

PROPOSED AMENDMENTS TO HOUSE BILL NO. 1226

Page 1, line 7, replace "nine" with "ten"

Page 1, line 10, after the fifth comma insert "subsection 4 of section 14-09-09.7, sections"

Page 1, line 16, after the first comma insert "50-06-06.8,"

Page 1, line 20, after the first semicolon insert "to provide for a legislative council study; to provide for a statewide task force;"

Page 3, line 4, remove the overstrike over "and"

Page 3, line 5, remove the overstrike over the period and remove "; and"

Page 3, remove lines 6 and 7

Page 4, line 3, replace "individuals" with "individual"

Page 4, line 24, after "issued" insert "by lottery or by tag"

Page 10, line 6, remove the overstrike over "~~no less~~"

Page 10, line 7, remove the overstrike over "~~frequently than~~"

Page 17, after line 25, insert:

**"SECTION 22. AMENDMENT.** Subsection 4 of section 14-09-09.7 of the 1995 Supplement to the North Dakota Century Code is amended and reenacted as follows:

4. The department shall ~~review~~ institute a new rulemaking proceeding under section 28-32-02 relating to the child support guidelines periodically, as the department determines necessary, but at least once every four years, to ensure that the application of the guidelines results in the determination of appropriate child support award amounts. The initial rulemaking proceeding must be completed by August 1, 1999, and subsequent rulemaking proceedings must be completed at least once every four years thereafter.

Page 19, line 20, after the underscored period insert "\"Payday\" means the day upon which the income payor pays or otherwise credits the obligor.

14."

Page 19, line 24, replace "14" with "15"

Page 20, line 23, replace "22" with "23"

Page 23, line 16, replace "22" with "23"

Page 25, line 11, replace "22" with "23"

Page 32, line 28, after the underscored period insert "A social security number included on a death certificate is exempt from section 44-04-18 and section 6 of article XI of the Constitution of North Dakota."

Page 33, line 4, after "14-08.1-05" insert "and the unpaid child support obligation is at least six months past due"

Page 35, line 11, after the second "form" insert "prescribed by the state directory of new hires"

Page 35, line 12, after "department" insert ", including facsimile transmission, electronic mail, modem transmission, or other means of electronic communication"

Page 36, line 26, after "is" insert "at least six months"

Page 37, after line 23, insert:

"6. A lien under this section is perfected when the lien is recorded on the certificate of title."

Page 37, line 26, after "state" insert "if the value of the vessel is estimated to be at least twice the cost of establishing the lien"

Page 37, line 28, after "name" insert ", social security number,"

Page 38, line 2, replace "retained" with "indexed" and after "state" insert "in the central notice system"

Page 38, line 4, remove "file, index, amend, maintain," and remove the fifth comma

Page 38, line 5, replace "a financing statement filed under" with "provided for other liens in section 11-18-14 for the register of deeds"

Page 38, line 6, remove "chapter 41-09"

Page 38, after line 8, insert:

- "4. A lien under this section is perfected when notice of the lien is filed with the secretary of state.
5. The public authority may file an amendment to correct the social security number of the obligor, to correct the spelling of the obligor's name, or to correct or change the address of the obligor."

Page 38, line 22, after "satisfy" insert "any right of set off which exists in connection with an account, payment orders that were made by the obligor before the financial institution was served with notice of lien, or other"

Page 38, line 23, after "upon" insert "written agreements or"

Page 38, after line 24, insert:

- "3. A lien under this section is perfected when the financial institution is served with notice of the lien."

Page 39, line 3, after "to" insert "and is perfected against"

Page 39, line 8, remove "the obligor"

Page 39, line 9, remove "may demand, and" and after the underscored comma insert "within a reasonable time,"

Page 39, line 13, after "obligor" insert "or other person"

Page 39, line 14, after the underscored period insert "The court shall award reasonable attorney's fees and costs against any person who commences an action that is subsequently dismissed by reason of the immunity granted by this section."

Page 40, after line 11, insert:

**"Social security number not public record.** A social security number provided under this chapter is exempt from section 44-04-18 and section 6 of article XI of the Constitution of North Dakota."

Page 45, line 8, after the first underscored comma insert "share account, share draft account,", replace "or" with "securities account,", and after "market" insert "mutual"

Page 45, line 9, after "account" insert ", or any other account or arrangement that reflects an owner's share or similar equity interest issued by an entity that is registered as an investment company under the federal investment company laws, to the extent the owner is permitted to redeem the share or interest by an order for payment to a third party"

Page 46, line 1, after the third underscored comma insert "securities intermediary,"

Page 46, after line 6, insert:

- "11. "Securities account" has the meaning provided in section 41-08-41.

