

# MICROFILM DIVIDER

OMB/RECORDS MANAGEMENT DIVISION

SEN 2053 (2/85) 5M



ROLL NUMBER

DESCRIPTION

1405

2001 HOUSE FINANCE AND TAXATION

HB 1405

2001 HOUSE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. HIB 1405

House Finance and Taxation Committee

☐ Conference Committee

Hearing Date January 31, 2001

Tape Number	Side A	Side B	Meter #
1	X		5,069
Committee Clerk Signature <i>Janice Stein</i>			

Minutes:

**REP. AL CARLSON, CHAIRMAN**, Opened the hearing.

**REP. DALE SEVERSON, DIST. 37** Introduced the bill as the prime sponsor. He stated this bill was tried in 1997, but unfortunately, didn't succeed. He submitted a bill which did succeed at that time, which allowed the fire district in the state of North Dakota, to raise their mill levies from ten mills to thirteen mills. Currently, in North Dakota law, the ambulance districts are allowed to levy up to five mills within a county. This bill will allow it to ten mills. Many of our rural communities, even at five mills, we don't raise that. In Cooperstown, we are at our maximum of five mills, we get seventy two hundred dollars a year. Every seven years, maximum, we have to buy a new ambulance, and ambulances, currently, are running between sixty and eighty thousand dollars. Some of the arguments we have heard in the past, is that ambulance services also get reimbursed. If you sat on Human Services, you would find out that medicare and medicaid reimbursement, is only a portion of what we actually need.

**REP. RENNER** Related to SB 2141 from 1997, are you suggesting that it needs to have a receipt of a petition by not less than twenty percent of the qualified electors?

**REP. SEVERSON** What I handed out was a bill that was passed in 1997, the ambulance bill is very similar to that. It is just to demonstrate to you that it has been done in the past.

**REP. CARLSON** You are not interested then in having the elections as part of the bill?

**REP. SEVERSON** Our verbage in the session of 1997, was exactly identical to what was passed in SB 2141, we do not have any counties and cities, that will not send this to the vote of the people. I am not opposed to that, but we did not think it was necessary.

**REP. DROYDAL** How many ambulance districts are there and how many are capped out?

**REP. SEVERSON** There are one hundred forty three ambulance services in North Dakota, the people that follow me, may have how many are capped out.

The reason they do not use the five mills, we live in a community that is fairly good size, for rural North Dakota in this day and age, Finley does not opt to go to the five mills because of, the small town syndrome. Once you are taxed, the contribution is down. These ambulance services in small towns, have actually raised more money with bake sales and everything else, then the tax that is due them. Therefore, they opt not to use the tax because then the contribution goes down. This, at least, would give them the option to do that.

**REP. CARLSON** We have heard this as long as I have been around here, about the funding of our ambulance services, and one session, there was a real concerted effort to assign someone to help these services to collect the payments which is owing to them, but because nobody really knew how to do it, there was a tremendous amount of money which was not collected, because no one was filling out the forms, is that better or worse?

**REP. SEVERSON** That was a pilot program that actually, the Health Department, I believe in 1997, was passed. We do have available to ambulance services, to use this service. The service is actually, out of Minot.

**REP. CARLSON** Is that working?

**REP. SEVERSON** It has been very neutral. The ambulance services which don't have the opportunity to bill, or doing it because they are privately owned, or private volunteers, those ambulance services will come forward, but they have not really noticed a big change in the income.

**REP. CARLSON** Stated, we are still wrestling with the decision of how much authority do we want to grant this level for raising a mill levy. We need compelling reasons, and you are giving some, and there are probably more, but the response we get, is giving you the ability to raise taxes at home, that hasn't sat very well here. What we are needing from you and your constituents are compelling reasons for us to grant authority to raise mill levies. This is about the fourth bill this week.

**REP. RENNER** What was the reason the bill was introduced in the session before?

**REP. SEVERSON** It was introduced along with the firemen, they had a bill and we had a bill, their's passed and ours failed, and we can't understand to this day, why. One of the things in our bill was, it went from five to thirteen.

**REP. HERBEL** Why did you go to ten, if you felt you needed thirteen two years ago?

**REP. SEVERSON** The people who brought this forward, thought we shouldn't go that high because it failed before, we certainly wouldn't mind that kind of an amendment.

**REP. SCHMIDT** Stated he called home to check with his ambulance service, they operate on small donations, they have a mill levy too, but it is small. The people are concerned that if we give them that mill levy, they will lose that donation. Is that a concern?

**REP. SEVERSON** Gave an example of what happens in Cooperstown. Even though they have the five mills, they have four major fund raisers per year, because the five mills are inadequate to fulfill their needs. Many of the small towns, even with the five mill levy, are doing the same thing. We do more now for the patients, but it costs a lot more to do. We want the opportunity to be able to do that. I do not know if ten mills would eliminate the problems we are talking about.

**REP. CARLSON** Asked how many districts have the availability to raise their mill levy, but don't.

**REP. SEVERSON** Stated he didn't have numbers on that, but could get it.

**DEREK HANSON, PRESIDENT OF THE NORTH DAKOTA EMS ASSOCIATION,**

Testified in support of the bill. See attached written testimony.

**REP. RENNER** Would you be opposed, if this bill was amended, to have language which would add that it has to go to the vote of the people?

**DEREK HANSON** Our association would not be opposed to that.

**REP. HERBEL** Of these one hundred forty ambulance units, are they all maxed out on this?

**DEREK HANSON** No they are not, some ambulance services don't take advantage of the mills for a variety of reasons, because they can get the donations, and that type of thing. Also, services who are using the mills, some of them are maxed out, and some of them are not. Gave an example of Kidder County, which has to divide the money up between several services in that

county, in Kidder County it is a full five mills and they are only generating thirty six thousand dollars. One service who would want to save up for an ambulance, a sixty or eighty thousand dollar ambulance, would have to put away for many years to come.

**REP. SEYERSON** Returned to the podium. He shared what was happening in his district.

Right now, we are having a struggle to keep the volunteers on board. We are looking at a county wide mill levy to operate an EMS system. In Cooperstown the ambulance service is owned by the city. They have a quick response unit in Hannaford and an ambulance in Binford which is fifteen miles away. They can't keep going this way. We are approaching the county and asking for a mill levy. Cooperstown ambulance now needs to become an advanced life service, so they have paramedics and those types of people on board to provide the service. The two entities, Binford and Hannaford, which Hannaford is already quick response, will become our first responders. The people in our specialized ambulance service need to be full time, paid paramedics to provide this service. The base salary for paramedics coming out of college right now is twenty one thousand dollars per year. As I told you earlier, five mills provides us with only seventy five hundred dollars. By allowing us the ten mills, would also allow us to go county wide, which would raise about thirteen thousand five hundred dollars.

**REP. CARLSON** The frustration I have had over this issue over the years, is that we have enabled mills to be raised, and your arguments are very compelling, and when you sympathize with those, and then when you take them back home, they won't give you the mill levy. They are the people who will be benefiting from the services you just described. It is frustrating to hear it again and again and again.

**REP. SEVERSON** That is exactly correct. In the instance that I talked about, we do need to go to the local people. When we got our mill levy in 1988, we did just that. We sold it to the Cooperstown people, and they passed it. The reason it never got to the counties, is because, Hannaford didn't have anything, and Cooperstown does most of the ambulance service.

**NORM STUHL MILLER, REPRESENTING THE OLDER PEOPLE IN THE RURAL**

**AREAS**, Testified in support of the bill. When these people have to call 911, that is the first chance they have of getting any help. My home town is Dodge, I don't know where the closest ambulance service is there. Probably Killdeer, thirty miles away. I may be dead before he gets there. I live in Bismarck, I always join the ambulance service here, it costs me forty dollars a year. People say, why are you doing that, medicare will pay for it. What good does it do, if everybody in the country pays for it, and we don't have the ambulance. I am concerned for these people who live in the rural areas, they need this badly.

