

NORTH DAKOTA LEGISLATIVE COUNCIL

Minutes of the

PUBLIC SAFETY COMMITTEE

Wednesday and Thursday, February 20-21, 2008
Bismarck/Burleigh Emergency Management and Combined Communications Center
Roughrider Room, State Capitol
Bismarck, North Dakota

Representative Todd Porter, Chairman, called the meeting to order at 1:00 p.m. on Wednesday, February 20, 2008, at the Bismarck/Burleigh Emergency Management and Combined Communications Center, Bismarck.

Members present: Representatives Todd Porter, Mike Brandenburg, Ron Carlisle, Edmund Gruchalla, Joe Kroeber, Vonnie Pietsch, Clara Sue Price, Don Vigesaa; Senators Ralph L. Kilzer, Gary A. Lee, John M. Warner

Members absent: Representatives Randy Boehning, Pam Guleson, James Kerzman, Bob Martinson; Senators Joan Heckaman, Elroy N. Lindaas

Others present: See attached [appendix](#)

Chairman Porter welcomed Senator Dick Dever, Legislative Council member, to the meeting.

It was moved by Representative Carlisle, seconded by Representative Gruchalla, and carried on a voice vote that the minutes of the November 26-27, 2007, meeting be approved as distributed.

STUDY OF THE DEPARTMENT OF EMERGENCY SERVICES

Mr. Greg Wilz, Director, Division of Homeland Security, Department of Emergency Services, and Mr. Russ Timmreck, Director, Division of State Radio, Department of Emergency Services, provided information regarding:

- The status of the department's task force relating to the structure and capability of emergency services.
- The department's lease with Motorola for the conversion of the Division of State Radio infrastructure from analog to digital.
- The remaining number of radios in all jurisdictions to be converted from analog to digital.
- The possibility of public/private partnerships in the delivery of data and technology for emergency services, including additional radio coverage.
- Costs of providing Division of State Radio services and appropriate fees for the services.

A copy of the information presented is on file in the Legislative Council office.

Mr. Wilz said the Adjutant General has assembled a task force for the purpose of identifying the strategic structure and capability of emergency services in the state. He said the task force membership includes representatives from the following organizations:

- Department of Emergency Services.
- Division of Homeland Security.
- Division of State Radio.
- North Dakota Police Chiefs Association.
- North Dakota Sheriffs Association.
- North Dakota Fire Chiefs Association.
- North Dakota Metro Chiefs Association.
- North Dakota Emergency Medical Services Association.
- North Dakota Healthcare Association.
- North Dakota Emergency Management Association.
- North Dakota National Guard.
- North Dakota 911 Association.
- North Dakota Public Health Association.
- North Dakota Highway Patrol.
- North Dakota Bureau of Criminal Investigation.

Mr. Wilz said the task force has held four meetings and has established eight working groups for studying the following areas:

- Funding.
- Recruitment and retention.
- Program models.
- Training.
- Technology and equipment.
- Response capability definitions.
- Mutual aid agreements.
- Standards.

Mr. Wilz said the primary goals of the task force are to:

- Suggest the future structure and capability requirements necessary to fulfill North Dakota's emergency services needs through 2015.
- Identify gaps between the current state of emergency services and the prioritized capabilities required in the future.
- Provide the Public Safety Committee with recommended initiatives for possible consideration by the 2009 Legislative Assembly that will help bridge the organization and capability gaps.

Mr. Timmreck said in November 2004 the Department of Emergency Services entered into a lease purchase agreement with Motorola for the conversion of the Division of State Radio tower infrastructure and base equipment from analog to digital. To date, he said, the department has made payments totaling \$4,288,019 and the remaining balance is \$3,363,099. He said the last annual payment of \$762,673 is due on December 15, 2012. The following is a summary of lease payments made:

Fiscal Year	General Fund	Federal Funds (Homeland Security Funding)	Total
2004		\$2,000,000	\$2,000,000
2005		762,673	762,673
2006		762,673	762,673
2007	\$762,673		762,673
Total	\$762,673	\$3,525,346	\$4,288,019

Mr. Timmreck said the department has a \$1,260,000 grant proposal pending with the United States Department of Homeland Security that would allow the department to utilize public safety interoperable communication grant funding from the United States Department of Commerce for the lease payments in fiscal years 2008 and 2009. If the grant proposal is denied, he said, the department will consider reallocating federal homeland security funding for the lease payments or requesting funding from the general fund for the lease payments.

