

# MICROFILM DIVIDER

OMB/RECORDS MANAGEMENT DIVISION

SFN 2053 (2/85) 5M



ROLL NUMBER

DESCRIPTION

2297

2005 SENATE HUMAN SERVICES

SB 2297

2005 SENATE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. SB 2297

Senate Human Services Committee

☐ Conference Committee

Hearing Date January 25, 2005

Tape Number	Side A	Side B	Meter #
1	x		01-1520
1		x	3720-3950
Committee Clerk Signature <i>Cathy Minard</i>			

Minutes:

**Chairman Lee opened the hearing on SB 2297. All members were present.**

**Testimony in favor of SB 2297**

**Chairman Lee:** What this is supposed to say is that the children's services coordinating committee will be permitted to exist even though there is not an appropriation for that. So if they can find their own funding, they can continue to exist. Rep. Price and I thought the service should continue, so we sponsored the bill.

**Sandy Bendewald, Chair of the legislative committee for the state and local Children's Services Coordinating Committee.**

See written testimony (Attachment 1)

**Lt. Governor Jack Dalrymple** testified because he usually chairs the meetings of the committee. It is a confusing policy question, but have decided as a committee that the CSC should continue to exist and think that the original intent was coordination. There was a problem

originally. Agencies were not communicating with each other. Now we have excellent communication. It would be a good safeguard to know that these agencies are required to work together. Appropriation committees might have something to say about this. There is a question as to where it all should be organized. As a committee, we don't really care where it is as long as it exists.

**Neutral testimony**

**Bonnie Palecek, North Dakota Council on Abused Women's Services.**

See written testimony (Attachment 2)

**Chairman Lee:** This was one more time the Feds gave us money to do something then took it away. In earlier testimony, it was mentioned that the CSCC is no longer qualified to do the fine studies? Can you elaborate on that, or Lt. Gov.

**M. Palecek:** Most of the money that came to fund this was for E foster care money and certain agencies were able to do time studies--they would code what they were doing, and if it was the right code, we would get reimbursed for the services they were already doing and some of the money would go back to those agencies, i.e., juvenile court and special education and previously public health. So they were able to do the time studies, generate the money, they would keep a portion of it, the state would keep a portion of it and most of it come back to the local CSCCs. Only certain types of agencies can do these studies and they define exactly what kind of agency can do it. But they changed the agency and tightened it up. It had to do with the care and placement of children. Those agencies cannot decide where the care and placement of children is place, so they no longer qualified to do it. The state had to make a judgement that they no longer wanted to do this. So our agency is no longer qualified.

Page 3

Senate Human Services Committee

Bill/Resolution Number SB 2297

Hearing Date January 25, 2005

Chairman Lee closed the public hearing on SB 2297.

Senator Lyson moved do pass, seconded by Senator Brown. Vote: 5 yeas, 0 nays, 0 absent

Carrier: Senator Warner

**FISCAL NOTE**  
**Requested by Legislative Council**  
03/17/2005

Amendment to: SB 2297

**1A. State fiscal effect:** *Identify the state fiscal effect and the fiscal effect on agency appropriations compared to funding levels and appropriations anticipated under current law.*

	2003-2005 Biennium		2005-2007 Biennium		2007-2009 Biennium	
	General Fund	Other Funds	General Fund	Other Funds	General Fund	Other Funds
Revenues	\$0	\$0	\$0	\$0	\$0	\$0
Expenditures	\$0	\$0	\$0	\$0	\$0	\$0
Appropriations	\$0	\$0	\$0	\$0	\$0	\$0

**1B. County, city, and school district fiscal effect:** *Identify the fiscal effect on the appropriate political subdivision.*

2003-2005 Biennium			2005-2007 Biennium			2007-2009 Biennium		
Counties	Cities	School Districts	Counties	Cities	School Districts	Counties	Cities	School Districts
\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0

**2. Narrative:** *Identify the aspects of the measure which cause fiscal impact and include any comments relevant to your analysis.*

The fiscal effect cannot be determined.

**3. State fiscal effect detail:** *For information shown under state fiscal effect in 1A, please:*

**A. Revenues:** *Explain the revenue amounts. Provide detail, when appropriate, for each revenue type and fund affected and any amounts included in the executive budget.*

**B. Expenditures:** *Explain the expenditure amounts. Provide detail, when appropriate, for each agency, line item, and fund affected and the number of FTE positions affected.*

**C. Appropriations:** *Explain the appropriation amounts. Provide detail, when appropriate, of the effect on the biennial appropriation for each agency and fund affected and any amounts included in the executive budget. Indicate the relationship between the amounts shown for expenditures and appropriations.*

Continuing appropriation provided for the 2005-07 biennium.

