

**SECOND ENGROSSMENT
with Conference Committee Amendments**

REENGROSSED HOUSE BILL NO. 1540

Introduced by

Representatives Vigesaa, Boe, Kerzman

Senators Andrist, Warner

1 A BILL for an Act to amend and reenact subsection 3 of section 50-01.2-03.2 of the North
2 Dakota Century Code, relating to the funding of economic assistance programs in counties with
3 federally recognized Indian reservation land; to provide an appropriation; and to provide an
4 effective date.

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

6 **SECTION 1. AMENDMENT.** Subsection 3 of section 50-01.2-03.2 of the North Dakota
7 Century Code is amended and reenacted as follows:

8 3. Notwithstanding any other provisions of law, the department shall reimburse
9 county social service boards for expenses of locally administered economic
10 assistance programs in counties in which ~~more than twenty percent of the~~
11 ~~easeload for these programs consists of people who reside on a~~ the percentage of
12 that county's average total supplemental nutrition assistance program caseload for
13 the previous fiscal year which reside on federally recognized Indian reservation ~~or~~
14 ~~property tax exempt tribal trust~~ lands is ten percent or more. The reimbursement
15 must be such that:

16 a. An affected county's ~~expenses~~ actual direct costs and indirect costs allocated
17 based on a percentage of each county's direct economic assistance and
18 social services costs for locally administered economic assistance programs
19 ~~in excess of the statewide average of such costs, expressed in mills, for all~~
20 ~~other counties~~ will be reimbursed at ~~one hundred percent~~ the percentage of
21 that county's average total supplemental nutrition assistance program
22 caseload for the previous state fiscal year which reside on federally
23 recognized Indian reservation land not to exceed ninety percent;

- 1 b. ~~Each calendar year the~~ The affected counties will receive quarterly
2 allocations payments based on the actual county ~~expenses~~ direct and indirect
3 costs, as provided in subdivision a, for the ~~state fiscal year ending the~~
4 previous ~~June thirtieth and the most recent taxable valuations published~~
5 ~~pursuant to section 57-13-07 available on that date~~ state fiscal year; and
6 c. At the end of each fiscal year the actual quarterly payments paid must be
7 reconciled to the current year of calculation of actual direct and indirect costs
8 as provided in subdivision a and supplemental nutrition assistance program
9 caseload and counties must be compensated accordingly in the first quarter
10 of the new fiscal year; and
11 e. d. The reimbursement will be calculated for each county and reported to the
12 county social service board prior to ~~August~~ September first ~~of the year~~
13 preceding the allocation.

14 **SECTION 2. APPROPRIATION.**

- 15 1. There is appropriated out of any moneys in the general fund in the state treasury,
16 not otherwise appropriated, the sum of \$549,938, or so much of the sum as may
17 be necessary, to the department of human services for the purpose of reimbursing
18 the expenses of locally administered economic assistance programs in counties
19 that contain federally recognized Indian reservation land, for the biennium
20 beginning July 1, 2009, and ending June 30, 2011.
- 21 2. Each affected county shall reduce that county's human services budget by the
22 amount saved by the implementation of section 1 of this Act and shall publish the
23 property tax savings in that county's official newspaper.

24 **SECTION 3. EFFECTIVE DATE.** This Act becomes effective on July 1, 2010.