

PROPOSED AMENDMENTS TO ENGROSSED SENATE BILL NO. 2004

That the House recede from its amendments as printed on pages 1201-1204 of the Senate Journal and pages 1335-1337 of the House Journal and that Engrossed Senate Bill No. 2004 be amended as follows:

Page 1, line 6, remove "to repeal section 19-02.1-25 of the North Dakota Century Code, relating"

Page 1, line 7, replace "country of origin labels" with "provide an exception to section 54-44.1-06 of the North Dakota Century Code, relating to the preparation of the state department of health appropriations bill for the 2003-05 biennium" and replace "a statement" with "statements"

Page 1, line 15, replace "29,020,730" with "28,636,615"

Page 1, line 16, replace "17,182,035" with "15,647,794"

Page 1, line 17, replace "1,454,626" with "1,265,451"

Page 1, line 19, replace "24,178,552" with "23,387,670"

Page 1, after line 19, insert:

"Centers for disease control tobacco funds 2,369,934"

Page 1, line 20, replace "7,069,934" with "4,700,000"

Page 1, line 21, replace "17,516,870" with "17,000,000"

Page 1, line 22, replace "96,464,451" with "93,049,168"

Page 1, line 23, replace "81,518,714" with "78,236,232"

Page 1, line 24, replace "14,945,737" with "14,812,936"

Page 2, line 25, replace "\$4,815,000" with "\$4,700,000"

Page 2, after line 31, insert:

**"SECTION 9. GRANTS - NORTH DAKOTA STOCKMEN'S ASSOCIATION - REFUND FUND TRANSFER.** The grants line item in section 1 of this Act includes \$50,000 from the attorney general refund fund from lawsuit settlement collections, which the state department of health shall distribute to the North Dakota stockmen's association for the purpose of developing and beginning to implement a plan to reduce the potential environmental impact from livestock operations, for the biennium beginning July 1, 2001, and ending June 30, 2003. These funds, and funds of the North Dakota stockmen's association, must be used as matching funds for federal environmental protection agency 319 funds. The funds from the attorney general refund fund must be transferred to the state department of health operating fund as requested by the state health officer."

Page 6, after line 14, insert:

**"SECTION 13. STATE DEPARTMENT OF HEALTH APPROPRIATIONS BILL - EXECUTIVE BUDGET RECOMMENDATION.** Notwithstanding North Dakota Century Code section 54-44.1-06, the office of the budget shall submit for introduction to the fifty-eighth legislative assembly the state department of health appropriations bill for the 2003-05 biennium reflecting the same funding levels by line item and employee levels authorized by the fifty-seventh legislative assembly for the 2001-03 biennium. Any budget changes recommended by the office of the budget for the state department of health for the 2003-05 biennium must be presented to the appropriations committees of the fifty-eighth legislative assembly as a recommendation for change to the bill as introduced."

Page 6, replace lines 23 and 24 with:

**"SECTION 16. LEGISLATIVE INTENT - CENTERS FOR DISEASE CONTROL AND PREVENTION FUNDS.** It is the intent of the legislative assembly that the state department of health use the grant funds from the centers for disease control and prevention, as allowed, to fund tobacco counter-marketing and public education campaigns and local tobacco prevention coordinators and that local public health administrators supervise the local tobacco prevention coordinators. Funds may not be used for lobbying purposes."

Re-number accordingly

**STATEMENT OF PURPOSE OF AMENDMENT:**

**Senate Bill No. 2004 - State Department of Health - Conference Committee Action**

	EXECUTIVE BUDGET	SENATE VERSION	CONFERENCE COMMITTEE CHANGES	CONFERENCE COMMITTEE VERSION	HOUSE VERSION	COMPARISON TO HOUSE
Salaries and wages	\$28,937,730	\$29,020,730	(\$384,115)	\$28,636,615	\$28,496,668	\$139,947
Operating expenses	17,165,035	17,182,035	(1,534,241)	15,647,794	15,647,794	
Equipment	1,454,626	1,454,626	(189,175)	1,265,451	1,265,451	
Capital improvements	41,704	41,704		41,704	41,704	
Grants	31,433,486	24,178,552	(790,882)	23,387,670	23,352,670	35,000
Women, infants, and children food payments	17,516,870	17,516,870	(516,870)	17,000,000	17,000,000	
Tobacco prevention and control		7,069,934	(2,369,934)	4,700,000	4,700,000	
Centers for Disease Control and Prevention tobacco funds			2,369,934	2,369,934	2,369,934	
Total all funds	\$96,549,451	\$96,464,451	(\$3,415,283)	\$93,049,168	\$92,874,221	\$174,947
Less estimated income	<u>81,503,958</u>	<u>81,518,714</u>	<u>(3,282,482)</u>	<u>78,236,232</u>	<u>78,118,102</u>	<u>118,130</u>
General fund	\$15,045,493	\$14,945,737	(\$132,801)	\$14,812,936	\$14,756,119	\$56,817
FTE	316.00	317.00	(1.00)	316.00	315.00	1.00

