

HOUSE BILL NO. 1365

Introduced by

Representatives Fegley, Rohr, Tveit

Senator Lee

1 A BILL for an Act to amend and reenact sections 11-28.3-09 and 23-46-03 of the North Dakota
2 Century Code, relating to rural ambulance service district levies and ambulance operations
3 areas.

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

5 **SECTION 1. AMENDMENT.** Section 11-28.3-09 of the North Dakota Century Code is
6 amended and reenacted as follows:

7 **11-28.3-09. Emergency medical service policy - Levy - Financial report.**

8 1. The board of directors shall establish a general emergency medical service policy for
9 the district and annually shall estimate the probable expense for carrying out that
10 policy. The estimate must be certified by the president and secretary to the proper
11 county auditor or county auditors, on or before June thirtieth of each year. In the year
12 for which the levy is sought, a board of directors of a rural ambulance service district
13 seeking approval of a property tax levy under this chapter shall file with the county
14 auditor of the counties within the rural ambulance service district, at a time and in a
15 format prescribed by the county auditors, a financial report for the preceding calendar
16 year showing the ending balances of each fund held by the rural ambulance service
17 district during that year. The board or boards of county commissioners may levy a tax
18 not to exceed the mill rate approved by the electors of the district under section
19 11-28.3-04. If the board wishes to levy a tax in excess of that approved by the
20 electors, the board, upon its own motion, may place the question of increasing the
21 maximum allowable mill levy for the electors to approve at a regular or special
22 election. The amount levied under this section may not exceed a mill rate of fifteen
23 mills upon the taxable property within the district for the maintenance of the rural
24 ambulance service district for the fiscal year as provided by law. A rural ambulance

1 service district may be dissolved by approval of electors of the district as provided in
2 section 11-28.3-13.

3 2. The tax levied for a rural ambulance service district must be:

4 a. Collected as other taxes are collected in the county.

5 b. Turned over to the secretary-treasurer of the rural ambulance service district,
6 who must be bonded in the amount of at least five thousand dollars.

7 c. Deposited by the secretary-treasurer in a state or national bank in a district
8 account.

9 d. Paid out upon warrants drawn upon the district account by authority of the board
10 of directors of the district, bearing the signature of the secretary-treasurer and the
11 countersignature of the president.

12 3. The amount of the tax levy may not 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
14 expense, including the amount of principal and interest upon the indebtedness of the
15 district for the ensuing year. The district may include in its operating budget no more
16 than ten percent of its annual operating budget as a depreciation expense to be set
17 aside in a dedicated emergency medical services sinking fund deposited with the
18 treasurer for the replacement of equipment and ambulances. The ten percent
19 emergency medical services sinking fund may be in addition to the actual annual
20 operating budget, but the total of the annual operating budget and the annual ten
21 percent emergency medical services sinking fund shall not exceed the amount of
22 revenue that would be generated by application of the maximum mill levy approved by
23 the electors.

24 4. If an ambulance operations area identified by the department of health and human
25 services under section 23-46-03 is situated, in whole or in part, within the boundaries
26 of a rural ambulance service district formed under this chapter, and the district does
27 not provide emergency medical services to individuals residing in the ambulance
28 operations area, whether directly or through a contract under section 11-28.3-12, the
29 property situated in the ambulance operations area which does not receive emergency
30 medical services from the district is exempt from the district's tax levy under this
31 section.

1 **SECTION 2. AMENDMENT.** Section 23-46-03 of the North Dakota Century Code is
2 amended and reenacted as follows:

3 **23-46-03. Emergency medical services funding areas.**

4 The department of health and human services shall establish and update biennially a plan
5 for integrated emergency medical services in this state. The plan must identify ambulance
6 operations areas, emergency medical services funding areas that require state financial
7 assistance to operate a minimally reasonable level of emergency medical services, and a
8 minimum reasonable cost for an emergency medical services operation. If the department
9 identifies an ambulance operations area to be situated, in whole or in part, within the
10 boundaries of an existing rural ambulance service district formed under chapter 11-28.3, the
11 department shall notify the rural ambulance service district. The department shall designate
12 emergency medical services funding areas based on criteria adopted by rule of the department
13 of health and human services.

14 **SECTION 3. EFFECTIVE DATE.** Section 1 of this Act is effective for taxable years
15 beginning after December 31, 2022.