

2021 SENATE HUMAN SERVICES

SB 2131

2021 SENATE STANDING COMMITTEE MINUTES

Human Services Committee
Sakakawea Room, State Capitol

SB 2131 AM
1/20/2021

A BILL for an Act to create and enact a new subdivision to subsection 2 of section 12-60-24 of the North Dakota Century Code, relating to criminal history record checks requested by the department of human services; and to amend and reenact section 50-25.1-11.1 of the North Dakota Century Code, relating to powers of the department of human services regarding requests for criminal history record checks made by children's advocacy centers.

Madam Chair Lee opened the hearing on SB 2131 at 11:27 a.m. All members present: Senator Lee, Senator K. Roers, Senator Clemens, Senator Hogan, Senator Anderson, Senator O. Larsen.

Discussion Topics:

- Volunteer background checks
- Adding emergency clause

[11:27] Senator Lee, District 12. Introduced SB 2131.

[11:29] Paula Condol, Executive Director, Dakota Children's Advocacy Center. Provided testimony #1798 in favor.

[11:34] Cory Pederson, Director, Children and Family Services Division, Department of Human Services. Provided testimony #1817 in favor.

Senator Hogan moves to **ADOPT AMENDMENT**, "add emergency clause"
Senator K. Roers seconded

Voice vote, motion carried.

Additional written testimony: N/A

Madam Chair Lee closed the hearing on SB 2131 at 11:36 a.m.

Justin Velez, Committee Clerk

January 20, 2021

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PROPOSED AMENDMENTS TO SENATE BILL NO. 2131

Page 1, line 3, remove the first "and"

Page 1, line 5, after "centers" insert "; and to declare an emergency"

Page 2, after line 5, insert:

"SECTION 3. EMERGENCY. This Act is declared to be an emergency measure."

Renumber accordingly

Testimony in Support of SB 2131

January 20, 2021

Madam Chairman and Members of the Committee,

My name is Paula Condol. I am the Executive Director of the Dakota Children's Advocacy Center. I am accompanied today by, Greg Kasowski, the Executive Director of the Children's Advocacy Centers of North Dakota. Our North Dakota CACs include my Dakota CAC, with offices located in Bismarck and Dickinson, Northern Plains CAC, in Minot and Bottineau, and the Red River Children's Advocacy Center, in Fargo and Grand Forks.

I am before the Committee today to offer testimony in support of SB 2131.

Our North Dakota Children's Advocacy Centers (CACs) work to ensure that every child who is the victim of abuse in North Dakota has access to a multidisciplinary team of professionals to investigate and intervene on behalf of the child. We strive to ensure our Centers are a safe place for children and youth to share what happened to them, and to receive medical, advocacy and mental health services.

SB 2131 allows our CACs to conduct fingerprint background checks on our employees, volunteers, and others who interact with minors under the age of 18.

CACs have always been aware of the need to ensure a safe environment and to protect the children who come to us. Traditionally, we have either relied on a recent background check from another agency, or we order our own local and state background checks, as well as requesting a review of the child abuse registry.

Our accrediting body, the National Children's Alliance, informed us recently that our federal funding requirements had changed to now require *fingerprint* background checks on any professional who comes in contact with children at our Centers. We rely on federal funding to continue operating and providing services to kids. We knew we needed to meet the fingerprint background check requirement immediately or lose federal funding.

We attempted to meet this requirement by first contacting the Bureau of Criminal Investigations, local agencies, even national agencies. However, they either do not offer fingerprint background services, or our organization does not qualify for fingerprint background services.

Under SB 2131, NDDHS can submit a request to the Bureau of Criminal Investigation on our behalf and we can receive a fingerprint background check.

We are small agencies. We anticipate there will be fewer than 30 requests for fingerprint background checks per year. This bill solves a problem for CACs and helps us make our workplaces safer for children and families.

Madam Chairman and Members of the Committee, thank you for allowing me the opportunity to provide testimony. I am happy to answer any questions.