**REP. BRANDENBURG TO REP. SEVERSON** How many people died along the Interstate and the ambulance service was called

**REP. SEVERSON** Gave statistics - in 1998, they did take that survey of how many people were taken care of locally or how many were transients. Eighty two percent of the ambulance runs were local, the other sixteen to eighteen percent were the transients. Our ambulance service is required, by law, to take them where they want to go.

With no further testimony, the hearing was closed.



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House Finance and Taxation Committee  
Bill/Resolution Number HB 1405  
Hearing Date January 31, 2001

**COMMITTEE ACTION 2-5-01, TAPE #2, SIDE B, Meter # 0 - 700**

**REP. RENNER** Made a motion for a **do pass**

**REP. BRANDENBURG** Second the motion. **MOTION CARRIED**

**11 YES            3 NO            1 ABSENT**

**REP. BRANDENBURG** Was given the floor assignment.

Date: 2-5-01  
Roll Call Vote #: 1

2001 HOUSE STANDING COMMITTEE ROLL CALL VOTES  
BILL/RESOLUTION NO. HB 1405

House FINANCE & TAXATION Committee

☐ Subcommittee on \_\_\_\_\_  
or  
☐ Conference Committee

Legislative Council Amendment Number \_\_\_\_\_

Action Taken Do Pass

Motion Made By Rep. Renner Seconded By Rep. Brandenburg

Representatives	Yes	No	Representatives	Yes	No
CARLSON, AL, CHAIRMAN	✓		NICHOLAS, EUGENE	✓	
DROVDAL, DAVID, V-CHAIR		✓	RENNER, DENNIS	✓	
BRANDENBURG, MICHAEL	✓		RENNERFELDT, EARL		✓
CLARK, BYRON	✓		SCHMIDT, ARLO	✓	
GROSZ, MICHAEL	✓		WIKENHEISER, RAY	✓	
HERBEL, GIL	✓		WINRICH, LONNY	✓	
KELSH, SCOT	✓				
KROEBER, JOE	✓				
LLOYD, EDWARD		✓			

Total (Yes) 11 No 3

Absent 1

Floor Assignment Rep. Brandenburg

If the vote is on an amendment, briefly indicate intent:

**REPORT OF STANDING COMMITTEE (410)**  
February 6, 2001 8:22 a.m.

**Module No: HR-21-2438**  
**Carrier: Brandenburg**  
**Insert LC: . Title: .**

**REPORT OF STANDING COMMITTEE**

**HB 1405: Finance and Taxation Committee (Rep. Carlson, Chairman) recommends DO PASS (11 YEAS, 3 NAYS, 1 ABSENT AND NOT VOTING). HB 1405 was placed on the Eleventh order on the calendar.**

2001 SENATE FINANCE AND TAXATION

HB 1405

2001 SENATE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. 1405

Senate Finance and Taxation Committee

☐ Conference Committee

Hearing Date 3/5/01

Tape Number	Side A	Side B	Meter #
1	x		40.3-end
		x	0-4.8
3/6/01 - 2	x		48.6-end
		x	0-5.4
3/7/01 - 1		x	15.1-22
Committee Clerk Signature <i>Lynelle M. King</i>			

Minutes:

Senator Urlacher: Opened the hearing on HB 1405, relating to the county tax levy limitation for ambulance services.

Senator Harry Tallackson: Co-sponsored the bill, testified in support. This a local way of handling this by the commissioners. It has to go to a vote of the people.

Representative Dale Severson: Prime sponsor, testified in support. Back in 1997, the ND EMS Assoc. sponsored a bill which moved the levy from 5 to 13, it was amended from 13 to 10, and failed. EMS is doing a lot more than they have before, equipment costs are up, ambulances cost more, plus training for personnel. Not every community will use the 10 mills. The commissioners would put it on the ballot or petition.

Senator Christmann: Right now, the most commissioners can go up to is 5 without a vote?

Representative Dale Severson: Yes, but they rarely do it without going to a vote.

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Senate Finance and Taxation Committee

Bill/Resolution Number 1405

Hearing Date 3/5/01

Derek Hanson: ND EMS Assoc., testified in support. Written testimony attached.

Senator Nichols: Are we losing ambulance services in rural areas?