12. "Securities intermediary" has the meaning provided in section 41-08-02, but does not include a clearing corporation."

Page 46, line 7, replace "11" with "13"

Page 46, line 8, replace "12" with "14"

Page 46, line 10, replace "13" with "15"

Page 47, line 9, remove the overstrike over "~~Comply with~~", after "~~such~~" insert "the", remove the overstrike over "~~provisions, rules, and regulations~~", and remove the overstrike over "~~the federal government~~"

Page 47, line 10, remove the overstrike over "~~may find~~", remove the overstrike over "~~necessary~~", and remove the overstrike over "~~to assure the correctness and~~"

Page 47, line 11, remove the overstrike over "~~verification of the reports to be made.~~" and remove "Make any determination respecting title IV-A"

Page 47, remove line 12

Page 47, after line 31, insert:

- "17. Take actions and adopt rules necessary to entitle the state to receive funds from the federal government under the child care and development block grant [42 U.S.C. 9858, et seq.], as amended.
18. Have authority to establish a program for families that include both a minor child and an incapacitated parent of that minor child, using no federal funds derived from temporary assistance for needy families block grant funds, which otherwise functions in substantially the form and manner of the temporary assistance for needy families program."

Page 49, line 28, replace "stateside" with "statewide"

Page 50, line 17, remove "and"

Page 50, after line 19, insert:

- "d. Be used, to the maximum extent feasible, to receive and disburse child support payments through electronic fund transfers; and"

Page 52, line 11, remove the second "to"

Page 52, line 19, remove "to"

Page 52, line 24, replace "State and local" with "Local"

Page 53, line 4, remove "and"

Page 53, after line 5, insert:

"(k) Subject to an agreement with the state tax commissioner, state tax and revenue records, including information on residence address, employer, income, and assets; and"

Page 53, line 13, remove ", including information" and remove the second underscored comma

Page 53, line 14, replace "such" with "those"

Page 54, after line 2, insert:

"j. Notwithstanding any provision of law making the records confidential:

(1) Provide access to information identifying the amount of payment necessary to obtain the release of a lien taken by the state agency in any property to secure the payment of child support; and

(2) Upon payment of a sufficient amount, satisfy and release that lien."

Page 54, line 4, replace the second "provision of" with "penalties under" and after "50-06-15" insert "and is confidential, except that the information may be used in the administration of any program administered by or under the supervision and direction of the department and as specifically authorized by the rules of the department. Any information received under this section, if not subject to section 44-04-18 and section 6 of article XI of the Constitution of North Dakota in the possession of the person providing the information, is exempt from section 44-04-18 and section 6 of article XI of the Constitution of North Dakota"

Page 54, line 10, replace "No person may be held liable" with "a. A person is immune from suit or any liability"

Page 54, line 11, replace "a." with "(1)"

Page 54, line 13, replace "b." with "(2)"

Page 54, line 15, replace "subsection 1" with "sections 45 and 47 of this Act"

Page 54, line 16, replace "c." with "(3)"

Page 54, after line 17, insert:

"b. The court shall award reasonable attorney's fees and costs against any person who commences an action that is subsequently dismissed by reason of the immunity granted by this section."

Page 59, line 15, overstrike "early childhood services"

Page 59, line 17, after "50-09-24" insert "child care assistance"

Page 59, line 22, after "include" insert "initial acquisition of computers and related hardware approved by the department for the training, education, employment, and management program,"

Page 60, remove lines 12 and 13

Page 60, line 14, remove "administration of the" and overstrike "early childhood services program"

Page 60, line 16, after "~~program~~" insert "temporary assistance for needy families program; and

- b. Seventy-five percent of the amount expended by the county agency for the administration of the child care assistance program"

Page 60, line 19, replace "required by the department" with "of sixty-five cases to one worker"

Page 60, line 20, remove "equipment, computer software," and remove the third underscored comma

Page 60, line 23, remove "Computer software"

Page 60, remove lines 24 and 25

Page 61, line 6, after "chapter" insert ". For purposes of this section, "all counties' shares of program costs" is equal to five and two-tenths percent of statewide program costs of the temporary assistance for needy families program, the child care assistance program, and employment and training programs provided under this chapter"

Page 65, line 7, after the period insert "A new section to chapter 50-09 of the North Dakota Century Code is created and enacted as follows:

Page 65, line 12, remove "no", replace "pregnant" with "otherwise eligible", and replace "not otherwise eligible for" with "in the third trimester of a pregnancy"

Page 65, line 13, remove "assistance"

Page 65, replace lines 21 through 23 with:

- "e. Unless otherwise required by federal law, and except as provided in subdivision m, provide no benefits to noncitizen immigrants who arrive in the United States after August 21, 1996, for the first five years of residence in the United States, and after five years of residence, until the immigrant has ten years of work history, and then provide benefits only after considering the income and assets of the immigrant's sponsor;"

Page 66, replace lines 5 through 8 with:

- "j. Establish goals and take action to prevent and reduce the incidence of out-of-wedlock pregnancies and establish numerical goals for reducing the illegitimacy rate for the state for periods through calendar year 2005;
- k. Conduct a program, designed to reach state and local law enforcement officials, the education system, and relevant counseling services, which provides education and training on the problem of

statutory rape so that teenage pregnancy prevention programs may be expanded in scope to include men;"

Page 66, line 13, after "States" insert "as refugees, asylees, veterans, active duty military personnel, spouses and dependents of active duty military personnel, and Cuban-Haitian entrants"

Page 66, line 16, after "services" insert "which are to be incorporated into the training, education, employment, and management program assessment effective June 30, 1998"

Page 66, remove lines 26 and 27

Page 66, line 28, replace "w" with "v"

Page 66, line 30, replace "x" with "w"

Page 67, line 1, replace "y" with "x"

Page 67, line 4, replace "z" with "y"

Page 67, line 7, replace "aa" with "z"

Page 67, line 12, replace "bb" with "aa" and after "services" insert "that are to be incorporated into the training, education, employment, and management program assessment effective June 30, 1998"

Page 67, line 13, replace "cc" with "bb"

Page 67, line 14, replace "dd" with "cc", replace "Develop and seek" with "Seek the", and after "to" insert "develop and"

Page 67, line 15, after "for" insert "all economic" and replace "under this chapter and chapter 50-24.1" with "programs administered by the county social service boards"

Page 67, line 16, replace "ee" with "dd"

Page 67, line 20, replace "ff" with "ee"

Page 68, line 3, after the underscored period insert "If administratively feasible, the department may establish a program that provides for payment of assistance after performance by individuals required to engage in work activities, as defined in section 6 of this Act.

5."

Page 68, line 9, replace "5" with "6"

Page 68, line 15, replace "6" with "7"

Page 68, line 24, replace "section" with "sections 50-06-06.8 and"

Page 69, replace lines 1 through 4 with:

**"SECTION 79. LEGISLATIVE COUNCIL STUDY.** The legislative council shall study the implementation of the temporary assistance for needy families program in the state during the 1997-98 interim. The study must address the issues of the simplification of all public work programs into a single system, providing a work force preparation and placement program and establishing performance-based outcome measures for all contractors, and the development of a tiered system of benefit support and incentives. The legislative council shall report its findings and recommendations, together with any legislation required to implement the recommendations, to the fifty-sixth legislative assembly.

**SECTION 80. ESTABLISHMENT OF TASK FORCE.** To accomplish the goals and programs provided for in subdivisions j, k, and aa of section 75 of this Act, the department of human services shall establish a statewide task force that includes representatives of all relevant parties."

Page 69, line 5, replace "75" with "76"

Page 69, line 6, replace "23" with "24"

Page 69, line 7, replace "37" with "38" and replace "44" with "45"

Page 69, line 8, replace "46" with "47", replace "49, 51" with "50, 52", replace "53, 55" with "54, 56", and replace "64, 66, 67, 69, 70, 73, and 74" with "65, 67, 68, 70, 71, 74, and 75"

Page 69, line 10, replace "45" with "46"

Page 69, line 12, replace "50, 65, 68, 71, 72, and 76" with "51, 66, 69, 72, 73, and 77"

Page 69, line 14, replace "36" with "37" and replace "54" with "55"

Page 69, line 16, replace "49, 64, and 67" with "50, 65, and 68"

Page 69, line 18, replace "74" with "75"

Page 69, line 20, replace "37" with "38" and replace "44, 46" with "45, 47"

Page 69, line 21, replace "49, 51" with "50, 52", replace "53,55" with "54, 56", and replace "64, 66, 67, 69, 70, 73, and 74" with "65, 67, 68, 70, 71, 74, and 75"

Renumber accordingly