EMERGENCY RESPONSE SERVICES COMMITTEE

The Emergency Response Services Committee was assigned four studies:

- Section 1 of House Bill 1311 (2025) directed a study of volunteer emergency responder recruitment and retention. The study required the consideration of recruitment and retention challenges related to volunteer emergency responders, including firefighters, emergency or disaster volunteers, and community emergency response team members, and identification of strategies for encouraging volunteerism. The study also required input from stakeholders, including disaster emergency organizations, nonprofit associations, representatives of law enforcement, emergency medical service (EMS) providers, and state and local agencies, departments, and institutions.
- Section 1 of Senate Bill 2340 (2025) directed a study of the evolving fire service operational and response needs of the state. The study required the examination of coordination efforts among existing state resources for improved fire emergency service organization, distribution, mobilization, training, and oversight; creation of fire service regional response teams; establishment of authority for response, standardized training, wildland-urban interface fire prevention codes, and emergency response operational initiatives and responsibilities; evaluation of existing staffing abilities to cross-train, provide further services, and provide backfill during extended or complex emergencies; review of minimum training requirements, staff firefighting authorities, firefighting benefits, necessary equipment, and structural needs; identification and implementation of a restructure of fiscal support for state and local fire service in the state, reducing the dependency on local property tax; and evaluation of changes necessary to state laws and administrative rules to implement a unified model. The study required consultation with the State Fire Marshal, North Dakota Firefighter's Association, North Dakota Forest Service, the North Dakota Department of Emergency Services, North Dakota Fire Chief's Association, Department of Career and Technical Education, and other stakeholders. The Legislative Management was authorized to contract with a consultant to carry out the study.
- Section 4 of House Bill 1322 (2025) directed a study of the feasibility and desirability of establishing a delinquent billing reimbursement grant system for ambulance service providers. The study required consideration of input from stakeholders, including the Insurance Department, and a survey of ambulance service providers. Section 5 of the bill provided an appropriation of $20,000 to the Legislative Council for purposes of hiring a consultant to assist with the study.
- Section 1 of Senate Bill 2332 (2025) directed a study of options to provide grant funding for emergency services and public safety. The study required a review of the amount of grant funding needed, potential funding sources, entities eligible to receive a grant, types of expenses eligible for reimbursement through a grant program, the appropriate agency to administer a grant program, and options to establish a grant program oversight committee.

The Legislative Management assigned the committee the responsibility to receive the following three reports:

- A report from the Department of Emergency Services regarding the department's findings and recommendations from a consultant's report on the state's vulnerabilities relating to security threats posed by foreign adversaries, pursuant to Section 1 of House Bill 1209 (2025).
- A report from the Insurance Commissioner regarding the findings of a study of the feasibility, benefits, and challenges of providing towing and recovery costs associated with vehicle liability-only insurance for towing operations, pursuant to Section 16 of Senate Bill 2374 (2025).
- A report from the Department of Health and Human Services (DHHS) regarding the status of the Distressed Ambulance Service Program, pursuant to North Dakota Century Code Section 23-27.2-08.

Committee members were Representatives Jim Grueneich (Chairman), Jayme Davis, Clayton Fegley, Pat D. Heinert, Dawson Holle, Karen Karls, Donald W. Longmuir, Dennis Nehring, and Todd Porter and Senators Greg Kessel, Diane Larson, Dale Patten, and Donald Schaible.

Senator Josh Boschee served on the committee until his resignation from the Legislative Assembly on August 4, 2026.

VOLUNTEER EMERGENCY RESPONDER RECRUITMENT AND RETENTION STUDY

Section 1 of House Bill 1311 (2025) directed a study of volunteer emergency responder recruitment and retention. The study required consideration of recruitment and retention challenges related to volunteer emergency responders, including firefighters, emergency or disaster volunteers, and community emergency response team members, and identification of strategies for encouraging volunteerism. The study also required input from stakeholders, including disaster emergency organizations, nonprofit associations, representatives of law enforcement, EMS providers, and state and local agencies, departments, and institutions.

Background

Volunteers provide a significant contribution to the provision of emergency services in the state. Testimony provided during the hearing for House Bill 1311 emphasized the importance of volunteers and indicated the number of volunteers in the state is declining. Testimony also indicated the state has experienced a reduction in the number of rural emergency service providers in the last few years. Testimony asserted 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.

Rural Fire Protection Districts

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 the board of county commissioners holds a hearing on the creation of the district. Following the hearing, the board of county commissioners may vote to create the district.

Once a rural fire protection district is formed, the district is governed by a board of directors. 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.

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 and is funded with distributions from the Insurance Regulatory Trust Fund. 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 the NDFA.

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 fire 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. Under Section 18-04-05, the Insurance Commissioner allocates 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 for multiple types of 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.

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 to a designated beneficiary.

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.

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. After a 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.

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."

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 to enter all state parks without paying an entrance fee.

Testimony

Fire Departments

The committee received testimony from a representative of the State Fire Marshal's office which indicated 357 fire departments provide services to approximately 70,000 square miles. Of those departments, 334 are volunteer departments, 14 operate under a hybrid model, and 9 are staffed by career firefighters. The state's firefighters consist of 7,434 volunteers and 714 career personnel. Three hundred thirty-six of the state's fire departments meet the minimum statutory requirements for public protection, 161 maintain minimum training thresholds, and 320 regularly report fire incidents. A department sets its minimum training standards. A fire department's classification from the Insurance Services Office depends on the department's staffing and resources, jurisdictional boundaries, documented structure-fire training, number of compliant apparatuses, water supply, and the ability to allocate at least four responding firefighters to a structure fire. The number of fire responses in the state has increased over the past decade, reaching 51,523 total incidents in 2024, which included responses to 3,078 fires, 890 structure fires, 572 vehicle fires, and 983 wildland fires. Fourteen lives were lost in fires in 2024 and property losses totaled $32.7 million. Rising incident volume, increasing severity, aging populations, training burdens, equipment costs, and limited volunteer availability has placed strain on fire departments.