Derek Hanson: The number has fluctuated slightly, but so far we've been able to maintain that number.

Senator Urlacher: It's due to personnel more than anything?

Derek Hanson: Yes. In small towns, it's hard to find volunteers and young people are not willing to volunteer.

Senator Urlacher: Closed the hearing.

Discussion followed.

Senator Kroeplin: Do the ambulance and fire districts have their own area where they levy the taxes on?

Representative Dale Severson: The law it's referring to is just saying that an ambulance district can levy up to 10 mills.

Committee would like John Walstad to come and explain it.

Action delayed.

Discussion held 3/6/01. Meter number 48.6-end, Side A & 0-5.4, Side B.

Senator Wardner: The question was-is it a vote of the people?

Senator Kroeplin: Not all ambulance services are county wide, there can be an ambulance district. Can the districts go to 10 mills or just counties?

John Walstad: Legislative Council, this is a maximum 10 mill levy county wide.

Senator Kroeplin: I believe it was the intent that the districts can go to 10. Would the districts be able to raise it to 10?

John Walstad: I believe so.

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Senate Finance and Taxation Committee

Bill/Resolution Number 1405

Hearing Date 3/5/01

Senator Stenchjem: If you're in a homerule chartered county, once it got up to 10 mills, could the county leave it at 10 mills and take that other 5 mills and spend it on whatever else?

John Walstad: Sure.

Senator Christmann: Section 57-15-50 covers if there is more than one ambulance districts. The district can become exempt from the county tax levy.

Senator Kroeplin: At the same time when they opt out of the county, are they allowed to raise to 10 mills?

Senator Christmann: I don't think so.

Senator Kroeplin: I think the intent of the bill was to allow all ambulance districts to levy to 10 mills.

John Walstad: The 10 mills here applies only to county level.

Senator Kroeplin: How can we fix that?

John Walstad: We would have to adjust the levy authority for those districts.

Senator Kroeplin to get amendment.

Discussion held 3/7/01. Meter number 15.1-22, Side B.

Senator Kroeplin: Explained the amendment. Representative Severson looked at these and said they fit just the way they're supposed to and that was the intent of the original bill.

AMENDMENT ACTION:

Motion made by Senator Kroeplin, Seconded by Senator Christmann, to move amendment numbered 10711.0101. Voice Vote taken. All in favor, amendment adopted.

COMMITTEE ACTION: 3/7/01

Motion made by Senator Nichols for a DO PASS AS AMENDED, Seconded by Senator Kroeplin. Vote was 6 yeas, 0 nays, 0 absent and not voting. Bill carrier was Senator Kroeplin.

PROPOSED AMENDMENTS TO HOUSE BILL NO. 1405

Page 1, line 1, after "57-15-06.7" insert ", subsection 7 of section 57-15-20.2, and sections 57-15-26.5 and 57-15-51"

Page 1, line 2, after "county" insert ", city, township, and rural ambulance service district"

Page 1, after line 8, Insert:

**"SECTION 2. AMENDMENT.** Subsection 7 of section 57-15-20.2 of the North Dakota Century Code is amended and reenacted as follows:

7. A township levying a tax for ambulance service in accordance with section 57-15-51.1 may levy a tax not exceeding ~~five~~ ten mills.

**SECTION 3. AMENDMENT.** Section 57-15-26.5 of the North Dakota Century Code is amended and reenacted as follows:

**57-15-26.5. General tax levy of rural ambulance service districts.** A rural ambulance service district may levy, in accordance with chapter 11-28.3, a tax not exceeding ~~five~~ ten mills on the taxable value of property within the district.

