

2009 HOUSE HUMAN SERVICES

HB 1090

2009 HOUSE STANDING COMMITTEE MINUTES

Bill/Resolution No. 1090

House Human Services Committee

☐ Check here for Conference Committee

Hearing Date: January 14, 2009

Recorder Job Number: 6966 17 min. 44 sec.

Committee Clerk Signature

Vicky Crabtree

Minutes:

Chairman Weisz: We will call the hearing to order on HB 1090.

Carol Cartledge, Director of Public Assistance for the Department of Human Services:

Testified in support of the bill. **See attached testimony #1.**

Chairman Weisz: Any questions from the committee?

Representative Porter: I was looking for the penalty part of the bill.

Carol Cartledge: The penalty part would be established within the administrative bill. If someone frauds the program they will not be eligible to receive benefits for one to three years depending on the number of offenses.

Chairman Weisz: Further questions from this committee? If not, thank you.

Senator Bakke: From district 43 in Grand Forks handed out amendments she would like see put into the bill. **See attached #3.** Her amendment was so students up to four years in school could apply for child care benefits.

Chairman Weisz: Any questions?

Representative Porter: Did you get a fiscal impact from the department?

Senator Bakke: No, I only received notification five minutes ago that this bill was coming.

Chairman Weisz: Have they seen this amendment?

Senator Bakke: From what I've been told by Legislative Council that this is a policy that the department has and that's why all we would need is the amendments. TANF only pays for so much, then the state would have to pick up.

Representative Conrad: Talked to someone who was in a four year nursing program and she couldn't get child care help after two years. Is this what you are talking about?

Senator Bakke: Absolutely.

Chairman Weisz: Thank you. Any more support? Anyone here in opposition? Carol you could come up here now. Would these amendments have a fiscal affect? Comment on how this amendment would work?

Carol Cartledge: (Inaudible) allows for 12 months educational component (inaudible). To go beyond the four years would be going outside the federal regulations. For that to occur, the only way to do that would be for someone to (inaudible) work activity for TANF. If work 20 hours a week and going to school, we can allow that. If (inaudible) policy we can go beyond the one, two, or three years. Other options would be if we took our chance (inaudible) require for allow general funds to pay for these individuals to be able to go to school for a longer time period. (Inaudible). Child care assistance does not have that limitation. Can't provide fiscal impact.

Chairman Weisz: This amendment goes whey beyond child care (inaudible) does change allowable activity.

Representative Conrad: Are there other states that provide child care for those attending a four year program?

Senator Bakke: Some do, many have not because of the budget issues.

Representative Conrad: How many?

Carol Cartledge: Have to find out.

Representative Frantsvog: On page 2 of your testimony where you talk about bill allows to dept. to draft rules, and then your first bullet says, establishing and enforcing standards against program fraud and abuse, and you made the comment that if there was fraud or abuse that potentially you may have a family that may be ineligible for the program for 1-3 years. If parent abuses the program, our penalty is against the child, by not letting them participate in a program. Seems like there might be another way to provide penalty without enforcing the penalty against the child.

Carol Cartledge: We are open to other options.

Representative Conklin: What portion are you paying for child care?

Carol Cartledge: The state has a sliding fee schedule that depends on number of household members and income. We could pay 100% or less.

Representative Conklin: Is it 100% of what they are charging?

Carol Cartledge: Dept. pays maximum allowed.

Representative Potter: Can you elaborate on allowable activities?

Carol Cartledge: Allowable activities are (inaudible), education searching for employment, or if someone has temporary illness and is going back to work.

Representative Potter: Thank you.

Representative Kilichowski: Go to line 10 in page 2, provider who is eighteen years or older, and the other is child care assistance unit. How does that work?

Carol Cartledge: Under the child care rules, someone has to be under the age of 12 to receive child care assistance. Only exception is for those with disabilities.

Chairman Weisz: Further questions? Thank you. We will close the hearing on HB 1090.

2009 HOUSE STANDING COMMITTEE MINUTES

Bill/Resolution No. 1090

House Human Services Committee

☐ Check here for Conference Committee

Hearing Date: January 19, 2009

Recorder Job Number: 7232 2 min.

Committee Clerk Signature

Vicky Crattee

Minutes:

Chairman Weisz: Senator Baake asked for amendments on bill. They are being drawn up and we don't have them yet.

2009 HOUSE STANDING COMMITTEE MINUTES

Bill/Resolution No. 1090

House Human Services Committee

☐ Check here for Conference Committee

Hearing Date: January 26, 2009

Recorder Job Number: 7763 11 min. 14 sec.

Committee Clerk Signature

Vicky Crabtree

Minutes:

Chairman Weisz: I have suggested amendments and I projected fiscal note. Senator Baake had come in with a proposal to expand the child care credit, but the amendment would have actually opened up the allowable work activities for TANIF. I spoke to her and that wasn't her intent. I had the dept. draw up amendments that would allow child care credit for any post secondary education up to 2 years of credit. Had them do an analysis on allowing up to 4 years of credit. Not an official fiscal note. A 2 year credit for any degree, the estimation would be an additional 378 cases. Currently there are 189 cases. It costs us an average of \$223.74 a month. The current budget is \$510,000. An increase to a 4 year degree would bring the total to \$1,013,000.

Representative Conrad: (Inaudible) fiscal note?

Chairman Weisz: Based on the numbers that they are showing that are going to 4 year degree is \$4,533. Currently under the 2 year degree it is \$2,266. An increase fiscal effect of \$1,000,000 and a 4 year would be \$4,400,000. I can get amendments drafted and a fiscal note.

Representative Conrad: Families would be less likely to qualify for CHIPS if we allow them to be (inaudible) child care (inaudible).

Chairman Weisz: I can talk to Carol some more about how they arrived at the numbers. The other concern might be the changes in the original bill that may be jeopardized by adding this amendment.

Representative Frantsvog: Under the fiscal note that you have now based on the fiscal note has not impact since the dept. is currently administrating the program as stated in the bill; how far will that go before it creates an impact on the dept.?

Chairman Weisz: Currently they are budgeting for \$510,000. They say the FN would be \$1.4 million of which \$510,00 is already in the budget. Fiscal note shows nothing because it is in the Governor's budget. If we add the suggested amendment, there will be a FN of \$1.4 million.

Representative Porter: \$1.4 million is for a 2 years.

Chairman Weisz: Two years worth of credit for any degree.

Representative Porter: Two years child care.

Chairman Weisz: Correct. (Read amendment). **See attachment #1.**

Representative Conrad : I say prepare the amendments.

Chairman Weisz: I will have that done.

Representative Potter: Is part of this to encourage people to go to vocational schools?

Chairman Weisz: To some degree I think that is correct. Whole point of TANF was to get them in the work force.

Representative Holman: I can see pursuing a 4 year degree because of the mobility in our higher Ed. System.

Representative Uglem: It sounds only fair that everybody should get the 2 years that qualifies, but then if they don't get 4 years then they can only go to 2 years of school and drop out and then get nothing?

Chairman Weisz: As far as from a TANF perspective, their case manager will oversee that and if you do pursue a 4 year degree it's not going to count as an allowable work activity. So you will still have to have an allowable work activity as you go onto school. Will have amendments drafted. Will meet at 8:30 a.m. tomorrow morning and I will ask Carol to be here.

2009 HOUSE STANDING COMMITTEE MINUTES

Bill/Resolution No. 1090

House Human Services Committee

☐ Check here for Conference Committee

Hearing Date: January 27, 2009

Recorder Job Number: 7846 9 min. 51 sec.

Committee Clerk Signature

Licky Crabtree

Minutes:

Chairman Weisz: Call meeting to order on HB 1090 and Carol if you would come up. Explain the numbers you arrived at and who is included in that number.

Carol Cartledge: I went back to 2006 (inaudible) 4 year has been pretty consistent with those numbers. (Inaudible) from that point, people receiving child care (inaudible) people don't get.

One year two years certificates and then there is also a combination both of them work.

Chairman Weisz: That's a 189 per month average?

Carol Cartledge: Right. So included both of those and anticipated (inaudible) currently that is happening. Within the program (inaudible) one year two year certificate. Probably double and half of those would go for a 4 year.

Chairman Weisz: You would anticipate that it would be roughly 560 total per month that would qualify for child care assistance that would be (inaudible).

Representative Conrad: (Inaudible).

Carol Cartledge: The actual numbers at the top are based on current (inaudible). The numbers of who will actually take the opportunity (inaudible) are an educated guess.

Representative Conrad: About half the people in a 2 year certificate don't want to be there.

They would rather be in a 4 year.

Carol Cartledge: (Inaudible, several discussing at the same time).

Representative Potter: Have we always had this just for 2 year? Has it ever been for 4 year?

Carol Cartledge: Yes. In 2004 it changed because of some budget cuts.

Representative Potter: How long did we do the 4 year?

Carol Cartledge: That was there since the child care program started.

Chairman Weisz: At that time we paid for 4 years, correct? And the numbers you have are based on what the numbers were back then?

Carol Cartledge: Are we talking about the 2 year (inaudible) 2 years?

Chairman Weisz: For the estimate case load for 4 years is it based on what we did prior to 2004 (inaudible) case load?

Carol Cartledge: Yes

Representative Porter: Inside of 1.5 million what percentage is general fund and what percentage is TANF grant?

Carol Cartledge: Child care strictly comes out of the child care block grant and the general fund. I could get you a specific breakdown.

Representative Porter: The block grant is not a set number. It is whatever we request and match. If we increase 1.5 million is not going to be 100% of general fund allocation.

Carol Cartledge: We give a set dollar amount to the block grant (inaudible) dollars and the rest is made up of general funds. Actual child care is made up of a different amount, but that's (inaudible) varies from year to year because of (inaudible). Anticipate most of this will end up being general funds.

Chairman Weisz: When we extended additional 6-12 months after they got off TANF for child care, thought that was (inaudible).

Carol Cartledge: That's correct.

Chairman Weisz: Wouldn't have the ability to use TANF dollars for this, would we?

Carol Cartledge: Any federal (inaudible) there's exception in TANF dollars that can be used transferred over to (inaudible) block grant.

Representative Frantsvog: The 1.5 million you have here, is that over and above the amount that was on the FN?

Carol Cartledge: That is above the additional funding.

Chairman Weisz: \$1.5 million would be over and above \$510,000 already in the Governor's budget for the current program, right? Oh \$1.4 million.

Carol Cartledge: Yes.

Representative Frantsvog: The \$510,000 is identified in the original FN we received?

Chairman Weisz: Right. Carol, Thank you.

2009 HOUSE STANDING COMMITTEE MINUTES

Bill/Resolution No. 1090

House Human Services Committee

☐ Check here for Conference Committee

Hearing Date: February 2, 2009

Recorder Job Number: 8407 9 min. 30 sec.

