Emergency Response Services Committee
12/17/2025

Good Morning Chairman Grueneich and Emergency Response Services Committee, My Name is John Hejl and I am a farmer from Amenia, ND. Along with farming I am also the Chief of the Casselton Fire department, a position that I have held for four years. I have been a member of that department for eighteen years.

Casselton Fire is 100% volunteer. This fire department provides fire protection for the cities of Casselton and Amenia as well as 12 townships and multiple unincorporated villages in the surrounding area. This primary fire coverage area is 385 square miles and covers around 5000 North Dakotans. Not every fire department in North Dakota provides extrication; many of our neighboring departments do not. We are dispatched out automatically if extrication is needed for a number of our neighboring departments bringing our total extrication zone up to 745 square miles. If you find yourselves traveling on I94 we are the department that will respond to your emergencies between Tower City and Mapleton; 33 miles. (See Attached Maps) The Insurance Services Organization has given us an ISO score of 4 putting us in the top 1% of fire departments in North Dakota when it comes to preparedness and proven efficiency. We are good at what we do. I am proud of my department and I am humbled to be its Chief.

Aside from its ISO scoring Casselton Fire is also a member of another seemingly exclusive club; Casselton Fire Department is organized as a 501c3. Most fire departments in North Dakota are either “Fire Protection Districts”, “city” fire departments or a combination of both. Casselton Fire has remained an independent fire department as this structure allows us and the political subdivisions we operate within to frame a funding mechanism that is most appropriate for the taxpayer within those areas based upon their call volume and risk assessment. We have explored the formation of a fire protection district but have had push back from our residents as it would give them less input on our operations. Organizing as a city entity would shift focus toward protecting the city and away from our largely rural areas. Every year we meet with every entity that we provide protection to and justify our existence to them based upon past call volume and future costs. Volunteer and Career departments across the state pull funding from a variety of sources; grants, taxes, general funds of cities and townships, a statewide insurance rider and of course donations and fundraisers. We believe that those funding sources should mirror their uses. Career or volunteer, metro or rural you will be hard pressed to find two identical departments. At Casselton Fire roughly 1/3 of our call volume comes from Casselton, 1/3 from our rural addresses, and 1/3 from Interstate 94. Being a 501C3 allows us to match those volumes and costs to our income from each.

Being organized as a 501C3 is not entirely uncommon in the United States. In the early days of the fire service; insurance companies funded fire departments with payouts from fighting fires. Firefighters could easily tell which homeowners had fire insurance and who didn't by fire insurance marks located on the front of homes. There are stories of racing, fighting, and

strong handed methods to be the first to extinguish fires and get paid. Often it was a problem for homeowners who did not have insurance to have the fire company respond to a fire in their home and effectively remove belongings from it because the firefighters knew that there wouldn't be any money in it for them. That practice has stopped but there are still areas in the United States where if you haven't paid your personal yearly dues to the local fire department, they will stage by the closest neighbors' houses who have paid and make sure your house fire does not spread to theirs while doing nothing to extinguish yours. Thank God we live in North Dakota and this is not practiced here. However, there are still a few fire departments across our state that do not organize as or as part of a political subdivision.

During the last legislative session HB 1139 was introduced as a vehicle (pun intended) to give the fire departments in our state that were not organized as political subdivisions a sales tax exemption. I am a farmer from Amenia, ND; not a tax expert. I was unaware that sales tax and motor vehicle excise tax were two separate items. In the senate hearing for HB 1139 this issue was brought up with an amendment to include vehicle excise tax. That was much appreciated. That amendment however was killed when the bill went back to the house for reconciliation. Because of this NDDOT recently sent every department that had replied to an email about being organized as a 501C3 a bill for their license plates and a bill for past excise tax. These issues will hopefully be addressed in the next regular legislative session.

Because of these issues several members of the Casselton Fire Department took a deeper dive into Century Code to look for any other possible problems that may arise in the future. What we found was alarming and hopefully can be addressed in the upcoming special session.

LODD Benefits defines Firefighter: 15-10-18.4. again in 18-05.1-03

"Firefighter" means a person who is a member of a paid or volunteer fire department that is a part of, or administered by, this state, any political subdivision of this state, or a rural fire protection district.

The Harwood firefighters with me today almost faced this reality on I29 just weeks ago.

Cleanup of Language: 18-01-06.

