

2009 SENATE HUMAN SERVICES

SB 2047

2009 SENATE STANDING COMMITTEE MINUTES

Bill/Resolution No. SB 2047

Senate Human Services Committee

Check here for Conference Committee

Hearing Date: 1-13-2009

Recorder Job Number: 6897

Committee Clerk Signature

Mary K. Monson

Minutes:

Senator J. Lee opened the hearing on SB 2047 to provide an appropriation to the state department of health for providing emergency medical training grants to rural law enforcement and individuals choosing to become licensed first responders.

Rep. Todd Porter, District #34, explained that this bill came out of the Public Safety Interim Committee as they were looking at the statewide EMS system. They looked at it as a system. They were looking at what was needed in the state to get someone trained to the side of a patient as fast as possible. It's not as big of a concern in the urban areas as it is in the rural areas. When looking at the rural system and the rural law enforcement they found that there isn't anything that would mandate law enforcement to have first aid training. They go through a first responder course when they complete the academy at Bismarck State College. This certification is good for two years. There isn't any requirement that would make them continue being certified at the first responder level and a lot of them aren't.

The life and death difference depends on the trained first responder not the ambulance service. The law enforcement doesn't want to be mandated into being first responders.

The committee then talked with the health department to see what it would cost to train a group of individuals (law enforcement or others) to be a first responder living 20 miles away

from where the ambulance is headquarters. What it will cost to do that and get the certification up and running and get them into the existing state grant pool for the continuing ongoing certification. What they basically came up with was \$120,400 to train a first response pool across rural ND.

Senator J. Lee asked if the mandate is what they were trying to avoid.

Rep. Porter replied it was.

Senator J. Lee asked if the population of 6500 would cover most everyone except the 9 or 10 big towns in the state.

Rep. Porter said the exclusions would be Bismarck, Devils Lake, Dickinson, Fargo, Grand Forks, Jamestown, Mandan, Minot, Valley City, Wahpeton, West Fargo and Williston.

Senator J. Lee wanted to know if it would be pretty much covered in every area.

Rep. Porter said that with this it would be a very well established first response system. His hopes would be that someone would be available to be on scene within the first ten minutes of the call.

Senator Dever asked if the training programs exist and this would just provide the funding.

Rep. Porter said the first responder level is already an existing training level inside the state Department of Health.

Senator Heckaman asked if this would provide funding for jump bags.

Rep. Porter said they did not deal with equipment, just training.

Roxanne Woeste, Legislative Council, stated that Rep. Porter did an excellent job explaining the bill and said she didn't have any further comments.

Terry Traynor, Association of Counties, said the county sheriffs supported this during the interim and was present to express their support as well the Association of Counties support for this program. The counties are excited about the additional opportunities to get the

training. Discussion about mandating training concerned some. The smaller departments have a difficult time getting all sorts of training because a lot of them are three-four person units. The costs are challenges. This is a great first step of trying to increase the training level and do it in a way that is an incentive rather than a mandate.

There was no opposing testimony.

Tim Meyer, Director of the Division of Emergency Medical Services and Trauma for the ND Department of Health, provided neutral information for the committee. See attachment #1.

Senator J. Lee asked Rep. Porter if he would address some of the concerns from Mr. Meyer.

Rep. Porter said that once the mandate was off they never really discussed salary and would leave it up to this committee. The law enforcement is the best resource as far as EMS responder because they're out there driving and working already. It is a matter of training and equipment to law enforcement without a mandate. Whatever it takes to get the law enforcement community excited about wanting to be first responders in rural ND and getting the training is what the goal is.

Senator J. Lee asked if that would be acceptable to the Public Safety Committee members if the money ended up going to the law enforcement entities themselves to distribute or specifically to individuals because of the 1099 issue.

Rep. Porter said that matter didn't really come up.

Senator J. Lee asked how they got to the \$128,400.

Roxanne Woeste answered that there was a formula. There were 116 officers eligible from city police depts. and 526 officers in county sheriff offices for a total of 642. They used funding of \$200/person for the training grant times 642.

Senator J. Lee was interested in knowing what was anticipated in the first biennium for the number of people that would apply.

Rep. Porter spoke about his response from Burleigh County which was positive. The primary concern is the rural areas and they haven't had feedback from them. He feels this falls under their job and responsibility to the community they are there to serve and protect.

Senator J. Lee asked if the \$200 is enough of incentive to help this program grow and possibly next session make this a mandate.

Rep. Porter said that would be wonderful. The recertification for this course every two years is 16 hours. It's not a big burden to stay up to date after the initial certification.

Senator Dever wondered how that relates to the total cost of the training and if the training is available around the state so they don't have to travel.

