

MICROFILM DIVIDER

OMB/RECORDS MANAGEMENT DIVISION
SFN 2053 (2/85) 5M



ROLL NUMBER

DESCRIPTION

2183

2007 SENATE GOVERNMENT AND VETERANS AFFAIRS

SB 2183

2007 SENATE STANDING COMMITTEE MINUTES

Bill/Resolution No. 2183

Senate Government and Veterans Affairs Committee

Check here for Conference Committee

Hearing Date: 1/18/07

Recorder Job Number: 1373

Committee Clerk Signature

Veronica Spurling

Minutes:

All members of the committee were present.

Sen. Dever, Chairman, opened the hearing on SB 2183.

Senator Jerry Klein from District 14 introduced the bill. He said it would be a help to the families of firefighters who have died to at least have a small financial relief in their time of need. He is a 29 year veteran of the Fessenden Volunteer Fire Department. Fire departments have a range of people who volunteer and offer this service to rural areas. This service is a big help to insurance companies. Past experience shows that it takes a long time to process Workmen's Compensation claims. It would be nice to have money ready at the time of need. He addressed the amount mentioned in the bill by citing there were 7 deaths since 1985, so \$50,000.00 seems to be a generous estimate of the fiscal impact. Only 3 firefighters have died since 2000.

Senator Oehlke asked if there was inconsistency in the language. Line 14 says "no paid", line 21 says "paid or volunteer".

Senator Jerry Klein said it does make sense when it is read in its entirety.

Senator Dever asked if firefighting was an "all hands on deck" operation.

Senator Klein said due to new technology and safety issues, fire departments are less able to accept untrained people to help fight a fire.

Senator Dever asked if the \$50,000.00 will create a permanent fund.

Senator Klein said they would like to establish a permanent fund. Maybe more can be added later.

Senator Dever said as he understands the bill, it will no longer exist after 2 years.

Senator Klein said he hopes that is not the case.

Senator Horne asked about line 15 and 16 where it mentions "within 48 hours." He asked why that language is there.

Senator Klein said it would allow time for heart condition stress to manifest.

Senator Nelson asked if someone dies 30 days later, would he be covered.

Senator Klein said if it was related to the fire, he would be covered.

Senator Nelson said there should be wording added that says "as a result of...."

Senator Oehlke said it should also say "as a result of training..."

Senator Klein agreed with both of these suggestions.

Senator Nelson asked how they arrived at the \$10,000.00 figure.

Discussion revealed that it would be enough to help the family with their immediate need and it was based on the cost of a funeral.

Senator Nelson mentioned that the veterans' bill only allowed \$2,500.00 for dieing in the line of duty. She feels that should be raised to \$10,000.00.

Senator Klein did not disagree.

Senator Klein mentioned that there is even a death benefit in Workmens' Comp but it is so slow to actually get it to the family. They need immediate help.

Support: - Jim Poolman, ND Insurance Commissioner, spoke in favor of the bill. The money would be well deserved by the family. He recapped where the money will come from.

Insurance companies that sell fire insurance pay a premium tax to the State Tax Commissioner.

Senator Nelson asked if he would have any trouble with adding "as a result of " or "as a result of training." Commissioner Poolman agreed both of those changes would be good.

Senator Dever asked if this creates a fund and provides for payments only for this biennium and whether it would have to be renewed.

Jim Poolman said this would have to be written into the current budget or would have to be renewed.

Senator Dever asked if it could be made into a continuing appropriation.

Jim said the wording would have to be changed with an amendment to do that. There was some discussion about the fire premium tax. Premium tax goes back to the fire district that it came in from.

Support: - Lois Hartman, Executive Director of the North Dakota Firefighter's Association, spoke in favor of the bill. See attachment #1.

There was discussion about whether a life insurance benefit or a death benefit are taxable or can be tied up in probate.

Support: - Joel Boespflug, representing the ND Fire Chiefs' Association, spoke in favor of SB 2183. See attachment #2.

Opposition: -

Neutral: -

Chairman Dever closed the hearing on SB 2183.

The committee will take action at a later date, pending three changes to the bill. The appropriation is to be on-going, The benefits are also to be paid out if the death is a result of firefighting even if it is beyond 48 hours later and even if the death occurred during training.

