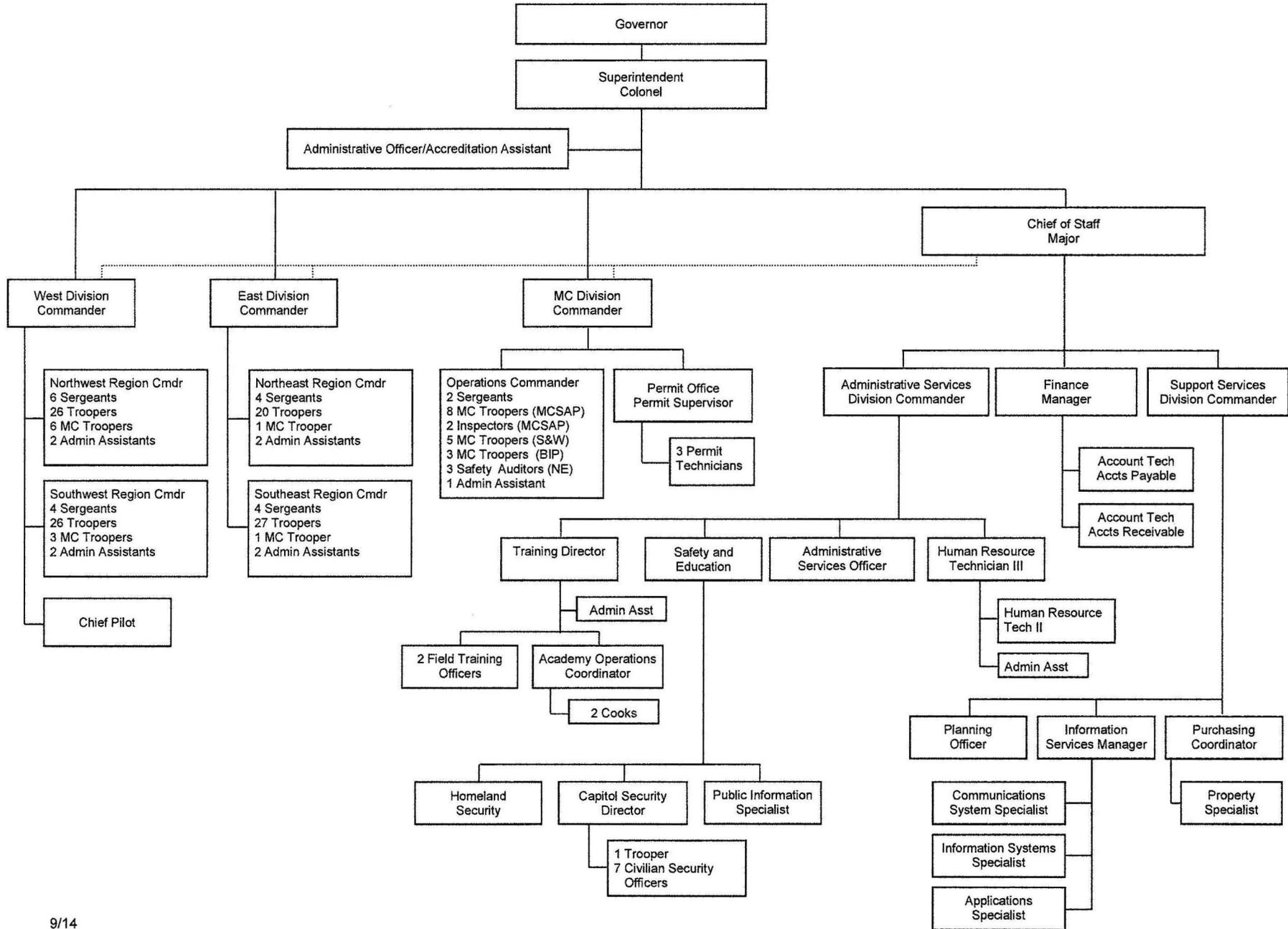
We fully support the North Dakota Highway Patrol as they seek funding to complete Phase II of the Public Safety Training Academy. Together, we can build a new, better-equipped training facility for statewide public safety entities to provide professional initial and ongoing training.

Sincerely,

A handwritten signature in black ink, appearing to read "Curtis Halmrast NRP". The signature is written in a cursive, flowing style.

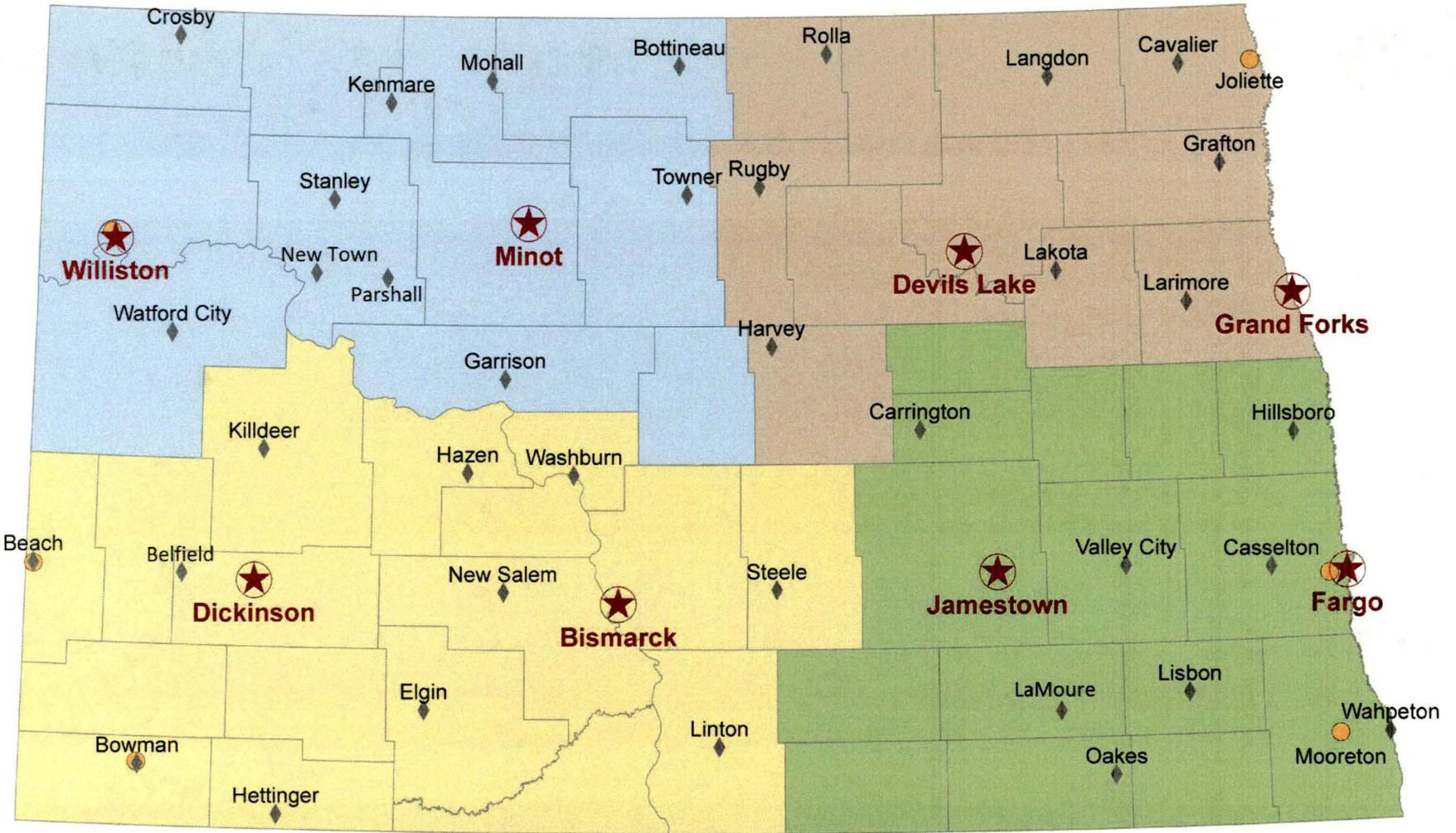
Curtis Halmrast, NRP  
President, ND EMS Association

# NORTH DAKOTA HIGHWAY PATROL ORGANIZATION CHART



7

# NDHP Regional Boundaries and Post Locations



## Legend

-  Regional Offices
-  Trooper Outpost
-  Primary Weigh Stations
-  Southwest Region
-  Southeast Region
-  Northwest Region
-  Northeast Region



# Master Map at Full Staff

**NW Region:**  
 1 Regional Commander  
 5 Sergeants  
 26 Traffic Troopers  
 6 Region MC Troopers  


---

 Motor Carrier – 5 Troopers

**43**

Crosby  
1 Trooper

Mohall:  
1 Trooper

Bottineau:  
1 Trooper

Rolla(Bottneau):  
1 Trooper

Minot  
2 Sergeants  
7 Troopers  
1 MC Trooper  
  
2 MCSAP Troopers  
1 BIP Trooper  
  
2 Shifts of 3+1

Kenmare:

Stanley:  
1 Trooper

Williston  
3 Sergeants  
8 Troopers  
2 MC Troopers  
  
2 Shifts of 5  
1 MCSAP Trooper

NewTown:  
1 MC Trooper

Oil Patch:  
1 MC/SW -  
Trooper Trailer Scales

Velva:  
1 Trooper

Rugby  
1 Trooper  
1 BIP

Parshall:  
1 Trooper

**Northwest Region**  
1 Commander

Watford City  
4 Troopers  
2 MC Troopers  
  
2 Shifts of 3

Garrison:  
1 Trooper

Killdeer  
1 MC Trooper

Hazen:  
1 Trooper

Washburn  
2 Troopers

Beach  
2 Troopers

Belfield  
2 Troopers

Dickinson  
2 Sergeants  
3 Troopers  
1 MC Trooper  
1 MC S/W Trooper  
1 MCSAP Trooper  
  
2 Shifts of 3  
Combined w/ Belfield

New Salem:  
1 Trooper

**Southwest Region**  
1 Commander

Bismarck  
2 Sergeants  
10 Troopers  
  
1 MC S/W Troopers  
1 MCSAP Trooper  
1 Motor Carrier Sgt. West  
  
2 Shifts of 4

Steele:  
1 Trooper

Bowman:  
2 Troopers

Elgin:  
1 Trooper

Hettinger  
1 Trooper

Linton:  
1 Trooper

**SW Region:**  
 1 Regional Commander  
 4 Sergeants  
 26 Traffic Troopers  
 3 Region MC Troopers  


---

 Motor Carrier – 1 Lieutenant, 1 Sergeant  
 4 Troopers

**40**

Updated 1/20/2015

**NE Region:**

- 1 Regional Commander
- 4 Sergeants
- 19 Traffic Troopers
- 1 Region MC Trooper
- 1 CRT Trooper

29

- Motor Carrier – 1 MC S/W Trooper
- 2 BIP Troopers

Langdon  
1 Trooper

Cavalier:  
1 Trooper

Grafton:  
2 Troopers

**Northeast Region**

1 Commander

- Grand Forks  
2 Sergeants  
6 Troopers  
1 MC Trooper  
1 CRT Trooper

- 2 Shifts of 3+1
- 1 BIP- GF/Walsh/Pem

Lakota:  
1 Trooper

Larimore:  
1 Trooper

- Deviils Lake  
2 Sergeants  
4 Troopers  
1 MC/SW Trooper

2 Shifts of 2

New Rockford:  
1 Trooper

Carrington  
1 MC Trooper

Hillsboro  
2 Troopers  
1 MCSAP Trooper

**Southeast Region**

1 Commander

- Fargo  
2 Sergeants  
10 Troopers  
1 MCSAP Trooper  
1 Motor Carrier Sgt. East

2 shifts of 5

Valley City  
2 Troopers

Casselton  
2 Troopers

Lisbon(Gwinner)  
1 Trooper

LaMoure:  
1 Trooper

Oakes:  
1 Trooper

**SE Region:**

- 1 Regional Commander
- 4 Sergeants
- 26 Traffic Troopers
- 1 Region MC Trooper
- 1 CRT Trooper

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- 1 Motor Carrier Sergeant
- Motor Carrier- 4 Troopers

Wahpeton  
2 Troopers  
1 MC S/W Trooper  
1 CRT Trooper

**Headquarters**

- Superintendent
- Major/Chief of Staff
- Admin Services Commander
- Support Services Commander
- East Division Commander
- West Division Commander
- Motor Carrier Division Commander
- Safety and Education
- Property and Planning Lieutenant
- Administrative Services Sergeant

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**Staff**

- LETA, Training Director
- LETA – Field Training Sergeant
- LETA – Field Training Sergeant

- Capitol Security, Director
- Capitol Security, Trooper

- NDSLIC Sergeant
- PILOT, Trooper

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**Motor Carrier Size and Weight Dedications**

- 11 Region MC Troopers - 75/25 %
- 5 Motor Carrier S/W Troopers – 90/10 %
- 8 Motor Carrier MCSAP Troopers – 5 / 95 %
- 3 Motor Carrier Border Inspection Program Troopers – 5 /95 %

**House Bill 1011 – Highway Patrol  
House Appropriations Committee  
Government Operations Division  
Representative Blair Thoreson, Chairman**

**February 6, 2015**

**Statewide Crash Information**

Upper Great Plains Traffic Institute completed a study comparing 2003 and 2013 broken down by road type.

<i>North Dakota Crashes by Road Type</i>				
	<b>2003</b>		<b>2013</b>	
<b>Road Type</b>	<b>Number</b>	<b>% of Total</b>	<b>Number</b>	<b>% of Total</b>
Interstate	1,287	7.8%	1,454	7.7%
State Highway	1,859	11.3%	1,695	9.0%
US Highway	1,735	10.5%	1,987	10.6%
City	8,884	53.8%	10,830	57.5%
County/Township	2,595	15.7%	2,661	14.1%
Inside BIA	0	0.0%	184	1.0%
BIA Responding Agency	146	0.9%	2	0.0%
Inside BIA and Responding	7	0.0%	7	0.0%
<b>TOTAL</b>	<b>16,513</b>		<b>18,820</b>	

*Note:*

**2003 VMT: 7,290,191,000**

**2013 VMT: 10,099,746,000 (+38.5%)**

A copy of the study is attached which includes a further breakdown by crash type: fatality, injury, and property damage only.

Specific to fatality crashes, the Highway Patrol provides updated information on our website. The crash data available to the public includes fatality information by road type, seatbelt use, prior year comparison, fatalities by county, and commercial vehicle-involved fatality crashes.

The following chart shows total fatalities from 2008 through 2014.

<b>Fatalities by Year</b>	<b>2008</b>	<b>2009</b>	<b>2010</b>	<b>2011</b>	<b>2012</b>	<b>2013</b>	<b>2014</b>
<b>Fatal Crashes</b>	97	116	92	130	147	133	121
<b>Fatalities</b>	104	140	105	148	170	148	135
<b>Alcohol-Related Crashes</b>	48 50%	47 41%	48 52%	56 43%	77 52%	64 48%	48 39%
<b>Alcohol-Related Fatalities</b>	53 51%	56 40%	55 52%	66 45%	87 51%	71 48%	55 40%
<b>Restrained Victims</b>	17 21%	40 32%	23 29%	30 25%	41 29%	35 24%	31 23%
<b>Unrestrained Victims</b>	59 73%	83 66%	48 60%	82 69%	92 65%	78 53%	78 57%
<b>Motorcycle Fatalities</b>	13	7	15	14	16	9	9
<b>Bicycle Fatalities</b>	1	1	1	1	0	1	3
<b>Pedestrian Fatalities</b>	7	4	8	9	10	2	8
<b>Train Fatalities</b>	1	3	1	0	3	1	4

### Agency Budget

Our agency was asked to submit additional budget details by line item for the current biennium. Attached is a four-page summary through December 31, 2014, broken down by line item for field operations, administration, the LETA, and the department overall.

### Salary Administration

Included as an attachment is a two-page summary identifying all job classifications in our agency along with corresponding pay grades, salary levels, and comp ratios in comparison to market policy points.

- 53% of sworn officers are below market policy point (81 of 153).
- 31% of civilian employees are below market policy point (13 of 42).

## **Electronic Permit System**

A correction regarding the permit fees was submitted to Mr. Brady Larson. Permit fees other than the \$15 transaction fee go to the state highway fund, and a small portion, slightly over 1.3%, goes to the highway tax distribution fund.