Rep. Porter said it is available across the state. There are EMS instructors all over the state capable of teaching this course. The barrier of traveling doesn't exist.

The hearing on SB 2047 was closed.

2009 SENATE STANDING COMMITTEE MINUTES

Bill/Resolution No. SB 2047

Senate Human Services Committee

Check here for Conference Committee

Hearing Date: 1-13-09

Recorder Job Number: 6921

Committee Clerk Signature

Mary K. Monson

Minutes:

Senator J. Lee opened SB 2047 for discussion.

Discussion took place on giving the grants to the law enforcement at the rate of \$200/per individual. First response training was discussed. It was pointed out that it is different from EMS training.

Senator Heckaman said this came about because the rural entities are not retraining their first responders. She gave the example of one her small counties where there are only two deputies. In order to send one to training the position needs to be filled by somebody. The money is also an issue with their budgets. Her county was concerned with this if it came out of a mandate. With a grant process a county would be able to do upgrading, recertification, or retraining if they wanted to do it, but they wouldn't have to do it.

There was concern with giving grants to "individuals" and concern that if it was left out an important group would be left out.

Senator J. Lee closed discussion on SB 2047.

2009 SENATE STANDING COMMITTEE MINUTES

Bill/Resolution No. SB 2047

Senate Human Services Committee

Check here for Conference Committee

Hearing Date: 1-14-09

Recorder Job Number: 7023

Committee Clerk Signature

Mary K. Monson

Minutes:

Senator J. Lee opened discussion on SB 2047 and asked Tim Meyer from the health department about removing the reference to "individuals". It didn't seem like anybody would be looking to have this training if they weren't going to be affiliated with some kind of emergency medical service or law enforcement.

Mr. Meyer agreed with her assessment.

Discussion followed on possible wording for an amendment.

Funding was discussed. The committee wondered if it was necessary to put language in the bill about what the money could be used for. According to testimony earlier from Rep. Porter it wasn't intended for salaries, just \$200 per candidate. The health department makes the determination for EMS grants and would do the same here. Their only concern was that the bill doesn't say what to spend it on. They suggested that maybe there could be language saying the funding is only to be used for tuition.

Senator Erbele moved an amendment adjusting lines 2 and 8 to say "law enforcement agencies for officers" and striking "individuals".

The motion was seconded by **Senator Dever**.

Roll call vote 5-0-1. Amendment adopted.

Senator Heckaman moved a Do Pass on SB 2047 as amended and rereferred to appropriations.

Seconded by **Senator Dever**.

Roll call vote 5-0-1. Motion carried.

Carrier is **Senator Dever**.

Date: 1-14-09

Roll Call Vote #: 1

2009 SENATE STANDING COMMITTEE ROLL CALL VOTES

BILL/RESOLUTION NO. SB 2047

Senate Human Services Committee

Check here for Conference Committee

Legislative Council Amendment Number _____

Action Taken Do Pass Do Not Pass Amended Rerefer to Appropriations

Adopt Amendment Reconsider

Motion Made By Sen. Erbele Seconded By Sen. Dever

Senators	Yes	No	Senators	Yes	No
Senator Judy Lee, Chairman	✓		Senator Joan Heckaman	✓	
Senator Robert Erbele, V.Chair	✓		Senator Richard Marcellais		
Senator Dick Dever	✓		Senator Jim Pomeroy	✓	

Total (Yes) 5 No 0

Absent 1

Floor Assignment _____

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

*Strike individuals line 2+8.
Add "agencies for officers" after law enforcement.*

Date: 1-14-09

Roll Call Vote #: 2

2009 SENATE STANDING COMMITTEE ROLL CALL VOTES

BILL/RESOLUTION NO. SB 2047

Senate Human Services Committee

Check here for Conference Committee

Legislative Council Amendment Number 90148.0201 Title .0300

Action Taken Do Pass Do Not Pass Amended Rerefer to Appropriations
 Adopt Amendment Reconsider

Motion Made By Sen. Heckaman Seconded By Sen. Dever

Senators	Yes	No	Senators	Yes	No
Senator Judy Lee, Chairman	✓		Senator Joan Heckaman	✓	
Senator Robert Erbele, V.Chair	✓		Senator Richard Marcellais		
Senator Dick Dever	✓		Senator Jim Pomeroy	✓	

Total (Yes) 5 No 0

Absent 1

Floor Assignment Sen. Dever

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

REPORT OF STANDING COMMITTEE

SB 2047, as amended, Human Services Committee (Sen. J. Lee, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** and **BE REREFERRED** to the Appropriations Committee (5 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). SB 2047, as amended, was placed on the Sixth order on the calendar.

Page 1, line 2, replace "and individuals choosing to" with "agencies."

