

Sixty-second
Legislative Assembly
of North Dakota

SENATE BILL NO. 2270

Introduced by

Senator Dever

1 A BILL for an Act to amend and reenact section 50-01.2-03.2 of the North Dakota Century
2 Code, relating to county social service board reporting.

3 **BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:**

4 **SECTION 1. AMENDMENT.** Section 50-01.2-03.2 of the North Dakota Century Code is
5 amended and reenacted as follows:

6 **50-01.2-03.2. County duties - Financing in exceptional circumstances.**

7 1. Each county social service board shall administer, under the direction and supervision
8 of the department:

9 a. Locally administered economic assistance programs;

10 b. Replacement programs with substantially similar goals, benefits, or objectives;
11 and

12 c. When necessary, experimental, pilot, or transitional programs with substantially
13 similar goals, benefits, or objectives.

14 2. ~~On or before February twenty-eighth of each year, each county shall report to the~~
15 ~~department the total amount of county funds expended in the previous year to meet~~
16 ~~the cost of providing human services required under this title and the number of mills~~
17 ~~that must have been levied by that county in the prior year to raise that total~~
18 ~~amount.~~From the abstract of tax list prepared pursuant to section 57-20-04, each
19 county shall annually provide the department of human services a report of the total
20 mills levied for human service purposes pursuant to sections 50-03-01, 50-03-06, and
21 50-06.2-05, and the countywide value of a mill in each county. Upon receipt of reports
22 from all counties, the department shall determine the statewide average of the mill
23 levies and identify each county that levied ten mills more than that average. Each

1 identified county is entitled to a share of funds appropriated for distribution under this
2 subsection. Each identified county's share is determined by:

- 3 a. Reducing its mill levy necessary to meet the costs of providing human services
4 required under this title by the statewide average mill levy determined under this
5 subsection plus ten mills;
- 6 b. Determining the amount that could have been raised in that county and year
7 through a mill levy in the amount calculated under subdivision a;
- 8 c. Totaling the amounts determined under subdivision b for all counties entitled to a
9 distribution;
- 10 d. Calculating a decimal fraction equal to each identified county's proportionate
11 share of the total determined under subdivision c; and
- 12 e. Multiplying that decimal fraction times one-half of the biennial appropriation.

- 13 3. Notwithstanding any other provisions of law, the department shall reimburse county
14 social service boards for expenses of locally administered economic assistance
15 programs in counties in which the percentage of that county's average total
16 supplemental nutrition assistance program caseload for the previous fiscal year which
17 reside on federally recognized Indian reservation lands is ten percent or more. The
18 reimbursement must be such that:

- 19 a. An affected county's actual direct costs and indirect costs allocated based on a
20 percentage of each county's direct economic assistance and social services
21 costs for locally administered economic assistance programs will be reimbursed
22 at the percentage of that county's average total supplemental nutrition assistance
23 program caseload for the previous state fiscal year which reside on federally
24 recognized Indian reservation land not to exceed ninety percent;
- 25 b. The affected counties will receive quarterly payments based on the actual county
26 direct and indirect costs, as provided in subdivision a, for the previous state fiscal
27 year;
- 28 c. At the end of each fiscal year the actual quarterly payments paid must be
29 reconciled to the current year of calculation of actual direct and indirect costs as
30 provided in subdivision a and supplemental nutrition assistance program

- 1 caseload and counties must be compensated accordingly in the first quarter of
- 2 the new fiscal year; and
- 3 d. The reimbursement will be calculated for each county and reported to the county
- 4 social service board prior to September first.