In response to a question from Representative Porter, Mr. Timmreck said State Radio's tower infrastructure and base equipment has been updated from analog to digital under the lease purchase agreement with Motorola.

In response to a question from Representative Porter, Mr. Timmreck said the department would not realize any savings nor incur any penalty for paying off the lease agreement early.

According to a survey of all jurisdictions in the state, Mr. Wilz said the remaining number of radios to be converted from analog to digital is approximately 4,790, including 2,395 portable radios, 2,132 mobile radios, and 263 base radios. He said the estimated cost associated with replacing the 4,790 radios is approximately \$25.4 million.

In response to a question from Representative Porter, Mr. Wilz said the Federal Communications Commission's deadline for converting from analog to digital is 2013.

In response to a question from Representative Porter, Mr. Wilz said with federal homeland security funding decreasing, political subdivisions will have to consider using other funds for the replacement of radios.

Mr. Timmreck said based on feedback received from industry representatives, it would not be cost-effective at this time to enter into a public/private partnership for the delivery of data and technology for emergency services. He said the department will

continue to review any potential partnership possibilities.

In response to a question from Representative Porter, Mr. Timmreck said the department needs approximately eight additional radio tower sites. He said the estimated cost of constructing a new radio tower is \$750,000 to \$1 million.

In response to a question from Representative Porter, Mr. Timmreck said the department would not object to leasing space on a state-owned radio tower to a wireless telecommunications company if the equipment on the leased space does not interfere with the state's communications.

Mr. Timmreck said the Division of State Radio is in the process of completing a review of its costs and associated fees charged for services. He said the division has proposed a fee increase of 23.01 cents per line per month for providing 911 services to the 22 contract counties for which the division serves as the public safety answering point. He said the fee increase would result in a total fee of 43.01 cents per line per month. He said the proposed fee increase includes funding to continue that portion of the salary equity funding provided for the 2007-09 biennium that relates directly to the 22 contract counties. He said to continue the entire salary equity funding in the fee for 911 services from the 22 contract counties, the proposed fee increase would need to be 36.01 cents per line per month.

Mr. Terry Traynor, Assistant Director, North Dakota Association of Counties, provided information regarding the balance of 911 funds in the 22 counties which the Division of State Radio serves as the public safety answering point. A copy of the information presented is on file in the Legislative Council office. He said North Dakota Century Code (NDCC) Section 57-40.6-12 requires cities and counties to provide a report of income, expenditures, and status of their emergency services communication system to the Emergency Services Communications Coordinating Committee (ESCCC). He said the ESCCC is to compile reports from the cities and counties on the use of the proceeds of the communication services fee and file a report with the Legislative Council by November 1 of each even-numbered year. He said the Association of Counties has been asked to facilitate the collection of the information from the cities and counties. To date, he said, the Association of Counties has received information from 29 local jurisdictions, including 9 "State Radio" dispatched counties and 20 counties with individual or combined public safety answering points. He said the average balance of 911 funds in the nine "State Radio" dispatched counties is approximately \$35,000 per county. He said a complete report regarding 911 funds will be available for the committee's next meeting.

In response to a question from Representative Brandenburg, Mr. Traynor said wireless telecommunications companies are to report the zip code relating to a customer's principal usage area to

ensure that the communication services fee is provided to the appropriate county. He said the Association of Counties could survey wireless telecommunications companies regarding the number of wireless telephones by county.

Ms. Pam Schafer, Director, Criminal Justice Information Sharing Initiative, Information Technology Department, provided information regarding the initiative, including services provided to law enforcement and future initiative plans. A copy of the information presented is on file in the Legislative Council office. She said the mission of the initiative is to provide complete, accurate, and timely information to the right criminal justice officers at the right time. She said NDCC Section 54-59-21 establishes a Criminal Justice Information Sharing Board consisting of the Chief Justice of the Supreme Court, the Attorney General, and the Chief Information Officer of the state. She said the board is to set policy and adopt rules regarding the access to and the collection, storage, and sharing of criminal justice information and the systems necessary to perform those functions.

Ms. Schafer said the Criminal Justice Information Sharing Initiative includes a hub portal, a case management software system for state's attorneys, and a case management software system for local law enforcement. She said the hub portal is a secure, web-based, "one-stop shop" tool for the statewide sharing of offender and other criminal justice information. She said there are 1,200 registered users for the hub portal and over 1.2 million transactions were processed through the hub portal in 2007. She said there are six entities using the case management software for state's attorneys--Justware Prosecutor--for a fee of \$50 per user per month. She said there are 34 entities using the case management software for law enforcement--NetRMS--for a fee of \$25 per full-time officer per month.

