

Sixty-third  
Legislative Assembly  
of North Dakota

**HOUSE BILL NO. 1233**

Introduced by

Representatives Weisz, Bellew, Devlin, Porter

Senator J. Lee

1 A BILL for an Act to amend and reenact sections 11-23-01, 50-03-08, 50-06-20, 50-09-27, and  
2 50-24.1-14 of the North Dakota Century Code, relating to programs funded at state expense; to  
3 repeal section 50-09-21.1 of the North Dakota Century Code, relating to foster care and  
4 subsidized adoption costs; to provide for a study of the administration and funding of state and  
5 county social services programs; and to provide an expiration date.

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

7 **SECTION 1. AMENDMENT.** Section 11-23-01 of the North Dakota Century Code is  
8 amended and reenacted as follows:

9 **11-23-01. Officers required to furnish commissioners with departmental budget.**

- 10 1. Every officer in charge of any institution, office, or undertaking supported wholly or in  
11 part by the county shall file with the board of county commissioners a departmental  
12 budget that is prescribed by the state auditor. The departmental budget must include  
13 an itemized statement of the estimated amount of money that will be required for the  
14 maintenance, operation, or improvement of the institution, office, or undertaking for the  
15 ensuing year. The board of county commissioners may require additional information  
16 to clarify the departmental budget.
- 17 2. The departmental budget submitted by the county social service board in 2013 must  
18 identify the reduction in county funding derived from transferring foster care and  
19 subsidized adoption costs pursuant to sections 3, 4, and 6 of this Act and the county's  
20 share of medical assistance and other family preservation services pursuant to  
21 sections 2 and 5 of this Act from the county social service board to the department of  
22 human services beginning August 1, 2013. The amount reported must equal the full  
23 amount budgeted for these costs in the budget submitted by the county social service  
24 board and approved by the board of county commissioners in 2012. The budget must

1 include a statement identifying the total savings to the county. Each board of county  
2 commissioners shall report to the department the property tax reduction this action  
3 provided to property taxpayers in the board's county.

4 **SECTION 2. AMENDMENT.** Section 50-03-08 of the North Dakota Century Code is  
5 amended and reenacted as follows:

6 **50-03-08. Appropriation for county social service board administration and programs.**

7 The board of county commissioners of each county annually shall appropriate and make  
8 available to the human services fund an amount sufficient to pay:

9 1. ~~The the local expenses of administration of locally administered economic assistance~~  
10 ~~programs;~~

11 2. ~~That county's share of fifteen percent of the amount expended in this state, in excess~~  
12 ~~of the amount provided by the federal government, for medical assistance in the form~~  
13 ~~of payments for care furnished to recipients of therapeutic foster care services; and~~

14 3. ~~That county's share of the cost of other family preservation services, including~~  
15 ~~intensive in-home services, provided under title VI-B, subpart 2, of the Social Security~~  
16 ~~Act [Pub. L. 103-66, title XIII, 13711(a)(2); 107 Stat. 649 et seq.; 42 U.S.C. 629 et~~  
17 ~~seq.], as amended, as may be agreed to by the department and the county social~~  
18 ~~service board.~~

19 **SECTION 3. AMENDMENT.** Section 50-06-20 of the North Dakota Century Code is  
20 amended and reenacted as follows:

21 **50-06-20. Programs funded at state expense - Interpretation.**

22 1. The state shall bear the cost, in excess of the amount provided by the federal  
23 government, of:

24 a. Except as provided in section 50-24.1-14, medical assistance program services  
25 provided under chapter 50-24.1;

26 b. ~~Benefits~~Energy assistance program benefits provided under subsection 19 of  
27 section 50-06-05.1;

28 c. Supplements provided under chapter 50-24.5 as basic care services;

29 d. ~~Services provided under chapter 50-09 as child care assistance;~~

30 e. ~~Services provided under chapter 50-09 as employment and training~~

31 ~~programs~~Those services, programs, and costs listed in section 50-09-27;

- 1           ~~f.e.~~   Welfare fraud detection programs;  
2           ~~g.f.~~   Temporary assistance for needy families; and  
3           ~~h.g.~~   Special projects approved by the department and agreed to by any affected  
4                   county social service board.

- 5           2.   This section does not grant any recipient of services, benefits, or supplements  
6                   identified in subsection 1, any service, benefit, or supplement that a recipient could not  
7                   claim in the absence of this section.

8           **SECTION 4. AMENDMENT.** Section 50-09-27 of the North Dakota Century Code is  
9   amended and reenacted as follows:

10       **50-09-27. Programs funded at state expense - Interpretation.**

- 11       1.   The state shall bear the cost, in excess of the amount provided by the federal  
12                   government, of:  
13           a.   Services provided under ~~section 50-06-06.8~~ and this chapter as child care  
14                   assistance;  
15           b.   Services provided under this chapter as employment and training programs; ~~and~~  
16           c.   Temporary assistance for needy families benefits provided under this chapter;  
17                   and  
18           d.   Foster care and subsidized adoption costs under this chapter.  
19       2.   This section does not grant any recipient of services, benefits, or supplements  
20                   identified in subsection 1, any service, benefit, or supplement that a recipient could not  
21                   claim in the absence of this section.

22       **SECTION 5. AMENDMENT.** Section 50-24.1-14 of the North Dakota Century Code is  
23   amended and reenacted as follows:

24       **50-24.1-14. Responsibility for expenditures - Exceptions.**

- 25       ~~1. Except as otherwise specifically provided in subsection 2 and section 50-03-08,~~  
26   expenditures required under this chapter are the responsibility of the federal government or the  
27   state of North Dakota.  
28       ~~2. Each county shall reimburse the department of human services the amount required to~~  
29       ~~be appropriated under subsection 3 of section 50-03-08.~~

30       **SECTION 6. REPEAL.** Section 50-09-21.1 of the North Dakota Century Code is repealed.

1       **SECTION 7. STUDY - ADMINISTRATION AND FUNDING OF STATE AND COUNTY**

2       **SOCIAL SERVICES PROGRAMS.** During the 2013-14 interim, the department of human  
3       services shall study and develop a plan for restructuring the administration and funding of all  
4       state and county social services programs. The plan must provide for the unification of all state  
5       and county social services programs into state administered and funded social services  
6       programs. Before June 1, 2014, the department shall present its findings, the proposed plan,  
7       and any legislative changes necessary to implement that plan to the legislative management.

8       **SECTION 8. EXPIRATION DATE.** Section 1 of this Act is effective through December 31,  
9       2013, and after that date is ineffective.