2021 HOUSE POLITICAL SUBDIVISIONS

HB 1186

2021 HOUSE STANDING COMMITTEE MINUTES

Political Subdivisions Committee
Room JW327B, State Capitol

HB 1186
2/12/2021

Relating to ambulance service districts

Chairman Dockter:(9:45). Opened the hearing.

Representatives	
Representative Jason Dockter	P
Representative Brandy Pyle	P
Representative Mary Adams	P
Representative Claire Cory	P
Representative Sebastian Ertelt	P
Representative Clayton Fegley	P
Representative Patrick Hatlestad	P
Representative Mary Johnson	A
Representative Lawrence R. Klemin	P
Representative Donald Longmuir	P
Representative Dave Nehring	P
Representative Marvin E. Nelson	P
Representative Luke Simons	A
Representative Nathan Toman	P

Discussion Topics:

- Territory to be organized
- Boundaries of ambulance districts

Rep. Nehring: Introduced the bill.

Adam Parker, Chair of the North Dakota Emergency Medical Services Association's Advocacy Committee: In favor, testimony #6483, 6529

Terry Traynor, Association of Counties: In favor, no written testimony.

Additional written testimony:

Ken Rensch #6497

Chairman Dockter: (10:04). Closed the hearing).

Carmen Hickle, Committee Clerk

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Testimony
House Bill 1186
House Political Subdivisions
Friday, February 12 2021; 9:30 a.m.
North Dakota Emergency Medical Services Association

Good morning, Chairman Dockter and members of the committee. My name is Adam Parker, and I am the Chair of the North Dakota Emergency Medical Services Association's (NDEMSA) Advocacy Committee. I am here today to testify in support of HB 1186 and the proposed amendments.

HB 1186 seeks to reduce the burden on ambulance services establishing a Rural Ambulance Taxing District and allow for annexation of territory when necessary. Additionally, the bill seeks to clarify certain language to ensure ambulance districts are complaint with the law.

Currently, if there is a proposal to establish a taxing district, it must be determined how many people that reside in the proposed territory voted in the last election. Twenty percent of that number is how many signatures are needed on the petition. Since ambulance service areas often cover multiple counties and do follow voting precinct lines, this is a very difficult and time-consuming number to determine. The process has resulted in ambulance services not making ballot deadlines and significantly delaying potential funding, simply because they could not determine how many petition signatures were necessary.

Additionally, in the unfortunate event that an ambulance service closes, the neighboring ambulance must pick up that service area. This bill will allow those that are taxing districts an avenue to place themselves on the ballot to annex in that new territory. This is important because the Rural EMS Assistance Grant has a distribution formula that bases the local match on the service areas property tax valuation. If the service cannot easily annex in the new territory they are essentially penalized in the grant.

Ambulance services in North Dakota face many challenges. This bill will help relieve the burden placed on the service leaders, who are often volunteer, that seek to establish a district to sustain ambulance service operations in rural North Dakota.

This concludes my testimony, I am happy to answer any questions you may have.

PROPOSED AMENDMENTS TO HOUSE BILL NO. 1186

Throughout Bill, remove all overstrikes on the word "~~rural~~"

Page 1, line 15, after second comma insert "as defined by the Department of Health,"

Page 5, remove lines 2 through 4

Testimony
House Bill 1186

House Political Subdivisions Committee
February 12th, 2021
Parshall Rural Ambulance Service

Good Morning Mr. Chairman and members of the committee. My Name is Ken Rensch, Manager of Parshall Ambulance Service. I am here today in support of House Bill 1186, which would give districts the ability to annex territory into a rural ambulance service district (11-28.3-15) and the responsibility to determine response areas within its district boundaries (11-28.3-08).

With the uncertainty of rural ems and the likelihood of losing services in the future including an adjacent service of ours. We feel it is imperative to have the ability to annex adjacent territory into our district. Under current statute it could take 2 years to modify the district boundaries and generate tax revenue for the district. The ability to annex territory into the district and streamline the process could help prevent a domino effect and losing additional services. The loss of a neighboring ambulance service will place a higher burden onto us both financially and in manpower. With the ability to annex adjacent territory we service into our district and generate tax revenue quicker. We feel it will help reduce a portion of that burden and minimize the risk of losing additional ambulance services.

For as long as I can remember, the question of who is responsible for EMS has been asked. We feel that an ambulance district and its elected board of directors should have some say over ambulance response boundaries within an ambulance district. Under ND statute an ambulance districts board of directors has the power to maintain and supervise an EMS company to service the district.