Testimony
Senate Bill Number 2131
Senate Human Services Committee
Senator Judy Lee, Chairman
January 20th, 2021

Chairman Lee, and members of the Senate Human Services Committee, I am Cory Pedersen, Director of the Children and Family Services Division with the Department of Human Services (Department). I appear before you to support Senate Bill 2131.

Children's Advocacy Centers (CACs) are vital partners to the Department, to Human Service Zones, and to law enforcement in effectively addressing child abuse and neglect in North Dakota, particularly in cases of child sexual abuse and child physical abuse. Without Children's Advocacy Centers, prosecutions for criminal acts against children would be much less likely to occur and much less likely to result in conviction of those who offend against children. The multidisciplinary approach, forensic interviewing expertise, treatment services, and prevention efforts of the Children's Advocacy Centers are vital to the investigative, administrative, and judicial systems that respond to child abuse cases in our state.

Quality, accredited Children's Advocacy Centers contribute to building strong stable families in the aftermath of child abuse and neglect. We all have a stake in maintaining the excellence of our Children's Advocacy Centers and strongly advocate for maintaining their quality services. One critical component of maintaining quality services and securing safety for the children and families coming to a Children's Advocacy Center, is assuring the quality of the staff and volunteers serving vulnerable children and families through fingerprint-based background checks.

The Department of Human Services supports Senate Bill 2131.

Thank you for your time and I will stand for any questions.

2021 SENATE STANDING COMMITTEE MINUTES

Human Services Committee
Sakakawea Room, State Capitol

SB 2131
1/20/2021 PM

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Madam Chair Lee opened the discussion on SB 2131 at 3:58 p.m. Senators present: Lee, K. Roers, Hogan, Anderson, Clemens. Absent: O. Larsen

Discussion Topics:

- Amended measure

Senator K. Roers moves **DO PASS, AS AMENDED.**

Senator Hogan seconded.

Senators	Vote
Senator Judy Lee	Y
Senator Kristin Roers	Y
Senator Howard C. Anderson, Jr.	Y
Senator David A. Clemens	Y
Senator Kathy Hogan	Y
Senator Oley Larsen	ABSENT

The motion passed 5-0-1

Senator Lee will carry SB 2131.

Additional written testimony: N/A

Madam Chair Lee closed the discussion on SB 2131 at 4:00 p.m.

Justin Velez, Committee Clerk

REPORT OF STANDING COMMITTEE

SB 2131: Human Services Committee (Sen. Lee, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (5 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). SB 2131 was placed on the Sixth order on the calendar.

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Renumber accordingly

2021 HOUSE JUDICIARY

SB 2131

2021 HOUSE STANDING COMMITTEE MINUTES

Judiciary

Room JW327B, State Capitol

SB 2131
3/15/2021

Relating to powers of the department of human services regarding requests for criminal history record checks made by children's advocacy centers; and to declare an emergency

Chairman Klemin called the hearing to order at 8:37 AM

Present: Representatives Klemin, Karls, Becker, Buffalo, Cory, K Hanson, Jones, Magrum, Paulson, Paur, Satrom, and Vetter, and Roers Jones. Absent: Christensen

Discussion Topics:

- Criminal background checks
- Advocacy centers
- Fees

Senator Lee: Introduced the bill.

Cory Peterson, Director of DHS, Children's Advocacy Center: Testimony #9056 8:46

Chairman Klemin closed the hearing at 8:51

Rep. Roers Jones: Do Pass Motion

Rep. Karls: Seconded

Roll Call Vote:

Representatives	Vote
Chairman Klemin	Y
Vice Chairman Karls	Y
Rep Becker	N
Rep. Christensen	A
Rep. Cory	Y
Rep T. Jones	Y
Rep Magrum	N
Rep Paulson	Y
Rep Paur	Y
Rep Roers Jones	Y
Rep B. Satrom	Y
Rep Vetter	Y
Rep Buffalo	Y
Rep K. Hanson	N

10-3-1 Motion carried

Carrier Rep. