

2023 HOUSE APPROPRIATIONS

HB 1184

2023 HOUSE STANDING COMMITTEE MINUTES

Appropriations Committee
Brynhild Haugland Room, State Capitol

HB 1184
1/18/2023

BILL for an Act to provide an appropriation to the attorney general for a peace officer appreciation grant program.

10:20 AM Chairman Vigesaa Called the meeting to order and roll call was taken:

Members present; Chairman Vigesaa Representative Kempenich Representative B. Anderson Representative Bellew Representative Brandenburg Representative Hanson Representative Kreidt Representative Martinson Representative Mitskog Representative Meier Representative Monson Representative Nathe Representative J. Nelson Representative O'Brien Representative Pyle Representative Richter Representative Sanford Representative Schatz Representative Schobinger Representative Strinden Representative G. Stemen

Members not present Representative Swiontek

Discussion Topics:

- Annual Bonus
- Competitive Wage
- Recruitment and Retention

Representative Vetter- Testifies in favor of HB 1184 (Testimony # 14239)

Donnell Preskey- ND Association of Counties- Testifies in favor of HB 1184 (Testimony #14260)

Stephanie Engebreson- Chiefs of Police Association- Speaks in favor.

Blair Thoreson- President of ND Police Officer association- Speaks in favor.

11:10 AM Chairman Vigesaa Closed the hearing for HB 1184

Risa Berube, Committee Clerk

2023 HOUSE STANDING COMMITTEE MINUTES

Appropriations Committee Brynhild Haugland Room, State Capitol

HB 1184
2/8/2023

BILL for an Act to provide an appropriation to the attorney general for a peace officer appreciation grant program
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3:36 PM Chairman Vigesaa- Meeting was called to order and roll call was taken:

Members present: Chairman Vigesaa, Representative Kempenich, Representative B. Anderson, Representative Bellew, Representative Brandenburg, Representative Hanson, Representative Kreidt, Representative Martinson, Representative Mitskog, Representative Meier, Representative Mock, Representative Monson, Representative Nathe, Representative O'Brien, Representative Pyle, Representative Richter, Representative Sanford, Representative Schatz, Representative Schobinger, Representative G. Stemen and Representative Swiontek.

Members not Present: Representative Strinden

Discussion Topics:

- Peace Office Appreciation Grant
- 6 Thousand Dollars a Year per Officer
- 4 Years of Employment to be Eligible

Representative Mock- Moved to adopt amendment 23.0113.01002 (Testimony #20026)

Representative Pyle Seconds the amendment.

Roll Call Vote:

Representatives	Vote
Representative Don Vigesaa	Y
Representative Keith Kempenich	Y
Representative Bert Anderson	Y
Representative Larry Bellew	Y
Representative Mike Brandenburg	Y
Representative Karla Rose Hanson	Y
Representative Gary Kreidt	Y
Representative Bob Martinson	Y
Representative Lisa Meier	Y
Representative Alisa Mitskog	Y
Representative Corey Mock	Y
Representative David Monson	Y
Representative Mike Nathe	Y
Representative Jon O. Nelson	A

Representative Emily O'Brien	Y
Representative Brandy Pyle	Y
Representative David Richter	Y
Representative Mark Sanford	Y
Representative Mike Schatz	Y
Representative Randy A. Schobinger	Y
Representative Greg Stemen	Y
Representative Michelle Strinden	A
Representative Steve Swiontek	Y

Motion Carries 21-0-2.

Committee Discussion

Representative Mock Move to further amend- Changing “staff” to “officers.”

Representative Pyle Seconds the motion.

Roll Call Vote:

Representatives	Vote
Representative Don Vigesaa	Y
Representative Keith Kempenich	Y
Representative Bert Anderson	Y
Representative Larry Bellew	N
Representative Mike Brandenburg	Y
Representative Karla Rose Hanson	Y
Representative Gary Kreidt	Y
Representative Bob Martinson	Y
Representative Lisa Meier	Y
Representative Alisa Mitskog	Y
Representative Corey Mock	Y
Representative David Monson	A
Representative Mike Nathe	Y
Representative Jon O. Nelson	Y
Representative Emily O'Brien	Y
Representative Brandy Pyle	Y
Representative David Richter	Y
Representative Mark Sanford	Y
Representative Mike Schatz	Y
Representative Randy A. Schobinger	Y
Representative Greg Stemen	Y
Representative Michelle Strinden	A
Representative Steve Swiontek	Y

Motion Carries 20-1-2

Representative Kreidt – Move to further amend by adding 1-time funding.