Our rural ambulance district was established in 1984. In 2018 a new ambulance service was created adjacent to our district. Under NDCC 57-40.6-10 the responsibility of designating ambulance response boundaries falls under the emergency services communications system coordinator. Currently, two thirds of a township within our district is being serviced by another ambulance. Though the entire district has been, and continues to support our ambulance district through taxes, donations, memorials, and volunteer hours. Our elected board member from this township has spoken with nearly every resident she represents; all wish to remain part of our district as well as receive the services our district provides.

Our ambulance provides a higher level of care and quicker response times by staffing a Paramedic and EMT 24/7. When figuring response times, road access and road conditions, especially during winter months, our ambulance will reach this township quicker. In 2018 our management, board members, and affected residents expressed concerns to the 911 system coordinator over these response boundaries. Our concerns were met with resistance and we were referred to NDCC 57-40.6-10.

HB 1183 would give the elected directors of an ambulance district the authority to maintain and supervise EMS boundaries within its district. At a minimum we feel our elected board of directors should have input and an avenue to contest ambulance response boundaries involving our district. We urge you to pass this bill and give our elected board of directors and our taxpayers the ability to maintain our ambulance boundaries and annex into our district. Thank you for your time and consideration.

Parshall Rural Ambulance Service

2021 HOUSE STANDING COMMITTEE MINUTES

Political Subdivisions Committee
Room JW327B, State Capitol

HB 1186
2/18/2021

Relating to ambulance service districts

Chairman Dockter: (9:19). Opened for committee work.

Representatives	
Representative Jason Dockter	P
Representative Brandy Pyle	P
Representative Mary Adams	P
Representative Claire Cory	A
Representative Sebastian Ertelt	P
Representative Clayton Fegley	P
Representative Patrick Hatlestad	P
Representative Mary Johnson	P
Representative Lawrence R. Klemin	P
Representative Donald Longmuir	P
Representative Dave Nehring	P
Representative Marvin E. Nelson	A
Representative Luke Simons	P
Representative Nathan Toman	P

Discussion Topics:

- Amendments
- Qualified electors

Rep. Nehring: Made a motion on proposed amendment. 21.0533.02002

Rep. Longmuir: Second the motion.

Voice vote carried.

Rep. Nehring: Made a motion to further amend grammar error.

Rep. Johnson: Second the motion.

Voice vote carried.

Rep. Ertelt: Made a motion for a proposed amendment that section 1 and section 2 are struck

Motion fails for a lack of a second.

Rep. Fegley: Made a motion on an amendment to replace service with taxing district.

Rep. Fegley: Rescind motion after discussion.

Rep. Longmuir: Made a do pass as amended motion.

Rep. Adams: Second the motion.

Representatives	Vote
Representative Jason Dockter	Y
Representative Brandy Pyle	Y
Representative Mary Adams	Y
Representative Claire Cory	A
Representative Sebastian Ertelt	N
Representative Clayton Fegley	Y
Representative Patrick Hatlestad	Y
Representative Mary Johnson	Y
Representative Lawrence R. Klemin	Y
Representative Donald Longmuir	Y
Representative Dave Nehring	Y
Representative Marvin E. Nelson	A
Representative Luke Simons	N
Representative Nathan Toman	N

9-3-2 carried

Rep. Nehring: Will carry the bill.

Chairman Dockter: (9:32). Closed committee work.

Carmen Hickle, Committee Clerk

21.0533.02002
Title.03000

Adopted by the Political Subdivisions Committee

February 18, 2021

2/18/21

PROPOSED AMENDMENTS TO HOUSE BILL NO. 1186

Page 1, line 2, after the first "to" insert "rural"

Page 1, line 3, remove "11-28.3-04,"

Page 1, line 3, remove "and"

Page 1, line 4, remove "subsection 1 of section 11-28.3-08, sections"

Page 1, remove line 5

Page 1, line 6, replace "subsection 1 of section 54-10-14, sections" with "and"

Page 1, line 6, remove ", 57-15-50, 57-15-51.1, 57-39.2-26.1, and"

Page 1, line 7, remove "subsection 21 of section 58-03-07"

Page 1, line 7, after "to" insert "rural"

Page 1, line 15, remove the overstrike over "~~rural~~"

Page 1, line 15, after the comma insert "as defined by the state department of health,"

Page 1, line 17, remove the overstrike over "~~a rural~~"

Page 1, line 17, remove "an"

Page 1, line 23, remove the overstrike over "~~rural~~"

Page 2, line 4, remove the overstrike over "~~rural~~"

Page 2, line 19, remove the overstrike over "~~rural~~"

Page 2, line 29, remove the overstrike over "~~rural~~"

Page 3, remove lines 3 through 14

Page 3, line 18, remove the overstrike over "~~a rural~~"

Page 3, line 18, remove "an"

Page 3, line 20, remove the overstrike over "~~rural~~"

Page 4, remove lines 30 and 31

Page 5, remove lines 1 through 4

Page 5, line 12, remove the overstrike over "~~a rural~~"