Ms. Schafer said future plans for the Criminal Justice Information Sharing Initiative include integrating local law enforcement records management systems into the hub portal, upgrading the hub portal software, and implementing a statewide automated victim information and notification system.

In response to a question from Representative Kroeber, Ms. Schafer said it is easier for larger counties to afford the costs associated with implementing the case management system for state's attorneys.

In response to a question from Representative Porter, Ms. Schafer said integrating information from the National Crime Information Center into the hub portal would need to be approved by the Criminal Justice Information Sharing Board.

In response to a question from Representative Gruchalla, Ms. Schafer said only in-state information is available through the hub portal.

In response to a question from Representative Porter, Ms. Schafer said local law enforcement

entities will have to identify the records to be integrated into the hub portal.

Mr. Thomas D. Kelsch, Kelsch Law Firm, and representative of Alltel, provided comments regarding the possibility of public/private partnerships in the delivery of data and technology for emergency services. In 2006, he said, the South Dakota Department of Public Safety constructed three new radio towers for its State Radio operation. He said the locations of the new towers were also locations on Alltel's long-term build plan; therefore, Alltel entered into an agreement with the South Dakota Department of Public Safety to lease space for wireless communications equipment on the state's three new towers. He said Alltel erected 26 new wireless communication towers in North Dakota in 2007 and is planning to erect 21 new wireless communication towers in 2008. He said Alltel's cost for erecting wireless communication towers ranges from \$300,000 to \$700,000.

In response to a question from Representative Gruchalla, Mr. Kelsch said at this time Alltel is not leasing space on any other providers' towers.

Mr. James Carroll, Product Manager, Qwest, provided information regarding the state's challenges and opportunities in the area of Next Generation 911. A copy of the information presented is on file in the Legislative Council office. He said a fundamental and significant change in the communications industry is driving the need for public safety solutions that accommodate the many new ways that emergency services can be requested and the response provided. In the future, he said, public safety will need to be able to receive voice, data, and video messages from automatic crash notification systems, hand-held computers, and satellite telephones. He said a new emergency services network will bridge together public safety answering points, emergency services providers, jurisdictional oversight, management functions, and others.

In response to a question from Representative Porter, Mr. Carroll said the current funding models for public safety answering points are not adequate. He said a new funding model will need to be established to address Next Generation 911.

Mr. Mike Dannenfelzer, Communications Manager, Bismarck/Burleigh Emergency Management and Combined Communications Center provided information regarding its services. A copy of the information presented is on file in the Legislative Council office. He said the center serves five law enforcement entities, seven fire departments, five emergency medical entities, and six others. He said the center employs 16 dispatchers, two telecommunicator supervisors, a communications technician, an office assistant, and a communications manager. In 2007, he said, the center received 100,074 calls, of which 21,433 were emergency or 911 calls. He said approximately 40 percent of the center's emergency or 911 calls are from wireless telephones. He said the center's annual budget for

2007 was \$1,429,228. He said the center received \$428,511 in revenue from the communication services fee on landlines and \$576,383 in revenue from the communication services fee on wireless telephones. He said the difference between the annual budget and revenue from the communication services fee is covered with general fund allocations from the city of Bismarck and Burleigh County.

Mr. Dannenfelzer provided a demonstration of two of the center's emergency notification systems--Communicator NXT and GeoCast Web.

In response to a question from Representative Porter, Mr. Dannenfelzer said the center is working with the Information Technology Department to be available to utilize the GeoCast Web application over the Internet from any location in the state. At the present time, he said, the Information Technology Department is not allowing access to the system from outside the center.

The committee conducted a tour of Bismarck/Burleigh Emergency Management and Combined Communications Center facilities.

The committee recessed at 4:45 p.m.

EMERGENCY MEDICAL SERVICES SYSTEM STUDY

The committee reconvened at 9:00 a.m. on Thursday, February 21, 2008, in the Roughrider Room, State Capitol, Bismarck.

Ms. June Herman, Senior Director of Advocacy, American Heart Association, provided information regarding stroke and heart attack emergency care. A copy of the information presented is on file in the Legislative Council office. In 1999, she said, the American Heart Association set a strategic goal of reducing the death rates from coronary heart disease and stroke and the risk factors for these medical conditions by 25 percent by the year 2010. She said new mortality data from the Centers for Disease Control and Prevention indicates that since 1999 coronary heart disease and stroke death rates are down by 25.8 percent and 24.4 percent, respectively. She said data from the State Department of Health indicates that from 1999 to 2006, North Dakota's coronary heart disease and stroke age-adjusted death rates decreased by 20.2 percent and 22 percent, respectively.