2007 SENATE STANDING COMMITTEE MINUTES

Bill/Resolution No. 2183

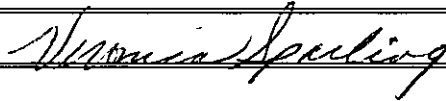
Senate Government and Veterans Affairs Committee

Check here for Conference Committee

Hearing Date: 1/25/07

Recorder Job Number: 1953

Committee Clerk Signature



Minutes:

All members of the committee were present.

Chairman Dever opened discussion on SB 2183.

Senator Oehlke made a motion to adopt the committee amendments to SB 2183.

Senator Nelson seconded the motion.

Roll Call Vote: Yes 6 No 0 Absent 0

Senator Oehlke made a motion to pass the amended bill and rerefer the bill to Appropriations.

Senator Lee seconded the motion.

Roll Call Vote: Yes 6 No 0 Absent 0

Carrier: Oehlke

FISCAL NOTE
 Requested by Legislative Council
 03/27/2007

Amendment to: Engrossed
 SB 2183

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.*

	2005-2007 Biennium		2007-2009 Biennium		2009-2011 Biennium	
	General Fund	Other Funds	General Fund	Other Funds	General Fund	Other Funds
Revenues						
Expenditures						
Appropriations			\$50,000			

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

2005-2007 Biennium			2007-2009 Biennium			2009-2011 Biennium		
Counties	Cities	School Districts	Counties	Cities	School Districts	Counties	Cities	School Districts

2A. **Bill and fiscal impact summary:** *Provide a brief summary of the measure, including description of the provisions having fiscal impact (limited to 300 characters).*

The proposed amendments to Engrossed SB 2183 do not affect the appropriation, which remains at \$50,000. Thus, this bill, as amended, requests \$50,000 from the general fund to create a firefighters death benefit fund as outlined in Section 3 of the bill.

B. **Fiscal impact sections:** *Identify and provide a brief description of the sections of the measure which have fiscal impact. Include any assumptions and comments relevant to the analysis.*

See explanation above.

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.*

See explanation above.

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.*

See explanation above.

C. **Appropriations:** *Explain the appropriation amounts. Provide detail, when appropriate, for each agency and fund affected. Explain the relationship between the amounts shown for expenditures and appropriations. Indicate whether the appropriation is also included in the executive budget or relates to a continuing appropriation.*

See explanation above.

Name:	Charles E. Johnson	Agency:	Insurance Department
Phone Number:	328-2440	Date Prepared:	03/27/2007

FISCAL NOTE

Requested by Legislative Council

01/29/2007

Amendment to: SB 2183

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.*

	2005-2007 Biennium		2007-2009 Biennium		2009-2011 Biennium	
	General Fund	Other Funds	General Fund	Other Funds	General Fund	Other Funds
Revenues						
Expenditures						
Appropriations			\$50,000			

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

2005-2007 Biennium			2007-2009 Biennium			2009-2011 Biennium		
Counties	Cities	School Districts	Counties	Cities	School Districts	Counties	Cities	School Districts

2A. **Bill and fiscal impact summary:** *Provide a brief summary of the measure, including description of the provisions having fiscal impact (limited to 300 characters).*

The amendments to this bill do not affect the appropriation, which remains at \$50,000. Thus, this bill, as amended, requests \$50,000 from the general fund to create a firefighters death benefit fund as outlined in Section 3 of the bill.

B. **Fiscal impact sections:** *Identify and provide a brief description of the sections of the measure which have fiscal impact. Include any assumptions and comments relevant to the analysis.*

See explanation above.

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.*

See explanation above.

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.*

See explanation above.

C. **Appropriations:** *Explain the appropriation amounts. Provide detail, when appropriate, for each agency and fund affected. Explain the relationship between the amounts shown for expenditures and appropriations. Indicate whether the appropriation is also included in the executive budget or relates to a continuing appropriation.*

See explanation above.

Name:	Charles E. Johnson	Agency:	Insurance Department
Phone Number:	328-2440	Date Prepared:	01/29/2007

FISCAL NOTE
 Requested by Legislative Council
 01/11/2007

Bill/Resolution No.: SB 2183

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.*

	2005-2007 Biennium		2007-2009 Biennium		2009-2011 Biennium	
	General Fund	Other Funds	General Fund	Other Funds	General Fund	Other Funds
Revenues						
Expenditures						
Appropriations			\$50,000			

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

2005-2007 Biennium			2007-2009 Biennium			2009-2011 Biennium		
Counties	Cities	School Districts	Counties	Cities	School Districts	Counties	Cities	School Districts

2A. **Bill and fiscal impact summary:** *Provide a brief summary of the measure, including description of the provisions having fiscal impact (limited to 300 characters).*

This bill requests \$50,000 from the general fund to create a firefighters death benefit fund as outlined in Section 3 of the bill.