Page 1, remove line 3

Page 1, line 8, replace "and individuals choosing" with "agencies for licensed officers who choose"

Page 1, line 10, replace "means licensed officers from city" with "agencies mean"

Page 1, line 11, remove "all licensed officers from"

Renumber accordingly

2009 SENATE APPROPRIATIONS

SB 2047

2009 SENATE STANDING COMMITTEE MINUTES

Bill/Resolution No. 2047

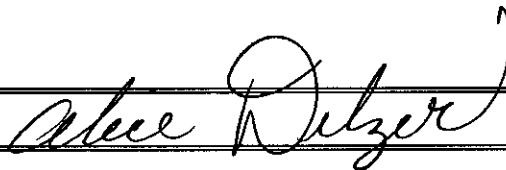
Senate Appropriations Committee

Check here for Conference Committee

Hearing Date: 02-09-09

Recorder Job Number: 8986

Committee Clerk Signature



Minutes:

Chairman Holmberg called the committee hearing to order at 8:30 am in reference to SB 2047 in regards to state department of health for providing emergency medical training grants to rural law enforcement agencies. V. Chair Bowman then took over the hearing.

Roxanne Woeste, Legislative Council: gave a brief summary of the bill. It came out of the past interim work in the Public Safety Committee and I was staffed to that committee this past interim. The bill does provide from general funds appropriation to the state department of health for providing emergency medical training grants to rural law enforcement agencies for those officers who wish to become licensed. For the purposes of this bill rural law enforcement agencies would need the police department, cities with a population under 6,500 and any county sheriff. For some background for the bill, the interim public safety committee was in charge of the responsibility of setting the state emergency medical services system. Through their course of their study, they did receive information regarding rural law enforcement EMS training. They currently learned that all peace officers do complete first aid and CPR training as part of their basic training. In the 1980's and 1990's peace officers were first responders certified but that has been reduced to 16 hours of first aid and CPR. Currently at this time Highway Patrol officers do receive first responder training and they are recertified every two years as first responders.

Senator Warner asked about the modest amount of money and what the money is used for?

Is it for materials, travel, volunteer agency training, or stipend for those who attend classes?

Roxanne The committee did receive some costs estimates for first responder training. The amount in the bill represents approximately a dollar amount (2.48) per person. It does not include funds for a stipend but it is the cost of the training class. There is a limit for police departments. So those cities that would be excluded would be Bismarck, Devils Lake, Dickinson, Fargo, Grand Forks, Jamestown, Mandan, Minot, Valley City, Wahpeton, West Fargo and Williston. They would be excluded from receiving these funds. The committee was really interested in making sure that nowhere in the state where EMS has a longer responding time that perhaps if law enforcement was first on the scene that they should be first responders. the grants.

Senator Fischer What about county sheriff officers, shouldn't there be a limit on the population there?

Roxanne: The committee did consider the limit on the county sheriff's offices and I believe it was a version of the bill that was during the interim that they would have been in there; however the committee removed it. The Public Safety Commission removed them because they felt counties might have a county sheriff officer remotely stationed in a small outlying town and it would be essential for that person to be certified.

V. Chair Bowman Is this in the governor's budget.

Roxanne This is not included in the governor's budget.

Senator Warner What is the number of hours and asked questions regarding restrictions.

Roxanne: It is 40 hours of training and I do believe they will be certified every two years. A this time there are no restrictions.

V. Chair Bowman asked for any other testimony. He then closed hearing on 2047.(6.07)

2009 SENATE STANDING COMMITTEE MINUTES

Bill/Resolution No. SB 2047

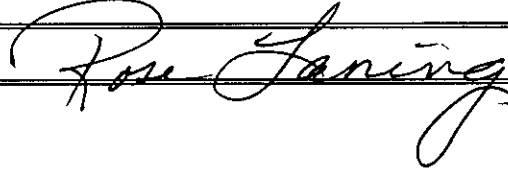
Senate Appropriations Committee

Check here for Conference Committee

Hearing Date: February 11, 2009

Recorder Job Number: **9205 starting at (22:19)**

Committee Clerk Signature



Minutes:

Chairman Holmberg: Opened discussion on SB 2047.

Senator Mathern: moved Do Pass.

Senator Krauter: seconded.

Senator Mathern: This came through the interim committee in that they identified that rural areas need more training for patrol officers to become licensed first responders, and this would provide grants for that.

Chairman Holmberg: Is there any reluctance on the part of the other two members, because this went to health department but it kind of stands alone?

Senator Christmann: During that interim committee was there much discussion given to (a.) Are we doing anything to increase the standards that they have to meet as law enforcement people? I hear from my people that the regulations keep piling on and then no one wants to take the jobs. (b.) Is there any reason to think that after we do these two years that we wouldn't have to continue doing this?

