

1999 HOUSE POLITICAL SUBDIVISIONS

HB 1366

1999 HOUSE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. 1366

House Political Subdivisions Committee

Conference Committee

Hearing Date 1-29-99

Tape Number	Side A	Side B	Meter #
1	x		.8-12.0
Committee Clerk Signature <i>Pam Nevers</i>			

Minutes: BILL SUMMARY: Relating to the duties and responsibilities of N.D. Firemen's Association and the filing of annual organization certificates by fire departments. Chairman Froseth opened the hearing with all committee members present.

Rep. Disrud introduced the bill and supports HB 1366.

Lois Hartman, Executive Director, N.D. Firemen's Association : .8 testified in support of the bill. (See attached testimony) She explained what the bill will do and would like to add an amendment Rep. Disrud is working on.

Rep. Eckre : 5.5 Will the fire marshal require more staff to enter more data from all the increased information coming in from the rural fire departments?

Lois : No.

Rep. B. Thoreson : What type of classes are in fire schools?

Lois : There are 26 classes offered and 6 national fire academy courses that are 16 hour courses. Some classes are hands on, and some are straight lecture classes.

Rep. Niemeier : Please explain the difference between fire department and fire protection district.

Lois 7.8 : A city has a fire department, and a fire protection district is strictly rural.

Rep. Severson :8.4 testified in support of the bill. I have been a fireman for 20 years and this legislation is long overdue.

Rep. Koppelman : Explain the relationship between local fire departments and the state fire marshal.

Joel Boespflug : 10.2 As a former state fire marshal, I will try to answer. The fire marshal is a resource for assisting local in fire investigations, training in arson detection, and fire codes and inspections. It is a very good relationship.

Rep. Koppelman : Is there any supervisory relationship that the fire marshal has over volunteer fire departments?

Joel : Not really. It's more of an assistance agency. Some statutes in law require that local fire departments make reports to the fire marshal.

Rep. Disrud brought forth the amendments Lois spoke of earlier and explained them to the committee.

There was no further testimony. Chairman Froseth closed the hearing and asked what the committee wished to do. Vice Chair Maragos made a motion to DO PASS as amended, Rep.

Delmore seconded the motion. ROLL CALL: 14 YES 0 NO 1 ABSENT. Rep. N. Johnson will carry the bill.

VR
1/29/99

HOUSE AMENDMENTS TO HOUSE BILL NO. 1366

Page 3, after line 11, insert:

"4. Has been in compliance with the requirements to report fires as set forth in section 18-01-06."

Renumber accordingly

Please type or use black pen to complete

Date 1-29-99

Roll call vote # 1-amendment

1999 HOUSE STANDING COMMITTEE ROLL CALL VOTES

BILL/RESOLUTION NO. 1366

House POLITICAL SUBDIVISIONS Committee

- Subcommittee on _____
 - Conference Committee
- } Identify or check where appropriate

Legislative Council Amendment Number 90553.0201

Action Taken on amendments

Motion Made By Rep. Maragos Seconded By Rep. Delmore

Representatives	Yes	No	Representatives	Yes	No
Chairman Froseth			Rep. Wikenheiser		
Vice Chair Maragos					
Rep. Delmore					
Rep. Disrud					
Rep. Eckre					
Rep. Ekstrom					
Rep. Glassheim					
Rep. Gunter					
Rep. Johnson, N					
Rep. Koppelman					
Rep. Niemeier					
Rep. Rose					
Rep. Severson					
Rep. Thoreson, B					

Total _____ (Yes) _____ (No)

Absent _____

Floor Assignment _____

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

Voice Vote
all (yes)

DO NOT USE HIGHLIGHTER ON ANY FORMS

Please type or use
black pen to complete

Date 1-29-99

Roll call vote # _____

1999 HOUSE STANDING COMMITTEE ROLL CALL VOTES

BILL/RESOLUTION NO. 1366

House POLITICAL SUBDIVISIONS Committee _____

Subcommittee on _____

Conference Committee

} Identify or
check where
appropriate

Legislative Council Amendment Number 90553.0201 Title .0300

Action Taken Do Pass as amended

Motion Made By Rep. Maragos Seconded By Rep. Delmore

Representatives	Yes	No	Representatives	Yes	No
Chairman Froseth	/		Rep. Wikenheiser	/	
Vice Chair Maragos	/				
Rep. Delmore	/				
Rep. Disrud	/				
Rep. Eckre					
Rep. Ekstrom	/				
Rep. Glassheim	/				
Rep. Gunter	/				
Rep. Johnson, N.	/				
Rep. Koppelman	/				
Rep. Niemeier	/				
Rep. Rose	/				
Rep. Severson	/				
Rep. Thoreson, B.	/				

Total 14 0
(Yes) (No)

Absent -1-

Floor Assignment Rep. N. Johnson

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

DO NOT USE HIGHLIGHTER ON ANY FORMS

REPORT OF STANDING COMMITTEE

HB 1366: Political Subdivisions Committee (Rep. Froseth, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (14 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). HB 1366 was placed on the Sixth order on the calendar.