B. **Fiscal impact sections:** *Identify and provide a brief description of the sections of the measure which have fiscal impact. Include any assumptions and comments relevant to the analysis.*

See explanation above.

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.*

See explanation above.

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.*

See explanation above.

C. **Appropriations:** *Explain the appropriation amounts. Provide detail, when appropriate, for each agency and fund affected. Explain the relationship between the amounts shown for expenditures and appropriations. Indicate whether the appropriation is also included in the executive budget or relates to a continuing appropriation.*

See explanation above.

Name:	Charles E. Johnson	Agency:	Insurance Department
Phone Number:	328-2440	Date Prepared:	01/16/2007

Date : 1-25-07
Roll Call Vote # : 1

2007 SENATE STANDING COMMITTEE ROLL CALL VOTES
BILL/RESOLUTION NO. amendment to 2183

Senate Government and Veteran Affairs Committee

Check here for Conference Committee

Legislative Council Amendment Number _____

Action Taken _____

Motion Made By Oehlke Seconded By Nelson

Senators	Yes	No	Senators	Yes	No
Senator Dick Dever - Chairman	✓		Senator Robert Horne	✓	
Senator Dave Oehlke - VC	✓		Senator Richard Marcellais	✓	
Senator Judy Lee	✓		Senator Carolyn Nelson	✓	

Total (Yes) 6 No 0

Absent 0

Floor Assignment _____

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

Date : 1-25-07
Roll Call Vote # : 2

2007 SENATE STANDING COMMITTEE ROLL CALL VOTES
BILL/RESOLUTION NO. 2183 as amended

Senate Government and Veteran Affairs Committee

Check here for Conference Committee

Legislative Council Amendment Number 70535.0101 0200

Action Taken do pass with amendment and refer to appropriation

Motion Made By Oehlke Seconded By Lee

Senators	Yes	No	Senators	Yes	No
Senator Dick Dever - Chairman	✓		Senator Robert Horne	✓	
Senator Dave Oehlke - VC	✓		Senator Richard Marcellais	✓	
Senator Judy Lee	✓		Senator Carolyn Nelson	✓	

Total (Yes) 6 No 0

Absent 0

Floor Assignment Oehlke

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

REPORT OF STANDING COMMITTEE

SB 2183: Government and Veterans Affairs Committee (Sen. Dever, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** and **BE REREFERRED** to the **Appropriations Committee** (6 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2183 was placed on the Sixth order on the calendar.

Page 1, line 4, replace "an" with "a continuing"

Page 1, line 15, after "dies" insert "from an injury sustained"

Page 1, line 16, after "emergency" insert "or training activity"

Page 2, line 18, after "amount" insert "of up to fifty thousand dollars per biennium, as may be necessary, are" and replace "by the legislative assembly" with "on a continuing basis for deposit in the firefighters death benefit fund"

Page 2, line 19, remove "must be deposited in the firefighters death benefit fund"

Page 2, remove lines 25 through 29

Renumber accordingly

2007 SENATE APPROPRIATIONS

SB 2133

2007 SENATE STANDING COMMITTEE MINUTES

Bill/Resolution No. SB 2183

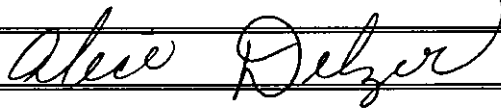
Senate Appropriations Committee

Check here for Conference Committee

Hearing Date: February 2, 2007

Recorder Job Number: 2681

Committee Clerk Signature



Minutes:

Chairman Holmberg opened the Appropriations committee to discuss SB 2183 relating to establishing a firefighters death benefit fund; and to provide a continuing appropriation.

Senator Klein introduced the engrossed SB 2183 and fiscal note. He stated that this bill is to supply a little relief for a family of a fallen volunteer or paid firefighter. This would supply ten thousand dollars as soon as the Insurance Commissioner was notified. We have lost 3 firefighters in the last six years.

