

2009 SENATE HUMAN SERVICES

SB 2391

2009 SENATE STANDING COMMITTEE MINUTES

Bill/Resolution No. SB 2391

Senate Human Services Committee

Check here for Conference Committee

Hearing Date: 02/02/09

Recorder Job Number: 8331

Committee Clerk Signature

Mary K. Mowson

Minutes:

Senator Lee Opened the hearing on SB 2391.

Senator Aaron Krauter District 31. Introduced SB 2391. See attachment #1 for further information. 2391 is a retrospective look at what we as a legislature have done in regard to the abortion alternatives program. We are at the point where we have enough data to start evaluating the program. What the bill does is take it to the next level of what we need to have done. We want to market the program throughout the entire state. Read the bill to the committee. His decision was influenced by the news that a Fargo clinic was going to perform a record number of abortions. This bill is all about getting the word out. Previously they had been marketing through the 211 service but communication technology has advanced so there are a lot more opportunities to get the word out. The people who are dealing with these situations every day have recommended better marketing. Spoke at length about communication options. Section 2 is about continuing to report data to the interim committee over the years and Section 3 is the appropriation. Explained the number breakdown.

Senator Lee Can you tell us what the status of the TANF funds are now?

Senator Krauter The Humans Services budget is on the house side right now and the estimated carried amount is 11.6 mil and grants in the amount of 52.8 mil leaving a balance of

7
a little over a million. We have always allocated more money than needed for TANF. Our carry over dollars have always been in the 6-8 mil. dollar range. TANF (Temporary Assistance for Needy Families)

Senator Dever Just to clarify, the 100,000 dollars is to consult with a private firm or to provide advertising?

Senator Krauter The 100,000 dollars are to provide money for marketing to those providers that are listed on the schedule.

Senator Lee What if it were someone other than a provider themselves who was asking to market?

Senator Krauter Gave an example of developing a marketing plan

Senator Dever If you are aware that these organizations network, could they work together to market?

Senator Krauter Excellent question, yes, they could.

Representative James Kerzman District 31. Spoke in support of 2391. He is ok with the TANF funds at this point but this will require a long term commitment. The program needs to be advanced.

Senator Lee Are you aware of any other TANF funds this biennium that might be in competition with these funds?

Representative Kerzman I would defer to the department on that.

Stacy Pflieger Right to Life. See attachment # 2. Wanted to go on record in support of 2391. There are many more people providing abortion alternatives than previously and we need to get the word out on that.

Christopher Dodson Executive Director ND Catholic Conference. Spoke in support of 2391. If we build it, they will not necessarily come, we have to market.

Tom D. Freir ND Family Alliance. Spoke in support of 2391. The success of the program is going to be dependent on the marketing.

There was no opposition testimony.

Carol Cartledge Director of Public Assistance for the DHS. Gave neutral testimony. See attachment #3.

Senator Lee How do you see this marketing program fitting into what is already in place?

Cartledge I would probably see this as a broader program and it will help develop/utilize people with more expert advertising experience.

Senator Dever When you say approximately 1,000 clients have received your services, is that an increase over those who receive services otherwise and, have people have been surveyed about how they became aware of the services?

Cartledge The number of people receiving services over the last biennium has almost doubled. It will double again. We have not conducted a survey.

Senator Lee A survey may be a really positive thing to do. Closed the hearing on SB 2391.

2009 SENATE STANDING COMMITTEE MINUTES

Bill/Resolution No. SB 2391

Senate Human Services Committee

Check here for Conference Committee

Hearing Date: 02/03/2009

Recorder Job Number: 8528

Committee Clerk Signature

Mary K. Monson

Minutes:

Senator Lee Opened the discussion on SB 2391.

Senator Dever I move **Do Pass and Rerefer to Appropriations.**

Senator Erbele Second

The Clerk called the role on the motion to **Do Pass and Rerefer to Appropriations. Yes: 5, No: 0, Absent: 1 (Senator Marcellais)**

Senator Erbele will carry the bill.

Date: 2-3-09

Roll Call Vote #: 1

2009 SENATE STANDING COMMITTEE ROLL CALL VOTES

BILL/RESOLUTION NO. SB 2391

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. Dever 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 Erbele

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

REPORT OF STANDING COMMITTEE

SB 2391: 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). SB 2391 was rereferred to the Appropriations Committee.

2009 SENATE APPROPRIATIONS

SB 2391

2009 SENATE STANDING COMMITTEE MINUTES

Bill/Resolution No. SB 2391

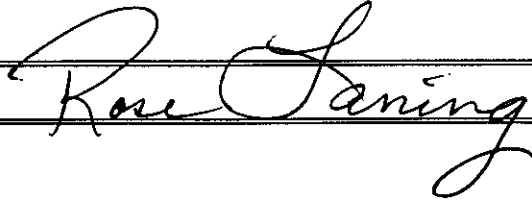
Senate Appropriations Committee

Check here for Conference Committee

Hearing Date: February 9, 2009

Recorder Job Number: 9035

Committee Clerk Signature



Minutes:

Chairman Sen. Holmberg called the committee hearing to order on SB 2391, a bill relating to the alternatives-to-abortion services program.

Sen. Krauter, district 30, testified in favor of the bill

Sen. Krauter- In the past we had bills in front of us and appropriated but what we are doing in this bill is increasing that to \$500,000 special fund dollars. The purpose of those dollars is to conduct state wide marketing to provide the public information on this program for alternatives to abortion. We want to get this information out across the entire state and in the three regions that are using that program. Time and technology has changed. There is no general funds in this it is all an increase in taniff dollars.

Sen. Wardner- Did you say that some of this is in the governor's budget?

Sen. Krauter- yes there is money in the governor's budget.

Sen. Warner- Can I ask a question of Brenda Weisz?

Sen. Warner- Brenda, can you explain the RFP process and how you go about selecting which ever vendor you want to use?

Brenda Weisz, Department of Human Services- I think what we would do is turn out one RFP to see what we could and secure as far as a vendor we haven't developed any kind of options but one thing that we could look at is state wide access and if there is vendors regional. We

have done RFP before. So we would have to look at the alternatives and work with others and see how they see it playing out and then follow proper rules as far as doing that.

Sen. Warner- It is nice to me that we are not providing an abortion service with this money we are providing marketing, is there a reason that we need possible vendors for those to provide service and not do markets?

Brenda Weisz- I would not be able to answer that.

Sen. Krauter- We drafted the bill intent that those that are providing the services out there, the listing of individual entities who have submitted receipts to get reimbursed for these and then there you will see those providers across the state is intended to be those individuals that provide the marketing because they are the ones that understand the trials and situations where individuals who are pregnant or think that they are, what is going through their mind and how to react to that. They are the ones that know, but what we are trying to do here is to provide the information about the alternatives to abortion program.

No opposition to the bill.

V. Chair Bowman motioned for a Do Pass and was seconded by **Sen. Wardner**.

A Roll Call vote was taken. Yea: 11 Nay: 0 Absent: 3.

Senator Erbele from Human Services will carry the bill.

Date: 2-9-09
Roll Call Vote #: 1

2009 SENATE STANDING COMMITTEE ROLL CALL VOTES
BILL/RESOLUTION NO. 2391

Senate Senate Appropriations Committee

Check here for Conference Committee

Legislative Council Amendment Number _____

Action Taken _____

Motion Made By Sen Bowman Seconded By Sen. Wardner

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

Total Yes 11 No _____

Absent 3 A

Floor Assignment back to Human Services Committee

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

REPORT OF STANDING COMMITTEE (410)
February 9, 2009 4:12 p.m.

Module No: SR-25-2200
Carrier: Erbele
Insert LC: . Title: .

REPORT OF STANDING COMMITTEE

SB 2391: Appropriations Committee (Sen. Holmberg, Chairman) recommends DO PASS
(11 YEAS, 0 NAYS, 3 ABSENT AND NOT VOTING). SB 2391 was placed on the
Eleventh order on the calendar.

2009 HOUSE HUMAN SERVICES

SB 2391

2009 HOUSE STANDING COMMITTEE MINUTES

Bill/Resolution No. 2391

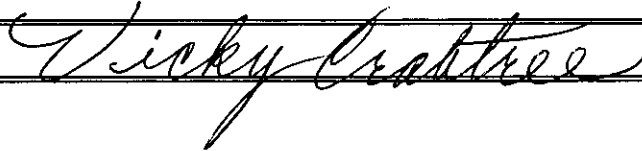
House Human Services Committee

Check here for Conference Committee

Hearing Date: March 11, 2009

Recorder Job Number: 10660

Committee Clerk Signature



Minutes:

Chairman Weisz opened the hearing on SB 2391.