During our last hearing, this committee asked about the Highway Patrol's ability to provide permit data such as permit types issued by highway or to display issued permits on a map using GPS coordinates. Currently, the electronic permit system is not capable of providing this data, but the system could be updated. For example, permits could be searchable by highway, but the data wouldn't be accurate to a single date because most permits are valid for three days. Also, permits are not coordinated by GPS data, but the routes could be entered into a GIS map. The public information system would only be able to display the route and permit type, but the entire map would be filled quickly based on the high quantity of permits issued. Over 260,000 permits were issued in 2014.

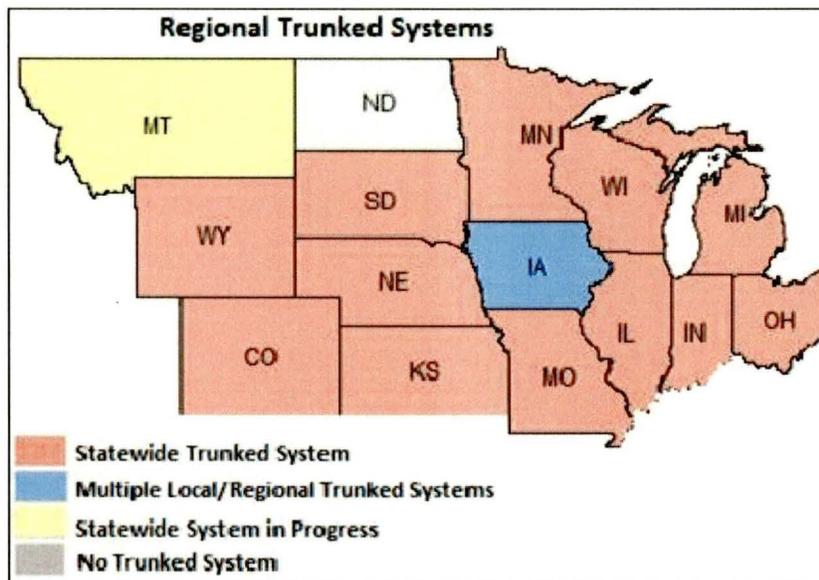
## **Drug Seizures**

This committee asked about the Highway Patrol's disposal of seized drugs. Currently, all confiscated drugs are destroyed by evidence control officers within six months of final disposition of the applicable case. The drugs are normally incinerated and have no monetary value.

## **Emergency Radio System**

Information on the statewide radio network was submitted to Mr. Brady Larson. Included in the submission was (1) an internal Highway Patrol survey, (2) an overview of a radio study completed by Televate at the request of the Statewide Interoperability Executive Committee, (3) an overview of trunking technology, (4) a copy of Televate's entire report, and (5) a formal resolution passed by the Statewide Interoperability Executive Committee requesting legislative support for upgrading the existing statewide radio system incrementally over the next six years.

Televate recommended that North Dakota convert to a trunked radio system. The full report from Televate includes the following regional map which identifies trunked systems in use by surrounding states.



Televate's report provided an estimated cost of approximately \$159 million for a trunked radio network and related equipment. This estimate includes costs for local public safety agencies.

Network Cost Component	Estimated Costs
Land Mobile Radio Network and Systems	\$ 45,304,711.96
PSAP Centers Equipment and Interfaces	\$ 7,068,750.00
Services - Engineering, Installation, Management and Training	\$ 14,691,500.00
Services - Site Development and Preparation	\$ 11,909,000.00
State & Third Party Costs	\$ 4,950,000.00
In-Building Systems	\$ 2,512,500.00
10% System Contingency	\$ 8,148,646.20
<b>Total</b>	<b>\$ 94,585,108.15</b>

Subscriber Device Category	Estimated Costs
Radio Replacement and Features	\$ 44,543,953.00
Radio Upgrades	\$ 5,601,840.00
Vehicular Repeaters	\$ 12,100,000.00
Pagers	\$ 2,310,750.00
<b>Total</b>	<b>\$ 64,556,543.00</b>

## Public Safety Facility History

The master plan for the public safety facility has been updated several times. A brief history of the project is below:

- February 12, 2007 – The Bismarck Police Department created a master plan for a 911 memorial Police and Fire Training Facility. A \$980,000 federal grant was obtained to build an outdoor shooting range, but no additional funding was available for further projects.
- January 19, 2011 – The Bismarck Police Department's master plan was updated by the Highway Patrol to construct a public safety training facility in two phases after the City offered to donate the land and outdoor range to the State. This facility would replace the current Law Enforcement Training Academy at BSC.
  - The estimated cost for Phase I was \$5,786,020 which included a 16-lane indoor firing range and emergency vehicle driving pad.
  - The estimated cost for Phase II was \$18,067,035 which included an outdoor rifle range, a 120-bed dormitory, six classrooms, a cafeteria, a multi-purpose room, and fire simulation training areas.
- January 10, 2013 – The master plan costs were updated by an architect in preparation for the 2013 legislative session. Phase I costs were increased to \$6,650,610, and Phase II costs were increased to \$21,616,445.
  - \$5,000,000 was approved during the 2013 legislative session for Phase I which required a reduction from 16 lanes to 12 for the indoor firing range and the removal of a planned training room.
- June 5, 2014 – The master plan was updated in preparation for the 2015 legislative session. The total cost for Phase II was increased to \$27,545,405 factoring in a 10% contingency instead of 5%; \$456,000 needed to complete a training room for the indoor firing range; a reduction from 120 beds to 90 beds for the dormitory; and a reduction from six classrooms to five.

Attached are three additional letters of support for Phase II of the public safety training facility. So far letters from the following entities have been shared with the committee:

- Burleigh County Sheriff's Department, Sheriff Pat Heinert
- North Dakota Firefighter's Association, Executive Director Renee Loh
- North Dakota Peace Officers Association, President Tom Iverson
- Bismarck State College, Interim President Dave Clark
- Bismarck City Commission, Commissioner Parrell Grossman
- North Dakota EMS Association, President Curtis Halmrast

- North Dakota Sheriffs and Deputies Association, President Pat Heinert
- North Dakota Department of Health, Division Director Thomas Nehring
- ND Peace Officer Standards and Training Board, Chairman Michael Ferguson

### **Motor Carrier Operations**

This committee asked about new weight enforcement techniques available today. The Highway Patrol did look at portable scale systems that could weigh vehicles moving across a platform rather than requiring drivers to stop and go multiple times on smaller scales. The weigh in motion technology has not been certified for enforcement purposes based on fluctuations in readings so the Highway Patrol did not purchase any portable units.

The location of active fixed scale sites, weigh-in-motion systems, and turnouts are listed below and identified in an attached map.

- **Fixed Scale Sites**
  - Beach – I94
  - Bowman – Highway 85
  - Minot – Highway 2
  - Devils Lake – Highway 2
  - Grand Forks – I29
  - Joliette – I29
  - West Fargo – I94
  - Mooreton – I29
- **Weigh-in-Motion Sites**
  - Belfield – I94
  - Bowman – Highway 85
  - Watford City – Highway 85
  - Williston – Highway 2
  - Portal – Highway 2
  - Devils Lake – Highway 2
  - Joliette – I29
  - West Fargo – I29
  - Wahpeton – I29
  - Buchanan – Highway 52
  - Ellendale – Highway 281
  - Washburn – Highway 83

- **Turnouts**

- Southwest Region
  - Highway 83 – Hague
  - Highway 13 – East of Linton
  - Highway 83 – Sterling
  - I94 – Apple Creek rest area
  - Highway 83 – Washburn
  - Highway 200 – West of Washburn
  - I94 – Sweet Briar Lake
  - Highway 200 – East of Pick City
  - I94 – Hebron
  - Highway 22 – Killdeer
  - Highway 22 – New England
  - Highway 8 – Mott
  - Highway 22 – Reeder
  - Highway 12 – Marmarth
- Northwest Region
  - Highway 2 – Williston
  - Highway 85 – South of Watford City
  - Highway 85 – Watford City
  - Highway 2 – Tioga
  - Highway 23 – New Town
  - Highway 2 – East of Stanley
  - Highway 52 – Carpio
  - Highway 83 – North of Minot
  - Highway 2 – Montana
  - Highway 2 – East of Surrey
  - Highway 200 – McClusky
- Northeast Region
  - Highway 3 – Rugby
  - Highway 2/281 – Minnewaukan
  - Highway 281 – Minnewaukan
  - Highway 20 – North of Devils Lake
  - Highway 2 – East of Devils Lake
  - Highway 32 – Walhalla
  - Highway 66 – St. Thomas
  - Highway 2 – Larimore rest area
  - Highway 18 – North of Northwood
  - Highway 17 – East of Park River

- Highway 200 – Sykeston rest area
- Southeast Region
  - I29 – Buxton
  - Highway 200/18 – West of Mayville
  - I29 – North of Fargo
  - I94 – West of West Fargo
  - Highway 46/18 – Leonard
  - I94 – West of Casselton
  - Highway 46/1 – East of Litchville
  - I94 – Jamestown
  - Highway 281 – South of New Rockford

**Upper Great Plains Traffic Institute  
Crashes by Road Type**

Methodology:

The research team queried the crash file using a hierarchical approach. The “State and Federal Roads” layer from the North Dakota GIS Hub website was used to define interstate, state, and US highways. In the crash file, the “HIWYNUM” variable was re-coded based on the “State and Federal Roads” standards. After this new highway variable was created, the remaining non-highway crashes had to be categorized.

Each of the remaining crashes had a county attached to it via the “CNTYNAME” and “CNTYALP” variables. Some of these crashes did not have a “CITYNAME” or “CITYNUM” variable. The crashes that did have a “CITYNAME” or “CITYNUM” variable were designated as occurring on a city road. For the remaining crashes, each crash with a township entry in the “TOWNSHP” variable also had a corresponding county variable attached to it. Therefore, it was impossible to distinguish between county and township crashes; these two were merged into one category.

A different approach was utilized to follow BIA crashes. A polygon layer file of North Dakota tribal borders was displayed in GIS. Using the X,Y coordinates provided in the crash file, crashes that occurred inside of these borders were highlighted as occurring inside of BIA boundaries. Similarly, using the “AGCTYP” variable in the crash file, crashes in which BIA law enforcement were the responding agency were also highlighted – regardless of whether or not the crash occurred inside of reservation boundaries. Three scenarios were created: 1) the crash occurred inside of reservation boundaries; 2) BIA was the responding agency outside of reservation boundaries; and, 3) the crash occurred inside of the reservation boundaries and BIA was the responding agency to the crash. Each crash has a unique crash number via the “CRSNUM” variable in the crash file. The corresponding “CRSNUM” number for each of the three scenarios was manually tracked back to the original crash file for appropriate categorization of BIA crashes. The BIA maintains its own database for tracking crashes, therefore it should be noted that the crash file used by the research team may not be representative of crashes and/or BIA involvement in North Dakota.

**Table 1** North Dakota Crashes by Road Type for Selected Years

2003			2013		
Road Type	Number	% of Total	Road Type	Number	% of Total
Interstate	1,287	7.8%	Interstate	1,454	7.7%
State Highway	1,859	11.3%	State Highway	1,695	9.0%
US Highway	1,735	10.5%	US Highway	1,987	10.6%
City	8,884	53.8%	City	10,830	57.5%
County/Township	2,595	15.7%	County/Township	2,661	14.1%
Inside BIA	0	0.0%	Inside BIA	184	1.0%
BIA Responding Agency	146	0.9%	BIA Responding Agency	2	0.0001%
Inside BIA and BIA Responding Agency	7	0.0004%	Inside BIA and BIA Responding Agency	7	0.0003%
<b>TOTAL</b>	<b>16,513</b>			<b>18,820</b>	

Note:

2003 VMT: 7,290,191,000

2013 VMT: 10,099,746,000

Change: +38.5%

**Table 2 Fatal Crashes 2003, by Road Type**

Road Type	Number*	% of Total
Interstate	7	7.4%
State Highway	14	14.7%
US Highway	10	10.5%
City	18	18.9%
County/Township	37	38.9%
Inside BIA	0	0.0%
BIA Responding Agency	7	7.4%
Inside BIA and BIA Responding Agency	2	2.1%
<b>TOTAL</b>	<b>95</b>	

\*This number represents the number of fatal crashes, *not* the number of total fatalities.

**Table 3 Injury Crashes 2003, by Road Type**

Road Type	Number*	% of Total
Interstate	197	6.1%
State Highway	228	7.0%
US Highway	207	6.4%
City	2,051	63.1%
County/Township	501	15.4%
Inside BIA	0	0.0%
BIA Responding Agency	64	2.0%
Inside BIA and BIA Responding Agency	0	0.0%
<b>TOTAL</b>	<b>3,248</b>	

\*This number represents the number of injury crashes, *not* the number of total injuries.

**Table 4 PDO Crashes 2003, by Road Type**

Road Type	Number	% of Total
Interstate	1,083	8.2%
State Highway	1,617	12.3%
US Highway	1,518	11.5%
City	6,815	51.7%
County/Township	2,057	15.6%
Inside BIA	0	0.0%
BIA Responding Agency	75	0.6%
Inside BIA and BIA Responding Agency	5	0.0003%
<b>TOTAL</b>	<b>13,170</b>	

**Table 5 Fatal Crashes 2013, by Road Type**

Road Type	Number*	% of Total
Interstate	6	4.5%
State Highway	32	24.1%
US Highway	29	21.8%
City	14	10.5%
County/Township	43	32.3%
Inside BIA	5	3.8%
BIA Responding Agency	1	0.8%
Inside BIA and BIA Responding Agency	3	2.3%
<b>TOTAL</b>	<b>133</b>	

\*This number represents the number of fatal crashes, *not* the number of total fatalities.

**Table 6 Injury Crashes 2013, by Road Type**

Road Type	Number*	% of Total
Interstate	113	9.3%
State Highway	148	12.2%
US Highway	165	13.6%
City	479	39.6%
County/Township	287	23.7%
Inside BIA	17	1.4%
BIA Responding Agency	0	0.0%
Inside BIA and BIA Responding Agency	2	0.2%
<b>TOTAL</b>	<b>1,211</b>	

\*This number represents the number of injury crashes, *not* the number of total injuries.

**Table 7 PDO Crashes 2013, by Road Type**

Road Type	Number	% of Total
Interstate	1,335	7.6%
State Highway	1,515	8.7%
US Highway	1,793	10.3%
City	10,337	59.1%
County/Township	2,331	13.3%
Inside BIA	162	0.9%
BIA Responding Agency	1	0.00006%
Inside BIA and BIA Responding Agency	2	0.0001%
<b>TOTAL</b>	<b>17,476</b>	

North Dakota Highway Patrol --  
Field Operations --

Description	Field	Accrued			Field	Field	Field	Field	Field	
	Operations	Total Approp	LV Payments	Energy Impac	Other Approp	Total Approp	BTD Expenses	Unex Approp	Estimated	
	Bgt Request	Adjustment	Adjustments	Adjustments	Adjustments	12/31/2014	12/31/2014	12/31/2014	01/15-06/15	6/30/2015
511000 Salaries-Permanent	22,515,379	662,655	171,848			23,349,882	16,064,474	7,285,408	7,239,866	45,542
512000 Shift differential	0					0	0	0	0	0
513000 Temporary salaries	120,000					120,000	91,561	28,439	28,179	260
514000 Overtime	1,380,000					1,380,000	997,500	382,500	379,672	2,828
516000 Fringe benefits	9,908,884	326,383	84,642			10,319,909	7,934,910	2,384,999	2,362,503	22,496
521000 Travel	6,834,000					6,834,000	4,074,579	2,759,421	2,747,869	11,552
531000 Supplies-IT software	148,000					148,000	88,060	59,940	59,690	250
532000 Supply/Material-Profession	126,000				180,000	306,000	240,869	65,131	64,448	683
533000 Food and clothing	392,000					392,000	335,478	56,522	55,571	951
534000 Bldg,Grnds,Vehicle Supplie	172,000					172,000	138,014	33,986	33,595	391
535000 Miscellaneous supplies	704,000					704,000	551,025	152,975	151,413	1,562
536000 Office supplies	22,000					22,000	13,232	8,768	8,730	38
541000 Postage	38,000					38,000	25,676	12,324	12,251	73
542000 Printing	56,000					56,000	29,649	26,351	26,267	84
551000 IT Equipment under \$5,000	500,000					500,000	24,876	475,124	475,053	71
552000 Other equipment under \$5,0	3,202,000				(180,000)	3,022,000	1,914,001	1,107,999	1,101,331	6,668
561000 Utilities	76,000					76,000	46,512	29,488	29,356	132
571000 Insurance	40,000					40,000	33,925	6,075	5,979	96
581000 Rentals/Leases-Equip/Other	34,000					34,000	22,540	11,460	11,396	64
582000 Rentals/Leases-Bldg/Land	734,000					734,000	538,080	195,920	194,395	1,525
591000 Repairs	286,000					286,000	174,753	111,247	110,752	495
601000 IT - Data processing	822,000					822,000	533,576	288,424	286,911	1,513
602000 IT - Communications	450,000					450,000	305,059	144,941	144,076	865
611000 Professional development	82,000					82,000	60,717	21,283	21,111	172
621000 Operating fees and service	94,000					94,000	79,196	14,804	14,579	225
623000 Professional fees and svcs	316,000					316,000	252,408	63,592	62,876	716
684000 Extra Repairs/Deferred Mtc	26,000					26,000	24,678	1,322	1,252	70
691000 Equipment over \$5,000	678,000					678,000	677,322	678	0	678
<b>Totals</b>	<b>49,756,263</b>	<b>989,038</b>	<b>256,490</b>	<b>0</b>	<b>0</b>	<b>51,001,791</b>	<b>35,272,670</b>	<b>15,729,121</b>	<b>15,629,121</b>	<b>100,000</b>