Senator Krauter asked if this was a continuing appropriation.

Senator Klien said that the committee's intent was to make it a continuing appropriation. That was the intent of the amendments that were carried. Senator Klein said that this would not interfere with Workers Compensation. This bill would allow for immediate payment.

Senator Krauter asked if they would receive two death benefits.

Senator Klein said that if they could prove that the death was related to the fire they would get two benefits.

Senator Mathern asked Senator Klein if we could just fix it with WSI?

Senator Klein said that there were two issues:

1. WSI is not going to pay out \$10,000 in less than a week.

2. The issues are to try to move this along faster. It is also an opportunity to provide something for the volunteers.

Senator Mathern said that he thought it was an excellent benefit but he also said that they should try to fix the problem with WSI.

Lois Hartman, Executive Director ND Fire Fighters Association testified in support of SB 2183. Not everybody will qualify for WSI coverage. This bill would pay immediately upon notification of death providing funds for the family to take care of their immediate funeral expenses. It may take months and sometimes years for families to prove their case for Workforce Safety Coverage. She said that they have had 5 deaths in the line of duty since 1981. This bill would provide a needed service and encouraged the committee to vote a Do Pass.

Senator Christmann asked what the standard is in this bill. He gave the example of the Hebron firefighter that died of a heart attack a day after the fire fighting. He asked if the death has to be at the fire.

Lois Hartman said the Fire Chief has to verify that it is in fact a line of duty death. She said that in the Hebron situation it was over a year before WSI paid out the benefits.

Senator Krauter asked how much the death benefit was?

Lois Hartman answered that six thousand dollars was the last figure she saw.

Senator Krauter asked if that was adjusted periodically.

Senator Holmberg told the committee that the continuing appropriation out of the general fund is not something you see. He asked if the sponsors of the bill had looked at any other sources of funding for the bill.

Lois Hartman said the Insurance Commissioner's intention was to have a line item in his budget to cover this appropriation and that it would be a part of his budget that is submitted to the committee.

Senator Tallackson asked about the fee charge.

Lois Hartman said that she believed the insurance premium tax is already collected and this appropriation would come out of the collection of insurance premium tax dollars that were already collected and distributed back to the fire district. The money that is not distributed will go into the general fund. This appropriation would be taken from those premium tax collections before the money is deposited into the general fund.

Mr. Tallackson asked if it was meant to pay in fifty thousand and it is not really general fund money.

Jim Smith LC said that the way it works is the extra money in the trust fund goes to the general fund at the end of the biennium.

Mr. Tallackson said he thought that we had to have an appropriation to take it out of that fund.

Mr. Smith said the way the law is written any extra money at the end of the biennium goes into the general fund. So if you take the money prior to the biennium it wouldn't go to the general fund. That is why the fiscal note shows a reduction of the general fund by fifty thousand dollars.

Lois Hartman further explained that these insurance premium tax dollars do not go to the insurance reserve fund, these are premium tax dollars those are license and fines. She said that there is a cap on the fund and money left over goes to the general fund. Every March insurance premium tax dollars go into fund 248, the distribution fund. When that appropriation is met then the access dollars are transferred to the general fund. We are talking about insurance premium tax dollars in this bill.

Senator Krauter asked if the appropriation that is made by the Legislature is based upon the formula.

Lois Hartman said that the distribution is on a complicated formula. They look at the amount of premium times what is brought in by each fire district and that percentage of the total is repaid back to that district.

Senator Holmberg closed the hearing on SB 2183.

2007 SENATE STANDING COMMITTEE MINUTES

Bill/Resolution No. 2183

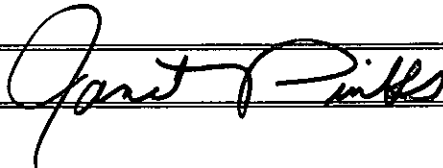
Senate Appropriations Committee

Check here for Conference Committee

Hearing Date: 02/09/07

Recorder Job Number: 3275

Committee Clerk Signature



Minutes:

Chairman Holmberg opened the hearing on SB 2183 discussing this bill would pay a firefighters death benefit.

Allen Knudson of Legislative Council discussed the monetary side of the bill.

Discussion ensued about the process of paying out the death benefit, having this purpose go through WSI, the process of determining if the death was related to a fire, who determines how the firefighter died.

