

MICROFILM DIVIDER

OMB/RECORDS MANAGEMENT DIVISION

SFN 2053 (2/85) 5M



ROLL NUMBER

DESCRIPTION

1112

2007 HOUSE POLITICAL SUBDIVISIONS

HB 1112

2007 HOUSE STANDING COMMITTEE MINUTES

Bill/Resolution No. HB 1112

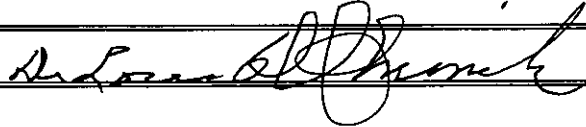
House Political Subdivisions Committee

Check here for Conference Committee

Hearing Date: January 11, 2007

Recorder Job Number: 924

Committee Clerk Signature



Minutes:

Chairman Herbel called the meeting to order on HB 1112.

Rep. Brendenburg: HB 1112 gives a small appropriation to help small volunteer fire fighters.

Senator Tim Mathen has done allot of work on this bill with volunteer fire fighters and ambulance services and I wanted to have it as part of the record. Out in the rural areas we have only volunteers that work for nothing and they do local fund raising to fund equipment to keep them doing. There is a black hole here because they have people here that are not covered by insurance since he is not working; only volunteering so WSI will not pay for them. We want to take care of people that are volunteering for firefighting to pay for insurance for them. A number of people are here to testify on this subject.

Rep. Lee Kaldor: Would you tell us how you came up with the \$1500 figure?

Rep. Nancy Johnson: The main purpose is to help the volunteers have insurance coverage.

Rep. Brendenburg: Yes

Darrell Grant, Volunteer: July 31, 2004 long time fire fighter George Major dropped over dead with a heart attack at a fire and to the shock of the family and fire department workers comp did not provide coverage for him since it was not an accident, it was a heart attack. It turns out that half the deaths of fire fighters each year are a result of heart attacks and stokes.

Firefighters are a very stressful occupation. The paid firefighters do have coverage, but the volunteers do not because they are not paid. We tried to work with workman's comp to cover heart attacks and strokes, but as a result we call this bill no family left behind act. Our goal today is to follow workman's comp to buy your own insurance so that you have coverage. Departments that have money, this is not a problem, but smaller rural fire departments have no extra money. Difficult to recruit when people find out there is no coverage if they are injured or die while volunteering. Discussion showed something needs to be changed so volunteers are covered. Want to have up to \$1500 grant to cover insurance policies to buy insurance so their people are covered.

Chairman Herbel: What is the actual cost of an insurance policy like this?

Darrell Grant: I believe it is under \$100/per person per year so that average small department is going to be \$1500-\$2000.

Rep. Lawrence Klemin: Are we talking about a separate insurance policy that will cover in addition to their own policy?

Darrell Grant: This would be a separate policy that would cover heart attacks and strokes. It is a separate independent policy. Discussion on what is covered and not covered with regard to insurance coverage.

Rep. Lee Kaldor: I am a little unclear where the \$1500 amount came from? Is it \$1500 per department for reimbursing or per volunteer.

Darrell Grant: \$1500 is per department. Figure put on to calculate an appropriation number; it does cap each department at \$1500.

Rep. Kim Koppelman: Does being a firefighter raise your insurance rate and who does the coverage come out. Darrell Grant explained that if you are a paid firefighter you are covered, but if you are a volunteer you are not covered under WSI for a stroke or heart attack.

Nathan Keith: Told about his father being killed fighting fires as a volunteer. If he had had a heart attack that day he would have had no support. I am in support of this bill.

Bruce Schreiner: President of the ND Firefighter's Association. (See attached testimony #1)

Rep. Chris Griffin: Why do paid firefighters get extra coverage?

Bruce Schreiner: Paid firefighters coverage is about \$1900/year. Volunteer firefighters would be allot less; like \$3/per volunteer that is why it is almost impossible to get the coverage we want. Number of volunteer firefighters in the state is 2500, just a guess. 385 members of ND firefighters.

Rep. Kim Koppelman How does workman's comp work in a paid and unpaid workforce?

Bruce Schreiner: Volunteer's would be under normal workman's comp.