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North Dakota Highway Patrol --  
LETA --

Description	LETA		LETA			LETA		LETA	
	Total Bgt Request	Accrued LV Payments Adjustment	Adjusted Total 12/31/2014	LETA BTD Expenses 12/31/2014	LETA Unex Approp 12/31/2014	Estimated Expenses 01/15-06/15	Estimated Unex Approp 6/30/2015		
511000 Salaries-Permanent	614,186	18,220	632,406	469,634	162,772	161,467	1,305		
512000 Shift differential	0		0	0	0	0	0		
513000 Temporary salaries	0		0	0	0	0	0		
514000 Overtime	4,000		4,000	1,006	2,994	2,991	3		
516000 Fringe benefits	285,857	8,974	294,831	230,675	64,156	63,514	642		
521000 Travel	30,000		30,000	17,079	12,921	12,873	48		
531000 Supplies-IT software	2,000		(1,000) 1,000		1,000	1,000	0		
532000 Supply/Material-Professor	0		1,000	229	771	770	1		
533000 Food and clothing	126,000		126,000	92,906	33,094	32,835	259		
534000 Bldg,Grnds,Vehicle Supplie	14,000		14,000	10,506	3,494	3,465	29		
535000 Miscellaneous supplies	14,000		14,000	9,883	4,117	4,090	27		
536000 Office supplies	2,000		2,000	446	1,554	1,553	1		
541000 Postage	2,000		2,000	408	1,592	1,591	1		
542000 Printing	2,000		2,000	743	1,257	1,255	2		
551000 IT Equipment under \$5,000	6,000		(2,000) 4,000		4,000	4,000	0		
552000 Other equipment under \$5,0	20,000		2,000 22,000	20,426	1,574	1,517	57		
561000 Utilities	90,000		90,000	62,487	27,513	27,339	174		
571000 Insurance	2,000		2,000	577	1,423	1,421	2		
581000 Rentals/Leases-Equip/Other	4,000		4,000	1,539	2,461	2,457	4		
582000 Rentals/Leases-Bldg/Land	0		0		0	0	0		
591000 Repairs	58,000		58,000	45,827	12,173	12,045	128		
601000 IT - Data processing	32,000		32,000	16,800	15,200	15,153	47		
602000 IT - Communications	4,000		4,000	1,955	2,045	2,040	5		
611000 Professional development	54,000		54,000	49,499	4,501	4,363	138		
621000 Operating fees and service	20,000		20,000	15,001	4,999	4,957	42		
623000 Professional fees and svcs	482,000		482,000	443,358	38,642	37,408	1,234		
684000 Extra Repairs/Deferred Mtc	4,935,000		4,935,000	2,102,983	2,832,017	2,826,166	5,851		
691000 Equipment over \$5,000	0		0		0	0	0		
<b>Totals</b>	<b>6,803,043</b>	<b>27,194</b>	<b>0</b>	<b>0</b>	<b>6,830,237</b>	<b>3,593,967</b>	<b>3,236,270</b>	<b>3,226,270</b>	<b>10,000</b>

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North Dakota Highway Patrol --  
Administration --

Description	Admin		Energy	Impact	Other	Admin		Admin		
	Total Bgt	Accrued				Adjusted	Operations	Operations	Estimated	Estimated
	Request	Adjustment	Adjustments	Adjustments	Adjustments	12/31/2014	12/31/2014	12/31/2014	01/15-06/15	6/30/2015
511000 Salaries-Permanent	2,169,495	63,261				2,232,756	1,640,486	592,270	585,921	6,349
512000 Shift differential	0					0	0	0	0	0
513000 Temporary salaries	72,000					72,000	47,696	24,304	24,119	185
514000 Overtime	10,000					10,000	4,908	5,092	5,073	19
516000 Fringe benefits	894,618	31,158				925,776	694,260	231,516	228,829	2,687
521000 Travel	86,000				(5,000)	81,000	32,008	48,992	48,868	124
531000 Supplies-IT software	2,000				(2,000)	0	0	0	0	0
532000 Supply/Material-Professor	2,000					2,000	893	1,107	1,104	3
533000 Food and clothing	2,000				4,000	6,000	4,134	1,866	1,850	16
534000 Bldg,Grnds,Vehicle Supplie	2,000				4,000	6,000	4,556	1,444	1,426	18
535000 Miscellaneous supplies	18,000				18,000	36,000	29,731	6,269	6,154	115
536000 Office supplies	2,000					2,000	1,339	661	656	5
541000 Postage	4,000					4,000	2,677	1,323	1,313	10
542000 Printing	4,000					4,000	2,157	1,843	1,835	8
551000 IT Equipment under \$5,000	20,000				(14,000)	6,000	2,701	3,299	3,289	10
552000 Other equipment under \$5,0	20,000				(14,000)	6,000	2,500	3,500	3,490	10
561000 Utilities	0					0	0	0	0	0
571000 Insurance	2,000					2,000	1,733	267	260	7
581000 Rentals/Leases-Equip/Other	4,000					4,000	1,735	2,265	2,258	7
582000 Rentals/Leases-Bldg/Land	32,000					32,000	26,647	5,353	5,250	103
591000 Repairs	2,000					2,000	695	1,305	1,302	3
601000 IT - Data processing	94,000				(8,000)	86,000	50,396	35,604	35,409	195
602000 IT - Communications	10,000					10,000	5,862	4,138	4,115	23
611000 Professional development	6,000					6,000	4,166	1,834	1,818	16
621000 Operating fees and service	2,000					2,000	1,553	447	441	6
623000 Professional fees and svcs	6,000					6,000	4,201	1,799	1,783	16
684000 Extra Repairs/Deferred Mtc	0				17,000	17,000	16,700	300	235	65
691000 Equipment over \$5,000	0					0	0	0	0	0
<b>Totals</b>	<b>3,466,113</b>	<b>94,419</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>3,560,532</b>	<b>2,583,734</b>	<b>976,798</b>	<b>966,798</b>	<b>10,000</b>

1::

Total Department, Highway Patrol --

Description	Department Accrued				Department	Department	Department	Department	Department	
	Total Approp	LV Payments	Energy Impac	Other Approp	Adjusted Total Approp	Operations	Operations	Operations	Estimated	
	Bgt Request	Adjustment	Adjustments	Adjustments	12/31/2014	12/31/2014	12/31/2014	12/31/2014	01/15-06/15	Estimated
						BTD Expenses	Unex Approp	Expenses	Unex Approp	6/30/2015
511000 Salaries-Permanent	25,299,060	744,136	171,848	0	26,215,044	18,174,594	8,040,450	7,987,254	53,196	
512000 Shift differential	0	0	0	0	0	0	0	0	0	
513000 Temporary salaries	192,000	0	0	0	192,000	139,257	52,743	52,298	445	
514000 Overtime	1,394,000	0	0	0	1,394,000	1,003,414	390,586	387,736	2,850	
516000 Fringe benefits	11,089,359	366,515	84,642	0	11,540,516	8,859,845	2,680,671	2,654,846	25,825	
521000 Travel	6,950,000	0	0	(5,000)	6,945,000	4,123,666	2,821,334	2,809,610	11,724	
531000 Supplies-IT software	152,000	0	0	(3,000)	149,000	88,060	60,940	60,690	250	
532000 Supply/Material-Professor	128,000	0	0	181,000	309,000	241,991	67,009	66,322	687	
533000 Food and clothing	520,000	0	0	4,000	524,000	432,518	91,482	90,256	1,226	
534000 Bldg, Grnds, Vehicle Supplie	188,000	0	0	4,000	192,000	153,076	38,924	38,486	438	
535000 Miscellaneous supplies	736,000	0	0	18,000	754,000	590,639	163,361	161,657	1,704	
536000 Office supplies	26,000	0	0	0	26,000	15,017	10,983	10,939	44	
541000 Postage	44,000	0	0	0	44,000	28,761	15,239	15,155	84	
542000 Printing	62,000	0	0	0	62,000	32,549	29,451	29,357	94	
551000 IT Equipment under \$5,000	526,000	0	0	(16,000)	510,000	27,577	482,423	482,342	81	
552000 Other equipment under \$5,000	3,242,000	0	0	(192,000)	3,050,000	1,936,927	1,113,073	1,106,338	6,735	
561000 Utilities	166,000	0	0	0	166,000	108,999	57,001	56,695	306	
571000 Insurance	44,000	0	0	0	44,000	36,235	7,765	7,660	105	
581000 Rentals/Leases-Equip/Other	42,000	0	0	0	42,000	25,814	16,186	16,111	75	
582000 Rentals/Leases-Bldg/Land	766,000	0	0	0	766,000	564,727	201,273	199,645	1,628	
591000 Repairs	346,000	0	0	0	346,000	221,275	124,725	124,099	626	
601000 IT - Data processing	948,000	0	0	(8,000)	940,000	600,772	339,228	337,473	1,755	
602000 IT - Communications	464,000	0	0	0	464,000	312,876	151,124	150,231	893	
611000 Professional development	142,000	0	0	0	142,000	114,382	27,618	27,292	326	
621000 Operating fees and service	116,000	0	0	0	116,000	95,750	20,250	19,977	273	
623000 Professional fees and svcs	804,000	0	0	0	804,000	699,967	104,033	102,067	1,966	
684000 Extra Repairs/Deferred Mtc	4,961,000	0	0	17,000	4,978,000	2,144,361	2,833,639	2,827,653	5,986	
691000 Equipment over \$5,000	678,000	0	0	0	678,000	677,322	678	0	678	
<b>Totals</b>	<b>60,025,419</b>	<b>1,110,651</b>	<b>256,490</b>	<b>0</b>	<b>61,392,560</b>	<b>41,450,371</b>	<b>19,942,189</b>	<b>19,822,189</b>	<b>120,000</b>	

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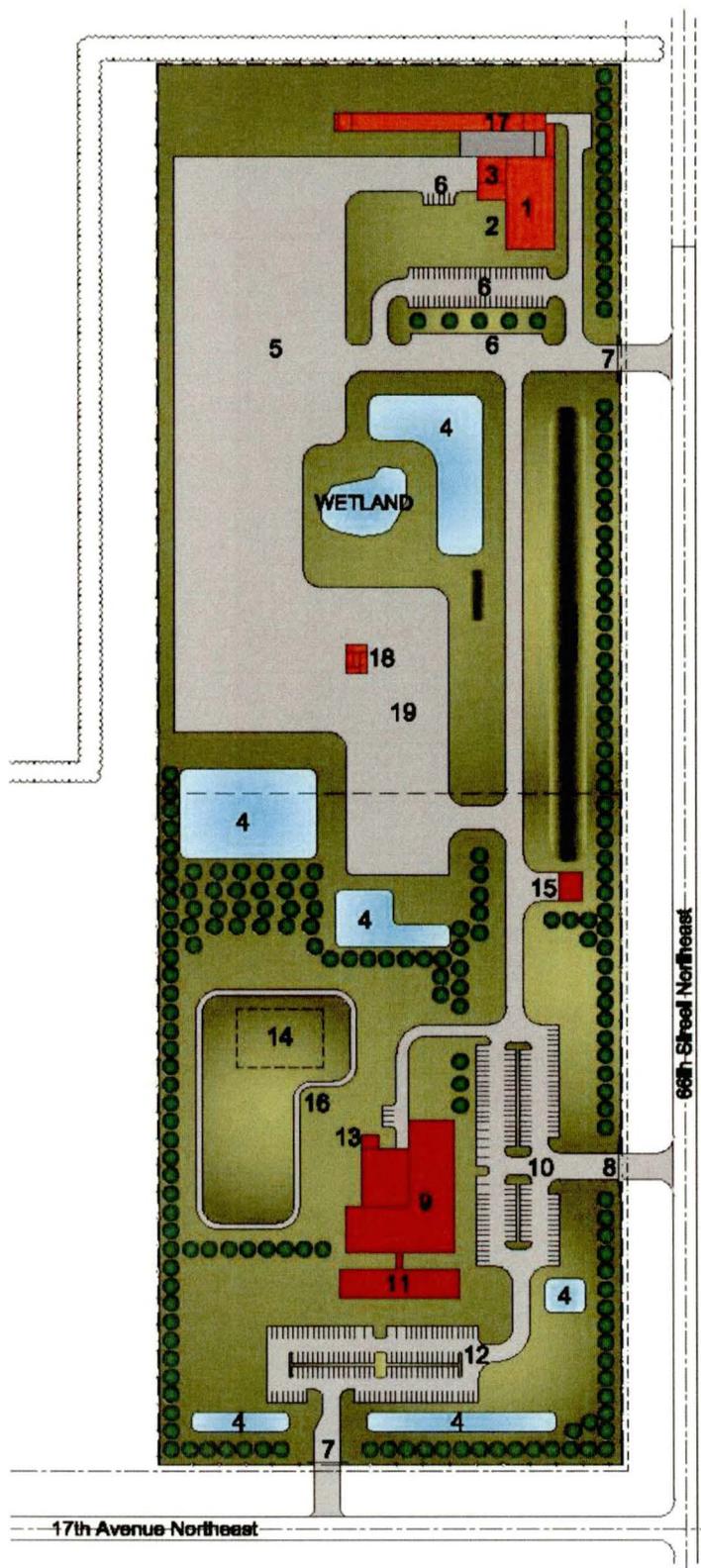
JANUARY 1, 2015 SALARIES  
NORTH DAKOTA HIGHWAY PATROL

SWORN POSITION	NUMBER IN STEP	SALARY	MPP	GRADE
Major	1	8,755	0.937	S
Division Commanders	3	8,174	1.010	Q
	2	7,779	0.961	
Lieutenants + 1 Capt.	2	7,407	1.036	O
	6	6,982	0.977	
Sergeant	12	6,350	1.083	M
	1	6,185	1.055	
	10	6,034	1.029	
Trooper II	33	5,618	1.049	L
	1	5,517	1.030	
	1	5,506	1.028	
	9	5,450	1,018	
	5	5,319	0.993	
	9	5,164	0.965	
	8	5,013	0.936	
	1	4,889	0.913	
	10	4,726	0.883	
	12	4,633	0.865	
	13	4,497	0.840	
*Trooper I	14	4,334	0.962	J
	0	4,075		

Officers are classified as a Trooper I during their first year of employment, while on probation.