The committee received testimony from a representative of the North Dakota Fire Chief's Association regarding challenges impacting volunteer fire departments, one of the most significant of which is declining volunteer participation. The testimony indicated the decline is due to demographic changes, increased training requirements, higher call volumes, dual-income households, and aging populations. Population growth in some communities has increased service demands beyond the capacity of existing volunteer departments. Volunteers face significant physical and mental health stresses and gaps in workers' compensation coverage may expose some responders to financial risk in the case of an injury. The testimony indicated funding limitations affect the ability of departments to replace turnout gear, self-contained breathing apparatuses, fire apparatuses, and other critical equipment. The testimony contended uncertainty exists regarding certain permissible expenditures of public funds during extended emergency responses and clarification regarding permissible expenditures may be beneficial.

The committee received testimony from a representative of the Arnegard Fire Department regarding the challenges of operating a volunteer fire department in a rural service area. The testimony indicated the department serves approximately 212 square miles and continues to experience difficulties in recruiting and retaining firefighters. According to the testimony, workforce shortages, training requirements, certification costs, and increasing operational expenses continue to affect volunteer emergency services. The cost of replacing equipment also places a strain on small fire departments. The committee was informed employer policies sometimes prevent volunteers from leaving work to respond to emergency incidents, reducing available staffing during daytime hours. Training requirements discourage some potential volunteers from joining the department. The testimony contended retirement benefits, health insurance assistance, tax incentives, training scholarships, and expanded remote training opportunities may improve recruitment and retention efforts.

The committee received testimony from a representative of the Jamestown Rural Fire District regarding operational and workforce challenges affecting rural fire departments which indicated the fire district is comprised of 30 staff and serves approximately 828 square miles. One of the most significant challenges facing the department is the limited time available for volunteers to balance emergency response duties with employment and family obligations. The testimony contended fire departments in the state face increasing administrative requirements, engage in limited succession planning, and encounter resource constraints that place additional demands on department leadership and volunteers. The testimony advocated for increasing statutory fire district mill-levy limits and providing compensation for fire department leadership, training activities, and emergency responses.

The committee received testimony from a representative of the Oakes Fire Department which indicated communication challenges between state agencies and local departments may contribute to misunderstandings regarding regulatory requirements and permissible expenditures. The testimony indicated smaller departments face administrative burdens associated with maintaining separate funds and complying with restrictions on public funds.

Emergency Medical Services

The committee received testimony from a representative of the DHHS Emergency Medical Systems Unit regarding the organization and capacity of the state's EMS system. The EMS system is an integrated network of personnel, transportation agencies, health care facilities, and community responders, and includes 98 basic life support ambulance services, 15 advanced life support ambulance services, 5 industrial ambulance services, 106 quick response units, and 6 air medical providers. There are 3,786 EMS providers licensed in the state. The state sets a standard response time of 10 minutes, which is met by advanced life support agencies approximately 90 percent of the time and basic life support services approximately 62.5 percent of the time. The statewide average response time is 14 minutes and 19 seconds. The average ambulance response time is more than 19 minutes in areas outside the state's four largest urban centers, compared to approximately 7 minutes in urban areas. The committee was informed there were 75,999 responses to 911 calls and 95,617 responses for ground ambulance services during 2024; however, only 56.2 percent of 911 responses resulted in patient transports. Nearly 19,000 interfacility transfers occurred during the most recent reporting period and transfers originating in rural communities averaged approximately 4 hours per call. The testimony indicated EMS agencies continue to experience financial instability because insurance reimbursement frequently does not cover operational costs and many agencies rely heavily on grant funding, including the Rural EMS Assistance Grant Program, of which approximately 77 percent is used for personnel expenses. According to the testimony, some employers do not permit personnel to leave work to respond to emergency calls, North Dakota scope-of-practice standards exceed national minimum requirements in several areas, and recruiting qualified personnel from outside the state has been challenging. The testimony indicated EMS agencies continue to be impacted by ambulance service closures, the cost and complexity of EMS education and certification requirements, the physical and emotional demands of emergency response work, and difficulties in recruiting personnel.

The committee received testimony from a representative of the North Dakota EMS Association regarding recruitment and retention challenges affecting EMS agencies which indicated there is not a single solution to address workforce shortages. The committee was informed collaboration with career and technical education programs has helped introduce students to EMS careers and online outreach efforts have expanded training and recruitment opportunities. The testimony indicated EMS personnel increasingly require mental health support because of the physical and emotional demands associated with emergency response work. According to the testimony, inflationary pressures continue to increase operating costs for EMS agencies and long-term workforce stability will require consistent and reliable funding sources. The testimony emphasized the importance of maintaining recruitment initiatives, supporting mental health and wellness programs, and improving the financial stability of EMS operations.

The committee received testimony from a representative of Southwest Healthcare Services regarding operational and workforce challenges affecting EMS agencies. The testimony indicated increasing regulatory requirements have created substantial administrative and training burdens, particularly for volunteers who must balance EMS responsibilities with full-time employment and family obligations. The testimony asserted several nearby EMS squads may be at risk of closing which could substantially increase service areas and response times for remaining providers. According to the testimony, reimbursement paid by insurance often does not reflect the actual cost of providing care, particularly for long-distance transports, lift assists, and treatment-in-place responses. Agencies rely on a combination of cost-based reimbursement programs, grant funding, and mill-levy support. The testimony expressed concern that certain funding sources may not be available in the future and volunteer shortages will continue to worsen due to changing household structures, financial pressures, and extensive training commitments.

