

Fifty-seventh
Legislative Assembly
of North Dakota

ENGROSSED HOUSE BILL NO. 1012

Introduced by

Appropriations Committee

(At the request of the Governor)

1 A BILL for an Act to provide an appropriation for defraying the expenses of the department of
2 human services; to provide for the transfer of appropriation authority between agencies and
3 institutions; to provide statements of legislative intent; to provide an exception to section
4 54-16-04 of the North Dakota Century Code, relating to emergency commission approval for
5 line item transfers; to create and enact a new subsection to section 50-10-06 of the North
6 Dakota Century Code, relating to eligibility for children's special health services; and to amend
7 and reenact subsection 3 of section 50-01.2-03.2 of the North Dakota Century Code, relating to
8 county reimbursements.

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

10 **SECTION 1. APPROPRIATION.** The funds provided in this section, or so much of the
11 funds as may be necessary, are appropriated out of any moneys in the general fund in the state
12 treasury, not otherwise appropriated, and from special funds derived from federal funds and
13 other income, to the department of human services and its various divisions, for the purpose of
14 defraying their expenses, for the biennium beginning July 1, 2001, and ending June 30, 2003,
15 as follows:

16 Subdivision 1.

17	MANAGEMENT	
18	Salaries and wages	\$11,810,001
19	Operating expenses	34,412,275
20	Equipment	1,185,704
21	Capital improvements	1,308
22	Loan fund - DD	<u>2,261,556</u>
23	Total all funds	\$49,670,844

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1	Total all funds	\$14,201,485
2	Less estimated income	<u>5,797,056</u>
3	Total general fund appropriation	\$8,404,429
4	LAKE REGION HUMAN SERVICE CENTER	
5	Total all funds	\$8,207,410
6	Less estimated income	<u>3,638,811</u>
7	Total general fund appropriation	\$4,568,599
8	NORTHEAST HUMAN SERVICE CENTER	
9	Total all funds	\$18,852,059
10	Less estimated income	<u>11,195,028</u>
11	Total general fund appropriation	\$7,657,031
12	SOUTHEAST HUMAN SERVICE CENTER	
13	Capital improvements	\$573,124
14	Human service centers/institutions	<u>19,695,629</u>
15	Total all funds	\$20,268,753
16	Less estimated income	<u>11,124,027</u>
17	Total general fund appropriation	\$9,144,726
18	SOUTH CENTRAL HUMAN SERVICE CENTER	
19	Total all funds	\$11,207,210
20	Less estimated income	<u>5,502,095</u>
21	Total general fund appropriation	\$5,705,115
22	WEST CENTRAL HUMAN SERVICE CENTER	
23	Total all funds	\$18,616,938
24	Less estimated income	<u>10,452,773</u>
25	Total general fund appropriation	\$8,164,165
26	BADLANDS HUMAN SERVICE CENTER	
27	Total all funds	\$9,618,722
28	Less estimated income	<u>5,161,574</u>
29	Total general fund appropriation	\$4,457,148
30	STATE HOSPITAL	

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1	Capital improvements	\$970,176
2	Human service centers/institutions	<u>50,265,299</u>
3	Total all funds	\$51,235,475
4	Less estimated income	<u>17,961,143</u>
5	Total general fund appropriation	\$33,274,332
6	DEVELOPMENTAL CENTER	
7	Capital improvements	\$864,363
8	Human service centers/institutions	<u>39,823,524</u>
9	Total all funds	\$40,687,887
10	Less estimated income	<u>30,020,107</u>
11	Total general fund appropriation	\$10,667,780
12	Total all funds - subdivision 4	\$201,053,372
13	Total estimated income - subdivision 4	\$104,935,651
14	Total general fund appropriation - subdivision 4	\$96,117,721
15	Grand total general fund appropriation H.B. 1012	\$354,044,220
16	Grand total special fund appropriation H.B. 1012	\$932,687,865
17	Grand total all funds H.B. 1012	\$1,286,732,085

18 **SECTION 2. LANDS AND MINERALS TRUST FUND.** The amount of \$2,261,556, or
19 so much of the sum as may be necessary, as appropriated in the developmentally disabled
20 facility loan fund line item in section 1 of this Act, may be expended by the department of
21 human services from the lands and minerals trust fund for the purpose of making payments of
22 principal and interest to the common schools trust fund on any loans made from it pursuant to
23 the developmentally disabled loan fund program nos. 2 and 3 for the biennium beginning
24 July 1, 2001, and ending June 30, 2003.

