

**FIRST ENGROSSMENT  
with Senate Amendments  
ENGROSSED HOUSE BILL NO. 1004**

Introduced by

Appropriations Committee

1 A BILL for an Act to provide an appropriation for defraying the expenses of the state department  
2 of health; to amend and reenact section 23-02.1-29 of the North Dakota Century Code, relating  
3 to vital records fees; to provide a statement of legislative intent; to provide a report; and to  
4 declare an emergency.

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

6 **SECTION 1. APPROPRIATION.** The funds provided in this section, or so much of the funds  
7 as may be necessary, are appropriated out of any moneys in the general fund in the state  
8 treasury, not otherwise appropriated, and from special funds derived from federal funds and  
9 other income, to the state department of health for the purpose of defraying the expenses of the  
10 state department of health, for the biennium beginning July 1, 2019, and ending June 30, 2021,  
11 as follows:

	<u>Base Level</u>	<u>Adjustments or Enhancements</u>	<u>Appropriation</u>
12			
13			
14	Salaries and wages	\$2,199,120	\$38,570,554
15	Operating expenses	6,293,893	34,008,080
16	Capital assets	1,839,322	4,027,813
17	Grants	9,715,351	56,157,292
18	Tobacco prevention	(744,640)	12,902,064
19	Women, infants, and children food	(420,000)	19,780,000
20	payments		
21	Medical marijuana	(1,465,704)	0
22	Total all funds	\$17,417,342	\$165,445,803
23	Less estimated income	13,807,061	129,085,213

1	Total general fund	\$32,750,309	\$3,610,281	\$36,360,590
2	Full-time equivalent positions	211.50	(7.50)	204.00

3       **SECTION 2. ONE-TIME FUNDING - EFFECT ON BASE BUDGET - REPORT TO SIXTY-**  
4 **SEVENTH LEGISLATIVE ASSEMBLY.** The following amounts reflect the one-time funding  
5 items approved by the sixty-fifth legislative assembly for the 2017-19 biennium and the 2019-21  
6 biennium one-time funding items included in the appropriation in section 1 of this Act:

7	<u>One-Time Funding Description</u>	<u>2017-19</u>	<u>2019-21</u>
8	Medical marijuana	\$95,066	\$0
9	Women, infants, and children system upgrade	1,739,220	354,554
10	Law enforcement support	1,420,000	0
11	Microbiology laboratory technology upgrades	0	483,000
12	Microbiology laboratory capital improvements	<u>0</u>	<u>1,220,000</u>
13	Total all funds	\$3,254,286	\$2,057,554
14	Less estimated income	<u>3,254,286</u>	<u>1,967,554</u>
15	Total general fund	\$0	\$90,000

16       The 2019-21 biennium one-time funding amounts are not a part of the entity's base budget  
17 for the 2021-23 biennium. The state department of health shall report to the appropriations  
18 committees of the sixty-seventh legislative assembly on the use of this one-time funding for the  
19 biennium beginning July 1, 2019, and ending June 30, 2021.

20       **SECTION 3. INSURANCE TAX DISTRIBUTION FUND.** The estimated income line item  
21 included in section 1 of this Act includes \$1,125,000 from the insurance tax distribution fund for  
22 rural emergency medical services grants.

23       **SECTION 4. TOBACCO PREVENTION AND CONTROL TRUST FUND.** The estimated  
24 income line item in section 1 of this Act includes \$2,625,324 from the tobacco prevention and  
25 control trust fund. Of this amount, \$300,000 is for domestic violence offender treatment grants,  
26 \$580,324 is for cancer programs, \$525,000 is for grants to local public health units, and  
27 \$1,220,000 is for microbiology laboratory capital improvements.

28       **SECTION 5. AMENDMENT.** Section 23-02.1-29 of the North Dakota Century Code is  
29 amended and reenacted as follows:

1       **23-02.1-29. Fees.**

2       1. The state department of health shall prescribe the fees, if any, not to exceed five~~five~~fifteen  
3       dollars, to be paid for the following:

4       a. Each certified copy of a record.

5       b. Each certified statement of the facts of birth other than a copy of the original birth  
6       record.

7       c. Each filing of a new record of birth or fetal death following adoption,~~legitimation,~~  
8       ~~or determination of paternity.~~

9       d. Each filing of a delayed record of birth or death except as provided for in  
10       subsection 4 of section 23-02.1-18.

11       e. Each filing of an amendment to a birth or death record.

12       f. A search of the files or records when no copy is made.

13       g. A noncertified informational copy of a death or marriage record.

14       The fee for each additional copy of ~~the same document,~~a death or fetal death record,  
15       requested at the same time, may not exceed ~~two~~ten dollars.

16       2. Except as otherwise provided in subsection 3, fees collected under this section by the  
17       state registrar must be deposited in the ~~general fund of this state~~operating fund of the  
18       state department of health, according to procedures established by the state treasurer.

19       3. The state department of health shall ~~charge a fee~~quarterly pay fees in the amount of  
20       two dollars for the issuance of each certified copy of a birth record, ~~in addition to those~~  
21       fees authorized by subsection 1, ~~in the amount of two dollars for the issuance of each~~  
22       ~~certified copy of a birth record. This additional fee must be paid to the state registrar~~  
23       ~~prior to the issuance of each certified copy of a birth record. The state registrar shall~~  
24       ~~quarterly pay the additional fees collected pursuant to this subsection into the~~  
25       children's trust fund created by section 50-27-01.

26       4. All fees collected in excess of the fees appropriated must be transferred to the general  
27       fund of this state at the end of each biennium.

28       **SECTION 6. LEGISLATIVE INTENT - LIFE SAFETY PLAN REVIEW FEES.** It is the intent  
29       of the sixty-sixth legislative assembly that the state department of health reduce the minimum  
30       fee charged for life safety construction or renovation plans review of small projects for facilities  
31       from \$750 to \$500.

1       **SECTION 7. LEGISLATIVE INTENT - ELECTRONIC ACCESS TO VITAL RECORDS -**

2       **REPORT TO LEGISLATIVE MANAGEMENT.** It is the intent of the sixty-sixth legislative  
3 assembly that the state department of health implement a program of electronic access to vital  
4 records through web access or kiosk in cooperation with other state agencies in at least eight  
5 locations around the state. The state department of health shall report to the legislative  
6 management before July 1, 2020, regarding the implementation of electronic access to vital  
7 records.

8       **SECTION 8. EMERGENCY.** The sum of \$483,000, of which \$90,000 is from the general  
9 fund, \$360,000 is from federal funds, and \$33,000 is from special funds from fee revenue, for  
10 microbiology laboratory technology upgrades appropriated in section 1 of this Act is declared to  
11 be an emergency measure.