



North Dakota Legislative Council

Prepared for the Emergency Response
Services Committee
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VOLUNTEER EMERGENCY RESPONDER RECRUITMENT AND RETENTION - BACKGROUND MEMORANDUM

Section 1 of House Bill No. 1311 (2025) ([appendix](#)) directs the Legislative Management to study volunteer emergency responder recruitment and retention. The study must:

- Consider the recruitment and retention challenges related to volunteer emergency responders, including firefighters, emergency or disaster volunteers, and community emergency response team members;
- Identify strategies for encouraging volunteerism; and
- Include input from stakeholders, including disaster emergency organizations, nonprofit associations, representatives of law enforcement, emergency medical services (EMS) providers, and state and local agencies, departments, and institutions.

INTRODUCTION

Volunteers provide a significant contribution to the emergency services in the state. Testimony provided during the bill hearing for House Bill No. 1311 emphasized the importance of volunteers to the operation of emergency services in the state. However, testimony indicated the number of volunteers in the state is declining. Testimony further indicated the state has experienced a reduction in the number of rural emergency service providers in the last few years. The reduction in emergency service providers, coupled with the reduction in the number of volunteers, may contribute to an increased workload for the remaining providers, an increase in the size of response areas, and gaps in the availability of services.

In 2023, there were 362 registered fire departments in the state, of which 8 were career departments, 14 were hybrid departments, and 340 were entirely volunteer based.¹ In 2024, the number of registered fire departments and districts declined to 355.²

The National Fire Protection Association (NFPA) estimates there were 676,900 volunteer firefighters nationwide in 2020, compared to 897,750 volunteer firefighters in 1984.³ The NFPA further estimates 65 percent of firefighters nationwide are volunteers.

STATUTORY PROVISIONS Rural Fire Protection Districts

North Dakota Century Code Chapter 18-10 allows for the creation of a rural fire protection district if 60 percent of the residents in a rural territory equivalent in area to one or more townships sign a petition to create the district and file the petition with the county auditor. The board of county commissioners must hold a hearing on the creation of the district at which individuals residing within the boundaries of the

¹ *Annual Statistical Fire Report 2023*, North Dakota Insurance Department, <https://www.firemarshal.nd.gov/sites/www/files/documents/Communications/Annual%20Statistical%20Reports/2023%20Annual%20Report%20Web.pdf>.

² *2024 North Dakota Preliminary Statistical Fire Report*, North Dakota Insurance Department, <https://www.firemarshal.nd.gov/sites/www/files/documents/Communications/Annual%20Statistical%20Reports/2024%20ND%20Prelim%20Fire%20Report.pdf>.

³ *Retention and Recruitment for the Volunteer Emergency Services*, United States Fire Administration, 5, (May 2023).

proposed district may provide comments. Following the hearing, the board of county commissions may vote to create the district.

Once a rural fire protection district is formed, the district is governed by a board of directors, which must hold a regular meeting of residents in the district in the first quarter of each calendar year. The board of directors has the power to organize, establish, equip, maintain, and supervise a fire department or company to serve the district. Section 18-10-07 allows for the board of directors of a fire protection district to levy a tax of up to 5 mills on property in the district, or a tax of up to 13 mills upon approval by a majority of the qualified electors voting on the question.

Insurance Tax Distribution Fund

Fire departments may receive funding from the insurance tax distribution fund established under Section 18-04-04.1. Money is deposited into the fund from the tax collected on insurance premiums under Section 26.1-03-17. To be eligible for funds, a fire district, fire protection district, or department must have been in existence for at least 8 months, provide the minimum requirements for class 9 fire protection or better, and be in compliance with fire reporting requirements.

Pursuant to Section 18-04-05, the Insurance Commissioner shall allocate funds on or before December 1 of each year to certified city fire departments, certified rural fire departments, or certified fire protection districts in proportion to the amount of insurance company premiums received by insurance companies for fire, allied lines, homeowner's multiple peril, farmowner's multiple peril, commercial multiple peril, and crop hail insurance on property within the city, certified rural fire protection district, or area served by the certified rural fire department to the total of those premiums for those policies in the state.

North Dakota Firefighter's Association

The North Dakota Firefighter's Association (NDFA) under Chapter 18-03 consists of organized fire departments and fire protection districts in the state. The NDFA is tasked with developing a statewide fire education and training plan, coordinating fire service training, establishing procedures to govern the certification process for firefighter training, and reporting quarterly to the State Fire Marshal. Fire schools must be held annually under the direction of NDFA and NDFA shall submit to the State Fire Marshal an itemized statement of the biennial amount necessary to promote the efficiency and growth of departments and fire protection districts by July 1 of each even-numbered year. Funding for NDFA is distributed from the insurance regulatory trust fund.

Firefighter Death Benefits

If a firefighter serving as a member of a paid or volunteer fire department dies in the line of duty, Section 18-05.1-02 provides for the payment of \$25,000 to the deceased firefighter's spouse or, if the firefighter does not have a spouse, to a designated beneficiary or the deceased firefighter's estate.

Volunteer Emergency Medical Service Liability Protection

Section 23-27-04.1 provides liability protection to officers, employees, or agents of an EMS operation and to a physician licensed in this state who provides medical direction to a volunteer who in good faith renders emergency care. The section defines a volunteer as "an individual who receives no compensation or who is paid expenses, reasonable benefits, nominal fees, or a combination of expenses, reasonable benefits, and nominal fees to perform the services for which the individual volunteered, provided that the fees do not exceed ten thousand dollars in any calendar year."

Rural Ambulance Service Districts

Chapter 11-28.3 allows for the creation of a rural ambulance service district if 50 qualified electors in a rural territory equivalent in area to one or more townships, and not currently served by an ambulance service district, sign a petition to create the district and file the petition with the county auditor. Following the certification of the petition by the county auditor, a question of whether to form the district and whether to assess a levy of up to 15 mills is put to a vote of the qualified electors within the proposed district. The district is created if it is approved by a majority of qualified electors in the district.

A rural ambulance service district is governed by a board of directors, which must hold a regular meeting of electors in the district in the first quarter of each calendar year. The board of directors has the power to organize, establish, equip, maintain, and supervise an EMS company to serve the district if EMS are not provided by a licensed ambulance service.

Chapter 11-28.3 authorizes a rural ambulance district to levy up to 15 mills when the district is created. If the board of directors wishes to increase the number of mills levied, the board may vote to place the question of increasing the mill levy for the electors to approve at a regular or special election. If a district is established under this section, property in the district is exempt from the county EMS levy.

County Emergency Medical Services Tax Levy

Section 57-15-50 authorizes a county to levy a tax for the support of EMS. The levy must be approved by a majority vote of qualified electors in the county. A tax levied under this section may not exceed 15 mills and a county may not levy the tax on property within a rural ambulance service district or rural fire protection district in the county which levies taxes to provide EMS.

Volunteer Emergency Responders License Plates

Section 39-04-10.16 allows volunteer emergency responders, volunteer firefighters, and volunteer search and rescue personnel to apply for volunteer emergency responders license plates. The license plates must be red and display the first three digits of the zip code in which the volunteer's department or organization is located as well as up to three additional characters chosen by the volunteer. The license plates are provided without cost and allow individuals with the license plates to enter all state parks without paying an entrance fee.

RECENT LEGISLATION

The 69th Legislative Assembly approved House Bill No. 1112 (2025) which allows firefighters employed by the state to participate in the Public Employees Retirement System public safety plan. Prior to the passage of the bill, firefighters employed by participating political subdivisions already were eligible to participate in the public safety plan.

The 69th Legislative Assembly approved Senate Bill No. 2033 (2025) which created the distressed ambulance service program. This program allows the Department of Health and Human Services to designate a distressed ambulance service and develop, implement, and monitor an EMS plan to deliver sustainable and reliable emergency medical response and transport services to patients within the assigned service area.

The 69th Legislative Assembly approved Senate Bill No. 2135 (2025) which increased from \$10,000 to \$25,000 the payments from the firefighter death benefit fund to the surviving spouse or designated beneficiary of a firefighter who dies in the line of duty.

FEDERAL GRANTS AVAILABLE TO FIRE DEPARTMENTS

The Federal Emergency Management Agency provides various types of grant funding to eligible fire departments. One grant program is the federal Assistance to Firefighters Grant Program, which provides funding for equipment, training, and other resources for fire departments.⁴ An additional component of the grant program is Fire Prevention and Safety Grants, which support the safety of firefighters and the public from fire and related hazards. *Id.* § 2229(d). Also available to fire departments are Staffing for Adequate Fire and Emergency Response Grants, which provide funding for fire departments to maintain or increase the number of trained firefighters in the community. *Id.* § 2229a.

⁴ 15 U.S.C.A. § 2229(c).

UNITED STATES FIRE ADMINISTRATION STUDY

In May 2023, the United States Fire Administration published a report titled *Retention and Recruitment for the Volunteer Emergency Services*.⁵ The report identified issues and provided suggestions for the recruitment and retention of volunteer firefighters. Among the issues identified in the report are the challenges facing volunteerism, which include changes in everyday life and family dynamics, including the increase in families having two working parents and employers being less likely to allow for time off from employment to respond to calls. The report indicated the COVID-19 pandemic, combined with the cancellation of training programs for new volunteers, had a negative impact on volunteer recruitment efforts by fire departments. The current volunteer fire service also is aging, with over 50 percent of all firefighters age 30 to 49. The complexity of fire response and the use of technology in firefighting also has increased, as have training demands which make it more difficult to find volunteers. Volunteer fire services do not have a national minimum training level, though most adopt standards based on national consensus training standards developed by the NFPA. States may adopt differing training requirements which can require additional training, certifications, or recertifications that can become a significant time commitment for volunteers.

The report provides suggested recruitment strategies including eliminating residency requirements that require volunteers to live within a certain distance of the firehouse. The report also emphasizes the importance of recruiting not only volunteer firefighters, but also volunteers to assist in supporting roles, such as accounting, human resources, marketing, and grant writing. The report indicated advertising plays a key role when seeking volunteers based on a survey which found 79 percent of people surveyed did not know whether their local fire department was looking for volunteers. The report also emphasized the importance of effective leadership for volunteer retention and the need to set realistic expectations for volunteers in the department. The report highlighted the effectiveness of providing volunteer benefits and incentives in retaining volunteers. Suggested incentives and benefits included retirement plans, tax credits, insurance, tuition assistance, housing assistance, annual awards dinners, department clothing, and discounts for gym memberships, local attractions, and medical examinations. .

BENEFITS FOR VOLUNTEER FIRST RESPONDERS IN OTHER STATES

Minnesota

Minnesota allows volunteer firefighters to participate in the statewide volunteer firefighter plan.⁶ The plan is administered by the Public Employee's Retirement. The plan allows for a lump sum or a monthly retirement benefit, which is determined by each fire department. *Id.* § 353G.05. The Public Employee's Retirement Association administers retirement plans for counties, cities, and schools, and other local government public employees. *Id.* § 353.01. Lump sum benefits under the plan range from \$500 to \$15,000 per year of service.⁷

As of 2021, Minnesota provides a \$166,664 death benefit for public safety officers killed in the line of duty.⁸ The current death benefit was established in 1995 at \$100,000 and adjusts for inflation each year based on the consumer price index. *Id.* § 299A.44. Both full-time and volunteer firefighters are eligible for the benefit. *Id.* § 299A.41.

Montana

Montana allows volunteer firefighters to participate in the Volunteer Firefighters' Compensation Act.⁹ Benefits under the Act are administered by the Montana Public Employee Retirement Administration and include retirement, disability retirement, and survivorship benefits. A volunteer firefighter may retire with full pension benefits following 20 years of service and reaching age 55. *Id.* § 19-17-401. The monthly full benefit is \$200 per month. *Id.* § 19-17-404. If a volunteer firefighter serves for more than 20 years, the monthly benefit increases by \$7.50 per month for each additional year of service for up to 30 years of

⁵ *Retention and Recruitment for the Volunteer Emergency Services*, United States Fire Administration, 5, (May 2023).

⁶ Minn. Stat. § 353G.02.

⁷ Public Employee Retirement Association, *Annual Comprehensive Financial Report*, 37 (Dec. 13, 2024).

⁸ Minn. Stat. § 299A.44.

⁹ Mont. Code § 19-17-102.

service. Volunteer firefighters in Montana also may qualify for medical expense coverage for injuries or illness from acting in the line of duty. *Id.* § 19-17-501. The coverage is up to \$25,000 and pays after payments from private insurance. *Id.* § 19-17-502. Disabled volunteer firefighters are eligible for disability benefits of \$87.50 per month for years 1 through 9 of service, and up to \$262.50 per month for a disabled volunteer firefighter with 30 years of service. *Id.* § 19-17-602.

Iowa

Iowa provides a \$250 yearly income tax credit to volunteer firefighters and volunteer EMS personnel.¹⁰ In order to receive the full credit, the volunteer must serve for the entire tax year. If a volunteer does not serve for an entire year the credit is prorated based on the number of months the volunteer served during the year. *Id.* § 422.12(c)(2).

For a volunteer emergency services provider whose death is caused as a direct result of a traumatic personal injury incurred in the line of duty, Iowa provides a death benefit to the family of a volunteer emergency services provider in the amount of \$100,000. *Id.* § 100B.31.

Delaware

Delaware provides a nonrefundable income tax credit for active members of volunteer fire, ambulance, and rescue service companies.¹¹ In 2021, Delaware estimated 4,700 taxpayers claimed the \$500 credit and of the individuals who claimed the credit, 752 eliminated their entire state income tax liability. In 2022, Delaware increased the tax credit from \$500 to \$1000.¹²

Pennsylvania

Pennsylvania allows municipalities to adopt ordinances to provide a property tax credit to active volunteer firefighters or volunteers for a nonprofit EMS agency.¹³ A municipality may adopt a tax credit of up to 100 percent of the property tax liability of the volunteer. In addition to tax benefits, other local governments in Pennsylvania provide incentives to volunteer firefighters, including free community college, free access to ski lifts, and free rentals in the county parks.

