

January 29, 2013

PROPOSED AMENDMENTS TO HOUSE BILL NO. 1145

Page 1, line 1, after "sections" insert "18-04-02,"

Page 1, line 3, remove "and"

Page 1, line 3, after "appropriation" insert "; and to declare an emergency"

Page 1, after line 4, insert:

"SECTION 1. AMENDMENT. Section 18-04-02 of the North Dakota Century Code is amended and reenacted as follows:

18-04-02. City auditor or secretary of rural fire department to file certificate with state fire marshal and insurance commissioner - Report to budget section.

1. On or before the thirty-first day of October in each year, the auditor or secretary of any city or rural fire department that has an organized fire department shall file with the state fire marshal and with the insurance commissioner the auditor's or secretary's certificate stating the existence of the fire department, the date of its organization, the number of fire engines, hook and ladder trucks, and the system of water supply in use by the department, with such other facts as the state fire marshal or commissioner may require.
2. A certified city fire department, certified rural fire department, or certified fire protection district receiving funds under section 18-04-05 shall file an annual report with the state fire marshal detailing the expenditure of the funds. The state fire marshal shall present a biennial report to the budget section of the legislative management summarizing the expenditures by certified city fire departments, certified rural fire departments, and certified fire protection districts of funds received under section 18-04-05.

Page 1, line 9, replace "collected and" with "transferred or"

Page 2, line 1, after the second "the" insert "certified"

Page 2, line 2, after "or" insert "certified"

Page 2, line 4, overstrike "one-half of the"

Page 2, line 4, remove "available"

Page 2, line 5, replace "funds" with "an amount equal to one hundred percent of the total premium tax collected for fire, allied lines, homeowner's multiple peril, farmowner's multiple peril, commercial multiple peril, and crop hail insurance, less the amount transferred to the firefighters death benefit fund and the amount distributed to the North Dakota firefighter's association"

Page 2, line 5, after "subsection" insert an underscored comma

Page 2, line 5, after "a" insert "certified"

Page 2, line 6, after the first "each" insert "certified"

Page 2, line 12, after the first comma insert "certified"

Page 2, after line 13, insert:

- "5. After July 30, 2015, a certified city fire department, certified rural fire department, or certified fire protection district does not qualify for an allocation of a distribution under subsection 4 and must be excluded from that allocation for any taxable year during which the governing body of the certified fire department or certified fire protection district did not levy at least two mills for fire protection purposes or provide the certified fire department or certified fire protection district an equivalent amount of funding in dollars from property taxes levied within the service area of the certified fire department or certified fire protection district."

Page 2, line 20, replace "deposited in" with "transferred from"

Page 2, line 20, after "the" insert "insurance tax distribution fund to the emergency medical services insurance tax distribution"

Page 2, line 21, overstrike "one"

Page 2, line 22, overstrike "million two hundred fifty thousand dollars" and insert immediately thereafter "one-half"

Page 3, line 28, remove "If the due date falls on a Saturday or legal holiday, the tax is"

Page 3, remove lines 29 through 31

Page 4, remove lines 1 through 3

Page 4, line 4, remove "collections"

Page 4, line 4, overstrike "from this tax, except for collections deposited in the firefighters death"

Page 4, line 5, overstrike "benefit fund, must be deposited in" and insert immediately thereafter "If the due date falls on a Saturday or legal holiday, the tax is payable on the next succeeding business day."

- a. The insurance tax distribution fund is a special fund in the state treasury. The insurance commissioner shall deposit in the insurance tax distribution fund the revenue provided in this section for disbursement as provided in this section.
- b. Annually, the commissioner shall transfer from the insurance tax distribution fund to the fire insurance tax distribution fund created under section 18-04-04.1 all collections from this tax from the following policies: fire, allied lines, homeowner's multiple peril, farmowner's multiple peril, and commercial multiple peril.
- c. Annually, the commissioner shall transfer from the insurance tax distribution fund to"

Page 4, line 6, remove "chapter 23-46,"

Page 4, line 6, overstrike "but"

Page 4, line 7, overstrike "not in" and insert immediately thereafter "chapter 23-46"

Page 4, line 7, overstrike "exceeding" and insert immediately thereafter "not to exceed"

Page 4, line 7, after "appropriated" insert "from revenues collected under this subsection"

Page 4, line 10, remove "c."

Page 4, line 10, overstrike "Collections" and insert immediately thereafter:

"d. Annually, collections"

Page 4, line 10, replace "deposited in" with "transferred to"

Page 4, line 11, overstrike "deposited in" and insert immediately thereafter "transferred to"

Page 4, line 13, overstrike "deposited in" and insert immediately thereafter "transferred from the insurance tax distribution fund to"

Page 5, after line 28, insert:

"SECTION 7. EMERGENCY. This Act is declared to be an emergency measure."

Re-number accordingly