Committee Clerk Signature

Ticky Crabtree

Minutes:

Chairman Weisz: Let's take up HB 1090. The Fiscal Note is, as is. Senator Bakke had suggested some amendments that kind of changed the TANF picture. Is there a motion?

Rep. Conrad motioned to move the amendments.

Rep. Conklin seconded.

Chairman Weisz: Everyone is clear that this will basically give two years of child care in (inaudible) degree program.

Rep. Conrad: Talked to county and they said getting children out of poverty by assisting their parents (inaudible) that their education was the single most (inaudible) they can do. We need to do this.

Voice vote taken. 13 yeas, 0 nays, 0 absent.

Motion carried on amendments.

Chairman Weisz: Now have an amended bill, what are committee's wishes?

Rep. Conrad motioned for a DO PASS as amended and re-refer to appropriations.

Rep. Potter seconded.

Rep. Kilichowski: Questioned amount of money being spent.

Chairman Weisz: Governor's budget is \$510,000, the total would rise to \$1.5.

Page 2

House Human Services Committee

1090

Hearing Date: February 2, 2009

Rep. Frantsvog and Chairman Weisz, discussed about regular updates on bills that spend money. Chairman said he would get that provided to the committee.

Roll Call Vote: 12 yes, 1 no, 0 absent.

Motion carried on DO PASS as amended.

Bill Carrier: Rep. Conrad

FISCAL NOTE
Requested by Legislative Council
04/13/2009

Amendment to: Engrossed
 HB 1090

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.*

	2007-2009 Biennium		2009-2011 Biennium		2011-2013 Biennium	
	General Fund	Other Funds	General Fund	Other Funds	General Fund	Other Funds
Revenues						
Expenditures						
Appropriations						

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

2007-2009 Biennium			2009-2011 Biennium			2011-2013 Biennium		
Counties	Cities	School Districts	Counties	Cities	School Districts	Counties	Cities	School Districts

2A. Bill and fiscal impact summary: *Provide a brief summary of the measure, including description of the provisions having fiscal impact (limited to 300 characters).*

This Bill identifies the Child Care Program within statute.

The Bill has no fiscal impact since the Department is currently administering the program as stated in the Bill.

B. Fiscal impact sections: *Identify and provide a brief description of the sections of the measure which have fiscal impact. Include any assumptions and comments relevant to the analysis.*

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, for each agency and fund affected. Explain the relationship between the amounts shown for expenditures and appropriations. Indicate whether the appropriation is also included in the executive budget or relates to a continuing appropriation.*

Name:	Debra A. McDermott	Agency:	Human Services
Phone Number:	328-3695	Date Prepared:	04/13/2009

FISCAL NOTE
Requested by Legislative Council
02/09/2009

Amendment to: HB 1090

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.*

	2007-2009 Biennium		2009-2011 Biennium		2011-2013 Biennium	
	General Fund	Other Funds	General Fund	Other Funds	General Fund	Other Funds
Revenues						
Expenditures			\$1,525,012		\$1,525,012	
Appropriations			\$1,525,012		\$1,525,012	

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

2007-2009 Biennium			2009-2011 Biennium			2011-2013 Biennium		
Counties	Cities	School Districts	Counties	Cities	School Districts	Counties	Cities	School Districts

2A. Bill and fiscal impact summary: *Provide a brief summary of the measure, including description of the provisions having fiscal impact (limited to 300 characters).*

The Bill as amended adds a new chapter to NDCC relating to Child Care Assistance and adds Child Care Assistance for up to two years for individuals seeking a one, two or four-year degree or certificate.

B. Fiscal impact sections: *Identify and provide a brief description of the sections of the measure which have fiscal impact. Include any assumptions and comments relevant to the analysis.*

The Bill as amended adds Child Care Assistance for up to two years for individuals seeking a one, two or four-year degree or certificate. All available federal Child Care Block Grant funds are currently budgeted to be utilized in the 2009-11 biennium, so adding this provision to the Bill would require 100% general fund appropriation.

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.*

Expenditures were calculated by taking half of the average monthly caseload enrolled in certificate or one or two-year degree programs and multiplying that by the average cost per case for the 2009-2011 biennium.

284 cases X \$223.74 cost per case X 24 months = \$1,525,012

C. Appropriations: *Explain the appropriation amounts. Provide detail, when appropriate, for each agency and fund affected. Explain the relationship between the amounts shown for expenditures and appropriations. Indicate whether the appropriation is also included in the executive budget or relates to a continuing appropriation.*

Expansion of the Child Care Assistance Program to provide assistance for up to two years for individuals seeking a one, two or four-year degree or certificate program is not included in the department's 2009-11 Executive Budget, therefore this would require an additional general fund appropriation of \$1,525,012.

Name:	Debra A. McDermott	Agency:	Human Services
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Phone Number: 328-3695

Date Prepared: 02/09/2009

FISCAL NOTE
Requested by Legislative Council
12/22/2008

Bill/Resolution No.: HB 1090

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.*

	2007-2009 Biennium		2009-2011 Biennium		2011-2013 Biennium	
	General Fund	Other Funds	General Fund	Other Funds	General Fund	Other Funds
Revenues						
Expenditures						
Appropriations						

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

2007-2009 Biennium			2009-2011 Biennium			2011-2013 Biennium		
Counties	Cities	School Districts	Counties	Cities	School Districts	Counties	Cities	School Districts

2A. Bill and fiscal impact summary: *Provide a brief summary of the measure, including description of the provisions having fiscal impact (limited to 300 characters).*

This Bill identifies the Child Care Program within statute.

The Bill has no fiscal impact since the Department is currently administering the program as stated in the Bill.

B. Fiscal impact sections: *Identify and provide a brief description of the sections of the measure which have fiscal impact. Include any assumptions and comments relevant to the analysis.*

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, for each agency and fund affected. Explain the relationship between the amounts shown for expenditures and appropriations. Indicate whether the appropriation is also included in the executive budget or relates to a continuing appropriation.*

Name:	Brenda M. Weisz	Agency:	DHS
Phone Number:	328-2397	Date Prepared:	12/29/2008

✓R
2/3/09

PROPOSED AMENDMENTS TO HOUSE BILL NO. 1090

Page 1, line 8, after the first "program" insert "including a postsecondary education program in the pursuit of a one-year, two-year, or four-year degree"

Page 4, line 1, after "2." insert "Child care assistance may be paid for up to two years for an eligible caretaker who is attending a postsecondary education program in pursuit of a one-year, two-year, or four-year degree or certificate."

Renumber accordingly

Date: 2-2-09
Roll Call Vote #:

2009 HOUSE STANDING COMMITTEE ROLL CALL VOTES
BILL/RESOLUTION NO. 1090

House HUMAN SERVICES Committee

☐ Check here for Conference Committee

Legislative Council Amendment Number _____

Action Taken ☒ Do Pass ☐ Do Not Pass ☒ Amended

Motion Made By Rep. Conrad Seconded By Rep. Conklin

Representatives	Yes	No	Representatives	Yes	No
CHAIRMAN ROBIN WEISZ			REP. TOM CONKLIN		
VICE-CHAIR VONNIE PIETSCH			REP. KARI L CONRAD		
REP. CHUCK DAMSCHEN			REP. RICHARD HOLMAN		
REP. ROBERT FRANTSVOG			REP. ROBERT KILICHOWSKI		
REP. CURT HOFSTAD			REP. LOUISE POTTER		
REP. MICHAEL R. NATHE					
REP. TODD PORTER					
REP. GERRY UGLEM					

Total (Yes) 13 No 0

Absent 0

Bill Carrier _____

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

voted on suggested amend.

Date:

2-2-09

Roll Call Vote #:

2009 HOUSE STANDING COMMITTEE ROLL CALL VOTES
BILL/RESOLUTION NO. 1090

House HUMAN SERVICES

Committee

☐ Check here for Conference Committee

Legislative Council Amendment Number _____

Action Taken

☒ Do Pass☐ Do Not Pass☒ Amended

Motion Made By

Rep Conrad

Seconded By

Rep Potter

Representatives	Yes	No	Representatives	Yes	No
CHAIRMAN ROBIN WEISZ	✓		REP. TOM CONKLIN	✓	
VICE-CHAIR VONNIE PIETSCH	✓		REP. KARI L CONRAD	✓	
REP. CHUCK DAMSCHEN	✓		REP. RICHARD HOLMAN	✓	
REP. ROBERT FRANTSGOV	✓		REP. ROBERT KILICHOWSKI	✓	
REP. CURT HOFSTAD	✓		REP. LOUISE POTTER	✓	
REP. MICHAEL R. NATHE	✓	✓			
REP. TODD PORTER	✓				
REP. GERRY UGLEM	✓				

Total (Yes)

12

No

1

Absent

0

Bill Carrier

Rep. Conrad

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

re-refer to Appropriations

REPORT OF STANDING COMMITTEE

HB 1090: Human Services Committee (Rep. Welsz, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** and **BE REREFERRED** to the Appropriations Committee (12 YEAS, 1 NAY, 0 ABSENT AND NOT VOTING). HB 1090 was placed on the Sixth order on the calendar.

Page 1, line 8, after the first "program" insert "including a postsecondary education program in the pursuit of a one-year, two-year, or four-year degree"

Page 4, line 1, after "2." insert "Child care assistance may be paid for up to two years for an eligible caretaker who is attending a postsecondary education program in pursuit of a one-year, two-year, or four-year degree or certificate."

Renumber accordingly

2009 HOUSE APPROPRIATIONS

HB 1090

2009 HOUSE STANDING COMMITTEE MINUTES

Bill/Resolution No. HB 1090

House Appropriations Committee

☐ Check here for Conference Committee

Hearing Date: **February 12, 2009**

Recorder Job Number: 9040

Committee Clerk Signature



Minutes:

Chairman Svedjan opened discussion of HB 1090, from the Human Services Committee relating to childcare assistance.

Rep. Weisz: HB 1090 is basically a housekeeping bill. The only part that is relevant to this Committee is an amendment that was passed by the policy committee that extends the coverage assistance for people that are going to a four-year degree program. It has a cost of \$1.5 million. They still have to have the 20 hour per week work as required by TANF. It allows for two-years of childcare assistance.

Rep. Kempenich: Was this a request from a department that the Governor didn't fund?

Rep. Weisz: This was an amendment offered by the Committee. It was in '99 when we quit and at that time we paid for four years. This bill would allow for childcare for two years.

Rep. Wald: Explain the line language in Line 7. Can I be looking for a job for two years?

Rep. Weisz: That has nothing to do with the fiscal note. That has to do with TANF and work allowable activities. Those are just changes in the language that the Department put in and it has no fiscal effect.

Rep. Wald: Then why is it in there?

Rep. Weisz: That language has no effect on the fiscal note. This is a housekeeping bill. The changes are to conform to some federal regulations having to do with TANF.