Senator Wardner moved a **DO NOT PASS** on SB 2183, **Senator Krebsback** seconded, discussion followed. A roll call vote was taken resulting in 9 yes, 3 no, two absent.

The motion carried for a **DO NOT PASS**. **Senator Wardner** will carry the bill.

Chairman Holmberg closed the hearing on SB 2183.

Date: 2/9/07
Roll Call Vote #: 1

2007 SENATE STANDING COMMITTEE ROLL CALL VOTES
BILL/RESOLUTION NO. 2183

Senate Appropriations Committee

Check here for Conference Committee

Legislative Council Amendment Number _____

Action Taken D N P

Motion Made By Wardner Seconded By Krebsbach

Senators	Yes	No	Senators	Yes	No
Senator Ray Holmberg, Chrm	✓		Senator Aaron Krauter	✓	
Senator Bill Bowman, V Chrm		✓	Senator Elroy N. Lindaas		✓
Senator Tony Grindberg, V Chrm	✓		Senator Tim Mathern	✓	
Senator Randel Christmann	✓		Senator Larry J. Robinson	✓	
Senator Tom Fischer			Senator Tom Seymour		✓
Senator Ralph L. Kilzer	✓		Senator Harvey Tallackson		
Senator Karen K. Krebsbach	✓				
Senator Rich Wardner	✓				

Total (Yes) 9 No 3

Absent 2

Floor Assignment Wardner

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

REPORT OF STANDING COMMITTEE (410)
February 9, 2007 1:35 p.m.

Module No: SR-28-2759
Carrier: Wardner
Insert LC: . Title: .

REPORT OF STANDING COMMITTEE

SB 2183, as engrossed: Appropriations Committee (Sen. Holmberg, Chairman)
recommends **DO NOT PASS** (9 YEAS, 3 NAYS, 2 ABSENT AND NOT VOTING).
Engrossed SB 2183 was placed on the Eleventh order on the calendar.

2007 HOUSE GOVERNMENT AND VETERANS AFFAIRS

SB 2183

2007 HOUSE STANDING COMMITTEE MINUTES

Bill/Resolution No. SB 2183

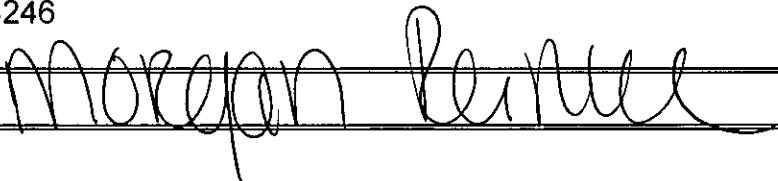
House Government and Veterans Affairs Committee

Check here for Conference Committee

Hearing Date: March 2, 2007

Recorder Job Number: 4246

Committee Clerk Signature



Minutes:

Sen. Klein: *I guess last summer on the many trips we make back and forth from the city, as I was driving along and thinking. I am a volunteer fire fighter. I was thinking about the meeting that evening and how we go out, the training we have, and the risks we take. As I was driving along I was wondering if there wasn't a way to deliver some sort of benefit, some sort of little benefit that would help a family in their time of need if we would lose a firefighter. We volunteers take on a bigger role. As I was driving I called the insurance commissioner and said I had an idea about creating a firefighters fund. I asked him what he thought and in a couple of weeks we had something drafted. What we have here is a special fund that the insurance commissioner would administer. What it would do would be in the event of a death of a firefighter, during, on their way, or within 48 hours of a fire, or training we would provide this \$10,000 death benefit. The money would come out of the premiums tax. The reason being is that we as volunteers or as paid firefighters, what do we in each community is generally assessed and rated as to the protection that they have determines the insurance premium that you have in your community. So we feel that it is certainly a reason that we belong out there and doing what we do. The number that is in here is a collection of \$50,000. The question was as we worked this through is where do we get it from? That is a number that we drew from. As*

we discussed this and as we'll hear from the ND Firefighters Association (NDFFA). They are going to tell you about the fact that we have lost seven firefighters in 25 years. That is kind of where we got this and how it arrived at that. With that the issue is trying to provide that little bit of financial security for their family if they have lost a loved on in their line of duty. With that I would entertain any questions.

Rep. Schneider: This looks like sure and certain relief. How does it correlate with benefits payable by Workforce Safety?