Ms. Herman said North Dakota is no longer receiving federal funding for a state program to engage stakeholders and to lead work in addressing heart disease and stroke. She said it is the American Heart Association's goal to seek state funding for core program needs with federal, private, and other funding sources as supplementary funding.

In response to a question from Representative Porter, Ms. Herman said North Dakota had been receiving approximately \$350,000 per year in federal funding for a state program. She said the American Heart Association is attempting to restore the federal funding.

In response to a question from Representative Vigesaa, Ms. Herman said North Dakota's coronary heart disease and stroke death reduction rates lag behind the national reduction rates because North Dakota has a higher percentage of people with increased risk factors and North Dakota's state program started later than some other states.

In response to a question from Senator Dever, Ms. Herman said she could arrange for the committee to receive information regarding how North Dakota's reduction rates compare to other states at a future committee meeting.

Dr. Robert Oatfield, interventional cardiologist, St. Alexius Medical Center, provided information regarding heart attack emergency care. A copy of the information presented is on file in the Legislative Council office. He said ST-elevation myocardial infarction (STEMI) is a type of heart attack caused by the sudden, total blockage of a coronary artery. To improve patients' outcomes from a STEMI heart attack, he said, patients need to recognize heart attack symptoms and immediately call 911 for emergency assistance. From that point, he said, a critical chain of events must move quickly and appropriately so the medical staff can open the blocked artery and restore blood flow to the heart muscle. He said improving the diagnosis of STEMI heart attacks by emergency medical services personnel before hospital arrival is a critical part of a strong emergency medical response system.

In response to a question from Representative Porter, Dr. Oatfield said if emergency medical services systems have the personnel, training, and appropriate resources, the systems can acquire, interpret, and transmit electrocardiograms that identify if a patient is having a STEMI heart attack. He said the cost of such training could be addressed by the Legislative Assembly.

Dr. Shiraz Hyder, neurologist, St. Alexius Medical Center, provided information regarding stroke emergency care. A copy of the information presented is on file in the Legislative Council office. He said a stroke occurs when a blood vessel that carries oxygen to or in the brain is either blocked by a clot or bursts. With a stroke, he said, time lost is brain lost because the longer the brain goes without oxygen the greater the chances of disability or death. He said it is in the best interest of the state to establish a program to facilitate development of stroke treatment capabilities throughout North Dakota and to modify the state's emergency medical response system to assure that stroke victims may be quickly identified and transported to and treated in appropriate facilities.

In response to a question from Senator Kilzer, Dr. Hyder said hypertension is a risk factor for stroke, and North Dakota does have a high rate of hypertension.

In response to a question from Representative Porter, Dr. Hyder said stroke care requires a medical team. With telemedicine capabilities, he said, a stroke patient's acute care could be provided by a large

hospital and a patient's aftercare provided by a smaller hospital.

Mr. Tim Meyer, Director, Division of Emergency Medical Services, State Department of Health, provided information regarding the recent administrative rules changes related to the rapid and definitive treatment of cardiac patients. A copy of the information presented is on file in the Legislative Council office. In 2007, he said, the Administrative Rules Committee approved rules changes for ambulance services and emergency medical services personnel. He said the approved rules added two sections in the ground ambulance rules relating to transporting patients and required advanced life support care.

In the transporting patients section, Mr. Meyer said ambulance services are required to transport patients to the nearest hospital unless:

- The patient is suffering from major trauma, then the patient must be transported to a designated trauma center; or
- The patient is suffering from cardiac-related chest pain or an acute myocardial infarction, then the patient must be transported to a hospital that can administer thrombolytic therapy or percutaneous catheter insertion.

In the required advanced life support care section, Mr. Meyer said a basic life support ambulance service must call for and rendezvous with an advanced or critical care ambulance when it would not reasonably delay transport time if its patient has suffered:

- Major trauma.
- Cardiac chest pain or acute myocardial infarction.
- Cardiac arrest.
- Severe respiratory distress or respiratory arrest.

In response to a question from Representative Porter, Mr. Meyer said the new administrative rules have only been in place for a short period of time. He said the department has had resistance from some ambulance service entities.