The committee received testimony from a representative of the Oakes Volunteer Ambulance Service regarding operational and funding challenges affecting rural ambulance services which indicated the service operates with 3 full-time employees and 20 volunteers and relies on a combination of insurance reimbursements, state grant funding, donations, and property tax revenue to support operations. The testimony contended state administrative requirements may place a disproportionate burden on smaller ambulance services that have limited administrative capacity. Legislation designating ambulance services as an essential service has been considered multiple times but has not been enacted. The testimony contented not designating EMS as an essential service limits funding and support options available to ambulance providers. The testimony noted concerns regarding disparities in grant distribution and the need for a more equitable funding process. The testimony highlighted community engagement as an important factor in volunteer recruitment and retention and indicated cooperation among neighboring services may be more effective than competing for limited personnel resources.

The committee received testimony from a representative of the LaMoure Ambulance Service regarding challenges affecting rural EMS agencies which indicated some ambulance services have not qualified for state EMS grant funding despite maintaining emergency response services. The testimony indicated call volume alone may not accurately reflect the financial needs of an EMS agency because the agency incurs fixed costs from vehicle, equipment, and staffing needs regardless of the number of calls. The testimony contended private ambulance providers often charge higher rates for service, particularly in areas with limited competition. The committee was informed out-of-town training requirements increase costs due to expenditures required for travel, lodging, and meals and increase an individual's time away from

work and family. The testimony emphasized the importance of expanding local training opportunities, establishing equitable grant funding formulas, developing consistent criteria for identifying distressed ambulance services, and maintaining predictable administrative standards to reduce confusion and improve responsiveness to local service needs.

The committee received testimony from a representative of the McVille Community Ambulance Service regarding workforce and funding challenges affecting rural ambulance services which indicated the service offers paid on-call positions but continues to experience recruitment difficulties because of workforce shortages and residency proximity requirements. The testimony indicated volunteer participation remains stronger in fire departments than ambulance services because fire response generally involves lower call volumes and fewer time constraints. Workforce shortages affecting agriculture, health care, and other industries demonstrate broader demographic and labor challenges facing rural communities and raise questions regarding the long-term sustainability of relying primarily on volunteer EMS personnel. The testimony highlighted the costs associated with ambulance operations and the gap between operating expenses and reimbursement revenue. The committee was informed the service was required to establish a taxing authority to maintain operations and avoid closure. The testimony emphasized the importance of continued support for local funding, consideration of paid staffing models, and the use of statewide surveys to gather input from emergency responders and inform future policy decisions.

The committee received testimony from representatives of Avel eCare regarding the use of telehealth technology to support EMS and health care delivery in rural communities. Avel eCare provides emergency department support services to a majority of the state's critical access hospitals and offers services supporting law enforcement, behavioral health, and school health programs. Avel eCare allows EMS personnel to connect directly with telemedicine providers through mobile technology platforms, allowing real-time clinical consultation during emergency responses. The testimony indicated the use of telemedicine may assist with patient assessment, transfer coordination, activation of air medical resources, and communication with receiving health care facilities. The testimony indicated advances in cellular connectivity technology have resulted in highly reliable service levels and successful implementation in rural areas in multiple states.

Law Enforcement

The committee received testimony from representatives of Dickey County Emergency Management and the Dickey County Sheriff's office which indicated a lack of affordable housing has made it difficult to attract and retain emergency responders in rural communities. The testimony contended low-interest housing loan programs may improve recruitment efforts by making home ownership more attainable for emergency responders. The testimony encouraged the expansion of emergency response capacity as a community grows and noted long-term recruitment and retention efforts require addressing broader community challenges, including housing availability and affordability.

Disaster Emergency Organizations

The committee received testimony from a representative of Badlands Search and Rescue which indicated the average age of volunteers is increasing, training requirements continue to increase, and public participation in volunteer emergency services has declined. A variety of volunteer support programs have been implemented in other states, including property tax incentives, income tax incentives, tuition assistance, health insurance benefits, mortgage assistance programs, and length-of-service retirement credits. The testimony recommended streamlining training requirements through a combination of online coursework and scheduled hands-on training modules to reduce time commitments for volunteers. The testimony contended the state should prevent employers from penalizing employees who leave work to respond to emergencies and encouraged implementation of shared-service arrangements or consolidation models to improve efficiency.

Workforce Safety

The committee received testimony from a representative of North Dakota Workforce Safety and Insurance regarding insurance benefits available to emergency responders who sustain work-related injuries. Available benefits include medical benefits without cost-sharing requirements, wage-loss indemnity benefits for temporary and permanent disabilities, death and burial benefits, partial impairment awards based on the severity of an injury, and additional benefits that may be payable at retirement for individuals who remain disabled. Volunteer firefighters in the state receive coverage through Workforce Safety and Insurance and agencies may purchase additional volunteer coverage. The committee was informed temporary total disability benefits generally replace two-thirds of an injured worker's preinjury weekly wage and may include additional allowances for dependent children, with benefits available for up to 104 weeks. Disability benefits are based on the difference between preinjury and postinjury earning capacity, which means benefit amounts vary based on an individual's covered income, and eligibility requirements differ depending on the nature of the claim. The committee was informed a minimum annual wage of $30,000 could be established for purposes of calculating benefits for volunteer firefighters and EMS personnel who sustain compensable injuries while performing emergency response duties.

Emergency Responder Training

The committee received testimony from a representative of the NDFA regarding firefighter training, certification, and accreditation programs. Volunteer firefighter training and certification programs are aligned with nationally recognized standards and are delivered through a combination of state, regional, and local training opportunities. The NDFA provides training through department-level instruction, regional training events, and statewide educational programs designed to support firefighters at various stages of their careers. Efforts to expand training opportunities and certification pathways remain ongoing to address workforce needs.

