

HB # 1477

Rep Patrick Hatlestad

District One

Ambulance District

6 Changes

- 1) Requires 50 qualified electors, living in the Ambulance District, or 50% if less than 50 qualified electors to elect to form, organize, establish, equip, and maintain a rural ambulance service district. Removes cities as a separate counting area
- 2) Change in the date that the president and secretary must submit an estimate of district expenses to the county auditor from on or before June 30 to on or before August 10<sup>th</sup>.
- 3) Removes the bonding requirement from this section as it already exists in another section. Subsection 1 of Section 26.1-12—01 Blanket Bond/Political subdivisions
- 4) Updates the language to allow collected funds to be placed in a bank or credit union, removing old "state or National bank language. Allows to bank locally.
- 5) Removes the inappropriate chapter reference and now references the Health Department Code that designates service areas.
- 6) Provide \$7 million in grants. Department of Health and Human Services for the purpose of aiding the functions and operations of rural emergency medical services and rural ambulance service districts,

## APPLICABLE LAW:

Subsection 1 of Section 26.1-12-01 defines a "blanket bond" **as a bond that covers collectively all public employees and public officials** without the necessity of scheduling names or positions as a part of the bond, and a bond whereby new public employees and new public officials entering employment or office during the period of the bond are automatically included without notice to the fund.

Subsection 4 of Section 26.1-12-01 defines "political subdivision" as a county, township, park district, school district, city, and **any other unit of local government which is created either by statute** or by the Constitution of North Dakota for local government or **other public purposes**.

Subsection 5 of Section 26.1-21-01 defines "public employee" **as an individual employed by** a state agency or **any political subdivision**, an officer or employee eligible under section 57-15-56, an employee under section 61-16.1-05, and an officer or employee of an international peace garden. "Public employee" does not include an individual employed by an occupational and professional board or commission under title 43 or by the state bar association.

Subsection 6 of Section 26.1-21-01 defines "public official" as **an elected or appointed officer** or deputy **of** a state agency or **a political subdivision**, except for an officer of an occupational and professional board or commission under title 43 or of the state bar association.

Section 26.1-21-09 requires each political subdivision to pay premiums before bond coverage takes effect. The premiums must be placed in the state bonding fund, which the insurance commissioner manages.

## ANALYSIS:

Rural ambulance service districts are political subdivisions because they are created by statute for public purposes. Furthermore, Section 54-10-14 classifies rural ambulance service districts as a political subdivision. Because of that fact, **all employees and officials of rural ambulance service districts are public employees and public officials**. Therefore, **blanket bonds apply to the employees and officials of rural ambulance service districts, including the secretary-treasurer**.

I imagine the bonding provision in Section 11-28.3-09 for the secretary-treasurer is being eliminated as a cost-saving measure because the secretary-treasurer is already covered under Chapter 26.1-21.