Representative J. Stemen-Seconds the motion.

Roll Call Vote:

Representatives	Vote
Representative Don Vigesaa	Y
Representative Keith Kempenich	Y
Representative Bert Anderson	Y
Representative Larry Bellew	Y
Representative Mike Brandenburg	Y
Representative Karla Rose Hanson	Y
Representative Gary Kreidt	Y
Representative Bob Martinson	Y
Representative Lisa Meier	Y
Representative Alisa Mitskog	Y
Representative Corey Mock	Y
Representative David Monson	A
Representative Mike Nathe	Y
Representative Jon O. Nelson	Y
Representative Emily O'Brien	A
Representative Brandy Pyle	Y
Representative David Richter	Y
Representative Mark Sanford	Y
Representative Mike Schatz	Y
Representative Randy A. Schobinger	Y
Representative Greg Stemen	Y
Representative Michelle Strinden	A
Representative Steve Swiontek	Y

Motion Carries 20-0-3

Representative Nathe- Move for a Do Not Pass as Amended

Representative Kempenich -Seconds the motion.

Roll Call Vote:

Representatives	Vote
Representative Don Vigesaa	Y
Representative Keith Kempenich	Y
Representative Bert Anderson	Y
Representative Larry Bellew	Y
Representative Mike Brandenburg	Y
Representative Karla Rose Hanson	Y
Representative Gary Kreidt	Y
Representative Bob Martinson	Y
Representative Lisa Meier	Y

Representative Alisa Mitskog	N
Representative Corey Mock	N
Representative David Monson	A
Representative Mike Nathe	Y
Representative Jon O. Nelson	Y
Representative Emily O'Brien	A
Representative Brandy Pyle	Y
Representative David Richter	Y
Representative Mark Sanford	Y
Representative Mike Schatz	Y
Representative Randy A. Schobinger	Y
Representative Greg Stemen	Y
Representative Michelle Strinden	A
Representative Steve Swiontek	Y

Motion Carries 18-2-3 Representative Nathe will carry the bill.

Chairman Vigesaa Closed the meeting for HB 1184 4:02 PM

Risa Berube, Committee Clerk

29-23

PROPOSED AMENDMENTS TO HOUSE BILL NO. 1184

Page 1, line 1, after "officer" insert "and correctional officers"

Page 1, line 4, after "**OFFICER**" insert "**AND CORRECTIONAL OFFICERS**"

Page 1, line 5, after "**PROGRAM**" insert "**- ONE-TIME FUNDING**"

Page 1, line 6, replace "\$18,000,000" with "\$8,450,000"

Page 1, line 7, after "officer" insert "and correctional officers"

Page 1, line 9, replace "state" with ":

1. State"

Page 1, line 9, after "subdivisions" insert "on a reimbursement basis"

Page 1, line 11, replace "any" with "the same"

Page 1, line 12, after the period insert:

"2. The department of corrections and rehabilitation based on the number of correctional officers employed by the department of corrections and rehabilitation for at least four consecutive years."

Page 1, line 13, after "officer" insert "or correctional officers"

Page 1, line 16, after "board" insert "and the department of corrections and rehabilitation. The funding provided in this section is considered a one-time funding item"

Renumber accordingly

REPORT OF STANDING COMMITTEE

HB 1184: Appropriations Committee (Rep. Vigesaa, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO NOT PASS** (18 YEAS, 2 NAYS, 3 ABSENT AND NOT VOTING). HB 1184 was placed on the Sixth order on the calendar.

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Page 1, line 16, after "board" insert "and the department of corrections and rehabilitation.
The funding provided in this section is considered a one-time funding item"

Renumber accordingly

TESTIMONY

HB 1184



North Dakota House of Representatives

STATE CAPITOL
600 EAST BOULEVARD
BISMARCK, ND 58505-0360



Representative Steve Vetter

District 18
804 South 17th Street
Grand Forks, ND 58201-4241

smvetter@ndlegis.gov

COMMITTEES:

Judiciary
Government and Veterans Affairs

01/18/2023

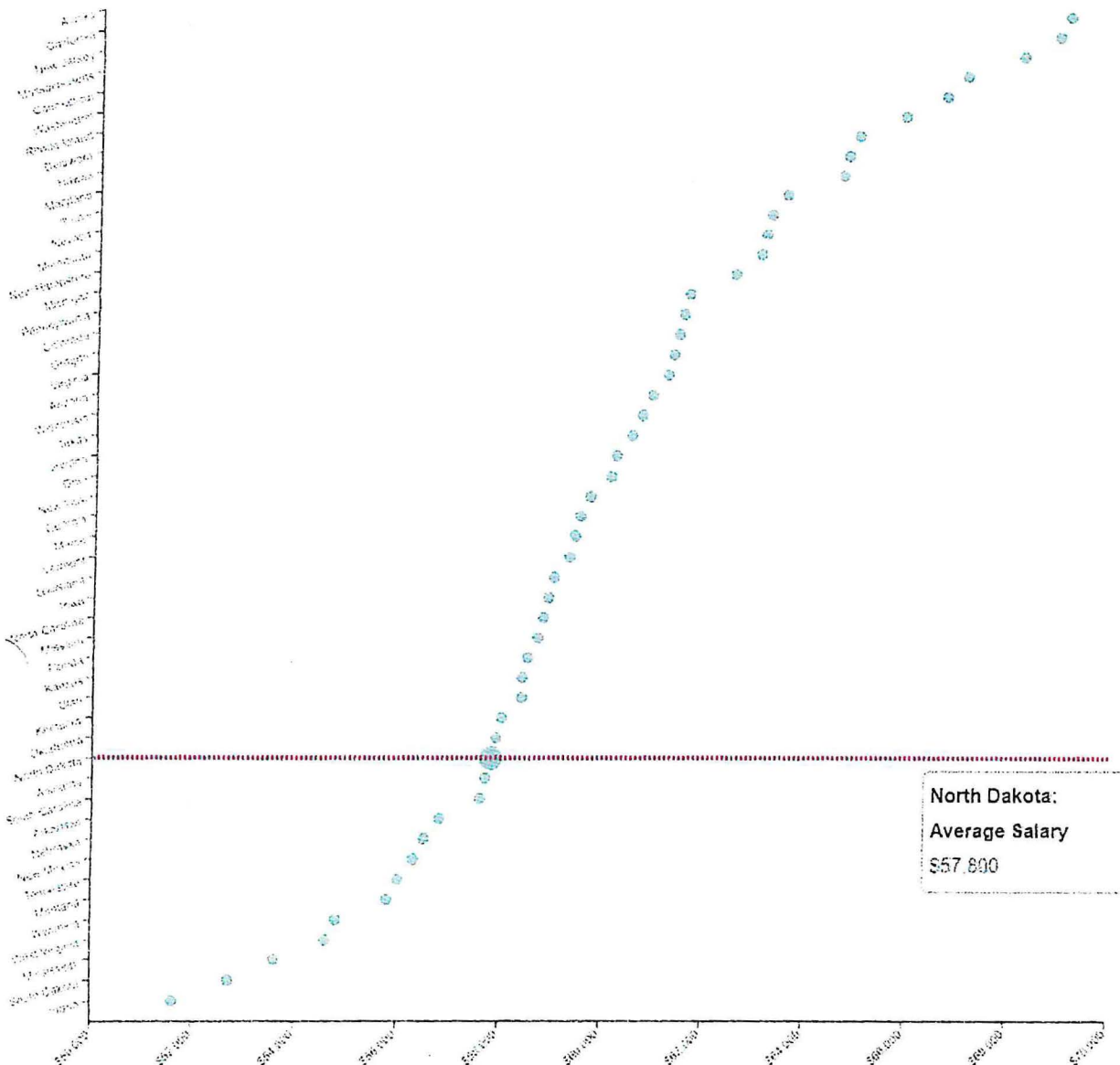
Chairman Vigesaa and Members of the Appropriations committee, my name is Steve Vetter representing District 18. I am here before you to introduce House Bill 1184 which seeks to deal with workforce retention of our peace officers, and also reward our experienced officers with an effective increase in salary by giving all ND peace officers beginning their 5th year of ND service, a bonus of \$6,000 every year.