Rep. Bellew: Did the department tell you how they came up with the fiscal note? When they administratively take this off their books, did they reduce their budget?

Rep. Weisz: That would be a question for the Appropriations Committee. That would have been within the budget bill. The program was suspended. It did have a \$4.5 million cost when they did it for four years. My understanding is that it was removed because of budget constraints.

Rep. Bellew: In the DHS budget there's \$23 million for childcare grants. I think there's money in the DHS budget to do this program without the fiscal note. I think it's a good program, but I question the fiscal note.

Rep. Weisz: We have no objection as to where the money comes from. We were looking at the policy.

Rep. Pollert: This bill says that if the bill passes, DHS would have to fund this, but if the childcare assistance appropriation is full, they would have to eliminate a grant somewhere else. There is not an appropriation on the bill.

Chm. Svedjan: You mean that if they fully expend the grants line item and this is adopted, they may have to make changes elsewhere in order to fund this. You are correct in that is no appropriation in the bill.

Rep. Weisz: Either you have to add \$1.5 million from the GF or something gets shorted. Your policy committee doesn't have the privilege of looking through that budget so we don't know if there is money there or not. If you look at the policy of childcare assistance, this only makes sense from a standpoint of why would we penalize someone who actually wants to do better and get off of assistance versus someone who is willing to take a more limited program.

Rep. Pollert: I don't have enough of the budget in front of me to tell you whether the childcare assistance grants are obligated now. If it is being used then it would take an appropriation.

Chm. Svedjan: Was the housekeeping part of the bill related to the fact that you can now provide two years of childcare for someone seeking a four-year degree.

Rep. Weisz: It was not related. When the disparity was pointed out the amendments came forward.

Rep. Hawken: For clarification: The TANF that money is basically used for childcare assistance, doesn't fit with a four-year degree. I think you have to at least have the language. Currently under the TANF rules you couldn't do this. It does make a ton of sense.

Chm. Svedjan: Is that why this bill came in in the first place?

Rep. Weisz: We could do it under TANF. That's not what the amendment is for. The amendment is just saying that when we provide childcare assistance we can go beyond to the two-year degree. It was never the intention to funnel TANF dollars for this use.

Chm. Svedjan: This bill if passed would provide the authority to do that. The funds would have to come from somewhere.

Rep. Skarphol: Are these funds currently fully utilized?

Lori: The funds are being fully utilized and we did put \$274,000 in the DHS budget to assist with this program as it stands, but it does not cover the two- and four-year degrees.

Rep. Williams: Looking at 2b, paragraph 1, the bill as amended adds childcare assistance for up to two years for individuals seeking a 1-, 2-, or 4-year degrees. All available childcare block grant funds are currently targeted to be utilized. Adding this provision to the bill would require 100% GF appropriation. If the money is being used and we are passing this, then why isn't there an appropriation?

Chm. Svedjan: I don't know why this was drafted without an appropriation. The fiscal note shows what the impact would be based on how the bill is drafted.

Rep. Weisz: It's a fiscal effect. We generally don't have a direct appropriation that comes out of our committee.

Chm. Svedjan: Sure you do. The impact to the department would be \$1.5 million.

Rep. Kaldor: When the fiscal effect was discussed in committee, they took half of the current eligible and they multiplied that through. Was there any discussion of how many of the current enrolled might pursue a different degree than what they are in now?

Rep. Weisz: Yes there was a discussion and no one had answer. They felt they couldn't determine that.

Rep. Pollert: In the DHS budget now is based off of certificates, not one- or two-year degrees. What this bill is going to do if the childcare assistance grants are fully utilized and we go to the four-year school, this will take a \$4 million appropriation.

Rep. Weisz: They are limited to two-years regardless of the degree. Someone under the current program who is in a two-year degree and moves to a four-year degree would not get more assistance because they have used their two-year assistance.

Rep. Bellew: Even if you go to a four-year school, you did not get any of this money. You have to go to a one- or two-year school.

Rep. Delzer: My understanding is that under the TANF rules if you enroll in a four-year degree you are ineligible to use TANF dollars for childcare. Does this create an entitlement or does this allow the department to do it if they have the money?

Rep. Weisz: It does not say that it's at the department's discretion. I guess it does create an entitlement.

Rep. Delzer: If you're going to pass this you've got to have money in the budget to do this.

Chm. Svedjan: That's not entirely true either. What the fiscal note says is what the impact will be. If we pass it, it doesn't automatically put money in the program.

Rep. Dosch: The childcare grant being used up, doesn't the department have the flexibility to transfer funds between programs or find this money in their budget to cover that?

Rep. Pollert: DHS has the flexibility to go from line item to line item. At the same time, if things go to heck in a hand basket, they're going to have more people enrolling in programs and then you are asking them to pick or choose this or something else.

Rep. Dosch: In the service industry, one of the biggest obstacles in people getting off the programs is adequate childcare. From what I see, if there's any money, it's in helping these people either maintain a job and get off the system or get an education. Childcare is huge cog in that wheel so I hope the DHS can find this money from other programs that reel the results that this would have. I hope we could pass this.

Rep. Klein: I Move an amendment to add an appropriation section to this bill for the amount of money indicated on the fiscal note. (\$1.525 million)

Rep. Ekstrom: Second.

Rep. Berg: I think this is a good concept. I would like to hold this to go with the DHS budget to get some of these things clear and know exactly the impact is.

Rep. Bellew: The DHS did have a comeback of over \$22 million this year. I think it is a worthwhile program, but I don't think the appropriation is necessary.

Rep. Kaldor: I would like a clarification on how the turn back can affect this program.

Chm. Svedjan: Turn back dollars go to the bottom line.

Rep. Kaldor: Before they became turn back were they eligible dollars to be moved in to this?

Chm. Svedjan: You are saying that money may for some not reason been able to be moved.

Brenda Weisz: Turn back goes back to the GF so this money would not be available next biennium.

Chm. Svedjan: Technically it's true. If we were to pass this giving the authority to pay those two years of child care, and if during the course of the biennium you discover that you are going to have \$2 million of turn back, could those dollars be used to fund this? Could you move it from line to line?

Weisz: If that scenario occurs next biennium, that's true.

A voice vote was taken: Not certain.

A roll call vote was taken: Yes: 10, No: 13, Absent: 2, (Kerzman and Wieland)

The motion to amend failed.

Rep. Skarphol: Do we need to take any action on this bill since there is no appropriation in it. It is a policy decision by the policy committee to take the action they did. It would be in the guise of the budget folks to resolve the issues associated with it. The bill could be handed back to Mr. Weisz and he can take care of it on the floor.

Chr. Svedjan: Technically that is true. We tried to amend it and it failed. The only other option we have is a "do not pass."

Rep. Weisz: We'll gladly take it on the floor.

Chr. Svedjan: That's what we will do. I'll talk to the assistant leader and we'll motion it back to the floor.

Discussion Closed.

motioned back to floor
11th order

Date: 2/12/09
Roll Call Vote #: 1

2009 HOUSE STANDING COMMITTEE ROLL CALL VOTES
BILL/RESOLUTION NO. 1090

Full House Appropriations Committee

☐ Check here for Conference Committee

Legislative Council Amendment Number _____

Failed Action Taken Amend to add appropriation section at \$1,500,000

Motion Made By Klein Seconded By Ekstrom

Representatives	Yes	No	Representatives	Yes	No
Chairman Svedjan		✓			
Vice Chairman Kempenich		✓			
Rep. Skarphol		✓	Rep. Kroeber	✓	
Rep. Wald		✓	Rep. Onstad	✓	
Rep. Hawken	✓		Rep. Williams	✓	
Rep. Klein	✓				
Rep. Martinson		✓			
Rep. Delzer		✓	Rep. Glassheim	✓	
Rep. Thoreson		✓	Rep. Kaldor	✓	
Rep. Berg		✓	Rep. Meyer	✓	
Rep. Dosch		✓			
Rep. Pollert		✓	Rep. Ekstrom	✓	
Rep. Bellew		✓	Rep. Kerzman	✓	
Rep. Kreidt		✓	Rep. Metcalf	✓	
Rep. Nelson		✓			
Rep. Wieland		✓			

Total (Yes) 10 No 13

Absent 2

Floor Assignment _____

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

Voice Vote - uncertain

2009 SENATE HUMAN SERVICES

HB 1090

2009 SENATE STANDING COMMITTEE MINUTES

Bill/Resolution No. HB 1090

Senate Human Services Committee

☐ Check here for Conference Committee

Hearing Date: 3/3/09

Recorder Job Number: 10068, 10100

Committee Clerk Signature

Mary K Monson

Minutes:

Senator J. Lee opened the hearing on HB 1090 relating to child care assistance.

Carol Cartledge (Director of Public Assistance for the Dept. of Human Services) testified in support of HB 1090. Attachment #1

Senator J. Lee asked if the fiscal amount was in the budget bill for the department.

Ms. Cartledge said it is not.

There was discussion on the fiscal note and carry over dollars.

There is nothing in the bill that costs money except adding the baccalaureate option. It is more housekeeping than anything.

The dollars come as a result of the amendments put on by the house.

There was no opposing or neutral testimony.

The hearing on HB 1090 was closed.

Job #10100

Senator J. Lee opened HB 1090 for committee work.

The fiscal note was discussed. The amendments from the house added the 4year degree and that is what the money is for. Child assistance through TANF and block grants were discussed.

Senator Pomeroy moved a **Do Pass and rerefer to Appropriations**.

Second by **Senator Erbele**.

Roll call vote 5-0-1. **Motion carried**.

Carrier is Senator Pomeroy.

Date: 3/3/09

Roll Call Vote #: _____

2009 SENATE STANDING COMMITTEE ROLL CALL VOTES

BILL/RESOLUTION NO. HB 1090

Senate Human Services Committee

☐ Check here for Conference Committee

Legislative Council Amendment Number _____

Action Taken ☒ Do Pass ☐ Do Not Pass ☐ Amended ☐ Rerefer to Appropriations
☐ Adopt Amendment ☐ Reconsider

Motion Made By Sen. Pomeroy Seconded By Sen. Erbele

Senators	Yes	No	Senators	Yes	No
Senator Judy Lee, Chairman	✓		Senator Joan Heckaman	✓	
Senator Robert Erbele, V.Chair	✓		Senator Richard Marcellais		
Senator Dick Dever	✓		Senator Jim Pomeroy	✓	

Total (Yes) 5 No 0

Absent 1

Floor Assignment Senator Pomeroy

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

REPORT OF STANDING COMMITTEE

HB 1090, as engrossed: Human Services Committee (Sen. J. Lee, Chairman) recommends DO PASS and BE REREFERRED to the Appropriations Committee (5 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). Engrossed HB 1090 was rereferred to the Appropriations Committee.

2009 SENATE APPROPRIATIONS

HB 1090

2009 SENATE STANDING COMMITTEE MINUTES

Bill/Resolution No. 1090

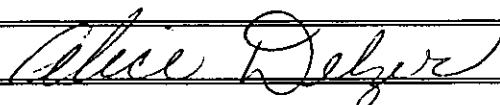
Senate Appropriations Committee

☐ Check here for Conference Committee

Hearing Date: 03-12-09

Recorder Job Number: 10842

Committee Clerk Signature



Minutes:

Chairman Holmberg called the committee hearing to order in reference to HB 1090 in regards to relating to child care assistance; and to provide a penalty. He then asked someone to explain what the bill does.

Carol Cartledge, Department of Human Services: It establishes a state law for the child care systems program which currently you don't have a state law and you don't have administrative rules. It allows to build the state law and have administrative rules for the program so they have some support and backing. There is also an amendment done on the bill by the House to amend for someone to be able to attend school up to, for 2 years in any program in a 4 year degree program. Currently what is allowed is someone to go to a vocational education program. The HB 1090 does not have any monies or there was no fiscal impact to it as it was. The amendment had a fiscal note attached which was not included in the passage of the bill from the House. (1.35)

V. Chair Grindberg: Was this amount in the governor's budget? He was told no. Why does the bill say at the request of the department of human services and it is not in the executive recommendation? How can that happen?

Carol The HB 1090 was a part of the department so we could put it into state law and build administrative rules. The amendment was additional money so folks could go receive child

care while they go to higher education was not part of that bill. That was the amendment piece in the House.

Chairman Holmberg There is a fiscal note on the bill. 2/9 is the date on the front. Two fiscal notes exist, one from December had 0 impact and then after the House action there was money put in. We'll turn this over to the Human Service subcommittee.

Chairman Holmberg closed the hearing on HB1090.

2009 SENATE STANDING COMMITTEE MINUTES

Bill/Resolution No. HB 1090 subcommittee

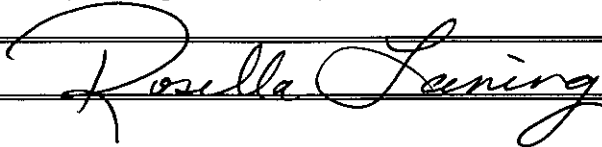
Senate Appropriations Committee

☐ Check here for Conference Committee

Hearing Date: April 8, 2009

Recorder Job Number: 11795 (starting at 130:18)

Committee Clerk Signature



Minutes:

Senator Fischer opened the subcommittee hearing on HB 1090. Subcommittee members **Senator Fischer, Senator Kilzer, Senator Krebsbach, Senator Mathern and Senator Warner** were present.

Senator Krebsbach said she had met with **Senator Lee** and they have an amendment that needs to be put on the bill. This is the one for care keepers, for child assistance for people who are going back to college.

Senator Kilzer: It's either a two, three or four year old certificate or diploma program.

Senator Krebsbach: The bill as it was assessed by the governor's office was no general fund dollars. The House amended it to include more levels of education. I'm a little confused, so could you please explain this to the committee.

Department of Human Services representative: What this did was, currently what is allowed is for someone to go to a trade school or vocation. This allows them to go to two years of school no matter what.

Senator Fischer: So you could go a year, take a year off and go another year – with a maximum of two years while you're going to or enrolled in school?

DHS representative: Yes.

Senator Mathern: Did the bill come in at four years or two?

DHS representative: The bill didn't come in with that. That was amended from the House. It came in with current policy.

Senator Mathern: The amount of months for child care – is that the same as presently the case?

Senator Fischer: Its two years now.

DHS representative: Currently it would be for just vocational.

Senator Mathern: Right, but I mean the number of months for child care.

DHS representative: The most you could get would be two years. Vocation does not go to a four year degree though. This allows it to go to a four year program.

Senator Mathern: It doesn't give any more childcare? It just gives you more options in terms of what programs you use to get your degree.

Senator Fischer: There's more money in it too, isn't there?

Brenda Weisz, DHS: It's adding more child care and they added the amendment to provide more childcare without putting money to it.

Senator Mathern: I see. They send it over with a smiley face and we need to put in to make it real.

Brenda Weisz: That's right.

Senator Kilzer: In the fiscal note it says, "all available federal child care block grant funds are currently budgeted to be utilized in the 09-11 biennium, so adding this provision to the bill would require 100% general fund appropriation. How much is in that federal grant that is all currently budgeted? Are they budgeted to whom? The schools?

Brenda Weisz: No. The child care providers have \$22 M already budgeted.

Senator Kilzer: \$22 M and this is asking for \$1.5 M more.

Brenda Weisz: The House Human Services amended it to expand the amount of child care that was provided to individuals going to college. For that price tag, we told them it would cost \$1.5 M dollars of general funds because we don't have any more federal funds available.

Proposed Amendment to Engrossed House Bill No. 1090 – see attached # 1.

Senator Krebsbach moved to revert back to the original bill as it was from the governor's recommendation.

Senator Fischer: Which was?

Senator Krebsbach: The original bill introduced to the House and there is no money attached to it of general fund dollars. In addition to that, there was another amendment that needs to be put on as a request from the department. I prefer they explain that one as well.

DHS representative: The reason for the other amendment that we proposed is: The department had really four bills that were sitting out there that kind of each independently dealt with the criminal background check. Working with the House Appropriations Government Operations today, and also the Human Services committee, we determined we could eliminate 2123 which was the large criminal background check that said the department could do a background checks early childhood service providers, department employees, childcare placement agencies and a couple more down the list. Instead we had other bills sitting out there so we could eliminate that and put our needs for personal background checks in 2162 and also in 1090. So this amendment allows us to make it work for us to continue to do criminal background checks. Right now, 1090 does include language in there that we want to (page 4, line 23 of bill) "pursuant to section 12-60-24" can do criminal background checks, but we need BCI arraignment to do that. The amendment allows that to happen.

Senator Warner: Senator Krebsbach, is your amendment in the nature of "hoghouse" then?

Senator Krebsbach: Yes, I guess it would be, because we have to go back to the original version.

Roxanne Woeste, Legislative Council: We can just remove the language added by the House.

Senator Warner: It would be nice to have it on paper, so we can actually see what we are doing. All we have is the engrossed copy. I don't think we even have the original version.

Senator Mathern: I'd ask us to consider adding money. It's kind of interesting going back in my history of working with women who have children. There was a time when we paid for a four year education while somebody was on assistance. Everyone that I worked with that was able to use that program has become a taxpayer. They are RNs around the state, teachers around the state. Those people who were not able to finish their college degree were much more dependent. I think the House evidently had some recognition of the value of this, but they didn't have the courage to fund it. Why don't we recognize the value and have the courage to fund it?

Senator Fischer: One issue would be if they lose recognition of the bill as theirs.

Senator Krebsbach: If we go with the version that the House sent to us, we're going to have to fund the \$1.25 M. If we go back to the way it was, where it's just on the 2 year or whatever, then there is no dollar amount in this bill, of general funds.

Senator Fischer: I see.

Senator Mathern: Doesn't that basically say that those parents who have a higher goal will not be getting childcare?

Senator Fischer: They'll have the childcare as someone who goes for two years.

Senator Mathern: Is that the original bill?

Roxanne Woeste: The original bill establishes the rules for the childcare program.

(Explained the monetary funding for the bill) Currently under our childcare program you can cover individuals going to school if they are eligible, if they go to a vocational school.

Senator Mathern: So if we go to the original bill, we can cover them only if their goal is to go to vocational school?

Roxanne Woeste: That is correct. This would just extend it a little bit more.

Senator Mathern: I think we ought to go beyond. People get pregnant for a lot of reasons. This says we know some of you can go on to a four year college and we don't want to get in your way. If we go back to the original bill, we're saying all you can do is get a two year degree and get childcare.

Senator Fischer: You can go four years, and you get childcare for two.

Senator Mathern: No, only if you go to vocational school.

Senator Fischer: The other alternative is you can go to a vocational or four year school and figure out how to pay the childcare. And that's a risk too.

Senator Krebsbach: Maybe we can find out exactly what the bill as it was originally introduced. You said that it expanded it somewhat from what it was before?

Senator Mathern: They passed the bill over there to tell the department to do what you're doing already. That's what the original bill said.

Senator Fischer: What authority were you operating under before?

DHS rep: Federal law. From what it was. We didn't have nothing to back it. That's why this was drafted so we could build some administrative rules so we would have some backing. We didn't have any rules.

Senator Fischer: So this program also needs some rules.

Senator Mathern: We just saved \$68 M dollars in our amendments to the stimulus package. There's \$1.5 M here. I am convinced that every one of those people who go to a four year program, they're going to be taxpayers and pay every dime back. The people who don't get that kind of education are still going to be hopefully making it, but they'll be in the lower income areas.

Senator Krebsbach: When you talk about vocational, how many years of vocational training does this bill cover?

Brenda Weisz: The most would be two years.

Senator Krebsbach: And if we were to switch it from 2 year higher ed other than vocational, meaning other than vocational – a regular college or university, would that still qualify under this bill then?

Roxanne Woeste: Not without the amendment, it would just be vocational.

Senator Krebsbach: The dollars that you have, could they be spread around to cover two years of other study?

Brenda Weisz: We would not have all the funds to cover more than two years.

Senator Fischer and Senator Krebsbach looking at the original bill and the amendments handed out by the department - Proposed Amendments to House Bill No. 1090 that was adopted by the Human Services Committee on February 3, 2009 - see attached #2.

Senator Kilzer: I don't quite understand how the money is all expended for the coming biennium.

Senator Warner: It's budgeted, not extended.

Brenda Weisz: It \$24M and not \$22M. We've received a federal grant award and received an equivalent of two federal fiscal years of biennial (unaudible). Because of the program we

have right now, all the money is expended, so if you're going to expand who you're going to cover, it's going to cost general fund dollars. Because it's a block grant and that's all you have.

Senator Kilzer: Are certain providers assured of receiving an income then?

Brenda Weisz: No, it's the people that are eligible in the program, so those that fit the income guidelines or level are qualified to receive childcare assistance. And so based on the people that we have that are eligible at those levels, we make a payment to the provider on behalf of that eligible individual.

Senator Kilzer: So the people that get the money, are they the child care providers in Bismarck and Wahpeton then?

Brenda Weisz: All over the state. Wherever they choose their care – for those that are eligible.

Senator Fischer: For two years.

Brenda Weisz: Of vocational.

Senator Fischer: But if we change it you still get two years, but you could go to higher ed.

Brenda Weisz: You can but it will cost more money, because there are people that are going to two years that are not vocational that aren't getting the childcare covered. So if you change it to be two years of any school.

Senator Fischer: That would be because more people would qualify.

Brenda Weisz: Right. What's happening is our federal funds are not growing because our children are not increasing in the state. We're not increasing our population in children. And so because of that, the child care block grant is based on the number of children in the state's population.

