

Sixtieth  
Legislative Assembly  
of North Dakota

**SENATE BILL NO. 2412**

Introduced by

Senators O'Connell, Heckaman, Krauter, Mathern

Representatives Kempenich, Schneider

1 A BILL for an Act to provide for health care insurance for children; to amend and reenact  
2 section 57-51.1-07.2 of the North Dakota Century Code, relating to taxes imposed on oil and  
3 gas; and to provide for a continuing appropriation.

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

5 **SECTION 1. Health insurance program for children of low-income families.**

- 6 1. The department of human services shall administer a program to provide health  
7 insurance to children of low-income families. The department shall coordinate this  
8 program with the existing children's health programs operated by the department  
9 and other state agencies, including medical assistance and the state's children's  
10 health insurance program.
- 11 2. To be eligible under the program, the applicant must be under the age of eighteen  
12 or must be pregnant. The income eligibility limit for the family of an applicant under  
13 the age of eighteen is three hundred percent of the income poverty line as defined  
14 under section 50-29-01. The income eligibility for the family of an applicant who is  
15 pregnant and at least eighteen years of age is two hundred percent of the income  
16 poverty line, as defined under section 50-29-01.
- 17 3. The health insurance under this program must include coverage for:
- 18 a. Inpatient hospital, medical, and surgical services;  
19 b. Outpatient hospital and medical services;  
20 c. Psychiatric and substance abuse services;  
21 d. Prescription medications;  
22 e. Immunizations;  
23 f. Preventive screening services;  
24 g. Preventive dental and vision services;

- h. Physical therapy;
- i. Speech therapy;
- j. Home health care;
- k. Laboratory work and testing;
- l. Family planning services; and
- m. Prenatal services.

**SECTION 2. Children's health insurance trust fund - Continuing appropriation -**

**Deposits - Interest - Adjustment of distribution formula.** Forty-five percent of all revenue deposited in the general fund during a biennium derived from taxes imposed on oil and gas under chapters 57-51 and 57-51.1 which exceeds seventy-one million dollars must be transferred by the state treasurer to a special fund in the state treasury known as the children's health insurance trust fund. The department of human services may spend funds in this account on a continuing basis for the purposes of administering the health insurance program for children under section 1 of this Act. The state treasurer shall transfer earnings of the permanent children's health insurance trust fund to the general fund at the end of each fiscal year. If the distribution formulas under chapter 57-51 or 57-51.1 are amended effective after June 30, 2007, the director of the budget shall adjust the seventy-one million dollar amount in this section by the same percentage increase or decrease in the amount of revenue allocable to the general fund after the change in the allocation formula, and transfers to the children's health insurance trust fund must thereafter be made using that adjusted figure so that the dollar amount of the transfers to the permanent children's health insurance trust fund is not increased or decreased merely because of changes in the distribution formulas.

**SECTION 3. AMENDMENT.** Section 57-51.1-07.2 of the North Dakota Century Code is amended and reenacted as follows:

**57-51.1-07.2. Permanent oil tax trust fund - Deposits - Interest - Adjustment of distribution formula.** ~~All~~ Fifty-five percent of all revenue deposited in the general fund during a biennium derived from taxes imposed on oil and gas under chapters 57-51 and 57-51.1 which exceeds seventy-one million dollars must be transferred by the state treasurer to a special fund in the state treasury known as the permanent oil tax trust fund. The state treasurer shall transfer interest earnings of the permanent oil tax trust fund to the general fund at the end of

1 each fiscal year. The principal of the permanent oil tax trust fund may not be expended except  
2 upon a two-thirds vote of the members elected to each house of the legislative assembly.

3 If the distribution formulas under chapter 57-51 or 57-51.1 are amended effective after  
4 June 30, 1997, the director of the budget shall adjust the seventy-one million dollar amount in  
5 this section by the same percentage increase or decrease in the amount of revenue allocable to  
6 the general fund after the change in the allocation formula, and transfers to the permanent oil  
7 tax trust fund shall thereafter be made using that adjusted figure so that the dollar amount of the  
8 transfers to the permanent oil tax trust fund is not increased or decreased merely because of  
9 changes in the distribution formulas.