

**SECOND ENGROSSMENT
with Senate Amendments**

Fifty-seventh
Legislative Assembly
of North Dakota

REENGROSSED HOUSE BILL NO. 1202

Introduced by

Representatives Porter, Severson, Galvin, Pollert

Senators Christmann, Klein

1 A BILL for an Act to create and enact section 23-27-04.5 of the North Dakota Century Code,
2 relating to the creation of a quick-response unit service pilot program; to amend and reenact
3 sections 11-28.3-01, 11-28.3-08, 11-28.3-09, 11-28.3-14, 23-12-08, 23-27-01, 23-27-02,
4 23-27-03, 23-27-04, 23-27-04.1, 23-27-04.2, 23-27-04.3, 23-27-04.4, 57-15-06.7, 57-15-20.2,
5 57-15-50, 57-15-51, 57-15-51.1, and subsection 21 of section 58-03-07 of the North Dakota
6 Century Code, relating to licensure of emergency medical services operations and mill levies
7 for emergency medical services and rural ambulance services; to provide an appropriation; and
8 to provide an expiration date.

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

10 **SECTION 1. AMENDMENT.** Section 11-28.3-01 of the North Dakota Century Code is
11 amended and reenacted as follows:

12 **11-28.3-01. Territory to be organized - Petition.** Whenever twenty percent of the
13 qualified electors, as determined by the vote cast in the last preceding gubernatorial election,
14 residing in any rural territory, equivalent in area to one township or more not presently served
15 by an existing ~~ambulance~~ emergency medical service, elect to form, organize, establish, equip,
16 and maintain a rural ambulance service district, they shall signify their intention by presenting to
17 the county auditor of the county or counties in which the territory is situated, a petition setting
18 forth the desires and purposes of the petitioners. The petition shall contain the full names and
19 post-office addresses of the petitioners, the suggested name of the proposed district, the area
20 in square miles [hectares] to be included therein, and a complete description according to
21 government survey, wherever possible, of the boundaries of the real properties intended to be
22 embraced in the proposed rural ambulance service district. A plat or map showing the
23 suggested boundaries of the proposed district shall accompany the petition, and the petitioner
24 shall also deposit with the county auditor a sum sufficient to defray the expense of publishing

1 the notices required by sections 11-28.3-02 and 11-28.3-03. Provided further that any city
2 located within the area, whether such city has ~~ambulance service~~ emergency medical services
3 or not, may be included in the rural ambulance district if twenty percent or more of the qualified
4 electors residing in the city sign the petition.

5 **SECTION 2. AMENDMENT.** Section 11-28.3-08 of the North Dakota Century Code is
6 amended and reenacted as follows:

7 **11-28.3-08. Powers of board of directors.** The board of directors shall have the
8 following general powers to:

- 9 1. Develop a general ~~ambulance~~ emergency medical service program for the district.
- 10 2. Make an annual estimate of the probable expense of carrying out the program.
- 11 3. Annually certify that estimate to the proper county auditor in the manner provided
12 by section 11-28.3-09.
- 13 4. Manage and conduct the business affairs of the district.
- 14 5. Make and execute contracts in the name of and on behalf of the district with regard
15 to a general ~~ambulance~~ emergency medical service program.
- 16 6. Purchase or lease ambulances, or other emergency vehicles, supplies, and other
17 real or personal property as shall be necessary and proper to carry out the general
18 ~~ambulance~~ emergency medical service program of the district.
- 19 7. Incur indebtedness on behalf of the district within the limits prescribed by section
20 11-28.3-10, authorize the issuance of evidences of indebtedness permitted under
21 section 11-28.3-10, and pledge any real or personal property owned or acquired by
22 the district as security for the same.
- 23 8. Organize, establish, equip, maintain, and supervise an ~~ambulance~~ emergency
24 medical service company to serve the district.
- 25 9. Generally perform all acts necessary to fully carry out the purposes of this chapter.