JANUARY 1, 2015 SALARIES  
NORTH DAKOTA HIGHWAY PATROL

CIVILIAN POSITION	NUMBER IN STEP	SALARY	MPP	GRADE
Cook I	1	2,595	1.010	D
Cook II	1	3,121	1.113	E
Administrative Assistant I	1	3,372	1.106	F
Administrative Assistant I	6	3,322	1.089	
Administrative Assistant I	1	3,225	1.057	
Administrative Assistant I	1	3,131	1.027	
Administrative Assistant I	1	2,993	0.981	
Administrative Assistant I	1	2,897	0.950	
Security Officer I	3	3,489	1.044	G
Security Officer I	1	3,288	0.984	
Security Officer I	2	3,193	0.955	
Comm. Mtr Carr Permit Tech & Account Technician II	1	3,614	1.081	
Account Technician II	4	3,564	1.066	
Comm. Mtr Carrier Inspector	1	4,139	1.125	H
Comm. Mtr Carrier Inspector	1	4,089	1.111	
Administrative Assistant II	1	3,765	1.023	
Administrative Assistant II	1	3,400	0.924	
HR Technician II	1	3,384	0.920	
Comp. & Network Specialist	1	5,136	1.140	J
Comp. & Network Specialist	1	4,700	1.043	
HR Technician III	1	4,878	1.082	
Admin. Staff Officer I	1	4,753	1.055	
Admin. Staff Officer I	1	4,828	1.071	
Safety Auditor I	1	4,373	0.970	
Safety Auditor I	1	4,323	0.959	
Academy Operations Coord	1	4,068	0.903	
Admin. Staff Officer II	1	4,516	0.922	K
Pub. Info Specialist II	1	4,473	0.913	
Safety Auditor II	1	3,830	0.782	
Data Proc Coordinator IV	1	6,203	1.159	L
Account/Budget Specialist II	1	5,791	1.082	



**EXISTING SPACES**

- 25 YARD OUTDOOR SHOOTING RANGE

**NEW SPACES**

1. INDOOR SHOOTING RANGE
2. PRACTICAL TRAINING CLASSROOMS
3. STORAGE - VEHICLE & EQUIPMENT
4. DETENTION POND
5. 1,000' x 300' E.V.O.C. PAD
6. PARKING FOR 60 CARS & 2 FIRE TRUCKS
7. GATE AND SIGN
8. MAIN GATE AND SIGN
9. LAW ENFORCEMENT TRAINING ACADEMY
10. 130 CAR PARKING LOT
11. 120 BED DORMITORY
12. 124 CAR PARKING LOT
13. K-9 KENNELS
14. K-9 TRAINING AREA
15. MAINTENANCE GARAGE
16. RUNNING TRACK
17. 100 YD OUTDOOR SHOOTING RANGE
18. MULTI-TACTICAL SIMULATION BUILDING
19. FIRE TACTICAL SIMULATION PAD

**Law Enforcement Training Academy and Public Safety Training Facility  
Master Plan - Phase 2**

18



**NORTH DAKOTA**  
DEPARTMENT of HEALTH

EMERGENCY PREPAREDNESS  
AND RESPONSE SECTION  
Division of Emergency Medical  
Services and Trauma  
600 E Boulevard Ave -- Dept 301  
Bismarck, N.D. 58505-0200  
[www.ndhealth.gov/ems](http://www.ndhealth.gov/ems)



January 20, 2015

Colonel Michael Gerhart  
North Dakota Highway Patrol  
600 East Boulevard Ave  
Bismarck, ND 58505

Dear Colonel Gerhart:

On behalf of the Division of Emergency Medical Services of the North Dakota Department of Health, I would like to express our support for Phase II of the Public Safety Training Academy.

As a Public Safety entity training is a top concern for us ensuring our EMS, fire, law enforcement, and other first responders have access to high quality training. Our state needs a fully operational safety training facility to meet these needs.

We support the North Dakota Highway Patrol as they seek funding to complete Phase II of the Public Safety Training Academy. Together, we can build a new, better-equipped training facility for statewide public safety entities to provide professional initial and ongoing training.

Sincerely,

Thomas Nehring, Director  
Division of Emergency Medical Service and Trauma  
North Dakota Department of Health

# NORTH DAKOTA SHERIFFS & DEPUTIES ASSOCIATION

P.O. Box 1256, Bismarck, ND 58502-1256



Pat Heinert, President  
Burleigh County Sheriff  
Phone: (701) 222-6651  
Email: pheinert@burleighsd.com

Steve Roher, Vice President  
Benson County Sheriff  
Phone: (701) 473-5357  
Email: srohrer@nd.gov

Tara Morris, Secretary/Treasurer  
Cass County Sheriff's Office  
Phone: (701) 241-5829  
Email: morrist@casscountynod.gov

The Honorable Governor Jack Dalrymple  
State of North Dakota  
600 East Boulevard Avenue,  
Bismarck, ND 58505-0001

January 23, 2015

Governor Dalrymple,

I am writing this letter on behalf of the members of the North Dakota Sheriffs and Deputies Association in support of the budget request of the North Dakota Highway Patrol HB 1011, which is an Act to provide an appropriation for defraying the expenses of the highway patrol, provide for a transfer and to provide for expense payments to the ND Highway Patrol to fund the North Dakota Law Enforcement Training Academy (NDLETA) Phase II Project. It is our understanding the request is in the current budget being presented to you for your consideration within the Governor's Budget for 2014-2015.

The North Dakota Sheriffs and Deputies Association has a vested interest in the NDLETA. While many view the NDLETA as a "Basic Training Academy," it's so much more than that to the law enforcement community. The basic academy component is only one portion of the role of the training academy. The continual training and professional development of current law enforcement personnel is critical to the advancement of our profession.

The law enforcement profession is an ever changing environment. Whether its new technologies that are developed for crime scene investigations, interview and interrogation courses, emergency vehicle operations training or a myriad of other topics, we rely on the NDLETA to provide the professional development of our personnel. The NDLETA also assists us in meeting the minimum training hours each year to maintain our peace officer licenses.

The central location of the NDLETA is another advantage to law enforcement throughout the state. Especially for the oil impacted counties, not having to travel great distances for required training is extremely valuable. The NDLETA being located in Bismarck is critical to maintaining the feasibility for all North Dakota law enforcement agencies to attend training with a minimum amount of travel time.

The presence of the NDLETA has always been a backbone for the law enforcement community in maintaining our training standards, which in turn ensures we are ready, trained and prepared to respond to the law enforcement needs of the citizens of our state.

On behalf of the members of the North Dakota Sheriffs and Deputies Association, we respectfully request your consideration and support of HB 1011.

Respectfully,

Pat Heinert

President

North Dakota Sheriffs & Deputies Association

Lt. Governor Drew Wrigley  
Attorney General Wayne Stenehjem  
NDBCI Director Dallas Carlson



ND P.O.S.T  
PO Box 1054

Bismarck ND 58502-1054

Phone: (701) 328-5500  
Fax: (701) 328-5510

[www.post.nd.gov](http://www.post.nd.gov)

S/A Duane Stanley  
Executive Secretary

MEMBERS

Sheriff Chad J. Kaiser  
Stutsman County S.O.

Lyn James  
ND League of Cities

Lieutenant Daniel J. Haugen  
ND Highway Patrol

Sheriff Paul Lies  
Eddy County S.O.

Chief Scott T. Thorsteinson  
Wahpeton Police Department

Jack Nybakken  
ND Association of Counties

Lieutenant Michael Ferguson  
Grand Forks Police Department

Sheriff Sarah Warner  
Hettinger County S.O.

Steven Engen  
ND Department of Corrections

February 3, 2015

Rep. Blair Thoreson  
1246 Second Street North  
Fargo, ND 58102-2723

Dear Chairman Thoreson:

On behalf of the North Dakota Peace Officer Standards and Training Board, I would like to express our support for Phase II of the Law Enforcement Training Academy.

Public safety is a top concern and ensuring our law enforcement and other first responders have access to high quality training is important. Our state needs a fully operational safety training facility to meet these needs.

We support the North Dakota Highway Patrol as they seek funding to complete Phase II of the Law Enforcement Training Academy. Together, we can build a new, better-equipped training facility for statewide public safety entities to provide professional initial and ongoing training.

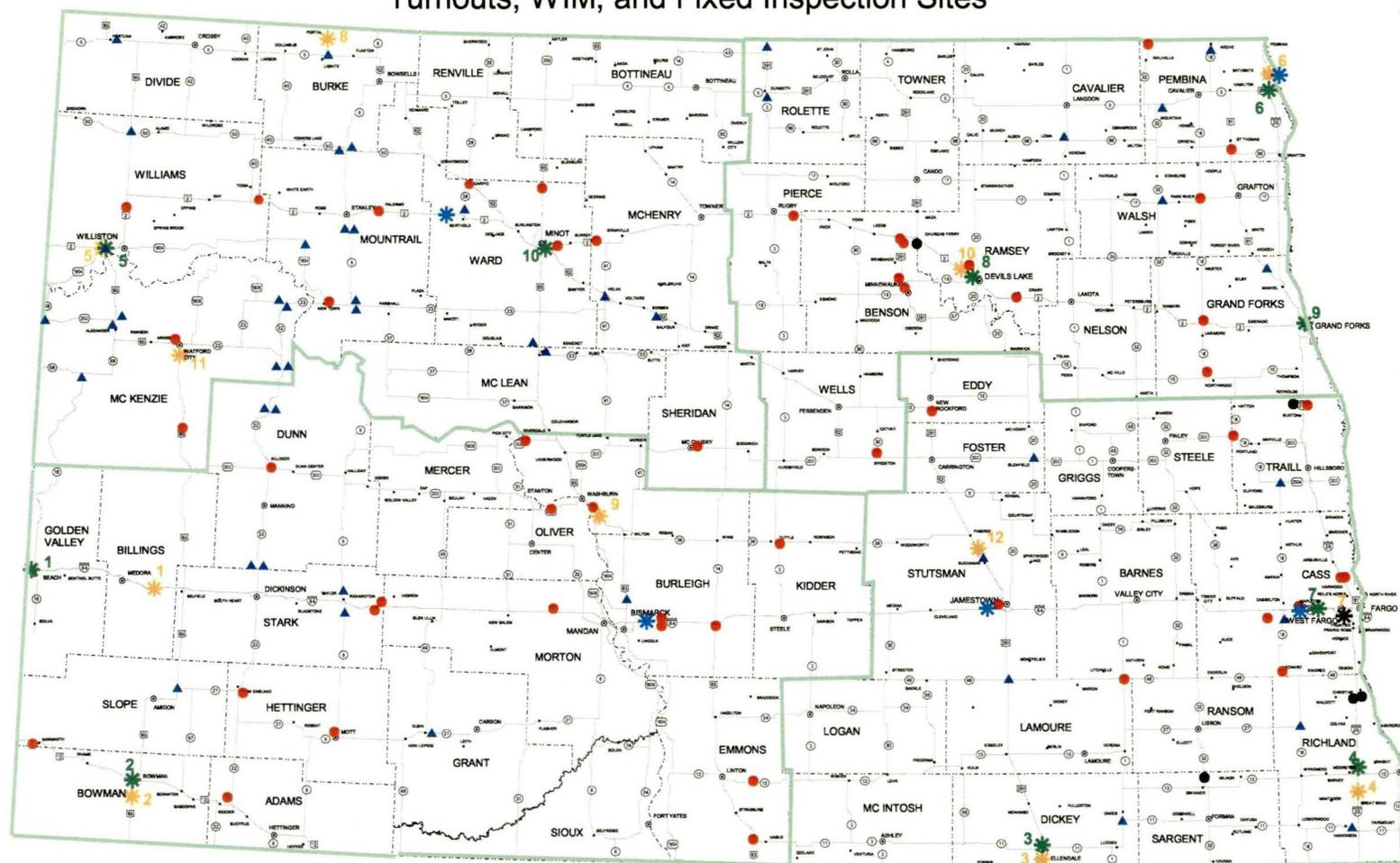
Sincerely,

A handwritten signature in cursive script that reads "Michael Ferguson".

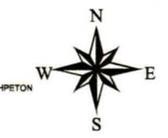
Michael Ferguson  
Chairman  
ND POST Board

# North Dakota Highway Patrol Turnouts, WIM, and Fixed Inspection Sites

22



- NHS
  - NHS - Interstate
  - NDHP District Boundaries
  - Not Used
  - Existing Turnouts
  - ▲ Proposed Turnouts
  - ✱ Fixed Inspection Sites
1. Beach
  2. Bowman
  3. Ellendale
  4. Moorerton
  5. Williston
  6. Joliette
  7. West Fargo
  8. Devils Lake NDDOT-yard
  9. Grand Forks
  10. Minot NDDOT-yard
- ✱ WIM - installed
1. Beifield-EB
  2. Bowman-NB
  3. Ellendale-NB/SB
  4. Wahpeton-NB
  5. Williston-EB
  6. Joliette-SB
  7. West Fargo-WB Not Used
  8. Portal-SB
  9. Washburn-NB/SB
  10. Devils Lake-EB
  11. Watford City-NB/SB
  12. Buchanan-NB/SB
- ✱ WIM - Proposed
1. Joliette - NB
  2. Jamestown - EB
  3. Bismarck - EB/WB
  4. West Fargo - EB
  5. Berthold - EB/WB



STATE OF  
NORTH DAKOTA  
PREPARED BY THE  
NORTH DAKOTA DEPARTMENT OF TRANSPORTATION  
PLANNING & PROGRAMMING DIVISION

February 2011

Highway Patrol - Budget No. 504  
 House Bill No. 1011  
 Base Level Funding Changes

Reflecting Proposed Changes as of February 10, 2015

	Executive Budget Recommendation				House Version				Difference			
	FTE Positions	General Fund	Other Funds	Total	FTE Positions	General Fund	Other Funds	Total	FTE Positions	General Fund	Other Funds	Total
<b>2015-17 Biennium Base Level</b>	213.00	\$42,261,042	\$12,594,542	\$54,855,584	213.00	\$42,261,042	\$12,594,542	\$54,855,584	0.00	\$0	\$0	\$0
<b>2015-17 Ongoing Funding Changes</b>												
Base payroll changes		\$1,159,491	\$154,075	\$1,313,566		\$1,159,491	\$154,075	\$1,313,566				\$0
Salary increase - Performance		1,618,343	404,354	2,022,697		1,188,888	299,268	1,488,156		(429,455)	(105,086)	(534,541)
Salary increase - Market equity		158,057	33,249	191,306		0		0		(158,057)	(33,249)	(191,306)
Retirement contribution increase		159,729	39,360	199,089		0		0		(159,729)	(39,360)	(199,089)
Health insurance increase		724,020	178,410	902,430		708,908	176,251	885,159		(15,112)	(2,159)	(17,271)
Remove equipment startup costs for new troopers authorized in 2013-15 biennium		(686,000)	(94,000)	(780,000)		(686,000)	(94,000)	(780,000)				0
Increased building lease costs		108,223	7,777	116,000		108,223	7,777	116,000				0
Information technology increases		32,000	4,000	36,000		32,000	4,000	36,000				0
Ammunition increase		87,500	12,500	100,000		87,500	12,500	100,000				0
Equipment adjustments, including \$300,000 reduction in federal funds for equipment		44,966	(344,966)	(300,000)		44,966	(344,966)	(300,000)				0
Maintain motor pool funding		164,000	24,000	188,000		164,000	24,000	188,000				0
New FTE trooper positions	4.00	917,992	130,857	1,048,849				0	(4.00)	(917,992)	(130,857)	(1,048,849)
Vehicle equipment installation		262,000	38,000	300,000		262,000	38,000	300,000				0
Other base budget adjustments		108,486	27,000	135,486		108,486	27,000	135,486				0
<b>Total ongoing funding changes</b>	<b>4.00</b>	<b>\$4,858,807</b>	<b>\$614,616</b>	<b>\$5,473,423</b>	<b>0.00</b>	<b>\$3,178,462</b>	<b>\$303,905</b>	<b>\$3,482,367</b>	<b>(4.00)</b>	<b>(\$1,680,345)</b>	<b>(\$310,711)</b>	<b>(\$1,991,056)</b>
<b>One-time funding items</b>												
Law Enforcement Training Academy project - Phase II		\$24,090,000	\$3,442,000	\$27,532,000				\$0		(\$24,090,000)	(\$3,442,000)	(\$27,532,000)
Replace mobile radio equipment		548,000	78,000	626,000		548,000	78,000	626,000		0	0	0
Upgrade outdoor gun range		70,000	10,000	80,000		70,000	10,000	80,000		0	0	0
Skid car training system		58,000	8,000	66,000		58,000	8,000	66,000		0	0	0
<b>Total one-time funding changes</b>	<b>0.00</b>	<b>\$24,766,000</b>	<b>\$3,538,000</b>	<b>\$28,304,000</b>	<b>0.00</b>	<b>\$676,000</b>	<b>\$96,000</b>	<b>\$772,000</b>	<b>0.00</b>	<b>(\$24,090,000)</b>	<b>(\$3,442,000)</b>	<b>(\$27,532,000)</b>
<b>Total Changes to Base Level Funding</b>	<b>4.00</b>	<b>\$29,624,807</b>	<b>\$4,152,616</b>	<b>\$33,777,423</b>	<b>0.00</b>	<b>\$3,854,462</b>	<b>\$399,905</b>	<b>\$4,254,367</b>	<b>(4.00)</b>	<b>(\$25,770,345)</b>	<b>(\$3,752,711)</b>	<b>(\$29,523,056)</b>
<b>2015-17 Total Funding</b>	<b>217.00</b>	<b>\$71,885,849</b>	<b>\$16,747,158</b>	<b>\$88,633,007</b>	<b>213.00</b>	<b>\$46,115,504</b>	<b>\$12,994,447</b>	<b>\$59,109,951</b>	<b>(4.00)</b>	<b>(\$25,770,345)</b>	<b>(\$3,752,711)</b>	<b>(\$29,523,056)</b>

**Other Sections in House Bill No. 1011**

Highway tax distribution fund

Highway Patrol officer per diem payments

**Executive Budget Recommendation**

Section 3 provides for \$10,220,645 of special funds from the highway tax distribution fund to be used for Highway Patrol operations.