<b>Name:</b>	Celeste Kubasta	<b>Agency:</b>	OMB
<b>Phone Number:</b>	328-4947	<b>Date Prepared:</b>	03/18/2005

# FISCAL NOTE

Requested by Legislative Council  
03/04/2005

Amendment to: SB 2297

**1A. State fiscal effect:** *Identify the state fiscal effect and the fiscal effect on agency appropriations compared to funding levels and appropriations anticipated under current law.*

	2003-2005 Biennium		2005-2007 Biennium		2007-2009 Biennium	
	General Fund	Other Funds	General Fund	Other Funds	General Fund	Other Funds
Revenues	\$0	\$0	\$0	\$0	\$0	\$0
Expenditures	\$0	\$0	\$0	\$0	\$0	\$0
Appropriations	\$0	\$0	\$0	\$0	\$0	\$0

**1B. County, city, and school district fiscal effect:** *Identify the fiscal effect on the appropriate political subdivision.*

2003-2005 Biennium			2005-2007 Biennium			2007-2009 Biennium		
Counties	Cities	School Districts	Counties	Cities	School Districts	Counties	Cities	School Districts
\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0

**2. Narrative:** *Identify the aspects of the measure which cause fiscal impact and include any comments relevant to your analysis.*

No fiscal note.

**3. State fiscal effect detail:** *For information shown under state fiscal effect in 1A, please:*

**A. Revenues:** *Explain the revenue amounts. Provide detail, when appropriate, for each revenue type and fund affected and any amounts included in the executive budget.*

**B. Expenditures:** *Explain the expenditure amounts. Provide detail, when appropriate, for each agency, line item, and fund affected and the number of FTE positions affected.*

**C. Appropriations:** *Explain the appropriation amounts. Provide detail, when appropriate, of the effect on the biennial appropriation for each agency and fund affected and any amounts included in the executive budget. Indicate the relationship between the amounts shown for expenditures and appropriations.*

No appropriation is provided.

<b>Name:</b>	Celeste Kubasta	<b>Agency:</b>	OMB
<b>Phone Number:</b>	328-4947	<b>Date Prepared:</b>	03/04/2005

# FISCAL NOTE

Requested by Legislative Council  
01/27/2005

## REVISION

Bill/Resolution No.: SB 2297

**1A. State fiscal effect:** *Identify the state fiscal effect and the fiscal effect on agency appropriations compared to funding levels and appropriations anticipated under current law.*

	2003-2005 Biennium		2005-2007 Biennium		2007-2009 Biennium	
	General Fund	Other Funds	General Fund	Other Funds	General Fund	Other Funds
Revenues		\$0				
Expenditures		\$0				
Appropriations		\$0		\$0		\$0

**1B. County, city, and school district fiscal effect:** *Identify the fiscal effect on the appropriate political subdivision.*

2003-2005 Biennium			2005-2007 Biennium			2007-2009 Biennium		
Counties	Cities	School Districts	Counties	Cities	School Districts	Counties	Cities	School Districts

**2. Narrative:** *Identify the aspects of the measure which cause fiscal impact and include any comments relevant to your analysis.*

No fiscal note.

**3. State fiscal effect detail:** *For information shown under state fiscal effect in 1A, please:*

**A. Revenues:** *Explain the revenue amounts. Provide detail, when appropriate, for each revenue type and fund affected and any amounts included in the executive budget.*

**B. Expenditures:** *Explain the expenditure amounts. Provide detail, when appropriate, for each agency, line item, and fund affected and the number of FTE positions affected.*

**C. Appropriations:** *Explain the appropriation amounts. Provide detail, when appropriate, of the effect on the biennial appropriation for each agency and fund affected and any amounts included in the executive budget. Indicate the relationship between the amounts shown for expenditures and appropriations.*

No appropriation is requested.