Fire chiefs and auditors or secretaries of cities and rural fire protection districts must report fires. Within thirty days after the occurrence of any fire in which property in a city or rural fire protection district has been destroyed or damaged, an organization that is contracted by a political subdivision for fire protection or the fire chief of such city or rural fire protection district, if a fire department is maintained therein, or the auditor of the city or the secretary of the rural fire protection district, if a fire department is not maintained therein, shall report the cause, if known, and the origin and circumstances of the fire and the name of the owner and occupant of such property, to the state fire marshal. Reports shall be submitted in a form

compliant and compatible with the national emergency response information system, or in a manner prescribed by the state fire marshal. Such report must show whether such fire was the result of carelessness, accident, or design. The provisions of this section must be complied with, insofar as the same are applicable, if the fire is of unknown origin, regardless of the amount of damage caused thereby.

Civil Immunity: City firefighters are also not included in this: 18-10-17. Rural fire protection district - Civil immunity. No rural fire protection district, nor any personnel of the district, acting within the scope of its authority is liable for any claim resulting from the failure to provide or maintain sufficient personnel, equipment, or other fire protection facilities; or doing any extinguishment or fire prevention work, rescue, resuscitation, or first aid; or any other official acts within the scope of official duties; provided, however, this section does not provide immunity for damages resulting from acts of gross negligence.

Class A Emergency Vehicles: 39-01-01. Definitions:

"Class A" authorized emergency vehicles means:(1) Vehicles of a governmentally owned fire department.

Further down we would fall into Class C Emergency vehicles – no sirens or red lights, only Amber lights. With no government plates, red lights, or sirens we will have some odd looking fire trucks.

Most if not all of these issues can be resolved with replacing the defining language of fire department or firefighter with “Certified Fire Department”. This definition already exists and is followed by all fire departments in our state receiving a state insurance rebate through the State Insurance Office and State Fire Marshall’s Office. They collect our fire reports, our lists of active firefighters, and record what we are spending our insurance rebates on. In return we are given a Certificate of Existence and an insurance rebate based on the insurance policies written in our response areas. This is an over simplification of the process. I am a farmer. I am a volunteer fire fighter. Working together with state representatives and the State Fire Marshall’s office I think that we can come up with a solution to make sure that all emergency responders and their families are granted the same protections no matter how an agency is organized to fit its response area.