Sen. Aaron Krauter from district 31 sponsored and introduced the bill: This is the fourth consecutive legislative sessions where we have seen legislation relating to a program which we have started in ND called The Alternative to Abortion. It is a concept whereby I think we all agree you can be pro-life or pro-choice, but the reality is we all want to reduce the number of abortions in ND. This is a process whereby we give information to individuals who are female and who think or know they are pregnant and give them the understanding there are options out there. I think it is one we found over the past six years it has been (inaudible) and brings us to a common goal on the issue. In front of you (**See handouts #1 and #2**) that we now make a change to it from the standpoint that as it's been this statute and the DHS have been providing reimbursement for those services out there to the providers; we take it the next level of informing the public better that the services are available. The department currently has a list of providers that have been providing those services and sending their receipts or sheets in and say these are the services we provided and these are the hours and they get reimbursed on that rate. They have provided brochures to get the information out. We need to get to the next level of action type of advertising out there that these services are available. If you look at

the lines 11 and 12. "The department shall contract with a non-governmental entity that provides alternatives to abortion services to conduct statewide marketing to inform the public about his program." What is meant there is non-governmental meaning not providers themselves. Contract with (inaudible) they can use their knowledge to get the programs, services, advertising (inaudible). I passed out to you some reports the department provided to the interim committee. There are statistics about how many requires they had and services they provided you can see the department is gathering that information and providing it to the interim so we can understand how we are making progress with (inaudible) program. When I saw the map on that, I said we have needs across the entire state and that is why we want to work on a statewide marketing plan. Section 2 of the bill continues reporting mechanisms so that we continue to next biennium that receive this kind of data so we make sure we are doing it the way we want to have the services (inaudible). Section 3 is the key to making this successful. In the current biennium we have appropriated \$400,000 of TANF money to be used for the program. We have added the \$100,000 to provide the dollars for the marketing of it. So the total appropriation then is \$500,000. The \$400,000 is in the Governor's budget. Carol will show you a brochure the DHS put together that has a list of providers by cities. I have testimony from Stacey Pflieger from Right to Life to hand out. **See Testimony #3.**

Chairman Weisz: Last session we did \$400,000, you added the \$100,000 because of the marketing component you put in here.

Sen. Krauter: That's correct.

Sen. Conrad: What other programs do we do like this where we have a professional market?

Sen. Krauter: I can go back and find those (inaudible). We currently do this program through some marketing with 211. County social services, look at SCHIPS there was some promotion there to get the information out.

Rep. Conrad: I have some constituents that are concerned about that. They are concerned this is a political issue as well as a family issue. There is a very fine line we have to walk. Why should we market this program differently than others accept for that component.

Sen. Krauter: I strongly believe as we look at this particular issue as I explained to my constituents, if they are either pro-life or pro-choice, they all come to one common theme, that they all agree that we need to reduce the number of abortions and if we can give that information out to them we have alternatives to abortion. There is no mandate or requirement, but there is an opportunity for them to see an advertisement billboard or college newspaper or on facebook and can get this information out. People make their own decisions and I think this is the right direction.

Rep. Conrad: The billboard and the ads are paid for by taxpayers. I need you to help me answer to my constituents.

Sen. Krauter: The quit line is paid by tax payer's dollars. There is bill boards and television ads. They are out there.

Rep. Tim Koppleman from district 13 and co-sponsor of the bill: This effort has been around for several sessions now and worked with Sen. Krauter on this. I like seeing this bipartisan cooperation. Everyone I've talked to whether pro-life or pro-choice agree on one thing and that is abortion should be more rare. How can we make that happen. We don't talk about the highly charged political issues that surround this issue. We are talking about (inaudible) and that's what this program does. It's been asked about, do we do this elsewhere? Yeah, we do it all the time. Different departments in the state government request for marketing all kinds of things. It happens very frequently

Rep. Jim Kerzman from district 31 and co-sponsor: I'll do what I can in appropriations to get the \$100,000 for this bill. We need to go the extra distance to get the word out.

Chairman Weisz: Seeing how you are on Appropriations, any reason why this didn't up and in the Governor's budget?

Rep. Kerzman: When we started looking at this we felt the word was getting out so we needed the extra money to expand the advertising.

Chairman Weisz: None of this money (inaudible).

Rep. Kerzman: The \$400,000 is in the Governor's budget.

Chris Dobson, Executive Director of ND Catholic Conference: Voiced support. This unique because it is open to all providers and it is a fee for service basis.

Rep. Potter: With the \$400,000 has been appropriated in the past and that brochures and printed material have been provided in the past. The \$400,000 will continue and the extra \$100,000 would be over and above what had been going on. Am I correct in that?

Chris Dobson: Carol Cartledge can answer that.

Rep. Potter: Any idea of the individuals using vouchers for services. Do you know how they go about getting those vouchers?

Chris Dobson: The voucher under the TANF rules was understandable and precedent. The voucher forms are at the providers.

Carol Cartledge, Director of Public Assistance for DHS: See Testimony #4.

Chairman Weisz: If this bill passes, what kind of services would you do for the marketing and the \$100,000.

Carol Cartledge: TV, radio and billboard advertising.

Rep. Hofstad: If you would give me a sense of the effectiveness of the additional \$100,000..

Carol Cartledge: I don't have a good sense about if we are getting enough (inaudible).

Rep. Holman: When it says child contract, who is the contract with and how would you go about that contracting?

Carol Cartledge: The providers, we don't have a contract per say. It is a voucher system. The provider bills the department on the voucher system.

Rep. Conrad: Did this go to the Governor? Did you have it in your budget?

Carol Cartledge: I do not know and we did not.

Rep. Frantsvog: In your testimony you said that 921 clients received services and 1500 will take advantage during the biennium. What would you estimate what percentage of the 1500 of the 900 came through the list of providers identified in this brochure?

Carol Cartledge: All clients come through the providers.

NO OPPOSITION.

Chairman Weisz closed the hearing on SB 2391.

2009 HOUSE STANDING COMMITTEE MINUTES

Bill/Resolution No. 2391

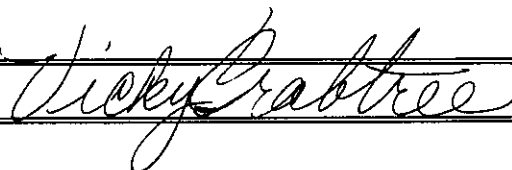
House Human Services Committee

Check here for Conference Committee

Hearing Date: March 11, 2009

Recorder Job Number: 10769

Committee Clerk Signature



Minutes:

Chairman Weisz: Let's take a look at 2391. A chunk already in governor's budget. It's adding a \$100,000 of new money. Besides the issue if we would want to add \$100,000 or not, part of my concern is if we would elect to add the additional \$100,000, that is to market (inaudible)

programs to go to the demographic (inaudible) they need this service and I'm not sure I want it.

I would hope they would contract out with a marketing firm to market it and not go through, I think the intent was to go through one of the list of providers that services (inaudible). What makes them an expert in marketing? Going to a marketing firm you could tell them you want the best bang for your buck and have this amount to work with. If we add on the \$100,000 I would like them to contract statewide marketing and not to an entity that provides the services

Rep. Holman: Got the impression they would pick one of these.

Chairman Weisz: Right and that is the intent of the language.

Rep. Potter: Unless some of those human pregnancy center or any of those already have a marketing company they use.

Chairman Weisz: I would assume some of them do, but you are selling the service of alternative abortion.

Rep. Conrad: How many abortions are done in a year in ND?

Chairman Weisz: Roughly 1200 a year. Thirty to forty percent are from out of state.

Rep. Holman: Seems if they went to one of the LLS or Catholic charities or one of the larger groups that wouldn't be fair to other the committee (inaudible).

Rep. Frantsvog: The bill actually says \$100,000 for contracting with a non-government entity.

Chairman Weisz: That's my point, I don't think it should go to a non-government (drops sentence).

Rep. Nathe: What you are describing is an advertising agency.

Chairman Weisz: Right. (Many talking at once.)

Rep. Potter: Do want to amend it to say, \$100,000 for contracting with non-government (inaudible) marketing firm instead of entity?

Chairman Weisz: I would say, shall contract with an entity to conduct statewide marketing to inform the public about the program. At least it is open to (drops sentence).

Rep. Nathe: The marketing company comes in and makes sure they specify (someone coughing so inaudible).

Rep. Conrad: I'm impressed with what they are spending now. They are going up to \$1500 in biennium and that (inaudible) so far this biennium. Looks to me like they are getting a lot of results out of what they are doing right now. I think they have a pretty good program without putting in the \$100,000.

Rep. Nathe: I like to make an amendment page 2, line 3 and strike out, "alternatives to abortion services".

Rep. Porter: Second.

Chairman Weisz: Rep. Nathe, is it also your intent to change page 1 line 11 & 12.

Rep. Nathe: Yes.

Rep. Uglem: Shouldn't it be a statewide marketing firm? Any of these organizations can be a statewide marketing.

Rep. Nathe: I will add that.

Rep. Porter: Second.

Chairman Weisz: It would change to, page 2, line 3, "100,000 for contracting with a statewide marketing firm" and then change language in page 1, lines 11 and 12 to say the same thing.

Voice Vote: Motion Carried.

Rep. Porter: Motion a Do Pass As Amended and re-referred to Appropriations.

Rep. Pietsch: Second.

Rep. Conrad: I'm impressed with what the department is doing here and they didn't ask the governor for this. This comes from outside groups who want it, I don't know what they want.

Chairman Weisz: I think the point is to have better results.

Rep. Potter: Is there something here where they have to come back?

Chairman Weisz: Report to the Legislative Council regarding the status of the alternative to abortion services program.

Rep. Damschen: I'm not sure the results are probably good, but I don't know if there is any connection between the results and the number of abortions that are performed in the state. I don't know if those numbers correlate from the beginning. All we know is that there are so many abortions. What did you say Mr. Chairman, 1200 a year? Potentially they've prevented maybe 1500 a year. I don't know if those numbers correlate. I don't know how you are tying those two together (referring to Rep. Conrad).