<b>Name:</b>	Karla Mittleider	<b>Agency:</b>	CSCC
<b>Phone Number:</b>	328-3586	<b>Date Prepared:</b>	01/20/2005



**FISCAL NOTE**  
**Requested by Legislative Council**  
01/19/2005

Bill/Resolution No.: SB 2297

**1A. State fiscal effect:** *Identify the state fiscal effect and the fiscal effect on agency appropriations compared to funding levels and appropriations anticipated under current law.*

	2003-2005 Biennium		2005-2007 Biennium		2007-2009 Biennium	
	General Fund	Other Funds	General Fund	Other Funds	General Fund	Other Funds
<b>Revenues</b>		\$1,683,940				
<b>Expenditures</b>		\$1,683,940				
<b>Appropriations</b>		\$2,514,600		\$0		\$0

**1B. County, city, and school district fiscal effect:** *Identify the fiscal effect on the appropriate political subdivision.*

2003-2005 Biennium			2005-2007 Biennium			2007-2009 Biennium		
Counties	Cities	School Districts	Counties	Cities	School Districts	Counties	Cities	School Districts

**2. Narrative:** *Identify the aspects of the measure which cause fiscal impact and include any comments relevant to your analysis.*

No fiscal note.

**3. State fiscal effect detail:** *For information shown under state fiscal effect in 1A, please:*

**A. Revenues:** *Explain the revenue amounts. Provide detail, when appropriate, for each revenue type and fund affected and any amounts included in the executive budget.*

**B. Expenditures:** *Explain the expenditure amounts. Provide detail, when appropriate, for each agency, line item, and fund affected and the number of FTE positions affected.*

**C. Appropriations:** *Explain the appropriation amounts. Provide detail, when appropriate, of the effect on the biennial appropriation for each agency and fund affected and any amounts included in the executive budget. Indicate the relationship between the amounts shown for expenditures and appropriations.*

No appropriation is requested.

<b>Name:</b>	Karla Mittleider	<b>Agency:</b>	CSCC
<b>Phone Number:</b>	328-3586	<b>Date Prepared:</b>	01/20/2005

Date: 1-25-05  
Roll Call Vote #: 1

2005 SENATE STANDING COMMITTEE ROLL CALL VOTES  
BILL/RESOLUTION NO. 2297

Senate Human Services Committee

☐ Check here for Conference Committee

Legislative Council Amendment Number \_\_\_\_\_

Action Taken Do Pass

Motion Made By Sen. Lyson Seconded By Sen. Brown

Senators	Yes	No	Senators	Yes	No
Sen. Judy Lee - Chairman	✓		Sen. John Warner	✓	
Sen. Dick Dever - Vice Chairman	✓				
Sen. Richard Brown	✓				
Sen. Stanley Lyson	✓				

Total (Yes) 5 No 0

Absent 0

Floor Assignment Sen. Warner

If the vote is on an amendment, briefly indicate intent:

**REPORT OF STANDING COMMITTEE (410)**  
January 25, 2005 12:57 p.m.

**Module No: SR-16-0985**  
**Carrier: Warner**  
**Insert LC: . Title: .**

**REPORT OF STANDING COMMITTEE**

**SB 2297: Human Services Committee (Sen. J. Lee, Chairman) recommends DO PASS and BE REREFERRED to the Appropriations Committee (5 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2297 was rereferred to the Appropriations Committee.**

2005 HOUSE HUMAN SERVICES

SB 2297

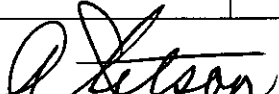
2005 HOUSE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. SB 2297

House Human Services Committee

☐ Conference Committee

Hearing Date February 15, 2005

Tape Number	Side A	Side B	Meter #
1	x		1833-3996
Committee Clerk Signature 			

Minutes:

**Chairman Price** opened hearing on SB 2297.

**Lt. Governor Jack Dalrymple** appeared in support of SB 2297.

I have been involved with the children's services coordinating committee since it was created. It has served us well over a number of years, and as Lt. Governor, been chairing the committee since being elected to this position. Bottom line is, the funding mechanism that has produced the funds for the committee, over the years, is now done and gone. We will not be getting funds from claiming time claims to our providers. The policy decision as to what to do with the existing infrastructure. The Governor's office feels that the committee should still be active, the language dealing with the agency, has some various individuals that are involved in meeting and coordinating the services, is still a valuable tool to have together. That particular paragraph does not appear in this bill. The various entities need to still communicate on how they provide services to children. The bill eliminate all areas of funding and other financing. The important

thing is the focus of the original concept will stay alive. We do need to have these agencies be able to still coordinate.