Senator Kilzer: These things come from the public safety committee and I was on that. That is chaired by an advocate from Mandan. \$128,000 for another starting program – I am more concerned about the \$5 million application in another bill that started out as \$1.2 million last session and now there is a request for \$5 million to train EMS people. According to the

testimony from the health department in the other bill 1/3 of the applicants were trained and so I kind of watch bills like this. I am concerned about growth and training requirements. This bill is camel's nose under the tent. It's not large, but if there is a need in a small town.

Senator Warner: One of the concerns that a community has is that the ambulance attendants are volunteers and they have other occupations at other locations. Law enforcement people are on patrol, and so they can make a much faster response. It is my understanding that law enforcement is currently required to be trained at first aid level. A first responder level is an upgrade in skills and would serve a dual purpose in the committee. This rewards the paraprofessionals and the amount of money that we dedicate to those people who deal with the immediate crisis; this amount is very small. This is ½ of one days cost to stay in a hospital.

Senator Christmann: Law enforcement's job is supposed to be to protect the crime scene. They cannot have a conflict of what their priority is. We're getting carried away in making law enforcement officers first responders.

Senator Lindaas: What we are hearing in rural areas is that the coverage for ambulance crews is getting thin. It is tougher to get people to be on there now. The coverage is lacking, and typically the law enforcement is usually first on the scene. We looked at it in the context of something other than a crime scene. I would be in favor of this. Recertification every two years.

A Roll Call vote was taken. Yea: 13 Nay: 1 Absent: 0

Date: 2-11-09
Roll Call Vote #:

2009 SENATE STANDING COMMITTEE ROLL CALL VOTES
BILL/RESOLUTION NO. 2047

Senate Appropriations Committee

Check here for Conference Committee

Legislative Council Amendment Number _____

Action Taken Do Pass Do Not Pass Amended

Motion Made By Sen Mathern Seconded By Sen Krauter

Representatives	Yes	No	Representatives	Yes	No
Senator Fischer <i>A</i>	✓		Senator Warner	✓	
Senator Christmann	✓		Senator Robinson	✓	
Senator Krebsbach	✓		Senator Krauter <i>A</i>	✓	
Senator Bowman	✓		Senator Lindaas	✓	
Senator Kilzer	✓		Senator Mathern	✓	
Senator Grindberg	✓		Senator Seymour	✓	
Senator Wardner	✓				
Chairman Holmberg		✓			

Total Yes 12 No 1

Absent 2

Floor Assignment Human Services

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

REPORT OF STANDING COMMITTEE (410)
February 11, 2009 3:49 p.m.

Module No: SR-27-2447
Carrier: Dever
Insert LC: . Title: .

REPORT OF STANDING COMMITTEE

SB 2047, as engrossed: Appropriations Committee (Sen. Holmberg, Chairman) recommends **DO PASS** (13 YEAS, 1 NAY, 0 ABSENT AND NOT VOTING). Engrossed SB 2047 was placed on the Eleventh order on the calendar.

2009 HOUSE HUMAN SERVICES

SB 2047

2009 HOUSE STANDING COMMITTEE MINUTES

Bill/Resolution No. 2047

House Human Services Committee

Check here for Conference Committee

Hearing Date: March 9, 2009

Recorder Job Number: 10479

Committee Clerk Signature

Ticky Crabtree

Minutes:

Chairman Weisz opened the hearing on SB 2047.

Rep. Todd Porter, District 34 in Mandan, sponsored and introduced the bill: This bill came out of the public safety interim committee. The response times and availability of individuals to respond to both medical and traumatic emergencies in rural areas are getting less and less. The distances are getting further and further. Looking at those issues it was felt by the public safety committee that we need to engage and bring into an EMS systems approach anyone and everyone we can. Currently the ND Highway Patrol is 100% licensed and trained at the level of quick response. We had a bill last week that said in order to be licensed you do not have to be available 24/7 any longer. From the law enforcement standpoint, the ND Highway Patrol is a licensed quick response unit. There are many more out there that are not. When you think about who should get to the scene first, the committee's feelings that we should be enticing law enforcement agencies across the state to become involved with EMS. Individuals hired by law enforcement agencies, go through training and then the agencies down require them to keep up their certification and they let it drop. Another concern is that doesn't necessarily mean they take the equipment out of the squad cars. They

aren't carrying their cards with them and then they aren't covered by the Good Samaritan law either because they are not volunteers, they are paid law enforcement professionals.

There is a concern if they aren't carrying some kind of a card saying they have a level of training, how much risk do they put themselves, law enforcement agency and families in? We felt it was important we get a new level or entice this level of responders because they are the ones out there and they are the most available and we felt it would fit nicely into the component of an EMS systems approach.