Page 5, line 12, remove "an"

Page 5, line 14, remove the overstrike over "~~rural~~"

Page 5, line 16, remove the overstrike over "~~rural~~"

Page 5, line 24, remove the overstrike over "~~rural~~"

Page 5, line 25, remove the overstrike over "~~A rural~~"

2/18/21

Page 5, line 25, remove "An"

Page 5, line 27, remove the overstrike over "~~a rural~~"

Page 5, line 27, remove "an"

Page 5, line 29, remove the overstrike over "~~rural~~"

Page 6, line 20, remove the overstrike over "**~~Rural ambulance~~**"

Page 6, line 20, remove "**Ambulance**"

Page 6, line 21, remove the overstrike over the first "~~rural~~"

Page 6, line 21, remove the overstrike over the second "~~rural~~"

Page 6, line 28, remove the overstrike over "**~~rural~~**"

Page 6, line 28, remove "**an**"

Page 6, line 30, remove the overstrike over "~~rural~~"

Page 7, line 8, remove the overstrike over "~~a rural~~"

Page 7, line 8, remove "an"

Page 7, line 10, remove the overstrike over "~~rural~~"

Page 7, line 11, remove the overstrike over "~~a rural~~"

Page 7, line 11, remove "an"

Page 7, line 13, remove the overstrike over "~~a~~"

Page 7, line 14, remove the overstrike over "~~rural~~"

Page 7, line 14, remove "an"

Page 7, line 28, remove the overstrike over "~~a rural~~"

Page 7, line 28, remove "an"

Page 10, remove lines 25 through 31

Page 11, remove lines 1 through 21

Page 11, line 26, remove the overstrike over "~~rural~~"

Page 12, remove lines 3 through 31

Page 13, remove lines 1 through 31

Page 14, remove lines 1 through 30

Page 15, remove lines 1 through 30

Page 16, remove lines 1 through 12

Renumber accordingly

REPORT OF STANDING COMMITTEE

HB 1186: Political Subdivisions Committee (Rep. Dockter, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (9 YEAS, 3 NAYS, 2 ABSENT AND NOT VOTING). HB 1186 was placed on the Sixth order on the calendar.

Page 1, line 2, after the first "to" insert "rural"

Page 1, line 3, remove "11-28.3-04,"

Page 1, line 3, remove "and"

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Page 1, remove line 5

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Page 1, line 17, remove the overstrike over "~~a rural~~"

Page 1, line 17, remove "<u>an</u>"

Page 1, line 23, remove the overstrike over "~~rural~~"

Page 2, line 4, remove the overstrike over "~~rural~~"

Page 2, line 19, remove the overstrike over "~~rural~~"

Page 2, line 29, remove the overstrike over "~~rural~~"

Page 3, remove lines 3 through 14

Page 3, line 18, remove the overstrike over "~~a rural~~"

Page 3, line 18, remove "<u>an</u>"

Page 3, line 20, remove the overstrike over "~~rural~~"

Page 4, remove lines 30 and 31

Page 5, remove lines 1 through 4

Page 5, line 12, remove the overstrike over "~~a rural~~"

Page 5, line 12, remove "<u>an</u>"

Page 5, line 14, remove the overstrike over "~~rural~~"

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Page 5, line 27, remove the overstrike over "~~a rural~~"

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Page 12, remove lines 3 through 31

Page 13, remove lines 1 through 31

Page 14, remove lines 1 through 30

Page 15, remove lines 1 through 30

Page 16, remove lines 1 through 12

Renumber accordingly

2021 SENATE POLITICAL SUBDIVISIONS

HB 1186

2021 SENATE STANDING COMMITTEE MINUTES

Political Subdivisions Committee
Sakakawea, State Capitol

HB 1186
3/19/2021

A BILL relating to rural ambulance service districts; relating to rural ambulance service districts.

Chairman Burckhard opened the hearing on HB 1186 at 8:35 a.m. Members present: Burckhard, Anderson, Lee, Larson, Kannianen, Oban, Heitkamp.

Discussion Topics:

- Ambulance response area
- Petition of withdrawal
- Taxing of a political subdivision

[8:36] Representative Dave Nehring, District 8. Introduced HB 1186.

[8:39] Bill Kalanek, Lobbyist. Introduced Adam Parker to the committee.

[8:39] Adam Parker, Chair, ND Emergency Medical Services Association (NDEMSA). Provided testimony #10112 in favor.

Senator Lee moves **DO PASS.**
Senator Oban seconded.

Senators	Vote
Senator Randy A. Burckhard	Y
Senator Howard C. Anderson, Jr.	Y
Senator Jason G. Heitkamp	Y
Senator Jordan Kannianen	Y
Senator Diane Larson	Y
Senator Judy Lee	Y
Senator Erin Oban	Y

The motion passed 7-0-0
Senator Lee will carry HB 1186.