**Chairman Price:** Any questions?

**Sandy Bendewald, Legislative chair of Children's Services Coordinating Committee (CSCC).**

Appearing in support of SB 2297. Testimony attached:

**Chairman Price:** Does the language on page two regarding generating the funding sources, gives you the flexibility for donations, grants and other dollars?

**S. Bendewald:** Yes, it does leaves the door open to search for other funding.

**Bonnie Palecek, ND Council on Abused Women's Services.** "Appearing reluctantly and sadly in favor" of SB 2297. Testimony attached.

**Jenall Moos: Board President of the ND Children's Caucus:**

We are a small board, meet weekly during the session, meet mainly on a quarterly basis throughout the rest of the year. We rely on these meetings to assist us with our goals and to coordinate all of the agencies. I am concerned about the smaller counties, when witnessing abuse there will no longer be someone available to help. Grant moneys are tight.

**Rep. Nelson:** How are you meeting during the session? Is that strictly volunteer?

**J. Moos:** We had a small grant, for teleconferences and no travel is reimbursed.

**Chairman Price:** Anyone else in favor? Opposition? Hearing closed.

**Chairman Price** reopened discussion on SB 2297. We have an amended bill before us.

**Rep. Damschen:** Move Do Pass as amended. Rep. Porter: Second.

**Vote: 11-0-1 Carrier: Rep. Potter.**


2005 HOUSE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. SB 2297

House Human Services Committee

☐ Conference Committee

Hearing Date March 15, 2005

Tape Number	Side A	Side B	Meter #
1	x		14-400
Committee Clerk Signature 			

Minutes:

**Chairman Price** reopened hearing on SB 2297.

I passed out the proposed amendment to SB 2297. We have amended the bill, passed on the floor as a Do Pass as Amended. Sheila Peterson, Office of Management and Budget came to me and said she thought we needed to put a continued appropriation on the bill. Apparently, Fiscal didn't communicate with legal in LC. So the amendments you have in front of you is for that reason. We may want to put a sunset clause on it so we discuss it because it is a continuing appropriation. This to allow the CSCC's to continue to operate if they so choose if they generate any funding. The amendments in front of you are to the original bill, however, our bill with the amendments passed on the 6th order, so these amendments will have to be reworked, not changing the intent, but to fit in the bill as it passed on our sixth order.

So if we wish to move forward with this, we need to reconsider our actions on which we passed the bill and bring it back in front of us.

Page 2  
House Human Services Committee  
Bill/Resolution Number SB 2297  
Hearing Date March 15, 2005

**Rep. Devlin:** So moved.

**Rep Kreidt:** Second

**Voice Vote: Unanimous**

**Chairman Price:** The bill is in front of us, our intention was that they could receive funds, grants and if there would be any federal dollars, etc. but we have to make it clear they can also spend those funds.

**Rep. Porter:** Move the proposed amendments with the addition of the sunset clause.

**Rep. Pietsch:** Second

**Rep. Devlin:** Continuing appropriations has some significance to other members of the House chamber, so they fully understand that there is no state dollars being appropriated, and it is all whatever comes in, can go out?

**Chairman Price:** That is why we put the sunset clause on. All in favor? Opposed.

**Rep. Potter:** Do Pass as Amended. **Rep. Porter:** Second

**Vote: 10-0-2 Carrier: Rep. Potter**



Date: 2/15/05

Roll Call Vote #:

2005 HOUSE STANDING COMMITTEE ROLL CALL  
BILL/RESOLUTION NO.

House Human Services Committee

☐ Check here for Conference Committee

Legislative Council Amendment Number

Action Taken Do Pass as amend.

Motion Made By Rep. Damschen Seconded By Rep. Patter

Representatives	Yes	No	Representatives	Yes	No
Chairman C.S. Price	✓		Rep. L. Kaldor	✓	
V Chrm. G. Kreidt	✓		Rep. L. Potter	✓	
Rep. V. Pietsch	✓		Rep. S. Sandvig	AB	
Rep. J.O. Nelson	✓				
Rep. W.R. Devlin	✓				
Rep. T. Porter	✓				
Rep. G. Uglem	✓				
Rep. C. Damschen	✓				
Rep. R. Weisz	✓				

Total Yes 11 No 0

Absent 1

Floor Assignment Rep. Patter

If the vote is on an amendment, briefly indicate intent:

**REPORT OF STANDING COMMITTEE**

**SB 2297: Human Services Committee (Rep. Price, Chairman) recommends AMENDMENTS AS FOLLOWS and when so amended, recommends DO PASS (11 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). SB 2297 was placed on the Sixth order on the calendar.**

Page 1, after line 15, insert:

- c. Accept funds, services, or other assistance from any source for the purpose of furthering the objectives of the committee.

