



**Testimony on HB 1279
Presented to the Senate Workforce Development Committee
Prepared by Bernie Dardis, West Fargo Commission President
Thursday, Feb. 2, 2023**

1 It is my honor to welcome every new officer to the West Fargo Police
2 Department at West Fargo City Commission meetings and new firefighters at the Joint
3 Recruit Firefighter Academy graduation. During my speeches, I make sure to thank their
4 friends and families for sharing their loved one with the community. Coming from a law
5 enforcement family and former law enforcement myself, I know the sacrifice families
6 make with these jobs. As you watch your loved one walk out the door, you know
7 tragedy could become part of your day.

8 HB 1279 came from a near tragic event that occurred in West Fargo. I stood in
9 the hallways with Officer Tim Brown's family and his fellow officers in the hours after his
10 on-duty heart attack. I heard the family take in the grave updates with less-than-
11 optimistic outcomes and have to weigh decisions. I offered support to his fellow officers
12 as they were no doubt reminded of the same situation just 5 months earlier when we
13 lost Lt. Adam Gustafson. I thought about Officer Brown's family, who shared him with
14 the community and were suffering the consequences of the generosity. Imagine if we
15 had known in those moments that he would not be covered by Workforce Safety
16 Insurance because of an arbitrary timeline?

17 In North Dakota, the legislature has worked hard to create the safest
18 environment possible for our public safety professionals. You have developed close
19 working relationships with the professions' leadership to understand the issues facing
20 them and shape legislation that protects our communities. This work has made North
21 Dakota a state that officers seek out to work in. The lack of support from the 5-year
22 presumption clause does not align with this work.

23 It also threatens the vital recruitment work our agencies are conducting to fill
24 vacant positions. Since Sept. 2020, the West Fargo Police Department has filled eight
25 positions from out of state. Experienced officers are seeking North Dakota as a place to
26 work, but we now know they will be excluded by the presumption clause for 5 years
27 even if they have it in other states. Our own Chief of Police, a 32-year veteran law
28 enforcement officer, is currently not covered by WSI. With the competitive job market,
29 details like this can become the difference and can lead to a decline in candidates.

30 My first oath is to the safety of my citizens and that is something I am not willing to
31 compromise on. I believe this extends to the safety and support my officers, firefighters
32 and their families receive. No one should have to risk their security to serve the
33 community. To me, this is not a dollars and cents issue for the City. I cannot in good
34 conscience ask these individuals to put their lives on the line on day 1, unless I know on
35 day 1 they will have the full support they deserve.

36 For these reasons, I urge a DO PASS on HB 1279.

37 Respectfully,

A handwritten signature in black ink that reads "Bernie Dardis". The signature is written in a cursive style with a large, prominent initial "B".

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