Rep. Kari Conrad: does this create a wedge between the volunteer and paid firefighters?

Bruce Schreiner: I don't think there is. Some political issue might separate us, but that is all.

Darrell Grant: I am confused whether the \$1500 is a grant for anything or is it just for insurance. The wedge is not a personal wedge; it is between workman's comp. and paid and volunteer firefighters. The volunteers would be allowed at the \$1500 to purchase insurance to cover heart attacks and strokes.

Rep. Kim Koppelman: Another person testifying mentioned a fiscal note of \$600,000. We do not have a fiscal note yet, but do you know what the cost is?

Darrell Grant: No sir, we are figuring some departments will not want protection for their people. Second thing is the \$600,000 is for biennium so it is \$300,000 a year. Incidentally there are 8,000 firefighters in ND, not 2500. Out of the 8,000 firefighters, approximately 7,500 are volunteers.

Closed the hearing.

2007 HOUSE STANDING COMMITTEE MINUTES

Bill No. HB 1112

House Political Subdivisions Committee

Check here for Conference Committee

Hearing Date: January 18, 2007

Recorder Job Number: 1400

Committee Clerk Signature



Minutes:

Chairman Herbel reopened the hearing on HB 1112.

Rep. Nancy Johnson: I am going to vote no on the motion. Having been in IBL and trying to figure out a way to have firefighters covered in the volunteer and emergency response covered and we did not find a way to do it. I think it is an appropriate way to do it is buy insurance.

Rep. Lawrence Klemin I understand there are a number of local entities that do have their own coverage and that these others that are now coming to the state and asking us to do that could ask themselves to do the very same thing, so I am going to vote in favor of the motion to do not pass.

Rep. Louis Pinkerton: There had been some discuss that someone was going to check with WSI and see what or if they had some flexibility in that.

Rep. Nancy Johnson: Rep. Kim Koppelman said he was going to check with WSI on Tuesday morning and I had another commitments so I did not meet them and he forgot about it so no one has talked to WSI.

Rep. Dwight Wrangham: WSI does OT have anything to do with that particular issue. I think we should go ahead and vote on the motion.

Chairman Herbel I am going to support the Do Not Pass myself. I agree with Rep. Dwight Wrangham says. Whatever WSI does belongs in a different bill altogether as discussed last time.

Rep. Lee Kaldor: In light of that, my concern in this legislation is that in those places where volunteers are performing these duties, if volunteers are performing these duties, if they were taxing themselves in a fire district or whatever it might be do they have the ability to cover these volunteer fire fighters for the kinds of health occurrence that took place. In all the discussions I gather that they can not get the insurance, but could that district get that insurance. That is my question. It is my understanding that they are not able to get this insurance.

Rep. Lawrence Klemin: It is my understanding they are just not entitled to the presumption It is not that they are not entitled to the coverage, but they are not entitled to the presumption. Full time paid fire fighters are entitled to this presumption, but volunteers are not. The amount of the insurance that they have to pay; volunteers are covered for everything else, if they break a leg, with significantly lower premium than the employers that have their employees covered by presumption. Secondly, the ones covered by the presumption also have to have physical examines at an additional cost per year, and next the fire fighters association here questioned the need for the bill. Now why do we need this bill? There are entities that have this insurance coverage that is not covered by WSI and there are some that don't pay any anything.

Rep. Kari Conrad: I am going to support the motion, but I did not walk into the room thinking that. I am not sure I am ready for the state to set a prescience of the state putting money into these things. Maybe in two years, when we have more of the deferred maintenance taken care of little more of the school funds settled down and those kind of things I might be ready

and a demonstration that they would be a burden on property tax to do this. I am going to end up supporting that motion.

Chairman Herbel have been working out very well for the fire department statewide. They have done remarkable well statewide and that has been testified to and I don't know if we need to get in the middle of some of these things or not.

Chairman Herbel called for the question: We have a Do Not Pass Motion Made By Rep. Lawrence Klemin Rep. Donald Dietrich

Vote 6 Yes 7 No. The Do Not Pass Failed.