As of now, North Dakota law enforcement are slightly undercompensated when compared to their peers and substantially undercompensated when compared to states in the top 10. According to data, the average peace officer earns \$57,800, which by national standards would rank us in the bottom 30% of all states for peace officer compensation. The graph in my testimony shows the average compensation of peace officers or their equivalent in all states across the United States:

In addition, with lower salaries come lower net pensions, as pension formulas are based on your total net salary, which ultimately means not only are they being paid less during their career, but they are forced to retire on much lower salaries. It is as a result not particularly surprising that we have a massive workforce retention issue. Most notably, 50% of our population lives near the Minnesota border, which pays on average \$63,000 a year, which makes our wages not just uncompetitive nationally, but incredibly uncompetitive for those who live in the Red River Valley.

In recognizing this, I believe that our experienced officers deserve an appreciation annual bonus for staying in the state. The bill provides a \$6000 bonus for officers with 4 years or more of experience, which would bring their compensation roughly equal with neighboring Minnesota. In this chamber we talk frequently about Backing the Blue. This bill gives you a chance to put your money where your mouth is. Next year when half of us go out to campaign, do you want to talk about how ND backs the blue or tell your constituents that it just costs too much to back the blue?

This session the talk has been about workforce retention and development, but it is almost impossible to keep talented staff when you are effectively asking them to bear the burden of 10% less pay. This creates the continued problem of talent and brain drain from our state, and in the case of law enforcement can literally endanger our community. Inexperienced officers are more likely to make mistakes, as they lack the wisdom that comes from being on the job, and such mistakes can be fatal and impact the safety of our state.



Why would someone want to live in North Dakota versus Minnesota or a nearby state? Example: Talk about Minneapolis. I believe the most popular reason why people want to live in North Dakota is safety and it's a great place to raise a family. Haven't you heard this before? "I would want my child to be blessed with a great place to live like I did". One way we can continue this tradition is to pass HB 1184 and in doing so ensure that we as a state maintain the most experienced peace officers to keep our state safe.

I'm assuming someone might ask why \$6,000 and why after the 4th year? First, it brings us into parity with Minnesota. I originally wanted to do it as \$500/month, but I learned that doing it monthly would add an administrative cost to the bill. However, if done annually, the POST board said they come up with the list of peace officers that meet the 4-year qualifier annually for no cost. Why the 4th year? We lose a lot of our officers

after 2-3 years after they get their training in and become an easy hire for another state because of their experience. At 3 years the fiscal note is significantly larger, so I decided to move it to 4 years.

is is a workforce issue beyond just the retention of peace officers. This bill tells everyone we back the Blue in our state, we have experienced officers, and our state is a safe place to raise a family. This gives workers another reason to live in North Dakota.

Chairman Vigesaa, members of appropriations committee, I'm hoping you give this a Do Pass recommendation so we can make it Better! Thank you for your time and consideration. I will stand for questions.

Testimony Prepared for the House Appropriations
By: Donnell Preskey, NDACo
January 18, 2023



RE: HB 1184 Law Enforcement Appreciation Grant

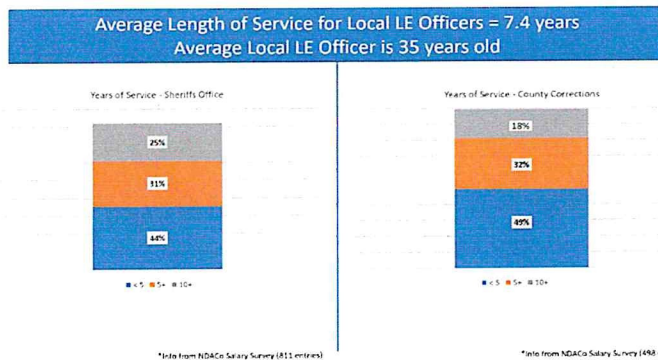
Mr. Chairman and committee members, I’m Donnell Preskey with the North Dakota Association of Counties. In my role at NDACo, I serve as the executive director for the North Dakota Sheriffs and Deputies Association.

The Sheriffs & Deputies Association supports HB 1184 and requests a Do Pass recommendation. In our discussions with county commissioners and Sheriffs, the recruitment and retention of officers and correctional staff is one of the greatest issues they face. An interim study was done on this issue, but unfortunately no recommendations came from the committee. However, to assist that committee NDACo conducted a survey of local law enforcement.

The survey was sent to Sheriffs, Jail Administrators and Chiefs. The data represents responses from 66 local law enforcement departments including 44 Sheriffs and Jail Administrators and 22 Chiefs of Police.

