

Introduced by

1 A BILL for an Act to create and enact a new chapter to title 23 of the North Dakota Century  
2 Code, relating to primary emergency medical services funding areas; to amend and reenact  
3 section 18-04-04.1 and subsection 1 of section 26.1-03-17 of the North Dakota Century Code,  
4 relating to the insurance tax distribution fund; to repeal chapter 23-40 of the North Dakota  
5 Century Code, relating to emergency medical services allocations; and to provide an  
6 appropriation.

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

8 **SECTION 1. AMENDMENT.** Section 18-04-04.1 of the North Dakota Century Code is  
9 amended and reenacted as follows:

10 **18-04-04.1. Insurance tax distribution fund.** The insurance tax distribution fund is a  
11 special fund in the state treasury. The portion of revenue provided in section 26.1-03-17 must  
12 be deposited in the fund for disbursement as provided in this chapter and ~~chapter 23-40~~  
13 section 2 of this Act, subject to legislative appropriation.

14 **SECTION 2.** A new chapter to title 23 of the North Dakota Century Code is created and  
15 enacted as follows:

16 **Strategic plan - Emergency medical service funding areas.** The state department of  
17 health shall establish and update biennially a strategic plan for integrated emergency medical  
18 services in this state. The plan must include the designation of eighty-eight primary emergency  
19 medical service funding areas based on the department's determination of reasonable  
20 emergency medical service.

21 **Annual emergency medical service reporting.** The state department of health shall  
22 require each emergency medical service operation that has been licensed under chapter 23-27  
23 for a period of at least twelve months to report annually to the department regarding the

1 operation's call volume, revenues and expenditures, availability of local matching funds,  
2 compliance with operating standards, and other information as requested by the department.

3 **State assistance grants to emergency medical service operations.** The state  
4 health officer shall distribute state assistance grants to eligible emergency medical service  
5 operations annually in accordance with the department's determination of reasonable  
6 emergency medical service for each primary emergency medical service funding area. The  
7 state health officer shall determine grant eligibility, local matching fund requirements, and grant  
8 award amounts based on the department's analysis of the emergency medical service  
9 operations information submitted annually to the department by each licensed emergency  
10 medical service operation.

11 **Allocation for distribution of funds.** During the first year of a biennium, the state  
12 health officer may not distribute more than one-half of the biennial legislative appropriation, and  
13 during the second year of a biennium, the state health officer may distribute the remainder of  
14 the biennial legislative appropriation.

15 **Use of funds.** A recipient of grant funds under this chapter shall use the funds in a  
16 manner consistent with rules adopted by the health council.

17 **SECTION 3. AMENDMENT.** Subsection 1 of section 26.1-03-17 of the North Dakota  
18 Century Code is amended and reenacted as follows:

19 1. Before issuing the annual certificate required by law, the commissioner shall collect  
20 from every stock and mutual insurance company, nonprofit health service  
21 corporation, health maintenance organization, and prepaid legal service  
22 organization, except fraternal benefit and benevolent societies, doing business in  
23 this state, a tax on the gross amount of premiums, assessments, membership fees,  
24 subscriber fees, policy fees, service fees collected by any third-party administrator  
25 providing administrative services to a group that is self-insured for health care  
26 benefits, and finance and service charges received in this state during the  
27 preceding calendar year, at the rate of two percent with respect to life insurance,  
28 one and three-fourths percent with respect to accident and health insurance, and  
29 one and three-fourths percent with respect to all other lines of insurance. This tax  
30 does not apply to considerations for annuities. The total tax is payable on or  
31 before March first following the year for which the tax is assessable. Collections

1 from this tax, except for collections deposited in the firefighters death benefit fund,  
2 must be deposited in the insurance tax distribution fund under section 18-04-04.1  
3 but not in an amount exceeding one-half of the biennial amount appropriated for  
4 distribution under ~~sections~~ section 18-04-05 and ~~23-40-05~~ section 2 of this Act in  
5 any fiscal year. Collections from this tax in an amount of up to fifty thousand  
6 dollars per biennium, as may be necessary, are appropriated on a continuing basis  
7 for deposit in the firefighters death benefit fund for distribution under chapter  
8 18-05.1. Collections from this tax exceeding the sum of the amount deposited in  
9 the insurance tax distribution fund and the amount deposited in the firefighters  
10 death benefit fund each fiscal year must be deposited in the general fund in the  
11 state treasury. If the due date falls on a Saturday or legal holiday, the tax is  
12 payable on the next succeeding business day.

13 **SECTION 4. REPEAL.** Chapter 23-40 of the North Dakota Century Code is repealed.

14 **SECTION 5. APPROPRIATION.** There is appropriated out of any moneys in the  
15 insurance tax distribution fund in the state treasury, not otherwise appropriated, the sum of  
16 \$12,000,000, or so much of the sum as may be necessary, to the state department of health,  
17 for the purpose of providing state assistance grants to emergency medical services operations  
18 in accordance with section 2 of this Act, for the biennium beginning July 1, 2011, and ending  
19 June 30, 2013.