Senator Krebsbach: Is it a department ruling that we only cover for vocational or was that to satisfy the grant.

Brenda Weisz: You had to live within the means of the grant.

Senator Krebsbach: That's all you had money for.

DHS rep: And remember, this is for the working poor.

Senator Fischer: When we first passed a bill in 1997, you couldn't use education as a work requirement. In 1999, we added two year education of any kind as a work requirement. As it stands now, where's that?

Brenda Weisz: Twelve months.

Senator Krebsbach: I'm trying to justify dollars. If you said \$25 M that is expended now, how is \$1.5 M going to cover the cost of the additional ones we're looking at.

Brenda Weisz: It's still based on the income eligibility level – the working poor. So it wouldn't cover people who are going back to school that don't qualify by income eligibility. 2003 is when we had to make a change to the program because of funds.

Senator Mathern: I just wonder if we shouldn't use this as a way to work with the House. They're sending a bunch of bills over here that don't have money. They're saying great ideas but they don't fund them. Let's say great idea and this is what it costs. Let them take it out if they don't want to do it or we negotiate with them. Between the Senate and the House, I think we should stand up to that situation and fund it. If they want to argue against funding it, they might have to look at their policy at the same time. I literally think this is an incentive primarily for women not to go to college because they can get help by going to vocational school.

Senator Mathern: I'm afraid if we take it back to the original bill; they'll say "hallelujah, finally, we didn't have to stick up to what we did because the Senate didn't accept it." They'll just concur.

Senator Krebsbach: I move that we remove the House amendments on HB 1090 and then add the amendments proposed by the department for early childhood services.

Senator Fischer: Now we have the original bill before us.

Senator Kilzer seconded.

Senator Mathern: I'm going to vote against that motion. I think the proper role would be for us to fund them.

Senator Warner: I'm going to resist as well. I think it's important that we give women -- we have a huge demand for traditional women's occupations in the four year level. Those are the jobs that actually pay a living wage or better.

Voice vote passed.

Senator Krebsbach moved a committee recommendation of Do Pass as Amended on HB 1090.

Senator Kilzer seconded.

Senator Mathern: I'm going to vote no. Basically the bill now says knowing what you've been doing as a department, now continue doing it. And then we'll do some technical thing to make sure we address the issues of these background checks.

Senator Krebsbach: I hear what you're saying and I can agree with it, however, I know we'd be opening this up quite broadly again and we'd soon have a lot more dollars going out in this program. And I'm not saying it's wrong, but from what I understand and from what I've gathered, this wasn't requested by the department. It was something they added. Now if they can sell me on it down the road, I'll be glad to switch my position, but for now, I'd like to go back to the original governor's version.

Senator Mathern: Where did 1090 come from?

Senator Warner: From Human Services interim committee.

Senator Krebsbach: I don't think they went into the House requesting that they broaden it.

Senator Kilzer: Yes, it came at the request of the department.

Voice vote passed.

Senator Fischer closed the hearing on HB 1090.

2009 SENATE STANDING COMMITTEE MINUTES

Bill/Resolution No. 1090

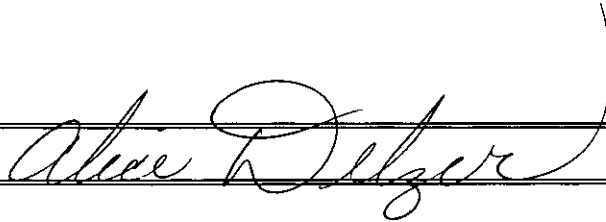
Senate Appropriations Committee

☐ Check here for Conference Committee

Hearing Date: 04-09-09

Recorder Job Number: 11799

Committee Clerk Signature



Minutes:

Chairman Holmberg called the committee to order in reference to HB 1090 in regards to child care assistance.

Jonathan E. Alm, Department of Human Services explained part of the amendments in 98192.0201. The amendment is for us to allow and continue with the criminal background checks that are in HB 1090. There were four bills that dealt with background checks. During the House conference committee for appropriation it was discussed whether we needed SB 2123. After discussion they amended the other three bills to make it work. We have been working with the House Human Services committee and we amended 2162 to eliminate 2123. Amendment 98192.0201 would continue with that effort, and get the information back to us.

Senator Mathern would it be accurate to say you just transferred the fiscal note?

Mr. Alm yes, I do believe with the fiscal notes that the money was still there.

Chairman Holmberg that is just one part of the amendment that Mr. Alms' addressed Senator Krebsbach will address the other parts.

Senator Krebsbach I requested him to be here to explain that part. The House amended the bill and it was originally for child care. It provide child care assistance to needy people. The situation is they have limited this to vocational training only. When the House got the bill they add 2 and 4 year institutions, which on the surface sound great. There comes a price tag with

that of \$1.525, 000 and they put no money in it. My amendments remove the house amendments and put it back to the original state so the department has the guide lines and the frame work to handle this program. If the House feels strongly about it we can go to conference and they can try to sell us on the other and the money can be added.

Senator Krebsbach moved the amendment. . Seconded by Senator Fischer.

Senator Warner opposed these amendments. The amendment would limit the educational access of women to just vocational school. The House voted this out 85 to 8 as a policy change allowing these women to pursue degrees of Higher Education. It didn't change the two year. There should be no increase of costs. All we have to do is allow them to pursue 4 year school. Money issue is a separate issue. I support the policy issue that will give these women a career.

Chairman Holmberg: I would suggest that when we vote on these amendments we have a division A which is the technical amend and B the other amendments. No matter what we do with the bill the bill itself is important.

Senator Warner said that it came out of policy committee 5 and 0. Do pass.

Senator Mathern I support the issue. I actually believe we ought to put in the money. The House created this, they are correct, but they sent it over without the money. I believe there are many women who would want to take part in this program. They are being told we don't want to help you if you are looking for a higher education degree. We are telling that class of people they don't have a ladder to get out of that situation. I would support keeping it as it is. The original bill basically said we are going to do what we have always been doing.

V. Chair Grindberg following up on Senator Warner points, we are now requiring with this amendment if it is passes as clarification whether vocational training is a 2 year or less or now any 4 year degree. I need clarification on that.

Senator Warner The department as a matter of policy only allows vocational education.

V. Chair Grindberg: Your definition of that is one or 2 years?

Senator Warner: They will provide up to 2 years daycare.

V. Chair Grindberg Everyone assumes they make more money with a 4 year degree, that is not necessarily so. I am struggling with the notion that you have to have a 4 year degree to be successful. I am not against; I am struggling with the balance of the reality of jobs.

Senator Warner I think one of the issues that TANIFF is only available to women. If you take all the genders, if you segregate these things, traditional women, they tend to be more clerical, service low level medical occupations.

Senator Christmann: We no longer require a 4 year degree for RN is that considered a two year? Is a two year RN degree considered a technical degree? What have we been doing?

Senator Kilzer This is federal money of 24 million dollars per biennium and the money is all used up in the two year training. If we are going to change this to two or four year certificates being eligible there won't be as much money available for the two year programs.

Senator Mathern History, (14.36) what is it that will give this person the ability to be self sufficient and a tax pay? The way the bill came to us from the House would not change the two years of support it would just say you can get that help for two years for the whole range of your career options. Take an RN program, some in the context of U, it will take all those into consideration. We want to support these women for two years, you guys figure out what is best for these women. If we adopt these amendments we go back to saying it will be only this group that we will support.

Senator Krebsbach This is a dilemma. However the grant and the dollars received, is only so much, if we change the program today it is an expansion of the program. We will have to start funding it with state dollars. The opportunities for women today are far greater in various other

fields and unlimited in two degree programs. That is where the real need in our work force is. That is why I am hanging on to what the department initially asked for.

Senator Krauter: There is enough TANIFF dollars. We have money.

Senator Mathern one of the issues about TANIFF is that if we limit ourselves to these project dollars, that means we wouldn't be using those TANIFF dollars. However, we don't have to limit ourselves. We have reduced general fund expenditures because of stimulus dollars. We will use it in the next few years. There is some money from this biennium that is being saved. It is not like we are scraping the bottom of the barrel for the dollar. We have money aside to use it. Or we take Senator Warner's route and pass as brought in. Let's come to another solution on this.

Senator Warner addressed the concern on diminishing the resources available for people attending vocational school if we allow people to choose four year careers. First, this is a defined population, by nature they are women without spouses, and with children. We are not changing the two years of eligibility for child care, the simple policy change allows them to go after a BS or BA degree. We are simply allowing them to make career choices. We are not demising them.

Senator Kilzer I would remind the committee that the 24 million dollars is totally used up and has already been signed up for the next two years. If you expand the eligibility to four years then this target population will not receive as much because some of it will be going to the four year. We will be taking from the poor and giving to the 4 year programs.

Senator Seymor I think this group is missing the point. They don't have the option. The option is blocked for them and their career.

Chairman Holmberg take section A of the amendment after "investigation" insert "as an early childhood services provider under section 50-11.1-06.2 and". **All in favor say aye. It carried.**

Senator Robinson as a state we need to do a lot more to encourage support and promote enhancements for our people. We have 15000 jobs out there. We have significant underemployment. This is an investment to move forward. We talked about the cost of doing it but not about the cost of not doing it.

V. Chair Grindberg They get reimbursement going to school. What is the issue here? They could do it on their own. Why couldn't they go?

Senator Warner: They couldn't get any child care support if they went to a 4 year school. The department will pay for 2 years. This would allow them a career option.

V. Chair Grindberg So you are saying if they are going for a 4 year, they don't even get the two year.

Chairman Holmberg Let's take a vote: All in favor in part B which is the rest of amendments signify by saying I. Mixed vote.

Committee member requested a roll call vote.

Discussion on the fact that there is no money authorized in this.

Senator Krebsbach I would remind the committee the Human services department says they need the money if we increase.

V. Chair Grindberg: If I am a TANIFF mother and residing in Bismarck and I chose a two year program at BSC I am eligible. If I chose a program I could transfer. If I am not living in Bismarck there are a number of on line ed. (29.04) if I knew the system I could do the two year and then transfer to 4 year and child care would be covered.

Senator Mathern I would like to clarify, if the intent is part of a four year degree program, asking them to be honest, they would say no to that program because the intent is to get the university degree. Now if they said I am doing this on line thing, and will stop in two years, it would be approved. What is happening, some women are only able to move toward their

aptitude if they somehow tell folks it is a vocational degree. This is letting people make the right and honest decisions. In the fiscal note right now there are women in vocational school only because of this requirement not because it is their wish. If changed it would be the same person saying she would like the University degree. That same person would get this aid.

V. Chair Grindberg I can't imagine that the Department can deny an individual based on intent to go beyond two years. I hope that it gets resolved in conference committee.

Senator Mathern I don't think it will go to conference committee. We will trap another generation of women into that.