26 **SECTION 3. AMENDMENT.** Section 11-28.3-09 of the North Dakota Century Code is
27 amended and reenacted as follows:

28 **11-28.3-09. ~~Ambulance~~ Emergency medical service policy to be determined.** The
29 board of directors shall establish a general ~~ambulance~~ emergency medical service policy for
30 the district and shall annually estimate the probable expense for carrying out that policy. The
31 estimate shall be certified by the president and secretary to the proper county auditor or county

1 auditors, on or before June thirtieth of each year. The auditor or auditors shall levy a tax not to
2 exceed five mills upon the taxable property within the district for the maintenance of the
3 ambulance service district for the fiscal year as provided by law. The tax shall be:

- 4 1. Collected as other taxes are collected in the county.
- 5 2. Turned over to the secretary-treasurer of the rural ambulance service district, who
6 shall be bonded in the amount of at least five thousand dollars.
- 7 3. Deposited by the secretary-treasurer in a state or national bank in a district
8 account.
- 9 4. Paid out upon warrants drawn upon the district account by authority of the board of
10 directors of the district, bearing the signature of the secretary-treasurer and the
11 countersignature of the president.

12 In no case shall the amount of the tax levy exceed the amount of funds required to defray the
13 expenses of the district for a period of one year as embraced in the annual estimate of expense
14 including the amount of principal and interest upon the indebtedness of the district for the
15 ensuing year. The district may include in its operating budget no more than ten percent of its
16 annual operating budget as a depreciation expense to be set aside in a dedicated ~~ambulance~~
17 emergency medical services sinking fund deposited with the treasurer for the replacement of
18 equipment and ambulances. The ten percent ~~ambulance~~ emergency medical services sinking
19 fund may be in addition to the actual annual operating budget, but the total of the annual
20 operating budget and the annual ten percent ~~ambulance~~ emergency medical services sinking
21 fund shall not exceed the approved mill levy.

22 **SECTION 4. AMENDMENT.** Section 11-28.3-14 of the North Dakota Century Code is
23 amended and reenacted as follows:

24 **11-28.3-14. Payments by certain organizations.** Any property tax-exempt club,
25 lodge, chapter, charitable home, dormitory, state or county fair association, or like organization
26 located within a rural ambulance service district and outside the boundaries of any city shall
27 pay to the board of directors of the district annually for ~~ambulance~~ emergency medical service
28 an amount agreed upon, but not less than twenty-five percent of the amount which would be
29 levied against the property under the provisions of this chapter if the property were subject to
30 levy.

1 Funds derived from such payments shall be expended by the district for ~~ambulance~~
2 emergency medical service supplies and equipment and the training of ~~ambulance emergency~~
3 medical service personnel.

4 **SECTION 5. AMENDMENT.** Section 23-12-08 of the North Dakota Century Code is
5 amended and reenacted as follows:

6 **23-12-08. Ambulance Emergency medical service authorized.** Any county or
7 municipality of the state of North Dakota, by itself, or in combination with any other county or
8 municipality of the state of North Dakota, may, acting through its governing body, establish,
9 maintain, contract for, or otherwise provide ~~ambulance emergency medical~~ service for such
10 county or municipality; and for this purpose, out of any funds of such county or municipality not
11 otherwise committed, may buy, rent, lease, or otherwise contract for all such vehicles,
12 equipment, or other facilities or services which may be necessary to effectuate such purpose.

13 **SECTION 6. AMENDMENT.** Section 23-27-01 of the North Dakota Century Code is
14 amended and reenacted as follows:

15 **23-27-01. Licensing of ambulance emergency medical services operations -**
16 **Exception - Waiver. ~~No surface ambulance~~**

17 1. The state department of health shall license emergency medical services
18 operations. After June 30, 2001, the department shall limit the issuance of a
19 license for any new emergency medical services operation based on the needs of
20 the service area if the applicant for the new license was licensed before the
21 effective date of this Act and was subsequently relicensed under section
22 23-27-04.5.

23 2. Emergency medical services, as hereinafter defined, may not be advertised or,
24 offered, or provided to the public unless the operator of ~~such service~~ the services
25 is licensed as an emergency medical services operation by the ~~state health council~~
26 department. A license for ~~operators~~ an operator of ~~ambulance service~~ an
27 emergency medical services operation is nontransferable and the operator must
28 be separately licensed for each ~~ambulance service which he~~ operation that
29 operator operates. Each ~~ambulance service which~~ operation that is headquartered
30 or dispatched from a separate location must be considered a separate ~~ambulance~~
31 service operation; however, an operation with a single headquarters site may

1 dispatch vehicles and personnel from more than one location if calls requesting
2 services are received and orders for vehicle dispatch are made at the single
3 headquarters site.

