

MICROFILM DIVIDER

OMB/RECORDS MANAGEMENT DIVISION

SPN 2053 (2/85) 5M



ROLL NUMBER

DESCRIPTION

11/80

2001 HOUSE POLITICAL SUBDIVISIONS

HB 1118

2001 HOUSE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. HB1118

House Political Subdivisions Committee

Conference Committee

Hearing Date 1-18-01

Tape Number	Side A	Side B	Meter #
1	xx		1300-3579
1		xx	1501-2687
Committee Clerk Signature <i>Pam Owen</i>			

Minutes: Chair Froseth opened hearing on HB1118 with all members present except Rep. Kretschmar.

Jo Zschomler, OMB - Risk Management Director : (1300) Testified in support and also brought forth amendments. (See Attached Testimony) I bring with me an amendment to HB1118.

Chair Froseth : (1612) If you give the authority to local fire districts or departments to do the inspections, will they have qualified people to do the job?

Jo : Others here to testify can better answer that question. Right now I think there are problems in some small areas, because it's mainly volunteer people who have to fine the time, generally without pay, to get qualified.

Rep. Delmore : I look at this bill and the duties we are asking them to perform, are we giving them any compensation? Is there any funding?

Jo : There is no funding in this bill nor was there in the current bill.

Rep. Delmore : (1755) Is every three years adequate to do a fire inspection?

Jo : I defer to the experts.

Rep. Ekstrom : (1807) The one omission that I detect on page one, line 10, is the governor's residence is not listed. This is state owned property. Do we need to add this.

Jo : I defer this to the fire inspector of Bismarek.

Rep. Ekstrom : I'm still concerned with schools. It states that violations are to be corrected during the current budget. What if the agency doesn't have the money? I know that happened at NDSU. Is the fire marshal making an effort to push us to find the money for these things?

Jo : This is not a change in the current statute. We did change to say *must* in the language.

Rep. Delmore : (2032) I have two sets of amendments. I talked with both the fire marshal and the fire chief. I'd like the committee to look at these.

Jo : The amendments that Rep. Delmore has do look like they contain the same issues mine do.

Vice-Chair Severson : The word *periodic* instead of *annual*. What does this mean?

Jo : That was the term we decided on because some of these buildings fall under the annual inspection requirement while the others fall under the three year. Either be one or three years.

Joel Boepflug, Bismarek Fire/Inspection Dept; ND Fire Chief's Assoc. : (2245) We are in favor of the bill with the amendments Rep. Delmore has. **(See attached testimony)**

Rep. Eckre : (2585) How much training is involved to get trained to be an inspector.

Joel : We insure that our personnel are versed in building construction, are able to have interpretation training on the fire code, should have an education background, and have one or two years job experience.

Chair Froseth : Have you been in contact with any of the other 11 communities that have fire inspection programs?

Joel : I have spoken to at least four. They did not want to change their desire for the inspections.

Bismarck feels we need to be present in those buildings. We need to have pre-fire planning. We need to know what has changed in the building throughout the year.

Vice-Chair Severson : (2829) Did the Fire Chief's Association vote on this?

Joel : The general membership has not gotten all together, but the ones that I have talked to individually have approved. They want to have the flexibility and not be demanded to do something that they may not be trained for. They do not want to do the wrong thing.

Rep. Grosz : (3020) Under the amended portion, are single family housing like UND housing included in the three years?

Joel : It's my understanding that the amendment will only exclude single family home. Dorms and apartments would certainly be inspected if part of a university.

Rep. Ekstrom : What about the governor's residence?

Joel : In Bismarck, we do not conduct the inspection of the governor's home. We do inspect daycare type single family dwellings.

Rep. Ekstrom : I feel the taxpayers have put a lot of money into this residence and maybe it should it should be included as a mandate.

Joel : Our department would be willing to speak to the State Fire Marshall on this issue.

Rep. Fairfield : (3249) The amendment states *once every three years*. Is there any way this could go beyond the three years?

Joel : No. Our intent is to inspect all of the buildings each year. There would be no period of time greater than three years that an inspection is not done.

Lois Hartman, ND Firefighter's Assoc. : testified in support of the amendment with the bill. We have 376 fire departments and we don't have staff or the ability to inspect everything. They have full-time jobs and receive no compensation or time to get training.

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Chair Froseth : Sometimes there may be some pay not to the individual, but to the department as a whole.

Chair Froseth : Any more testimony for or against HB1118? Hearing none, we are closed.

Tape 1 side B (1501) discussion continues:

Rep. Delmore : I can answer any questions you may have concerning these two amendments I had Legislative Council draft.

Rep. Maragos : Jo agreed that these amendments satisfy her, so we should vote not to use Jo's and then go with the Delmore amendments. **I move to accept Jo Zschomler's amendments.**

There was NO second. Motion died.

Rep. Maragos : **I move to accept the two sets of amendments that L.C. will draft into one amendment for HB1118.**

Rep. N. Johnson : **I second.**

VOICE VOTE ON AMENDMENT: ALL YES. PASSED

2001 HOUSE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. HB1118 b

House Political Subdivisions Committee

Conference Committee

Hearing Date 1-19-01

Tape Number	Side A	Side B	Meter #
1		xx	64--215
Committee Clerk Signature			

Minutes: Chair Froseth : (64) Let's take up HB1118. We attached amendments to the bill. What does committee wish?