The committee received testimony from a representative of the Department of Career and Technical Education which indicated postsecondary firefighting education is offered through two institutions, each of which provides an associate degree program that include instruction in fire behavior, hazardous materials operations, vehicle extrication, building construction, and other essential firefighting competencies. The committee was informed enrollment in these programs has increased and one institution is considering developing a bachelor's degree program. Emergency medical services education programs are available through multiple postsecondary institutions, with enrollment ranging from small cohorts to more than 60 students at individual colleges. Secondary-level firefighting and EMS programs continue to expand as student participation increases.

Job Service North Dakota

The committee received testimony from a representative of Job Service North Dakota which indicated nearly 13,000 job openings exist statewide and health care accounts for the largest share of available positions. The committee received information regarding recruitment initiatives administered by Job Service, including statewide job fairs, virtual hiring events, and services designed to connect employers with prospective employees. The testimony indicated workforce availability remains a significant challenge for many employers, including emergency service organizations seeking to recruit and retain qualified personnel.

Volunteer First Responder Retirement

The committee received testimony from a representative of the North Dakota Public Employees Retirement System (PERS) regarding retirement and health insurance benefits. Retirement plans and health insurance administered by PERS generally are limited to employees of government entities. The committee was informed federal law limits participation in government retirement plans to employees of governmental entities and inclusion of nongovernmental participants could affect favorable tax treatment, governmental plan status, and exemptions from certain federal employee benefit requirements. Eligibility for retirement and insurance benefits generally requires employment in a permanent funded position for at least 20 hours per week and 20 weeks per year. Career firefighters employed by participating entities may qualify for participation in the public safety retirement plan. Alternative approaches, including length of service award programs, may provide a potential alternative for emergency services volunteers while avoiding federal compliance concerns associated with participation in governmental retirement systems.

The committee received testimony from representatives of Ice Miller, LLP, regarding federal retirement plan qualification requirements, governmental plan status, employee classification issues, and health insurance considerations associated with expanding benefit eligibility to volunteer emergency responders and certain privately employed public safety personnel. Governmental retirement plans receive favorable tax treatment and are exempt from many federal employee benefit requirements because participation generally is limited to employees of governmental entities. The Internal Revenue Service determines governmental plan status through a facts-and-circumstances analysis that focuses primarily on the degree of governmental control exercised over an organization's daily operations. Volunteers may be classified as employees under common-law standards when an organization retains authority to direct work activities and provides training, equipment, and operational oversight. However, the inclusion of volunteer responders or privately employed emergency personnel in a governmental retirement plan could jeopardize the plan's status and associated federal tax advantages. Federal law authorizes length of service award programs for qualifying volunteer firefighters, EMS personnel, and ambulance service volunteers and these programs may provide an alternative approach that avoids certain federal compliance concerns associated with participation in governmental retirement plans. Employer-paid health insurance generally is tax-free for employees but may result in taxable income when provided to nonemployees.

The committee received testimony from a representative of the Montana Public Employee Retirement Administration regarding the administration of Montana's volunteer firefighters retirement plan. Montana's plan was established in 1965 and provides retirement, disability, survivorship, funeral, medical expense, and supplemental insurance benefits for eligible volunteer firefighters. The plan is funded through a statutory allocation equal to 5 percent of certain fire insurance premium taxes and serves 228 participating volunteer fire departments. Participating firefighters must satisfy annual training requirements and service requirements to receive credit for service and qualify for benefits. The program is administered through a dedicated trust fund to recognize long-term volunteer service. The testimony indicated anecdotal evidence suggests the retirement benefit has improved retention of volunteer firefighters, particularly among younger firefighters.

The committee received testimony from a representative of the North Dakota Fire Chief's Association which indicated the association does not support use of insurance premium tax revenues to fund a volunteer retirement program.

Committee Considerations

The committee acknowledged many rural EMS districts and rural fire districts serve large land areas and rely on volunteers for emergency response services. Committee members noted the importance of addressing the decline in volunteerism.

The committee considered a bill draft that would have created a volunteer first responder retirement plan to provide retirement benefits to volunteer firefighters and volunteer emergency responders based on the volunteer's years of service. The retirement plan would have been funded with a portion of the proceeds deposited in the Charitable Gaming Operating Fund. The committee expressed support for the bill draft's intended purpose of increasing the number of volunteer first responders and the use of state funds to provide retirement benefits. However, committee members expressed disagreement as to the source best suited to fund the retirement plan. The committee considered a revised version of the bill draft that would have changed the funding source for the retirement plan to the General Fund and would have provided an income tax deduction for pension, disability, or survivorship benefits received by a taxpayer under the volunteer first responder retirement plan.

Committee members discussed the statutory incentive that allows volunteer first responders to receive specialized license plates that serve as an entrance pass to all state parks. Committee members expressed concern with the limitation allowing an applicant to receive only one set of plates in instances in which two spouses both qualify as volunteer first responders. The committee considered a bill draft to allow two sets of special license plates to be issued if both spouses qualify as volunteer first responders. Committee members expressed support for ensuring the license plates can be placed on both vehicles owned by spouses if both spouses are qualifying volunteer first responders.

Committee members expressed concern regarding the lack of an essential service designation for ambulance services and the lack of ambulance service coverage for all areas of the state. The committee considered a bill draft to require DHHS to ensure essential ambulance service covers all portions of the state when designating service areas for EMS.

Committee members expressed concern regarding the variation in the use of the term volunteer in Century Code. Committee members noted the differences between the definitions could impact how agencies classify volunteers. The committee considered a bill draft to provide a Century Code-wide definition of the term volunteer in Title 1 to promote uniformity in how agencies classify volunteers.