Rep. Louis Pinkerton: when we discussed this last time we were going to go to WSI and get some information. I am not saying I support this motion, but I think when we originally decided we were going to go to WSI and get some information I think we should at least carry that forward. That does not mean I support this measure.

Chairman Herbel I guess we can hold the bill and get some further information, if that is the wishes and we can come back.

Rep. Lee Kaldor This bill would have to be re-referred to appropriations. For the sake of seeding what happens I vote a Do Pass/ Re-referred to Appropriations: Motion Made By Rep. Lee Kaldor Seconded by Rep. Chris Griffin

Vote: 6 Yes 7 No 1 Absent (Koppelman) Failed

Rep. Steve Zaiser: Said they wanted Rep. Kim Koppelman to contact WSI and come back to the committee with his finding.

Will hold the bill.

Hearing closed.

2007 HOUSE STANDING COMMITTEE MINUTES

Bill No. HB 1112

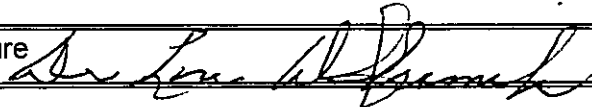
House Political Subdivisions Committee

Check here for Conference Committee

Hearing Date: January 25, 2007

Recorder Job Number: 1945

Committee Clerk Signature



Minutes:

Chairman Herbel reopened the hearing on HB 1112.

Rep. Kim Koppelman: There are several bills doing essentially the same thing. Rep. Louis Pinkerton, Rep. Nancy Johnson and I meet with Sandy Blumb, who is the director of WSI. We talked about this issue and the bills that are out here will help solve this problem. It was the consequences of our subcommittee that that will HB1103 is probably the best vehicle. If it passes in its present form it would be the least expensive for the state. Our subcommittee asked him to come up with a rate for these small rural fire fighter communities to come up with a rate to insure them. The 24-7 full time firefighters have this now. We asked Mr. Mund to come back with a rate for WSI and asked him if they would be willing to offer that kind of coverage. He did not think it would be very expensive but I don't have the numbers. Sounds like the premium would be very affordable. I think our subcommittee would recommend we kill this bill and use one of the other bills to address the need.

Rep. Lawrence Klemin: I was informed there are some entities that have no one to cover this and they can't themselves.

Rep. Nancy Johnson: There are some of the fire districts that do have a mill levy that provide insurance for their volunteer fire fighters. Other districts are at the max on their mill levies and do not provide insurance. So some tax payers are paying for it and some are not paying for it. The bill we have before us is 1112 and would allow grants for those who are not currently doing it to get state help for doing it. The senate bill has the coverage for the heart attack or stroke as your traveling to the fire. When you are on the fire and have an injury or heart attack you are covered by WSI. I think that bill; 48 hours after the fire you would be covered for a heart attack.

Do Not Pass Motion Made By Rep. Kim Koppelman Seconded By Rep. Louis Pinkerton

Discussion:

Rep. Lee Kaldor: This is for volunteer emergency services which should include volunteer fire fighters, EMS and medical services. We have a bill, HB 1296 that is providing funding for that. One of the issues they run into is that there are EMS services around the state that are supported by tax sources. I hope that we will find some way to help those areas that are caught in this terrible position.

Rep. Kim Koppelman: We really do feel the need to help in this area.

Vote: 12 Yes 1 No 1 Absent Carrier: Rep. Kari

Conrad

Hearing closed.

2007 HOUSE STANDING COMMITTEE ROLL CALL VOTES
BILL/RESOLUTION NO. HB 1112

House Political Subdivisions Committee

Check here for Conference Committee

Legislative Council Amendment Number _____

Action Taken Do Not Pass

Motion Made By Rep. Lawrence Klemin Seconded By Rep. Donald Dietrich

Representatives	Yes	No	Representatives	Yes	No
Rep. Gil Herbel-Chairman	X		Rep. Kari Conrad	x	
Rep. Dwight Wrangham-V. Chair	X		Rep. Chris Griffin		X
Rep. Donald Dietrich	X		Rep. Lee Kaldor		X
Rep. Patrick Hatlestad	X		Rep. Louis Pinkerton		X
Rep. Nancy Johnson		X	Rep. Steve Zaiser		X
Rep. Lawrence Klemin	X				
Rep. Kim Koppelman	<i>Absent</i>				
Rep. William Kretschmar		X			
Rep. Vonnie Pietsch		x			