Thank You

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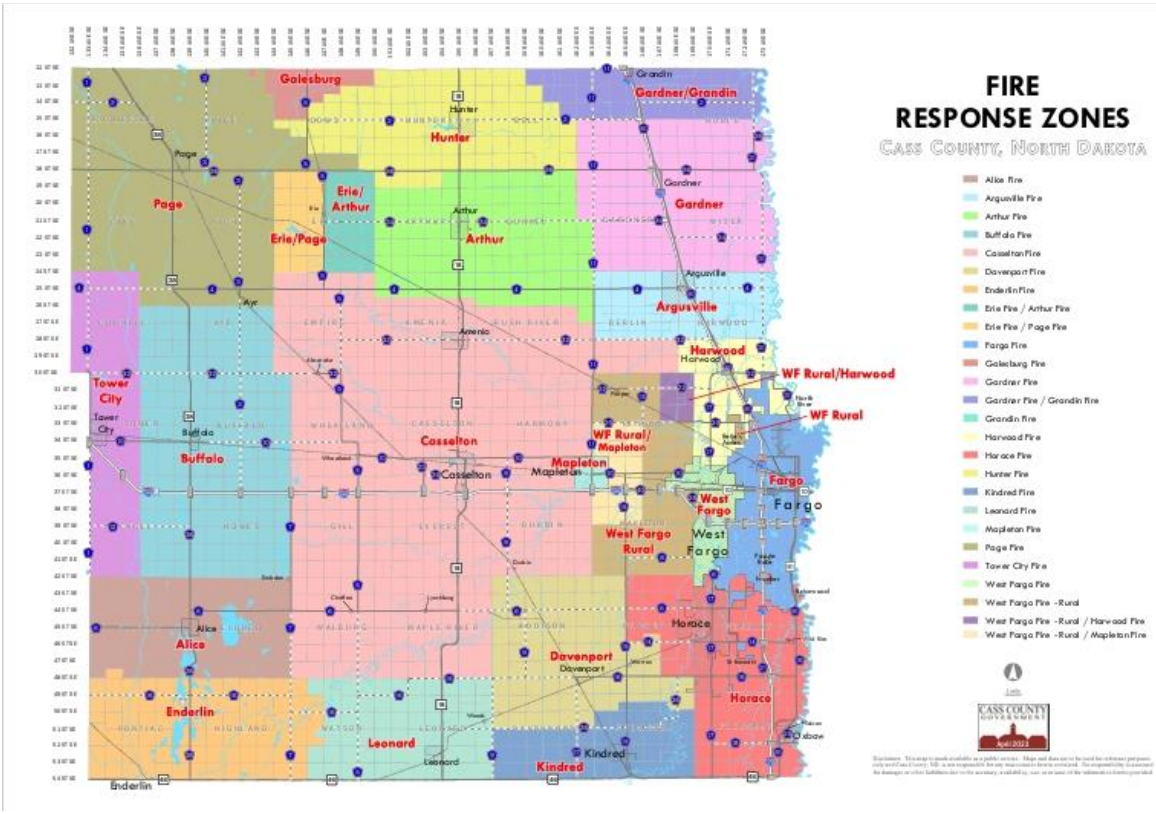
FIRE
RESPONSE ZONES
CASS COUNTY, NORTH DAKOTA
Galesburg
Gardner/Grandin
Hunter
Page
Erie/
Arthur
Erie/Page
Arthur
Gardner
Argusville
Harwood
WF Rural/Harwood
WF Rural
Tower
City
Buffalo
Casselton
WF Rural/
Mapleton
Mapleton
Fargo
West
Fargo
West Fargo
Rural
Horace
Alice
Davenport
Enderlin
Leonard
Kindred
Alice Fire
Argusville Fire
Arthur Fire
Buffalo Fire
Casselton Fire
Davenport Fire
Enderlin Fire
Erie Fire / Arthur Fire
Erie Fire / Page Fire
Fargo Fire
Galesburg Fire
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Gardner Fire / Grandin fire
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Harwood Fire
Horace Fire
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Kindred Fire
Leonard Fire
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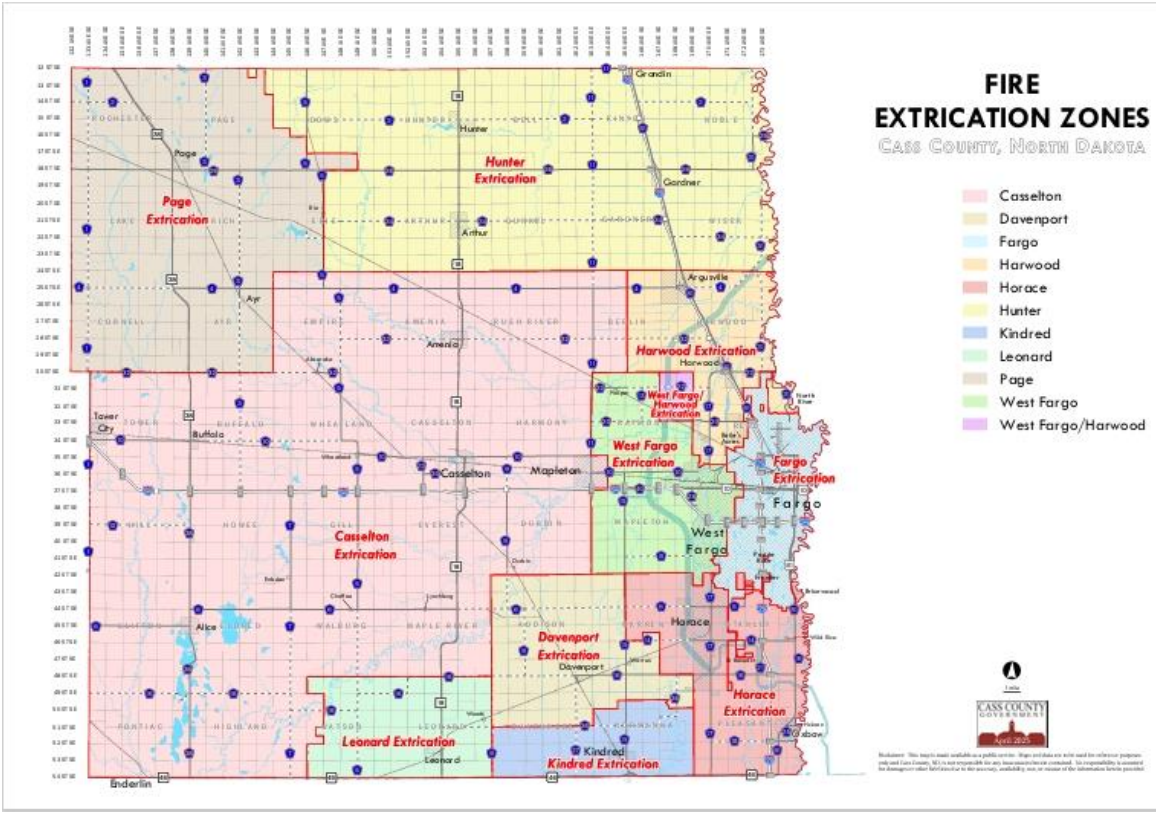
CASS COUNTY GOVERNMENT


FIRE
EXTRICATION ZONES
CASS COUNTY, NORTH DAKOTA
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