Rep. Conrad: The best way to get people services is word of mouth and the other is a referral system. As far as spending the tax payer's dollars for a marketing firm, I'm not comfortable with this. I make a motion.

Chairman Weisz: There is a motion on the floor for a do pass.

Rep. Conrad: I'm not against the program, just the \$100,000.

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

MOTION CARRIED DO PASS AS AMENDED RE-REFERRED TO APPROPRIATIONS.

BILL CARRIER: Rep. Potter.

VR
3/12/09

PROPOSED AMENDMENTS TO SENATE BILL NO. 2391

Page 1, line 11, replace "nongovernmental" with "statewide marketing firm"

Page 1, line 12, remove "entity that provides alternatives-to-abortion services to conduct statewide marketing"

Page 2, line 3, overstrike "nongovernmental entity that provides alternatives-to-abortion" and insert immediately thereafter "statewide marketing firm to inform the public about this program."

Page 2, remove line 4

Renumber accordingly

Date: 3-11-09
Roll Call Vote #: 1

2009 HOUSE STANDING COMMITTEE ROLL CALL VOTES
BILL/RESOLUTION NO. 2391

House HUMAN SERVICES Committee

Check here for Conference Committee

Legislative Council Amendment Number _____

Action Taken Do Pass Do Not Pass Amended

Motion Made By Nathe Seconded By Porter

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) 12 No 0

Absent 1

Bill Carrier _____

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

Motion For Amendments

Date: 3-11-09
Roll Call Vote #: 2391

2009 HOUSE STANDING COMMITTEE ROLL CALL VOTES
BILL/RESOLUTION NO. 2391

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. Porter Seconded By Rep. Pietsch

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) 12 No 1

Absent _____

Bill Carrier Rep. Potter

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

Do Pass Refer to Approp.

REPORT OF STANDING COMMITTEE

SB 2391: 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). SB 2391 was placed on the Sixth order on the calendar.

Page 1, line 11, replace "nongovernmental" with "statewide marketing firm"

Page 1, line 12, remove "entity that provides alternatives-to-abortion services to conduct statewide marketing"

Page 2, line 3, overstrike "nongovernmental entity that provides alternatives-to-abortion" and insert immediately thereafter "statewide marketing firm to inform the public about this program."

Page 2, remove line 4

Re-number accordingly

2009 HOUSE APPROPRIATIONS

SB 2391

2009 HOUSE STANDING COMMITTEE MINUTES

Bill/Resolution No. SB 2391

House Appropriations Committee

Check here for Conference Committee

Hearing Date: March 19, 2009

Recorder Job Number: 11295

Committee Clerk Signature

Re Mae Kueh

Minutes:

Chm. Svedjan called the Committee back to order and turned the Committee's attention to SB 2391 which deals with alternatives to abortion services programs.

Rep. Weisz: The Governor has \$400,000 in his budget. This is a decrease. This bill bumps the dollar amount back up to \$500,000. It adds \$100,000 for marketing to make sure women know the alternatives.

Chm. Svedjan: This is TANF (Temporary Assistance for Needy Families) money?

Rep. Weisz: That's correct. This is federal money.

Rep. Pollert: We're spending \$65 million every biennium. We're receiving \$52 million every biennium. We had about \$11 or 12 million in the balance to start. At the end of 2011-13, we'll have \$1 million in TANF. So if you add the million dollars and we receive \$52 million which would be \$53 million. We are spending \$65 million. (2:46) We're going to be short in the next biennium to fund all the TANF. We will need \$10-12 million General Fund money.

Chm. Svedjan: The next biennium meaning 2013-15?

Rep. Pollert: 2011-13 we'll be short \$10-12 million.

Rep. Pollert: The Alternatives to Abortion program hasn't been used to its full appropriation, so when the Governor takes it down then all of a sudden we have an appropriation to go back to \$100,000. I think it's been TANF funding all these bienniums.

Rep. Kerzman: In the last biennium the department was trying to get this up and running and some of the sponsors on the bill were trying to get the word out. There are about 14 organizations in the state. We wanted to go beyond that.

Rep. Kerzman: Moved Do Pass

Rep. Ekstrom: Seconded.

Discussion:

Rep. Pollert: I'll remind the Committee again that sooner or later we have to realize that we have a lot of money going out of TANF. We are going to have a lot of issues when we get the DHS budget next biennium just for TANF. We keep putting things in and when we have to make a decision for General Funds then it hard to take them out.

Chm. Svedjan: Did you get a breakout of how they intend to use the \$100,000 for marketing?

Rep. Weisz: They would contract with a marketing firm, here's the best bang for your buck.

They would understand the demographics of the group they are trying to reach and they would determine the best way to use the money. The current program provided services for 921 women. This biennium the projection is for 1500 women.

Rep. Wald: Is there anything in this bill that would promote adoption? Would that be prohibited?

Rep. Weisz: I don't think that would be prohibited. There are vehicles in place that would help you. Adoption is something that the centers would offer information on.

Rep. Delzer: Do you have the amount that is expected to be spent this biennium? Is it going to be close to the \$400,000.

Rep. Weisz: If they reach the 1500 clients, it would be \$369,000.

Rep. Delzer: If you put \$100,000 toward marketing and you've already reached the \$369,000, what good are you doing? If you have reached the people but don't have any money to service them, how have you improved the process any?

Rep. Weisz: This would show the need to determine if the program should be expanded. Are there women we are not reaching?

Rep. Delzer: I promoted this program in the past. I'm very pro life. I don't know that we are doing any good when we are throwing money at marketing when you don't have money for service.

Rep. Kerzman: A lot of the services are done in the private sector. What concerns us is that the number of abortions in the state has not dropped and we want to see that number drop. Whatever we can do to turn them in the right direction is what we're trying to do.

A Roll Call vote was taken. Yes: 15, No: 8, Absent: 2,
(Representatives Kempenich & Bellew).

Representative Potter will carry the bill.

2009 HOUSE STANDING COMMITTEE MINUTES

SB 2391

House Appropriations Committee

Check here for Conference Committee

Hearing Date: March 23, 2009

Recorder Job Number: 11431

Committee Clerk Signature

Carmen Hart

Minutes:

Rep. Delzer: This morning we dealt with a bill that ended up being a double appropriation. The other day when we did 2391 which is the alternatives abortion issue, I think we did that same thing with that bill. The DHS budget has \$400,000 currently in it. When you look at that bill, there is appropriation for \$500,000 of which \$400,000 is alternatives to abortion services. The other \$100,000 is contracting. It was meant to be focused on the \$100,000. I would move that we reconsider our action where we put a Do Pass on 2391.

Rep. Skarphol seconded the motion.

Chm. Svedjan: It appears to me, too, that we have a double appropriation on the \$400,000 piece.

A voice vote was taken to reconsider SB 2391. Motion carries.

Rep. Delzer moved that they change the \$500,000 to \$100,000 and on the second page, I don't know whether we have to take the reference to the \$400,000 out or not. We may need to say that the \$400,000 appropriated in 1012 is for alternatives for abortion services.

Chm. Svedjan: It seems we would want to clarify the language. This would be for a non-government entity.

Roxanne Woeste: I'm not sure if you really need to designate in here that \$100,000 alternatives to abortion but we sure can put intent in regards to another bill if that is what the committee wishes.

Rep. Delzer: I think we should do that. I apologize. I am not sure I was on the prevailing side on this Do Pass.

Rep. Wald: If it helps you, I know how I voted, and I was on the prevailing side and I would make the same motion.

Chm. Svedjan: Okay. You have heard the motion. This is for reconsideration. First, I will rule the first motion null and void, because the motion maker was not on the prevailing side.

Rep. Dosch seconded the motion.

A voice vote was taken to reconsider. Motion carries.

Rep. Delzer: I would move that we change the \$500,000 on Line 23 to \$100,000 which would be the actual appropriation in this bill then. On page 2, the department shall designate the \$400,000 in HB 1012 and remove of this appropriation and then add for alternatives of abortion services and \$100,000 on this bill for contracting.

Rep. Skarphol seconded the motion.

Rep. Bellew: I already believe there is a line item in 1012 that says alternatives to abortion so do we have to have that in language?

Chm. Svedjan: What counsel said is that you wouldn't necessarily have to do that.

Rep. Delzer: I would leave it so that people don't think we are trying to lower and not fund alternatives to abortion, that simply we are making sure we are not double appropriating for that.

Rep. Bellew: About TANF funds--are there funds available to fund this? I know the next biennium we are going to be short.

Chm. Svedjan: That question was raised when you were absent. The answer was yes at least for now, this biennium. On the motion to amend changing the \$500,000 on Line 23 to \$100,000 and then on page 2 after the amount \$400,000 strike the words of this appropriation and insert the words in HB 1012.

A voice vote was taken on the amendment. Motion carries.

Rep. Wald moves a Do Pass as Amended. Rep. Klein seconded the motion.

DO PASS AS AMENDED. 21 YEAS, 3 NAYS, 1 ABSENT AND NOT VOTING. Rep. Wald is the carrier of the bill.