4 3. The provisions of this chapter do not apply to an operator from another state who
5 is headquartered at a location outside of this state and transports patients across
6 state lines, but ~~no such~~ the operator will be permitted to may not treat patients
7 within this state or pick up patients within this state for transportation to locations
8 within this state, except as provided through regulations by rule.

9 4. The state health council shall ~~provide through regulations~~ adopt rules for special
10 licenses and waiver provisions for an operator of a surface ambulance service an
11 emergency medical services operation intended for industrial sites not available to
12 the general public.

13 **SECTION 7. AMENDMENT.** Section 23-27-02 of the North Dakota Century Code is
14 amended and reenacted as follows:

15 **23-27-02. Definition of ~~surface ambulance~~ emergency medical services.** For the
16 purpose of this chapter, "~~surface ambulance~~ emergency medical services" means ~~any use of a~~
17 ~~publicly or privately owned vehicle upon the streets or highways of this state for the~~ prehospital
18 medical stabilization or transportation of persons who are sick, injured, wounded, or otherwise
19 incapacitated or helpless by any person who either holds himself out to the public for such a as
20 being in that service or who regularly provides such a that service. The term includes basic life
21 support ambulance services, advanced life support ambulance services, air ambulance
22 services, and quick-response unit services.

23 **SECTION 8. AMENDMENT.** Section 23-27-03 of the 1999 Supplement to the North
24 Dakota Century Code is amended and reenacted as follows:

25 **23-27-03. License fees.** The fee for a license to operate an emergency medical
26 services operation and perform ~~ambulance~~ emergency medical services must be set by the
27 state health council at a sum of not more than twenty-five dollars annually, as may be required
28 to defray the costs of administration of the licensing program. Individuals providing emergency
29 medical services may not be assessed this license fee. All license fees must be paid to the
30 state department of health and deposited with the state treasurer and credited to the state
31 general fund.

1 **SECTION 9. AMENDMENT.** Section 23-27-04 of the North Dakota Century Code is
2 amended and reenacted as follows:

3 **23-27-04. Standards for operators.** ~~No surface ambulance service~~ An emergency
4 medical services operation within this state may ~~be operated~~ not operate unless the ~~service~~
5 operation is licensed in accordance with this chapter and ~~regulations promulgated~~ rules
6 adopted by the state health council. The ~~regulations~~ rules must include, ~~but not be limited to,~~
7 ~~the following:~~

- 8 1. Time when ~~ambulance service shall~~ operator's services must be available.
- 9 2. Type of driver's license needed for drivers of ~~ambulance~~ ground vehicles.
- 10 3. Training standards for ~~ambulance driver and attendant~~ operation personnel.
- 11 4. Equipment ~~needs and equipment certification~~ and ground vehicle standards.
- 12 5. Annual license fees.
- 13 6. Number of personnel required for each ~~ambulance~~ run.
- 14 7. Such other requirements as may be found necessary to carry out the intent of this
15 chapter.

16 **SECTION 10. AMENDMENT.** Section 23-27-04.1 of the 1999 Supplement to the North
17 Dakota Century Code is amended and reenacted as follows:

18 **23-27-04.1. Emergency care or services rendered by officers, employees, or**
19 **agents of ~~prehospital emergency medical service~~ services operations - Physician**
20 **medical direction.** ~~No~~ Any officer, employee, or agent of ~~any prehospital~~ an emergency
21 medical ~~service~~ services operation and ~~no~~ any physician licensed in this state who provides
22 medical direction to ~~any prehospital~~ an emergency medical ~~service~~ services operation, who is a
23 volunteer, who in good faith renders emergency care, services, or medical direction, is not
24 liable to the recipient of the emergency care, services, or medical direction for any civil
25 damages resulting from any acts or omissions by the person in rendering the emergency care,
26 services, or medical direction provided the person is properly trained according to law. For the
27 purpose of this section, "volunteer" means an individual who receives no compensation or who
28 is paid expenses, reasonable benefits, nominal fees, or a combination of expenses, reasonable
29 benefits, and nominal fees to perform the services for which the individual volunteered,
30 provided that the fees do not exceed twenty-four hundred dollars in any calendar year. For a
31 volunteer ~~physicians~~ physician providing medical direction to ~~prehospital~~ an emergency

1 medical services operation, the twenty-four hundred dollar maximum fees amount is ~~to be~~
2 calculated separately for each ~~prehospital~~ emergency medical ~~service~~ services operation for
3 which the physician volunteered medical direction. This section does not relieve a person from
4 liability for damages resulting from the intoxication, willful misconduct, or gross negligence of
5 the person rendering the emergency care or services.

