

HOUSE BILL NO. 1366

Introduced by

Representatives Disrud, Severson

Senators Andrist, Heitkamp

1 A BILL for an Act to amend and reenact sections 18-03-01, 18-03-02, 18-03-03, 18-03-04,
2 18-03-05, 18-03-06, 18-04-01, and 18-04-02 of the North Dakota Century Code, relating to the
3 duties and responsibilities of the North Dakota firemen's association and the filing of annual
4 organization certificates by fire departments.

5 **BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:**

6 **SECTION 1. AMENDMENT.** Section 18-03-01 of the North Dakota Century Code is
7 amended and reenacted as follows:

8 **18-03-01. North Dakota firemen's association - How constituted.** The North Dakota
9 firemen's association ~~shall consist~~ consists of the various organized fire departments and fire
10 protection districts within this state, and each fire department, fire protection district, and
11 firefighter within the state is entitled to membership in ~~such~~ the association upon compliance
12 with the constitution and bylaws ~~thereof~~ of the association.

13 **SECTION 2. AMENDMENT.** Section 18-03-02 of the North Dakota Century Code is
14 amended and reenacted as follows:

15 **18-03-02. Regional fire Fire schools.** ~~Four or more regional fire~~ Fire schools must be
16 held annually under the direction of the North Dakota firemen's association. The schools must
17 be held at such times and in such places in North Dakota as may be designated by the North
18 Dakota firemen's association ~~at its annual state convention~~ executive board. Fire schools may
19 be held by teleconference, video, or other alternative media.

20 **SECTION 3. AMENDMENT.** Section 18-03-03 of the North Dakota Century Code is
21 amended and reenacted as follows:

22 **18-03-03. Secretary Association to report to office of management and budget**
23 **time and place of school and name of treasurer.** ~~At least thirty days prior to the date of~~
24 ~~holding any such school, the secretary of the~~ The North Dakota firemen's association shall

1 ~~forward submit~~ to the office of management and budget ~~the name of the place where, and the~~
2 ~~date when, each regional fire school will be~~ an annual report of all fire schools held in the state.
3 The ~~secretary~~ association also shall furnish to the office of management and budget the name
4 and address of the treasurer of the association.

5 **SECTION 4. AMENDMENT.** Section 18-03-04 of the North Dakota Century Code is
6 amended and reenacted as follows:

7 **18-03-04. Association to furnish bond.** The North Dakota firemen's association shall
8 file with the director of the office of management and budget a ~~good and sufficient~~ bond in the
9 penal sum of two thousand dollars conditioned for the faithful disposition of the funds
10 appropriated by the legislative assembly for the use of the association in conducting ~~regional~~
11 fire schools.

12 **SECTION 5. AMENDMENT.** Section 18-03-05 of the North Dakota Century Code is
13 amended and reenacted as follows:

14 **18-03-05. Statement of desired appropriation submitted to office of the budget.**
15 Not later than July first of each year next preceding a regular session of the legislative
16 assembly, the director of the budget shall send to the ~~secretary of the~~ North Dakota firemen's
17 association a suitable blank form to be filled out ~~by such secretary~~ with an itemized statement
18 of the amount of money ~~the secretary considers~~ necessary to promote the efficiency and
19 growth of the different fire departments and fire protection districts of the association and to
20 conduct the ~~regional~~ fire schools to be held during the succeeding biennium under the direction
21 of the association. The ~~secretary~~ association shall return the blanks properly filled out as
22 provided in section 54-44.1-04.

23 **SECTION 6. AMENDMENT.** Section 18-03-06 of the North Dakota Century Code is
24 amended and reenacted as follows:

25 **18-03-06. Director of the budget to prepare estimate for firemen's association.**
26 The director of the budget shall include, with its estimates, an estimate of the amounts
27 necessary to be appropriated to promote the efficiency and growth of the different fire
28 departments and fire protection districts of the association and to conduct ~~regional~~ fire schools.

29 **SECTION 7. AMENDMENT.** Section 18-04-01 of the North Dakota Century Code is
30 amended and reenacted as follows:

1 **18-04-01. Eligibility for participation in fund created from premium tax on fire**
2 **insurance companies.** ~~In order to~~ To become eligible for the benefits provided under this
3 chapter, a city, or one or more townships or fire districts, shall maintain therein for a period of at
4 least eight months ~~prior to~~ before the filing of the certificate required under section 18-04-02 an
5 organized fire district or department which:

- 6 1. Has been in actual existence for the period ~~herein~~ specified in this section;
- 7 2. Has had as a part of its equipment at least one ~~steam, hand, or other~~ fire engine or
8 truck; and
- 9 3. Has had a membership of at least fifteen persons. ~~Such~~ The department or district
10 also must be a member of the North Dakota firemen's association in good standing
11 at the time the benefits are paid.

12 Change in a fire department's name, or incorporation into a fire district, must be deemed a
13 waiver of the eight-month waiting period for filing a certificate of existence under section
14 18-04-02.

15 **SECTION 8. AMENDMENT.** Section 18-04-02 of the North Dakota Century Code is
16 amended and reenacted as follows:

17 **18-04-02. City auditor or secretary of rural fire department to file certificate with**
18 **state fire marshal and commissioner of insurance.** On or before the thirty-first day of
19 October in each year, the auditor or secretary of any city or rural fire department ~~which~~ that has
20 an organized fire department shall ~~make and~~ file with the state fire marshal and with the
21 commissioner of insurance the auditor's or secretary's certificate stating the existence of the fire
22 department, the date of its organization, the number of ~~steam, hand, or other~~ fire engines, hook
23 and ladder trucks, ~~and hose carts in actual use, the number of organized companies in the~~
24 ~~department, the number of members in each company,~~ and the system of water supply in use
25 by the department, with such other facts as the state fire marshal or commissioner may require.