Page 2, line 14, replace "generate its own" with "may accept funds, services, or other assistance from any source for the purpose of furthering the objectives of the committee"

Page 2, line 15, remove "funding sources"

Renumber accordingly

PROPOSED AMENDMENTS TO SENATE BILL NO. 2297

In lieu of the amendments adopted by the House as printed on page 876 of the House Journal, Senate Bill No. 2297 is amended as follows:

Page 1, line 3, remove "and"

Page 1, line 4, after "committee" insert "; and to provide a continuing appropriation"

Page 1, line 8, after "**Functions**" insert "**- Continuing appropriation**"

Page 1, after line 15, insert:

"c. Accept funds, services, or other assistance from any source. Any funds received under this section are appropriated on a continuing basis to the committee for the purpose of furthering the objectives of the committee."

Page 2, line 13, after "**Functions**" insert "**- Continuing appropriation**"

Page 2, line 14, replace "generate its own" with "may accept funds, services, or other assistance from any source. Any funds received under this section are appropriated on a continuing basis to the regional or tribal committee for the purpose of furthering the objectives of the committee"

Page 2, line 15, remove "funding sources"

Renumber accordingly

Date: 3/15/09

Roll Call Vote #: 1

2005 HOUSE STANDING COMMITTEE ROLL CALL  
BILL/RESOLUTION NO. SB 2297

House Human Services Committee

☐ Check here for Conference Committee

Legislative Council Amendment Number \_\_\_\_\_

Action Taken

Do Pass as amend

Motion Made By

Rep. Patter

Seconded By

Rep. Potter

Representatives	Yes	No	Representatives	Yes	No
Chairman C.S. Price	✓		Rep. L. Kaldor	✓	
V Chrm. G. Kreidt	✓		Rep. L. Potter	✓	
Rep. V. Pietsch	✓		Rep. S. Sandvig	AB	
Rep. J.O. Nelson	✓				
Rep. W.R. Devlin	✓				
Rep. T. Porter	✓				
Rep. G. Uglem	✓				
Rep. C. Damschen	✓				
Rep. R. Weisz	AB				

Total Yes

10

No

6

Absent

2

Floor Assignment

Rep. Potter

If the vote is on an amendment, briefly indicate intent:

**REPORT OF STANDING COMMITTEE**

**SB 2297: Human Services Committee (Rep. Price, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (10 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING). SB 2297 was placed on the Sixth order on the calendar.

In lieu of the amendments adopted by the House as printed on page 876 of the House Journal, Senate Bill No. 2297 is amended as follows:

Page 1, line 3, remove "and"

Page 1, line 4, after "committee" insert "; to provide a continuing appropriation; and to provide an expiration date"

Page 1, line 8, after "**Functions**" insert "- Continuing appropriation"

Page 1, after line 15, insert:

"c. Accept funds, services, or other assistance from any source. Any funds received under this section are appropriated on a continuing basis to the committee for the purpose of furthering the objectives of the committee."

Page 2, line 13, after "**Functions**" insert "- Continuing appropriation"

Page 2, line 14, replace "generate its own" with "may accept funds, services, or other assistance from any source. Any funds received under this section are appropriated on a continuing basis to the regional or tribal committee for the purpose of furthering the objectives of the committee"

Page 2, line 15, remove "funding sources"

Page 3, after line 11, insert:

**"SECTION 5. EXPIRATION DATE.** This Act is effective through June 30, 2007, and after that date is ineffective."

Renumber accordingly

2005 SENATE HUMAN SERVICES

CONFERENCE COMMITTEE

SB 2297

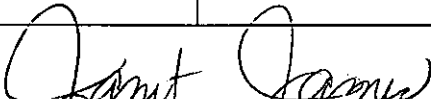
2005 SENATE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. SB 2297

☒ Senate Human Services Committee

☐ Conference Committee

Hearing Date March 21, 2005

Tape Number	Side A	Side B	Meter #
1		X	42.4 - 45.7
Committee Clerk Signature 			

Minutes:

**Senator Judy Lee**, Chairman of the Senate Human Services Committee opened the committee work on SB 2297.

All members of the committee were present.

