Sixty-sixth Legislative Assembly of North Dakota
In Regular Session Commencing Thursday, January 3, 2019

HOUSE BILL NO. 1268
(Representatives Fegley, D. Anderson, Jones, J. Nelson)

AN ACT to amend and reenact sections 11-28.3-09 and 23-46-04 and subsection 10 of section 57-15-06.7 of the North Dakota Century Code, relating to property tax levies for emergency medical service and ambulance service operations financial assistance; and to provide for the distribution of state financial assistance for emergency medical services.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

SECTION 1. AMENDMENT. Section 11-28.3-09 of the North Dakota Century Code is amended and reenacted as follows:

11-28.3-09. Emergency medical service policy - Levy - Financial report.

1. The board of directors shall establish a general emergency medical service policy for the district and shall annually estimate the probable expense for carrying out that policy. The estimate shall be certified by the president and secretary to the proper county auditor or county auditors, on or before June thirtieth of each year. In the year for which the levy is sought, a board of directors of a rural ambulance service district seeking approval of a property tax levy under this chapter must file with the county auditor of the counties within the rural ambulance service district, at a time and in a format prescribed by the county auditors, a financial report for the preceding calendar year showing the ending balances of each fund held by the rural ambulance service district during that year. The board or boards of county commissioners may levy a tax not to exceed the mill rate approved by the electors of the district under section 11-28.3-04, and in no event exceeding a mill rate of ~~ten~~fifteen mills upon the taxable property within the district for the maintenance of the rural ambulance service district for the fiscal year as provided by law. A rural ambulance service district may be dissolved by approval of electors of the district as provided in section 11-28.3-13.

2. The tax levied for a rural ambulance service district shall be:

~~1.~~ a. Collected as other taxes are collected in the county.

~~2.~~ b. Turned over to the secretary-treasurer of the rural ambulance service district, who shall be bonded in the amount of at least five thousand dollars.

~~3.~~ c. Deposited by the secretary-treasurer in a state or national bank in a district account.

~~4.~~ d. Paid out upon warrants drawn upon the district account by authority of the board of directors of the district, bearing the signature of the secretary-treasurer and the countersignature of the president.

3. In no case shall the amount of the tax levy exceed the amount of funds required to defray the expenses of the district for a period of one year as embraced in the annual estimate of expense, including the amount of principal and interest upon the indebtedness of the district for the ensuing year. The district may include in its operating budget no more than ten percent of its annual operating budget as a depreciation expense to be set aside in a dedicated emergency medical services sinking fund deposited with the treasurer for the replacement of equipment and ambulances. The ten percent emergency medical services sinking fund may be in addition to the actual annual operating budget, but the total of the annual operating budget and the annual ten percent emergency medical services sinking fund shall not exceed the amount of revenue that would be generated by application of the maximum mill levy approved by the electors.

SECTION 2. AMENDMENT. Section 23-46-04 of the North Dakota Century Code is amended and reenacted as follows:

23-46-04. State financial assistance for emergency medical services - Confidential information - Annual allocation.

Emergency medical services operations that request financial assistance from the state must provide requested fiscal information to the state department of health for use in financial assistance determinations. All information provided to the department under this section is confidential. The state department of health shall determine annually the allocation amount of state financial assistance for each emergency medical services funding area based on the department's determination of~~:~~

~~1.~~ ~~The~~ the minimum annual funding necessary to operate the emergency medical services operation or service designated to operate in the ambulance funding area, based on the financial needs unique to each emergency medical services funding area.

~~2. Required local matching funds commensurate with at least ten dollars per capita within the emergency medical services funding area.~~

SECTION 3. AMENDMENT. Subsection 10 of section 57-15-06.7 of the North Dakota Century Code is amended and reenacted as follows:

10. A county levying a tax for county emergency medical service according to section 57-15-50 may levy a tax not exceeding ~~ten~~fifteen mills.

SECTION 4. AMBULANCE SERVICE OPERATION FUNDING DISTRIBUTION. Notwithstanding section 23-46-04, during the biennium beginning July 1, 2019, and ending June 30, 2021, the state department of health, in consultation with the emergency medical services advisory council, shall provide state financial assistance annually to each eligible ambulance service operation pursuant to the following formula calculation:

1. The budget for each operation must be determined by adding the amount of $60,000, or other base amount established by the department, to the product of the operation's average number of runs for the two most recent fiscal years multiplied by the average cost of a run.

2. The operation's grant amount must be determined by deducting the following amounts from the operation's budget calculated under subsection 1 of this section:

   a. The product of the operation's average number of runs for the two most recent fiscal years multiplied by the average amount of reimbursement for a run; and

   b. The product of the property tax valuation of the operations service area for the most recent taxable year multiplied by 5 mills.

3. The department shall distribute a prorated share of the operation's calculated grant amount if legislative appropriations for state financial assistance for emergency medical services is not sufficient to provide full grant funding calculated under this section.

4. An operation is not eligible to receive funding under this section if the operation's average number of runs for the two most recent fiscal years is more than 700.

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 Sixty-sixth Legislative Assembly of North Dakota and is known on the records of that body as House Bill No. 1268.

House Vote:	Yeas 71	Nays 20	Absent 3
Senate Vote:	Yeas 45	Nays 2	Absent 0

Chief Clerk of the House

Received by the Governor at 3:52 P.M. on April 22, 2019.

Approved at 7:35 P.M. on April 25, 2019.

Governor

Filed in this office this 26th day of April, 2019,

at 9:19 o'clock A. M.

Secretary of State