

**ARTICLE 75-07**  
**MULTICOUNTY SOCIAL SERVICE DISTRICTS**

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**CHAPTER 75-07-01**  
**MULTICOUNTY SOCIAL SERVICE DISTRICT APPLICATIONS FOR APPROVAL AND INCENTIVES**

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**75-07-01-01. Definitions.**

As used in this chapter, unless the context or subject matter requires otherwise:

1. "County" means the board of county commissioners.
2. "County agency" means the county social service board.
3. "Department" means the department of human services.
4. "District" means a multicounty social service district.
5. "Plan" means a plan for the creation of a multicounty social service district.
6. "Services" includes both social and economic assistance services.

**History:** Effective May 1, 1992.

**General Authority:** NDCC 50-01.1-02.1

**Law Implemented:** NDCC 50-01.1-02.1

**75-07-01-02. Application for approval of multicounty social service district plan.**

An application for approval of a multicounty social service district plan must:

1. Assure that the affected county agencies are able to supply an adequate level and quality of social and economic assistance services. Assurances made under this subsection must:
  - a. Describe the number and qualifications of the staff of the affected county agencies;
  - b. Identify the number and types of cases handled by the affected county agencies; and
  - c. Demonstrate that appropriate staffing standards will be met under the plan.
2. Include a description of the geographical area and population to be served under the plan.
3. Include a description of the distance of recipients from the affected county agencies.

4. Include a description of the benefits which may be realized from the creation of the district, including:
  - a. A statement of costs anticipated to be incurred if the plan is not approved and to be incurred if the plan is approved, including a budget detailing estimated total costs and estimated county, state, and federal share of total costs.
  - b. A statement describing any changes in the availability of services, any new services that will be provided, any existing service that will be discontinued, and any improvement in services under the plan.
5. Assure that necessary staff reductions will be made insofar as is reasonably possible through voluntary retirements, voluntary transfers, and elimination of vacant positions, and further assure that displaced staff persons are afforded an opportunity to transfer to available positions within offices operated by the district.
6. Conform to the requirements of subsection 1 of North Dakota Century Code section 50-01.1-04.
7. Include a statement of any definite term of operation or of the terms under which the plan will be rescinded or terminated.

**History:** Effective May 1, 1992.

**General Authority:** NDCC 50-01.1-02.1

**Law Implemented:** NDCC 50-01.1-02.1

#### **75-07-01-03. Approval of multicounty social service district plan.**

The department may approve any multicounty district plan which conforms to the requirements of section 75-07-01-02. Within ninety days after receipt of an application for approval of a multicounty social service district plan, the department must approve or deny the application or request additional information. If additional information is requested, the department must approve or deny the application within ninety days after the requested information is received by the department. The department may suggest changes in the application at any time prior to approval of the application. Any approval, denial, request for information, or suggested change must be made in writing, or promptly reduced to writing, and mailed to the counties which are included in the proposed district. Any notice of denial must advise the counties included in the proposed district of the right to appeal.

**History:** Effective May 1, 1992.

**General Authority:** NDCC 50-01.1-02.1

**Law Implemented:** NDCC 50-01.1-02.1

#### **75-07-01-04. Application for incentives.**

A district or a proposed district may apply for financial incentives for the creation of a multicounty social service district. The application must be included in the plan submitted pursuant to section 75-07-01-03. The application for incentives may be stated generally, or may state specific amounts and set out specific purposes for which incentive funds are to be used.

**History:** Effective May 1, 1992.

**General Authority:** NDCC 50-01.1-02.1

**Law Implemented:** NDCC 50-01.1-02.1

#### **75-07-01-05. Determination of amount of incentives.**

1. The department shall determine an initial annual incentive amount which does not exceed eighty percent of the county share of:

- a. Salary, fringe benefits, travel, and per diem costs for any staff member who works on behalf of two or more counties and who spends no more than seventy-five percent of his or her work time on behalf of any one county.
  - b. Salary, travel, and per diem costs of the governing board of the district.
2. The department may determine an additional incentive payment which does not exceed fifty percent of the county share of the cost of equipment purchases where the purchased equipment will be used by, or used to provide benefits to, two or more counties in the district. The additional incentive for equipment may not be included in determining the initial annual incentive amount for purposes of section 75-07-01-08.

**History:** Effective May 1, 1992.

**General Authority:** NDCC 50-01.1-02.1

**Law Implemented:** NDCC 50-01.1-02.1

#### **75-07-01-06. Payment of incentives - Limitation.**

The department may pay incentives to a district, or one or more counties in proposed district, upon claim being made therefor, and within the limits of legislative appropriation and this chapter. Financial incentives made available to a district, or to the counties in a proposed district under this chapter, may not exceed an amount approved by the department or forty thousand dollars per biennium, whichever is less. In the event that a district or proposed district fails to achieve goals described in an approved plan, by the dates or events prescribed for the achievement of those goals, the department may suspend incentive payments until the goals are achieved or may terminate incentive payments.

**History:** Effective May 1, 1992.

**General Authority:** NDCC 50-01.1-02.1

**Law Implemented:** NDCC 50-01.1-02.1

#### **75-07-01-07. Extension of incentives.**

Incentives may be continued for more than six years to promote appropriate expansion of established districts. An expansion requires the addition of at least one county to an established district. If a county is added at any time during a period when a district is receiving incentives under this chapter, the department may extend the period of incentives for up to three years, and may increase the incentive amount if the limitations of section 75-07-01-06 have not been exceeded. A district which seeks to add a county or counties must submit an amended multicounty social service district plan which conforms to the requirements of section 75-07-01-02. No extension may be granted unless the department first approves the amended multicounty district plan.

**History:** Effective May 1, 1992.

**General Authority:** NDCC 50-01.1-02.1

**Law Implemented:** NDCC 50-01.1-02.1

#### **75-07-01-08. Continuing and phasing out incentives.**

1. Except as provided in subsections 2 and 3, incentives may be provided in the following amounts:
  - a. First, second, and third fiscal years - one hundred percent of the initial annual incentive amount.
  - b. Fourth fiscal year - seventy-five percent of the initial annual incentive amount.
  - c. Fifth fiscal year - fifty percent of the initial annual incentive amount.

- d. Sixth fiscal year - twenty-five percent of the initial annual incentive amount.
- 2. If incentives are extended, the amount of extended incentives is determined by multiplying the incentive determined under subsection 1:
  - a. In the first, second, and third fiscal years after the addition of a county or counties, by the initial annual incentive amount which would be determined if the amended multicounty social service district plan were an initial multicounty social service district plan;
  - b. In the fourth year after the addition of a county or counties, by seventy-five percent of the initial annual incentive amount which would be determined if the amended multicounty social service district plan were an initial multicounty social service district plan;
  - c. In the fifth year after the addition of a county or counties, by fifty percent of the initial annual incentive amount which would be determined if the amended multicounty social service district plan were an initial multicounty social service district plan; and
  - d. In the sixth year after the addition of a county or counties, by twenty-five percent of the initial annual incentive amount which would be determined if the amended multicounty social service district plan were an initial multicounty social service district plan.
- 3. Notwithstanding any other provision of this section, no incentive payments may be made to a district after the ninth fiscal year after the fiscal year for which the initial incentive was paid.

**History:** Effective May 1, 1992.

**General Authority:** NDCC 50-01.1-02.1

**Law Implemented:** NDCC 50-01.1-02.1