Date: 3/19/09
 Roll Call Vote #: 1

2009 HOUSE STANDING COMMITTEE ROLL CALL VOTES
BILL/RESOLUTION NO. 2391

Full House Appropriations Committee

Conference Committee

Legislative Council amendment Number _____

Action Taken: Do Pass Do Not Pass As Amended

Motion Made By: Kerzman 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 15 No 8

Absent 2

Floor Assignment: Rep. Potter

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

Date: 3/23/09
 Roll Call Vote #: 1

2009 HOUSE STANDING COMMITTEE ROLL CALL VOTES
BILL/RESOLUTION NO. 2391

Full House Appropriations Committee

Check here for Conference Committee

Legislative Council Amendment Number _____

Action Taken Reconsiders DP on SB 2391

Motion Made By Delzer Wald Seconded By Abraham Dosch

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) _____ No _____

Absent _____

Floor Assignment Voice Vote - Carries

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

VR
3/24/09

PROPOSED AMENDMENTS TO SENATE BILL NO. 2391

In lieu of the amendments adopted by the House as printed on pages 907 and 908 of the House Journal, Senate Bill No. 2391 is amended as follows:

Page 1, line 11, replace "nongovernmental" with "statewide marketing firm"

Page 1, line 12, remove "entity that provides alternatives-to-abortion services to conduct statewide marketing"

Page 1, line 23, replace "\$500,000" with "\$100,000"

Page 2, line 2, replace "designate \$400,000 of this appropriation for alternatives-to-abortion services and" with "use this funding for contracting with a statewide marketing firm to inform the public about the alternatives-to-abortion program. Funding for the alternatives-to-abortion program is also appropriated to the Department of Human Services in House Bill No. 1012."

Page 2, remove lines 3 and 4

Renumber accordingly

Date: 3/23/09
 Roll Call Vote #: 2

2009 HOUSE STANDING COMMITTEE ROLL CALL VOTES
 BILL/RESOLUTION NO. 2891

Full House Appropriations Committee

Check here for Conference Committee

Legislative Council Amendment Number TBD

Action Taken Change \$500K to \$100K; after \$400K, strike "of this app." and "in HB 1012"

Motion Made By Delzer Seconded By Rep Skarphol

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) _____ No _____

Absent _____

Floor Assignment Voice Vote - carries

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

Date: 3/23/09
 Roll Call Vote #: 3

2009 HOUSE STANDING COMMITTEE ROLL CALL VOTES
 BILL/RESOLUTION NO. 2391

Full House Appropriations Committee

Check here for Conference Committee

Legislative Council Amendment Number TBD

Action Taken No Pass or Amended

Motion Made By Wald Seconded By Klein

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) 21 No 3

Absent 1

Floor Assignment Rep. Wald

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

REPORT OF STANDING COMMITTEE

SB 2391: Appropriations Committee (Rep. Svedjan, Chairman) recommends AMENDMENTS AS FOLLOWS and when so amended, recommends DO PASS (21 YEAS, 3 NAYS, 1 ABSENT AND NOT VOTING). SB 2391 was placed on the Sixth order on the calendar.

In lieu of the amendments adopted by the House as printed on pages 907 and 908 of the House Journal, Senate Bill No. 2391 is amended as follows:

Page 1, line 11, replace "nongovernmental" with "statewide marketing firm"

Page 1, line 12, remove "entity that provides alternatives-to-abortion services to conduct statewide marketing"

Page 1, line 23, replace "\$500,000" with "\$100,000"

Page 2, line 2, replace "designate \$400,000 of this appropriation for alternatives-to-abortion services and" with "use this funding for contracting with a statewide marketing firm to inform the public about the alternatives-to-abortion program. Funding for the alternatives-to-abortion program is also appropriated to the Department of Human Services in House Bill No. 1012."

Page 2, remove lines 3 and 4

Renumber accordingly

2009 SENATE HUMAN SERVICES

CONFERENCE COMMITTEE

SB 2391

2009 SENATE STANDING COMMITTEE MINUTES

Bill/Resolution No. SB 2391

Senate Human Services Committee

Check here for Conference Committee

Hearing Date: 4-17-09

Recorder Job Number: 11950

Committee Clerk Signature

Mary K. Monson

Minutes:

Senator Erbele brought the conference committee on SB 2391 to order. All members were present: Senator Erbele, Senator Dever, Senator Krauter, Rep. Nelson, Rep. Bellew, and Rep. Kerzman.

Rep. Kerzman explained the House amendments. The language was changed in the policy committee and the appropriations changed the money. There was concern that they were double appropriating about \$400,000 which is already in the Human Services budget.

Appropriations took out the \$400,000 and left \$100,000.

Discussion on the funding took place and Senator Krauter said he understood what the House did on the appropriation and he agreed with it. When the bill was originally drafted they hadn't seen the details on the Human Services budget so they didn't know the money was in it. Of the total dollars for this program, \$100,000 of it is contained in this bill (SB 2391) and the balance is in HB 1012.

The discussion went on to the policy issue where they talk about a statewide marketing firm.

Rep. Nelson said what they would like to do is hear the Senate concerns about the policy issue and then take it back to the chairman of the policy committee. As appropriations

members they didn't feel comfortable making any policy changes without consulting with them.

Sen. Krauter pointed out that the sponsors had been mostly the same for three sessions because they wanted continuity. This session they added language so they could get the word out better that there are services available. The bill was introduced so the providers out there can be able to contract with the dept. for some advertising dollars or they can join together and put together dollars or they could go to a local ad agency. The thought process is that the providers of the services have a better understanding of what's going through the minds of those needing the services and can better market it to that environment.

In the House hearing there was a feeling there should be a statewide marketing firm like an ad agency. That defeated the whole intent of trying to figure out how to get the word out.

Senator Erbele agreed with Sen. Krauter. Those people that are the hands on – actually working with these people – would know best how that mind is working.

Rep. Nelson asked about the flexibility issue. Is there somebody in the broad definition of statewide marketing that may be included in that?

Discussion continued that the Senate version narrows it down so it is nongovernmental - there are about 14 organizations throughout the state that provide services. The House version would be an outside ad agency.

Sen. Krauter pointed out that there might be one change that needs to be made in the original Senate version. The department shall contract with a nongovernmental entity or "entities".....

Senator Erbele recognized Carol Cartledge, Dept. of Human Services, to answer questions.

Sen. Krauter asked Ms. Cartledge how she saw the wording and how she sees this happening.

Ms. Cartledge agreed that entities would be better. She explained that would enable smaller entities to band together to apply for it. (Meter 13:55) She explained the steps they would take.

Sen. Krauter asked if they had made themselves clear enough so she understands what they are trying to do with this.

Ms. Cartledge – yes.

Discussion followed on ways of providing the funds and a concern was noted that the biggest need would be in the eastern part of the state.

The committee was in agreement with the appropriations part but felt it best to consult with the House policy committee before agreeing on the policy part.

Senator Erbele closed the conference committee session.

2009 SENATE STANDING COMMITTEE MINUTES

Bill/Resolution No. SB 2391

Senate Human Services Committee

Check here for Conference Committee

Hearing Date: 4-22-09

Recorder Job Number: 12106

Committee Clerk Signature

Mary K. Moulson

Minutes:

Senator Erbele opened the conference committee on SB 2391 to continue discussions. All members were present. He reminded the committee that they had settled on the money issues so those amendments need to stay as presented by the House. They were back to the policy discussion of the statewide marketing firm or letting the individual clinics collaborate.

Sen. Krauter asked to look at the two versions – 0300 and 0100. He spoke to version 0300 – Section 2 is a study which is good. Section 3 is the correct appropriation amount, the marketing, and the funding for the alternatives to abortion program which is also appropriated in the Dept. of Human Services budget 1012. Section 3 is correct.

Section 1 is the language that needs to be changed back to the way it was in version 0100. It should read "entity or entities"....

Senator Erbele asked the intern to explain the amendments he had been asked to draw up.

Attachment #1

The intern explained that inserting "or entities" may created a problem with the amendment and the intent (meter 02:44). He explained that the original version .0100 when referring to the singular also refers to the plural. That addresses the problem, so it accomplishes what they intended.

Senator Dever felt they wanted to restore the language in Section 1 of version .0100.

Rep. Nelson reported that he had visited with Chairman Weisz from the policy committee who was fairly strong in his position that the House version should be discussed and should be the version that moves forward. He pointed out that the appropriations members of this committee had not been involved with any of those policy discussions and he felt uncomfortable talking about section 1.

Discussion followed on appointing new members to the House side of the committee.

Senator Dever suggested having Rep. Weisz appear before the committee to express the rationale.

Rep. Nelson explained that the rationale as told to him was that the marketing effort, if left to the facilities that currently get the funding, would not be a viable marketing plan. It may get diverted into operations and a coordinated marketing effort wouldn't occur. The best way to market would be to market outside of the facilities that currently get the money.

Rep. Kerzman understood the committee thought it should be a statewide firm.

The committee was adjourned until new House members could be appointed.

2009 SENATE STANDING COMMITTEE MINUTES

Bill/Resolution No. 2391

Senate Human Services Committee

Check here for Conference Committee

Hearing Date: April 24, 2009

Recorder Job Number: 12238

Committee Clerk Signature

Mary K. Monson

Minutes:

Senator Erbele opened the meeting of the conference committee. All members were present.

(Senator Erbele, Senator Dever, Senator Krauter, Representative Damschen, Representative Nathe, Representative Kilichowski).

