

SENATE CONCURRENT RESOLUTION NO. 4034

Introduced by

Senators T. Mathern, Lee

Representatives Cleary, Price

1 A concurrent resolution directing the Legislative Council to study the issues and concerns of
2 implementing charitable choice, the privatization of federally funded welfare services through
3 faith-based organizations.

4 **WHEREAS**, "charitable choice" is the term applied to Section 104 of the federal welfare
5 reform law, the Personal Responsibility and Work Opportunity Reconciliation Act of 1996
6 [Pub. L. 104-193; 110 Stat. 2105], which encourages states to involve charitable, religious, or
7 private organizations in providing federally funded welfare services to the poor and needy; and

8 **WHEREAS**, charitable choice allows states to enter purchase of service agreements or
9 voucher arrangements with charitable, religious, or private organizations under the temporary
10 assistance for needy families program; and

11 **WHEREAS**, charitable choice also applies to supplemental security income and to the
12 food stamp and Medicaid programs to the extent that the state uses contracts or vouchers with
13 nongovernmental providers; and

14 **WHEREAS**, proponents of charitable choice claim that states have long contracted with
15 private and religious groups to provide programs like job training, foster care, child-rearing
16 classes, adult education, day care, and drug rehabilitation and that charities reduce
17 administrative costs by using volunteers and lower-paid employees; and

18 **WHEREAS**, opponents claim charitable choice violates the separation of church and
19 state by allowing pervasively sectarian institutions, including houses of worship, to receive
20 federal funding to administer social services and public health benefits on behalf of the
21 government;

22 **NOW, THEREFORE, BE IT RESOLVED BY THE SENATE OF NORTH DAKOTA, THE**
23 **HOUSE OF REPRESENTATIVES CONCURRING THEREIN:**

- 1 That the Legislative Council study the issues and concerns of implementing charitable
- 2 choice, the privatization of federally funded welfare services through faith-based organizations;
- 3 and
- 4 **BE IT FURTHER RESOLVED**, that the Legislative Council report its findings and
- 5 recommendations, together with any legislation required to implement the recommendations, to
- 6 the Fifty-eighth Legislative Assembly.