

By: Representative Watson

To: Ways and Means

HOUSE BILL NO. 1452

1 AN ACT TO AMEND SECTION 41-55-49, MISSISSIPPI CODE OF 1972,
2 TO PROVIDE THAT THE AVAILS OF THE AD VALOREM TAX LEVY MADE BY
3 MEMBER COUNTIES OF AN AIR AMBULANCE SERVICE DISTRICT FOR THE
4 SUPPORT OF THE DISTRICT SHALL BE PAID TO THE DISTRICT BY THE TAX
5 COLLECTOR OF EACH COUNTY WHEN THE TAX IS COLLECTED; TO BRING
6 FORWARD SECTIONS 41-55-45, 41-55-47 AND 41-55-51, MISSISSIPPI CODE
7 OF 1972, WHICH PROVIDE FOR THE POWERS AND DUTIES OF AIR AMBULANCE
8 SERVICE DISTRICT AND THE LEVY OF AN AD VALOREM TAX BY MEMBER
9 COUNTIES OF THE DISTRICT FOR SUPPORT OF THE DISTRICT; AND FOR
10 RELATED PURPOSES.

11 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MISSISSIPPI:

12 **SECTION 1.** Section 41-55-49, Mississippi Code of 1972, is
13 amended as follows:

14 Except as otherwise provided in this section, the board of
15 supervisors of each county becoming a member of an air ambulance
16 service district shall annually, on or before March 15 of each
17 year beginning with the calendar year in which the district is
18 created, pay or cause to be paid to the depository of the district
19 the total avails from the tax levied on all of the taxable
20 property within the county for the purpose of supporting the
21 district. Such payments shall be made and continued as long as
22 the district remains in existence, there is need therefor and the
23 county remains a part thereof. Except as otherwise provided in
24 this section, the board of supervisors of each county shall
25 annually provide the district the total avails from the tax
26 levied on all taxable property within the county for such purpose;
27 in lieu of a tax levy the board of supervisors may appropriate an
28 equivalent sum from the general fund or other available funds of
29 the county. From and after July 1, 2007, the tax collector of
30 each county shall pay the avails of the tax levy made under

31 Section 41-55-47 to the district when the avails of the tax are
32 collected.

33 Any municipality or county which is within the territorial
34 limits of the district may advance funds to the district to pay
35 the preliminary expenses of the district, including reports,
36 organization or administration expenses, on such terms of
37 repayment as the governing body of such municipality or county
38 shall determine.

39 **SECTION 2.** Section 41-55-45, Mississippi Code of 1972, is
40 brought forward as follows:

41 (1) Any air ambulance service district, through its board of
42 directors, is hereby empowered:

43 (a) To develop, in conjunction with the head of any
44 federal and/or state agency as may be involved, a plan for air
45 ambulance services to persons within or without the district,
46 including communications and other systems incident to the
47 efficient performance of such services.

48 (b) To acquire and maintain any equipment necessary for
49 the provision of such services.

50 (c) To set reasonable rates for services and charge for
51 each ambulance call made.

52 (d) To establish rules and regulations for the use of
53 air ambulance services both within and without the boundaries of
54 the district, including cooperation with other air ambulance
55 district organizations within the state and other emergency
56 service agencies, including ground ambulances.

57 (e) To employ professional managerial, technical and
58 clerical help as may be needed in providing air ambulance
59 services.

60 (f) To enter into agreements with ground ambulance
61 facilities.

62 (g) To borrow, acting by and through the boards of
63 supervisors of the individual counties comprising the district, a

64 sum of money in anticipation of the revenue to be received from
65 taxes levied by such counties for the support of the district; the
66 boards of supervisors in so doing shall follow the requirements of
67 Section 19-9-27.

68 (h) To make contracts and to execute instruments
69 necessary or convenient to the exercise of the powers, rights,
70 privileges, and functions conferred upon it by Sections 41-55-31
71 through 41-55-57.

72 (i) To make, or cause to be made, surveys and
73 engineering investigations relating to the project, or related
74 projects, for the information of the district, to facilitate the
75 accomplishment of the purposes for which it is created.

76 (j) To apply for and accept grants from the United
77 States of America, or from any corporation or agency created or
78 designated by the United States of America, and to ratify and
79 accept applications heretofore or hereafter made by voluntary
80 associations to such agencies for grants to construct, maintain or
81 operate any project or projects which hereafter may be undertaken
82 or contemplated by said district.

83 (k) To do any and all other acts or things necessary,
84 requisite or convenient to the exercising of the powers, rights,
85 privileges or functions conferred upon it by Sections 41-55-31
86 through 41-55-57 or any act of law.

87 (2) In addition to the powers set forth in subsection (1),
88 the board of directors of any air ambulance service district is
89 further authorized and empowered to exercise all powers conferred
90 upon the governing boards of emergency medical service districts
91 under the provisions of the Emergency Medical Services Act of 1974
92 and amendments thereto.

93 **SECTION 3.** Section 41-55-47, Mississippi Code of 1972, is
94 brought forward as follows:

95 41-55-47. The board of supervisors of any county of the
96 state which becomes a part of an air ambulance service district

97 may levy a county-wide tax for the support and maintenance of the
98 district in an amount not to exceed one (1) mill. Any county
99 which desires to become a part of an air ambulance service
100 district shall levy each year a tax of not less than one-half
101 (1/2) mill on all taxable property of the county for the support
102 and maintenance of the district or such county will not be
103 qualified to become or remain a part of the district, with the
104 exception that should any county desire to appropriate an
105 equivalent sum from the general fund or other available funds of
106 the county, as provided in Section 41-55-49, the levying of the
107 tax shall not be mandatory.

108 Should the board of directors of any air ambulance service
109 district determine that a tax levy of less than one-half (1/2)
110 mill on the properties comprising the district would be sufficient
111 to maintain and operate the district for the forthcoming fiscal
112 year, such determination shall, by resolution, be spread upon the
113 minutes of the board of directors, which resolution shall recite
114 the amount of the tax levy which would suffice. A certified copy
115 of such resolution shall be delivered to the clerk of the board of
116 supervisors of the counties affected thereby. When so done, the
117 board of supervisors of the counties comprising the district may
118 for the forthcoming year levy a tax of no less than the amount of
119 levy declared to be sufficient in such resolution without losing
120 their qualification as members of the district.

121 Any tax levy made under the provisions of this section shall
122 be used exclusively for the support and maintenance of the
123 district and shall be made by the boards of supervisors at the
124 time and in the manner that other county tax levies are made. The
125 revenue provided by this section shall not, under any
126 circumstances, be commingled with other county funds.

127 **SECTION 4.** Section 41-55-51, Mississippi Code of 1972, is
128 brought forward as follows:

129 The board of directors of an air ambulance service district
130 is hereby authorized and empowered to accept grants, loans, gifts,
131 bequests or funding from any source, public or private, that the
132 granting agency has authority to provide, but in no circumstances
133 shall the acceptance of any such funding obligate any district to
134 repay a sum in excess of the avails of the tax levies set forth
135 in Section 41-55-47.

136 **SECTION 5.** This act shall take effect and be in force from
137 and after July 1, 2007.