

MICROFILM DIVIDER

OMB/RECORDS MANAGEMENT DIVISION

SFN 2053 (2/85) 5M



ROLL NUMBER

DESCRIPTION

1323

2001 HOUSE POLITICAL SUBDIVISIONS

HB 1323

200: HOUSE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. HB1323

House Political Subdivisions Committee

Conference Committee

Hearing Date 2-1-01

Tape Number	Side A	Side B	Meter #
2	xx		1850-3140
Committee Clerk Signature <i>Pam Deane</i>			

Minutes: Chair Froseth opened the hearing on HB1323 relating to ND firefighter's association.

Rep. Disrud, Dist 21, Fargo : I am prime sponsor of this bill. This is a simple name change and I urge your support. We need to include both genders.

Lois Hartman, ND Firefighter's Assoc. Executive Director : testified in support of HB1323.

(SEE ATTACHED TESTIMONY) I also have with me an amendment. **(SEE ATTACHED)**

Rep. Ekstrom : (2397) How many women are firefighters?

Lois : Less than 1%. In Center, ND it is half and half, which is an exception to the rule..

Joel Boespflug, Chief Bismarck Fire & Inspection Dept. : (2470) I'm here in support of this bill.

We have a good relationship with the firefighter's association. Bismarck is a member.

Rep. Kretschmar : Are rural fire departments in the association, too? The volunteer ones?

Joel : At the present time, all the departments are. The number of active members varies from year to year.

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House Political Subdivisions Committee
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Vice-Chair Severson : Lois, you stated that before the department were mandated to do so and that will be changed to voluntary. Will that change the membership?

Lois : The ones that are inactive probably won't be interested.

Chair Froseth : What are the dues? Are they structured?

Lois : There is a scale depending on insurance premium to fire department.

Chair Froseth : Any more testimony for or against? Hearing none, hearing is closed.

Rep. N. Johnson : I move a **DO PASS ON AMENDMENTS.**

Rep. Ekstrom : I second.

VOICE VOTE: YES carried. AMENDMENTS PASSED.

Rep. Delmore : I move a **DO PASS AS AMENDED.**

Rep. N. Johnson : I second.

VOTE: 14 YES and 0 NO with 1 absent. BILL PASSED. Rep. N. Johnson will carry.

PROPOSED AMENDMENTS TO HOUSE BILL NO. 1323

Page 1, line 1, after "to" Insert "provide for legislative council correction of references by the fifty-seventh legislative assembly to the North Dakota firemen's association; and to"

Page 3, line 20, overstrike "Has" and replace "a basic" with "Meets the minimum requirements for class 9 protection or better"

Page 3, line 21, remove "minimum standard of ISO rating 9"

Page 5, after line 3, Insert:

"SECTION 13. MEASURES ENACTED BY THE FIFTY-SEVENTH LEGISLATIVE ASSEMBLY RELATING TO THE NORTH DAKOTA FIREMEN'S ASSOCIATION. The legislative council may replace appropriate references to the North Dakota firemen's association in any measure enacted by the fifty-seventh legislative assembly with references to the North Dakota firefighter's association, as appropriate. References inserted may be adjusted to suit context and grammar of the sections and must be inserted so as to harmonize the legislative measure with regard to the name change provided by this Act."

Renumber accordingly

Date: 2-1-01
Roll Call Vote #: 1

2001 HOUSE STANDING COMMITTEE ROLL CALL VOTES
BILL/RESOLUTION NO. HB 1323

House POLITICAL SUBDIVISIONS Committee

Subcommittee on _____
or
 Conference Committee

Legislative Council Amendment Number 18280.0001 0300

Action Taken Do Pass As Amended

Motion Made By Rep. Delmore Seconded By Rep. N. Johnson

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	AB				
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) 14 No 0

Absent 1

Floor Assignment Rep. N. Johnson

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

REPORT OF STANDING COMMITTEE

HB 1323: 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 1323 was placed on the Sixth order on the calendar.

Page 1, line 1, after "to" insert "provide for legislative council correction of references by the fifty-seventh legislative assembly to the North Dakota firemen's association; and to"

Page 3, line 20, overstrike "Has" and replace "a basic" with "Meets the minimum requirements for class 9 protection or better"

Page 3, line 21, remove "minimum standard of ISO rating 9"

Page 5, after line 2, insert:

"SECTION 13. MEASURES ENACTED BY THE FIFTY-SEVENTH LEGISLATIVE ASSEMBLY RELATING TO THE NORTH DAKOTA FIREMEN'S ASSOCIATION. The legislative council may replace appropriate references to the North Dakota firemen's association in any measure enacted by the fifty-seventh legislative assembly with references to the North Dakota firefighter's association, as appropriate. References inserted may be adjusted to suit context and grammar of the sections and must be inserted so as to harmonize the legislative measure with regard to the name change provided by this Act."