Senator Erbele said we are here to discuss the policy portion of the alternatives to abortion bill.

We have already agreed on the money. We are discussing a state wide marketing firm.

Representative Damschen said they prefer the state wide marketing firm. They feel that although there is expertise in other areas, they would get more bang for the buck if they can use their discretion to go with a marketing firm.

Senator Erbele said the bang might be so great, they would eat it up in one boom.

Senator Krauter said we can all agree that the use of an ad agency will make a broad appeal in getting the program out. The Senate concern is that \$100,000 isn't going to go as far as it would by working with the providing agencies. An agency might decide to do billboards, maybe 10 across the state and the money is gone. A video clip at the theatre is pretty spendy.

The Senate thought the approach should be from the viewpoint of a person contemplating an abortion. Individuals who work with those people have a better understanding than an ad agency and could come up with a better approach. The Senate version says "to conduct

statewide marketing to inform". Currently the program is well established in eastern North Dakota and we want to get it out across the state but the reality is those providers aren't out here yet. He reviewed potential avenues that might be used such as Facebook or Twitter. The nongovernmental agencies could get together and figure out what are suitable approaches to getting the word out.

Senator Erbele said it isn't so important that we have something everyone in the general public sees, but that the targeted population sees.

Senator Krauter said the Senate version did not prohibit the use of a portion of the funds for an ad agency. If the language requires all of the funds to go to an ad agency, he is afraid it will be ineffective.

Representative Nathe said he was in a similar situation with his own business, a funeral home.

He tried advertising on his own because he thought an ad agency would not be familiar with his industry. After a couple of years he did not see the results he wanted. He used an ad agency and he had similar concerns that are being voiced here – that they would use all his money in research and administrative cost. The ad agency really helped him use his advertising dollars more effectively. He was impressed with how quickly the agency was able to get up to speed with his industry. He has been with them for 13 years now and it is one of the better business moves he has made. There is a bang for the buck by using a marketing firm. They know marketing.

Senator Erbele said ad agencies are in the business for profit. Profit is not the motivation of this bill.

Senator Dever said these organizations have a passion for what they do and they strive for the most efficient use of their dollars. The funeral home business would use the more traditional forms of marketing than the young audience this bill is attempting to reach.

Representative Damschen said there is a lot of credibility in what both sides are saying.

People working in the field know the audience we are trying to reach, and people in the advertising business know how to target an audience. He believes the return on investment is greater when using a marketing firm.

Senator Krauter asked the committee to review the proposed amendment from Mr. Friar.

Representative Kilichowski suggested the committee could substitute "may" for "shall" contract with statewide marketing firms. That would give them the option to do part or all of it.

Representative Damschen said they are probably not prohibited from doing it now.

Senator Dever said the language "in consultation with a nongovernmental entity that provides alternatives to abortion services" doesn't really do anything. That is part of the process now.

Senator Erbele asked Carol Cartledge to come to the podium to answer questions.

Senator Krauter asked what type of communication they have with the providers other than reimbursing them for allowable expenses.

Carol Cartledge, Director of Public Assistance, said their communications with the providers is mostly regarding reimbursement for their services and what services they can and cannot charge. Originally, before the department put out posters, they used some of the information from the providers. That is what they used to produce the posters. She suggested if they want the idea of a RFP, if it was the nongovernmental entity and the ad agency, they ask the providers of the services to be part of the evaluation team and part of the team that helps develop the campaign.

Senator Krauter asked how that could be worded.

Carol Cartledge said there would have to be an understanding by the department. She would

be the person who would have to develop the RFP and the evaluation team.

Senator Erbele asked if going on record and stating that, it would suffice.

Carol Cartledge said if that is what the committee proposes, that would be her intent. She would include them as part of the RFP process. When a team is developed, you want to have experts involved.

Senator Dever asked if she has found the providers work together in collaboration. Is there a coalition of providers?

Carol Cartledge said they work independent of each other.

Senator Dever said the marketing would be generic.

Carol Cartledge said yes.

Senator Dever said it would be a list of providers.

Carol Cartledge said they provide a lists of providers statewide where they can access the services.

Senator Krauter said it the intention was to identify more providers in those areas of the state. He has never seen an advisory team written in statute. The language could include an advisory group of providers working in consultation with the department to develop the statewide marketing plan.

Senator Erbele asked if the department could draw an advisory team together, could they spearhead the effort.

Carol Cartledge said yes. She would have a mix of providers as part of the team. They could be part of the development and evaluation of the marketing tools. If someone wanted to submit a proposal, they could not be part of the team.

Senator Erbele asked how the language would work. He discussed language options. (21.18)

Representative Kilichowski said the amendment would work if it says "nongovernmental entities".

Senator Dever said an earlier conference committee discussed century code language and plurals and singulars.

Senator Krauter suggested taking out the language "with a statewide marketing firm". An advisory team could be put together and set up the criteria and put out the RFP.

Senator Dever asked how many providers there are.

Carol Cartledge said the majority are in the eastern part of the state and that is where most of the services are provided. There are outreach offices across the state.

Representative Damschen asked what has been done in the past to inform the public about the availability of alternative services.

Carol Cartledge said they have a brochure and posters that go to the middle and high schools, colleges and universities, public health agencies such as WIC and some grocery stores.

Senator Krauter asked when the brochure and poster were developed, were the providers consulted.

Carol Cartledge said yes, she met with two providers. They recommended the posters. They also provided some information that could be used in radio and TV spots. She chose the conservative route, posters and brochures.

Senator Erbele asked if her funds carry over from one biennium to the next. Have you spent all allocated funds this biennium?

Carol Cartledge said they start all over again with the next biennium.

Representative Damschen asked how much was spent this biennium.

Carol Cartledge said \$2500.

Senator Krauter said they have done what we told them to do. This is the 4th biennium we are

working on this and each biennium we try to make it better and reduce the number of

abortion. We have finally come to the realization that the information needs to get out. We don't want to waste the money, we want the most bang.

Representative Damschen said he is not faulting the department. \$100,000 is a lot of money. Maybe it is worth spending that kind of money on an expert, he doesn't expect the department to be experts in advertising.

Carol Cartledge said Senator Krauter's language makes the intent clear.

Representative Nathe said what we have done in the past has not produced the results we had hoped. He suggested bringing in a marketing firm to get better results.

Representative Damschen wasn't sure it was specific enough.

Senator Krauter said it does two things. He took out the words "statewide marketing firm" because it is too defined. They would still be able to use them if they so desired.

Senator Erbele said we need to get the various entities sharing information with one another and having a joint effort.

Senator Dever said a nongovernmental entity would hopefully be a collaboration of providers.

Representative Damschen said he still thinks it is not clear, it seems incomplete.

Senator Krauter asked Carol Cartledge if the language sounds abrupt.

Carol Cartledge said it is clear to her, it has flexibility.

Representative Damschen clarified it means she would contract with a firm that does advertising.

Carol Cartledge said to her it would mean she could go to a current provider if they had a proposal to do advertising.

Senator Krauter asked about the St. Gianna's Home in Warsaw and the Pregnancy Health Center in Park River.

Representative Kilichowski said they work closely together.

There was discussion of the language of the amendment. (35.40)

Senator Dever moved the House recede from its amendments and adopt amendment .0103, seconded by Representative Nathe.

The motion passed 6 – 0 – 0.

Senator Erbele will carry the bill to the Senate floor.

Representative Damschen will carry the bill to the House floor.

PROPOSED AMENDMENTS TO SENATE BILL NO. 2391

That the House recede from its amendments as printed on page 1210 of the Senate Journal and page 1101 of the House Journal and that Senate Bill No. 2391 be amended as follows:

Page 1, line 12, after "entity" insert ", or entities" and replace "provides" with "provide"

Page 1, line 23, replace "\$500,000" with "\$100,000"

Page 2, line 2, replace "designate \$400,000 of this appropriation for alternatives-to-abortion services and" with "use this funding for contracting with a statewide marketing firm to inform the public about the alternatives-to-abortion program. Funding for the alternatives-to-abortion program is also appropriated to the Department of Human Services in House Bill No. 1012."

Page 2, remove lines 3 and 4

Renumber accordingly

91015.0103
Title.0400

Adopted by the Conference Committee
April 24th, 2009

PROPOSED AMENDMENTS TO SENATE BILL NO. 2391

That the House recede from its amendments as printed on page 1210 of the Senate Journal and page 1101 of the House Journal and that Senate Bill No. 2391 be amended as follows:

Page 1, line 11, after "department" insert ". in consultation with a nongovernmental entity that provides alternatives-to-abortion services." and remove "with a nongovernmental"

Page 1, line 12, remove "entity that provides alternatives-to-abortion services to conduct statewide marketing"

Page 1, line 23, replace "\$500,000" with "\$100,000"

Page 2, line 2, replace "designate \$400,000 of this appropriation for alternatives-to-abortion services and" with "use this funding to inform the public about the alternatives-to-abortion program. Funding for the alternatives-to-abortion program also is appropriated to the department of human services in House Bill No. 1012."