Louisiana

Louisiana allows parishes to provide a property tax exemption of up to \$2,500 of the assessed valuation of property that qualifies for the homestead exemption and is owned and occupied by a qualified first responder.¹⁴ Under the law, qualified first responders include volunteer firefighters, public employees whose duties include responding rapidly to an emergency, peace officers, fire protection personnel, and emergency response operators or dispatchers.

Oklahoma

Oklahoma allows volunteer firefighters to complete the classroom component of firefighter training online.¹⁵ In addition to the online classes, trainees also are required to attend in-person skill days. Skill days take place every other weekend for 12 weeks. Following the successful completion of the International Fire Service Accreditation Congress test, class participants are given a full set of personal protective equipment. Following the implementation of the program, Oklahoma reported the number of individuals who completed firefighter training each year increased from 45 to 125.

Kansas

Kansas provides statewide firefighter benefits that allow departments to purchase insurance benefits for firefighters. *Id.* at 71. The firefighter relief benefit fund also provides funding to allow departments to elect to provide retirement annuities after 10 years of service. The annuities are paid with interest after a

¹⁰ Iowa Code § 422.12(c)(1).

¹¹ Office of the Controller General, *Fiscal Note Senate Bill No. 189*, 151st General Assembly, (September 15, 2021).

¹² S.B. 189, 151st Gen. Assemb. (Del. 2022).

¹³ 35 Pa. Stat. and Cons. Stat. Ann. § 79A13.

¹⁴ La. Const. Ann. art. VII, § 21(O).

¹⁵ *Retention and Recruitment for the Volunteer Emergency Services*, United States Fire Administration, 74, (May 2023).

minimum of 20 years of service. Kansas also deems volunteer firefighters acting under the Great Plains Interstate Fire Compact as eligible for state workers compensation.¹⁶

PREVIOUS LEGISLATIVE STUDIES

2023-24 Interim

The 2023-24 interim Health Services Committee studied the delivery of EMS in the state. The study included consideration of funding, taxation, access to critical areas, demographics, volunteer training, volunteer retention, a systems approach to rural areas, and employment options, including access to a public safety pension and educational reimbursements.

The committee recommended Senate Bill No. 2033 (2025) to create a distressed ambulance program in the Department of Health and Human Services to administer a process to address ambulance services that are not complying with state or federal law or are likely to fail to respond to requests for service. The bill was approved by the 69th Legislative Assembly.

2017-18 Interim

The 2017-18 interim Government Administration Committee studied the state's EMS system, including the EMS state grant program and how the distribution of these grants affects services available in rural areas. The study also included a review of the availability of EMS statewide, services that are considered access critical, and funding available to support these services. The committee reviewed the amount of funding provided for EMS programs. The committee also reviewed the criteria used by the State Department of Health to distribute grants to ambulance services. The committee did not make any recommendations regarding the study.

The 2017-18 interim Government Administration Committee also studied the duties of the NDFA. The committee received information indicating the insurance premium tax has served as a source of revenue for fire departments and fire districts for many years. The committee further learned the NDFA collects dues and a library fee annually from each fire department and receives funding from various grants and donations. The committee did not make any recommendations regarding the study.

2011-12 Interim

The 2011-12 interim Advisory Commission on Intergovernmental Relations studied fire service training. The commission was informed the survey results relating to the training of firefighters were worse than the 2001 and 2005 needs assessments, which ranked this state last in the country. Testimony regarding the training of firefighters suggested the deficiencies in training are related largely to a lack of financial resources and the inability of firefighters, especially volunteer firefighters, to attend the one statewide fire school offered annually. The commission received testimony regarding the impact of growth related to energy development on fire services in the state. The commission learned that because of the substantial increase in the volume of automobile traffic, including trucks hauling crude oil, there has been a significant increase in automobile accidents that require emergency response from fire services. In addition, because fire departments had to respond to fires and explosions involving oil rigs, firefighters need specialized training to address the unique challenges presented by oil rig fires and explosions. Although fire departments in rural areas generally have not been equipped to respond to fires that require the use of ladder trucks, the increase in the number of multistory buildings being built in rural communities has resulted in the need to purchase ladder trucks. The commission did not make any recommendations regarding the study.

STUDY APPROACH

The committee may find it helpful to receive testimony focusing on the role of volunteers in emergency response, along with information about the current status of volunteer emergency response, and proposed ways to increase volunteer engagement in emergency response, from individuals and organizations in the field of emergency response, including:

¹⁶ Kan. Stat. Ann. § 31-802.

- Firefighters and firefighter organizations.
- Emergency or disaster volunteers and community emergency response team members.
- Disaster emergency organizations.
- Nonprofit associations.
- Law enforcement.
- EMS providers.
- State and local agencies, departments, and institutions.

ATTACH:1