**SECTION 4. AMENDMENT.** Section 57-15-51 of the North Dakota Century Code is amended and reenacted as follows:

**57-15-51. Levy authorized for city ambulance service.** Upon petition of ten percent of the number of qualified electors of the city voting in the last election for governor or upon its own motion, the governing body of ~~each a city in this state~~ shall levy annually a tax of not to exceed ~~five~~ ten mills upon its taxable valuation, for the purpose of subsidizing city ambulance services; provided, that such tax must be approved by a majority of the qualified electors of the city voting on the question at a regular or special city election. Whenever a tax for county ambulance services is levied by a county, any city levying a tax for, or subsidizing city ambulance services, shall upon written application to the county board of such county be exempted from such county tax levy. The city may set aside, as a depreciation expense, up to ten percent of its annual ambulance service operating or subsidization budget in a dedicated ambulance sinking fund, deposited with the auditor for replacement of equipment and ambulances. The ten percent ambulance sinking fund may be in addition to the actual annual ambulance budget but the total of the annual ambulance budget and the annual ten percent ambulance fund may not exceed the approved mill levy."

Renumber accordingly



Date: 3/7/01  
Roll Call Vote #: 1

2001 SENATE STANDING COMMITTEE ROLL CALL VOTES  
BILL/RESOLUTION NO. 1405

Senate Finance and Taxation Committee

☐ Subcommittee on \_\_\_\_\_

or

☐ Conference Committee

Legislative Council Amendment Number 10711.0101

Action Taken Move Amendment (voice vote)

Motion Made By Kroeplin Seconded By Christmann

Senators	Yes	No	Senators	Yes	No
Senator Urlacher-Chairman					
Senator Wardner-Vice Chairman					
Senator Christmann					
Senator Stenehjem					
Senator Kroeplin					
Senator Nichols					

Total (Yes) 6 No 0

Absent 0

Floor Assignment \_\_\_\_\_

If the vote is on an amendment, briefly indicate intent:

Date: 3/7/01  
Roll Call Vote #: 2

2001 SENATE STANDING COMMITTEE ROLL CALL VOTES  
BILL/RESOLUTION NO. 1405

Senate Finance and Taxation Committee

☐ Subcommittee on \_\_\_\_\_  
or  
☐ Conference Committee

Legislative Council Amendment Number \_\_\_\_\_

Action Taken NO PASS AS AMENDED

Motion Made By Nichols Seconded By Kroeplin

Senators	Yes	No	Senators	Yes	No
Senator Urlacher-Chairman	✓				
Senator Wardner-Vice Chairman	✓				
Senator Christmann	✓				
Senator Stenehjem	✓				
Senator Kroeplin	✓				
Senator Nichols	✓				

Total (Yes) 6 No 0

Absent 0

Floor Assignment Kroeplin

If the vote is on an amendment, briefly indicate intent:

**REPORT OF STANDING COMMITTEE**

**HB 1405: Finance and Taxation Committee (Sen. Urlacher, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (6 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1405 was placed on the Sixth order on the calendar.

Page 1, line 1, after "57-15-06.7" insert ", subsection 7 of section 57-15-20.2, sections 57-15-26.5, and 57-15-51"

Page 1, line 2, after "county" insert ", city, township, and rural ambulance service district"

Page 1, after line 8, insert:

**"SECTION 2. AMENDMENT.** Subsection 7 of section 57-15-20.2 of the North Dakota Century Code is amended and reenacted as follows:

7. A township levying a tax for ambulance service in accordance with section 57-15-51.1 may levy a tax not exceeding five ten mills.

**SECTION 3. AMENDMENT.** Section 57-15-26.5 of the North Dakota Century Code is amended and reenacted as follows:

**57-15-26.5. General tax levy of rural ambulance service districts.** A rural ambulance service district may levy, in accordance with chapter 11-28.3, a tax not exceeding five ten mills on the taxable value of property within the district.

**SECTION 4. AMENDMENT.** Section 57-15-51 of the North Dakota Century Code is amended and reenacted as follows:

**57-15-51. Levy authorized for city ambulance service.** Upon petition of ten percent of the number of qualified electors of the city voting in the last election for governor or upon its own motion, the governing body of ~~each~~ a city ~~in this state~~ shall levy annually a tax of not to exceed five ten mills upon its taxable valuation, for the purpose of subsidizing city ambulance services; provided, that such tax must be approved by a majority of the qualified electors of the city voting on the question at a regular or special city election. Whenever a tax for county ambulance services is levied by a county, any city levying a tax for, or subsidizing city ambulance services, shall upon written application to the county board of such county be exempted from such county tax levy. The city may set aside, as a depreciation expense, up to ten percent of its annual ambulance service operating or subsidization budget in a dedicated ambulance sinking fund, deposited with the auditor for replacement of equipment and ambulances. The ten percent ambulance sinking fund may be in addition to the actual annual ambulance budget but the total of the annual ambulance budget and the annual ten percent ambulance fund may not exceed the approved mill levy."