In response to a question from Representative Porter, Mr. Meyer said he is not aware of any national or state model legislation for STEMI or stroke emergency care.

Mr. Gary Wingrove, North Central EMS Institute, provided information regarding the institute's study of the cost of ambulance calls. A copy of the information presented is on file in the Legislative Council office. He said the institute's study of ambulance calls began in 2003 and is completely voluntary. For 2006, he said, there were 54 participants in the study, of which 59 percent were metro area ambulance services and 41 percent were nonmetro area ambulance services. He provided the following summary of average payer mix for participants:

	Metro Area Ambulance Services	Nonmetro Area Ambulance Services
Medicare	41%	50%
Medicaid	13%	12%
Insurance	29%	25%
Contract	3%	1%
Self-pay	14%	12%

Mr. Wingrove provided the following information regarding average costs and charges per transport for 2006:

	Metro Area Ambulance Services	Nonmetro Area Ambulance Services
Average cost per transport	\$521	\$706
Average charge per transport	\$835	\$960

In response to a question from Senator Lee, Mr. Wingrove said in most cases, Medicare rules dictate the billing for ambulance services.

Mr. Meyer provided information regarding the status of the department's survey of counties regarding ambulance services pursuant to 2007 House Bill No. 1162 and the status of rural emergency medical service providers transitioning radios from analog to digital. A copy of the information presented is on file in the Legislative Council office. He said the department has received survey information from all counties. He said many of the counties submitted incomplete information; therefore, the department is working with the counties to gather all necessary information. He said the department will be working with representatives of North Dakota State University to create comprehensive maps of all ambulance, quick response unit, and fire response areas.

In January 2008 Mr. Meyer said the department sent a survey to every licensed ambulance service in North Dakota requesting information regarding the status of transitioning radios from analog to digital. As of February 15, he said, the department had received responses from 116 of 141 services. He said the survey responses indicate that 221 of 255 emergency medical services responding vehicles have been upgraded to P 25-compliant radios and 348 of 790 portable radios have been upgraded. He said 19 percent of the respondents reported they relay messages through the dispatching agency to communicate with law enforcement, 15 percent relay messages through the dispatching agency to communicate with fire personnel, and 44 percent use wireless telephones to communicate with receiving hospitals.

In response to a question from Representative Porter, Mr. Meyer said survey respondents reported that a number of hospitals do not have P 25-compliant radios.

Mr. Tim Wiedrich, Section Chief, Emergency Preparedness and Response Section, State Department of Health, provided information regarding HC Standard, the health care component of the Department of Emergency Services' web-based emergency operations center system. A copy of the information presented is on file in the Legislative Council office. He said HC Standard is a web-enabled information tracking system for the management and tracking of health care resources. He said the department purchased the system in September 2005 to be used during emergency response in conjunction with the Department of Emergency Services' emergency operations center system. He said the system utilizes custom forms, tables, reports, and geographic information system mapping interfaces that work together seamlessly to allow providers and administrative decisionmakers to operate.

In response to a question from Representative Porter, Mr. Wiedrich said the department manually transfers information from HC Standard to the Department of Emergency Services' emergency operations center system. He said the Department of Emergency Services' emergency operations center system vendor is in the process of developing an integrated health care component. In the future, he said, the State Department of Health will need to review best practices in the industry.

In response to a question from Representative Porter, Mr. Wiedrich said there are currently no vendors that offer an emergency management system with an integrated health care component. He said the United States Department of Homeland Security is working on standards to allow emergency management systems to communicate with each other.

In response to a question from Representative Porter, Mr. Wiedrich said hospitals manually enter information into the HC Standard system.

The Legislative Council staff presented a memorandum entitled [Property Taxes for Ambulance Services](#). The memorandum provides information regarding property taxes collected for emergency medical services and ambulance services. The Legislative Council staff said the 2001 Legislative Assembly approved House Bill No. 1405 which increased the maximum mill levy rate for ambulance services from 5 mills to 10 mills. The following is a summary of North Dakota Century Code references relating to property tax rates for ambulance services:

County	Section 57-15-06.7(23) provides that a county may levy a tax of up to 10 mills for county emergency medical services.
Township	Section 57-15-20.2(7) provides that a township may levy a tax of up to 10 mills for emergency medical services.

Rural ambulance service districts	Section 57-15-26.5 provides that a rural ambulance service district may levy a tax not exceeding 10 mills on the taxable value of property within the district.
City	Section 57-15-51 provides that a city may impose a levy of up to 10 mills upon its taxable valuation for the purpose of subsidizing city emergency medical services. Whenever a tax for county emergency medical services is levied, any city levying a tax for emergency medical services may be exempt from the county tax levy.