**Senator Lee** said that SB 2297 is the operating fund balances for the services coordinating committee and that she had asked them to consider amending the bill so that if someone is providing their own source of funds, they should not ask the emergency commission or the Legislative Council, if it is okay to spend the money.

**Senator Dick Dever** asked why there was sunset clause on the bill unless it was to make sure they are not accumulating more dollars.

**Senator Lee** commented that she will check on matters before they continue with SB 2297.

2005 SENATE COMMITTEE MINUTES

BILL/RESOLUTION NO. SB 2297

Senate Human Services Committee

☒ Conference Committee

Hearing Date March 30, 2005

Tape Number	Side A	Side B	Meter #
1	x		2400-3390
Committee Clerk Signature <i>Cathy Keiser</i>			

Minutes: Chairman Dever called the conference committee to order. Present were Senator Lyson, Senator Warner, Rep. Pietsch, Rep. Price and Rep. Potter.

**Chairman Dever:** Rep. Price, please explain the differences between the Senate and the House versions.

**Rep. Price:** We amended this twice. There were a couple of things we tried to address and some of it came from Cathy Keiser and CSCC. They wanted to make sure they could accept any money if any federal money came up again or if there's anything like from Dakota Medical Foundation, or they applied for grants, that they could accept it and also spend it. That was both on the state and local level. The House Appropriations Committee asked that we have an expiration date on it simply because they wanted us to visit this issue again in two years to see if the CSCC wanted to still continue if they were able to access any funds, if anything had come up in the meantime in this biennium that needed to be addressed. The third piece was from Sheila Peterson that they thought the language that we didn't have on the first set quite right was the



way the continued appropriation would work. So that's why we brought that committee the second time. But apparently Senator Lee got an e-mail from Mr. Bjornson saying that it appears that the way the expiration date was put in that it also applies to the repealer. I asked Mr. Bjornson to be down here for that.

**John Bjornson, Legislative Council:** The Senate concurred in the amendment that was done in the House. While reviewing the bill for enrollment I noticed that an expiration date was put in, that the Senate also concurred in, applied to the entire bill including the repealing of the clause. The section that was being repealed was in section four of the original bill. I spoke to Senator Lee to see that repeal was for the expiration date as well. What that would mean is that in two years that section is repealed and it comes back into law two years from now. But I didn't think that was what the intent was and she agreed it was an oversight in the process. So I prepared a set of amendments for her which would put the expiration date on Sections 1, 2 and 3 and Section 4 repealing would be permanent. There would be no other change in the amendments but to do that I believe the amendment had to be drafted and say that the House recede from its amendment and the bill be amended as follows. And put in the same amendments the House provided except for the one change in the expiration date. That will say sections 1, 2 and 3 expire. There was nothing else wrong with the bill or the amendment.

Mr. Bjornson went over the terminology concerning the recede/accede with the committee.

**Representative Price moved that the House recede from amendments on HB 2297 and that we further amend to add 0104; seconded by Representative Potter.**

**VOTE: Senate: 3 yeas, 0 nays    House: 3 yeas, 0 nays**

**Chairman Dever adjourned the meeting.**

50677.0104  
Title.

Prepared by the Legislative Council staff for  
Senator J. Lee

March 25, 2005

PROPOSED AMENDMENTS TO SENATE BILL NO. 2297

That the House recede from its amendments as printed on page 897 of the Senate Journal and page 1144 of the House Journal and that Senate Bill No. 2297 be amended as follows:

Page 1, line 3, remove "and"

Page 1, line 4, after "committee" insert "; to provide a continuing appropriation; and to provide an expiration date"

Page 1, line 8, after "**Functions**" insert "- Continuing appropriation"

Page 1, after line 15, insert:

"c. Accept funds, services, or other assistance from any source. Any funds received under this section are appropriated on a continuing basis to the committee for the purpose of furthering the objectives of the committee."

Page 2, line 13, after "**Functions**" insert "- Continuing appropriation"

Page 2, line 14, replace "generate its own" with "may accept funds, services, or other assistance from any source. Any funds received under this section are appropriated on a continuing basis to the regional or tribal committee for the purpose of furthering the objectives of the committee"

Page 2, line 15, remove "funding sources"

Page 3, after line 11, insert:

**"SECTION 5. EXPIRATION DATE.** Sections 1 through 3 of this Act are effective through June 30, 2007, and after that date are ineffective."