Renumber accordingly

2001 SENATE POLITICAL SUBDIVISIONS

HB 1323

2001 SENATE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. HB1323

Senate Political Subdivisions Committee

Conference Committee

Hearing Date March 1, 2001

Tape Number	Side A	Side B	Meter #
1		x	6.6-16.1
Committee Clerk Signature <i>Mary Jo Weeks</i>			

Minutes:

The hearing was opened on HB1323: relating to the firefighter's association. All senators were present except for Senator Flakoll.

REPRESENTATIVE DISRUD: This bill is quite a simple bill in terms of easy to support and what it does is work on the language going from firemen's association to firefighters' association. I had the privledge through Rep. Maragos last session to sponsor one of their bills and enjoyed working with so much they let me sponsor another one for them.

REPRESENTATIVE MARAGOS: I stand before you in support of HB1323. Others will explain why it should be passed and I offer recommend the committee a Do Pass. SENATOR WATNE:

Rep. Maragos, I see your changing firemen to firefighters, do you call this sexist. Is this gender neutral? REPRESENTATIVE MARAGOS: I am sure that they may be one of the underlying reasons but there are others who will give you a more definitive explanation on why the bill is important and should be passed. It certainly to me, the way legislator I could see the wisdom in

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Senate Political Subdivisions Committee
Bill/Resolution Number HB 1323
Hearing Date March 1, 2001

changing this name. There are women firefighters, so that I am sure just one of the reasons for the change. ALAN KLEIN: Secretary of the North Dakota Firefighter's Association. See written attached testimony. Mr. Klein spoke in support of this bill. JOEL BOESPFLUG: Chief of the Bismarck Fire and Inspections Department and Director with the North Dakota Fire Chief's Association. Spoke in support of this bill. See attached written testimony. SENATOR MATHERN: I don't have a question, but I do have just a comment. I gathered from Mr. Klein testimony that the vote was not unanimous, but I commend you all for moving forward with the change.

Hearing Closed HB1323.

Senator Watne, I think the record should reflect that we have twelve uniformed men here that are very impressive. Senator Cook, the record shall show this.

Senator Lee moved for a Do Pass

Senator Watne- 2nd

Roll Call vote: 7 Yeas, 0 No, 1 Absent

Carrier: Senator Mathern

Date: 3-1-01
Roll Call Vote #: /

2001 SENATE STANDING COMMITTEE ROLL CALL VOTES
BILL/RESOLUTION NO. *H.B. 1323*

Senate Political Subdivisions Committee

Subcommittee on _____
or
 Conference Committee

Legislative Council Amendment Number _____

Action Taken No Pass

Motion Made By Sen Lee Seconded By Sen Watne

Senators	Yes	No	Senators	Yes	No
Senator Cook	✓		Senator Christenson	✓	
Senator Lyson	✓		Senator Mathem	✓	
Senator Flakoll <i>Ab.</i>			Senator Polovitz	✓	
Senator Lee	✓				
Senator Watne	✓				

Total (Yes) 7 No 0

Absent 1

Floor Assignment Sen Mathem

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

REPORT OF STANDING COMMITTEE (410)
March 2, 2001 2:09 p.m.

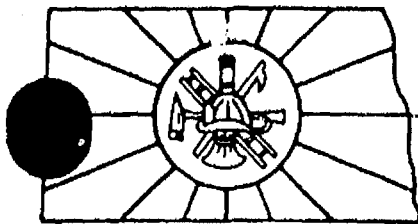
Module No: SR-36-4749
Carrier: D. Mathern
insert LC: . Title: .

REPORT OF STANDING COMMITTEE

HB 1323, as engrossed: Political Subdivisions Committee (Sen. Cook, Chairman)
recommends **DO PASS** (7 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING).
Engrossed HB 1323 was placed on the Fourteenth order on the calendar.

2001 TESTIMONY

HB 1323



*North Dakota
Firefighter's Association*

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**POLITICAL SUBDIVISIONS COMMITTEE
Testimony on House Bill No. 1323**

**By, Lois Hartman
February 1, 2001**

Mr. Chairman and members of the House Political Subdivisions Committee, my name is Lois Hartman. I am the Executive Director of the North Dakota Firefighter's Association. I appear before you today in support of House Bill No. 1323.