The Legislative Council staff presented a memorandum entitled [Peace Officer Standards and Training Board - Emergency Medical Training Requirements](#). The Legislative Council staff said all peace officers are required to complete first aid and CPR training as part of their basic training. During the 1980s and early 1990s, peace officers were provided first responder training; however, the training was reduced to 16 hours of first aid and CPR training because of other training needs. Currently, Highway Patrol troopers receive first responder training and are certified every two years in order to maintain their first responder certification.

COMMITTEE DISCUSSION AND STAFF DIRECTIVES

Representative Brandenburg suggested the committee receive comments from the counties affected by the 911 fee increase proposed by the Division of State Radio. Chairman Porter said the committee would request comments from the North Dakota 911 Association regarding the proposed 911 fee increase.

Representative Kroeber suggested and Chairman Porter agreed that the committee receive and review information regarding computer software systems and equipment that could be shared by public safety answering points.

Chairman Porter said the committee should receive information from the Information Technology Department regarding restrictions placed on the Bismarck/Burleigh Emergency Management and Combined Communications Center's GeoCast Web application.

Representative Vigasaa suggested and Chairman Porter agreed that the committee receive information from the State Department of Health regarding the status of the grants provided to emergency medical services operations pursuant to 2007 House Bill No. 1296.

The committee recessed for lunch at 11:45 a.m. and reconvened at 1:00 p.m.

EMERGENCY MEDICAL SERVICES SYSTEM STUDY

Captain Scott Brand, Highway Patrol, provided information regarding emergency medical training

provided to peace officers. A copy of the information presented is on file in the Legislative Council office. He said the Law Enforcement Training Academy provides peace officers 16 hours of first aid and CPR training. As part of the training, he said, peace officers learn proper emergency medical techniques for vital signs, fractures, wound care, and spinal injuries and CPR techniques for adults and children. He said Highway Patrol troopers receive first responder training and are certified during their extended peace officer training. He said the troopers are recertified every two years.

In response to a question from Representative Porter, Captain Brand said the first aid and CPR training is provided by the PrimeCare health group. He said the training follows Red Cross certification requirements.

Mr. Steven Spilde, Chief Executive Officer, North Dakota Insurance Reserve Fund (NIDRF), provided information regarding law enforcement liability issues relating to emergency medical training for law enforcement officers. A copy of the information presented is on file in the Legislative Council office. He said NIDRF provides liability coverage to all of the counties and nearly all other political subdivisions in

North Dakota. He said the NIDRF staff does not recall an instance where a claim was received alleging negligent administration of medical care or services by law enforcement personnel in an emergency situation. He said training of law enforcement officials to statutory standards is certainly viewed by NIDRF as an important activity. He said lack of training may be a serious problem in defending a claim.

In response to a question from Representative Porter, Mr. Spilde said improper use of medical equipment could also be a problem.

Mr. Traynor distributed testimony from Mr. Vern Erck, Ward County Sheriff, and President, North Dakota Sheriffs and Deputies Association, regarding law enforcement emergency medical training. A copy of the testimony is on file in the Legislative Council office.

Mr. Traynor said the North Dakota Association of Counties conducted a survey of local law enforcement agencies regarding current emergency medical training at the request of the North Dakota Sheriffs and Deputies Association. He said 52 agencies responded, including 28 sheriffs' offices and 24 police departments. The following is a summary of the survey results:

Status of Medical Certification Requirements by Number of Agencies					
Medical Certification	Required for Entire Department	Required for Sworn Officers	Required for Specific Officers	Not Required but Encouraged	No Department Policy
First aid	7	14	4	17	10
CPR	14	20	2	12	4
Automated external defibrillator	13	15	3	13	8
First responder	0	4	1	3	44

Employees Certified	Number	Percentage
First aid	403	45%
CPR	828	93%
Automated external defibrillator	741	83%
First responder	20	2%
Emergency medical technician (EMT)	3	0%

NOTE: The total number of employees represented by the 52 responding agencies was 892.

In response to a question from Representative Porter, Mr. Traynor said it is a challenge for rural law enforcement agencies to provide officers with emergency medical training.

Representative Porter requested the North Dakota Association of Counties provide the committee with information at a future meeting regarding ways to provide a quicker emergency medical response in rural North Dakota.

