

# MICROFILM DIVIDER

OMB/RECORDS MANAGEMENT DIVISION

SFN 2053 (2/85) 5M



ROLL NUMBER

DESCRIPTION

1110

2001 HOUSE HUMAN SERVICES

HB 1110

2001 HOUSE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. 1110

House Human Services Committee

☐ Conference Committee

Hearing Date January 10, 2001

Tape Number	Side A	Side B	Meter #
Tape 1		X	606 to 1080
Committee Clerk Signature <i>Cornie Easton</i>			

Minutes:

Chairman Price, Rep. Dosch, Rep. Galvin, Rep. Klein, Rep. Pollert, Rep. Porter, Rep. Tieman, Rep. Weiler, Rep. Weisz, Rep. Cleary, Rep. Metcalf, Rep. Niemeier, Rep. Sandvig

Chairman Price: We open hearing on HB 1110. Clerk will read the title.

Blaine Nordwall: Director of the Economic Assistance Policy Division of the Department of Human Services. (See Testimony) This bill is intended to address the problem when these old claims are asserted. We have been concerned about these accrued interests, because it often comes as a surprise to individuals because they've forgotten about a claim. What we would like to see, and what the bill does is specifies we aren't going to collect interest on any future claims. We request that committee give this HB 1110 a DO PASS.

Chairman Price: How many claims are there left?

Blaine Nordwall: We have no idea. Whether the claim has any value, depends on if there was any value to the assets. We have long since discarded the records that would allow us to go out

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and identify each and every claim and be pro active about them.. These are discovered through title claims.

Chairman Price: Anyone needs to testify in favor of HB 1110? Is there anyone in opposition to HB 1110? We will close the hearing on HB 1110.

**DO PASS 14 YES 0 NO 0 ABSENT CARRIED BY REP. WEILER**

**FISCAL NOTE**  
 Requested by Legislative Council  
 12/18/2000

Bill/Resolution No.: HB 1110

Amendment to:

**1A. State fiscal effect:** *Identify the state fiscal effect and the fiscal effect on agency appropriations compared to funding levels and appropriations anticipated under current law.*

	1999-2001 Biennium		2001-2003 Biennium		2003-2005 Biennium	
	General Fund	Other Funds	General Fund	Other Funds	General Fund	Other Funds
<b>Revenues</b>						
<b>Expenditures</b>						
<b>Appropriations</b>						

**1B. County, city, and school district fiscal effect:** *Identify the fiscal effect on the appropriate political subdivision.*

1999-2001 Biennium			2001-2003 Biennium			2003-2005 Biennium		
Counties	Cities	School Districts	Counties	Cities	School Districts	Counties	Cities	School Districts

**2. Narrative:** *Identify the aspects of the measure which cause fiscal impact and include any comments relevant your analysis.*

This bill would change the N.D.C.C. to reflect the current policy being applied by the Department on the collection of Aid to Aged, Blind, and Disabled (AABD) obligations. Benefits have not been issued under AABD since 1975. While the Department continues to collect benefits previously issued under AABD due to homestead claims, collections are sporadic and are minimal in amount. The Department did not collect accrued interest on AABD claims paid from July 1997 - present. In August 1999, an official policy change was made by the Department to discontinue collecting accrued interest on AABD claims. Based upon these factors, there would not be a fiscal impact as a result of this bill.

**3. State fiscal effect detail:** *For information shown under state fiscal effect in 1A, please:*

**A. Revenues:** *Explain the revenue amounts. Provide detail, when appropriate, for each revenue type and fund affected and any amounts included in the executive budget.*

**B. Expenditures:** *Explain the expenditure amounts. Provide detail, when appropriate, for each agency, line item, and fund affected and the number of FTE positions affected.*

**C. Appropriations:** *Explain the appropriation amounts. Provide detail, when appropriate, of the effect on the biennial appropriation for each agency and fund affected and any amounts included in the executive*

*budget. Indicate the relationship between the amounts shown for expenditures and appropriations.*

<b>Name:</b>	Brenda Weisz	<b>Agency:</b>	Department of Human Services
<b>Phone Number:</b>	328-2397	<b>Date Prepared:</b>	12/21/2000