Section 4 provides for Highway Patrol officer per diem of \$200 per month during the 2015-17 biennium, the same as provided in the 2013-15 biennium.

**House Version**

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**House Bill 1011 – Highway Patrol  
House Appropriations Committee  
Government Operations Division  
Representative Blair Thoreson, Chairman**

**February 11, 2015**

**Radio Equipment Contract**

Related to the state term contract for public safety mobile radio communications, the initial contract period was May 1, 2011, through June 30, 2013. It has been renewed through June 30, 2015, and has two renewal options remaining for one year each.

The state contract lists multiple vendors and multiple brands including Harris, Tait, Vertex, Motorola, and Kenwood.

**Permit Fees**

The Highway Patrol's electronic permit system allows a variety of permits to be purchased online. The fees for the most common permit types are below:

- Trip permit - \$20
- Approved equipment - \$15
- Bridge length - \$30 single, \$150 annual
- Ton mile - calculated based on mileage and weight
- Mobile home - \$20
- Oversize - \$20 to \$100 based on weight
- Overwidth - \$100 annual, \$20 fish house
- Over dimensional only - \$20
- Special mobile equipment - \$25
- Workover rig - \$100
- Interstate - \$10 single trip, \$300 annual
- Seasonal (fertilizer spreader, chemical applicator, etc.) - \$50
- Longer combination vehicle - \$20 or \$100 for 30 days
- 10% weight exemption - \$50/month harvest/wintertime, \$250 durational
- Combine permit - \$25 resident, \$50 non-resident
- Fuel - \$15

**Overload Fees**

Pounds	Fee	Pounds	Fee
1 to 1,000	\$20	17,001 to 18,000	\$2,700
1,001 to 2,000	\$40	18,001 to 19,000	\$2,850
2,001 to 3,000	\$60	19,001 to 20,000	\$3,000
3,001 to 4,000	\$140	20,001 to 21,000	\$4,200
4,001 to 5,000	\$220	21,001 to 22,000	\$4,400
5,001 to 6,000	\$305	22,001 to 23,000	\$4,600
6,001 to 7,000	\$380	23,001 to 24,000	\$4,800
7,001 to 8,000	\$495	24,001 to 25,000	\$5,000
8,001 to 9,000	\$575	25,001 to 26,000	\$5,200
9,001 to 10,000	\$655	26,001 to 27,000	\$5,400
10,001 to 11,000	\$1,100	27,001 to 28,000	\$5,600
11,001 to 12,000	\$1,200	28,001 to 29,000	\$5,800
12,001 to 13,000	\$1,300	29,001 to 30,000	\$6,000
13,001 to 14,000	\$1,680		
14,001 to 15,000	\$1,800		
15,001 to 16,000	\$1,920		
16,001 to 17,000	\$2,550		

**An additional \$200 for every  
1,000 lbs. over**

The five highest violations over each of the last three years is below:

- 2012
  - 108,000 pounds over - \$21,600
  - 103,000 pounds over - \$20,600
  - 99,000 pounds over - \$19,800
  - 76,000 pounds over - \$15,200
  - 76,000 pounds over - \$15,200
- 2013
  - 102,000 pounds over - \$20,400
  - 88,000 pounds over - \$17,600
  - 71,000 pounds over - \$14,200
  - 69,000 pounds over - \$13,800
  - 65,000 pounds over - \$13,000
- 2014
  - 91,000 pounds over - \$18,200
  - 75,000 pounds over - \$15,000
  - 75,000 pounds over - \$15,000
  - 72,000 pounds over - \$14,400
  - 69,000 pounds over - \$13,800

### State Fleet Services Rates

Effective February 1, 2015, fleet services rental rates for the Highway Patrol are below:

- Operating rate - \$0.36/mile
- Replacement rate - \$0.07/mile
- Depreciation cost per vehicle - \$342/month

For budget planning purposes for the 2015-2017 biennium, State Fleet Services provided the following guidelines to the Highway Patrol:

- Operating rate - \$0.46/mile
- Replacement rate - \$0.08/mile
- Depreciation cost per vehicle - \$401/month

### Office Lease Rates

Office	Current Lease Rate	Known Future Rate *
Williston	\$7.50	
Minot	\$5.00	
Devils Lake	\$6.50	
Grand Forks	\$12.85	\$13.60
Fargo	\$12.88	\$13.27
Jamestown	\$12.00	
Bismarck	\$13.25	\$13.87
Dickinson	\$7.65	
Permits	\$6.70	

\*Other office rate increases are not set by a long-term contract.

### Vehicle Equipment Installation Costs

The Highway Patrol's budget for vehicle installation costs has been \$310,000 for several biennia. While preparing the 2015-2017 budget request, the current biennium vehicle installation costs were projected to be \$610,000. This resulted in a \$300,000 request for next biennium to cover the difference. After the budget request was submitted, the vehicle installation contract expired effective December 31, 2014.

A competitive bid process was completed, and the lowest cost vendor was selected. Due to the demand for technical labor, the contract price increased substantially. Under the new contract, vehicle installation costs for the 2015-2017 biennium are projected to be \$830,000 which is \$520,000 more than is budgeted. The Highway Patrol is requesting an additional \$220,000 above the executive recommendation of \$300,000.

HB 1011

~~2/10/15~~  
2-17-15

Attachment A

**Highway Patrol - Budget No. 504  
House Bill No. 1011  
Base Level Funding Changes**

	Executive Budget Recommendation				House Version			
	FTE Position	General Fund	Other Funds	Total	FTE Position	General Fund	Other Funds	Total
<b>2015-17 Biennium Base Level</b>	213.00	\$42,261,042	\$12,594,542	\$54,855,584	213.00	\$42,261,042	\$12,594,542	\$54,855,584
<b>2015-17 Ongoing Funding Changes</b>								
Base payroll changes		\$1,159,491	\$154,075	\$1,313,566				\$0
Salary increase - Performance		1,618,343	404,354	2,022,697				0
Salary increase - Market equity		158,057	33,249	191,306				0
Retirement contribution increase		159,729	39,360	199,089				0
Health insurance increase		724,020	178,410	902,430				0
Remove equipment startup costs for new troopers authorized in 2013-15 biennium		(686,000)	(94,000)	(780,000)				0
Increased building lease costs		108,223	7,777	116,000				0
Information technology increases		32,000	4,000	36,000				0
Ammunition increase		87,500	12,500	100,000				0
Equipment adjustments, including \$300,000 reduction in federal funds for equipment		44,966	(344,966)	(300,000)				0
Maintain motor pool funding		164,000	24,000	188,000				0
New FTE trooper positions	4.00	917,992	130,857	1,048,849				0
Vehicle equipment installation		262,000	38,000	300,000				0
Other base budget adjustments		108,486	27,000	135,486				0
Other change				0				0
Other change				0				0
Other change				0				0
Other change				0				0
<b>Total ongoing funding changes</b>	<b>4.00</b>	<b>\$4,858,807</b>	<b>\$614,616</b>	<b>\$5,473,423</b>	<b>0.00</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
<b>One-time funding items</b>								
Law Enforcement Training Academy project - Phase II		\$24,090,000	\$3,442,000	\$27,532,000				\$0
Replace mobile radio equipment		548,000	78,000	626,000				0
Upgrade outdoor gun range		70,000	10,000	80,000				0
Skid car training system		58,000	8,000	66,000				0
Other one-time funding item				0				0
Other one-time funding item				0				0
<b>Total one-time funding changes</b>	<b>0.00</b>	<b>\$24,766,000</b>	<b>\$3,538,000</b>	<b>\$28,304,000</b>	<b>0.00</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
<b>Total Changes to Base Level Funding</b>	<b>4.00</b>	<b>\$29,624,807</b>	<b>\$4,152,616</b>	<b>\$33,777,423</b>	<b>0.00</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
<b>2015-17 Total Funding</b>	<b>217.00</b>	<b>\$71,885,849</b>	<b>\$16,747,158</b>	<b>\$88,633,007</b>	<b>213.00</b>	<b>\$42,261,042</b>	<b>\$12,594,542</b>	<b>\$54,855,584</b>

**Other Sections in House Bill No. 1011**

**Executive Budget Recommendation**

**House Version**

Highway tax distribution fund

Section 3 provides for \$10,220,645 of special funds from the highway tax distribution fund to be used for Highway Patrol operations.

Highway Patrol officer per diem payments

Section 4 provides for highway patrol officer per diem of \$200 per month during the 2015-17 biennium, the same as provided in the 2013-15 biennium.

2

House Bill 1011 – Highway Patrol  
Senate Appropriations Committee  
Senator Ray Holmberg, Chairman

HB 1011  
3-12-15  
#1

March 12, 2015

**Introduction**

Good afternoon Mr. Chairman and members of the Senate Appropriations Committee.

I am Colonel Mike Gerhart, superintendent of the North Dakota Highway Patrol. It is an honor to be representing the Highway Patrol today.

Over the past biennium, the NDHP has faced ongoing challenges due to the increased demand for law enforcement services, increased inflationary costs, and the continued focus of recruitment and retention efforts, especially in the west. These challenges are not unique to the North Dakota Highway Patrol and are indicative of growth in the state. Throughout this change and growth, the commitment to our mission has remained as follows: To make a difference every day by providing high quality law enforcement services to keep North Dakota safe and secure.

Prior to receiving the appointment of superintendent, I have held different positions in the department to include safety and education officer, Law Enforcement Training (LETA) Academy director, and my last position, field operations commander. My emphasis as field operations commander was directed toward public safety, educating motorists, officer safety, employee welfare, and partnering with local agencies. These points of emphasis continue today.

Today, like in years past, all employees of the North Dakota Highway Patrol strive to make a difference each and every day by giving their best. Whether it's during safety presentations or through strong enforcement measures, investigating a crash, helping a stranded motorist, or assisting other agencies, our personnel take pride in performing their duties and serving the citizens of this great state. Simply put, they are proud to wear the uniform of a North Dakota state trooper; they are proud to work for the patrol and I appreciate their efforts.

As an agency, the NDHP is committed to enhancing traffic safety through education efforts, high visibility patrol saturations, a focus on crash-causing violations and continued partnerships with traffic safety stakeholders. The following chart is an overview of the NDHP's efforts over the past two years:



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Colonel Michael T. Gerhart, Jr.  
Superintendent

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	2013	2014
Road Patrol Hours	161,449	159,398
Traffic Stops	73,900	78,601
Traffic Citations	71,565	73,262
Written Warnings	33,240	38,083
Crashes Investigated	3,187	2,489
Criminal Arrests	7,457	8,244
Safety Talks	386	341
Motor Carrier Permits Issued	159,961	262,087
Assist Other Government Agency	1,948	1,910
Calls for Service	13,572	13,176
Total CAD Incidents	101,343	104,797
DUI Arrests	1,936	1,673
Drug-related Arrests	919	1,046
Weapon Offenses	106	131
Motorist Assists/Abandoned Vehicles	10,378	10,239
Crash Investigation On-Scene Hours	7,245	6,664
Crash Investigation Follow-up Hours	4,178	3,286
Overloads	1,320	1,212

Although these numbers measure performance and effort, I don't believe they are a true measure of success. Success is challenging to measure in law enforcement because it's based on numbers that are not easily acquired. Law enforcement efforts prevent crimes from occurring, change behaviors of the motoring public, make our highways safer by preventing crashes, and most importantly, save lives.

Having the necessary resources to fulfill our mission daily is of the utmost importance, not only for the men and women who put on the uniform each and every day, but for the citizens we serve.

**Major Agency Accomplishments 2013-2014**

- The permit and automated routing project was completed during the current biennium. It consisted of a redesign of the NDHP's current application and the integration of an automated routing component. The project also included the ability to share data with the Association of Oil and Gas Producing Counties permitting system. This large IT project was completed on time and under budget. The NDHP was named the 2014 North Dakota IT Champion by the Information Technology Council of North Dakota for this project. The NDHP, in cooperation with the DOT, continues to make improvements to the system that enhance traffic safety and benefit the motor carrier industry.

- The NDHP reorganized from four geographical regions and motor carrier operations to three divisions. The benefits of the restructure include streamlined management, resource sharing, and continuity and efficiency of operations.
- The NDHP received funding to complete an emergency vehicle operations driving pad and indoor firing range for law enforcement training. The driving pad was completed in the fall of 2014 and has been used to train officers from across the state. The indoor firing range is scheduled to be completed in the spring of 2015. I would like to thank Governor Dalrymple and the legislative body for their support of phase I. It has provided a benefit to law enforcement agencies across the state and will continue in the future.
- The NDHP was awarded the Bismarck-Mandan Young Professionals Network 'Top 10 Workplaces Award' in 2014. Businesses employing professionals under the age of 40 are measured on their innovation, recruitment and advancement, and overall benefits to young professionals. Recruitment remains an ongoing challenge for the NDHP. This award reflects our commitment to recruitment and retention efforts. The NDHP hired 37 troopers over the last two years due to attrition and additional authorized sworn positions. We are in the process of hiring 15 troopers for the next academy class that will begin May of 2015. These efforts reflect our goal of full staffing of the agency.
- The NDHP trained all of its troopers in active threat response training. The training is beneficial to our troopers who may provide a primary response to active threat calls or while assisting other agencies. The NDHP provided active threat training to law enforcement agencies in the Watford City area and will continue to provide this training to other law enforcement agencies across the state.
- The NDHP recognized the need to provide weapons instructor training courses to other law enforcement agencies statewide. The NDHP conducted four firearms instructor courses. Two were completed in Bismarck, one in Grand Forks and one in Minot. Officers from more than 20 state and local agencies attended the training. These officers became POST-certified to conduct firearms training and qualify other officers. The NDHP works with its partners to consistently update the training, ensuring officers around the state are receiving training in accordance with the latest industry standards.

## Overview of the agency

The primary duty of the North Dakota Highway Patrol is to keep the motoring public safe as they travel the state's 70,000 square miles. This is accomplished through enforcement efforts and services that include public education programs to reduce crashes and encourage safe driving practices. The NDHP is the main authority for enforcing laws and regulations relating to the commercial vehicle industry. The department provides security and protection for the Governor, the Supreme Court, the Legislative Assembly, and other elected government officials. The NDHP assists local agencies with responses to calls for service when situations arise that exceed the limits of local resources. The NDHP oversees the operation, maintenance, and administration of the Law Enforcement Training Academy. The LETA provides basic and advanced training for all law enforcement officers in North Dakota.

Field operations is the largest component of our agency. The state is divided into three field operation divisions: west, east, and motor carrier operations. Field operations is supported by the administration component of the agency. The administration component is comprised of two divisions: administrative services and support services. The administrative services division includes human resources, safety and education, the Law Enforcement Training Academy, and capitol security. The support services division includes planning and research, project management, procurement, property, accreditation, and information technology.

Mr. Chairman, you requested several items related to the Highway Patrol's budget. I submitted several attachments as references, and I will be available to answer questions regarding the information provided during my testimony.

## Current Appropriation

The first item requested is the department's 2013-2015 appropriation and estimated spending. The chart below shows the agency's 2013-2015 appropriation of \$61,392,560 and an estimated unexpended amount of \$120,000.

<b>Line Item</b>	<b>2013-2015 Appropriation</b>	<b>Estimated Unexpended Appropriation on 6/30/15</b>
Salaries	\$39,331,560	\$92,000
Operating Expenses	16,178,000	24,000
Capital Assets	5,883,000	4,000
<b>Totals</b>	<b>\$61,392,560</b>	<b>\$120,000</b>

## Status of One-Time Funding

The second item requested is the status of one-time funding items during the 2013-2015 biennium. The chart below describes one-time projects and the current status.

One-Time Funding	Appropriation	Expenses to Feb. 28, 2015	Estimated Expenses Remaining	Estimated Unexpended Appropriation
Emergency Lighting Equipment	\$672,000	\$672,000	0	0
LETA Extraordinary Repairs	121,000	112,450	8,550	0
Public Safety Facility Phase I	5,000,000	2,402,020	2,597,980	0
Taser Replacement	202,000	202,000	0	0
Authorized FTE Equipment	780,000	780,000	0	0
Trailer Scale Systems	150,000	129,950	20,050	0
<b>Totals</b>	<b>\$6,925,000</b>	<b>\$4,298,420</b>	<b>\$2,626,580</b>	<b>0</b>

Remaining balances for all one-time funding items are expected to be used prior to June 30, 2015. An overview of the largest project, Phase I of the public safety facility, is below.