DELIVERY AND FUNDING OF VETERANS' SERVICES STUDY

The Legislative Council staff presented a memorandum entitled [History of the Department of Veterans Affairs](#). The memorandum provides a history of the Department of Veterans Affairs, including a history of the Commissioner of Veterans Affairs appointments.

The Legislative Council staff presented a memorandum entitled [Summary of County Veterans' Service Officer, Veterans' Claims, and Transportation Aid Information by County](#). The memorandum provides a summary of county veterans' service officer full-time equivalent (FTE) positions, county veterans' service officer salaries, county veterans' service officer mill levies, veterans' population, veterans' claims, total veterans'-related federal expenditures, and transportation aid by county.

Mr. Dean Overby, member of the Administrative Committee on Veterans Affairs, provided comments regarding the status of the commissioner position of the Department of Veterans Affairs. He said the Administrative Committee on Veterans Affairs will be interviewing three applicants for the commissioner position on March 15, 2008.

The Legislative Council staff distributed a memorandum entitled [Summary of the Requested Bill](#)

[Draft Relating to the Department of Veterans Affairs and the Delivery of Veterans' Services.](#) The memorandum provides a summary of the bill draft requested by the Public Safety Committee relating to the Department of Veterans Affairs and the delivery of veterans' services.

The Legislative Council staff presented a bill draft [90022.0100](#) relating to the Department of Veterans Affairs and the delivery of veterans' services which:

- Requires county veterans' service officers to be accredited by the National Association of County Veterans Service Officers.
- Provides a \$20,000 general fund appropriation to the Department of Veterans Affairs for arranging for National Association of County Veterans Service Officers accreditation training.
- Requires two of the Department of Veterans Affairs existing FTE positions to be used for training officers for the 2009-11 biennium.
- Provides that the Commissioner of the Department of Veterans Affairs be appointed by the Governor.
- Requires the Department of Veterans Affairs to be located in Bismarck or Mandan.
- Reduces the size of the Administrative Committee on Veterans Affairs from 15 individuals to 7 individuals with the Commissioner of the Department of Veterans Affairs serving as the chairman of the committee.
- Limits the powers and duties of the Administrative Committee on Veterans Affairs to the administration of the Veterans Home, including the selection of an administrator for the Veterans Home.

In response to a question from Senator Warner, the Legislative Council staff said the bill draft continues the statutory provision that the Adjutant General, center director of the veterans' administration, and the executive director of Job Service North Dakota are ex officio nonvoting members of the Administrative Committee on Veterans Affairs.

In response to a question from Senator Dever, Mr. Ron Otto, Morton County Veterans' Service Officer, said National Association of County Veterans Service Officers accreditation requires the completion of a 32-hour training course and a passing score on an accreditation examination. He said the training course is offered in conjunction with the National Association of County Veterans Service Officers annual meeting or the state could request the association to provide a special training course for North Dakota county veterans' service officers.

Representative Porter said the cost of requesting a special training course for North Dakota county veterans' service officers is approximately \$10,000 per year.

Mr. Rudy Jenson, Chairman, Administrative Committee on Veterans Affairs, provided comments

regarding the bill draft relating to the Department of Veterans Affairs and the delivery of veterans' services. A copy of his comments is on file in the Legislative Council office. He said all of the current members of the Administrative Committee on Veterans Affairs have been selected by the Governor to serve on the committee. He said all veterans of North Dakota benefit because of the unique working relationship of several veterans' service providers and veterans' organizations.

Mr. Jenson said the Administrative Committee on Veterans Affairs has met or exceeded recommendations made in the performance audit reports of the Department of Veterans Affairs, Administrative Committee on Veterans Affairs, and the Veterans Home. He said the committee is currently in negotiations with the North Dakota County Veterans' Service Officers Training Committee to bring in the National Association of County Veterans Service Officers to conduct training. He said the proposed changes to the Administrative Committee on Veterans Affairs would hinder and not improve representation for veterans in the state.

In response to a question from Representative Carlisle, Mr. Jenson said with 15 members on the Administrative Committee on Veterans Affairs there is a wide representation of veterans from across the state. He said the representation would be reduced if there are only seven members on the committee.

In response to a question from Representative Carlisle, Mr. Jenson said if the Commissioner of the Department of Veterans Affairs was appointed by the Governor, the position may become political. He expressed concern that a new commissioner could be appointed every four years.

In response to a question from Senator Lee, Mr. Jenson said the Department of Veterans Affairs should remain in Fargo.