Page 2, remove lines 3 and 4

Renumber accordingly

Date: 4-24-09

Roll Call Vote #: _____

2009 SENATE CONFERENCE COMMITTEE ROLL CALL VOTES

BILL/RESOLUTION NO. SB 2391 as (re) engrossed

Senate Human Services Committee

Check here for **Conference Committee**

- Action Taken
- SENATE accede to House Amendments
 - SENATE accede to House Amendments and further amend
 - HOUSE recede from House Amendments
 - HOUSE recede from House amendments and amend as follows
- Senate House Amendments on SJ/HJ pages(s) 1210 -- _____
- Unable to agree**, recommends that the committee be discharged and a new committee be appointed.

((Re)Engrossed) 2391 was placed on the Seventh order of business on the calendar.

Motion Made By Sen. Dever Seconded By Rep. Nathe

Senators				Y	N	Representatives				Y	N
				e	o					s	o
Senator Erbele	P			✓		Rep. Damschen	P			✓	
Senator Dever	P			✓		Rep. Nathe	P			✓	
Senator Krauter	P			✓		Rep. Kilichowski	P			✓	

Vote Count 6 Yes 0 No 0 Absent

Senate Carrier Sen. Erbele House Carrier Rep. Damschen

LC NO. 91015 . 0103 of amendment

LC NO. _____ of engrossment

Emergency clause added or deleted _____

Statement of purpose of amendment _____

REPORT OF CONFERENCE COMMITTEE

SB 2391: Your conference committee (Sens. Erbele, Dever, Krauter and Reps. Damschen, Nathe, Kilichowski) recommends that the **HOUSE RECEDE** from the House amendments on SJ page 1210, adopt amendments as follows, and place SB 2391 on the Seventh order:

That the House recede from its amendments as printed on page 1210 of the Senate Journal and page 1101 of the House Journal and that Senate Bill No. 2391 be amended as follows:

Page 1, line 11, after "department" insert ", in consultation with a nongovernmental entity that provides alternatives-to-abortion services," and remove "with a nongovernmental"

Page 1, line 12, remove "entity that provides alternatives-to-abortion services to conduct statewide marketing"

Page 1, line 23, replace "\$500,000" with "\$100,000"

Page 2, line 2, replace "designate \$400,000 of this appropriation for alternatives-to-abortion services and" with "use this funding to inform the public about the alternatives-to-abortion program. Funding for the alternatives-to-abortion program also is appropriated to the department of human services in House Bill No. 1012."

Page 2, remove lines 3 and 4

Renumber accordingly

SB 2391 was placed on the Seventh order of business on the calendar.

2009 TESTIMONY

SB 2391

ALTERNATIVES TO ABORTION PROGRAM
 Total Bills by Provider from Payment Vouchers

SFY 2008

PROVIDER	7-2007	8-2007	9-2007	10-2007	11-2007	12-2007	1-2008	2-2008	3-2008	4-2008	5-2008	6-2008	Total
Birthright of Fargo-Moorhead	340.00	205.00	200.00	255.00		95.00	85.00	295.00	1,005.00	130.00	140.00		2,750.00
Catholic Charities ND	2,275.00	1,162.50	887.50	812.50	900.00	737.50	925.00	950.00	1,275.00	850.00	600.00	462.50	11,837.50
Christian Family Life Services	550.00	325.00	600.00	350.00	150.00	350.00	225.00	100.00	237.50	825.00	1,812.50	612.50	6,137.50
First Choice Clinic	2,050.00	1,700.00	1,200.00	1,900.00	937.50	1,297.50	1,475.00	1,245.00		2,635.00	2,312.50	2,262.50	19,015.00
Northland Christian Counseling Center					125.00	100.00	100.00	300.00	500.00	700.00	650.00	175.00	2,650.00
Perry Center	195.00	515.00	690.00	827.50		237.50				275.00	1,075.00	1,237.50	5,052.50
St Giannas Maternity House	3,285.00	3,570.00	5,352.50	5,107.50	3,985.00	3,927.50	2,075.00	2,180.00	2,690.00	3,977.50	4,255.00	3,240.00	43,645.00
Village Family Service Center	2,662.50	1,850.00	2,150.00	1,837.50	2,025.00	1,237.50		1,337.50	2,062.50	2,650.00	1,200.00	625.00	19,637.50
Women's Pregnancy Center	455.00	390.00	270.00	487.50	2,742.50	465.00	950.00	755.00			925.00	1,107.50	8,547.50
YFC Teen Moms	2,225.00	2,225.00	2,612.50	3,012.50	3,112.50	2,025.00	1,800.00	2,262.50	2,262.50	2,787.50	2,537.50	2,100.00	28,962.50
TOTALS	14,037.50	11,942.50	13,962.50	14,590.00	13,977.50	10,472.50	7,635.00	9,425.00	10,032.50	14,830.00	15,507.50	11,822.50	148,235.00

SFY 2009

PROVIDER	7-2008	8-2008	9-2008	10-2008	11-2008	12-2008	Total
Birthright of Fargo-Moorhead	35.00		250.00				285.00
Catholic Charities North Dakota	412.50	350.00	100.00	200.00	487.50	912.50	2,462.50
Christian Family Life Services	862.50	412.50	575.00	462.50	475.00	350.00	3,137.50
First Choice Clinic	2,177.50	2,327.50	2,390.00	2,305.00	1,845.00	2,250.00	13,295.00
Saint Gianna's Maternity Home	3,322.50	3,070.00	2,430.00	2,335.00	1,412.50	612.50	13,182.50
The Village Family Service Center	1,337.50	1,675.00	1,100.00	1,387.50	1,487.50		6,987.50
Women's Pregnancy Center	715.00	877.50	980.00	1,050.00	582.50		4,205.00
Youth For Christ Teen Moms	2,150.00	1,950.00	1,862.50	1,625.00			7,587.50
TOTALS	11,012.50	10,662.50	9,687.50	9,365.00	6,290.00	4,125.00	51,142.50

1

DEPARTMENT OF HUMAN SERVICES
ECONOMIC ASSISTANCE POLICY DIVISION

ALTERNATIVES TO
ABORTION PROGRAM
REVIEW

JULY 1, 2008 THRU NOVEMBER 30, 2008

ALTERNATIVES TO ABORTION PROGRAM REVIEW

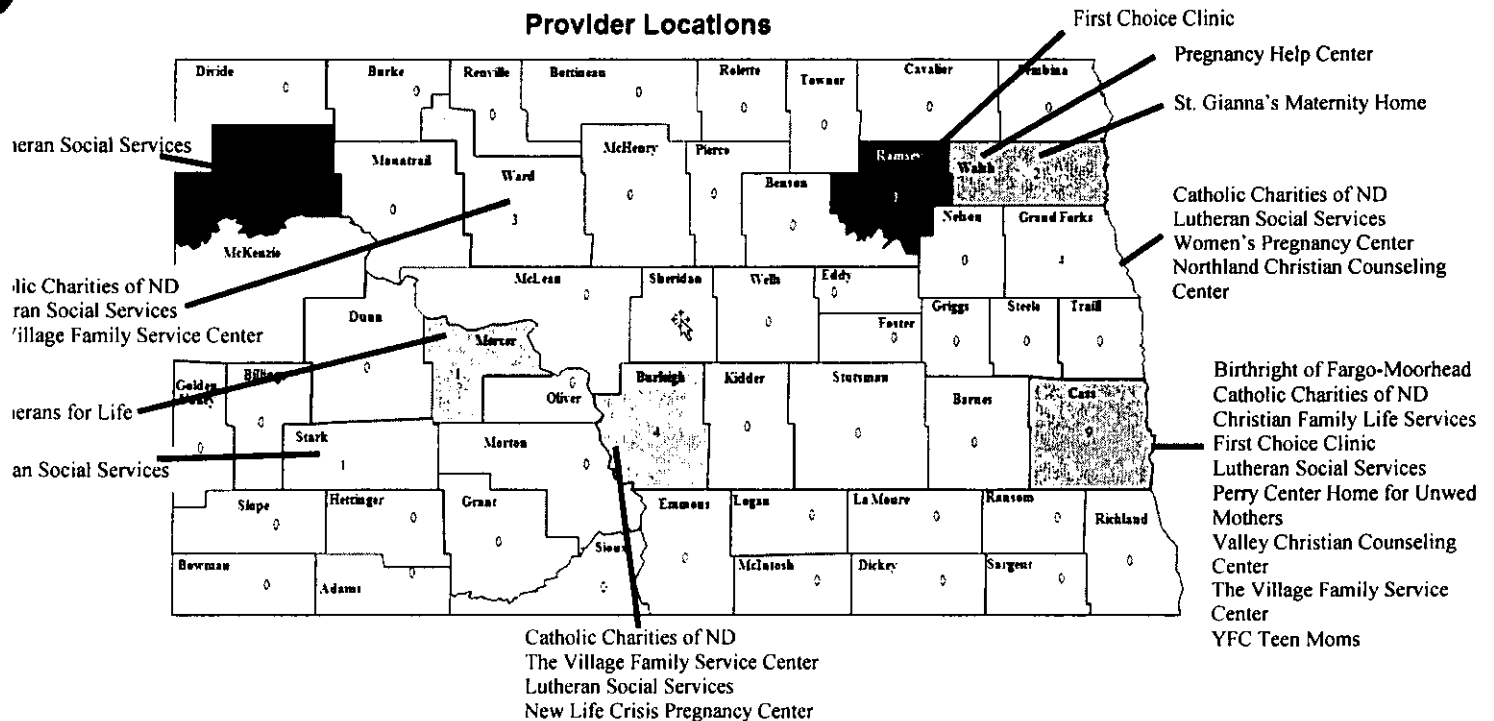
JULY 1, 2008 THRU NOVEMBER 30, 2008

BACKGROUND

During the 2007 legislative session, the Legislature directed the Department of Human Services to continue the alternatives-to-abortion services program. "The program began in 2005 and provides funds to organizations that provide alternatives-to-abortion services and to educate the public about the program. The Department is providing alternatives-to-abortion services by making vouchers available to individuals needing the service. Those individuals use the vouchers to access the services, and the service providers use the vouchers to bill the department. This method allows the Department to pay all interested providers for these services."¹

PROVIDERS

Sixteen agencies are currently providing alternative-to-abortion services. Nine agencies provide outpatient services while two are residential facilities for pregnant women. Several agencies provide services in more than one county. Alternatives-to-abortion services are directly provided by both professional and para-professional staff, from program directors, program supervisors, nurses, other paid staff and trained volunteers.



