

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

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 department
2 of health; to provide a contingent appropriation; to provide legislative intent; to provide for
3 reports; to provide for a legislative management study; and to declare an emergency.

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 funds
6 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, 2011, and ending June 30, 2013,
10 as follows:

	<u>Base Level</u>	<u>Adjustments or Enhancements</u>	<u>Appropriation</u>	
11				
12				
13	Salaries and wages	\$44,861,868	\$4,444,535	\$49,306,403
14	Operating expenses	44,635,794	67,287	44,703,081
15	Capital assets	1,813,268	184,805	1,998,073
16	Grants	62,160,510	(6,098,472)	56,062,038
17	Tobacco prevention	9,079,685	(2,917,289)	6,162,396
18	WIC food payments	25,063,375	(905,266)	24,158,109
19	Federal stimulus funds	<u>0</u>	<u>3,492,228</u>	<u>3,492,228</u>
20	Total all funds	\$187,614,500	(\$1,732,172)	\$185,882,328
21	Less estimated income	<u>164,609,206</u>	<u>(6,475,141)</u>	<u>158,134,065</u>
22	Total general fund	\$23,005,294	\$4,742,969	\$27,748,263
23	Full-time equivalent positions	343.50	(1.00)	342.50

1 **SECTION 2. ONE-TIME FUNDING - EFFECT ON BASE BUDGET - REPORT TO**

2 **SIXTY-THIRD LEGISLATIVE ASSEMBLY.** The following amounts reflect the one-time funding
3 items approved by the sixty-first legislative assembly for the 2009-11 biennium and the 2011-13
4 one-time funding items included in the appropriation in section 1 of this Act:

5	<u>One-Time Funding Description</u>	<u>2009-11</u>	<u>2011-13</u>
6	Grant for mobile dental care service	\$196,000	\$0
7	Contingent transfer - Community health trust fund	2,405,371	0
8	Regional public health network pilot project	275,000	0
9	Immunization services	1,200,000	0
10	STEMI response program grant	0	25,000
11	Federal fiscal stimulus	<u>13,247,325</u>	<u>3,492,228</u>
12	Total all funds	\$17,323,696	\$3,517,228
13	Less estimated income	<u>13,247,325</u>	<u>3,492,228</u>
14	Total general fund	\$4,076,371	\$25,000

15 The 2011-13 one-time funding amounts are not a part of the entity's base budget for the
16 2013-15 biennium. The state department of health shall report to the appropriations committees
17 of the sixty-third legislative assembly on the use of this one-time funding for the biennium
18 beginning July 1, 2011, and ending June 30, 2013.

19 **SECTION 3. ENVIRONMENT AND RANGELAND PROTECTION FUND.** The estimated
20 income line item included in section 1 of this Act includes \$272,310, or so much of the sum as
21 may be necessary, to be made available to the state department of health from the environment
22 and rangeland protection fund, for the biennium beginning July 1, 2011, and ending June 30,
23 2013. This amount includes \$50,000 for a grant to the North Dakota stockmen's association
24 environmental services program.

25 **SECTION 4. CONTINGENT APPROPRIATION AND BANK OF NORTH DAKOTA LINE**
26 **OF CREDIT - LITIGATION AND ADMINISTRATIVE PROCEEDINGS COSTS - REPORT TO**

27 **BUDGET SECTION.** There is appropriated out of any moneys in the general fund in the state
28 treasury, not otherwise appropriated, the sum of \$500,000, or so much of the sum as may be
29 necessary, to the state department of health for the purpose of defraying expenses associated
30 with possible litigation and other administrative proceedings involving the United States
31 environmental protection agency for the period beginning with the effective date of this Act and

1 ending June 30, 2013. In addition, the state department of health, contingent on litigation and
2 administrative proceedings, may borrow the sum of \$500,000, or so much of the sum as may be
3 necessary, from the Bank of North Dakota, the proceeds of which is appropriated to the state
4 department of health for the purpose of defraying the expenses associated with possible
5 litigation and other administrative proceedings involving the United States environmental
6 protection agency for the period beginning with the effective date of this Act and ending
7 June 30, 2013. The department may spend the general fund moneys and access the line of
8 credit only upon approval by the attorney general. The department must report quarterly to the
9 budget section during the 2011-12 interim regarding the status of any litigation and other
10 administrative proceedings.

11 **SECTION 5. INTENT - INDIRECT COST RECOVERIES.** Notwithstanding section
12 54-44.1-15, the state department of health may deposit indirect cost recoveries in its operating
13 account.

14 **SECTION 6. LEGISLATIVE INTENT - SUICIDE PREVENTION PROGRAM.** It is the intent
15 of the legislative assembly that the state department of health work in conjunction with the
16 Indian affairs commission to develop, implement, and coordinate a suicide prevention program,
17 including outreach, education, and administration of grants for suicide prevention activities for
18 the biennium beginning July 1, 2011, and ending June 30, 2013.

19 **SECTION 7. LEGISLATIVE MANAGEMENT STUDY - REGIONAL PUBLIC HEALTH**
20 **NETWORK PILOT PROJECT.** During the 2011-12 interim, the legislative management shall
21 consider studying the regional public health network pilot project conducted during the 2009-11
22 biennium, including services provided, effects of the project on participating local public health
23 units, efficiencies achieved in providing services, cost-savings to state and local governments,
24 and possible improvements to the program. The legislative management shall report its findings
25 and recommendations, together with any legislation required to implement the
26 recommendations, to the sixty-third legislative assembly.

27 **SECTION 8. EMERGENCY.** Section 4 of this Act is declared to be an emergency measure.