***Public Safety Facility – Phase I Status***

During the 2013 legislative session, the NDHP received funding for Phase I of the public safety facility project which included the construction of a multi-use emergency vehicles operations driving pad and indoor firing range. The emergency vehicle operations driving pad was completed in early November, 2014. The first training session occurred on November 18<sup>th</sup>, 2014.



The driving pad is 300' x 1200' of asphalt with an additional section of gravel (50' x 600') that was added to allow students to experience driving on gravel in an emergency vehicle operation setting. Colored concrete plugs were added to the driving pad to identify the location for trainers to place cones. These colored plugs allow for rapid setup of the emergency driving course.

1.5



The driving pad will allow for all public safety first responders in fire, EMS, and law enforcement fields to receive training on the safe operation of an emergency vehicle in high and slow speed situations. Vehicle operators will gain experience on how to effectively navigate and appropriately react to hazards they may encounter while responding to calls for service.

Work on the footings for the indoor shooting range began the week of November 18, 2014. On January 5, 2015, the first sections of precast concrete walls were placed. This project is currently on schedule and will be finished in April of 2015.



Due to budget limitations some modifications to the original plan were made. For example, the number of firing lanes was reduced from 16 to 12 and a training room that had been planned for the firing range building will not be built. This entire project is expected to be completed this biennium within budget.

### **Ongoing Funding Requests**

The third item requested is the 2015-2017 budget needs. A listing of ongoing funding requests is below.

#### **Salary Base Adjustment: \$135,486**

The NDHP is requesting funding above the base level to avoid making a reduction in salaries. Historically, the NDHP has started each biennium underfunded in salaries due to a step system that has been in place for several decades. Employees are hired below market policy point and step adjustments help employees reach that mark after several years of service. For example, it takes a new trooper ten years to reach top pay, which is just above market policy point.

Due to the unfunded burden placed on the NDHP budget every biennium, an internal salary administration study is planned. Future solutions may include reducing or eliminating steps or requesting adequate funding to cover steps to help recruit and retain employees. This funding was approved by the House.

#### **State Fleet Services Mileage: \$188,000**

The NDDOT has revised its method of calculating motor pool costs. DOT's budgeting guidelines are attached to my testimony. The new method separates depreciation costs at a set rate per vehicle from motor pool costs at a set rate per mile. Factored into the projected costs are the NDHP's number of patrol vehicles in service and the monthly miles per vehicle. The NDHP relies heavily on this funding because without suitable patrol vehicles and the ability to operate them, the mission of the Highway Patrol would be in jeopardy. Troopers must continue to proactively patrol the state's highways and respond to increasing calls for service. This funding was approved by the House.

#### **Vehicle Equipment Installation Contract: \$520,000**

The Highway Patrol's budget for vehicle installation costs has been \$310,000 for several biennia. While preparing the 2015-2017 budget request, the current biennium vehicle installation costs were projected to be \$610,000. This resulted in a \$300,000 request for next biennium to cover the difference. After the budget request was submitted, the vehicle installation contract expired effective December 31, 2014.

A competitive bid process was completed, and the lowest cost vendor was selected. Due to the demand for technical labor, the contract price increased substantially effective January 1, 2015. Under the new contract, vehicle installation costs for the 2015-2017 biennium are projected to be \$830,000 which is \$520,000 more than is budgeted. The Highway Patrol is requesting an additional \$220,000 above the executive recommendation of \$300,000. This executive budget recommendation change has been approved by the Governor's Office and OMB.

In the past, the NDHP covered vehicle installation costs by moving funds from other operating expenses rather than requesting budget increases, but the costs have increased to a level that would be nearly impossible to fund within the existing budget. This request provides the NDHP the ability to outfit new vehicles with equipment such as in-car video cameras, security partitions, police radios, emergency lighting, and other essential law enforcement equipment. To mitigate ongoing inflationary increases, the NDHP is in the process of scaling down to four vehicle types.

The original \$300,000 request was approved by the House, but I would ask the Senate to consider providing the additional \$220,000 for a total of \$520,000 to cover the estimated contract costs for the 2015-2017 biennium.

**Operating Expense Increases: \$252,000**

Three increases in operating expenses were identified for the 2015-2017 biennium. The first is projected lease rate increases totaling \$116,000. This request covers known increases for three of eight regional offices. The second is ITD increases of \$36,000 needed to cover costs to allow employees to access a new electronic records management system. The records management system is used by officers to issue warnings and citations and complete case/incident reports electronically. The third is \$100,000 in known ammunition cost increases based on updated state contract pricing and agency training needs. The costs of ammunition have grown over the last several years as demand has increased. This funding was approved by the House.

**Four New Traffic Enforcement Troopers: \$1,049,000 (\$878,849 ongoing; \$170,000 one-time equipment)**

The NDHP is seeking four additional traffic troopers to be stationed in the Williston and/or Watford City areas. The additional troopers will provide 24-hour patrol coverage due to the increased activity in the area and provide assistance to local law enforcement agencies and the public.

During the past four years, troopers in the Williston and Watford City area have responded to 123 injury and 43 fatal crashes occurring between midnight and 6 a.m. The chart below depicts the increased activity specific to the NW region between the hours of midnight and 6 a.m.

Activity Type Midnight – 6 a.m.	2011	2012	2013	2014	Increase from 2011
Overtime Hours	541	631	785	758	17%
Compensation Hours	60	104	98	122	34%
Traffic Citations	1,241	1,653	2,181	2,178	27%
Field Contacts	1,061	1,147	1,671	1,877	28%
Calls for Service	146	157	180	217	49%

The chart below provides an overview of average work activity for a traffic enforcement trooper during 2014 and the projected workload of four additional troopers.

<b>2014 Work Hours and Activities Northwest Region</b>		
<b><i>Traffic Enforcement Trooper</i></b>	<b><i>One Trooper</i></b>	<b><i>Four Troopers</i></b>
Truck Enforcement Hours	26	102
Road Patrol Hours	1,172	4,688
Miles of Road Patrol	26,338	105,352
Citations	658	2,632
Warnings	411	1,644
Highway Assists	48	192
Calls of Service	43	172
Fatality Crashes	2	8
Injury Crashes	7	28
Property Crashes	14	56
Community Policing	29	116
Driver/Vehicle Inspections	26	104
DUI	20	80
Drugs	11	44
Weapons	4	16
Right-of-Way	48	192
Seatbelts	93	372
Traffic Stops	732	2,928

The four additional troopers were removed from our bill by the House, but I thank them for considering our request. I would ask the Senate to consider reinstating funding for four additional troopers to help bolster our agency's coverage in the Williston and Watford City area.

**One-Time Funding**

The fourth item requested is the 2015-2017 one-time funding needs. The four requests are covered in detail below.

**Public Safety Training Facility Phase II: \$27,532,000**

Since its inception in 1970, the North Dakota Law Enforcement Training Academy has been committed to providing high quality training to the state's public safety employees. With the passage of time and the evolution of curriculum, the needs of students and

staff have outgrown the current facility. The current facility is located on the Bismarck State College campus.

The current building has three classrooms and lodging for 48 officers. The facility was constructed in 1970 with an addition in 1997. The current facility has difficulty meeting the current training demands of law enforcement agencies. Over the past biennium, the LETA has graduated 207 peace officers and 152 correctional officers. Although those numbers seem large, there are still waiting lists for both career fields which would be minimized with more classroom space.

The building wasn't originally designed for co-ed lodging. The current facility has the capacity to lodge 48 officers; however, due to limitations with restrooms, only 10 females can be lodged at one time. In an article titled "The Next War for Talent" in the December 2014 *Law and Order* magazine, author Dwayne Orrick wrote, "Women compose 51 percent of the population and 60 percent of college graduates, but only 18 percent of law enforcement officers. In the coming years, recruiting and retaining female candidates in equal numbers to male recruits will be an organizational imperative to surviving the talent war."

The new facility being requested would provide 90 beds with shared bathrooms. This will provide more privacy and the capacity to lodge an equal number of men and women at the same time. The new facility has five classrooms which will allow the training staff to focus on basic training for law enforcement and correctional officers, enhanced training for law enforcement, and multi-disciplinary training for fire and EMS. Training is essential for first responders and is directly related to the ability to provide high quality service to our citizens. The agencies attending the last six basic training academies are listed below:

Rolla PD	Golden Valley SO	Stutsman Co SO
SW Narcotics Task Force	Burke Co SO	Metro Area Narcotics Task Force
Bismarck PD	Stark Co SO	Morton Co SO
ND Parole and Probation	Emmons Co SO	Grand Forks PD
Dickinson PD	Mercer Co SO	Belfield PD
McLean Co SO	Rolette Co SO	New Town PD
Burleigh Co SO	Tioga PD	North Dakota Highway Patrol
Surrey PD	McHenry Co SO	Williston PD
Grant Co SO	Richland Co SO	Bowman PD
Cass Co SO	Devils Lake PD	Dunn Co SO
Hettinger Co SO	Ward Co SO	Jamestown PD
Kidder Co SO	McKenzie Co SO	Valley City PD
Grand Forks SO	Kenmare PD	West Fargo PD
Mountrail Co SO	Bowman Co SO	Watford City PD
ND Game and Fish Dept.		

EAPC, the architect handling Phase I, provided the following timeline for completion of Phase II if funding is approved during this legislative session:

- Design process – 6 to 9 months
- Bidding and groundbreaking – Spring of 2016
- Construction phase – 2 years
- Project start to completion – 30 to 36 months

The master plan for the public safety facility has been updated several times. A brief history of the project is below:

- February 12, 2007 – The Bismarck Police Department created a master plan for a 911 memorial Police and Fire Training Facility. A \$980,000 federal grant was obtained to build an outdoor shooting range, but no additional funding was available for further projects.
- January 19, 2011 – The Bismarck Police Department's master plan was updated by the Highway Patrol to construct a public safety training facility in two phases after the City offered to donate the land and outdoor range to the State. This facility would replace the current Law Enforcement Training Academy at BSC.
  - The estimated cost for Phase I was \$5,786,020 which included a 16-lane indoor firing range and emergency vehicle driving pad.
  - The estimated cost for Phase II was \$18,067,035 which included an outdoor rifle range, a 120-bed dormitory, six classrooms, a cafeteria, a multi-purpose room, and fire simulation training areas.
- January 10, 2013 – The master plan costs were updated by an architect in preparation for the 2013 legislative session. Phase I costs were increased to \$6,650,610, and Phase II costs were increased to \$21,616,445.
  - \$5,000,000 was approved during the 2013 legislative session for Phase I which required a reduction from 16 lanes to 12 for the indoor firing range and the removal of a planned training room.
- June 5, 2014 – The master plan was updated in preparation for the 2015 legislative session. The total cost for Phase II was increased to \$27,545,405 factoring in a 10% contingency instead of 5%; \$456,000 needed to complete a training room for the indoor firing range; a reduction from 120 beds to 90 beds for the dormitory; and a reduction from six classrooms to five.

The 50 acres of land for this entire project, valued at more than \$1 million, was donated to the NDHP by the City of Bismarck. I'm thankful for their generosity. If phase II is completed, the current Law Enforcement Training Academy would be vacated. Bismarck State College has identified an immediate need for the building to help address a growing student body. Attached is a cost breakdown of phase II which was downsized from six classrooms to five and from 120 beds to 90 to mitigate inflationary costs. Also attached are letters of support from the following public safety stakeholders:

- Burleigh County Sheriff's Department, Sheriff Pat Heinert
- North Dakota Firefighter's Association, Executive Director Renee Loh
- North Dakota Peace Officers Association, President Tom Iverson
- Bismarck State College, Interim President Dave Clark
- Bismarck City Commission, Commissioner Parrell Grossman
- North Dakota EMS Association, President Curtis Halmrast
- North Dakota Sheriffs and Deputies Association, President Pat Heinert
- North Dakota Department of Health, Division Director Thomas Nehring
- ND Peace Officer Standards and Training Board, Chairman Michael Ferguson

Funding for Phase II was removed from our agency's bill by the House. I would ask the Senate to consider reinstating funding so that our agency can complete this crucial project to address public safety training needs in North Dakota.

#### **Mobile Radio Replacement: \$626,000**

In 2005, the Highway Patrol purchased Motorola XTL 5000 mobile radios. The XTL radios are 10 years old and reached the end of production cycle two years ago. Once radios reach the end of production cycle, it can be difficult to get parts and vendor support when issues arise. The new mobile radios are Motorola APX 6500s which cost \$3,750 per unit for a total of \$596,250 for 159 units. These radios are able to handle future technology upgrades. The labor to swap mobile radios in an equipped vehicle is approximately \$188 per vehicle for a total of \$29,892 for 159 units. Mobile radios are used by troopers every shift and are vital to their safety. This funding was approved by the House.

#### **Outdoor Range Upgrade: \$80,000**

The Bismarck Police Department built an outdoor shooting range that was transferred to the NDHP. This outdoor range is located on the land donated to the NDHP by the City of Bismarck. The outdoor range is used only for handguns because of the limitations of the current backstop. Long rifles are essential equipment for law enforcement and are used when responding to active threat situations. An upgrade to the backstop will provide law enforcement with the ability to conduct rifle training at the outdoor range.

Weapons training and proficiency is a requirement for law enforcement. Currently, we use a private outdoor range, when available, at an average fee of \$250 per day. When the private range is not available, training is held at an older outdoor range owned by the State Penitentiary. Due to its close proximity to Apple Creek Elementary School, we are limited in the times it can be used and the weapons that can be fired. This upgrade will lift these constraints and allow officers to receive necessary training. This funding was approved by the House.

### **Skid Car System: \$66,000**

The skid car system allows officers to train on loss of control and recovery during emergency vehicle operations. It helps law enforcement officers prepare for slippery driving conditions while operating on a safe, dry, paved surface. The system can be used with various vehicle types. This funding was approved by the House.



### **Major Variances**

Related to variances, there were no major variances to the 2013-2015 appropriation as of February 28, 2015.

### **Federal Funding Levels**

There are no known or potential changes in the level of federal funding to be received by our agency during the 2015-2017 biennium.

### **Requested Documents**

Two separate documents are attached for your review covering:

- A comparison of the optional adjustment requests made by our agency to those included in the executive recommendation; and
- One change our agency is asking the committee to make to the executive recommendation.