Additional written testimony: Melissa Hauer ND Hospital Association #10069

Chairman Burckhard closed the hearing on HB 1186 at 9:02 a.m.

Patricia Lahr, Committee Clerk

REPORT OF STANDING COMMITTEE

HB 1186, as engrossed: Political Subdivisions Committee (Sen. Burckhard, Chairman) recommends **DO PASS** (7 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). Engrossed HB 1186 was placed on the Fourteenth order on the calendar.

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Testimony
House Bill 1186
Senate Political Subdivisions
Friday, March 19 2021; 8:00 a.m.
North Dakota Emergency Medical Services Association

Good morning, Chairman Burckhard and members of the committee. My name is Adam Parker, and I am the Chair of the North Dakota Emergency Medical Services Association's (NDEMSA) Advocacy Committee. I am here today to testify in support of HB 1186 and the proposed amendments.

HB 1186 seeks to reduce the burden on ambulance services establishing a Rural Ambulance Taxing District and allow for annexation of territory when necessary. Additionally, the bill seeks to clarify certain language to ensure ambulance districts are complaint with the law.

Currently, if there is a proposal to establish a taxing district, it must be determined how many people that reside in the proposed territory voted in the last election. Twenty percent of that number is how many signatures are needed on the petition. Since ambulance service areas often cover multiple counties and do follow voting precinct lines, this is a very difficult and time-consuming number to determine. The process has resulted in ambulance services not making ballot deadlines and significantly delaying potential funding, simply because they could not determine how many petition signatures were necessary.

Additionally, in the unfortunate event that an ambulance service closes, the neighboring ambulance must pick up that service area. This bill will allow those that are taxing districts an avenue to place themselves on the ballot to annex in that new territory. This is important because the Rural EMS Assistance Grant has a distribution formula that bases the local match on the service areas property tax valuation. If the service cannot easily annex in the new territory they are essentially penalized in the grant.

Ambulance services in North Dakota face many challenges. This bill will help relieve the burden placed on the service leaders, who are often volunteer, that seek to establish a district to sustain ambulance service operations in rural North Dakota.

This concludes my testimony, I am happy to answer any questions you may have.

2021 HB 1186

Senate Political Subdivisions Committee

Senator Randy Burckhard, Chairman

March 19, 2021

Chairman Burckhard and members of the Senate Political Subdivisions Committee, I am Melissa Hauer, General Counsel of the North Dakota Hospital Association. I testify in support of engrossed House Bill 1186 and ask that you give this bill a **Do Pass** recommendation.

As you may know, some hospitals in our state also operate ambulance services. House Bill 1186 seeks to reduce the burden on ambulance services that are trying to establish a rural ambulance taxing district and allow for easier annexation of territory when necessary. There are currently 120 ambulance services in North Dakota and each one has a pre-determined service area that is established by the quickest ambulance that can arrive to the scene. It is up to the district that has the service area to determine whether they want to become a taxing district to help fund their operation. Ambulance services are generally funded through a combination of fees for services, grants, and taxes.

When an ambulance service closes, a neighboring ambulance service must pick up that service area. This bill allows taxing districts to submit to voters more quickly the question of whether to approve annexation of that new territory and establish a tax to help fund it. If such a taxing district is to be established, it must be determined how many of the people who reside in the proposed territory voted in the last election in order to determine the number of signatures needed on the petition to place the issue on the ballot. Since ambulance service areas often cover multiple counties and do not necessarily follow voting precinct lines, it is very difficult and time consuming to determine the number of qualified electors for the service area. The process has resulted in ambulance services not making ballot deadlines and significantly delaying

potential funding, simply because they could not determine how many petition signatures were necessary.

Rather than requiring a percentage, the bill sets a flat number of qualified electors necessary to get the issues on the ballot. So, when an ambulance service closes and a neighboring ambulance services picks up that territory, the voters will be able to more quickly decide whether a tax district should be formed to include the new territory and what the appropriate amount of tax should be.

Being able to have the voters more quickly make this determination is also important because the Rural EMS Assistance Grant uses a distribution formula that bases the local match on the service area's property tax valuation. If the ambulance service cannot easily annex the new territory, it receives less grant funds relative to the larger area it now has to serve.

In summary, ambulance services in North Dakota face many challenges. This bill will help relieve the burden placed on ambulance services and its leaders when they seek to establish a taxing district to sustain ambulance service operations in rural North Dakota.

NDHA supports this bill and asks that you give it a Do Pass recommendation. Thank you.

Respectfully Submitted,

Melissa Hauer, General Counsel
North Dakota Hospital Association