Renumber accordingly

#### REPORT OF STANDING COMMITTEE

**HB 1073**, as amended, Education Committee (Rep. R. Ketsch, Chairman) recommends **DO PASS** AMENDMENTS AS FOLLOWS and when so amended, recommends **DO PASS** (13 YEAS, 2 NAYS, 0 ABSENT AND NOT VOTING). placed on the Sixth order on the calendar

Page 1, line 9, remove the overstrike over "and must be held", after "at" insert "in", remove the overstrike over "the county", and after "seal" insert "or adjacent county of the land being leased"

Renumber accordingly

#### REPORT OF STANDING COMMITTEE

**HB 1110**: Human Services Committee (Rep. Price, Chairman) recommends **DO PASS** (14 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). **HB 1110** was placed on the Eleventh order on the calendar.

#### REPORT OF STANDING COMMITTEE

**HB 1111**: Human Services Committee (Rep. Price, Chairman) recommends **DO NOT PASS** (13 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). **HB 1111** was placed on the Eleventh order on the calendar.

#### REPORT OF STANDING COMMITTEE

**HB 1142**: Education Committee (Rep. R. Ketsch, Chairman) recommends **DO PASS** (15 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). **HB 1142** was placed on the Eleventh order on the calendar.

#### FIRST READING OF HOUSE BILLS

Reps. Hawken, Timm and Sens. Fischer, G. Nelson introduced:

**HB 1324**: A BILL for an Act to amend and reenact sections 51-07-01, 51-07-01.1, 51-07-02, and 51-07-03 of the North Dakota Century Code, relating to the relationship between semitrailer wholesalers and retailers.

Was read the first time and referred to the Agriculture Committee.

Reps. Pietsch, Aarsvold, Byerly and Sen. Lyson introduced:

**HB 1325**: A BILL for an Act to amend and reenact subdivision j of subsection 2 of section 39-04-18 and subsection 1 of section 57-40.3-04 of the North Dakota Century Code, relating to motor vehicle excise tax exemptions for motor vehicles acquired or leased by disabled veterans; and to provide an effective date.

Was read the first time and referred to the Finance and Taxation Committee.

Reps. Grande, Brandenburg and Sens. Klein, Solberg introduced:

**HB 1326**: A BILL for an Act to amend and reenact section 15-38-17 of the North Dakota Century Code or in the alternative to amend and reenact section 15.1-13-02 and subsection 2 of section 15.1-13-29 of the North Dakota Century Code, relating to the membership of the education standards and practices board; and to provide an effective date.

Was read the first time and referred to the Education Committee.

Reps. Eckre, Aarsvold, Kretschmar, Nicholas and Sens. O'Connell, Wardner introduced:

**HB 1327**: A BILL for an Act to amend and reenact sections 58-06-02, 58-07-01, and 58-08-01 of the North Dakota Century Code, relating to compensation of township officers.

Was read the first time and referred to the Political Subdivisions Committee.

Reps. Brandenburg, D. Johnson, Nelson, Nicholas and Sens. Christmann, Wanzek introduced:

**HB 1328**: A BILL for an Act to amend and reenact section 11 of chapter 31 of the 1999 Session Laws, relating to the membership and the responsibilities of the crop harmonization committee; and to provide an appropriation.

Was read the first time and referred to the Agriculture Committee.

Reps. Jensen, Ekstrom, Kingsbury and Sens. Christenson, Espgaard introduced:

**HB 1329**: A BILL for an Act to provide immunity from suit for a financial institution or financial institution employee that makes a good-faith report of suspected exploitation of a disabled or vulnerable elderly adult; and to create and enact a new subsection to section 1-03 of the North Dakota Century Code, relating to the disclosure by a financial institution of suspected exploitation of a disabled or vulnerable elderly adult to a government agency or law enforcement agency.

Was read the first time and referred to the Judiciary Committee.

Reps. Klemm, Hawken, Renner and Sen. Traynor introduced:

**HB 1330**: A BILL for an Act to amend and reenact section 35-17-03 of the North Dakota Century Code, relating to priority of agister's liens; and to repeal sections 35-30-03 and 35-31-03 of the North Dakota Century Code, relating to priority of agricultural processor's and agricultural supplier's liens.

