

MICROFILM DIVIDER

OMB/RECORDS MANAGEMENT DIVISION

SFN 2053 (2/85) 5M



ROLL NUMBER

DESCRIPTION

20004

2001 SENATE APPROPRIATIONS

SB 2004

2001 SENATE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. SB2004

Senate Appropriations Committee

Conference Committee

Hearing Date January 15, 2001

Tape Number	Side A	Side B	Meter #
Tape #1	x		0.0 - 52.8
Committee Clerk Signature <i>Jennie Pitsch</i>			

Minutes:

Senator Nething opened the hearing on SB2004, North Dakota Department of Health.

Robert A. Barnett, Interim State Health Officer of the North Dakota Department of Health, provided testimony on SB2004 (a copy of written testimony is attached).

Senator Nething: What are you doing with local grants?

Robert Barnett: 1 million dollars per year.

Senator Nething: Increases in other lines, no increase requested in grant line??

Robert Barnett: General increases are due to inflationary costs; no increase in grant requests at this time, but they have increased over the years.

Senator Nething: Are grants except from inflation, treated as such?

Robert Barnett: We submitted a hold even budget, using only inflationary costs, per governor's request.

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Senator Nething: Legislature increased grants the last four sessions; we did the increasing, not the department; it was not your intention to increase grants?

Robert Barnett: Believe appropriation was legislative intent; if more than 100 thousand received, more could be distributed.

Senator Nething: Any turn back expected?

Robert Barnett: None anticipated.

Senator Andrist: 1 million dollars local grants --- now have programs being funded with tobacco settlement funds?

Robert Barnett: Generally new programs that would target tobacco, not totally new tobacco dollars.

Senator Andrist: The documentation prepared by the North Dakota Legislative Council staff dated 1-15-01 (a copy is attached), doesn't square with your testimony on page 4 -- why?

Robert Barnett: Best of my knowledge, total program is as stated: 361,157 page 4.

Senator Andrist: Legislative Council Documentation has 250 thousand?

Legislative Council Representative: Could include operating, this is strictly salary..

Robert Barnett: 236 is salaries.

Senator Bowman: Regarding the underground storage -- is it under control? All taken care of?

Robert Barnett: Have spent a substantial amount of dollars on this project.

Francis Schwindt, Chief of the Environmental Health Section: The amount we are now requesting includes the BN-project. BN says the north side is our responsibility. EPA funding has been received in the amount of 1.6 - 1.7 million.

Senator Bowman: On the water shed program -- have you been working with local water commissioners, the soil conservation committee? Or is there duplication of work being done?

Only doing some follow-up on project by your department?

Francis Schwindt: Both, work with local sponsors, we will do the monitoring. Our job is on the front end of the project and the follow-up after installation.

Senator Heitkamp: We have visited the training center -- to obtain certification training -- and notice that forensic/ medical area is in the same building -- used for autopsies. Why?

Robert Barnett: Part of the storage area was converted into a laboratory. It has walk in cooler facilities -- and is the temporary quarters for the forensic examiner to perform his duties -- autopsies. SB2023 speaks to the east laboratory (2.7 million).

Senator Heitkamp: The two things are not conducive to each other; nor is the timing perfect: educating and autopsies.

Robert Barnett: There had been some odor problems in the building, we spent dollars to clear the air. Need to live with it until the state is willing to provide adequate facilities -- the hospitals don't want us -- things will remain the same--we'll continue doing what the people want and that is autopsies.

Senator Nething: Let's hold additional questions regarding the laboratory building until we hear senate bill indicated.

Senator Andrist: Is the Health Department partnering with local entities -- doing less in the enforcement arena? Some local water district personnel indicate "if there is a problem, the health department is the last place they'd go"? Progressing in the focusing arena? Providing local personnel with help rather than heading them for jail?

Francis Schwindt: We provide technical assistance -- it is a critical part of our program.

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Enforcement is a tool, one we use judicially; on an individual basis.

Senator Andrist: People need to feel that your department is friendly and an advocate.

Francis Schwindt: Agree.

Senator Robinson: Last session we spent a lot of time on feed lots, the concerns, smells etc.

Anything happening? Status? Monitoring? Where are you at?

Francis Schwindt: EPA is in the process of changing their regulations/guidelines. Hopefully it will be one in late January. Feedlots over 300 head need a permit. Over 200 have permit approval letters from the State; so State regulations are stricter than EPA. EPA proposal will be reviewed, action taken -- which may take up to a year. If necessary, we will look at our guidelines and adjust accordingly.

Senator Robinson: Number of operations 350 and over in the state?

Francis Schwindt: Approved over 900, but vast majority are 200 or less (local) -- could be a couple hundred.

Senator Tomac: Since last session -- the guidelines been reviewed and implementation completed?

Robert Barnett: Don't have the answer, will look into it and provide information.

Senator Thane: Pro Gold's waste water problem northwest of Wahpeton -- do you regulate?

