

**Fifty-sixth Legislative Assembly, State of North Dakota, begun in the Capitol in the City of Bismarck, on Tuesday, the fifth day of January, one thousand nine hundred and ninety-nine**

HOUSE BILL NO. 1366  
(Representatives Disrud, Severson)  
(Senators Andrist, Heitkamp)

AN ACT to amend and reenact sections 18-03-01, 18-03-02, 18-03-03, 18-03-04, 18-03-05, 18-03-06, 18-04-01, and 18-04-02 of the North Dakota Century Code, relating to the duties and responsibilities of the North Dakota firemen's association and the filing of annual organization certificates by fire departments.

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

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

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

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

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

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

**18-03-03. Secretary Association to report to office of management and budget time and place of school and name of treasurer.** ~~At least thirty days prior to the date of holding any such school, the secretary of the~~ The North Dakota firemen's association shall ~~forward~~ submit to the office of management and budget ~~the name of the place where, and the date when, each regional fire school~~ will be an annual report of all fire schools held in the state. The ~~secretary~~ association also shall furnish to the office of management and budget the name and address of the treasurer of the association.

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

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

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

**18-03-05. Statement of desired appropriation submitted to office of the budget.** Not later than July first of each year next preceding a regular session of the legislative assembly, the director of the budget shall send to the ~~secretary of the~~ North Dakota firemen's association a suitable blank form to be filled out ~~by such secretary~~ with an itemized statement of the amount of money ~~the secretary~~

~~considers~~ necessary to promote the efficiency and growth of the different fire departments and fire protection districts of the association and to conduct the ~~regional~~ fire schools to be held during the succeeding biennium under the direction of the association. The ~~secretary~~ association shall return the blanks properly filled out as provided in section 54-44.1-04.

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

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

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

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

1. Has been in actual existence for the period ~~herein~~ specified in this section;
2. Has had as a part of its equipment at least one ~~steam, hand, or other~~ fire engine or truck; and
3. Has had a membership of at least fifteen persons. ~~Such~~ The department or district also must be a member of the North Dakota firemen's association in good standing at the time the benefits are paid.
4. Has been in compliance with the requirements to report fires as set forth in section 18-01-06.

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

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

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

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Speaker of the House

\_\_\_\_\_  
President of the Senate

\_\_\_\_\_  
Chief Clerk of the House

\_\_\_\_\_  
Secretary of the Senate

This certifies that the within bill originated in the House of Representatives of the Fifty-sixth Legislative Assembly of North Dakota and is known on the records of that body as House Bill No. 1366.

House Vote:      Yeas    96      Nays    0      Absent    2

Senate Vote:    Yeas    46      Nays    0      Absent    3

\_\_\_\_\_  
Chief Clerk of the House

Received by the Governor at \_\_\_\_\_ M. on \_\_\_\_\_, 1999.

Approved at \_\_\_\_\_ M. on \_\_\_\_\_, 1999.

\_\_\_\_\_  
Governor

Filed in this office this \_\_\_\_\_ day of \_\_\_\_\_, 1999,

at \_\_\_\_\_ o'clock \_\_\_\_\_ M.

\_\_\_\_\_  
Secretary of State