Chairman Weisz: Currently law enforcement is part of an EMS is not eligible for any training grants that we provide now, current?

Rep. Porter: That is correct.

Chairman Weisz: Some of these rural law enforcement agencies, that haven't (inaudible) not necessarily licensed.

Rep. Porter: Maybe some grandfathered in, but anyone hired after a certain date will have had to gone through either Devils Lake Tec Center with certifications or after they were hired sent to Bismarck for that the 6 or 8 week training course to be eligible to be licensed by the (inaudible).

Rep. Hofstad: I understand how important it is in rural areas to have a first responder. How rural law enforcement agencies or agents do you think that do not have this training? Do you know what kind of dollars we are talking about or people we are talking about to be trained?

Rep. Porter: We have the first draft of this particular bill and this is the 300 version. The 100 version that we had in the interim committee was in mandate to law enforcement and they didn't like it. Don't have numbers off hand and not presented to us. What was presented was they felt they already had from the law enforcement standards of keeping their training up, they had enough things that were mandated as far as training requirements to maintain a licensure

as law enforcement. But, they didn't want one more mandatory component to that license. So we changed it so it would not have the mandate. They couldn't use money as the factor of not doing the core component that many of us felt were part of their responsibility.

Rep. Holman: How did you come up with \$128,400?

Rep. Porter: I can, but I will let the Health Dept. do that.

Pat (H?), Sheriff of Burleigh Co. in Bismarck testified in support: We do have three rural ambulance services besides the Burleigh County one. We are not at this time 100% first responders certified on our people who respond. It will take us some time to get there. This will help us purchase any equipment

Tim Ryan, State EMS Director of the Health Department: We are neutral, but to answer Rep. Holman's question, the formula used is \$200 per person.

Rep. Holman: Any expenses incurred by the local agencies would be covered on their own?

Tim Ryan: We pass all of those funds through (inaudible).

Rep. Conrad: The Sheriff mentioned something about training or equipment is that in here?

Tim Ryan: As far as I know it's for training.

Rep. Conrad: (Inaudible) (something about training).

Tim Ryan: The interim committee had Legislative Council determine how many law enforcement officers (inaudible).

Rep. Frantsvog: Who does the training?

Tim Ryan: Network of educators throughout the state. We have about 300 licensed instructors.

Rep. Frantsvog: This is only good for someone who is now not licensed first responder and this would train him to be a first responder and not a continuing education (inaudible) is that correct?

Tim Ryan: That's the way I understand it.

NO OPPOSITION.

Chairman Weisz closed the hearing.

2009 HOUSE STANDING COMMITTEE MINUTES

Bill/Resolution No. 2047

House Human Services Committee

Check here for Conference Committee

Hearing Date: March 11, 2009

Recorder Job Number: 10662

Committee Clerk Signature

Vicky Crabtree

Minutes:

Chairman Weisz: Let's take a look at 2047.

Rep. Porter: It's important to make sure the agencies, whether they be the local law enforcement agency, the police department in those populations under 6500 or any county sheriff's office that want to access this fund, that they are committed in the future to keeping those training levels up. I asked Jason to work out an amendment to add to this bill after on line 10 after "offices", that just states "any agency which accepts these funds shall maintain the physicians as trained first responders. If the training requirement is eliminated, the agency shall return the funds to the department". It's not the person it is the position being eliminated.

Rep. Porter: Move that amendment.

Rep. Damschen: Second.

Rep. Conklin: Will they have to train every two years?

Rep. Porter: There is a recertification requirement every two years of 16 hours and 6 of those 16 hours is CPR training.

Rep. Conklin: Will it cost them \$200 again?

Rep. Porter: No. This is the initial only.

Rep. Damschen: I just wonder if your wording is clear if the requirement is moved by the recipient or if that requirement is changed at state level.

Rep. Porter: The post board has it as part of their initial law enforcement training. The Dept. of Health adopts the national standard for the training. What the agency is doing is picking the positions they want to access the training for. The Burleigh County Sheriff said out of an agency of 75, he has 16 positions he'd consider to commit and train at this level. If he accesses \$200 for each of those positions, then he is committed to maintain training for those 16 positions. If he would cut to 10 and then he'd have to pay back \$1200 to the state so that money could be redirected to another police or sheriff's office.

Voice Vote: 12 yeas, 0 nays 1 absent, Rep. Potter.

MOTION CARRIED DO PASS TO MOVE AMENDMENT.

Rep. Frantsvog: Move a Do Pass on as Amended Rerefer to Appropriations.

Rep. Uglem: Second.

ROLL CALL VOTE: 12 yes, 0 no, 1 absent, Rep. Potter.

BILL CARRIER: Rep. Uglem.