Recommendations

The committee recommends:

- A bill draft [27.0053.01000] relating to special vehicle license plates for volunteer emergency responders.
- A bill draft [27.0062.01000] relating to designating service areas for EMS.
- A bill draft [27.0063.01000] relating to the definition of volunteer.

EVOLVING FIRE SERVICE OPERATIONAL AND RESPONSE NEEDS STUDY

Section 1 of Senate Bill 2340 (2025) directed a study of the evolving fire service operational and response needs of the state. The study required the examination of coordination efforts among existing state resources for improved fire emergency service organization, distribution, mobilization, training, and oversight; creation of fire service regional response teams; establishment of authority for response, standardized training, wildland-urban interface fire prevention codes, and emergency response operational initiatives and responsibilities; evaluation of existing staffing abilities to cross-train, provide further services, and provide backfill during extended or complex emergencies; review of minimum training requirements, staff firefighting authorities, firefighting benefits, necessary equipment, and structural needs; identification and implementation of a restructure of financial support for state and local fire service in the state, reducing the dependency on local property tax; and evaluation of changes necessary to state laws and administrative rules to implement a unified model.

Background

In 2024, wildfires burned more than 118,000 acres of land in the state. Testimony provided on Senate Bill 2340 indicated a need to develop a fire service response model to better address wildfires. Testimony noted an increase in call volumes and the requirement for specialized training to fight complex fires. Testimony highlighted the need to coordinate resources, develop regional response teams, standardize training, review staffing, provide financial support, and develop a unified fire service model to strengthen firefighting capabilities in the state.

State Fire Marshal

Chapter 18-01 provides the duties and responsibilities of the State Fire Marshal. The State Fire Marshal is appointed by the Insurance Commissioner and may appoint the deputies and employees of the Office of the North Dakota Fire Marshal. The State Fire Marshal is responsible for the prevention of fires and for enforcing laws related to the storage, sale, and use of combustibles, explosives, and fireworks. The State Fire Marshal also is responsible for enforcing the fire and life safety code compliance of hazardous materials and the installation and maintenance of fire protection and life safety systems. The State Fire Marshal is tasked with suppressing arson and investigating the origin and cause of fires and explosions and developing programs to educate the citizens of North Dakota on the hazards of fire.

North Dakota Forest Service

Chapter 4.1-21 provides the duties of the State Forester. The State Forester is appointed by the State Board of Higher Education and must be a graduate of an accredited school of forestry. The State Forester is responsible for providing assistance to landowners, producers, and public bodies relating to the prevention and suppression of fires and the management of forest resources.

Department of Emergency Services

Chapter 37-17.1 provides for the Department of Emergency Services. The department consists of the State Emergency Communications Center and the Division of Homeland Security and Emergency Management. The Adjutant General serves as the director of the department and appoints a director for each division. The Division of Homeland Security and Emergency Management is tasked with coordinating the procurement of supplies, materials, and equipment during a disaster. The division also assists local and regional emergency management entities with training and planning. The department administers a Regional Response Program within the four designated regions of the state, which are the Northwest, Northeast, Southwest, and Southeast regions. The program includes hazardous material response, bomb squads, special weapons and tactical teams, ambush teams, and search and rescue teams. Fire response is currently not included in the program.

Department of Career and Technical Education

Under Chapter 15-20.1 the Department of Career and Technical Education is overseen by the State Board for Career and Technical Education and consists of members of the State Board of Public School Education, the Executive Director of Job Service North Dakota, and the Commissioner of Higher Education. The board oversees the department and appoints an executive director for the department. The department is tasked with creating plans for the promotion of career and technical education in the state. The department provides career plan advice for students who are interested in various careers. One available plan is for a career in emergency and fire management services, including for the careers of forest fire fighting and prevention supervisors and fire inspectors and investigators.

North Dakota Fire Chief's Association

The North Dakota Fire Chief's Association provides education, training, and information for fire chiefs in the state. The association focuses on five areas: improving the quality of fire protection; elevating the standards of fire education; promoting cooperation with other interested associations, organizations, and governmental agencies; guarding and fostering the welfare and material interest of its membership; and promoting the common good, community welfare, and the general welfare of the state and its inhabitants by seeking and establishing efficient means of providing fire protection.

Testimony

The committee received testimony from a representative of the Office of the State Fire Marshal regarding the office's role in supporting fire service operations in the state. The office employs 10 staff members, including deputy fire marshals stationed in various regions of the state, and provides assistance to local fire departments through fire investigations, plan reviews, inspections, code enforcement activities, and public education initiatives. The testimony indicated statewide fire service support would benefit from clearer statutory authority, improved coordination among state and local agencies, and continued investment in fire prevention, public education, and risk-reduction activities designed to reduce emergency incidents and improve public safety outcomes. The testimony asserted the office has undertaken efforts to improve communication with local departments, modernize administrative processes, strengthen statewide coordination, and review its statutory authorities and service delivery model. The testimony indicated fire departments continue to face challenges related to volunteer firefighter recruitment and retention, increasing training demands, administrative burdens, inspection responsibilities, technology modernization, and workforce sustainability. Local departments have requested additional assistance with governance, fire prevention, code interpretation, inspections, investigations, training, and records management and have expressed a desire for stronger partnerships with state government. The committee was informed future policy discussions may include modernization of Title 18, clarification of state and local fire service responsibilities, improved emergency service data systems, and evaluation of models for statewide fire service coordination and support.

