

June 2009

TITLE 18

Fires

Summary of Bills Enacted by 2009 Legislative Assembly

This memorandum summarizes 2009 legislation primarily affecting North Dakota Century Code Title 18. Bills primarily affecting other titles may also affect this title, but those bills are not summarized in this memorandum.

House Bill No. 1070 creates an alternate firefighters relief association plan benefits program with the consent of the governing body of the city. The bill provides for a monthly service pension plan, disability pension, and pensions for survivors of deceased members.

House Bill No. 1124 adopts the Interstate Compact for the Prevention and Control of Wildland Fires to promote effective prevention and control of forest fires in the Great Plains region of the United States by the maintenance of adequate forest fire fighting services by member states and by providing reciprocal aid among the states that include South Dakota, North Dakota, Wyoming, Colorado, and any adjoining state of a current member state.

Senate Bill No. 2204 allows a rural fire department to form a firefighters relief association as is allowed for a city or rural fire protection district that has a fire department. The bill requires any firefighters relief association to have a plan approved by the Internal Revenue Service and to meet the requirements of the firefighters relief association bylaws.

House Bill No. 1368 creates reduced ignition propensity standards for cigarettes and penalties for wholesale and retail sale of cigarettes that violate the reduced propensity standards. The bill allows for the State Fire Marshal, Tax Commissioner, and Attorney General to enforce the standards and for monetary violations to be deposited in the fire prevention and public safety fund to be used by the State Fire Marshal to support fire safety and prevention programs. In addition, fees collected for testing cigarettes are to be used by the State Fire Marshal for the purpose of processing, testing, enforcement, and oversight of ignition propensity standards.

House Bill No. 1436 changes the name from the Legislative Council's Employee Benefits Programs Committee to Legislative Management's Employee Benefits Programs Committee.

House Bill No. 1015 changes the requirement for a payment from the Insurance Commissioner from the firefighters death benefit fund of \$10,000 to a deceased firefighter's estate, if requested, from the governing body of a municipality having a paid fire department or the governing body of a city or rural fire protection district having no paid fire department to the survivor of a line of duty death upon request of a fire department or fire protection district. In addition, the bill defines line of duty death as a death that was due to an injury sustained while performing firefighter duties if the death occurred within 48 hours of participating in an emergency response or training event, and death from a heart attack or stroke is deemed to be a line of duty death if it occurs within 48 hours.