Page 3, after line 11, insert:

"4. Has been in compliance with the requirements to report fires as set forth in section 18-01-06."

Renumber accordingly

1999 SENATE POLITICAL SUBDIVISIONS

HB 1366


1999 SENATE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. HOUSE BILL 1366

Senate Political Subdivisions Committee

Conference Committee

Hearing Date: March 4, 1999

Tape Number	Side A	Side B	Meter #
1		x	252 to 1280
Committee Clerk Signature 			

Minutes:

SENATOR LEE: opens the hearing on HOUSE BILL 1366

REPRESENTATIVE DISRUD introduce HOUSE BILL 1366

LOUIS HARTMAN: see testimony, permissive legislation that allows control to go back to the fireman's association, combine counties on training

SENATOR WATNE: insurance policy refund that come back to the state but it is designated back to the county fire district

LOUIS HARTMAN: funding caps and the spending of the insurance fund money

SENATOR WATNE: distribution by OMB into the district

LOUIS HARTMAN: no it's given back by the North Dakota insurance department, they collect the premium tax and distributive tax is distributed back to the county fire department that collects the tax and within the fire district

Page 2

Senate Political Subdivisions Committee

Bill/Resolution Number Hb1366

Hearing Date March 4, 1999

SENATOR FLAKOLL: who takes care of the fire departments when everybody is gone

LOUIS HARTMAN: no they have not

DISCUSSION

SENATOR LEE: any further discussion

LOUIS HARTMAN: minority firefighters

SENATOR LEE: any further questions

MOTION: close public hearing on HOUSE BILL 1366

MOTION: do pass 5, 0, 1

CARRIER: LYSON

Date: 3-4-99
Roll Call Vote #:

1999 SENATE STANDING COMMITTEE ROLL CALL VOTES
BILL/RESOLUTION NO. 1326

Senate Political Subdivisions Committee Committee

Subcommittee on _____

or

Conference Committee

Legislative Council Amendment Number _____

Action Taken Do pass

Motion Made By Lyson Seconded By Watne

Senators	Yes	No	Senators	Yes	No
Senator Lee (Chairman)	/				
Senator Lyson (Vice-Chairman)	/				
Senator Flakoll	/				
Senator Watne	/				
Senator Kelsh	/				
Senator Nelson					

Total (Yes) 5 No 0

Absent Nelson

Floor Assignment Lyson

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

REPORT OF STANDING COMMITTEE (410)
March 4, 1999 5:06 p.m.

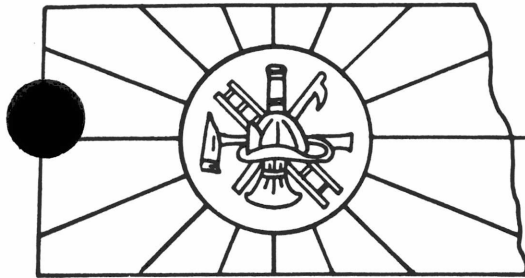
Module No: SR-39-4085
Carrier: Lyson
Insert LC: . Title: .

REPORT OF STANDING COMMITTEE

HB 1366, as engrossed: Political Subdivisions Committee (Sen. Lee, Chairman)
recommends **DO PASS** (5 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING).
Engrossed HB 1366 was placed on the Fourteenth order on the calendar.

1999 TESTIMONY

HB 1366



North Dakota Firemen's Association

P.O. Box 6127
Bismarck, North Dakota 58506-6127

Organized June 4, 1884. Incorporated January 20, 1901.

HB 1366 "HOUSEKEEPING BILL"

Chairman Forseth, and Members of the House Political Subdivision Committee, my name is Lois Hartman; I am the Executive Director of the North Dakota Firemen's Association.

Thank you for the opportunity to present an explanation of HB 1366. Section I, cleans up language and identifies fire protection districts as a separate entity from fire departments. They provide the same service, except that a fire protection district is a rural area, and not an extension of a city department.

Section 2, deals with the fire schools. At the Annual Convention of the North Dakota Firemen's Association, the Executive Board was instructed to address the issue of Regional Fire Schools and make them more fiscally efficient. The State Fire School is held in Bismarck, the last full weekend of February each year. In the past, regional fire schools were held around the state as requested by local fire departments. Historically, more than four regional fire schools were held annually. In the year 1997-98, eleven regional fire schools were held. Rather than having a regional school offer one or two classes for the fire fighters in a regional area, the Executive Board would like the to offer an academy type training opportunity. The current plan is to offer classes from the National Fire Academy along with several classes geared to the needs of the specific regions and or departments hosting the fire school. If we have classes offered at the

State Fire School that fills very fast and I have to turn away a number of firefighters, we will look at offering the class across the state, making it available to more firefighters.