The committee received testimony from a representative of the Department of Emergency Services regarding emergency preparedness, operational coordination, intelligence sharing, and assistance available to local jurisdictions. The department operates a 24-hour statewide watch center that monitors hazards, disseminates information, and coordinates with organizations including the National Weather Service, the North Dakota National Guard, and the North Dakota Forest Service. The department supports emergency response readiness through red-card training partnerships, after-action reviews, readiness-level coordination calls during fire seasons, and the prepositioning of resources before forecasted high-risk weather events. The testimony described procedures for multi-incident coordination, mobilization of local, state, regional, and federal resources, and cost-sharing mechanisms available under emergency declarations. The department maintains an inventory of private-sector resources that may be deployed during emergencies and has partnered with water resource agencies to develop a statewide map identifying water access points for emergency response purposes. The testimony indicated the part-time nature of many local emergency management positions and reductions in federal grant funding continue to create challenges for emergency preparedness and response efforts.

The committee received testimony from a representative of the North Dakota Forest Service regarding wildland fire response operations, agency capacity, and support provided to local fire departments. General Fund appropriations support a limited number of positions, while additional staffing is supported through special fund revenue. The committee was informed the agency employs both full-time and seasonal firefighters and provides training to hundreds of firefighters annually through partnerships with local departments and fire service organizations. The agency administers cooperative fire protection grants, distributes equipment through federal excess property programs, and provides technical assistance to local jurisdictions. The committee received information regarding wildfire activity in recent years, including increases in acres burned and the growing demand for mutual aid, interagency cooperation, and national resource mobilization. According to the testimony, training partnerships with fire service organizations and the North Dakota National Guard continue to expand and support efforts to strengthen statewide wildland fire response capability. The agency is engaged in fuel reduction projects, firefighter training initiatives, and readiness planning intended to improve wildfire preparedness. The testimony emphasized the need for continued improvements in coordination mechanisms and communication systems to support local incident commanders during large or complex wildfire incidents.

The committee received testimony from a representative of the NDFA which indicated the association has expanded the use of mobile training units to deliver training directly to local fire departments, reducing travel burdens, and improving access to certification opportunities. The testimony indicated regional training models have strengthened relationships among fire departments, improved mutual aid coordination, and enhanced cooperation during emergency incidents.

The committee received testimony from representatives of Pano AI regarding the use of artificial intelligence and remote sensing technology to support wildfire detection, monitoring, and response coordination. The committee was informed the company's technology combines high-definition panoramic cameras, artificial intelligence detection tools, satellite imagery, and continuous human monitoring to identify potential wildfires and provide situational awareness for emergency responders. The technology can detect smoke from substantial distances, verify incidents in real time, distinguish legitimate wildfire threats from nonemergency heat sources, and assist emergency responders in making deployment decisions.

The committee received testimony from a representative of the Casselton Fire Department regarding operational, governance, and statutory issues affecting nonprofit fire departments. The committee was informed the department serves a large geographic area, provides a broad range of emergency response services, and maintains nationally recognized preparedness standards. The testimony asserted the department's independent organizational structure provides flexibility in governance, funding, and operational decisionmaking and allows local officials to tailor financial support mechanisms to community needs and risk conditions. The testimony indicated state law treats some certified fire departments differently based on organizational structure and the department identified statutory provisions affecting tax exemptions, emergency vehicle classifications, line-of-duty death benefits, civil liability protections, and definitions applicable to firefighters. The testimony advocated for providing consistent treatment under state law to fire departments performing similar emergency response functions, regardless of whether the department is organized as a political subdivision.

The committee received testimony from a representative of the North Dakota Fire Chief's Association regarding statewide fire response coordination, mutual aid, and long-term fire service sustainability. Recent large-scale emergency incidents highlighted the need for a standardized mutual aid framework to streamline resource requests, qualification requirements, authority transfers, and mobilization procedures during major emergencies. The testimony indicated a statewide mutual aid system with an opt-out provision could improve coordination while allowing a local department to determine its level of participation. The testimony recommended standardizing activation procedures among local, regional, and state response systems and establishing reimbursement mechanisms to offset costs incurred when departments deploy personnel and equipment to assist other jurisdictions. The testimony indicated improving employment protections and financial support for volunteer responders, strengthening recruitment efforts, expanding regional collaboration, increasing training and incentive opportunities, and simplifying funding mechanisms may help

address ongoing workforce challenges. According to the testimony, clarification of statutory definitions affecting fire departments and continued investment in statewide communications systems, including implementation of the Statewide Interoperable Radio Network, could improve emergency response coordination and operational effectiveness. The testimony emphasized the importance of improving regional coordination, enhancing support for volunteer responder health and wellness, strengthening fire prevention activities, and modernizing leadership structures within fire departments.

The committee received testimony from a representative of the Professional Firefighters of North Dakota regarding regional mutual aid agreements. The testimony indicated regional mutual aid agreements provide critical support in many areas of the state and neighboring departments frequently provide automatic assistance, hazardous materials response, and technical rescue services through established partnerships.

The committee received testimony from a representative of the Public Safety Subcabinet regarding efforts to address public safety challenges. The gubernatorial subcabinet established separate task forces focused on fire services, EMS, and emergency management. Each task force includes local stakeholders and subject matter experts tasked with identifying operational challenges, evaluating root causes, and recommending solutions to strengthen statewide emergency response capabilities. The testimony indicated the subcabinet includes representatives of multiple state agencies and stakeholder organizations and receives local input through meetings, workshops, surveys, and outreach activities. The subcabinet has focused on issues relating to EMS, fire protection, recruitment and retention of emergency responders, ambulance billing, grant funding, and mutual aid coordination.

Committee Considerations

The committee considered the impact of the evolving fire service needs of the state, including the impact wildfires have on the state and the large, coordinated response required for wildfires. Committee members expressed support for continued collaboration among departments to coordinate responses to fires in the state. However, the committee did not reach a consensus regarding targeted changes that should be made to the state's fire response system.

