

# PUBLIC WELFARE

## CHAPTER 345

S. B. No. 290

(Committee on Delayed Bills)  
(By request)

### NURSING HOMES AND HOMES FOR AGED

#### AN ACT

Establishing a revolving fund for the purpose of making loans to nonprofit corporations for the construction of nursing homes and homes for the aged, providing for the administration of such loan program, and making an appropriation.

*Be It Enacted by the Legislative Assembly of the State of North Dakota:*

**§ 1. Establishment of Revolving Loan Fund.)** There is hereby established a revolving loan fund for the purpose of making loans to nonprofit corporations to be used in the construction or reconstruction of nursing homes, homes for the aged and infirm, or combination nursing homes and homes for the aged and infirm. All funds transferred into this fund, interest upon moneys in the fund, and collections of interest and principal on loans made from this fund are hereby appropriated for the purpose of providing loans in accordance with the provisions of this Act.

**§ 2. Administration of Revolving Fund.)** The revolving fund created in section 1 of this Act and loans made therefrom shall be supervised and administered by the Bank of North Dakota. All applications for loans under the provisions of this Act for the construction of nursing homes or combination nursing homes and homes for the aged and infirm shall be made to the state health department, which department shall be authorized, subject to the approval of the North Dakota health council, to promulgate such rules and regulations as may be necessary to carry out the provisions of this Act. All applications for the construction of homes for the aged and infirm shall be made to the state public welfare board, which board shall promulgate such rules and regulations as may be necessary to carry out the provisions of this Act. Applications approved by the state health department and the North Dakota health council or the public welfare board, as the case may be, shall be forwarded to the Bank of North Dakota. Upon approval of such application by the manager of the Bank of North

Dakota, loans shall be granted by the Bank of North Dakota from the revolving fund in accordance with the provisions of this Act.

**§ 3. Amount of Loan; Terms and Conditions.)** Loans in an amount not exceeding one-third of the cost of construction or reconstruction including the cost or value of real estate upon which the facility is located and in no event exceeding one hundred thousand dollars to any one applicant shall be made by the Bank of North Dakota to nonprofit corporations to be used in the construction or reconstruction in this state of nursing homes, homes for the aged and infirm, or combination nursing homes and homes for the aged and infirm. Such loans shall bear interest at the rate of three percent per annum and shall be repayable in the manner prescribed by the manager of the Bank of North Dakota within a period of not more than twenty-five years. In addition, in consideration of the granting of the loans, each nonprofit corporation shall execute a contract with the state to operate such home for a period of not less than twenty years, and to operate and maintain the home in accordance with the standards prescribed for the licensing of such home by the state health department or public welfare board, as the case may be. Such contract shall also require the nonprofit corporation to maintain facilities for not less than five persons referred to such home by any county welfare board. Such contract shall also provide that if the use of such home is discontinued or if it shall be diverted to other purposes, the full amount of the loan provided under this Act shall immediately become due and payable. Loans shall be made only to an applicant who is not receiving other loans or grants of funds from the government of the United States or this state for such construction or reconstruction. Payments of interest and principal upon such loans shall be made to the Bank of North Dakota and credited to the revolving fund.

**§ 4. Standards; Administration Procedure.)** The state health department, subject to the approval of the state health council, shall establish standards of construction which shall be followed by all applicants receiving loans of funds for the construction of nursing homes or combination nursing homes and homes for the aged and infirm. The public welfare board shall establish standards of construction which shall be followed by all applicants for loans for the construction of homes for the aged and infirm. The health council, in the case of the construction of nursing homes or combination nursing homes and homes for the aged and infirm, and the public welfare board in the case of the construction of homes for the infirm and aged, shall approve all building plans and specifications for any facilities to be constructed in whole or in part with loans of funds provided under the provisions of this Act prior

to the disbursement of any such funds. Administrative procedures established by the health department with the approval of the health council and by the public welfare board, shall, except to construction standards, be in general in accordance with the procedures established for the administration of the federal grant-in-aid program for similar purposes under the Hill-Burton Act, or federal acts supplemental thereto.

**§ 5. Powers of Bank of North Dakota.)** The Bank of North Dakota shall be authorized to do all acts or things necessary to negotiate said loans which shall specifically include the power to take such security as prescribed herein, and to bring suit against any nonprofit corporation in order to collect interest and principal due the revolving fund under contracts and notes executed to obtain loans under the provisions of this Act. In the event the applicant's plan for financing the construction or reconstruction of the facilities provides for a loan of funds from sources other than the state of North Dakota, then the state of North Dakota shall take a second mortgage upon the facilities constructed or reconstructed from the proceeds of the loan.

**§ 6. Appropriation.)** There is hereby appropriated out of any moneys in the public welfare fund, not otherwise appropriated, the sum of one million dollars to be transferred to the revolving fund created in section 1 of this Act for the construction of nursing homes and homes for the aged as provided in this Act.

Approved March 17, 1959.

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CHAPTER 346

S. B. No. 279  
(Longmire)  
(By request)

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COUNTY WELFARE BOARD

AN ACT

To amend and reenact section 50-0108 of the 1957 Supplement to the North Dakota Revised Code of 1943, providing for members of county welfare board; term of office; oath; compensation.

