

**THIRD ENGROSSMENT  
with House Amendments**

Sixty-first  
Legislative Assembly  
of North Dakota

**REENGROSSED SENATE BILL NO. 2004**

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 state  
2 department of health; to provide for a grant from the state water commission; to provide  
3 legislative intent; and to provide for a legislative council study.

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

5 **SECTION 1. APPROPRIATION.** The funds provided in this section, or so much of the  
6 funds as may be necessary, are appropriated out of any moneys in the general fund in the state  
7 treasury, not otherwise appropriated, and from special funds derived from federal funds and  
8 other income, to the state department of health for the purpose of defraying the expenses of the  
9 state department of health, for the biennium beginning July 1, 2009, and ending June 30, 2011,  
10 as follows:

	<u>Base Level</u>	<u>Adjustments or Enhancements</u>	<u>Appropriation</u>
11		Adjustments or	
12		<u>Enhancements</u>	<u>Appropriation</u>
13	Salaries and wages	\$7,020,717	\$44,729,848
14	Operating expenses	425,255	44,461,794
15	Capital assets	(4,115)	1,813,268
16	Grants	1,946,934	59,964,710
17	Tobacco prevention	160,339	9,079,685
18	WIC food payments	<u>7,513,375</u>	<u>25,063,375</u>
19	Total all funds	\$17,062,505	\$185,112,680
20	Less estimated income	<u>13,867,919</u>	<u>164,463,196</u>
21	Total general fund	\$3,194,586	\$20,649,484
22	Full-time equivalent positions	11.00	342.50

23 **SECTION 2. ONE-TIME FUNDING - EFFECT ON BASE BUDGET - REPORT TO**  
24 **SIXTY-SECOND LEGISLATIVE ASSEMBLY.** The following amounts reflect the one-time

1 funding items approved by the sixtieth legislative assembly for the 2007-09 biennium and the  
2 2009-11 one-time funding items included in the appropriation in section 1 of this Act:

3	<u>One-Time Funding Description</u>	<u>2007-09</u>	<u>2009-11</u>
4	Antiviral stockpile	\$2,010,135	\$0
5	Vaccines to public health	2,000,000	0
6	Legend prescription health	22,000	0
7	Emergency medical services assessment	<u>30,000</u>	<u>0</u>
8	Total general fund	\$4,062,135	\$0

9 **SECTION 3. APPROPRIATION - FEDERAL FISCAL STIMULUS FUNDS -**

10 **ADDITIONAL FUNDING APPROVAL.** The funds provided in this section, or so much of the  
11 funds as may be necessary, are appropriated from federal funds made available to the state  
12 under the federal American Recovery and Reinvestment Act of 2009, not otherwise  
13 appropriated, to the state department of health, for the period beginning with the effective date  
14 of this Act and ending June 30, 2011, as follows:

15	Water quality grants	\$194,300
16	Superfund arsenic trioxide project grants	7,000,000
17	Clean diesel grants (provided to the department	1,730,000
18	of public instruction)	
19	Clean water state revolving loan fund administration	769,564
20	Drinking water state revolving loan fund administration	780,000
21	Women, infants, and children	<u>61,800</u>
22	Total federal funds	\$10,535,664

23 The state department of health may seek emergency commission and budget section  
24 approval under chapter 54-16 for authority to spend any additional federal funds received under  
25 the federal American Recovery and Reinvestment Act of 2009 in excess of the amounts  
26 appropriated in this section, for the period beginning with the effective date of this Act and  
27 ending June 30, 2011.

28 Any federal funds appropriated under this section are not a part of the agency's 2011-13  
29 base budget. Any program expenditures made with these funds will not be replaced with state  
30 funds after the federal American Recovery and Reinvestment Act of 2009 funds are no longer  
31 available.

1           **SECTION 4. ENVIRONMENT AND RANGELAND PROTECTION FUND.** The  
2 estimated income line item included in section 1 of this Act includes \$272,310, or so much of  
3 the sum as may be necessary, to be made available to the state department of health from the  
4 environment and rangeland protection fund, for the biennium beginning July 1, 2009, and  
5 ending June 30, 2011. This amount includes \$50,000 for a grant to the North Dakota  
6 stockmen's association environmental services program.

7           **SECTION 5. EMERGENCY MEDICAL SERVICES OPERATIONS - FUNDING FROM**  
8 **INSURANCE TAX DISTRIBUTION FUND - REPORT TO LEGISLATIVE COUNCIL.** The  
9 estimated income line item in section 1 of this Act includes \$2,750,000 from the insurance tax  
10 distribution fund for the biennium beginning July 1, 2009, and ending June 30, 2011. Of this  
11 amount, \$2,250,000 is for grants to emergency medical services operations as provided in  
12 chapter 23-40 and \$500,000 is for obtaining consulting assistance to:

- 13       · Develop, implement, and provide an access critical ambulance service operations  
14       assessment process for the purpose of improving emergency medical services delivery;
- 15       · Develop, implement, and provide leadership development training;
- 16       · Develop, implement, and provide a biennial emergency medical services recruitment drive;  
17       and
- 18       · Provide regional assistance to ambulance services to develop a quality review process for  
19       emergency medical services personnel and a mechanism to report to medical directors.

20 The state department of health shall report to the legislative council on the use of the funding  
21 provided under this section. The department shall require recipients of grants under this  
22 section to provide information on the use of funds received as necessary to provide the report  
23 to the legislative council.

24           **SECTION 6. FEDERAL 319 NONPOINT PROGRAM MATCHING FUNDS - STATE**  
25 **WATER COMMISSION GRANT TO THE STATE DEPARTMENT OF HEALTH.** The state  
26 water commission shall provide a grant of \$200,000 from its 2009-11 biennium appropriation  
27 approved by the sixty-first legislative assembly to the state department of health to be used as  
28 matching funds for the federal 319 nonpoint program, for the biennium beginning July 1, 2009,  
29 and ending June 30, 2011.

1           **SECTION 7. INTENT - INDIRECT COST RECOVERIES.** Notwithstanding section  
2 54-44.1-14, the state department of health may deposit indirect cost recoveries in its operating  
3 account.

4           **SECTION 8. EXEMPTION.** The \$200,000, of which \$150,000 is from the community  
5 health trust fund and \$50,000 is from the general fund, appropriated for colorectal screening  
6 grants, as contained in section 3 of chapter 4 of the 2007 Session Laws, is not subject to the  
7 provisions of section 54-44.1-11, and any unexpended funds from these appropriations are  
8 available and may be expended during the biennium beginning July 1, 2009, and ending  
9 June 30, 2011.

10           **SECTION 9. LEGISLATIVE COUNCIL STUDY - IMMUNIZATION PROGRAM.** During  
11 the 2009-10 interim, the legislative council shall consider studying the state immunization  
12 program. The study, if conducted, must identify pharmacists' or other providers' ability and  
13 interest in immunizing children and include a review of the effect of the program on public  
14 health units, including billing, billing services, fee collections, and uncollectible accounts. The  
15 legislative council shall report its findings and recommendations, together with any legislation  
16 required to implement the recommendations, to the sixty-second legislative assembly.

17           **SECTION 10. EMERGENCY.** Section 3 of this Act is declared to be an emergency  
18 measure.