**Dept. 301 - State Department of Health - Detail of Conference Committee Changes**

	REDUCE SALARIES IN ADMINISTRATIVE SERVICES	REDUCE OPERATING IN ADMINISTRATIVE SERVICES	REMOVE ONE ADMINISTRATIVE ASSISTANT POSITION <sup>1</sup>	REDUCE OPERATING IN HEALTH RESOURCES	REDUCE SALARIES IN PREVENTIVE HEALTH	REDUCE OPERATING IN PREVENTIVE HEALTH
Salaries and wages	(\$7,000)				(\$10,000)	
Operating expenses		(\$40,000)		(\$110,000)		(\$450,000)
Equipment						
Capital improvements						
Grants						
Women, infants, and children food payments						
Tobacco prevention and control						
Centers for Disease Control and Prevention tobacco funds						

Total all funds	(\$7,000)	(\$40,000)	\$0	(\$110,000)	(\$10,000)	(\$450,000)
Less estimated income		<u>(32,000)</u>		<u>(98,000)</u>		<u>(410,000)</u>
General fund	(\$7,000)	(\$8,000)	(\$0)	(\$12,000)	(\$10,000)	(\$40,000)
FTE	0.00	0.00	(1.00)	0.00	0.00	0.00
	REDUCE GRANTS LINE ITEM IN PREVENTIVE HEALTH	REDUCE WOMEN, INFANTS, AND CHILDREN FOOD PAYMENTS LINE ITEM	FUNDING SOURCE CHANGE <sup>2</sup>	REDUCE OPERATING IN ENVIRONMENTAL HEALTH	REDUCE GRANTS LINE ITEM IN ENVIRONMENTAL HEALTH	REDUCE FUNDING FOR COMPUTER COST
Salaries and wages						
Operating expenses				(\$275,000)		
Equipment						(\$101,100)
Capital improvements						
Grants	(\$1,012,194)				(\$850,000)	
Women, infants, and children food payments		(\$516,870)				
Tobacco prevention and control						
Centers for Disease Control and Prevention tobacco funds						
Total all funds	(\$1,012,194)	(\$516,870)	\$0	(\$275,000)	(\$850,000)	(\$101,100)
Less estimated income	<u>(1,012,194)</u>	<u>(516,870)</u>	<u>33,252</u>	<u>(250,000)</u>	<u>(850,000)</u>	<u>(78,795)</u>
General fund	\$0	\$0	(\$33,252)	(\$25,000)	\$0	(\$22,305)
FTE	0.00	0.00	0.00	0.00	0.00	0.00
	REDUCE FUNDING FOR THE NUMBER OF COMPUTERS <sup>3</sup>	REDUCE FUNDING FOR EQUIPMENT	INCREASE FUNDING FOR GRANTS <sup>4</sup>	REMOVE FUNDING FOR FOOD AND FORMULA RELATING TO PKU PROGRAM <sup>5</sup>	ADD FUNDING FOR PUBLIC HEALTH UNIT GRANTS <sup>6</sup>	FEDERAL GRANT LINE ITEM ADJUSTMENT <sup>7</sup>
Salaries and wages						(\$367,115)
Operating expenses				(\$133,997)		(525,244)
Equipment	(\$50,500)	(\$25,000)				(12,575)
Capital improvements						
Grants			\$120,000	(80,000)	\$76,378	904,934
Women, infants, and children food payments						
Tobacco prevention and control						
Centers for Disease Control and Prevention tobacco funds						
Total all funds	(\$50,500)	(\$25,000)	\$120,000	(\$213,997)	\$76,378	\$0
Less estimated income	<u>(37,875)</u>			<u>(156,378)</u>	<u>76,378</u>	
General fund	(\$12,625)	(\$25,000)	\$120,000	(\$57,619)	\$0	\$0
FTE	0.00	0.00	0.00	0.00	0.00	0.00
	CREATE LINE ITEM FOR FEDERAL TOBACCO GRANT <sup>8</sup>	STOCKMEN'S ASSOCIATION GRANT <sup>9</sup>	TOTAL CONFERENCE COMMITTEE CHANGES			
Salaries and wages			(\$384,115)			
Operating expenses			(1,534,241)			
Equipment			(189,175)			
Capital improvements						
Grants		\$50,000	(790,882)			
Women, infants, and children food payments			(516,870)			
Tobacco prevention and control	(\$2,369,934)		(2,369,934)			
Centers for Disease Control and Prevention tobacco funds	2,369,934		2,369,934			
Total all funds	\$0	\$50,000	(\$3,415,283)			
Less estimated income		<u>50,000</u>	<u>(3,282,482)</u>			
General fund	\$0	\$0	(\$132,801)			
FTE	0.00	0.00	(1.00)			