Was read the first time and referred to the Agriculture Committee.

Reps. Haas, L. Thoreson and Sens. Urlacher, Wardner introduced:

**HB 1331**: A BILL for an Act to amend and reenact section 16.1-01-09 of the North Dakota Century Code, relating to initiative and referendum petitions.

Was read the first time and referred to the Judiciary Committee.

Reps. D. Johnson, Mueller and Sen. Klein introduced:

**HB 1332**: A BILL for an Act to create and enact a new section to chapter 11-10 of the North Dakota Century Code, relating to counties not issuing refunds of taxes or fees unless the amount to be refunded is five dollars or more.

Was read the first time and referred to the Political Subdivisions Committee.

Reps. Nelson, Froserth, D. Johnson and Sens. Every, Solberg introduced:

**HB 1333**: A BILL for an Act to amend and reenact section 20.1-03-07.1 of the North Dakota Century Code, relating to nonresident waterfowl hunting.

Was read the first time and referred to the Natural Resources Committee.

Reps. F. Klein, Haas and Sen. Urlacher introduced:

**HB 1334**: A BILL for an Act to amend and reenact subsection 15 of section 57-02-08 of the North Dakota Century Code, relating to income limitations that apply to the property tax exemption for farm residences and buildings; and to provide an effective date.

Was read the first time and referred to the Finance and Taxation Committee.

Reps. Bellew, DeKrey, Eckre, Haas and Sens. Dever, Freborg introduced:

**HB 1335**: A BILL for an Act to amend and reenact sections 15.1-09-14, 15.1-09-15, 15.1-09-24, 15.1-09-25, 40-09-04, 40-21-02, 40-21-07, and 40-21-12 of the North Dakota Century Code, relating to canvassing school district election results, members of school boards taking oaths of office and failing to qualify for office, terms of city commissioners, withdrawal of city nominating petitions, and canvassing city election results.

Was read the first time and referred to the Political Subdivisions Committee.

Rep. F. Klein and Sen. Dever introduced:

**HB 1336**: A BILL for an Act to repeal section 2 of chapter 188 of the 1987 Session Laws, relating to reversion of property not used as a fairgrounds in Stark County.

Was read the first time and referred to the Political Subdivisions Committee.

Reps. B. Thoreson, Belter, Keiser and Sens. Klein, G. Nelson, Stenehjem introduced:

**HB 1337**: A BILL for an Act to amend and reenact sections 16.1-08.1-01 and 16.1-08.1-03.3 of the North Dakota Century Code, relating to definitions with respect to campaign contributions; and to provide a penalty.

Was read the first time and referred to the Finance and Taxation Committee.

Reps. Mueller, Brandenburg, Nelson and Sens. Kroeplin, Urlacher introduced:

**HB 1338**: A BILL for an Act to impose a moratorium on the sale of genetically modified wheat seed.

Was read the first time and referred to the Agriculture Committee.

#### FIRST READING OF HOUSE CONCURRENT RESOLUTION

Reps. Onstad, S. Kelsch, Kroeber and Sens. Lyson, Wardner introduced:

**HCR 3010**: A concurrent resolution directing the Legislative Council to study the property tax exemption for public housing authorities.

Was read the first time and referred to the Finance and Taxation Committee.

#### FIRST READING OF SENATE BILLS

**SB 2048**: A BILL for an Act to amend and reenact section 54-03-20 of the North Dakota Century Code, relating to compensation of members of the legislative assembly; to provide for retroactive application; and to declare an emergency.

Was read the first time and referred to the Government and Veterans Affairs Committee.

**SB 2085**: A BILL for an Act to create and enact a new section to chapter 10 of the North Dakota Century Code, relating to administrative agreements for the issuance

2001 SENATE HUMAN SERVICES

HB 1110



2001 SENATE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. HB 1110

Senate Human Services Committee

☐ Conference Committee

Hearing Date February 20, 2001

Tape Number	Side A	Side B	Meter #
1	X		
Committee Clerk Signature <i>Carol Holodyschuk</i>			

Minutes:

The committee was called to order by SENATOR LEE. Roll call revealed all Senators present. BLAINE NORDWALL, Dept of Human Services, explained the bill (Written testimony). He supports the bill. SENATOR MATHERN: Why did you go to no interest instead of a smaller sum. MR. NORDWALL: We just decided to waive the interest. It happened because of a certain instance and no amount was discussed because it was a hardship situation. SENATOR LEE: How many claims have you had? MR. NORDWALL: They range from \$15 to \$10,000; about 15 claims.