25 **SECTION 3. DEVELOPMENTAL DISABILITIES REVOLVING LOAN FUND.** There
26 may be expended by the department of human services, on or before June 1, 2003, from the
27 cash balance of, any payments deposited in, the revolving loan fund created under section
28 6-09.6-01, the sum of \$871,765, or so much of the sum as may be necessary, which is
29 appropriated in section 1 of this Act.

1 **SECTION 4. TRANSFER.** Subject to the provisions of chapter 54-16, the director of
2 the department of human services may transfer appropriation authority between agencies and
3 institutions included in subdivisions 1 through 4 of section 1 of this Act.

4 **SECTION 5. CORRELATION OF RESOURCES FOR DEPARTMENTAL CLIENTS.**
5 Notwithstanding section 4 of this Act, the director of the department of human services may
6 transfer appropriation authority and authorized positions between agencies and institutions
7 included within subdivision 4 of section 1 of this Act to correlate fiscal and staff resources with
8 the flow of institutional residents and human service center clients between community-based
9 programs and institutions. The transfers from human service centers require prior consultation
10 with the regional human service center advisory boards.

11 **SECTION 6. ALCOHOL AND DRUG EDUCATION PROGRAM - EXPENDITURE -**
12 **LIMITATIONS.** The moneys appropriated in the grants line item in subdivision 3 of section 1 of
13 this Act for the native American alcohol and drug abuse education program may not be spent
14 for the services provided by the tribes to administer the program. The local grant recipient is
15 required to provide matching equal to the grant amount with funding or in-kind service.

16 **SECTION 7. DEPARTMENT OF HUMAN SERVICES - FUNDING OR EMPLOYEE**
17 **TRANSFERS - REPORT TO FIFTY-EIGHTH LEGISLATIVE ASSEMBLY.** The department of
18 human services shall prepare and present a report to the appropriations committees of the
19 fifty-eighth legislative assembly on any transfers of funding or employee full-time equivalent
20 positions made between the department's subdivisions or institutions and human service
21 centers during the biennium beginning July 1, 2001, and ending June 30, 2003.

22 **SECTION 8. LINE ITEM TRANSFER AUTHORITY.** Notwithstanding section 54-16-04,
23 the department of human services may transfer amounts of up to \$250,000 from the operating
24 expenses line item in subdivision 1 of section 1 of this Act to the equipment line item in
25 subdivision 1 of section 1 of this Act for the biennium beginning July 1, 2001, and ending
26 June 30, 2003. The department shall notify the office of management and budget of each
27 transfer.

28 **SECTION 9. LEGISLATIVE INTENT - MATERNAL AND CHILD HEALTH BLOCK**
29 **GRANT WAIVER.** It is the intent of the legislative assembly that the department of human
30 services and the state department of health seek a waiver from the federal government to allow
31 the state to spend less than thirty percent of its federal maternal and child health block grant for

1 children with special health care needs for the biennium beginning July 1, 2001, and ending
2 June 30, 2003.

3 **SECTION 10. LEGISLATIVE INTENT - MEDICAL SERVICES - UTILIZATION**

4 **REVIEW.** It is the intent of the legislative assembly that the department of human services
5 enhance the effectiveness of its utilization review efforts in the medical services program during
6 the biennium beginning July 1, 2001, and ending June 30, 2003.

7 **SECTION 11. LEGISLATIVE INTENT - DEPARTMENT OF HUMAN SERVICES -**

8 **SHARING OF WORKSTATIONS.** It is the intent of the legislative assembly that the
9 department of human services consider requiring the sharing of workstations by its employees
10 for the biennium beginning July 1, 2001, and ending June 30, 2003.

