

**FIRST ENGROSSMENT  
with Conference Committee Amendments  
ENGROSSED HOUSE BILL NO. 1268**

Introduced by

Representatives Fegley, D. Anderson, Jones, J. Nelson

1 A BILL for an Act to amend and reenact sections 11-28.3-09 and 23-46-04 and subsection 10 of  
2 section 57-15-06.7 of the North Dakota Century Code, relating to property tax levies for  
3 emergency medical service and ambulance service operations financial assistance; and to  
4 provide for the distribution of state financial assistance for emergency medical services.

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

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

8 **11-28.3-09. Emergency medical service policy - Levy - Financial report.**

9 1. The board of directors shall establish a general emergency medical service policy for  
10 the district and shall annually estimate the probable expense for carrying out that  
11 policy. The estimate shall be certified by the president and secretary to the proper  
12 county auditor or county auditors, on or before June thirtieth of each year. In the year  
13 for which the levy is sought, a board of directors of a rural ambulance service district  
14 seeking approval of a property tax levy under this chapter must file with the county  
15 auditor of the counties within the rural ambulance service district, at a time and in a  
16 format prescribed by the county auditors, a financial report for the preceding calendar  
17 year showing the ending balances of each fund held by the rural ambulance service  
18 district during that year. The board or boards of county commissioners may levy a tax  
19 not to exceed the mill rate approved by the electors of the district under section  
20 11-28.3-04, and in no event exceeding a mill rate of ~~ten~~fifteen mills upon the taxable  
21 property within the district for the maintenance of the rural ambulance service district  
22 for the fiscal year as provided by law. A rural ambulance service district may be  
23 dissolved by approval of electors of the district as provided in section 11-28.3-13.

24 2. The tax levied for a rural ambulance service district shall be:

- 1        1. a. Collected as other taxes are collected in the county.
- 2        2. b. Turned over to the secretary-treasurer of the rural ambulance service district,
- 3                who shall be bonded in the amount of at least five thousand dollars.
- 4        3. c. Deposited by the secretary-treasurer in a state or national bank in a district
- 5                account.
- 6        4. d. Paid out upon warrants drawn upon the district account by authority of the board
- 7                of directors of the district, bearing the signature of the secretary-treasurer and the
- 8                countersignature of the president.
- 9        3. In no case shall the amount of the tax levy exceed the amount of funds required to
- 10                defray the expenses of the district for a period of one year as embraced in the annual
- 11                estimate of expense, including the amount of principal and interest upon the
- 12                indebtedness of the district for the ensuing year. The district may include in its
- 13                operating budget no more than ten percent of its annual operating budget as a
- 14                depreciation expense to be set aside in a dedicated emergency medical services
- 15                sinking fund deposited with the treasurer for the replacement of equipment and
- 16                ambulances. The ten percent emergency medical services sinking fund may be in
- 17                addition to the actual annual operating budget, but the total of the annual operating
- 18                budget and the annual ten percent emergency medical services sinking fund shall not
- 19                exceed the amount of revenue that would be generated by application of the
- 20                maximum mill levy approved by the electors.

21        **SECTION 2. AMENDMENT.** Section 23-46-04 of the North Dakota Century Code is  
22 amended and reenacted as follows:

23        **23-46-04. State financial assistance for emergency medical services - Confidential**  
24 **information - Annual allocation.**

25        Emergency medical services operations that request financial assistance from the state  
26 must provide requested fiscal information to the state department of health for use in financial  
27 assistance determinations. All information provided to the department under this section is  
28 confidential. The state department of health shall determine annually the allocation amount of  
29 state financial assistance for each emergency medical services funding area based on the  
30 department's determination of:

- 1        4. The the minimum annual funding necessary to operate the emergency medical  
2            services operation or service designated to operate in the ambulance funding area,  
3            based on the financial needs unique to each emergency medical services funding  
4            area.
- 5        ~~2. Required local matching funds commensurate with at least ten dollars per capita within  
6            the emergency medical services funding area.~~

7        **SECTION 3. AMENDMENT.** Subsection 10 of section 57-15-06.7 of the North Dakota  
8 Century Code is amended and reenacted as follows:

- 9        10. A county levying a tax for county emergency medical service according to section  
10            57-15-50 may levy a tax not exceeding ~~ten~~fifteen mills.

11        **SECTION 4. AMBULANCE SERVICE OPERATION FUNDING DISTRIBUTION.**

12 Notwithstanding section 23-46-04, during the biennium beginning July 1, 2019, and ending  
13 June 30, 2021, the state department of health, in consultation with the emergency medical  
14 services advisory council, shall provide state financial assistance annually to each eligible  
15 ambulance service operation pursuant to the following formula calculation:

- 16        1. The budget for each operation must be determined by adding the amount of \$60,000,  
17            or other base amount established by the department, to the product of the operation's  
18            average number of runs for the two most recent fiscal years multiplied by the average  
19            cost of a run.
- 20        2. The operation's grant amount must be determined by deducting the following amounts  
21            from the operation's budget calculated under subsection 1 of this section:
  - 22            a. The product of the operation's average number of runs for the two most recent  
23                fiscal years multiplied by the average amount of reimbursement for a run; and
  - 24            b. The product of the property tax valuation of the operations service area for the  
25                most recent taxable year multiplied by 5 mills.
- 26        3. The department shall distribute a prorated share of the operation's calculated grant  
27            amount if legislative appropriations for state financial assistance for emergency  
28            medical services is not sufficient to provide full grant funding calculated under this  
29            section.
- 30        4. An operation is not eligible to receive funding under this section if the operation's  
31            average number of runs for the two most recent fiscal years is more than 700.