Senator Holmberg called for the roll call vote on division B. It carried 8 to 6.

SENATOR KREBSBACH MOVED A DO PASS AS AMENDED. SECONDED BY SENATOR FISCHER.

Senator Mathern I will vote no. We are telling the Department to keep doing the same thing.

Senator Christmann is all new language, apparently we have been doing this, and if we pass it what is the extra money for?

Senator Krebsbach they have been operating without this being in the statute because they have gotten the funding from federal money. So they want a policy. The way we amended it now, there is no need for the money.

Senator Mathern In the Department's testimony the department will just creating a situation where they will continue to do what they have been doing. If that is accurate then there is no fiscal note.

A ROLL CALL VOTE WAS TAKEN RESULTING IN 9 YEAS, 5 NAYS, 0 ABSENT.

SENATOR KREBSBACH WILL CARRY THE BILL.

Chairman Holmberg closed the hearing on HB 1090.

April 8, 2009 /
PM

PROPOSED AMENDMENT TO ENGROSSED HOUSE BILL NO. 1090

Page 4, line 24, after "investigation" insert "as an early childhood services provider under section 50-11.1-06.2 and"

Renumber accordingly

PROPOSED AMENDMENTS TO ENGROSSED HOUSE BILL NO. 1090

Page 1, line 8, remove "including a postsecondary education program in the pursuit of"

Page 1, line 9, remove "a one-year, two-year, or four-year degree"

Page 4, line 3, remove "Child care assistance may be paid for up to two years for an eligible caretaker who"

Page 4, remove line 4

Page 4, line 5, remove "or four-year degree or certificate."

Page 4, line 24, after "investigation" insert "as an early childhood services provider, under^{provided}
section 50-11.1-06.2 and"

Renumber accordingly

Date: 4/9/09
Roll Call Vote #: 1

2009 SENATE STANDING COMMITTEE ROLL CALL VOTES
BILL/RESOLUTION NO. 1090

Senate Senate Appropriations Committee

☐ Check here for Conference Committee

Legislative Council Amendment Number Section A of Am

Action Taken ☐ Do Pass ☐ Do Not Pass ☐ Amended

Motion Made By Krebsbach Seconded By Fischer

Representatives	Yes	No	Representatives	Yes	No
Senator Wardner			Senator Robinson		
Senator Fischer			Senator Lindaas		
V. Chair Bowman			Senator Warner		
Senator Krebsbach			Senator Krauter		
Senator Christmann			Senator Seymour		
Chairman Holmberg			Senator Mathern		
Senator Kilzer					
V. Chair Grindberg					

Total Yes Carried No None

Absent _____

Floor Assignment _____

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

Date: 4/9/01
Roll Call Vote # 2

2009 SENATE STANDING COMMITTEE ROLL CALL VOTES
BILL/RESOLUTION NO. 1090

Senate Senate Appropriations Committee

☐ Check here for Conference Committee

Legislative Council Amendment Number Section B ~~2001~~

Action Taken ☐ Do Pass ☐ Do Not Pass ☐ Amended

Motion Made By Krebsbach Seconded By Fischer

Representatives	Yes	No	Representatives	Yes	No
Senator Krebsbach	✓		Senator Seymour	✓	✓
Senator Fischer	✓		Senator Lindaas		✓
Senator Wardner	✓		Senator Robinson		✓
Senator Kilzer	✓		Senator Warner		✓
V. Chair Bowman	✓		Senator Krauter		✓
Senator Christmann	✓		Senator Mathern		✓
V. Chair Grindberg	✓				
Chairman Holmberg	✓				

Total Yes 8 No 6

Absent _____

Floor Assignment _____

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

Date: 4/9
Roll Call Vote #: 3

2009 SENATE STANDING COMMITTEE ROLL CALL VOTES
BILL/RESOLUTION NO. 1090

Senate Senate Appropriations Committee

☐ Check here for Conference Committee

Legislative Council Amendment Number _____

Action Taken ☒ Do Pass ☐ Do Not Pass ☒ Amended

Motion Made By Krebsbach Seconded By Fischer

Representatives	Yes	No	Representatives	Yes	No
Senator Krebsbach	<input checked="" type="checkbox"/>		Senator Seymour		<input checked="" type="checkbox"/>
Senator Fischer	<input checked="" type="checkbox"/>		Senator Lindaas	<input checked="" type="checkbox"/>	
Senator Wardner	<input checked="" type="checkbox"/>		Senator Robinson		<input checked="" type="checkbox"/>
Senator Kilzer	<input checked="" type="checkbox"/>		Senator Warner		<input checked="" type="checkbox"/>
V. Chair Bowman	<input checked="" type="checkbox"/>		Senator Krauter		<input checked="" type="checkbox"/>
Senator Christmann	<input checked="" type="checkbox"/>		Senator Mathern		<input checked="" type="checkbox"/>
V. Chair Grindberg	<input checked="" type="checkbox"/>				
Chairman Holmberg	<input checked="" type="checkbox"/>				

Total Yes 9 No 5

Absent _____

Floor Assignment Krebsbach

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

REPORT OF STANDING COMMITTEE

HB 1090, as engrossed: Appropriations Committee (Sen. Holmberg, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (9 YEAS, 5 NAYS, 0 ABSENT AND NOT VOTING). Engrossed HB 1090 was placed on the Sixth order on the calendar.

Page 1, line 8, remove "including a postsecondary education program in the pursuit of"

Page 1, line 9, remove "a one-year, two-year, or four-year degree"

Page 4, line 3, remove "Child care assistance may be paid for up to two years for an eligible caretaker who"

Page 4, remove line 4

Page 4, line 5, remove "or four-year degree or certificate."

Page 4, line 24, after "investigation" insert "as provided under section 50-11.1-06.2 and"

Renumber accordingly

2009 HOUSE HUMAN SERVICES

CONFERENCE COMMITTEE

HB 1090

2009 HOUSE STANDING COMMITTEE MINUTES

Bill/Resolution No. 1090

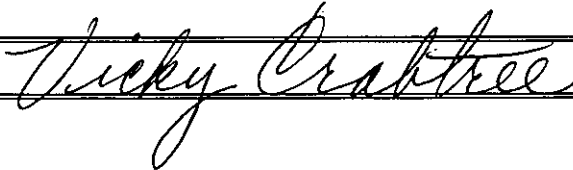
House Human Services Committee

☒ Check here for Conference Committee

Hearing Date: April 22, 2009

Recorder Job Number: 12113

Committee Clerk Signature



Minutes:

Chairman Nathe called to order the conference committee meeting on HB 1090.

Chairman Nathe: I'd like the Senate to explain their amendments.

Sen. Dever: I'd like to defer to Carol Cartledge.

Carol Cartledge from DHS: In the first hearing they talked about the education components.

We only allow child care for those going to school for two years. When language came out, everything came out.

Chairman Nathe: You are saying the original bill then had the money in it and then the House put the money in.

Sen. Dever: The Senate took out what the House put in..

Chairman Nathe: My question is why?

Carol Cartledge: (Inaudible) when in appropriations there was discussion that department (inaudible) dollars. There is \$24 million for the next biennium.

Chairman Nathe: Isn't there already a half a million dollars in the DHS budget?

Carol Cartledge: Within the childcare system (inaudible) is (inaudible) or appropriated.

Sen. Dever: The amendments placed on the bill were prepared by the Legislative Council Staff for Senate Appropriations. I think it was a matter of dollars.

Rep. Kilichowski: You said there is \$24 million dollars allocated. What all does that include?

Carol Cartledge: (Inaudible) TANF and any low income families eligible according to the income guidelines, we would pay their child care.

Rep. Kilichowski: Childcare would fall under that?

Carol Cartledge: Almost all is used for childcare. Twelve percent to quality and an addition \$500,000 (inaudible) block grant used in the childcare assistance program (inaudible).

Chairman Nathe: Right now the program is for a two year course or trade school, but if you go to a four year degree, they will not pay for those two years. Is that correct?

Carol Cartledge: Correct.

Chairman Nathe: The program has been geared toward a two year program with trade school education.

Carol Cartledge: At one point and time it was for four year degrees back in 2003-04. Then there wasn't enough money and so it was cut back to two year degrees.

Sen. Dever: Were those adjustments made federally through the deficit reduction act or did we do it?

Carol Cartledge: Done through legislative process.

Rep. Damschen: Do you know the amount that was actually spent on that decreased at that point?

Carol Cartledge: I believe it came down (inaudible) population in ND so it has decreased over the years.

Sen. Pomeroy: Would it be possible (inaudible) pay for two years?

Carol Cartledge: We already put it in the budget (inaudible) cover that. (Inaudible) would not have within budget to cover.

Sen. Pomeroy: If they want to go to four years and two years are paid for then after that it isn't possible?

Carol Cartledge: That's not possible.

Chairman Nathe: Is that distinction made because there is more people in the three year degree level that is needed in the workforce than a four year degree?

Carol Cartledge: (Inaudible)

Sen. Erbele: As far as a four year degree program is that outside of TANF parameters too?

Carol Cartledge: True.

Rep. Kilichowski: In 2003-04 you went for a four year degree you could get the two years of child assistance?

Carol Cartledge: Yes.

Rep. Kilichowski: Was TANF involved back then?

Carol Cartledge: Some were and some were not.

Chairman Nathe: It would be nice to help out the ones going for a four year degree. I understand why the Senate did what they did. Don't have trouble with amendments.

Rep. Damschen: Move to accede to Senate's amendments.

Sen. Dever: Second.

Roll Call Vote: 6 yes, 0 no, 0 absent.

MOTION CARRIED.

BILL CARRIER: Rep. Nathe.

2009 HOUSE STANDING COMMITTEE MINUTES

Bill/Resolution No. 1090

House Human Services Committee

☒ Check here for Conference Committee

Hearing Date: April 24, 2009

Recorder Job Number: 12231

Committee Clerk Signature

Vicky Crabtree

Minutes:

Chairman Damschen called to order the conference committee meeting on HB 1090.

Chairman Damschen: I'll give you a brief explanation why we are back here. There was discussion on the floor about the conference committee report and it was state that the money was in the budget and available. The body felt we should take it back and look at it. Since then, Human Services has explained that there is money there, but all budgeted for other purposes. (Asked Brenda Weisz to the podium.)

Brenda Weisz from DHS: (See attached handout.) Top section of handout talks about the federal funds. Only available federal funds are \$8,675. All the federal funds are being used and that is why there is no money in the budget to do another \$1.5 million to provide additional child care. Bottom section provides information on general funding shows where money is being spent. The two total numbers differ because we need to do a grant match. The vast majority of the childcare program goes to pay for direct childcare assistance.

Sen. Dever: So if we go back to the House version, we have to go Appropriation.

Chairman Damschen: Yes. If we went back to that version without the appropriation, what would happen?

