

**BEFORE THE  
ADMINISTRATIVE RULES COMMITTEE  
OF THE  
NORTH DAKOTA LEGISLATIVE COUNCIL**

<b>N.D. Admin. Code Chapter</b>	)	<b><u>REPORT OF THE</u></b>
<b>75-01-04, Human Services Grant</b>	)	<b><u>DEPT. OF HUMAN SERVICES</u></b>
<b>Program</b>	)	<b>December 7, 2015</b>
<b>(Pages 1399-1400)</b>	)	

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For its report, the North Dakota Department of Human Services states:

1. The proposed creation of N.D. Admin. Code chapter 75-01-04 is a result of a statutory change made by the Legislative Assembly in 2015 Senate Bill No. 2206.
2. These rules are not related to changes in a federal statute or regulation.
3. The Department of Human Services uses direct and electronic mail as the preferred ways of notifying interested persons of proposed rulemaking. The Department uses a basic mailing list for each rulemaking project that includes the county social service board directors, the regional human service centers, Legal Services offices in North Dakota, all persons who have asked to be on the basic list, and internal circulation within the Department. Additionally, the Department constructs relevant mailing lists for specific rulemaking. The Department also places public announcements in all county newspapers advising generally of the content of the rulemaking, of over 50 locations throughout the state where the proposed rulemaking documents may be reviewed, and stating the location, date, and time of the public hearing.

The Department conducts public hearings on all substantive rule-making. Oral comments are recorded. Oral comments, as well as any written comments that have been received, are summarized and presented to the Department's executive director, together with any response to the comments that may seem appropriate and a re-drafted rule incorporating any changes occasioned by the comments.

4. A public hearing on the proposed rules was held in Bismarck on July 27, 2015. The record was held open until 5:00 p.m. on August 6, 2015, to allow written comments to be submitted. No comments were received. A summary of the comments is attached to this report.
5. The cost of giving public notice, holding a hearing, and the cost (not including staff time) of developing and adopting the rules was \$2,211.65.
6. The proposed rules create chapter 75-01-04. Specifically:
  - Section 75-01-04-01. Section 75-01-04-01 is created to establish definitions relevant to the Human Services Grant Program.
  - Section 75-01-04-02. Section 75-01-04-02 is created to identify how a county may apply for a grant and the deadline by which a county's application must be submitted.
  - Section 75-01-04-03. Section 75-01-04-03 is created to explain how a county is verified as eligible for and approved to receive a grant and how the department will adjust grant awards if the amount for which grants are applied exceeds the amount of the appropriation for the program.

7. No written requests for regulatory analysis have been filed by the Governor or by any agency. The proposed amendments are not expected to have an impact on the regulated community in excess of \$50,000. A regulatory analysis was prepared and is attached to this report.
8. A small entity regulatory analysis and small entity economic impact statement were prepared and are attached to this report.
9. These rules have an anticipated fiscal impact of \$3.9 million, not to exceed \$1.9 million in the first year of the biennium and \$2 million in the second year of the biennium. All of the funding for the Human Services Grant Program is from the state general fund. This amount was included in the Department's appropriation for the 2015-2017 biennium.
10. A constitutional takings assessment was prepared and is attached to this report.
11. These rules were adopted as emergency (interim final) rules as directed by 2015 Senate Bill No. 2206. The chapter took effect on June 19, 2015.

Prepared by:

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