6 **SECTION 11. AMENDMENT.** Section 23-27-04.2 of the 1999 Supplement to the North
7 Dakota Century Code is amended and reenacted as follows:

8 **23-27-04.2. ~~Prehospital emergency~~ Emergency medical services - State**
9 **assistance.** The state department of health shall assist in the training of personnel of certain
10 ~~prehospital~~ emergency medical services operations as determined by the department and
11 financially shall assist certain ~~prehospital~~ emergency medical services operations as
12 determined by the department in obtaining equipment. Assistance provided under this section
13 must be within the limits of legislative appropriation. The department shall adopt criteria for
14 eligibility for assistance in the training of personnel of various types of ~~prehospital~~ emergency
15 medical services operations. To qualify for financial assistance for equipment, ~~a prehospital an~~
16 emergency medical ~~service~~ services operation shall certify, in the manner required by the
17 department, that the ~~service~~ operation has fifty percent of the amount of funds necessary for
18 identified equipment acquisitions. The department shall adopt a schedule of eligibility for
19 financial assistance for equipment. The schedule must provide for a direct relationship
20 between the amount of funds certified and the number of responses during the preceding
21 calendar year for the purpose of rendering medical care, transportation, or both, to individuals
22 who were sick or incapacitated. The schedule must require that as the number of responses
23 increases, a greater amount of funds certified is required. The schedule must classify
24 responses and the financial assistance available for various classifications. The department
25 may establish minimum and maximum amounts of financial assistance to be provided ~~a~~
26 ~~prehospital~~ to an emergency medical ~~service~~ services operation under this section. If
27 applications for financial assistance exceed the amount of allocated and available funds, the
28 department may prorate the funds among the applicants in accordance with criteria adopted by
29 the department. No more than one-half of the funds appropriated by the legislative assembly
30 each biennium and allocated for training assistance may be distributed in the first year of the
31 biennium.

1 **SECTION 12. AMENDMENT.** Section 23-27-04.3 of the 1999 Supplement to the North
2 Dakota Century Code is amended and reenacted as follows:

3 **23-27-04.3. Emergency medical services personnel training, testing, certification,**
4 **licensure, and quality review.** The state health council shall adopt rules prescribing minimum
5 training, testing, certification, licensure, and quality review standards for emergency medical
6 services personnel. Rules adopted must include a definition of minimum applicable standards,
7 a definition of emergency medical services personnel, provide for a mechanism for certifying or
8 licensing persons who have met the required standards, and provide a mechanism to review
9 and improve the quality of care rendered by emergency medical services personnel. Quality
10 review and improvement information, data, records, and proceedings are not subject to
11 subpoena or discovery or introduction into evidence in any civil action.

12 **SECTION 13. AMENDMENT.** Section 23-27-04.4 of the 1999 Supplement to the North
13 Dakota Century Code is amended and reenacted as follows:

14 **23-27-04.4. Supervision of certified or licensed emergency service hospital**
15 **personnel.** Certified or licensed emergency medical technicians-intermediate and paramedics,
16 who are employed by a hospital and who are working in a nonemergency setting are under the
17 supervision of the hospital's patient services management.

18 **SECTION 14.** Section 23-27-04.5 of the North Dakota Century Code is created and
19 enacted as follows:

20 **23-27-04.5. (Effective through June 30, 2003) Quick-response unit service pilot**
21 **program.** The department shall create and implement a pilot program that creates incentives
22 for basic life support ambulance services and advanced life support ambulance services to
23 convert to quick-response unit services or create quick-response units in areas not already
24 served. During the first year of the program, a maximum of five new quick-response units may
25 receive a one-time five thousand dollar grant under this program and a maximum of twenty
26 converting ambulance services may receive grants in the amount of five thousand dollars each
27 year for a two-year period. During the second year of the program, the department shall
28 distribute any remaining funds to converting ambulance services or to ten additional newly
29 created quick-response units.

