

PROPOSED AMENDMENTS TO HOUSE BILL NO. 1010

Page 1, line 2, after "to" insert "amend and reenact sections 18-04-04.1 and 18-04-05 of the North Dakota Century Code, relating to the insurance tax distribution fund; and"

Page 1, lines 2 and 3, remove "; and to provide an appropriation for the distribution of funds from the insurance tax distribution fund"

Page 1, replace lines 10 through 17 with:

"

	Base Level	Adjustments or Enhancements	Appropriation
Salaries and wages	8,149,998	(71,095)	8,078,903
Operating expenses	1,566,675	(59,592)	1,607,083
Capital assets	0	100,000	100,000
Grants	0	0	0
Total special funds	9,716,673	(30,687)	9,785,986
Full-time equivalent positions	41	(3)	38

"

Page 1, remove lines 23 and 24

Page 2, remove lines 1 through 5

Page 2, after line 5, insert:

"SECTION 4 AMENDMENT. Section 18-04-04.1 of the North Dakota Century Code is amended and reenacted as follows:

18-04-04.1. Insurance tax distribution fund.

The insurance tax distribution fund is a special fund in the state treasury. The portion of revenue provided in section 26.1-03-17 must be deposited in the fund for disbursement as provided in this chapter and chapter 23-46, ~~subject to legislative appropriation.~~

SECTION 5 AMENDMENT. Section 18-04-05 of the North Dakota Century Code is amended and reenacted as follows:

18-04-05. Amount due cities, rural fire protection districts, or rural fire departments - Transfer to firefighters death benefit fund - Disbursement to North Dakota firefighter's association - Payments by insurance commissioner – Continuing appropriation.

1. The insurance commissioner shall disburse funds in the insurance tax distribution fund as provided under this section.
2. The insurance commissioner shall transfer an amount of up to fifty thousand dollars per biennium, as may be necessary, to the firefighters death benefit fund for distribution under chapter 18-05.1.

3. The insurance commissioner shall compute and disburse funds to the North Dakota firefighter's association for uses authorized under chapter 18-03, ~~subject to legislative appropriations.~~
4. The insurance commissioner shall compute the amounts due to the certified city fire departments, certified rural fire departments, or certified fire protection districts entitled to benefits under this chapter on or before December first of each year. ~~The insurance commissioner shall allocate one-half of the biennial legislative appropriation for distribution under this subsection, to each eligible city not within a certified fire protection district, each certified rural fire protection district organized under this title, and each rural fire department certified by the state fire marshal, and pay the amount allocated in December of each year.~~ The allocation must be made in proportion to the amount of insurance company premiums received by insurance companies pursuant to section 26.1-03-17 for ~~policies for fire, allied lines, homeowner's multiple peril, farmowner's multiple peril, commercial multiple peril, and crop hail insurance~~ the lines of insurance identified under section 18-04-04 on property within the city of a certified city fire department, 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.
5. Annually, the insurance commissioner shall determine the amount of insurance premium taxes collected from the insurance lines identified in section 18-04-04 and disburse five and one-half percent to the North Dakota firefighter's association, ninety-four and one-half percent to certified city fire departments, certified rural fire departments, and certified fire protection districts. Moneys authorized for disbursement under this section are appropriated from the insurance tax distribution fund to the insurance commissioner on a continuing basis for the purpose of this section.

SECTION 6. A new section to chapter 26.1-36.7 of the North Dakota Century Code is created and enacted as follows:

Federal funding – Administration of the association – Continuing appropriation

Annually, the association will be awarded federal funding through its innovation waiver approved under section 1332 of the federal Patient Protection and Affordable Care Act [Pub. L. 11-148; 119 Stat. 124; 42 U.S.C. 1801 et seq.]. Federal funding received under this waiver is appropriated to the insurance commissioner on a continuing basis for the purpose of this chapter."

Renumber accordingly