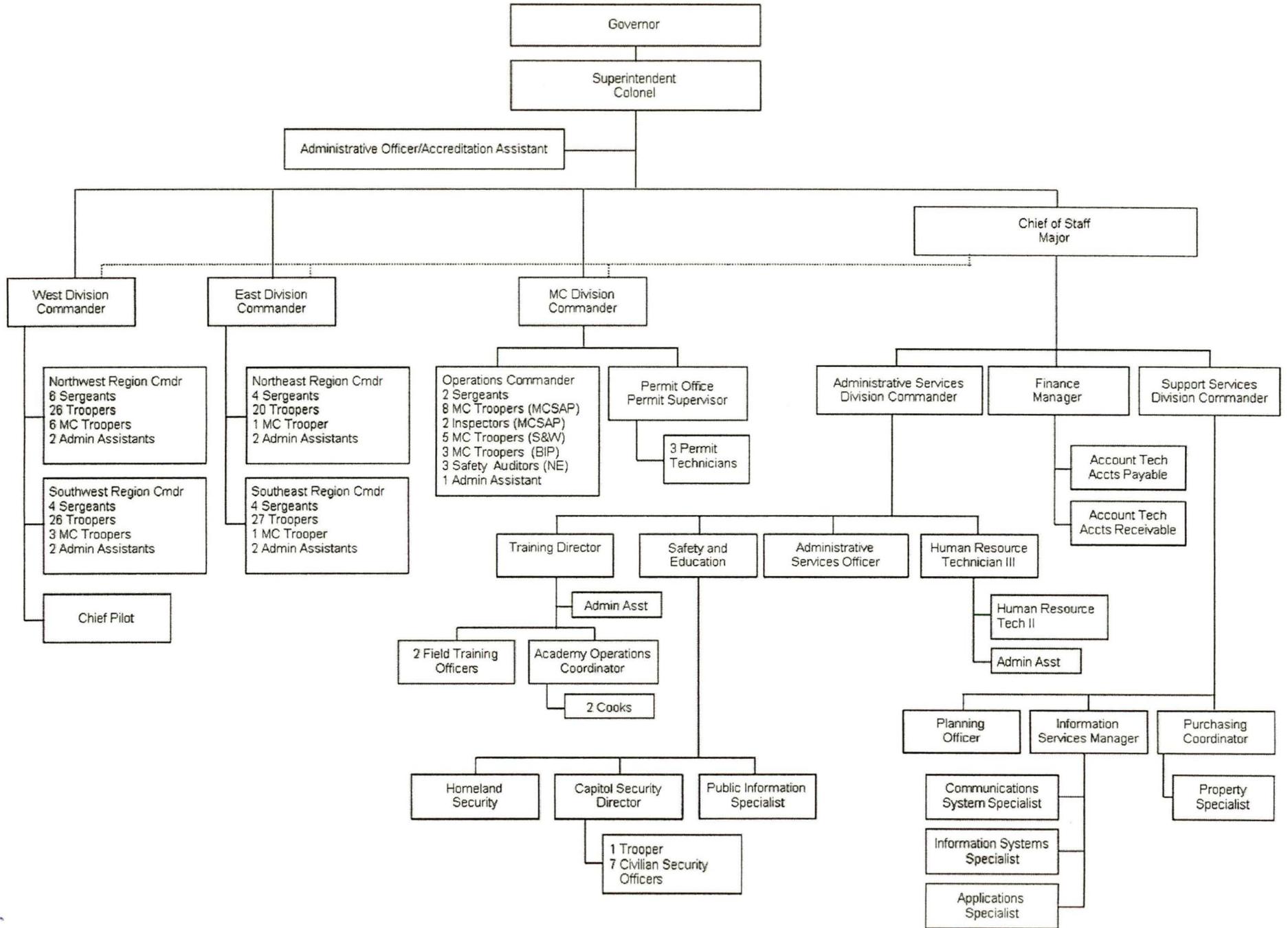
### **Conclusion**

Mr. Chairman, members of the committee, the NDHP budget has many considerations. These include inflationary costs impacting the agency's operations, enhancements to public safety training, and radio communications for troopers on the road. The request for traffic troopers is in response to the growing needs created by increased activity and the need to provide 24-hour coverage in the northwest. I respectfully ask you to consider these requests.

The mission of the North Dakota Highway Patrol is to make a difference every day by providing high quality law enforcement services to keep North Dakota safe and secure. The men and women of our agency are committed to this mission, and I am proud of each and every one of them.

Mr. Chairman, this concludes my testimony. I would be happy to answer any questions.

# NORTH DAKOTA HIGHWAY PATROL ORGANIZATION CHART



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**North Dakota Highway Patrol  
Comparison of Optional Adjustments  
Original Request to Executive Recommendation**

<i>Optional Adjustment</i>	<i>Request</i>	<i>Executive Recommendation</i>
State Fleet Services Mileage	\$ 188,000	\$ 188,000
Energy Impact Allowance	\$ 762,000	***
Training Facility Phase II	\$ 27,532,000	\$ 27,532,000
Four FTEs	\$ 1,049,000	\$ 1,049,000
Vehicle Installation Costs	\$ 300,000	\$ 300,000
Mobile Radio Replacement	\$ 626,000	\$ 626,000
Outdoor Range Backstop	\$ 80,000	\$ 80,000
Skid Car System	\$ 66,000	\$ 66,000
<b>Total</b>	<b>\$ 30,603,000</b>	<b>\$ 29,841,000</b>

\*\*\* Energy impact funding was pooled in OMB's budget bill.

**North Dakota Highway Patrol  
Request for Change to  
Executive Recommendation**

<i>Optional Adjustment</i>	<i>Executive Recommendation</i>	<i>Committee Request</i>
Vehicle Installation Costs *	\$ 300,000	\$ 520,000

*\* An additional \$220,000 is requested based on updated contract pricing. This increased request has been authorized by the Governor's office.*

# NORTH DAKOTA DEPARTMENT OF TRANSPORTATION

(May 2014)

## STATE FLEET SERVICES BUDGET GUIDELINES 2015-2017 BIENNIUM

### ASSIGNED VEHICLE BUDGET GUIDELINES

DESCRIPTION	GROUP NO.	OPER RATE	REPLCMNT RATE	MILE/HOUR RATE	DEPREC/MONTH
Mini Pass. Van	1	0.410	0.02	0.430	225.00
Sedan/Wagon	2	0.290	0.04	0.330	158.00
<b>Light</b> Pickup/Cargo Van/Full-Size Utility	3	0.500	0.06	0.560	177.00
<b>Heavy</b> Pickup/Van/Full-Size Utility	4	0.630	0.04	0.670	213.00
<b>Highway Patrol</b>	<b>7</b>	<b>0.460</b>	<b>0.08</b>	<b>0.540</b>	<b>401.00</b>
Game Enforcement/Special	9	0.410	0.07	0.480	324.00
Facility Service Vehicle	12	1.200	0.08	1.280	101.00
Compact Utility/All	13	0.420	0.05	0.470	215.00
Miscellaneous Truck/Mid-Size Bus	18	37.100	8.00	45.100	244.00
Distributor Truck	19	41.250	5.00	46.250	289.00
Sign Truck/Garbage Truck	20	34.000	22.00	56.000	464.00
Tandem Axle Truck/All	22	62.000	15.00	77.000	563.00
Truck Tractor	23	47.000	11.00	58.000	251.00
Water Commission Truck	27	51.000		51.000	1,061.00
Lineworker Truck	29	21.000		21.000	194.00
Shuttle Bus	30	30.000	1.00	31.000	519.00
Fuel Truck	31	6.000	8.00	14.000	443.00
Drill Truck	32	41.000	20.00	61.000	814.00

### FLEET MOTOR POOL VEHICLE BUDGET GUIDELINES

DESCRIPTION	GROUP NO.	OPER & DEPREC RATE	REPLCMNT RATE	MILE/HOUR RATE
Mini Pass. Van	1	0.69	0.02	0.71
Sedan/Wagon	2	0.45	0.04	0.49
<b>Light</b> Pickup/Cargo Van/Full-Size Utility	3	0.71	0.06	0.77
<b>Heavy</b> Pickup/Van/Full-Size Utility	4	0.88	0.04	0.92
Highway Patrol	7	0.72	0.08	0.80
Game Enforcement/Special	9	0.59	0.07	0.66
Facility Service Vehicle	12	1.76	0.08	1.84
Compact Utility/All	13	0.65	0.05	0.70
Miscellaneous Truck/Mid-Size Bus	18	53.00	8.00	61.00
Rotary Snowplow	24	206.00		206.00
Medical Simulator Trucks	25	42.00		42.00

**North Dakota Highway Patrol  
Public Safety Training Facility - Phase II  
Opinion of Probable Cost**

<i>Description</i>	<i>Cost</i>
--------------------	-------------

<b>Offsite</b>	
Water/Sewer	\$ 166,300
Gas/Electrical	\$ 130,000
<b>Subtotal</b>	<b>\$ 296,300</b>

<b>Site Development</b>	
Grading/Paving	\$ 2,461,324
Utilities	\$ 214,650
Sewer/Detention Ponds	\$ 571,394
Fencing/Lighting	\$ 176,920
Landscaping/Erosion	\$ 414,076
Outdoor Training	\$ 821,215
<b>Subtotal</b>	<b>\$ 4,659,579</b>

<b>Public Safety Facility</b>	
Training Center	\$ 5,770,727
Dormitory	\$ 9,102,597
Outside Buildings	\$ 962,000
Fire Training Components	\$ 2,120,000
<b>Subtotal</b>	<b>\$ 17,955,324</b>

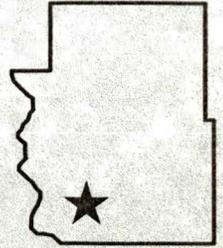
<b>Summary</b>	
Subtotals	\$ 22,911,203
Contingency 10%	\$ 2,291,120
Phase I Completion	\$ 456,000
Professional Fees 7%	\$ 1,796,082
ITD Charges	\$ 77,595
<b>Estimated Total</b>	<b>\$ 27,532,000</b>



514 E. Thayer  
P.O. BOX 1416  
BISMARCK, ND 58502-1416

# BURLEIGH COUNTY SHERIFF'S DEPT.

PAT HEINERT, SHERIFF



TELEPHONE 701-222-6651  
FAX 701-221-6899

TO: House Appropriations  
DATE: January 9, 2015  
FROM: Pat Heinert, Sheriff *PH*  
RE: HB 1011 – North Dakota Highway Patrol Budget

On behalf of the people of Burleigh County and the members of the Burleigh County Sheriff's Department and Detention Center, I would like to express our support for Phase II of the Law Enforcement Training Academy.

Over these past few years community safety issues have risen to the top of the list for most people in our community. Recently Burleigh and Morton County voters passed a ½ cent sales tax to build a new jail facility mainly for community safety reasons. Trained Law Enforcement Officers are vital to keep our communities safe. With the passage of the NDHP budget, Phase II, Law Enforcement Academy, we can move forward in assisting all communities with trained Law Enforcement.

I ask for your continued support of Law Enforcement in North Dakota by voting in favor of the North Dakota Highway Patrol budget, specifically Phase II, North Dakota Law Enforcement Training Academy. In return we will continue to hire and train professional Law Enforcement Officials who will help keep each and every community in North Dakota safe.

Thank You.

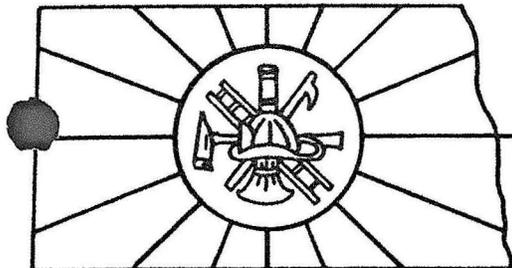
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# *North Dakota Firefighter's Association*

6909 Aurora Loop • P.O. Box 6127 • Bismarck, ND 58506-6127

701-222-2799 • Fax: 701-222-2899

Organized June 4, 1884 Incorporated January 20, 1901



December 29, 2014

Colonel Michael T. Gerhart  
North Dakota Highway Patrol  
600 E. Boulevard Ave.  
Dept. 504  
Bismarck, ND 58505

Dear Colonel Gerhart:

On behalf of the North Dakota Firefighter's Association, I would like to express our support for Phase II of the Law Enforcement Training Academy.

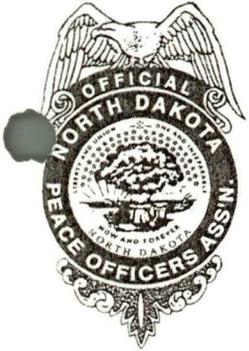
Public safety is a top concern and ensuring our law enforcement and other first responders have access to high quality training is important. Our state needs a fully operational safety training facility to meet these needs.

We support the North Dakota Highway Patrol as they seek funding to complete Phase II of the Law Enforcement Training Academy. Together, we can build a new, better-equipped training facility for statewide public safety entities to provide professional initial and ongoing training.

Sincerely,

A handwritten signature in cursive script that reads "Renee Loh".

Renee Loh  
Executive Director  
North Dakota Firefighter's Association



Organized  
1911

# North Dakota Peace Officers Association

Phone (701) 952-0208 Fax (701) 952-0683 1210 9th St. SW Jamestown, North Dakota 58401-4518  
[www.ndpoa.org](http://www.ndpoa.org)

**PRESIDENT**  
THOMAS IVERSON  
Bismarck

**1st VICE PRESIDENT**  
MIKE REITAN  
West Fargo

**2nd VICE PRESIDENT**  
JACKIE LUNDSTROM  
Bismarck

**3rd VICE PRESIDENT**  
RICK MAJERUS  
Fargo

**4th VICE PRESIDENT**  
DARIN FERDERER  
Bismarck

**PAST PRESIDENT**  
MIKE NASON  
Minot

**SECRETARY/TREASURER**  
GARY BITZ  
Jamestown

Colonel Gerhart,

On behalf of the North Dakota Peace Officers Association, I would like to express our support for Phase II of the Law Enforcement Training Academy.

Public safety is a top concern and ensuring our law enforcement and other first responders have access to high quality training is important. Our state needs a fully operational safety training facility to meet these needs.

We support the North Dakota Highway Patrol as they seek funding to complete Phase II of the Law Enforcement Training Academy. Together, we can build a new, better-equipped training facility for statewide public safety entities to provide professional initial and ongoing training.

Sincerely,

Tom Iverson, President  
North Dakota Peace Officers Association



January 6, 2015

North Dakota Highway Patrol  
600 E. Boulevard Ave. Dept. 504  
Bismarck, ND 58505

On behalf of Bismarck State College, I would like to express our support for Phase II of the Law Enforcement Training Academy.

Safety of our students and employees is a top concern at BSC and we work closely with law enforcement to secure our campus. Ensuring our law enforcement and other first responders have access to high quality training is a priority.

Additionally, as BSC explores the reactivation of a Fire Science program on campus, we want to make sure that the initial training and continuing education the graduates of our program will receive is the best it can be.

With the current Academy on our campus, I have had a chance to see some of the training that occurs and gotten a glimpse of the fine men and women taking the training. The work these people do is invaluable and I believe that North Dakota needs a fully operational safety training facility to meet these needs.

We support the North Dakota Highway Patrol as they seek funding to complete Phase II of the Law Enforcement Training Academy. Together, we can build a new, better-equipped training facility for statewide public safety entities to provide professional initial and ongoing training.

Cordially,

A handwritten signature in black ink that reads 'Dave Clark'. The signature is fluid and cursive, with the first name 'Dave' being more prominent than the last name 'Clark'.

Dave Clark  
Interim President

dv

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# Bismarck *City Administration*

January 13, 2015

Representative Blair Thoreson  
Chairman  
Government Operations Division  
Appropriations Committee  
North Dakota House of Representatives  
State Capitol Building  
600 East Boulevard Avenue  
Bismarck, ND 58505

**RE: HB 1011**

Dear Representative Thoreson and Appropriations Committee members:

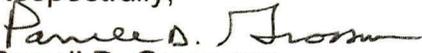
On behalf of the City of Bismarck, I would like to express our support for construction of Phase II of the Law Enforcement Training Academy and the appropriation for this facility contained in House Bill 1011.

The City of Bismarck donated land for the construction of the training academy in the hope that we could assist the state in moving this badly needed facility from the design table to construction. Public safety is a top concern for all of us. Ensuring our law enforcement and other first responders have access to high quality training is important. The Bismarck Police also provide instructors for some of the training offered at the academy. Our state needs a fully operational safety training facility to meet the needs of our first responders.

We support the North Dakota Highway Patrol as they seek funding to complete Phase II of the Law Enforcement Training Academy. We look forward to the day in which this facility will be able to meet the needs for statewide public safety entities to provide both initial and ongoing training.

Thank you for your consideration of the training center request.

Respectfully,

  
Parrell D. Grossman  
City Commissioner  
for the Bismarck City Commission



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Executive Offices  
1622 E. Interstate Ave.  
Bismarck, ND 58503



(701) 221-0567 Voice  
(701) 221-0693 Fax  
(877) 221-3672 Toll Free  
[www.ndemsa.org](http://www.ndemsa.org)

January 16, 2015

Colonel Michael Gerhart  
North Dakota Highway Patrol  
600 East Boulevard Ave  
Bismarck, ND 58505

Dear Colonel Gerhart:

On behalf of the North Dakota Emergency Medical Services Association, I would like to express our support and the support of the EMS industry for Phase II of the Public Safety Training Academy.

The safety and well-being of the citizens of our great state is a significant concern. Ensuring that our public safety professionals; EMS, fire, law enforcement, and other first responders, have access to high quality training is vital. The state of North Dakota needs a training facility that meets the current and future training needs. Our state will continue to grow and as training evolves we must adapt and have the facilities to meet new demands.

The North Dakota EMS Association utilized the law enforcement training center for over ten years to test the psychomotor practical skills of various EMT levels. This is now done by another organization however the law enforcement training center is the continued site of the state practical. This site has always been an ideal facility however with added skill stations our EMT students and exam proctors would welcome this additional training space.

We fully support the North Dakota Highway Patrol as they seek funding to complete Phase II of the Public Safety Training Academy. Together, we can build a new, better-equipped training facility for statewide public safety entities to provide professional initial and ongoing training.

Sincerely,

A handwritten signature in black ink that reads "Curtis Halmrast NRP". The signature is written in a cursive style.