Renumber accordingly

REPORT OF CONFERENCE COMMITTEE  
(ACCEDE/RECEDE) - 420

07398

3/30/05

(Bill Number) SB 2297 (, as (re)engrossed):

Your Conference Committee

For the Senate:	<u>Roll</u>	<u>Vote</u>	For the House:	<u>Roll</u>	<u>Vote</u>
<u>Chairman Dean</u>	✓	y	<u>Rep. Pritsch</u>	✓	y
<u>Sen. Lyson</u>	✓	y	<u>Rep. Price</u>	✓	y
<u>Sen. Warner</u>	✓	y	<u>Rep. Potter</u>	✓	y

☐ recommends that the (SENATE HOUSE) (ACCEDE to) (RECEDE from)  
723/724 725/726 8724/8726 8723/8725  
the (Senate/House) amendments on (SJ/HJ) page(s) \_\_\_\_\_ - \_\_\_\_\_

☐ and place \_\_\_\_\_ on the Seventh order.  
727

☒ , adopt (further) amendments as follows, and place  
\_\_\_\_\_ on the Seventh order:

☐ having been unable to agree, recommends that the committee be discharged  
and a new committee be appointed. 690/515

((Re)Engrossed) \_\_\_\_\_ was placed on the Seventh order of business on the  
calendar.

DATE: 03/30/05

CARRIER: Sen. Dean

LC NO. 50677 . 0104 of amendment

LC NO. \_\_\_\_\_ of engrossment

Emergency clause added or deleted \_\_\_\_\_

Statement of purpose of amendment \_\_\_\_\_

(1) LC (2) LC (3) DESK (4) COMM.

**REPORT OF CONFERENCE COMMITTEE**

**SB 2297:** Your conference committee (Sens. Dever, Lyson, Warner and Reps. Pietsch, Price, Potter) recommends that the **HOUSE RECEDE** from the House amendments on SJ page 897, adopt amendments as follows, and place SB 2297 on the Seventh order:

That the House recede from its amendments as printed on page 897 of the Senate Journal and page 1144 of the House Journal and that Senate Bill No. 2297 be amended as follows:

Page 1, line 3, remove "and"

Page 1, line 4, after "committee" insert "; to provide a continuing appropriation; and to provide an expiration date"

Page 1, line 8, after "**Functions**" insert "- Continuing appropriation"

Page 1, after line 15, insert:

"c. Accept funds, services, or other assistance from any source. Any funds received under this section are appropriated on a continuing basis to the committee for the purpose of furthering the objectives of the committee."

Page 2, line 13, after "**Functions**" insert "- Continuing appropriation"

Page 2, line 14, replace "generate its own" with "may accept funds, services, or other assistance from any source. Any funds received under this section are appropriated on a continuing basis to the regional or tribal committee for the purpose of furthering the objectives of the committee"

Page 2, line 15, remove "funding sources"

Page 3, after line 11, insert:

**"SECTION 5. EXPIRATION DATE.** Sections 1 through 3 of this Act are effective through June 30, 2007, and after that date are ineffective."

Renumber accordingly

SB 2297 was placed on the Seventh order of business on the calendar.

**2005 TESTIMONY**

SB 2297

***Senate Human Services Committee***

***SB 2297  
January 25, 2005***

Chairman Lee and members of the Senate Human Services Committee, my name is Sandy Bendewald. I am serving as the chair of the legislative committee for the state and local CSCCs. I am also the director of the CSCC located out of Jamestown. My testimony today is on behalf of the legislative committee. The state and local CSCCs come today unified in our support of SB 2297.

This bill asks for changes in section 54-56-03 of the North Dakota Century Code which is the section dealing with the CSCCs. The changes are being introduced due to changes in federal definitions and requirements. The refinancing efforts in the state of ND have ended as of July 1, 2004 because the agencies generating the funds through time study efforts no longer qualify to do those time studies. The amount of money generated through these efforts have ranged from a high of \$8.8 million (April 1999 to March 2001) to \$1.7 million (April 2003 to June 2004). The effects of the loss of these monies will be widespread. In addition to the collaboration leadership and the grants funded by the local CSCCs, many programs operated by the state departments serving children and families will also be affected.

To explain why it is important to keep the bill in statute even though there will no longer be funds available, I need to give you a brief update on the CSCCs and what we hope will be able to continue.

First of all, the state CSCC hopes to continue to meet quarterly however the CSCC office will be closing. As of February 1<sup>st</sup> we will no longer have a staff person at the state CSCC. The Lieutenant Governor has asked that one of the agencies take the leadership in calling and leading the meetings. The state CSCC will be meeting in April to determine how to maintain the CSCC structure.