Sen. Klein: The WSI benefits will still come to the firefighter. Just about every volunteer firefighter is covered under the city or under our own policy. The idea however is that WSI works through the rules and gets all the medical information and provides for that benefit which will still be paid to that fallen firefighter, it takes time. The idea here was that this would be an immediate turn around that within days that the family would know that there is some financial security. We do believe that we still do cover them but this is an additional benefit for those volunteers or paid professionals.

Rep. Wolf: What is the WSI? Is there a set amount?

Sen. Klein: There are kind of two amounts if I'm not mistaken. We have the one amount that deals with a married firefighter who would essentially be in line for a \$250,000 death benefit paid over a period of time. There is also a smaller benefit that is paid to a single person which is like 12% of what the family benefit is. The amount is more like \$12,500. In addition to that there still would be a burial expense covered with that also.

Rep. Wolf: Would being a member of the NDFFA or the other agency in our state count?

Sen. Klein: I will allow the NDFFA explain that there might not be two but there maybe another one that would like to be the other one.

Rep. Wolf: The question that I have is do they offer any type of death benefit through the

association itself?

Sen. Klein: No. not to my knowledge.

Rep. Weiler: We heard a bill earlier that dealt with a little bit of a WSI issue. Say a firefighter has a heart attack during a fire, my question is that is there going to be an issue determining how this firefighter dies? Is he still going to get this benefit if he dies on his way home? I would hate to see some conflict arise and I'm wondering if there is any outline for this.

Sen. Klein: Just a brief history of what happened in the Senate. This might address that. It came out of the committee unanimously and went to appropriations. It didn't do very well there. One of these biggest discussions was a heart attack. If you listen to the history, not one of those seven fire fighters had a heart attack. The issue generally surrounds whether or not they had their heart attack on the way or the day later was related to the fire itself. When it comes to WSI yes it needs to be proven. In this case I guess we might just be taking advantage of the system because you could die within 48 hours of the fire, I think your fire chief will probably know and relate that. The gentleman that did pass away was 71 years old. There happened to be two fires that day. So there is an issue. Some of us have talked about whether or not we should be going through physicals. We would lose half of the firefighters because we are a bunch of volunteers and we make up a lot of different shapes and sizes and age groups in our community. Just to single out the heart victims is what we want to cover here. It is pretty easy. My friend who happened to be the grocer in Sherwood was the first victim of the Sherwood fire. We were pretty close and it was a sad day when I heard about the fire. It was pretty easy to determine whether or not he died because of the result of the fire, in most cases it is. In this particular case of the victim from Hebron it took a little more work to prove that it was actually heart related. I hope I answered the question. I kind of came a long way around that. Eventually over in the appropriations committee I was able to convince those folks that we

aren't going out there, we aren't trying to be sloppy out there because everyone wants to come home. It's very difficult to come and tell someone's wife that their husband isn't coming home. We go out and train hard. I said this and said it over in the Senate. We hope we never ever use this fund. We continue to train, practice and do whatever we can to make this safe and careful. We use every precaution that we can so that everyone comes home.

Rep. Weiler: First of all I would like to imply that this is a fine idea. With the 48 hour rule, my concern would be a firefighter that gets injured, is in serious condition in the hospital for a week then dies. Are they going to still be covered?

Sen. Klein: Yes. I believe that it was initially started, the cause being the fire. In the case of the other Sherwood firefighter who after six months eventually passed away it was a direct effect.

Rep. Weiler: The \$50,000 is this going to happen every biennium or is this going to be replenished if the unfortunate incident should occur.

Sen. Klein: The thought is that it is a continuing basis. We believe that this will be there until it may be used up. Then it will be replenished.

Rep. Weiler: If it is a continuing appropriation of \$50,000 gets put in?

Sen. Klein: I think he will be able to explain it. As I read this, they have adjusted it in the committee over there for a continuing basis for depositing in the firefighters death benefit. My understanding is that whatever money earned that it will just continue to build into that.

Rep. Froseth: I don't want to name any individuals but in an event of a serious injury to a fireman that does affect his life forever, and probably shorten his lifespan, and he will eventually die from injuries that were probably caused by that fire maybe 15-20 years later.

Would this benefit still work? How are you going to make that determination? His life was shortened and his death was caused by that original issue. He should be able to benefit off of this as well.