¹ North Dakota Legislative Council, *Minutes of the Human Services Committee*, July 18, 2007, page 12.

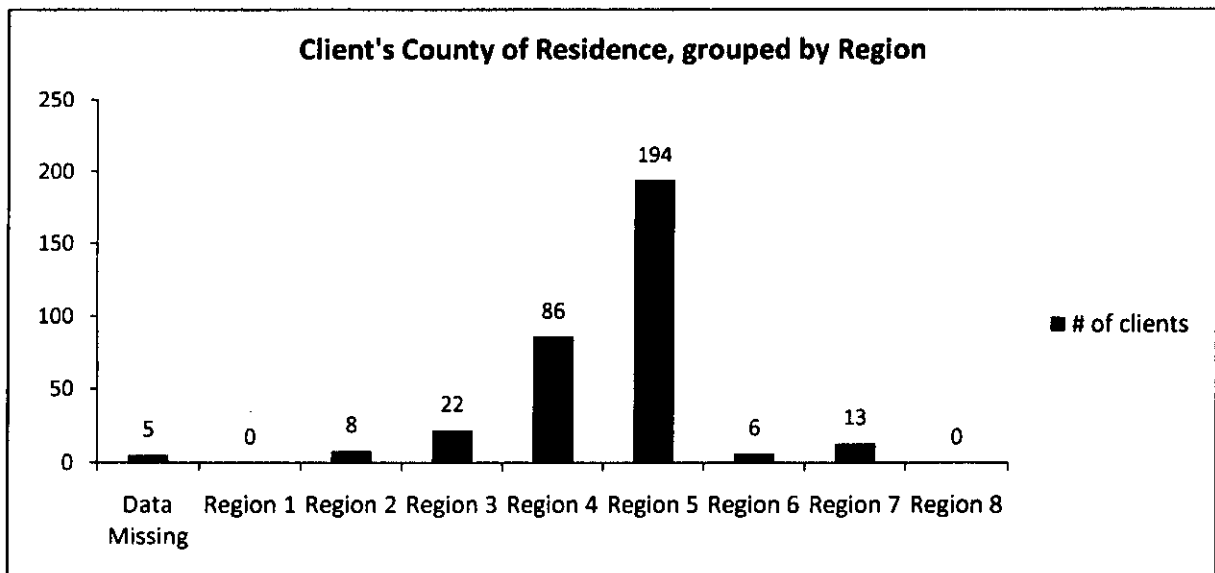
Services that are provided by professional staff are billed at \$12.50 per unit of service. Services provided by para-professional staff and trained volunteers are billed at \$5.00 per unit of service.

Services offered by all 16 agencies include counseling, education and referrals. According to the description of services that each agency provided, counseling is generally providing assistance to the women or couples with decision-making of whether to parent, make an adoption plan or terminate the pregnancy. Education is generally about options available to the mothers and couples, such as adoption and parenting. Education can also include pre-natal education, fetal development, making healthy choices during and after pregnancy, and information about childbirth.

All agencies indicate that they assess the needs of the women or couples and make referrals to other community agencies and providers, as appropriate.

SERVICES RECEIVED

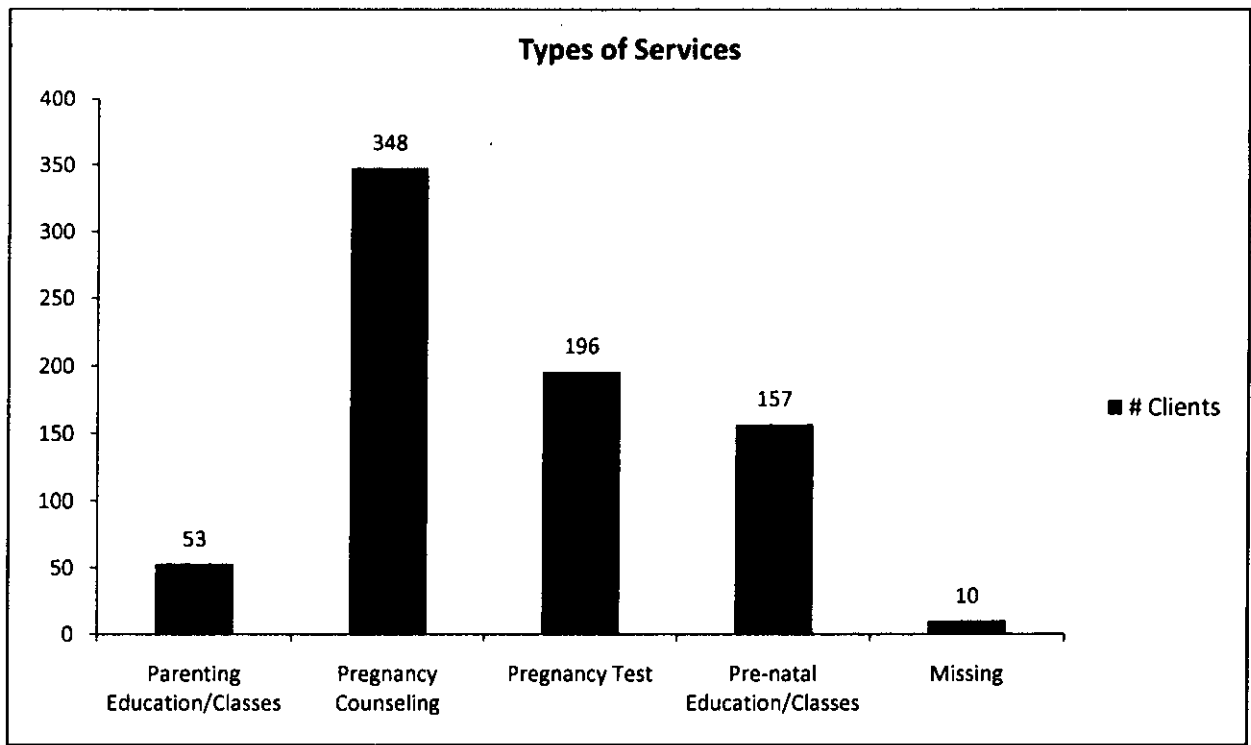
Approximately 334 women in 25 counties received alternatives-to-abortion services from July 1, 2008 through November 0, 2008. The majority of women received services in Regions 4 and 5.



The county of residence is based on client report. Five clients did not report a county of residence.

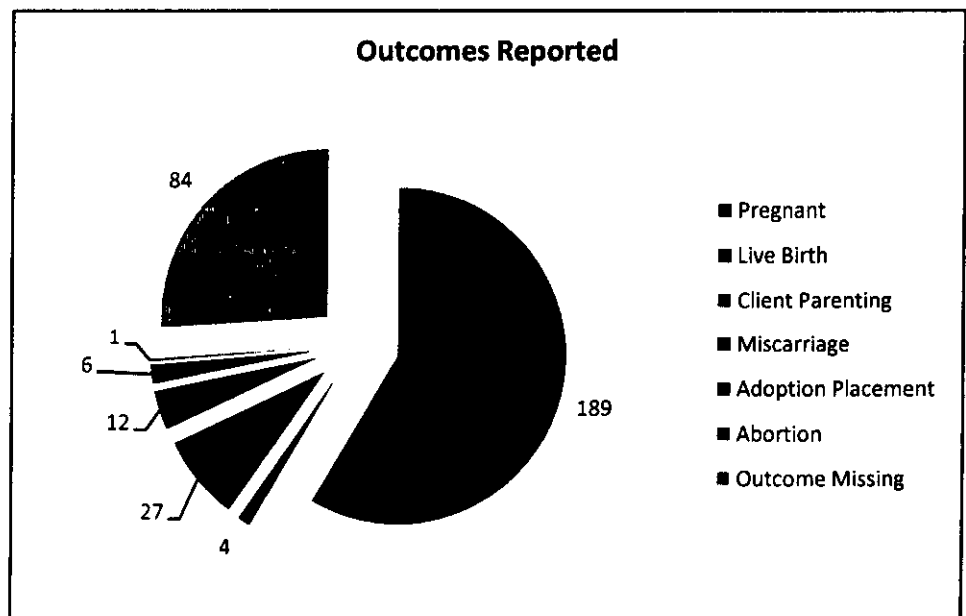
The age range served was between 14 and 45 years. The average age was between 22 and 23 years old. The age recorded the most was 19 years old.