Brenda Weisz: We would have to change the eligibility guidelines.

Rep. Kilichowski: You have a total of \$53 million with the 28 and 24?

Brenda Weisz: No, the first one is the total amount in the program and right hand column is (inaudible) difference is general funds then.

Rep. Hofstad: Going back and changing the eligibility requirements, how would you change them and how many would be affected?

Brenda Weisz: I'll let Carol answer that.

Carol Cartledge form DHS: What we would probably do is it would be based on starting fee schedule; based on their income. We'd have to adjust those (inaudible) the income they have (inaudible).

Sen. Pomeroy: What some people are saying is they can sign up for a two year child training program and then use that towards a four year degree, right?

Carol Cartledge: Correct. But if they go for two years just for basics, we would not pay for childcare. Only pay for childcare if they go for a vocational 2 year degree.

Rep. Kilichowski: Why did you have a \$2 ½ million carryover from '07-'09?

Brenda Weisz: Back in 2003 we had a childcare grant. We did previously provide childcare assistance with people obtaining a 2-4 year degree. We had to make changes because our federal funding changed. Not as many people came forward for childcare assistance and then we had money to forward.

Rep. Kilichowski: I know that in '03 and '04 you were doing that. And if you had this money at that time to work as a carryover, after you put through administrative rule, why didn't you reinstate it knowing that there was money there?

Brenda Weisz: It wasn't there at that time. Not enough to reinstate program. Based on caseloads (inaudible) a little bit better and then (inaudible). Due to cost changing and actually people eligible for assistance and how that changes (inaudible).

Chairman Damschen: How problematic or feasible to have a stipulation if there were access funds, the department could be authorized to use them for this program?

Brenda Weisz: Could work if the appropriation funds become available, then the department needs to provide to the education. It would give us the opportunity if the funds are there.

Chairman Damschen: Would the timing be critical in implementing the program when you don't know when the funds are going to be there?

Brenda Weisz: We should know after about 9 months into the biennium we can take a look at the caseloads. We could look then at what it would cost and what it would be.

Sen. Dever: Another time to look at it is in the next session.

Chairman Damschen: I'm just throwing out that option.

Sen. Dever: Motion The House Accede To The Senate Amendments.

Sen. Erbele: Second.

Rep. Kilichowski: I'd like to look into it more or change the language. I liked to at least give it the opportunity.

Rep. Hofstad: Seems like there are very few options or opportunities from what I hear. Unless we go back in front of Appropriations, I don't see an opportunity here.

Rep. Kilichowski: If we could put the language in here to give them the authority to do it. I just wonder what kind of carryover they had in the total budget that could be transferred over too.

Sen. Pomeroy: I don't think we will have trouble getting this through the Senate. I'm wondering if the language would help in the House or not.

Rep. Kilichowski: I think it will definitely help in the House.

Sen. Dever: I can withdraw my motion or hold it over until the next conference committee meeting.

Chairman Damschen: I'd like to get a stronger feeling of what we can do on the floor. We will carry the motion over and schedule a meeting for Monday. Meeting adjourned.

2009 HOUSE STANDING COMMITTEE MINUTES

Bill/Resolution No. 1090

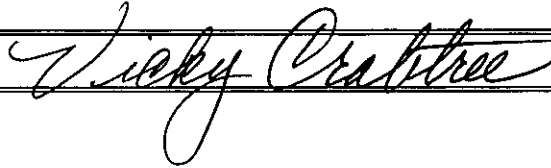
House Human Services Committee

☒ Check here for Conference Committee

Hearing Date: April 27, 2009

Recorder Job Number: 12299

Committee Clerk Signature



Minutes:

Chairman Damschen called the conference committee meeting to order on HB 1090.

Chairman Damschen: I think we have a motion carried over and I also have some amendments in front of you.

Sen. Dever: What was the motion? I don't remember what it was.

Chairman Damschen: The motion was for the House to accede to the Senate amendments.

The amendment 0203 is to expand the program and to cover 2 years for someone pursuing a 4 year degree if the funds are available.

Sen. Erbele: If it is 0203 are we trying to put them into the 200 version?

Chairman Damschen: Yes.

Sen. Dever: It looks to me like the first part of the amendments page1, line 8 and 9 were part of the Senate amendments previously, so we are just restoring those and then the changes come on page 1.

Chairman Damschen: I believe you are right.

Sen. Erbele: In page 4, line 3, that language there, "subject to available funding", what type of situation would we expect to see? We are not going to jeopardize anyone from currently receiving? That is not our intent.

Chairman Damschen: Correct. The intent was if there were any access funds in the existing budget or funds available in the other program then they could be authorized to direct those funds towards this program.

Rep. Hofstad: Within the department if the level of participation is less than what they anticipated and if funds are left over and there are applicants for the 4 year program, that they could utilize those applicants for the funding?

Chairman Damschen: I'm not sure of the mechanics of it. If there is any dollars available within this budget, the department could direct funds to this program.

Rep. Kilichowski: My understanding is the money will come available when the economy starts getting better and more people will be going back to work or whatever.

Chairman Damschen: Brenda will you please come up.

Brenda Weisz from DHS: (Inaudible) if their income would increase to such a level that they would come off the program and it would put dollars within that sheet I should you under funds that are available. Then we could look at covering more of an education.

Rep. Hofstad: We aren't saying we now give the department the discretion to pick 4 year degrees to implant these into this program? We still are going to do it the way we have always done it unless there happens to be additional funds?

Brenda Weisz: Correct.

Rep. Kilichowski: You had a carryover of about \$2 ½ million?

Brenda Weisz: Right.

Rep. Kilichowski: If this had been in statute 2 years ago, then you could have used that money? Is there some reason you didn't go back to implementing the original?

Brenda Weisz: (Inaudible) there are that many more working poor (inaudible). (Inaudible) didn't make it available (inaudible).

Rep. Kilichowski: In other words it kind of looks like we are putting this into statute, but it is really not going to do anything.

Brenda Weisz: Currently right now, no. If the federal grant level would increase the amount of money they put into the childcare federal program and then an additional increase in the allotment in ND would occur, that might give us the liberty to do that. It would give us an opportunity to at least look at it if in fact they were to increase.

Sen. Dever: In this biennium or ten bienniums from now because it is going to be in the Century Code?

Brenda Weisz: Yes, if it is in the statute. It allows us to continue to track what the federal government is doing (inaudible) funding (inaudible).

Sen. Dever: Is it problematic at all that this then becomes inconsistent with TANF? My understanding is that you can receive TANF now for vocational schooling..

Brenda Weisz: That does not come from TANF. It comes from this funding source.

(Talking coming from audience area and inaudible.)

Sen. Dever: That was all part of welfare to work. That was educating single parents to put them in the workplace, but this is a little different.

Carol Cartledge from DHS: They still would be able to pursue the TANF bill (inaudible) then go onto childcare. (Inaudible) under the childcare rule.

Sen. Dever: (Inaudible) income guidelines?

Carol Cartledge: The income guidelines, if someone is a TANF person they are eligible for childcare assistance. If not on TANF, then it goes on the childcare assistance sliding fee schedule according to what their income is.

Sen. Dever: If not on TANF, childcare assistance has a different set of income guidelines?

Carle Cartledge: That is correct, yes.

Sen. Dever: How different are they?

Carol Cartledge: It varies from the low income (inaudible) under household funds (inaudible) say a household of two (inaudible) to \$3,000 in a month's time period would be eligible for the 10% childcare 20% (inaudible).

Sen. Dever: Do they get the assistance while they go to school and working?

Carol Cartledge: Can be a combination. Guidelines are for working poor.

Sen. Dever: Working poor could be however someone defines it.

Carol Cartledge: (Inaudible) 35% of ND (inaudible) and that's established by federal law.

Sen. Dever: I withdraw my motion.

Sen. Erbele: Second.

Sen. Dever: I'm not ready to jump onto this yet. Was the department behind or in support of this amendment?

Brenda Weisz: This looks different from what we talked about in Legislative Council today. But our conversation was based on what we talked about last Friday in committee.

Sen. Dever: Would the word "may" allow you to support a 2 year program or do you have to go all the way with it?

Brenda Weisz: The language actually says that it will be paid for up to 2 years subject to availability. I would read it to saying it will pay up to 2 years (inaudible) or up to 2 years of a bachelor degree..

Sen. Erbele: What kind of pool of money do you have to work with on this and is there a cap? Do you have more applicants than you have got money for it? Has that ever happened? As long as you have eligibility the money is there?

Brenda Weisz: We have \$21 million in federal funds and we are seeing an increase in those (inaudible) in the same eligibility guidelines we have in the program.

Sen. Erbele: That's strictly for the vocational degrees?

Brenda Weisz: Yes

Sen. Erbele: You are up against it.

Brenda Weisz: We are up against our cap right now.

Sen. Erbele: You don't have a waiting list?

Brenda Weisz: No.

Rep. Hofstad: Is there a federal allocation based on our average income in ND?

Brenda Weisz: I don't know the full formula only part of it. The base it on the number of children in ND and number of children (inaudible).

Rep. Hofstad: Based on a number of children or number of children in the poverty range?

Carol Cartledge: Based on the number of children born in ND.

Sen. Dever: If we fund this for the working poor are we jeopardizing the funding for the poor or working poor?

Brenda Weisz: Our eligibility guidelines right now cover the poor and working poor and all the people who would qualify because we are setting our program within the guidelines of the federal government.

Sen. Dever: Want to make sure we aren't jeopardizing anyone we really want to take care of by expanding that to others.

Brenda Weisz: We are not going to be expanding at this point because there is no money to expand. We will be taking care of the poor and working poor. This amendment will just allow us to take care of a few more people if federal funding would increase.

Sen. Dever: At the discretion of the department.

Brenda Weisz: Yes.

Sen. Erbele: How would you determine how many and who would get the extra funds? Would you have another set of criteria for just those funds?

Brenda Weisz: We have to look at the fiscal note first for this bill when it was amended in the House as to (inaudible) offer. They still have to qualify for the program. We have the data that would show that approximately this many people are currently enrolling and would have sufficient money to open up the program under the guidelines of administrative rules. We'd have to look at what the cost would be for those who want to attend college and make sure that the increase in the capital funds we have is enough to open up the program to do that.

Rep. Hofstad: I looked at the "may" and thought we might be leaving the department into the discretion to move into this area. But, I think I'm comfortable with it now knowing the department will use the current set of standards and will be doing exactly what we are doing right now unless you have additional funds and then move to the administrative rules process and include those other individuals.

Rep. Kilichowski: Do these amendments are they workable with you and do what you want?

Brenda Weisz: I introduced the bill as a housekeeping measure. We needed the childcare assistance in the Century Code. We are willing to work with legislature as to what they would like to do with the program if the funding is available.

Rep. Kilichowski: With these amendments, that would work?