30 **SECTION 15. AMENDMENT.** Section 57-15-06.7 of the North Dakota Century Code is
31 amended and reenacted as follows:

- 1 **57-15-06.7. Additional levies - Exceptions to tax levy limitations in counties.** The
2 tax levy limitations specified in section 57-15-06 do not apply to the following mill levies, which
3 are expressed in mills per dollar of taxable valuation of property in the county:
- 4 1. Counties supporting airports or airport authorities may levy a tax not exceeding
5 four mills in accordance with section 2-06-15.
 - 6 2. Counties levying an additional tax as provided in section 4-02-27.2 may levy a tax
7 not exceeding two mills for a period of not to exceed ten years.
 - 8 3. Repealed by S.L. 1995, ch. 61, § 14.
 - 9 4. Counties levying a tax for extension work as provided in section 4-08-15 may levy
10 a tax not exceeding two mills.
 - 11 5. Counties levying a tax for extension work as provided for in section 4-08-15.1 may
12 levy a tax not exceeding two mills.
 - 13 6. Counties levying a tax for gopher, rabbit, and crow destruction as provided in
14 section 4-16-02 may levy a tax not exceeding one-half of one mill.
 - 15 7. Counties levying a tax for payment of a judgment obtained by the state or a state
16 agency against the county in accordance with section 11-11-46 may levy a tax not
17 exceeding one mill.
 - 18 8. Counties levying a tax for historical works in accordance with section 11-11-53
19 may levy a tax not exceeding one quarter of one mill, except that if sixty percent of
20 the qualified electors voting on the question of an increase levy as provided in
21 section 11-11-53 shall approve, a tax may be levied not exceeding three quarters
22 of one mill.
 - 23 9. A county levying a tax for a booster station in accordance with section 11-11-60
24 may levy a tax not exceeding two mills.
 - 25 10. A county levying a tax to pay expenses of the board of county park commissioners
26 in accordance with section 11-28-06 may levy a tax not exceeding one mill.
 - 27 11. Repealed by S.L. 1999, ch. 154, § 2.
 - 28 12. A county levying a tax for a county or community hospital association as provided
29 in section 23-18-01 may levy a tax for not more than five years not exceeding eight
30 mills in any one year or, in the alternative, for not more than fifteen years at a mill
31 rate not exceeding five mills.

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- 1 13. A county levying a tax for a nursing home authority in accordance with section
2 23-18.2-12 may levy a tax not exceeding five mills.
- 3 14. A county levying a tax for county roads as provided in section 24-05-01 may levy a
4 tax not exceeding five mills if approved as provided in that section.
- 5 15. A county levying a tax to establish and maintain a public library service as provided
6 in section 40-38-02 may levy a tax not exceeding four mills.
- 7 16. A county levying a tax to provide for vocational and on-the-job training services as
8 provided in section 40-57.2-04 may levy a tax not exceeding one mill.
- 9 17. A county levying a tax for farm-to-market and federal-aid roads as provided in
10 section 57-15-06.3 may levy a tax not exceeding the levy established by the ballot
11 approved by the electors as provided in that section.
- 12 18. A county levying a tax for a county veterans' service officer's salary, traveling, and
13 office expenses in accordance with section 57-15-06.4 may levy a tax not
14 exceeding one and one-fourth mills.
- 15 19. A county levying a tax for planning purposes as provided in section 57-15-06.5
16 may levy a tax not exceeding three mills.
- 17 19.1. A county levying a tax for regional or county corrections centers according to
18 section 57-15-06.6 may levy a tax not exceeding five mills.
- 19 20. A county levying a tax for advertising purposes as provided in section 57-15-10.1
20 may levy a tax not exceeding one-half mill.
- 21 21. A county levying a tax for abandoned cemetery maintenance as provided in
22 section 57-15-27.2 may levy a tax not exceeding one-tenth of one mill.
- 23 22. A county levying a tax for emergency purposes as provided in section 57-15-28
24 may levy a tax not exceeding two mills.
- 25 23. A county levying a tax for county ~~ambulance~~ emergency medical service according
26 to section 57-15-50 may levy a tax not exceeding five mills.
- 27 24. A county levying a tax for destruction of weeds along highways as provided in
28 section 57-15-54 may levy a tax not exceeding two mills.
- 29 25. A county levying a tax for programs and activities for senior citizens according to
30 section 57-15-56 may levy a tax not exceeding two mills.