*Be It Enacted by the Legislative Assembly of the State of North Dakota:*

**§ 1. Amendment.)** Section 50-0108 of the 1957 Supplement of the North Dakota Revised Code of 1943 is hereby amended and reenacted to read as follows:

**50-0108. Members of County Welfare Board; Term of Office; Oath; Compensation.)** The members of the county welfare board shall serve for a term of three years or until their successors have duly qualified. Their terms of office shall be arranged so that the term of office of one of the members shall expire in one year, the term of one-half of the remaining members the next year, and the term of the remaining members the third year. Each member of the board shall qualify by taking the oath provided for civil officers. Such oath shall be filed with the county auditor. The members of the county welfare board shall receive, in addition to any salaries they may receive from any other source, from the state or county or any municipality, the sum of ten dollars per day for time actually spent in transacting the business of the board not exceeding a maximum of twenty-five days a year. Members shall be reimbursed by the county for expenses actually incurred in the performance of their official duties and shall be paid legal mileage for necessary travel. In counties having a population in excess of thirty thousand, members of the county welfare board shall receive, in addition to any salaries they may receive from any other source, from the state or county or any municipality, the sum of ten dollars per day for time actually spent in transacting the business of the board not to exceed a maximum of thirty-five days a year. Members shall be reimbursed by the county for expenses actually incurred in the performance of their official duties and shall be paid legal mileage for necessary travel.

Approved March 17, 1959.

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## CHAPTER 347

S. B. No. 286  
(O'Brien and Morgan)  
(By request)

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### COMPENSATION OF MEMBERS OF PUBLIC WELFARE BOARD

#### AN ACT

To amend and reenact section 50-0604 of the 1957 Supplement to the North Dakota Revised Code of 1943, relating to the compensation of members of the public welfare board of North Dakota.

*Be It Enacted by the Legislative Assembly of the State of North Dakota:*

**§ 1. Amendment.)** Section 50-0604 of the 1957 Supplement to the North Dakota Revised Code of 1943 is hereby amended and reenacted to read as follows:

**50-0604. Members of Board; Compensation.)** The members of the public welfare board shall receive fifteen dollars per day, not to exceed seventy-five days in any one year, and their necessary expenses for travel while attending meetings, or in the performance of such special duties as the board may direct. Such per diem and expenses shall be audited and paid in the manner in which the expenses of state officers are audited and paid. The compensation provided for in this section shall not be paid to any member of the board who receives a salary or other compensation from the state, or any of its political subdivisions, or any institution or industry operated by the state in excess of two hundred fifty dollars a month.

Approved March 2, 1959.

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## CHAPTER 348

S. B. No. 152  
(Longmire and O'Brien)

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### PROPERTY OF OLD AGE ASSISTANCE APPLICANTS

#### AN ACT

To amend and reenact section 50-0705 of the 1957 Supplement to the North Dakota Revised Code of 1943, relating to ownership of property by applicants for old age assistance.

*Be It Enacted by the Legislative Assembly of the State of North Dakota:*

**§ 1. Amendment.)** Section 50-0705 of the 1957 Supplement to the North Dakota Revised Code of 1943 is hereby amended and reenacted to read as follows:

**50-0705. Ownership of Property or Insurance Policy Does Not Preclude Granting of Assistance: Transferred in Trust.)** The ownership of real or personal property by an applicant for old age assistance or by the spouse of such applicant, either individually or jointly, or of insurance on the life of the applicant shall not preclude the granting of old age assistance if the applicant is without funds for his support. But if the applicant is the owner of real property, other than a homestead, of a life insurance policy having a cash surrender value of more than three hundred dollars, or of personal property other than household goods, wearing apparel and personal effects including money, of a value in excess of three hundred dollars, then the applicant, as a condition to the grant of assistance, shall be required to transfer such property in trust by appropriate instrument, except property selected by the applicant

having a value of not more than three hundred dollars, as security for such old age assistance payments as the applicant thereafter may receive, unless the Congress of the United States shall enact legislation prohibiting the taking of security on either real or personal property belonging to the old age assistance applicant.

Approved March 17, 1959.

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## CHAPTER 349

H. B. No. 823

(Haugland, Fossum, Loewen, Sjaastad, Poling,  
(Stockman, Thompson of McLean, Hjelle)

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### COUNTY LIABILITY FOR AID TO DEPENDENT CHILDREN

#### AN ACT

To amend and reenact section 50-0921 of the 1957 Supplement to the North Dakota Revised Code of 1943, relating to amount the county is liable for payments for aid to dependent children and providing for reimbursement by the county.

*Be It Enacted by the Legislative Assembly of the State of North Dakota:*

**§ 1. Amendment.)** Section 50-0921 of the 1957 Supplement to the North Dakota Revised Code of 1943 is hereby amended and reenacted to read as follows:

**50-0921. Amount County Liable for: Reimbursement by County.)** Each county shall reimburse the state agency, upon claim being made therefor by the state agency, for one-fourth of the amount expended for aid to dependent children in such county, in excess of the amount provided by the federal government for assistance payments to dependent children.

Approved March 14, 1959.