By changing the language and allowing the executive board to hold schools as requested by fire departments, we can better meet their needs. It is not always possible to announce the fire schools at the annual convention a year in advance, because it is almost impossible to get schools scheduled and planned that far in advance. It has been the practice to schedule schools as requested by fire departments and send a memo to all fire departments in the region or across the state announcing the school and giving registration information. This section also allows the opportunity to use teleconference, video and other alternative media in offering training. This provision is new to the fire service. We think that this will allow more participation in training.

Section 3, addresses the reporting of the training activities to OMB. This basically is a language change to reflect current practices. Since the funding from OMB for fire schools is an annual appropriation, the reporting back to OMB is also annual.

Section 4, is a language update and reflects no other change.

Section 5, is a language update, reflecting the current practices of the Association. As of June 1997, the Association has a business office, which is new. The position of the Executive Director is a new position and carries the administrative responsibilities that various executive board members held in the past. It shall be the responsibility of the Executive Director to be sure that all reports are filed with the Office of Management and Budget and the State Auditors office in a timely manner.

Section 6, is correcting language to keep it consistent throughout this section of code.

Section 7, also reflects updated language. If you notice subsection 2, line 7, steam and hand engines are no longer used.

The amendment would add subsection 4. It is a requirement of the Fire Marshal's office to work in cooperation with the Insurance Department and the Association to certify fire departments and fire protection districts. This subsection would add the requirement of filing fire reports to maintain certification eligibility. This is important in order to get the departments to comply with the reporting requirements of the Fire Marshal's office.

Many departments do not understand the importance of reporting all fires to the Fire Marshal's office. The Fire Marshal is required to report to the National Fire Administration the fire activity in the state. The lack of complete reporting will be reflected in the funding to the National Fire Academy and the National Fire Administration. This also effects the programs and support that is made available to the states. By adding this requirement, it gives the Fire Marshal more power in collecting the information necessary.

Because neither the Fire Marshal's Office nor the North Dakota Firemen's Association has a staff to develop fire service training programs; we are dependent on the programs from the National Fire Academy. This is one of the reasons that it is essential to report all fire activity to the National Fire Administration.

Section 8, cleans up outdated language. The fire services no longer use steam engines and hose carts.

Mr. Chairman, I would be happy to answer any questions that you or the committee may have. Thank you.

From: LOIS HARTMAN@LOIS_HARTMAN on 01/25/99 09:51 AM

To: Rachael Disrud/NDLC/NoDak@NoDak

cc:

Subject: HB1366

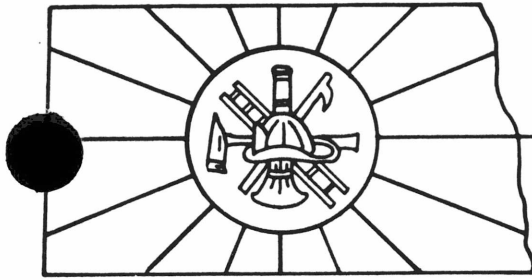
Good Morning. The following is the wording for an amendment to HB1366 that we should add.

page 3, after line 11, add subpart 4

"Has been in compliance with the requirement to report fires as specified in NDCC 18-01-06."

I will be up to see Rep Warner about 3 PM and I will look you up at that time. Thank You

Lois Hartman



North Dakota Firemen's Association

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Section 2, deals with the fire schools. At the Annual Convention of the North Dakota Firemen's Association, the Executive Board was instructed to address the issue of Regional Fire Schools and make them more fiscally efficient. The State Fire School is held in Bismarck, the last full weekend of February each year. I do not have the registration numbers reconciled yet, but we just had about 950 firefighters in Bismarck for the Annual Fire School. In the past, regional fire schools were held around the state as requested by local fire departments. Historically, more than four regional fire schools were held annually. In the year 1997-98, eleven regional fire schools were held. Rather than having a regional school offer one or two classes for the fire fighters in a regional area, the Executive Board would like the to offer an academy type training opportunity. The current plan is to offer classes from the National Fire Academy along

with several classes geared to the needs of the specific regions and or departments hosting the fire school. If we have classes offered at the State Fire School that fills very fast and I have to turn away a number of firefighters, we will look at offering the class across the state, making it available to more firefighters.

By changing the language and allowing the executive board to hold schools as requested by fire departments, we can better meet their needs. It is not always possible to announce the fire schools at the annual convention a year in advance, because it is almost impossible to get schools scheduled and planned that far in advance. It has been the practice to schedule schools as requested by fire departments and send a memo to all fire departments in the region or across the state announcing the school and giving registration information. This section also allows the opportunity to use teleconference, video and other alternative media in offering training. This provision is new to the fire service. We think that this will allow more participation in training.

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Many departments do not understand the importance of reporting all fires to the Fire Marshal's office. The Fire Marshal is required to report to the National Fire Administration the fire activity in the state. The lack of complete reporting will be reflected in the funding to the National Fire Academy and the National Fire Administration. This also effects the programs and support that is made available to the states. By adding this requirement, it gives the Fire Marshal more power is collecting the information necessary.

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