Beyond your jurisdiction?

Francis Schwindt: Working with them, helping them with methods of control, preparing nutrient disposal.

Senator Thane: Often times a high organic smell.

Senator Bowman: Under EPA regulations, will they eventually regulate all small feedlots out of business? Like the small businesses? The strict regulations do not work with people attempting

to improve the economy. Do you conduct conversations/meetings with EPA officials -- fight for ND people or just accept their rules?

Francis Schwindt: We agree there are more regulations than before, we do take concerns to EPA, report the effect we feel here in ND. We continue to work to educate, give technical assistance, participate in cost sharing. Would like to keep waste in field rather than in the water. But keep in mind, we are one state, one small state at that.

Senator Tallackson: With the new technology procedures, wouldn't that help with waste problems?

Francis Schwindt: Definitely technology is being used along with some inexpensive methods that still work. Like using straw on hog waste drains or a felt-like material that floats on top of waste (this is more expensive, but last longer). We approach methods with local entities such as the Soil Conservation Service -- have share costs of programs with them in the past. No longer providing 319 programs. Do have some 60 federal 40 state funding available. We work to help control animal waste.

Senator Heitkamp: Managers of Water Conservation helpful to me with EPA instead of Department?

Francis Schwindt: Don't think so, work delegation of funds.

Senator Solberg: Underground storage tank spills? Federal dollars come -- you take care of them?

Francis Schwindt: Yes.

Senator Solberg: Not up to you to do it? But needs to meet your approval?

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Francis Schwindt: We do the risk assessment/analysis regarding it and the adjacent property.

Make sure it is free of contaminated product; check to see that the ground is stable, no foreign substance for 1 to 2 years. No hard fast numbers for each.

Senator Solberg: Subjective?

Francis Schwindt: Yes.

Senator Solberg: Children's Program -- page 2 of your testimony -- has 2 FTE's, new?

Robert Barnett: Yes, 100% federal dollars which are run through the University of North Dakota for ambulance services.

Bonnie Palecek, Executive Director, North Dakota Council on Abused Women's Services.

(NDCAWS), presented testimony in support of the Health Department budget (a copy of written testimony is attached, as well as a copy of the brochure she distributed).

Senator Bowman: Do you find when dealing with domestic violence, that the lack of finances causes the problems? Is there some correlation? Studies done?

Bonnie Palecek: Poverty and income level could be involved. Domestic abuse goes across all lines. But perhaps half of the families that we serve are poverty stricken. Other relationship barriers are involved; some individuals seek help outside of our program, some are self-sufficient and can deal with their own problems. We are now keeping track (since January 1, 2001), of what public benefits people have used before they came to us.

Senator Solberg: Section 3 of the bill -- 200 thousand, general account---health used?

Francis Schwindt: Ground water monitoring. We prioritized aquifers -- do an annual test on each one every five years.

No additional testimony, for or against SB2004. Hearing closed by Senator Nething.

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February 19, 2001 Full Committee (Tape #3, Side A, Meter No. 0.0-33.8)

Senator Nothing reopened the hearing on SB2004.

Senator Andrist, Chair of the Health Subcommittee, presented amendment (108030.0106).

Discussion on the amendments.

Senator Andrist moved the adoption of amendments; Senator Grindberg seconded. Discussion; call for a Roll Call Vote: 10 yes; 4 no; 0 absent and not voting. Motion carried.

Discussion. Senator Tomac moved an amendment to the amendment -- deleting section 14;

Senator Heitkamp seconded the motion. Roll Call Vote: 5 yes, 9 no; 0 absent and not voting.

Motion failed.

Discussion. Senator Andrist moved a DO PASS AS AMENDED on SB2004; Senator Kringstad seconded. Discussion. Roll Call Vote: 8 yes, 6 no; 0 absent and not voting.

Senator Andrist accepted the floor assignment.

Date: 2-19-01

Roll Call Vote #: # 401

2001 SENATE STANDING COMMITTEE ROLL CALL VOTES
BILL/RESOLUTION NO. SB.2004

Senate Appropriations Committee

Subcommittee on _____
or
 Conference Committee

Legislative Council Amendment Number _____

Action Taken Adopt Amend. / 08:30.0106

Motion Made By Sen Andrist Seconded By Sen Grindberg

Senators	Yes	No	Senators	Yes	No
Dave Nething, Chairman	✓				
Ken Solberg, Vice-Chairman	✓				
Randy A. Schobinger	✓				
Elroy N. Lindaas		✓			
Harvey Tallackson	✓				
Larry J. Robinson		✓			
Steven W. Tomac		✓			
Joel C. Heitkamp		✓			
Tony Grindberg	✓				
Russell T. Thane	✓				
Ed Kringstad	✓				
Ray Holmberg	✓				
Bill Bowman	✓				
John M. Andrist	✓				

Total Yes 10 No 4

Absent _____

Floor Assignment _____

If the vote is on an amendment, briefly indicate intent:

