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Sixty-first
Legislative Assembly
of North Dakota

SECOND ENGROSSMENT
with Senate Amendments

REENGROSSED HOUSE BILL NO. 1540

Introduced by

Representatives Vigesaa, Boe, Kerzman

Senators Andrist, Warner

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

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

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

3. Notwithstanding any other provisions of law, the department shall reimburse county social service boards for expenses of locally administered economic assistance programs in counties ~~in which more than twenty percent of the caseload for these programs consists of people who reside on a~~ that contain federally recognized Indian reservation ~~or property tax-exempt tribal trust~~ lands. The reimbursement must be such that:

   a. An affected county's ~~expenses~~ actual direct costs and indirect costs allocated based on a percentage of each county's direct economic assistance and social services costs for locally administered economic assistance programs ~~in excess of the statewide average of such costs, expressed in mills, for all other counties~~ will be reimbursed at ~~one hundred percent~~ the percentage of that county's average total supplemental nutrition assistance program caseload for the previous state fiscal year which reside on federally recognized Indian reservation land;

   b. ~~Each calendar year the~~ The affected counties will receive quarterly ~~allocations~~ payments based on the actual county ~~expenses~~ direct and indirect costs, as provided in subdivision a, for the ~~state fiscal year ending the~~

previous ~~June thirtieth and the most recent taxable valuations published pursuant to section 57-13-07 available on that date~~ state fiscal year; ~~and~~

c. At the end of each fiscal year the actual quarterly payments paid must be reconciled to the current year of calculation of actual direct and indirect costs as provided in subdivision a and supplemental nutrition assistance program caseload and counties must be compensated accordingly in the first quarter of the new fiscal year; and

d. The reimbursement will be calculated for each county and reported to the county social service board prior to ~~August~~ September first ~~of the year preceding the allocation~~.

SECTION 2. APPROPRIATION.

1. There is appropriated out of any moneys in the general fund in the state treasury, not otherwise appropriated, the sum of $1,215,650, or so much of the sum as may be necessary, to the department of human services for the purpose of reimbursing the expenses of locally administered economic assistance programs in counties that contain federally recognized Indian reservation land, for the biennium beginning July 1, 2009, and ending June 30, 2011.
2. Each affected county shall reduce that county's human services budget by the amount saved by the implementation of section 1 of this Act and shall publish the property tax savings in that county's official newspaper.