Services shown below were counted once for each client by type of service they received. Many clients received more than one type of service during this reporting period. Pregnancy counseling was reported as being typically paired with pre-natal education/classes and/or pregnancy test.



OUTCOMES

The outcomes were tabulated based on the last service the women received from 7/1/2008 through 11/30/2008, regardless of region. Out of the approximate 334 women served, 27 were parenting their child(ren). One abortions were reported during this time period.²



² Data collection forms for 84 women were missing outcome data.

Who is eligible?

Any woman residing in North Dakota who is pregnant or who thinks she may be pregnant is eligible for these services.

What help is available?

The North Dakota Department of Human Services can offer assistance for alternatives to abortion. Services may include:

- Pregnancy testing
- Counseling
- Pre-natal education
- Parenting education
- Referrals

All services will be handled in a confidential manner, and your identity will not be revealed when an approved provider presents their request for payment. You will be asked to give your birth date and the last four digits of your social security number so the department can gather data on the amount of service given to individuals and where the services are given.

A variety of organizations provide these services across the state. A list of approved providers by location is printed on this brochure.



Right to request alternative provider.

If you object to the services given by the provider you choose, you have the right to go to any other provider on the approved provider list for services. Services from the alternative provider will also be at no charge.

Non-discrimination statement

An approved provider may not discriminate against a client on the basis of religion, a religious belief, a refusal to hold a religious belief, or a refusal to actively participate in a religious practice.

Non-discrimination in Federally Assisted Programs

The North Dakota Department of Human Services makes available all services and assistance without regard to race, color, religion, national origin, age, sex, disability or status with respect to marriage or public assistance, in accordance with Title VI of the Civil Rights Act, Section 504 of the Rehabilitation Act, the Age Discrimination Act, the Americans With Disabilities Act, and the North Dakota Human Rights Act.

Individuals needing accommodation or who have questions or complaints regarding the provision of services according to these acts may contact the Civil Rights Officer, North Dakota Department of Human Services, Judicial Wing, State Capitol, 600 East Boulevard Ave, Bismarck, ND 58505 (1-800-755-2671 voice or 1-800-366-6888 TTY); or the U. S. Department of Health and Human Services, Office for Civil Rights, Region VIII, Federal Office Building, 1961 Stout St, Denver, CO 80294 (303-844-2028 voice or 303-844-3439 TTY)



For information, referral, and crisis management services in North Dakota 24 hours a day.

Art work by Alexandra Jelleberg



North Dakota Department of Human Services
Public Assistance Unit
600 E Boulevard Ave Dept 325
Bismarck ND 58505-0250
Phone 1-800-755-2716 Fax 701-328-1060
ND Relay: 1-800-366-6888
Email: dhseap@nd.gov
www.nd.gov/dhs
DN#88 (Rev 10/08)

Pregnant?

Unsure of Your Options?



We can Help...

North Dakota Department of Human Services

Who do I call?

To obtain services, contact one of the listed providers.

North Dakota Approved Providers by City

BISMARCK

Catholic Charities ND
919 S 7th St Suite 607
Bismarck ND 58504-5881
701-255-1793 or 1-800-450-4457
www.catholiccharitiesnd.org

Lutheran Social Services
1616 Capitol Way
Bismarck ND 58501
701-223-1510 or 1-800-627-8220
www.lssnd.org

New Life Crisis Pregnancy Center
1501 N 12th
Bismarck ND 58501-2713
701-224-0621

The Village Family Service Center
411 N 4th St Suite 10
Bismarck ND 58501-4078
701-255-1165 or 1-800-627-8220
www.thevillagefamily.org

DICKINSON

Lutheran Social Services
Appointment by Telephone
1-800-627-8220
www.lssnd.org

DEVILS LAKE

First Choice Clinic
1031 7 St NE 4th Floor
Devils Lake, ND 58301-2719
701-662-2229
www.firstchoiceclinic.com

FARGO-MOORHEAD

Birthright of Fargo-Moorhead
512 Center Ave Suite D
Moorhead MN 56560-1956
701-237-0359
www.birthright.org

Catholic Charities ND
5201 Bishops Blvd Suite
Fargo ND 58104-7605
701-235-4457 or 1-800-450-4457
www.catholiccharitiesnd.org

Christian Family Life Services
203 8th St S
Fargo ND 58103-1824
701-237-4473 or 1-800-747-2304
www.cflsadooption.org

First Choice Clinic
1351 Page Dr Suite 205
Fargo ND 58103-3536
701-237-6530 or 1-888-237-6530
www.firstchoiceclinic.com

Lutheran Social Services
1325 11th St S
Fargo ND 58103
701-271-3286 or 1-800-627-8220
www.lssnd.org

Perry Center Home for Unwed Mothers
2355 Meadow Ridge Pkwy
West Fargo ND 58078-2383
701-241-9289
www.perrycenter.org

Valley Christian Counseling Center
509 25th Ave N
Fargo ND 58102-1938
701-232-6224
www.valleychristiancounselingcenter.com

The Village Family Service Center
1201 25th St S
Fargo ND 58103-2311
701-451-4900 or 1-800-627-8220
www.thevillagefamily.org

YFC Teen Moms
65 N 3rd St
Fargo ND 58102-4869
701-237-6682

GRAND FORKS

Catholic Charities ND
311 4th St S Suite 105
Grand Forks ND 58201-4782
701-775-4196 or 1-800-450-4457
www.catholiccharitiesnd.org

Lutheran Social Services
412 Demers Ave
Grand Forks ND 58201-4508
701-772-7577 or 1-800-627-8220
www.lssnd.org

Northland Christian Counseling
2315 Library Circle
Grand Forks ND 58201-6327
701-795-8550 or 1-877-795-6222
www.northlandccc.com

Women's Pregnancy Center
11 S 4th St Suite 210
Grand Forks ND 58201-4735
701-746-8866 or 1-888-732-4450
www.gfwpc.org

HAZEN

Lutherans for Life
PO Box 523
Hazen ND 58545-0523
701-748-2292

MINOT

Catholic Charities ND
216 S Broadway Suite 103
Minot ND 58701-3852
701-852-2854 or 1-800-450-4457
www.catholiccharitiesnd.org

Lutheran Social Services
615 S Broadway, Ste L3
Minot ND 58701
701-838-7800 or 1-800-627-8220
www.lssnd.org

The Village Family Service Center
20 1st St SW, Ste 250
Minot ND 58701
701-852-3328 or 1-800-627-8220
www.thevillagefamily.org

MINTO

Saint Gianna's Maternity Home
15605 County Road 15
Minto ND 58261-9476
701-248-3077 or 1-877-701-3077

PARK RIVER

Pregnancy Help Center
Highway 17 E & Kensington
PO Box 626
Park River ND 58270-0626
701-284-6601 or 1-888-280-6303

WILLISTON

Lutheran Social Services
141 W Dakota Pkwy, Ste 2B
Williston ND 58801
701-774-0749 or 1-800-627-8220
www.lssnd.org

Testimony
Senate Bill 2391 – Department of Human Services
Senate Human Services Committee
Senator Judy Lee, Chairman
February 2, 2009

*Same
given to
House*

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 information on the Alternatives-to-Abortion program.

Services Provided from July 1, 2007 through November 2008

- Approximately 1,000 clients received services
 - Based on current usage, approximately 1,500 will take advantage of services in this biennium
- Sixteen agencies provide services
- Billed services by providers - \$199,378
 - Monthly average \$12,461 for services

Advertising

- Mental Health America 2-1-1 contracted - \$10,800
- Printing brochures - \$343.00
- Design and printing of posters - \$1,266.50
- Fall 2008 sent over 1,000 posters and brochures to universities, colleges, schools, county social service agencies, food pantries, shelters, parole and probation offices, Division of Juvenile Services, and grocery stores
- Added Alternatives-to-Abortion program on Department of Human Services home page
 - List of services

- List of providers
- Map with location of providers
- Added Alternative-to-Abortion poster on Facebook and MySpace with a link to the Department's website

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

#3

North Dakota Right to Life Association
PO Box 551
Bismarck ND 58502-0551
701-258-3811

Testimony before the HOUSE HUMAN SERVICES COMMITTEE
Senate Bill 2391
March 11, 2009
Stacey Pfliiger, Legislative Director

Chairman Weisz, members of the committee, my apologies for not being with you in person today. I appreciate you accepting this written testimony from the North Dakota Right to Life Association in my absence.

The North Dakota Right to Life Association supports SB 2391 relating to the alternatives-to-abortion services program; to provide for reports to the legislative council; and to provide an appropriation.

As you know, the alternatives-to-abortion services program is administered by the North Dakota Department of Human Services and has been before the Legislative Assembly for the past few sessions. While the program has been a success in regards to patient services-serving hundreds of clients, we find the general public is not always aware the program exists. SB 2391 is about raising the awareness of the alternatives to abortion program.

The Department of Human Services has done a good job starting the marketing of the program; however, it is important for the agencies listed in the alternatives to abortion brochure to now take that marketing to another level. These are the front-line workers of the program. They are the experts that know how to reach the abortion vulnerable woman.

The North Dakota Right to Life Association urges the House Human Services Committee to give SB 2391 a **DO PASS** recommendation.

Thank you for the opportunity to testify.