Total (Yes) 6 No 7

Absent Rep. Kim Koppelman

Floor Assignment _____

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

Failed

**2007 HOUSE STANDING COMMITTEE ROLL CALL VOTES
 BILL/RESOLUTION NO. 1112**

House Political Subdivisions Committee _____

Check here for Conference Committee

Legislative Council Amendment Number _____

Action Taken Do Pass/referred to Appropriations

Motion Made By Rep. Lee Kaldor Seconded By Rep. Chris Griffin

Representatives	Yes	No	Representatives	Yes	No
Rep. Gil Herbel-Chairman		X	Rep. Kari Conrad		X
Rep. Dwight Wrangham-V. Chair		X	Rep. Chris Griffin	X	
Rep. Donald Dietrich		X	Rep. Lee Kaldor	X	
Rep. Patrick Hatlestad		X	Rep. Louis Pinkerton	x	
Rep. Nancy Johnson	X		Rep. Steve Zaiser		X
Rep. Lawrence Klemin		X			
Rep. Kim Koppelman	<i>Absent</i>				
Rep. William Kretschmar	X				
Rep. Vonnie Pietsch	x				

Total (Yes) 6 No 7

Absent Rep. Kim Koppelman

Floor Assignment _____

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

Failed

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

2007 HOUSE STANDING COMMITTEE ROLL CALL VOTES
BILL/RESOLUTION NO. HB1112

House Political Subdivisions Committee

Check here for Conference Committee

Legislative Council Amendment Number _____

Action Taken Do Not Pass

Motion Made By Rep Koppelman Seconded By Rep. Pinkerton

Representatives	Yes	No	Representatives	Yes	No
Rep. Gil Herbel-Chairman	✓		Rep. Kari Conrad	✓	
Rep. Dwight Wrangham-V. Chair	✓		Rep. Chris Griffin	✓	
Rep. Donald Dietrich	✓		Rep. Lee Kaldor	✓	
Rep. Patrick Hatlestad	✓		Rep. Louis Pinkerton	✓	
Rep. Nancy Johnson	✓		Rep. Steve Zaiser		
Rep. Lawrence Klemin	✓				
Rep. Kim Koppelman	✓				
Rep. William Kretschmar		✓			
Rep. Vonnie Pietsch	✓				

Total (Yes) 12 No 1

Absent 1

Floor Assignment Rep. Conrad

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

REPORT OF STANDING COMMITTEE (410)
January 25, 2007 4:18 p.m.

Module No: HR-17-1274
Carrier: Conrad
Insert LC: . Title: .

REPORT OF STANDING COMMITTEE

HB 1112: Political Subdivisions Committee (Rep. Herbel, Chairman) recommends DO NOT PASS (12 YEAS, 1 NAY, 1 ABSENT AND NOT VOTING). HB 1112 was placed on the Eleventh order on the calendar.

2007 TESTIMONY

HB 1112

1

**NORTH DAKOTA FIREFIGHTER'S
ASSOCIATION
HB 1112**

Chairman Herbel, members of the Political Subdivision Committee. My name is Bruce Schreiner. I am the President of the North Dakota Firefighter's Association.

I appear before you today in a neutral position on this bill. The North Dakota Firefighter's Association has not been briefed on this bill and is not sure what it is trying to accomplish.

At first glance, it appears to be a duplication of services provided by Work Force Safety Insurance.

The bill would provide limited funding to both volunteer fire and ambulance services. It does not address the combination departments that have both paid and volunteer members. Would the grant be available only to the volunteer personnel? If so, the bill discriminates against the paid responders that are members of the same responding agency as volunteers. Thus, driving a wedge between the paid and volunteer responders.

All fire departments are members of the North Dakota Firefighter's Association. We work hard to represent all firefighters in the state. This bill would undermine that effort.

If this bill is designed to provide grant funds to both fire and ambulance, the appropriation of \$600,000 will not provide very many grants.

Thank You, Mr. Chairman, for the opportunity to appear before your committee.