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- 1 26. A county levying a tax for county welfare in accordance with section 57-15-57 may
2 levy a tax not exceeding two mills.
- 3 27. A county levying a tax to repay a loan according to section 57-47-04 may levy a
4 tax not to exceed three mills.
- 5 28. Tax levies made for paying the principal and interest on any obligations of the
6 county evidenced by the issuance of bonds.
- 7 29. A county levying a tax for a job development authority as provided in section
8 11-11.1-04 or for the support of an industrial development organization as provided
9 in section 11-11.1-06 may levy a tax not exceeding four mills on the taxable
10 valuation of property within the county. However, if any city within the county is
11 levying a tax for support of a job development authority or for support of an
12 industrial development organization and the total of the county and city levies
13 exceeds four mills, the county tax levy within the city levying under subsection 28
14 of section 57-15-10 must be reduced so the total levy in the city does not exceed
15 four mills.
- 16 30. Counties levying a tax for county fairs according to section 4-02-26 may levy a tax
17 not exceeding one mill.
- 18 31. Counties levying a tax according to section 4-02-27 for a county fair association
19 may levy a tax not exceeding one and one-half mills.
- 20 32. Counties levying a tax in accordance with section 4-02-27.1 for a county fair
21 association may levy a tax not exceeding one-half mill.
- 22 33. A county levying a tax for programs and activities for handicapped persons
23 according to section 11-11-65 may levy a tax not exceeding one-half mill.
- 24 34. Counties levying an annual tax for human services purposes as provided in section
25 50-06.2-05 may levy a tax not exceeding twenty mills.
- 26 35. A county levying a tax for county parks and recreational facilities in accordance
27 with section 57-15-06.9 may levy a tax not exceeding three mills.
- 28 36. A county levying a tax for old-age and survivors' insurance according to section
29 52-09-08, for social security, for an employee retirement program established by
30 the governing body, for county automation and telecommunications under section
31 57-15-62, or for any combination of those purposes, may levy a tax not exceeding

1 thirty mills. The portion of the levy under this subsection for county automation
2 and telecommunications under section 57-15-62 may not exceed five mills.

3 Tax levy or mill levy limitations do not apply to any statute which expressly provides that taxes
4 authorized to be levied therein are not subject to mill levy limitations provided by law.

5 **SECTION 16. AMENDMENT.** Section 57-15-20.2 of the North Dakota Century Code is
6 amended and reenacted as follows:

7 **57-15-20.2. Exceptions to tax levy limitations in townships.** The tax levy limitations
8 specified in section 57-15-20 do not apply to the following mill levies, which are expressed in
9 mills per dollar of taxable valuation of property in the township:

- 10 1. A township levying a tax for prevention and extinguishment of fires in accordance
11 with section 18-06-10 may levy a tax not exceeding one mill.
- 12 2. A township levying a tax to establish a recreation system according to section
13 40-55-08 may levy a tax not exceeding two and five-tenths mills, except that a
14 township may levy an amount not exceeding eight and five-tenths mills if the
15 provisions of section 40-55-09 are met.
- 16 3. A township levying a tax for the purpose of cooperating with the county in
17 constructing and maintaining federal-aid farm-to-market roads in accordance with
18 section 57-15-19.4 may levy a tax not exceeding five mills.
- 19 4. A township levying a tax for law enforcement in accordance with section
20 57-15-19.5 may levy a tax not exceeding five mills.
- 21 5. A township levying a tax for mowing or snow removal equipment in accordance
22 with section 57-15-19.6 may levy a tax not exceeding three mills.
- 23 5.1. A township levying a tax for a legal contingency fund in accordance with section
24 57-15-22.2 may levy a tax not exceeding ten mills for not to exceed five years.
- 25 6. A township levying a tax for airport purposes in accordance with section
26 57-15-37.1 may levy a tax not exceeding four mills.
- 27 7. A township levying a tax for ~~ambulance~~ emergency medical service in accordance
28 with section 57-15-51.1 may levy a tax not exceeding five mills.
- 29 8. A township levying a tax for park purposes in accordance with section 58-17-02
30 may levy a tax not exceeding two mills.

1 Tax levy or mill levy limitations do not apply to any statute which expressly provides that taxes
2 authorized to be levied therein are not subject to mill levy limitations provided by law.