VR
3/11/09

PROPOSED AMENDMENTS TO ENGROSSED SENATE BILL NO. 2047

Page 1, line 10, after the period insert "Any agency that accepts funds under this section shall maintain the positions as trained first responders. If the training requirement is eliminated, the agency shall return the funds to the department."

Renumber accordingly

Date: 3-11-09
 Roll Call Vote #: /

2009 HOUSE STANDING COMMITTEE ROLL CALL VOTES
 BILL/RESOLUTION NO. 2047

House HUMAN SERVICES Committee

Check here for Conference Committee

Legislative Council Amendment Number _____

Action Taken Do Pass Do Not Pass Amended

Motion Made By Rep. PORTER Seconded By Rep. Damschen

Representatives	Yes	No	Representatives	Yes	No
CHAIRMAN ROBIN WEISZ			REP. TOM CONKLIN		
VICE-CHAIR VONNIE PIETSCH			REP. KARI L CONRAD		
REP. CHUCK DAMSCHEN			REP. RICHARD HOLMAN		
REP. ROBERT FRANTSVOG			REP. ROBERT KILICHOWSKI		
REP. CURT HOFSTAD			REP. LOUISE POTTER		
REP. MICHAEL R. NATHE					
REP. TODD PORTER					
REP. GERRY UGLEM					
<i>Voice Vote</i>					

Total (Yes) 12 No 0

Absent 1 Rep. Potter

Bill Carrier _____

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

Move Amendment

"any agency which accepts those funds shall maintain the physicians as trained first responders. If the training requirement is eliminated, the agency shall return the funds to the dept."

Date: 3-11-09
Roll Call Vote #: 2

2009 HOUSE STANDING COMMITTEE ROLL CALL VOTES
BILL/RESOLUTION NO. 2047

House HUMAN SERVICES Committee

Check here for Conference Committee

Legislative Council Amendment Number _____

Action Taken Do Pass Do Not Pass Amended

Motion Made By Rep. FRANTSVOG Seconded By Rep. Uglem

Representatives	Yes	No	Representatives	Yes	No
CHAIRMAN ROBIN WEISZ	✓		REP. TOM CONKLIN	✓	
VICE-CHAIR VONNIE PIETSCH	✓		REP. KARI L CONRAD	✓	
REP. CHUCK DAMSCHEN	✓		REP. RICHARD HOLMAN	✓	
REP. ROBERT FRANTSVOG	✓		REP. ROBERT KILICHOWSKI	✓	
REP. CURT HOFSTAD	✓		REP. LOUISE POTTER	A	
REP. MICHAEL R. NATHE	✓				
REP. TODD PORTER	✓				
REP. GERRY UGLEM	✓				

Total (Yes) 12 No 0

Absent 1

Bill Carrier Rep. Uglem

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

Motion Carried DO PASS AS Referred to AP Amended

REPORT OF STANDING COMMITTEE

SB 2047, as engrossed: Human Services Committee (Rep. Weisz, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** and **BE REREFERRED** to the **Appropriations Committee** (12 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). Engrossed SB 2047 was placed on the Sixth order on the calendar.

Page 1, line 10, after the period insert "Any agency that accepts funds under this section shall maintain the positions as trained first responders. If the training requirement is eliminated, the agency shall return the funds to the department."

Renumber accordingly

2009 HOUSE APPROPRIATIONS

SB 2047

2009 HOUSE STANDING COMMITTEE MINUTES

Bill/Resolution No. SB 2047

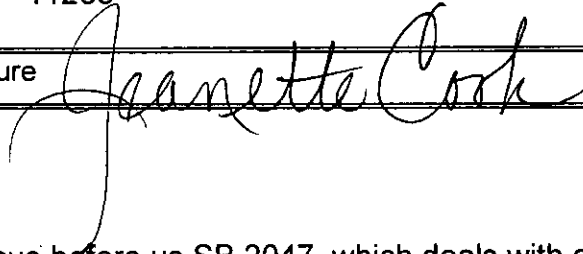
House Appropriations Committee

Check here for Conference Committee

Hearing Date: March 19, 2009

Recorder Job Number: 11233

Committee Clerk Signature



Minutes:

Chm. Svedjan: We have before us SB 2047, which deals with emergency training grants to law enforcement officers.

Rep. Weisz: SB 2047 is a \$128,400 appropriation that would pay the costs of the recertification of law enforcement personnel to be certified as First Responders. They have this certification initially when they go through the academy, but many do not keep this certification up. Particularly in the rural areas, when law enforcement is the first to respond, they aren't even certified to be a "first responder". The committee might ask why they don't do this themselves. They can, but often it isn't a top priority with counties and cities. Our committee thinks that it is important to ensure that it be done and worth the money.

Chm. Svedjan: How did you arrive at \$128,400?