- <sup>1</sup> The Conference Committee restored funding of \$56,817 from the general fund for the administrative assistant position but not the FTE. The department will need to designate an existing FTE position for the administrative assistant.
- <sup>2</sup> Provides the funding from the water development trust fund (\$33,252) that was removed from the one TMDL position be authorized to replace general fund moneys for operating (\$28,800) and equipment (\$4,452) associated with the TMDL program.
- <sup>3</sup> Reduce funding for computers by reducing the number of desktop computers funded by 31, at a cost of \$1,500 per computer and reducing the funding for laptops by two, at a cost of \$2,000 per machine. The funding for the computers is 25 percent general fund and 75 percent other funds.
- <sup>4</sup> Increases funding from the general fund for domestic violence grants by \$120,000, from \$90,000 to \$210,000.
- <sup>5</sup> Removes \$80,000 of funding from the community health trust fund under the grants line item, which was added by the Senate, and \$133,997 under the operating line item for food and formula relating to phenylketonuria (PKU). It is the intent of this amendment that the PKU food and formula program will be transferred to the Department of Human Services.
- <sup>6</sup> Provides additional funding authority for grants to public health units from maternal and child health block grant federal funds.
- <sup>7</sup> Adjustment to the salaries, operating, equipment, and grants line items to reflect the actual budget breakdown of the Centers for Disease Control and Prevention grant. An amendment was made in the Senate to transfer the federal grant dollars to a tobacco prevention and control line item, in which the entire transfer was made from the grants line item.
- <sup>8</sup> Creates a separate line item for funding from the Centers for Disease Control and Prevention for statewide tobacco prevention and control. This provides separate line items for the tobacco prevention moneys from the community health trust fund and the Centers for Disease Control and Prevention.
- <sup>9</sup> This amendment appropriates \$50,000 from the Attorney General refund fund for a grant to the North Dakota Stockmen's Association for developing and beginning to implement a plan to reduce the potential environmental impact from livestock operations and for matching federal Environmental Protection Agency 319 funds.

The Conference Committee allows \$35,000 funding for the donated dental services program that was removed in the House amendment. The funding is to come from federal funds, if available, not from the community health trust fund as in the original Senate amendment.

The Conference Committee allows the \$83,130 and one FTE, that was removed in the House amendment, to develop total maximum daily loads (TMDL) and pollution control plans. The restored position is to be funded with federal funds. The House amendment to use the \$33,252 from the water development trust fund that was associated with this position for operating and equipment costs for the TMDL program remains in the Conference Committee amendment.

The Conference Committee amended a section of intent added by the House relating to the uses of Centers for Disease Control and Prevention grant funds to prevent use of funds for lobbying purposes.

A section is added requiring the Office of Management and Budget to submit for introduction the State Department of Health appropriations bill for the 2003-05 biennium to the 58th Legislative Assembly at the same funding levels by line item and employee levels authorized by the 57th Legislative Assembly for the 2001-03 biennium. Any executive budget changes are to be submitted as a recommendation for change to the bill as introduced.