Brenda Weisz: Yes.

Sen. Dever: I'm comfortable with the amendment if the department is. I'll support it.

Rep. Hofstad: Move 0203 amendment.

Sen. Pomeroy: Second.

Roll Call Vote for Senate to Recede from Senate Amendment and Adopt Amendment

0203: 6 yes, 0 no, 0 absent.

MOTION CARRIED.

BILL CARRIER: Rep. Damschen.

REPORT OF CONFERENCE COMMITTEE (ACCEDE/RECEDE)

Bill Number 1090 (, as (re)engrossed):

Date: 4-22-09

Your Conference Committee Human Services

For the Senate:

For the House:

Attend		YES / NO		YES / NO	Attend
✓	Sen. Dever	✓		Rep. NATHE	✓
✓	Sen. ERBELE	✓		Rep. DAMSCHEN	✓
✓	Sen. POMEROY	✓		Rep. Kilichowski	✓

recommends that the (SENATE/HOUSE) (ACCEDE to) (RECEDE from)

the (Senate/House) amendments on (SJ/HJ) page(s) 1382 - _____

____, and place _____ on the Seventh order.

____, 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.

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

DATE: _____

CARRIER: _____

LC NO.	of amendment
LC NO.	of engrossment
Emergency clause added or deleted	
Statement of purpose of amendment	

MOTION MADE BY: Rep. Damschen

SECONDED BY: Sen. Dever

OTE COUNT 6 YES 0 NO 0 ABSENT

REPORT OF CONFERENCE COMMITTEE

HB 1090, as engrossed: Your conference committee (Sens. Dever, Erbele, Pomeroy and Reps. Nathe, Damschen, Kilichowski) recommends that the **HOUSE ACCEDE** to the Senate amendments on HJ page 1382 and place HB 1090 on the Seventh order.

Engrossed HB 1090 was placed on the Seventh order of business on the calendar.

**REPORT OF CONFERENCE COMMITTEE
(ACCEDE/RECEDE)**

Bill Number 1090 (, as (re)engrossed):

Date: 4-24-09

Your Conference Committee Human Services

For the Senate:				For the House:			

VR
4/27/09

PROPOSED AMENDMENTS TO ENGROSSED HOUSE BILL NO. 1090

That the Senate recede from its amendments as printed on page 1382 of the House Journal and page 1265 of the Senate Journal and that Engrossed House Bill No. 1090 be amended as follows:

Page 1, line 8, remove "including a postsecondary education program in the pursuit of"

Page 1, line 9, remove "a one-year, two-year, or four-year degree"

Page 4, line 3, replace "Child care assistance may be paid for up to two years for" with "Subject to the availability of funding, the department may expand child care assistance to include"

Page 4, line 24, after "investigation" insert "as provided under section 50-11.1-06.2 and"

Renumber accordingly

**REPORT OF CONFERENCE COMMITTEE
(ACCEDE/RECEDE)**

Bill Number 1090 (, as (re)engrossed):

Date: 4-27-09

Your Conference Committee Human Resources

For the Senate:

For the House:

ATTEND.		YES / NO		YES / NO	ATTEND.
✓	Sen. Dever	✓	Rep Damschen	✓	✓
✓	Sen. ERBELE	✓	Rep. HOFSTAD	✓	✓
✓	Sen. Pomeroy	✓	Rep. Kilichowski	✓	✓

recommends that the (SENATE/HOUSE) (ACCEDE to) (~~RECEDE~~ from)

the (Senate/House) amendments on (S/H) page(s) 1387 --

X and place 1090 on the Seventh order.

X 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.

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

DATE: _____

CARRIER: Rep. Damschen

LC NO. <u>98192</u>	of amendment <u>0203</u>
LC NO. <u>98192</u>	of engrossment
Emergency clause added or deleted	
Statement of purpose of amendment	

MOTION MADE BY: Rep. Hofstad

SECONDED BY: Sen. Pomeroy

VOTE COUNT 6 YES 0 NO 0 ABSENT

REPORT OF CONFERENCE COMMITTEE

HB 1090, as engrossed: Your conference committee (Sens. Dever, Erbele, Pomeroy and Reps. Damschen, Hofstad, Kilichowski) recommends that the **SENATE RECEDE** from the Senate amendments on HJ page 1382, adopt amendments as follows, and place HB 1090 on the Seventh order:

That the Senate recede from its amendments as printed on page 1382 of the House Journal and page 1265 of the Senate Journal and that Engrossed House Bill No. 1090 be amended as follows:

Page 1, line 8, remove "including a postsecondary education program in the pursuit of"

Page 1, line 9, remove "a one-year, two-year, or four-year degree"

Page 4, line 3, replace "Child care assistance may be paid for up to two years for" with "Subject to the availability of funding, the department may expand child care assistance to include"

Page 4, line 24, after "investigation" insert "as provided under section 50-11.1-06.2 and"

Renumber accordingly

Engrossed HB 1090 was placed on the Seventh order of business on the calendar.

2009 TESTIMONY

HB 1090

#1

Testimony
House Bill 1090 – Department of Human Services
House Human Services Committee
Representative Weisz, Chairman
January 14, 2009

Chairman Weisz, members of the House Human Service Committee, I am Carol Cartledge, Director of Public Assistance for the Department of Human Services. I am here today to provide you with testimony in support of House Bill 1090.

House Bill 1090 would create a new chapter to title 50 of the North Dakota Century Code for the Child Care Assistance program. The Child Care Assistance program provides subsidies to eligible families through certificates. It enables low-income parents and parents receiving Temporary Assistance for Needy Families (TANF) to work or to participate in educational or training programs they need in order to work.

House Bill 1090 provides policies and procedures not otherwise covered under federal law such as:

- Requiring a family to be residing physically within the boundaries of the state to be eligible for the program
- Requiring background checks for approved relative providers and other adults living in the household. An approved relative must be

related to the child by marriage, blood or court decree as a grandparent, great grandparent, aunt, uncle, and sibling.

The bill also allows for the Department to draft rules to support the program. Specifically, the Department is required to adopt rules addressing:

- Establishing and enforcing standards against program fraud and abuse
- Available benefits based on allowable activities, family size, and countable income
- The sliding fee schedule used to determine benefit levels available to families

This concludes my testimony. I would be happy to answer any questions.

98192.0101
Title.

Prepared by the Legislative Council staff for
Senator Bakke

January 14, 2009

#2

PROPOSED AMENDMENTS TO HOUSE BILL NO. 1090

Page 1, line 7, after "or" insert "up to four years of"

Renumber accordingly

PROPOSED AMENDMENT TO HOUSE BILL NO. 1090

Page 1, line 8, after the first "program" insert "including a postsecondary education program in the pursuit of a one-year, two-year, or four-year degree"

Page 4, line 1, after "2." Insert:

"Child care assistance may be paid for up to two years for an eligible caretaker who is attending a postsecondary education program in pursuit of a one-year, two-year, or four-year degree or certificate,
3."

Renumber accordingly

This amendment has been prepared at the request of the House Human Services Committee chairman. There is expected to be a fiscal impact for this amendment which is not accommodated in the Executive budget.

Year	Actual Cases	
	# Voc. Ed	Voc&Work
Dec-06	420	218
Nov-06	420	207
Oct-06	484	206
Sep-06	359	156
Aug-06	228	109
Jul-06	260	122
Jun-06	348	188
May-06	408	219
Apr-06	371	195
Mar-06	455	220
Feb-06	393	207
Jan-06	387	219
	4533	2266

Monthly Caseload Averages	378	189	Already included in the budget
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Caseload Increase due to allowing any 2 years of education not just certificate programs. (1/2 of monthly avg)	189	95
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Monthly Average Cost per Case 2009-2011 Budget To House	223.74	223.74
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Total Cost for 24 months of increased cases	<u>1,014,885.00</u>	<u>510,127.00</u>	<u>1,525,012.00</u> Total Cost
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Testimony
House Bill 1090 – Department of Human Services
Senate Human Services Committee
Senator Lee, Chairman
March 3, 2009

Chairman Lee, members of the Senate Human Service Committee, I am Carol Cartledge, Director of Public Assistance for the Department of Human Services. I am here today to provide you with testimony in support of House Bill 1090.

House Bill 1090 would create a new chapter to title 50 of the North Dakota Century Code for the Child Care Assistance program. The Child Care Assistance program provides subsidies to eligible families through certificates. It enables low-income parents and parents receiving Temporary Assistance for Needy Families (TANF) to work or to participate in educational or training programs they need in order to work.

House Bill 1090 provides policies and procedures not otherwise covered under federal law such as:

- Requiring a family to be residing physically within the boundaries of the state to be eligible for the program
- Requiring background checks for approved relative providers and other adults living in the household. An approved relative must be

related to the child by marriage, blood or court decree as a grandparent, great grandparent, aunt, uncle, and sibling.

The bill also allows for the Department to draft rules to support the program. Specifically, the Department is required to adopt rules addressing:

- Establishment and enforcement standards against program fraud and abuse
- Availability of benefits based on allowable activities, family size, and countable income
- The sliding fee schedule used to determine benefit levels available to families

House Bill 1090 was amended by the House Human Services Committee, under the allowable activities section, to include post-secondary education program for individuals pursuing a one-year, two-year, or four-year degree. Current policy allows for one or two-year certificates or diploma in a vocational education course of study. The fiscal note attached to the amended bill was \$1,525,012 - all general funds – for which an appropriation was not included in passage of the bill in the House of Representatives.

This concludes my testimony. I would be happy to answer any questions.

Department of Human Services

2009-11 Biennium Child Care Block Grant Funding

	<u>MOE</u>	<u>Discretionary</u>	<u>Mandatory</u>	<u>Matching</u>	<u>Total</u>
Estimated 2009-11 Biennium CCBG Funding	\$ 2,034,072	\$ 7,602,070	\$ 5,012,044	\$ 6,360,090	\$ 21,008,276
CCBG funding carried forward from 2007-09 biennium	-	2,565,300	-	-	2,565,300
TANF Transfer	-	500,000	-	-	500,000
Total Funding Available	\$ 2,034,072	\$ 10,667,370	\$ 5,012,044	\$ 6,360,090	\$ 24,073,576
 Funding used in 2009-11 Budget	 <u>2,034,072</u>	 <u>10,666,637</u>	 <u>5,004,102</u>	 <u>6,360,090</u>	 <u>24,064,901</u>
 Balance	 <u>\$ -</u>	 <u>\$ 733</u>	 <u>\$ 7,942</u>	 <u>\$ -</u>	 <u>\$ 8,675</u>

	Total	Federal
Direct Child Care Assistance	22,836,942	18,198,426
Quality for Child Care	3,910,212	3,910,212
County Expenditures - Quality and Administration	1,607,940	1,607,940
Administration	348,323	348,323
Total Funding Federal and General	28,703,417	24,064,901