Rep. Weisz: It is \$200 per person, and they are estimating 642 potential eligible law enforcement officers. This is strictly for the cost of the course.

Rep. Pollert: In the past, who has been paying for the training?

Rep. Weisz: Nobody has, and that is the issue. Most of them, particularly in the smaller communities, are not going in to be recertified. It's not a priority for the agency. They are licensed when they come out of the Academy, but just not staying current.

Rep. Pollert: It is the responsibility of the local community?

Rep. Weisz: It is not a legal responsibility. It's not in the code.

Rep. Pollert: If the state will pay for it.....

Rep. Weisz: When they go through the Academy it is a requirement. They have to maintain that every two years. Our committee felt this was important. This bill requires them to maintain the certification or they pay the money back. There is a commitment; they have to keep it current.

Rep. Kempenich: It sounds like me it's the individual's initiative to do this. Wouldn't the individual feel the initiative to stay with it, if they are professional enough to want to be in the position they are in?

Rep. Weisz: You can say that they should be altruistic enough to do that, but the reality is that is part of their job performance, and it may not be fair to require them to go out and get the certification on their own. They are not mandated to keep this up.

Rep. Wald: It sounds like it's a lack of interest, not a lack of money.

Rep. Weisz: It's a lot more than \$20. The course is \$200, plus travel and everything else. We looked at it as a good thing to do. We took the viewpoint that it is providing a service to the citizens. If you are in an accident and an ambulance is 30 minutes away, and the first person to show up is a deputy sheriff, you would want that person to be a certified First Responder. We are not mandating they do this. We are saying, "Don't you want them to be?"

Rep. Ekstrom: Did you hear testimony that someone died or was seriously ill as a result of someone showing up that could not provide the care?

Rep. Weisz: No, I would assume that no one would want to admit that they weren't qualified or could have provided care that they didn't provide. Local law enforcement is not necessarily qualified.

Rep. Ekstrom: I heard of a situation in rural Cass County in which local law enforcement arrived and couldn't perform the kind of services needed. The ambulance didn't arrive in time, and he died.

Rep. Kreidt: Wouldn't it fall under the Good Samaritan Act? Don't they have an obligation? They come out of the Academy with the certification and know what they are supposed to do.

Rep. Weisz: It was not an issue of whether or not they would provide care. The concern was, are they competent enough to provide the level of care necessary? They will provide whatever care they can.

Rep. Nelson: Can you speak to the amendment your Committee added? Use Wells County as an example. If two officers are certified and move on to other jobs, and they recertify the new staff, does that keep them current as far as the amendment goes?

Rep. Weisz: If Wells County had two positions, and they hired two new persons, it would be their responsibility to get the new positions certified. They are agreeing to certify the position, not the person. If the position is eliminated, they would not have to pay that back.

Rep. Nelson: The new hire, they would be eligible for the grant?

Rep. Weisz: That would be the county's responsibility. It is a one time payment.

Rep. Delzer: What kind of administrative nightmare are you creating? Who is going to regulate and check all this stuff? I'm not sure it's worth it for \$200.

Rep. Weisz: If you're referring to making sure they keep the position, it is going to be the good will of the law enforcement agency to keep it current. Can they get by without paying it back? Sure they could. I don't foresee them doing that.

Rep. Skarphol: What about a situation where the county makes a decision not to do this, but the licensed officer requests it? (15:23) In line seven it says law enforcement agencies for

licensed officers who chose to become licensed. In other words the officer could commit the county to something without the county's consent.

Rep. Weisz: The grant is to the agency, not the officer. The county, for example, can't force the officer to be licensed as part of his employment.

Rep. Skarphol: If you have two deputies that are trained, any new hire would have to be trained, as I understand it, or they would have to repay the money.

Rep. Weisz: The county would have to repay. They could tell the new hire that they have to be recertified, and they could accept employment on that basis.

Rep. Kroeber: Whether it's CPR, first aid, first responder, or EMT training, you have certification requirements to stay and work at that level. You learn new techniques when you go back to recertification to learn the use of new equipment and review the use of old equipment. When an emergency occurs in here, it is nice to be able to call on a certified person that you know is qualified in those types of things. The same would hold true out on the highway. I think this is a very important thing.

Rep. Kroeber moved a Do Pass on SB 2047.

Rep. Kaldor seconded the motion.

A roll call vote was taken. **Aye 10 Nay 13 Absent 2**

The motion failed.

Rep. Kempenick moved a Do Not Pass on SB 2047.

Rep. Thoreson seconded the motion.

A roll call vote was taken. **Aye 13 Nay 10 Absent 2**

The motion carried.

Rep. Kempenick will carry SB 2047.