Curtis Halmrast, NRP  
President, ND EMS Association

# NORTH DAKOTA SHERIFFS & DEPUTIES ASSOCIATION

P.O. Box 1256, Bismarck, ND 58502-1256



Pat Heinert, President  
Burleigh County Sheriff  
Phone: (701) 222-6651  
Email: pheinert@burleighsd.com

Steve Roher, Vice President  
Benson County Sheriff  
Phone: (701) 473-5357  
Email: sroher@nd.gov

Tara Morris, Secretary/Treasurer  
Cass County Sheriff's Office  
Phone: (701) 241-5829  
Email: morrist@casscountynyd.gov

The Honorable Governor Jack Dalrymple  
State of North Dakota  
600 East Boulevard Avenue,  
Bismarck, ND 58505-0001

January 23, 2015

Governor Dalrymple,

I am writing this letter on behalf of the members of the North Dakota Sheriffs and Deputies Association in support of the budget request of the North Dakota Highway Patrol HB 1011, which is an Act to provide an appropriation for defraying the expenses of the highway patrol, provide for a transfer and to provide for expense payments to the ND Highway Patrol to fund the North Dakota Law Enforcement Training Academy (NDLETA) Phase II Project. It is our understanding the request is in the current budget being presented to you for your consideration within the Governor's Budget for 2014-2015.

The North Dakota Sheriffs and Deputies Association has a vested interest in the NDLETA. While many view the NDLETA as a "Basic Training Academy," it's so much more than that to the law enforcement community. The basic academy component is only one portion of the role of the training academy. The continual training and professional development of current law enforcement personnel is critical to the advancement of our profession.

The law enforcement profession is an ever changing environment. Whether its new technologies that are developed for crime scene investigations, interview and interrogation courses, emergency vehicle operations training or a myriad of other topics, we rely on the NDLETA to provide the professional development of our personnel. The NDLETA also assists us in meeting the minimum training hours each year to maintain our peace officer licenses.

The central location of the NDLETA is another advantage to law enforcement throughout the state. Especially for the oil impacted counties, not having to travel great distances for required training is extremely valuable. The NDLETA being located in Bismarck is critical to maintaining the feasibility for all North Dakota law enforcement agencies to attend training with a minimum amount of travel time.

The presence of the NDLETA has always been a backbone for the law enforcement community in maintaining our training standards, which in turn ensures we are ready, trained and prepared to respond to the law enforcement needs of the citizens of our state.

On behalf of the members of the North Dakota Sheriffs and Deputies Association, we respectfully request your consideration and support of HB 1011.

Respectfully,

Pat Heinert

President

North Dakota Sheriffs & Deputies Association

Lt. Governor Drew Wrigley  
Attorney General Wayne Stenehjem  
NDBCI Director Dallas Carlson

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**NORTH DAKOTA**  
DEPARTMENT *of* HEALTH

EMERGENCY PREPAREDNESS  
AND RESPONSE SECTION  
Division of Emergency Medical  
Services and Trauma  
600 E Boulevard Ave – Dept 301  
Bismarck, N.D. 58505-0200  
[www.ndhealth.gov/ems](http://www.ndhealth.gov/ems)



January 20, 2015

Colonel Michael Gerhart  
North Dakota Highway Patrol  
600 East Boulevard Ave  
Bismarck, ND 58505

Dear Colonel Gerhart:

On behalf of the Division of Emergency Medical Services of the North Dakota Department of Health, I would like to express our support for Phase II of the Public Safety Training Academy.

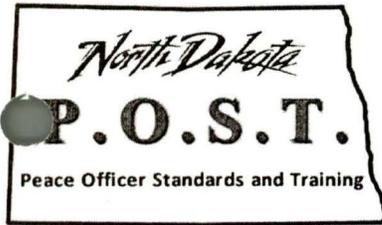
As a Public Safety entity training is a top concern for us ensuring our EMS, fire, law enforcement, and other first responders have access to high quality training. Our state needs a fully operational safety training facility to meet these needs.

We support the North Dakota Highway Patrol as they seek funding to complete Phase II of the Public Safety Training Academy. Together, we can build a new, better-equipped training facility for statewide public safety entities to provide professional initial and ongoing training.

Sincerely,

Thomas Nehring, Director  
Division of Emergency Medical Service and Trauma  
North Dakota Department of Health

1.27



ND P.O.S.T.  
PO Box 1054

Bismarck ND 58502-1054

Phone: (701) 328-5500  
Fax: (701) 328-5510

[www.post.nd.gov](http://www.post.nd.gov)

S/A Duane Stanley  
Executive Secretary

MEMBERS

Sheriff Chad J. Kaiser  
Stutsman County S.O.

Lyn James  
ND League of Cities

Lieutenant Daniel J. Haugen  
ND Highway Patrol

Sheriff Paul Lies  
Eddy County S.O.

Chief Scott T. Thorsteinson  
Wahpeton Police Department

Jack Nybakken  
ND Association of Counties

Lieutenant Michael Ferguson  
Grand Forks Police Department

Sheriff Sarah Warner  
Hettinger County S.O.

Steven Engen  
ND Department of Corrections

February 3, 2015

Rep. Blair Thoreson  
1246 Second Street North  
Fargo, ND 58102-2723

Dear Chairman Thoreson:

On behalf of the North Dakota Peace Officer Standards and Training Board, I would like to express our support for Phase II of the Law Enforcement Training Academy.

Public safety is a top concern and ensuring our law enforcement and other first responders have access to high quality training is important. Our state needs a fully operational safety training facility to meet these needs.

We support the North Dakota Highway Patrol as they seek funding to complete Phase II of the Law Enforcement Training Academy. Together, we can build a new, better-equipped training facility for statewide public safety entities to provide professional initial and ongoing training.

Sincerely,

Michael Ferguson  
Chairman  
ND POST Board

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#1  
 4-8-15

PROPOSED AMENDMENTS TO ENGROSSED HOUSE BILL NO. 1011

Page 1, replace lines 12 through 19 with:

"Administration	\$3,466,113	\$264,288	\$3,730,401
Field operations	48,596,777	7,855,421	56,452,198
Law enforcement training academy	1,682,043	(1,602,043)	80,000
Accrued leave payments	1,110,651	(1,110,651)	0
Total all funds	\$54,855,584	\$5,407,015	\$60,262,599
Less estimated income	12,594,542	533,160	13,127,702
Total general fund	\$42,261,042	\$4,873,855	\$47,134,897
Full-time equivalent positions	213.00	4.00	217.00"

Page 2, line 19, replace "\$6,606,826" with "\$6,752,491"

Renumber accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

House Bill No. 1011 - Highway Patrol - Senate Action

	Base Budget	House Version	Senate Changes	Senate Version
Administration	\$3,466,113	\$3,743,953	(\$13,552)	\$3,730,401
Field operations	48,596,777	55,285,998	1,166,200	56,452,198
Law enforcement training academy	1,682,043	80,000		80,000
Accrued leave payments	1,110,651			
Total all funds	\$54,855,584	\$59,109,951	\$1,152,648	\$60,262,599
Less estimated income	12,594,542	12,994,447	133,255	13,127,702
General fund	\$42,261,042	\$46,115,504	\$1,019,393	\$47,134,897
FTE	213.00	213.00	4.00	217.00

Department No. 504 - Highway Patrol - Detail of Senate Changes

	Adjusts Funding for Health Insurance Premium Increases <sup>1</sup>	Adds 4 Trooper FTE Positions <sup>2</sup>	Increases Funding for Vehicle Equipment Installation <sup>3</sup>	Total Senate Changes
Administration	(\$13,552)			(\$13,552)
Field operations	(140,789)	1,086,989	220,000	1,166,200
Law enforcement training academy				
Accrued leave payments				
Total all funds	(\$154,341)	\$1,086,989	\$220,000	\$1,152,648
Less estimated income	(30,560)	135,815	28,000	133,255
General fund	(\$123,781)	\$951,174	\$192,000	\$1,019,393
FTE	0.00	4.00	0.00	4.00

<sup>1</sup> Funding for employee health insurance premiums is adjusted to reflect the revised premium estimate of \$1,130.22 per month.

<sup>2</sup> Funding is added for 4 new trooper FTE positions as follows:

Base salaries and benefits	\$646,849
Operating expenses and equipment	402,000
3 percent annual salary increases	23,880
Health insurance premiums	14,260
Total	<hr/> \$1,086,989

<sup>3</sup> Additional funding is added for vehicle equipment installation costs to provide total increased funding of \$520,000. The House increased funding for vehicle equipment installation costs by \$300,000.

---

This amendment also amends Section 3 of the bill to adjust the amount of funding provided from the highway tax distribution fund from \$6,606,826 to \$6,752,491.

### Highway Patrol - HB 1015

	per FTE	Fte's	Total \$	Ongoing	one time
Total FTE \$	\$211,928.00	4	\$847,712.00		
Salaries	\$161,712.00	4	\$646,848.00	\$646,848.00	\$646,848.00
Operating	\$58,000.00	4	\$232,000.00	\$232,000.00	\$232,000.00
One time -	\$42,500.00	4	\$170,000.00		\$170,000.00
			<u>\$1,048,848.00</u>	<u>\$878,848.00</u>	<u>\$170,000.00</u>
					<u>\$1,048,848.00</u>
Salaries	\$161,712.00	3	\$485,136.00	\$485,136.00	\$485,136.00
Operating	\$58,000.00	3	\$174,000.00	\$174,000.00	\$174,000.00
One time -	\$42,500.00	3	\$127,500.00		\$127,500.00
			<u>\$786,636.00</u>	<u>\$659,136.00</u>	<u>\$127,500.00</u>
					<u>\$786,636.00</u>
Salaries	\$161,712.00	2	\$323,424.00	\$323,424.00	\$323,424.00
Operating	\$58,000.00	2	\$116,000.00	\$116,000.00	\$116,000.00
One time -	42500	2	\$85,000.00		\$85,000.00
			<u>\$524,424.00</u>	<u>\$439,424.00</u>	<u>\$85,000.00</u>
					<u>\$524,424.00</u>
				Ongoing \$	One time \$
				<u>18 months</u>	<u>18 months</u>
18 months funding		4		\$659,136.00	\$170,000.00
18 months funding		3		\$494,352.00	\$127,500.00
18 months funding		2		\$329,568.00	\$85,000.00
					Total \$
					<u>18 months</u>

House Bill 1011 – Highway Patrol  
Conference Committee

April 21, 2015

**Energy Impact Funding**

The Highway Patrol's energy impact funding for the current biennium is below:

Salaries	\$265,000
Rental assistance	126,976
	-----
Total	<b>\$391,976</b>
	=====

The Highway Patrol's request for the 2015-2017 biennium is below:

Salaries	\$522,000
Rental assistance	240,000
	-----
Total	<b>\$762,000</b>
	=====

**Vacancies**

The Highway Patrol's accountant assumes 14 vacancies per biennium based on historical averages which he has been tracking since 1988.

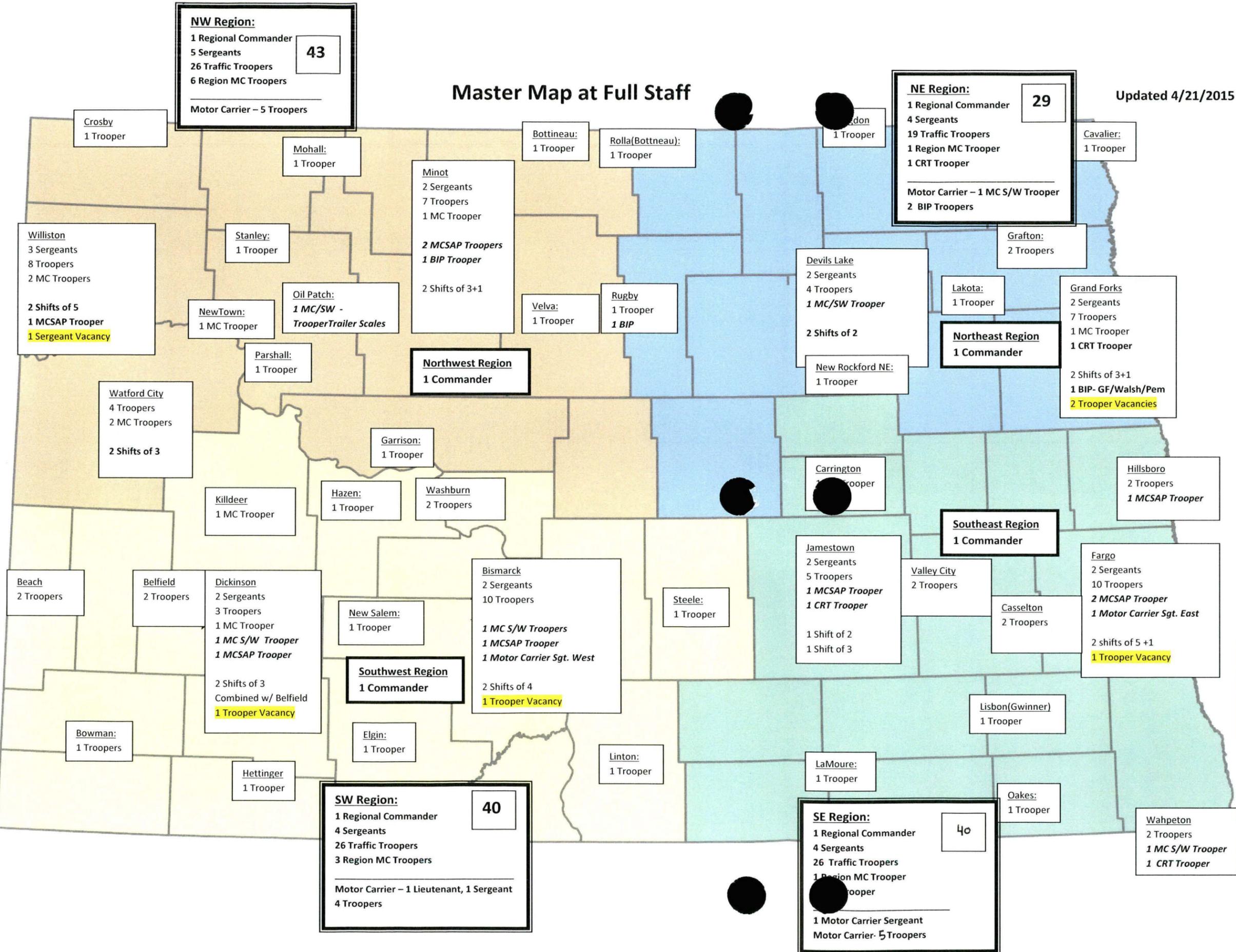
A map of vacant post locations is attached.

May 2015 Recruit Class Post Assignments

Iden, Steven	Williston	Traffic
Birkholz, Andrew	Crosby	Traffic
Gudvangen, Joshua	Stanley	Traffic
Althoff, Nicholas	Watford City	Traffic
Robert, Cummings	Killdeer	SW Region Motor Carrier Size and Weight Trooper
Koerber, Joseph	Watford City	Traffic
DeNenno, David	Dickinson	SW Region Motor Carrier Size and Weight Trooper
Johnson, Timothy	Williston	MCSAP
Harmon, Christopher	Grafton	Traffic
Bares, Emily	Lakota	Traffic
Clawson, Jenna	New Salem	Traffic
Malafa, Darin	Dickinson	Traffic
Kelly, Charles	Williston	NW Region Motor Carrier Size and Weight Trooper
Heisler, Denton	Minot	Traffic
Trentman, Sean	Williston	Traffic
Hiltunen, John	Langdon	Traffic

# Master Map at Full Staff

Updated 4/21/2015



**Headquarters**

- Superintendent
- Major/Chief of Staff
- Admin Services Commander
- Support Services Commander
- East Division Commander
- West Division Commander
- Motor Carrier Division Commander
- Safety and Education
- Property and Planning Lieutenant
- Administrative Services Sergeant

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**Staff**

- LETA, Training Director
- LETA – Field Training Sergeant
- LETA – Field Training Sergeant
- Capitol Security, Director
- Capitol Security, Trooper
- NDSLIC Sergeant
- PILOT, Trooper

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**Motor Carrier Federal Funding Dedications**

- 11 Region MC Troopers - 75/25 %
- 5 Motor Carrier S/W Troopers – 90/10 %
- 9 Motor Carrier MCSAP Troopers – 5 / 95 %
- 3 Motor Carrier Border Inspection Program Troopers – 5 /95 %

Anticipated May 18, 2015 Vacancies (6) after the recruit class that begins the academy on May 18<sup>th</sup> transitions to their assigned post around November 1, 2015.

The post that the 16 new hires will be filling is attached.

The posts that are hi-lighted indicate vacancies after the 16 recruit posts are filled.