

Sixty-third
Legislative Assembly
of North Dakota

ENGROSSED HOUSE BILL NO. 1233

Introduced by

Representatives Weisz, Bellew, Devlin, Porter

Senator J. Lee

1 A BILL for an Act to amend and reenact section 11-23-01 of the North Dakota Century Code,
2 relating to the county social service board budget; to provide for department of human services
3 payment for certain social service programs; to provide for the development of a plan for the
4 administration and funding of state and county social services programs; and to provide an
5 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 and the county's share of medical assistance and other
20 family preservation services pursuant to section 2 of this Act from the county social
21 service board to the department of human services beginning August 1, 2013. The
22 amount reported must equal the full amount budgeted for these costs in the budget
23 submitted by the county social service board and approved by the board of county
24 commissioners in 2012. The budget must include a statement identifying the total

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

4 **SECTION 2. DEPARTMENT OF HUMAN SERVICES TO PAY LOCAL EXPENSES OF**

5 **ADMINISTRATION OF CERTAIN SOCIAL SERVICE PROGRAMS.** Notwithstanding sections
6 50-03-08, 50-06.2-05, 50-09-21.1, and 50-24.1-14, or any other provision in title 50 to the
7 contrary, the department of human services shall pay the county share of, and the local
8 expenses of administration incurred by, a county for the foster care program, including family
9 preservation programs; subsidized adoption; and service payments for the elderly and disabled
10 programs. Notwithstanding any provision in title 50 to the contrary, the department of human
11 services also shall pay the local expenses of administration incurred by a county for all social
12 services delivered by the county at the direction of the department of human services under
13 title 50. The department shall pay the county share and local expenses of administration under
14 this section during the 2013-15 biennium pending the outcome of the plan to be developed
15 pursuant to section 3 of this Act. The department of human services shall develop a process by
16 which the department and a county determine whether to fill a vacant county social service
17 position that has responsibility for any portion of the programs delivered by the county at the
18 direction of the department of human services under title 50. A county social service employee
19 may not receive a salary increase in excess of the increase authorized by the legislative
20 assembly for state employees.

21 **SECTION 3. DEVELOPMENT OF PLAN FOR ADMINISTRATION AND FUNDING OF**

22 **STATE AND COUNTY SOCIAL SERVICES PROGRAMS.** During the 2013-14 interim, the
23 department of human services shall develop a plan for restructuring the administration and
24 funding of all state and county social services programs. The plan must provide for the
25 unification of all state and county social services programs into state administered and funded
26 social services programs by July 1, 2015. Before June 1, 2014, the department shall present its
27 findings, the proposed plan, and any legislative changes necessary to implement that plan to
28 the legislative management.

29 **SECTION 4. EXPIRATION DATE.** Section 1 of this Act is effective through December 31,
30 2013, and after that date is ineffective. Section 2 of this Act is effective through July 31, 2015,
31 and after that date is ineffective.