11 **SECTION 12. LEGISLATIVE INTENT - DEPARTMENT OF HUMAN SERVICES -**

12 **TELEPHONE COST-SAVINGS.** It is the intent of the legislative assembly that the department
13 of human services consider distributing prepaid telephone calling cards to its employees for use
14 when making allowable long-distance personal telephone calls when traveling on official state
15 business during the biennium beginning July 1, 2001, and ending June 30, 2003.

16 **SECTION 13. LEGISLATIVE INTENT - DEPARTMENT OF HUMAN SERVICES -**

17 **PRINTING COST-SAVINGS.** It is the intent of the legislative assembly that the department of
18 human services consider expanding its use of e-mail for distributing information to reduce
19 printing costs for the biennium beginning July 1, 2001, and ending June 30, 2003.

20 **SECTION 14. LEGISLATIVE INTENT - GENERAL FUND AND HEALTH CARE**

21 **TRUST FUND MONEYS - SPENDING PRIORITY.** It is the intent of the legislative assembly
22 that for any programs receiving appropriations from both the general fund and health care trust
23 fund, the department of human services spend moneys appropriated from the general fund
24 before spending moneys from the health care trust fund for the biennium beginning July 1,
25 2001, and ending June 30, 2003.

26 **SECTION 15. LEGISLATIVE INTENT - STATE HOSPITAL LANDFILL CLOSURE.** It

27 is the intent of the legislative assembly that the state hospital seek the assistance of the
28 adjutant general in the closure of the state hospital landfill and that the adjutant general
29 complete the project subject to the approval of the associated general contractors of North
30 Dakota for the biennium beginning July 1, 2001, and ending June 30, 2003.

1 **SECTION 16. LEGISLATIVE INTENT - FEDERAL FAMILY CAREGIVER FUNDS.** It
2 is the intent of the legislative assembly that the department of human services determine the
3 requirements related to the acceptance of federal family caregiver funds, including allowable
4 uses, maintenance of effort, and future funding projections.

5 **SECTION 17. AMENDMENT.** Subsection 3 of section 50-01.2-03.2 of the North
6 Dakota Century Code is amended and reenacted as follows:

- 7 3. Notwithstanding any other provisions of law, the department shall reimburse
8 county social service boards for expenses of locally administered economic
9 assistance programs in counties in which more than twenty percent of the
10 caseload for these programs consists of people who reside on a federally
11 recognized Indian reservation or property tax-exempt tribal trust lands. The
12 reimbursement must be such that:
- 13 a. An affected county's expenses for locally administered economic assistance
14 programs in excess of the statewide average of such costs, expressed in
15 mills, for all other counties will be reimbursed at ~~one hundred~~ eighty-five
16 percent;
 - 17 b. Each calendar year the affected counties will receive quarterly allocations
18 based on the actual county expenses for the state fiscal year ending the
19 previous June thirtieth and the most recent taxable valuations published
20 pursuant to section 57-13-07 available on that date;
 - 21 c. The reimbursement will be calculated for each county and reported to the
22 county social service board prior to August first of the year preceding the
23 allocation;~~and.~~
 - 24 d. ~~For calendar year 2000, up to fifteen percent of the social service block grant~~
25 ~~funds available to all counties during that calendar year or general fund~~
26 ~~equivalents of social service block grant funds must be used for part of this~~
27 ~~reimbursement. For the first six months of calendar year 2001, up to seven~~
28 ~~and one half percent of the social service block grant funds available to all~~
29 ~~counties during that calendar year or general fund equivalents of social~~
30 ~~service block grant funds must be used for part of this reimbursement.~~

1 **SECTION 18.** A new subsection to section 50-10-06 of the North Dakota Century Code
2 is created and enacted as follows:

3 Establish eligibility criteria for services under this chapter at one hundred
4 eighty-five percent of the poverty line. For purposes of this chapter, "poverty line"
5 has the same meaning as defined in section 50-29-01.