In response to a question from Mr. Jenson, Representative Porter said the bill draft reduces the size of the Administrative Committee on Veterans Affairs from 15 individuals to 7 individuals consisting of the Commissioner of the Department of Veterans Affairs; 1 individual representing each of the American Legion, Veterans of Foreign Wars, Disabled American Veterans, Veterans of World War II, Korea, and Vietnam (AMVETS), and Vietnam Veterans of America; and 1 individual qualifying as a veteran under the provisions of NDCC Section 37-01-40 but not a member of a veterans' organization. He said there are a number of committees in the state with a committee member who represents citizens at large.

In response to a question from Mr. Jenson, Representative Porter said the bill draft removes oversight of the Department of Veterans Affairs from the Administrative Committee on Veterans Affairs; however, the committee retains oversight of the Veterans Home.

Mr. Harvey Peterson, American Legion, provided comments regarding the bill draft relating to the Department of Veterans Affairs and the delivery of

veterans' services. He said the American Legion does not support reducing the size of the Administrative Committee on Veterans Affairs, regionalization of county veterans' service officers, and requiring two of the Department of Veterans Affairs FTE positions to be training officers.

Mr. Jack Heyne, Grant County Veterans' Service Officer, provided comments regarding the committee's study of the delivery of veterans' services. A copy of his comments is on file in the Legislative Council office. He said county veterans' service officers must be trained and educated on properly completing federal forms and procedures. He suggested an ongoing mentoring process for new county veterans' service officers. He said county veterans' service officers should be located in the county courthouses with designated hours of work. He said the Department of Veterans Affairs should provide the county commission tools to evaluate the county veterans' service officers. He said this would ensure that all veterans in the state are receiving benefits they deserve.

In response to a question from Representative Vigesaa, Mr. Heyne said he does not object to the requirement that county veterans' service officers be accredited by the National Association of County Veterans Service Officers if the North Dakota Department of Veterans Affairs pays for the cost associated with the accreditation.

Mr. Traynor provided comments regarding the bill draft relating to the Department of Veterans Affairs and the delivery of veterans' services. He suggested the bill draft be revised to clarify that an individual must not be accredited by the National Association of County Veterans Service Officers before the individual is hired as the county veterans' service officer.

Representative Porter asked the North Dakota Association of Counties to provide the committee with suggested language relating to the concern expressed.

Mr. Gene Kouba, Department of Veterans Affairs, provided comments regarding the bill draft relating to the Department of Veterans Affairs and the delivery of veterans' services. He said the committee should consider including a military retiree in the membership of the Administrative Committee on Veterans Affairs instead of an individual qualifying as a veteran who is not a member of a veterans' organization. He said the committee should also consider including the president of the North Dakota County Veterans' Service Officers Association as a nonvoting member on the Administrative Committee on Veterans Affairs.

In response to a question from Representative Vigesaa, the Legislative Council staff said Section 7 of

the bill draft amends NDCC Section 37-18.1-03 to limit the powers and duties of the Administrative Committee on Veterans Affairs to the administration of the Veterans Home, including the selection of an administrator for the Veterans Home. The Legislative Council staff said the bill draft could be revised to provide that the committee may seek advice from individuals outside the committee regarding the administration of the Veterans Home.

COMMITTEE DISCUSSION AND STAFF DIRECTIVES

Representative Gruchalla said law enforcement is not interested in a mandate that peace officers must be certified first responders. He said it is difficult for rural law enforcement entities to provide training for their officers.

Representative Kroeber said the committee may want to consider a recommendation that funding for peace officer emergency medical training be provided.

Representative Porter requested the Legislative Council staff provide the committee with information regarding the estimated cost of providing a 16-hour first aid and CPR training course to rural law enforcement entities and the estimated cost of providing first responder training for rural ambulance services.

Representative Porter said the State Department of Health provides financial assistance to individuals interested in EMT certification. He said the committee could consider expanding the financial assistance to individuals interested in first responder certification.

Senator Warner suggested the committee ask the North Dakota Healthcare Association to survey hospitals regarding the transition of radios from analog to digital.

Chairman Porter said the next Public Safety Committee meeting is tentatively scheduled for Tuesday and Wednesday, April 29-30, 2008. No further business appearing, Chairman Porter adjourned the meeting at 3:00 p.m.

Roxanne Woeste
Assistant Legislative Budget Analyst and Auditor

Allen H. Knudson
Legislative Budget Analyst and Auditor

ATTACH:1