Rep. Delmore : (95) All interested parties are happy with the bill and amendments. I move a **DO PASS AS AMENDED.**

Rep. Ekstrom : I second.

VOTE: 15 YES and 0 NO BILL PASSED. Rep. Delmore will carry the bill.

FISCAL NOTE
 Requested by Legislative Council
 12/21/2000

Bill/Resolution No.: HB 1118

Amendment to:

1A. **State fiscal effect:** *Identify the state fiscal effect and the fiscal effect on agency appropriations compared to funding levels and appropriations anticipated under current law.*

	1999-2001 Biennium		2001-2003 Biennium		2003-2005 Biennium	
	General Fund	Other Funds	General Fund	Other Funds	General Fund	Other Funds
Revenues	\$0	\$0	\$0	\$0	\$0	\$0
Expenditures	\$0	\$0	\$0	\$0	\$0	\$0
Appropriations	\$0	\$0	\$0	\$0	\$0	\$0

1B. **County, city, and school district fiscal effect:** *Identify the fiscal effect on the appropriate political subdivision.*

1999-2001 Biennium			2001-2003 Biennium			2003-2005 Biennium		
Counties	Cities	School Districts	Counties	Cities	School Districts	Counties	Cities	School Districts
\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0

Narrative: *Identify the aspects of the measure which cause fiscal impact and include any comments relevant your analysis.*

3. **State fiscal effect detail:** *For information shown under state fiscal effect in 1A, please:*

A. **Revenues:** *Explain the revenue amounts. Provide detail, when appropriate, for each revenue type and fund affected and any amounts included in the executive budget.*

B. **Expenditures:** *Explain the expenditure amounts. Provide detail, when appropriate, for each agency, line item, and fund affected and the number of FTE positions affected.*

C. **Appropriations:** *Explain the appropriation amounts. Provide detail, when appropriate, of the effect on the biennial appropriation for each agency and fund affected and any amounts included in the executive budget. Indicate the relationship between the amounts shown for expenditures and appropriations.*

Name:	Pam Sharp	Agency:	OMB
Phone Number:	328-4606	Date Prepared:	12/27/2000

PROPOSED AMENDMENTS TO HOUSE BILL NO. 1118

Page 1, line 12, after "and" insert "occupied"

Page 1, line 13, overstrike "fire department of the city or"

Page 1, line 14, overstrike "fire protection district", remove ", or the designee of either,", and overstrike "in which the institution or building"

Page 1, line 15, overstrike "is located," and overstrike "who" and insert immediately thereafter "state fire marshal, or the marshal's designee. The officer in charge of the state institution or building"

Page 1, line 16, after "a" insert "response to the"

Page 1, line 18, remove "by the fire department of the city or fire protection district, or designee of"

Page 1, line 19, remove "either, in which the building is located"

Page 1, line 21, after "of" insert "the response to"

Page 1, line 22, after "marshal" insert "by the officer in charge of the state institution or building"

Page 2, line 9, replace "those buildings" with "for single-family dwellings"

Page 2, line 10, remove "required to be inspected under this section by the state fire marshal"

Renumber accordingly

January 19, 2001

VR
1/19/01

HOUSE AMENDMENTS TO HOUSE BILL 1118 HOUSE POL. SUBS. 1-22-01

Page 1, line 11, after the second underscored comma insert "the state veterans' home,"

Page 1, line 12, after "and" insert "occupied"

Page 1, line 13, remove "at least once every three years" and overstrike "fire department of the city or"

Page 1, line 14, overstrike "fire protection district", remove ", or the designee of either,", and overstrike "in which the institution or building"

Page 1, line 15, overstrike "is located," and overstrike "who" and insert immediately thereafter "state fire marshal, or the marshal's designee, at least once every three years. The officer in charge of the institution or building"

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HOUSE AMENDMENTS TO HB1118 HOUSE POLITICAL SUBS. 1-22-01

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Renumber accordingly

Date: 1-19-01
Roll Call Vote #: 1

2001 HOUSE STANDING COMMITTEE ROLL CALL VOTES
BILL/RESOLUTION NO. HB 1118

House POLITICAL SUBDIVISIONS Committee

Subcommittee on _____
or
 Conference Committee

Legislative Council Amendment Number 18128.0103 0200

Action Taken Do Pass As Amended

Motion Made By Rep. Delmore Seconded By Rep. Ekstrom

Representatives	Yes	No	Representatives	Yes	No
Chairman Glen Froseth	/		Rep. Wayne W. Tieman	/	
Vice-Chair Dale C. Severson	/				
Rep. Lois Delmore	/				
Rep. Rachael Disrud	/				
Rep. Bruce Eckre	/				
Rep. Mary Ekstrom	/				
Rep. April Fairfield	/				
Rep. Michael Grosz	/				
Rep. Jane Gunter	/				
Rep. Gil Herbel	/				
Rep. Nancy Johnson	/				
Rep. William E. Kretschmar	/				
Rep. Carol A. Niemeier	/				
Rep. Andrew G. Maragos	/				

Total (Yes) 15 No 0

Absent 0

Floor Assignment Rep. Delmore

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

REPORT OF STANDING COMMITTEE

HB 1118, as amended, Political Subdivisions Committee (Rep. Froseth, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (15 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING), placed on the Sixth order on the calendar.

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2001 SENATE POLITICAL SUBDIVISIONS

HB 1118