Renumber accordingly

2001 TESTIMONY

HB 1405

Rep. Swenson  
HB 1405

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

SENATE BILL NO. 2141  
(Senators Freborg, Tomac)  
(Representatives Carlisle, Delzer)

AN ACT to amend and reenact section 57-15-26.3 of the North Dakota Century Code, relating to the mill levy limitation for rural fire protection districts; and to provide an effective date.

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

**SECTION 1. AMENDMENT.** Section 57-15-26.3 of the North Dakota Century Code is amended and reenacted as follows:

**57-15-26.3. General tax levy of fire protection districts.** A rural fire protection district may levy a tax in accordance with chapter 18-10 not exceeding five mills on the taxable valuation of property in the district except upon resolution adopted by the board of directors after receipt of a petition by not less than twenty percent of the qualified electors residing within the district, the levy may be made in an amount not exceeding ~~ten~~ thirteen mills.

**SECTION 2. EFFECTIVE DATE.** This Act is effective for taxable years beginning after December 31, 1996.



FINANCE & TAXATION COMMITTEE  
Testimony in Support of HB 1405

Wednesday, January 31, 2001  
Fort Totten Room

By, Derek Hanson, President  
ND EMS Association

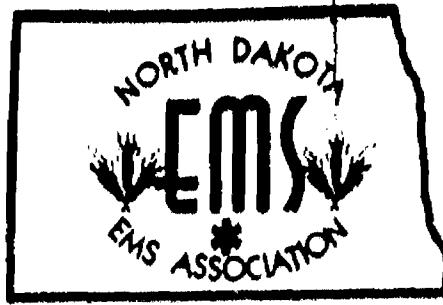
Funding and recruitment of volunteer ambulance personnel have been a high priority for our organization over the past decade. This was confirmed when our association conducted an EMS survey prior to the fifty-sixth legislative assembly. Results of the survey were reported during that legislative session. We consider the information to still be useful and accurate since we are finding the numbers have not changed drastically. If North Dakota is to keep the same level of Emergency Medical Services as we presently have, adequate funding sources and a firm recruitment campaign must occur.

During the Fifty-sixth legislative session the beginning of a stable funding source was put in place for the EMS system. The dollars allocated are extremely helpful, however, the funding and recruitment problems have not gone away. In fact, some rural ambulance services are claiming their recruitment issues have only gotten worse. There are very few incentives for a person to join an ambulance service. The younger generation does not give of themselves proudly as our past generation has. Plus, people today typically have more than one job and have kids who are active in many activities which takes away from their free time. Manpower is driven strictly by the almighty dollar. If a city or county ambulance service is to survive now and in the future they must be creative with recruitment, or they may choose to start planning to hire one or more full time staff members to take call in their community. No matter which option is pursued, we feel being able to use additional county tax dollars should be an option if the people in that county vote for a mill increase to save their ambulance service.

I wish I tell you exactly every situation that exists throughout North Dakota. The truth is, we have 141 licensed ambulance services in the state and there are 141 different financial scenarios that exist. Some services claim they are somewhat financially stable, yet they are not able to purchase a new \$80,000 ambulance that is needed. The next community has a scenario where they have a hard time staying a float and paying their monthly expenses, let alone try any new programs.

By supporting HB 1405, you will allow the decision to be put in the hands of the people within each county. We ask that you allow the people of this great state to make the decision themselves, and to have the opportunity to recognize EMS as an important service within their county. We ask for your support and a "do pass" on HB 1405.

Thank you for your time and consideration.



FINANCE & TAXATION  
Testimony in Support of HB 1405

Monday, March 5, 2001  
Lewis & Clark Room

By: Derek Hanson, President  
ND EMS Association

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