

PROPOSED AMENDMENTS TO ENGROSSED SENATE BILL NO. 2012

Page 1, line 2, after “exemption” insert “; to create and enact two new sections to chapter 50-06 of the North Dakota Century Code, relating to human service zones”

Page 3, line 29, remove “subdivisions 1, 2, and 3 of”

Page 4, remove lines 3 through 8

Page 4, line 9, remove “health and human services.”

Page 8, after line 2, insert:

“**SECTION 16.** A new section to chapter 50-06 of the North Dakota Century Code is created and enacted as follows:

1. Notwithstanding any other provision of law:
 - a. Human service zone team members are employees of the state and not employees of the county within the human service zone in which the human service zone administrative office is located. A human service zone director shall consult with the department to hire, separate from employment, or discipline a human service zone team member. The department shall act on human service zone team member’s grievances.
 - b. A human service zone director is an employee of the state and is hired, separated from employment, or disciplined by the department. The human service zone board shall participate on the interview panel, be an active participant, and make a recommendation to the department before the department takes action to hire the human service zone director.
 - c. “Host county” means the county within the human service zone in which the human service zone administrative office is located.

- d. “Human service zone team member” means a state employee who is responsible for administering or delivering human services under the direction of the human service zone director.
- 2. Notwithstanding the human service zone team members becoming state employees:
 - a. Except as set forth in subdivision c, counties, including the elected officials within the counties, shall continue to pay indirect costs, to provide space, vehicles, goods, and services to support human services, and with their roles, duties, and responsibilities to the human service zones and human service zone team members, including:
 - (1) State’s attorneys in accordance with sections 11-16-01 and 50-01.2-05, except the state’s attorney may not act as the legal advisor or represent the human service zone regarding employer actions taken against the human service zone team member;
 - (2) Local law enforcement agencies for child welfare matters;
 - (3) Auditors in accordance with sections 11-23-01, 50-01.1-04, and 50-01.2-02 and chapter 50-35;
 - (4) Treasurer in accordance with sections 50-01.1-04 and 50-35-06; and
 - (5) Board of county commissioners in accordance with section 11-23-01 and chapters 50-01.1, 50-01.2, and 50-35.
 - b. The counties continue to have authority to combine and consolidate their former county agencies into human service zones in the manner provided in chapter 50-01.1.

- c. The state shall provide information technology services to the human service zone team members.
- 3. Human service zone directors or designees may provide testimony on services and programs provided by the human service zone and department's administration and operations involving the human service zones and make recommendations to the department for improvement in services, programs, administration, and operations.
- 4. The department may not transfer a full-time equivalent position out of a human service zone if that transfer would negatively impact the human service zone's ability to supply an adequate level and quality of social and economic assistance services.
- 5. The department may not reduce the number of current access points for individuals to apply for and receive services within a human service zone without approval by the boards of county commissioners. The department may adjust staffing levels at the current access points to efficiently coordinate and conduct human services activities within the human service zones.

SECTION 17. A new section to chapter 50-06 of the North Dakota Century Code is created and enacted as follows:

- 1. The department, including the human service zone directors, and the North Dakota association of counties shall work together during the 2023-25 interim to identify any statutory provisions that are required to be updated based on human service zone team members becoming employees of the state.
- 2. The information technology department, the department, and human service zone directors shall work together and coordinate to transition human service zone team members to employees of the state.
- 3. The department shall work with the human service zone directors to maintain standardized administrative and

operational practices and to identify and direct human service zone team members to perform statewide administrative and operational services to the human service zones to support or provide assistance to the department or human service zones, including the transfer of human service zone team members to employees of the state.”

Page 8, line 3, replace “16” with “18”

Page 9, line 12, replace “17” with “19”

Page 9, line 20, replace “18” with “20”

Page 10, line 3, replace “19” with “21”

Page 10, line 4, replace “20” with “22”

Page 10, line 8, replace “21” with “23”

Page 10, line 12, replace “22” with “24”

Page 10, line 18, replace “23” with “25”

Page 10, line 28, replace “24” with “26”

Page 11, line 29, replace “25” with “27”

Page 12, line 3, replace “26” with “28”

Page 12, line 7, replace “27” with “29”

Page 12, line 14, replace “28” with “30”

Page 12, line 21, replace “29” with “31”

Page 12, line 27, replace “30” with “32”

Page 13, line 3, replace “31” with “33”

Page 13, after line 6, insert:

“SECTION 34. TRANSFER OF EMPLOYEES - HEALTH INSURANCE COVERAGE.

1. All human service zone team members shall become full-time equivalent positions of the department of health and human services by January 1, 2025.
2. A human service zone team member who becomes a state employee under this section is entitled to receive a salary in an

amount not less than the salary received as a team member of the host county.

3. Each year of county or host county employment of a team member who is transferred under this section will be considered a year of state employment for purposes of section 54-06-14.
4. Before the transfer of the full-time equivalent position from the host county to the department of health and human services, the host county shall pay the employer's share of any premium that is necessary to continue any existing health insurance coverage for team members who are transferred under this section for one month after the effective date of this transfer.
5. Any equipment, including technology-related equipment, furnishings, and supplies in the control and custody of a county or human service zone on the effective date of an employment transfer from the host county to the department of health and human services under this section, must be transferred to the control and custody of the department of health and human services if requested.
6. The department of health and human services may utilize the full-time equivalent position transfers from the human service zones to support or provide assistance to the human service zones.

SECTION 35. CONTINGENT EFFECTIVE DATE. Section 16 of this Act becomes effective on the date the commissioner of the department of health and human services certifies to legislative council that human service zone team members have been transferred to state employment and no later than January 1, 2025.”

Page 13, line 7, replace “32” with “36”

Page 13, line 7, replace “19” with “21”