

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 **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.