On June 3, 2000, at the 116th Annual Convention of the North Dakota Firemen's Association, an Amendment to the Association's Constitution was presented for consideration to change the name of the Association to the North Dakota Firefighter's Association. After some discussion, the membership at the convention voted to change the name. The proper documents have been filed with the Secretary of State's Office to change the Articles of Incorporation. We are here today to ask the Legislature to update the North Dakota Century Code to reflect the name change.

Mr. Chairman, if I may, I would like to walk the Committee through the bill and highlight two other changes that we are proposing. Pages one and two of the bill simply changes the name to firefighter from firemen.

Page 3, Section 9 deals with the eligibility of a fire department or district to receive the insurance premium tax refund payments. Line 20, should read, "meets the minimum requirements for Class 9 Protection, or better;" This is an update in wording to reflect the Insurance Services Organization fire service rating for each community. This rating service is used state wide to rate the level of fire protection available in the community. Insurance companies use this rating to set property insurance premiums. The higher the rating number, the lower the level of fire protection. A class 10 rating is equal to no fire protection. A class 9 rating is minimal fire protection.

Lines 22 through 24 are being removed.

On page four, the only changes are wording changes from firemen's to firefighter's association and commissioner of insurance to insurance commissioner.

Mr. Chairman, there are other bills being considered this Legislative Session that use the name firemen's association rather than firefighter's association. The old name was used to be consistent with the Century Code. House Bill No. 1289 is a bill to authorize firefighter license plates. I thank you all for your support on that bill, but wanted to note

that the name of the association will also need to be updated in that bill, as well as House Bill No. 1010, which is the Insurance Department Budget.

Thank you Mr. Chairman. That concludes my testimony. I will be happy to try and answer any questions you or the committee may have.

POLITICAL SUBDIVISIONS COMMITTEE
Testimony on House Bill No. 1323

Senate

Mr. Chairman and members of the ~~House~~ Political Subdivisions Committee, my name is Alan Klein. I am the Executive Board Secretary of the North Dakota Firefighter's Association. I appear before you today in support of House Bill No. 1323.

On June 3, 2000, at the 116th Annual Convention of the North Dakota Firemen's Association, an Amendment to the Association's Constitution was presented for consideration to change the name of the Association to the North Dakota Firefighter's Association. After some discussion, the membership at the convention voted to change the name. The proper documents have been filed with the Secretary of State's Office to change the Articles of Incorporation. We are here today to ask the Legislature to update the North Dakota Century Code to reflect the name change.

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Thank you Mr. Chairman. That concludes my testimony. I will be happy to try and answer any questions you or the committee may have.

Testimony on House Bill 1323
Political Subdivisions Committee

By Joel Boespflug

February 29, 2001

Mr. Chairman and members of the committee, my name is Joel Boespflug and I am the Chief of the Bismarck Fire and Inspections Department and a Director with the North Dakota Fire Chief's Association. I appear before you today in support of House Bill 1323.

On page 3, lines 15-27 establish the requirements that a fire department must meet in order to receive premium tax rebate monies from the Insurance Department. The changes in lines 21-25 refer to a more appropriate fire protection standard that is already in place in North Dakota and throughout the nation. For the purpose of this bill and for legislative intent, a "class 9 protection" as listed on line 22, is intended to be the community fire protection rating of nine in accordance with the Insurance Services Office Fire Suppression Rating Schedule. Throughout the state and nation, this rating schedule is in place and is widely utilized by insurance companies as a community fire risk measurement tool. The "class 9 protection" requirements refer to a fire departments organization, membership, training, handling of alarms, apparatus, equipment and records. It is much more applicable to modern fire protection in comparison to the original wording in the Century Code.

The change provided in this bill on page 3, lines 23-25 is favorable. The second sentence had required that a fire department must be in good standing with the North Dakota Firemen's Association in order to be eligible to receive rebate monies from the Insurance Department. To be in good standing currently requires that the fire department has paid its annual membership dues, which are established and collected by the Firemen's Association. There is no direct correlation between paying annual dues to an organization and to the purpose of the insurance rebate monies. There is however, a positive and measurable relationship between the insurance rebate monies given to the fire department and the common objective of reducing the fire risk for a community.

Mr. Chairman and members of the Committee, I urge you to pass House Bill 1323.

Thank you for your time and I will be happy to answer any questions that you might have.