Conclusion

The committee makes no recommendation regarding its study of the evolving fire service operational and response needs of the state.

AMBULANCE SERVICE PROVIDER DELINQUENT BILLING REIMBURSEMENT GRANTS STUDY

Section 4 of House Bill 1322 (2025) directed a study of the feasibility and desirability of establishing a delinquent billing reimbursement grant system for ambulance service providers. The study required consideration of input from stakeholders, including the Insurance Department, and a survey of ambulance service providers. Section 5 of the bill provided an appropriation of $20,000 to the Legislative Council for the purpose of hiring a consultant to assist with the study.

Background

Pursuant to Chapter 23-27, DHHS is the licensing authority for EMS operations and may designate EMS service areas. The department is required to establish and update biennially a plan for integrated EMS in the state. The plan must identify ambulance operations areas, EMS funding areas that require state financial assistance to operate a minimally reasonable level of EMS, and a minimum reasonable cost for an EMS operation. The department must determine the amount of state financial assistance allocated to each EMS funding area based on the department's determination of the minimum annual funding necessary to operate the EMS operation.

Section 23-27-08 prohibits balanced billing for a basic life support or an advanced life support ambulance service. An ambulance service provider may not collect or bill more than the covered individual's deductible, coinsurance, copayment, or other cost-sharing amount the covered individual would be responsible for if services were provided by a participating ambulance service provider.

Testimony

The committee received testimony from a representative of the Insurance Department which indicated less than one-third of North Dakota residents are covered by insurance plans regulated by the Insurance Department. The department does not regulate self-funded plans or federal plans.

The committee received testimony from a representative of the North Dakota EMS Association regarding the financial pressures facing ambulance service providers. The testimony indicated Medicare reimbursement rates serve as the benchmark used by many insurers but remain substantially below the actual cost of providing EMS. According to the testimony, governmental ambulance services incur average transport costs exceeding reimbursement levels by nearly

$2,000 per call before accounting for bad debt and uncollected accounts. The testimony indicated reimbursement deficiencies, combined with rural service challenges and uncompensated responses, threaten the long-term sustainability of ambulance services.

Consultant Report

The Legislative Council issued a request for proposals for consultant services related to the committee's survey of ambulance service providers. Two organizations submitted proposals to the Legislative Council in response to the committee's request for consultant services, and the committee selected PWW Advisory Group to provide consultant services.

The committee received a report from PWW Advisory Group regarding the feasibility and desirability of establishing a delinquent billing reimbursement grant system for ambulance service providers. The report was based on survey responses from 36 ambulance agencies. The report indicated ambulance providers operate in a financially challenging environment in which fee-for-service reimbursement generally does not cover the cost of readiness, staffing, and emergency response activities. Survey responses indicated average fee-for-service revenue of approximately $1,101 per patient transport, compared to average reported expenses of approximately $1,584 per transport. The report indicated local property tax subsidies have become an important source of support for ambulance services. Fee-for-service revenue accounted for approximately 53 percent of total reported revenue whereas local tax subsidies accounted for approximately 26 percent. Only 78.7 percent of claims were paid and approximately $5.9 million in claims remained unpaid after 90 days. Approximately $2.7 million in claims were referred to collection agencies. The report indicated workforce challenges continue to affect ambulance providers in the state. Survey respondents reported an overall attrition rate of approximately 12.7 percent and identified compensation, benefits, retirement opportunities, and burnout as the primary reasons employees and volunteers leave the profession. The report indicated approximately 16.9 percent of emergency responses do not result in patient transport, creating significant uncompensated workload because agencies generally receive little or no reimbursement for services that do not result in patient transport. The report indicated agencies project approximately $12.9 million in vehicle and equipment replacement needs during the next 5 years.

Committee Considerations

Committee members considered the impact of funding constraints on the EMS system. Members expressed support for continuing to provide funding to the EMS system and to aid the operations of small EMS services. Members considered the impact of workforce challenges on the ambulance service and the importance of reimbursing ambulance services for the work performed. Members noted federal funding available through the Rural Health Transformation Program may provide an opportunity for ambulance services to upgrade equipment.

Conclusion

The committee makes no recommendation regarding its study of the feasibility and desirability of establishing a delinquent billing reimbursement grant system for ambulance service providers.

GRANT FUNDING FOR EMERGENCY SERVICES AND PUBLIC SAFETY STUDY

Section 1 of Senate Bill 2332 (2025) directed a study of options to provide grant funding for emergency services and public safety. The study required a review of the amount of grant funding needed, potential funding sources, entities eligible to receive a grant, types of expenses eligible for reimbursement through a grant program, the appropriate agency to administer a grant program, and options to establish a grant program oversight committee.

Background

State Assistance for Emergency Medical Services

The Department of Health and Human Services administers the EMS assistance grants and grants for training. During the 2023-25 biennium, DHHS approved 92 rural EMS assistance grants totaling $13,947,169. These grants may be used for operational expenses such as staffing, equipment, fuel, and other needs. The grants ranged in size from $233 to $391,967 with an average award amount of $151,600. An additional $846,000 was awarded in training grants. The Department of Health and Human Services disbursed a total of $14,700,308, of which $6,575,308 was from the General Fund, $1,125,000 was from the Insurance Tax Distribution Fund, and $7,000,000 was from the Community Health Trust Fund. For the 2025-27 biennium, the Legislative Assembly appropriated $15,000,000 for these grants, of which $6,895,000 is from the General Fund, $7,000,000 is from the Community Health Trust Fund, and $1,125,000 is from the Insurance Tax Distribution Fund.