No more testimony.

The hearing was closed on HB 1110.

SENATOR ERBELE moved a DO PASS. SENATOR KILZER seconded the motion. Roll call vote carried 6-0. SENATOR LEE will carry the bill.

Roll Call Vote #: /

Date: 2/20/01

2001 SENATE STANDING COMMITTEE ROLL CALL VOTES  
BILL/RESOLUTION NO. 1110

Senate HUMAN SERVICES Committee

☐ Subcommittee on \_\_\_\_\_  
or  
☐ Conference Committee

Legislative Council Amendment Number \_\_\_\_\_

Action Taken Do pass

Motion Made By Sen Erbele Seconded By Sen Kilzer

Senators	Yes	No	Senators	Yes	No
Senator Lee, Chairperson	✓		Senator Polovitz	✓	
Senator Kilzer, Vice-Chairperson	✓		Senator Mathern	✓	
Senator Erbele	✓				
Senator Fischer	✓				

Total (Yes) 6 No 0

Absent 6

Floor Assignment Sen Lee

If the vote is on an amendment, briefly indicate intent:

**REPORT OF STANDING COMMITTEE (410)**  
February 21, 2001 8:13 a.m.

**Module No: SR-32-4134**  
**Carrier: Lee**  
**Insert LC: . Title: .**

**REPORT OF STANDING COMMITTEE**

**HB 1110: Human Services Committee (Sen. Lee, Chairman)** recommends **DO PASS**  
(6 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1110 was placed on the  
Fourteenth order on the calendar.

2001 TESTIMONY

HB 1110

**TESTIMONY BEFORE THE  
SENATE HUMAN SERVICES COMMITTEE  
REGARDING HOUSE BILL NO. 1110**

**February 20, 2001**

**Chairman Lee, members of the Senate Human Services Committee, my name is Blaine Nordwall. I am Director of the Economic Assistance Policy Division of the Department of Human Services.**

**The Aid to the Aged, Blind, and Disabled program was administered under repealed N.D.C.C. ch. 50-24. The program served to provide cash grants to aged, blind, and disabled persons much as the AFDC program did for dependent families. In 1975, the federal government took over operations of the program when the Supplemental Security Income program was created.**

**Like the Medicaid program, the Aid to the Aged, Blind, and Disabled program required states to seek recovery of benefits from the estates of deceased recipients. The department's predecessor agency, the Social Service Board of North Dakota, was also required to establish liens on recipients' property to secure the eventual recovery of benefits. Consistent with these expectations, when the 1979 Legislature repealed chapter 50-24, it required that those recovery efforts continue, and left the liens in place.**

**The department continues to make claims, though, after 25 years, the number of cases in which claims are made is quite small. House Bill 1110 is intended to address a problem that arises when these claims are asserted after so many years. The problem is one of accrued interest.**

**In many cases, the lien instruments filed are mortgages that provide for the payment of interest at rates ranging from two percent to six percent. In cases where interest is not specifically provided, N.D.C.C. § 47-14-05 requires interest at the rate of six percent per annum. While these interest rates are**

modest, interest will have accrued from 25 to 65 years on these claims. Total accrued interest is usually at least one and a half times the amount of the original claim.

The department has been concerned about accrued interest for some time, and, in fact, has not collected accrued interest on any AABD claim since before July of 1997.

As the fiscal note indicates, because we already discontinued collecting interest, we don't see any fiscal impact as a result of this bill. However, because of the outstanding instruments, and because of the statutory provision for the collection of interest, the department is reluctant to rely upon mere policy in foregoing accrued interest.

The department respectfully requests the Committee afford House Bill 1110 a do pass.

Presented by:

Blaine L. Nordwall  
Director, Economic Assistance Policy  
ND Department of Human Services