3 **SECTION 17. AMENDMENT.** Section 57-15-50 of the North Dakota Century Code is
4 amended and reenacted as follows:

5 **57-15-50. Levy authorized for county ~~ambulance~~ emergency medical service.**

6 Upon petition of ten percent of the number of qualified electors of the county voting in the last
7 election for governor or upon its own motion, the board of county commissioners of each
8 county shall levy annually a tax not exceeding the limitation in subsection 23 of section
9 57-15-06.7, for the purpose of subsidizing county ~~ambulance~~ emergency medical services;
10 provided, that this tax must be approved by a majority of the qualified electors of the county
11 voting on the question at a regular or special countywide election. The county may budget, in
12 addition to its annual operating budget for subsidizing ~~ambulance~~ emergency medical service,
13 no more than ten percent of its annual operating budget as a depreciation expense to be set
14 aside in a dedicated ~~ambulance~~ emergency medical services sinking fund deposited with the
15 treasurer for the replacement of equipment and ambulances. The ten percent ~~ambulance~~
16 emergency medical services sinking fund must be in addition to the annual operating budget for
17 subsidization, but the total of the annual operating budget and the annual ten percent
18 ~~ambulance~~ emergency medical services sinking fund may not exceed the approved mill levy. If
19 the county contains a rural ambulance service district or rural fire protection district that levies
20 for and provides ~~ambulance~~ emergency medical service, the property within that district is
21 exempt from the county tax levy under this section upon notice from the governing body of the
22 district to the board of county commissioners of the existence of the district.

23 **SECTION 18. AMENDMENT.** Section 57-15-51 of the North Dakota Century Code is
24 amended and reenacted as follows:

25 **57-15-51. Levy authorized for city ~~ambulance~~ emergency medical service.** Upon
26 petition of ten percent of the number of qualified electors of the city voting in the last election for
27 governor or upon its own motion, the governing body of each city in this state shall levy
28 annually a tax of not to exceed five mills upon its taxable valuation, for the purpose of
29 subsidizing city ~~ambulance~~ emergency medical services; provided, that such tax must be
30 approved by a majority of the qualified electors of the city voting on the question at a regular or
31 special city election. Whenever a tax for county ~~ambulance~~ emergency medical services is

1 levied by a county, any city levying a tax for, or subsidizing city ~~ambulance~~ emergency medical
2 services, shall upon written application to the county board of such county be exempted from
3 such county tax levy. The city may set aside, as a depreciation expense, up to ten percent of
4 its annual ~~ambulance~~ emergency medical service operating or subsidization budget in a
5 dedicated ~~ambulance~~ emergency medical services sinking fund, deposited with the auditor for
6 replacement of equipment and ambulances. The ten percent ~~ambulance~~ emergency medical
7 services sinking fund may be in addition to the actual annual ~~ambulance~~ emergency medical
8 services budget but the total of the annual ~~ambulance~~ emergency medical services budget and
9 the annual ten percent ~~ambulance~~ emergency medical services fund may not exceed the
10 approved mill levy.

11 **SECTION 19. AMENDMENT.** Section 57-15-51.1 of the North Dakota Century Code is
12 amended and reenacted as follows:

13 **57-15-51.1. Levy authorized for township ~~ambulance~~ emergency medical service.**
14 Pursuant to a vote of sixty percent of the qualified electors voting at the annual township
15 meeting, or at a special election called for that purpose upon petition of fifty percent of the
16 number of qualified electors of the township voting in the last election for governor, the board of
17 township supervisors shall levy annually a tax approved by the qualified electors not exceeding
18 the limitation in subsection 7 of section 57-15-20.2 for the purpose of subsidizing township
19 ~~ambulance~~ emergency medical service.

20 **SECTION 20. AMENDMENT.** Subsection 21 of section 58-03-07 of the North Dakota
21 Century Code is amended and reenacted as follows:

22 21. To direct the transfer of township funds to a rural ambulance service district for
23 ~~ambulance~~ emergency medical service within the township.

24 **SECTION 21. APPROPRIATION.** There is appropriated out of any moneys in the
25 health care trust fund, not otherwise appropriated, the sum of \$225,000, or so much of the sum
26 as may be necessary, to the state department of health for the purpose of funding the
27 quick-response unit service pilot program, for the biennium beginning July 1, 2001, and ending
28 June 30, 2003. The moneys appropriated must be made available by the office of
29 management and budget as requested by the state department of health to pay for the actual
30 costs of the pilot program.