State Assistance for Fire Districts and Departments

The Insurance Department administers the insurance tax payments to fire departments. The following is a summary of the amounts appropriated by the Legislative Assembly in prior bienniums and an estimate of the 2025-27 biennium payments to fire departments and districts:

Biennium	Total Payments
2015-17 biennium	$15,681,207
2017-19 biennium	$14,235,561
2019-21 biennium	$17,989,505
2021-23 biennium	$19,588,470
2023-25 biennium	$28,051,308
2025-27 biennium (estimated)	$29,317,488

Section 18-03-07 directs the Insurance Commissioner to pay $1.2 million from the Insurance Regulatory Trust Fund to the NDFA by August 1 of each year.

State Assistance for Local Law Enforcement

House Bill 1307 (2023) and House Bill 1193 (2025) each appropriated $3.5 million to the Attorney General for the Peace Officer and Correctional Officer Appreciation Grant Program. The bills provided funds for retention and recruitment bonuses and tuition and fee payments.

Testimony

The committee received testimony from a representative of the Insurance Department regarding an overview of the Insurance Tax Distribution Fund. The fund receives revenue from insurance premium taxes and funds are distributed to eligible fire protection entities using formulas based on insurance policies written within each department's service area. Legislative changes adopted in 2023 converted certain fire district distributions to a continuing appropriation, resulting in significant increases in funding over the subsequent 3 years. Testimony highlighted improvements in statewide fire department ratings, reductions in the number of departments holding the lowest fire protection classifications, and the use of insurance tax distributions to support EMS grants and firefighter death benefit programs.

The committee received testimony from the DHHS Emergency Medical Systems Unit regarding financial assistance programs available to EMS agencies. The testimony indicated ambulance services with 800 or fewer responses annually are eligible for assistance. Approximately $6.9 million was distributed through 86 grants during the current fiscal year and approximately 77 percent of grant expenditures were used for staffing-related costs. The testimony indicated awards ranged from $576 to $162,961, with an average award amount of $80,669. The EMS Personnel Training Grant Program reimburses EMS agencies for initial certification and continuing education expenses. The entire biennial appropriation was expended during the previous biennium and the program assisted 33 paramedics and 143 emergency medical technicians. Fifty-nine EMS agencies used the agency training component of the program for instructor compensation, training equipment, and National Registry testing fees. In addition to existing state resources, the Rural Health Transformation Program is intended to supplement EMS resources and may support telemedicine initiatives, community paramedicine services, communications improvements, and enhanced coordination among EMS agencies and hospitals. The testimony indicated the program could improve health care delivery and access in rural and frontier communities through innovative service models and expanded integration of EMS into the broader health care system.

A representative of the Tax Department reviewed property tax funding structures for ambulance service districts and rural fire protection districts. The testimony summarized statewide levy practices, described statutory levy limits, and reported on the number of districts using various mill levies. Information also was provided concerning overall property tax collections dedicated to ambulance and fire protection operations in the state.

Committee Considerations

The committee considered the impact of state funding on the emergency response system. The committee expressed support for continuing state efforts to support emergency response services. Some members contended the increase in federal funding available through the Rural Health Transformation Program may reduce the need for increased state funding.

Conclusion

The committee makes no recommendation regarding its study of grant funding for emergency services and public safety.

REQUIRED REPORTS

Security Threats Posed by Foreign Adversaries Report

The committee received a report from a representative of the Department of Emergency Services regarding foreign adversary threats to the state. The testimony indicated foreign adversaries continue to present risks through cyber operations, economic influence, espionage, research exploitation, supply chain vulnerabilities, and influencing activities. The report identified cybersecurity threats as the most significant cross-sector threat to the state's critical infrastructure and noted disruptions to energy, communications, transportation, water, information technology, and other sectors may have cascading effects across the state. Federal and state laws provide substantial protections against foreign influence activities, but challenges remain related to information sharing, situational awareness, cybersecurity, supply chain dependencies, and critical infrastructure resilience. The committee was informed the report did not identify foreign ownership of land in the state as the state's most significant current foreign adversary threat. The report concluded a balanced approach emphasizing cybersecurity, intelligence sharing, public-private partnerships, and infrastructure protection may provide the most effective long-term strategy for risk mitigation.

Towing and Recovery Costs Report

The committee received a report from a representative of the Insurance Department regarding towing and recovery coverage for vehicles carrying liability-only insurance. The report indicated towing and recovery services may result in significant expenses that are not always covered by insurance, particularly when a vehicle owner lacks applicable first-party coverage or is unable to pay. Liability insurance traditionally covers damages to others, whereas towing and recovery coverage for an insured's own vehicle generally is an optional first-party benefit. Testimony indicated expanding mandatory coverage could provide an additional source of reimbursement for towing providers and reduce some out-of-pocket costs for motorists but also could increase insurance premiums and administrative costs. The report reviewed other states' laws and did not identify a single prevailing approach to towing and recovery coverage. The report noted available information did not establish a sufficient basis for requiring liability-only automobile policies to include towing and recovery coverage. The report recommends continued monitoring of the issue and improved communication and documentation practices between insurers and towing providers.

Status of the Distressed Ambulance Service Program Report

The committee received a report from a representative of DHHS regarding the Distressed Ambulance Service Program established under Chapter 23-27.2. The testimony indicated no ambulance service has been declared distressed since the enactment of the program and no formal distressed-service plans or coordination activities have been required. The committee was informed rural ambulance services continue to face challenges related to staffing, recruitment and retention, operating costs, equipment needs, and long-term sustainability. Testimony indicated the program is intended to identify potential service disruptions early, provide an opportunity for corrective action, involve affected stakeholders, and develop sustainable solutions to preserve ambulance coverage. The committee was informed in the event of an immediate threat to ambulance coverage, DHHS is prepared to provide temporary personnel, equipment, and ambulance resources to maintain EMS while a long-term solution is developed.