Date: 3/19/09
 Roll Call Vote #: 1

2009 HOUSE STANDING COMMITTEE ROLL CALL VOTES
 BILL/RESOLUTION NO. 2047

Full House Appropriations Committee

Conference Committee

Legislative Council amendment Number _____

Failed

Action Taken: Do Pass Do Not Pass As Amended

Motion Made By: Kroeber Seconded By: Kaldor

Representatives	Yes	No	Representatives	Yes	No
Chairman Svedjan		✓			
Vice Chairman Kempenich		✓			
Rep. Skarphol		✓	Rep. Kroeber	✓	
Rep. Wald		✓	Rep. Onstad	✓	
Rep. Hawken		✓	Rep. Williams	✓	
Rep. Klein		✓			
Rep. Martinson		✓			
Rep. Delzer		✓	Rep. Glassheim	✓	
Rep. Thoreson		✓	Rep. Kaldor	✓	
Rep. Berg		✓	Rep. Meyer	✓	
Rep. Dosch		✓			
Rep. Pollert		✓	Rep. Ekstrom	✓	
Rep. Bellew		—	Rep. Kerzman	✓	
Rep. Kreidt		✓	Rep. Metcalf	✓	
Rep. Nelson	✓				
Rep. Wieland		—			

Total Yes 10 No 13

Absent 2

Floor Assignment: _____

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

Date: 3/19/09
 Roll Call Vote #: 2

2009 HOUSE STANDING COMMITTEE ROLL CALL VOTES
BILL/RESOLUTION NO. 2047

Full House Appropriations Committee

Conference Committee

Legislative Council amendment Number _____

Action Taken: Do Pass Do Not Pass As Amended

Motion Made By: Kempnich Seconded By: Thoreson

Representatives	Yes	No	Representatives	Yes	No
Chairman Svedjan	✓				
Vice Chairman Kempnich	✓				
Rep. Skarphol	✓		Rep. Kroeber		✓
Rep. Wald	✓		Rep. Onstad		✓
Rep. Hawken	✓		Rep. Williams		✓
Rep. Klein	✓				
Rep. Martinson	✓				
Rep. Delzer	✓		Rep. Glassheim		✓
Rep. Thoreson	✓		Rep. Kaldor		✓
Rep. Berg	✓		Rep. Meyer		✓
Rep. Dosch	✓				
Rep. Pollert	✓		Rep. Ekstrom		✓
Rep. Bellew	—		Rep. Kerzman		✓
Rep. Kreidt	✓		Rep. Metcalf		✓
Rep. Nelson		✓			
Rep. Wieland	—				

Total Yes 13 No 10

Absent 2

Floor Assignment: Kempnich

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

REPORT OF STANDING COMMITTEE (410)
March 19, 2009 3:40 p.m.

Module No: HR-50-5415
Carrier: Kempenich
Insert LC: . Title: .

REPORT OF STANDING COMMITTEE

SB 2047, as engrossed: Appropriations Committee (Rep. Svedjan, Chairman)
recommends **DO NOT PASS** (13 YEAS, 10 NAYS, 2 ABSENT AND NOT VOTING).
Engrossed SB 2047 was placed on the Fourteenth order on the calendar.

2009 TESTIMONY

SB 2047

Testimony

Senate Bill 2047

Senate Human Services Committee

Tuesday, January 13, 2009; 9 a.m.

North Dakota Department of Health

Good morning, Chairman Lee and members of the Human Services Committee. My name is Tim Meyer, and I am director of the Division of Emergency Medical Services and Trauma for the North Dakota Department of Health. I am here today to provide information about Senate Bill 2047.

The Department of Health has historically provided grants to train emergency medical services (EMS) providers, including first responders who work for EMS agencies. Currently, law enforcement agencies are not eligible for existing EMS training grants. Part of the process for our current grant is that we give the award to the EMS agency based on the individual's successful completion of the course. We have not directly given training grants to individuals. If we were to do so, according to State Procurement purchasing policies, each person would have to be registered as a state vendor and receive a 1099 if the award met the \$600 federal threshold. We would prefer to award these grants to agencies rather than individuals.

We also have a concern about line 8 of the bill where it references "individuals" as potential recipients of the award. This seems vague and could be interpreted to apply to anyone, whether in law enforcement or not. If the intent is to mean any individual law enforcement officer, then we would ask that be identified in the bill.

Finally, the bill does not clearly identify what we are to reimburse – tuition or tuition plus salaries and operating costs for law enforcement personnel who attend the training. Currently, EMS training grants are awarded at a set amount per student (\$175 tuition). If the training grants for law enforcement cover more than tuition, we will need to have the agency or individual submit an invoice that identifies training-related expenses.

This concludes my testimony. I am happy to answer any questions you may have.