The local CSCCs are in the process of determining what to do. We struggle with the fact that the CSCCs have had such a strong positive influence on services for children and families and do not want to bring that to an end. On the other hand, we realize the funding has stopped and that there will not be funds available from the state for the CSCCs. We know that we would need to generate our own funding source to be able to continue. Each of the local CSCCs are in the process of determining what to do.

Keeping section 54-56-03 in the statute and making the changes indicated would allow the local CSCCs to continue to be designated by the state CSCC and yet be clear that we are not asking for general fund dollars. Each local CSCC would then have time to decide whether to continue without funding, search for

additional funding, or cease to exist. In addition, the statute and the CSCC structure would be in place if another source of funding similar to the Title IV-E refinancing funding would become available.

All of the changes in the bill except for one take out the references concerning funding. The exception is found on page 2, lines 7-9, which has to do with the discontinuation of the CSCCs if grant funds are not available. We are asking that language to be taken out of the bill. That would allow the local CSCCs to continue to operate if they choose to do so. To make it clear that no funding would be included in the bill, language is added on page 2, lines 14-15 which state that the CSCCs would need to generate their own funding sources.

In closing we would like to thank the legislatures of the past for making the CSCCs a reality. Those of you who have been in the legislature for a long time know that the CSCCs have had great local support and many of you have provided your support for the CSCCs in the legislative process. We would like to thank you for sticking with us through all of the bumps along the way. Really great things have happened for children and families.

We urge you today to also support the CSCCs by passing SB 2297 with the changes noted. Make it possible for the CSCCs that wish to continue to be able to do so and also keep the door open for new possibilities. Thank you.



**NORTH DAKOTA COUNCIL ON ABUSED WOMEN'S SERVICES  
COALITION AGAINST SEXUAL ASSAULT IN NORTH DAKOTA**

418 East Rosser #320 • Bismarck, ND 58501 • Phone: (701) 255-6240 • Fax 255-1904 • Toll Free 1-888-255-6240 • ndcaws@ndcaws.org

Testimony on SB 2297  
Senate Human Services  
January 25, 2005

*Same  
testimony  
given to  
House*

Chair Lee and Members of the Committee:

My name is Bonnie Palecek, and I am speaking this morning on behalf of the ND Council on Abused Women's Services. I am appearing as "reluctantly neutral" on SB 2297.

We realize that the fiscal situation right now is such that SB 2297 is necessary to clarify the current status of CSCCs for the state and local committees and to retain a vehicle for possible future restoration of the concept.

On the other hand, I am reminded of a line from a Dylan Thomas poem, "Do not go gentle into that good night." Our Coalition wishes the legislature to know what a negative impact defunding the CSCCs has had and will have on our small sliver of children's services statewide. We feel compelled to express our concern that the loss of coordinating activities on both a local and statewide level will erode much of the progress which has been made toward creating a healthy environment for our state's children.

Many of us were converts to the concept of these Coordinating Committees. However, eventually nearly all of our tribal and regional domestic violence/sexual assault agencies became intimately involved, both as committee members and grant recipients.

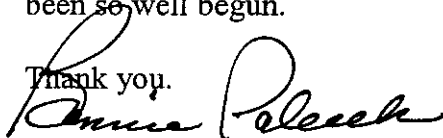
The loss of CSCC funds has been keenly felt. For example, in Lisbon, ND in Ransom County there funds were used to purchase child sexual abuse counseling. The county had no funds to pay for it and the Southeast Human Service Center no longer provides outreach services to that county.

In Grand Forks, a child advocate position was eliminated as a direct result of losing funds. There are many other examples.

We will continue to seek out funds to continue these services. However it is increasingly difficult as both federal and community contributions shrink. Over \$8 million is a huge loss in a state like North Dakota.

We regret the loss of this infrastructure for planning and implementing children's services in our state and hope that the legislature will look for ways to maintain what has been so well begun.

Thank you.

  
Bonnie Palecek

**House Human Services Committee****SB 2297  
February 15, 2005**

Chairman Price and members of the House Human Services Committee, my name is Sandy Bendewald. I am serving as the chair of the legislative committee for the state and local Children's Services Coordinating Committee. (CSCC). I am also the director of the CSCC located out of Jamestown. My testimony today is on behalf of the legislative committee. The state and local CSCCs come today unified in our support of SB 2297.

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