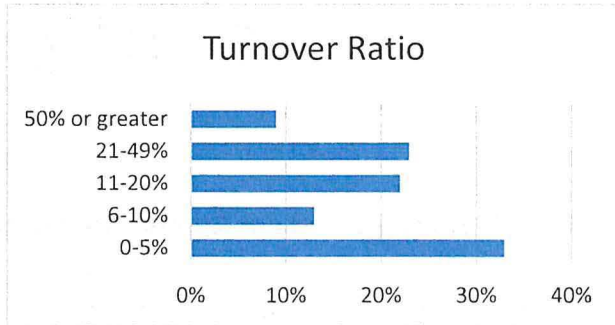
The data tells us what we already knew, it’s a struggle to find men and women to enter the law enforcement field. It is a high stress, highly scrutinized job with a schedule that is less than desirable. In addition, our locals have a difficult time competing with salaries in other professional fields. As you know, our local agencies are funded by local property tax dollars – where the pressure is high to keep budgets level and taxes low.

Based on the 66 departments responding to the survey, there were 1189 licensed officer positions budgeted for in 2021, and at any given time about 10 percent of the positions were open.



The average local law enforcement officer is 35 years old and serves for 7.4 years. The proposal in HB 1184 provides a bonus to law enforcement if they have served at least 4 consecutive years. This time frame is very important. The first five years is the most critical in retaining officers.

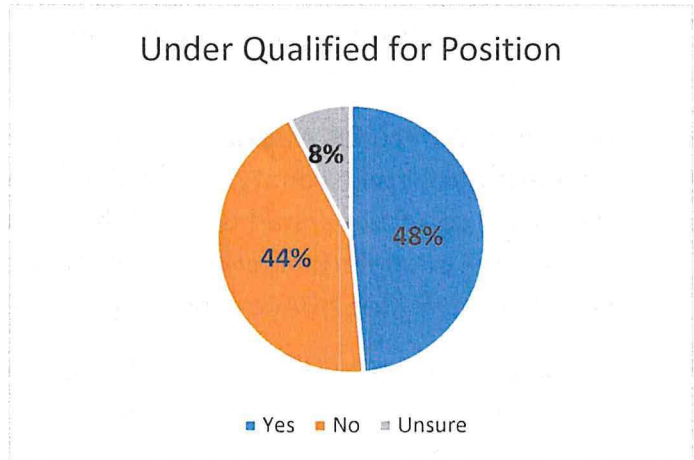
When looking at the years of services for both the Sheriff’s Office and County Corrections, they both show that the bulk of the employees (80%) have under 10 years of experience. This obviously illustrates the degree of churn in employees in both areas.



Most of the responding agencies experienced a less than 5% turnover ratio; however, a substantial number of agencies experienced somewhere between 11% and 49% turnover.

Based on the responses and narratives provided by Sheriffs and Chiefs, the struggle of dealing with vacant positions is constant.

Almost 60% indicated that they “always” or “usually” have a delay in filling positions because of lack of applicants and interest. Even more concerning is that when asked if they have filled a position with a candidate, they felt was under qualified at the time – nearly half answered “Yes”.



Pay is the greatest reasons officers are leaving their jobs. According to the latest NDACo Salary Survey, the average salary for our county law enforcement folks serving at the Sheriffs Office and Jail is \$58,000.

A significant discrepancy is evident when you compare the salary ranges in small vs large counties. For example, A chief deputy in Griggs County makes \$42,000 while a chief deputy in Williams County makes \$126,000 (3 times as much). You can imagine how it is more challenging to retain officers in rural counties that tend to require longer hours, more on-call, and where there is a lack of housing.

Most officers leaving their jobs are going to another local department – highlighting again the competition for these positions within our state and between departments. The second greatest draw is a non-law enforcement position.

Pay and benefits were ranked as the top assets in retaining officers. In addition, almost half of the respondents commented that increasing pay and benefits was a necessary strategy to attract and retain workers.

The appropriation attached to this bill is hefty. But seriously as a state, we can’t afford to not address this critical situation. This does translate to public safety. Your consideration of funding to assist in retaining officers in the law enforcement to help keep our communities safe is appreciated.

23.0113.01002
Title.

Prepared by the Legislative Council staff for
Representative Vetter
January 23, 2023

PROPOSED AMENDMENTS TO HOUSE BILL NO. 1184

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Re-number accordingly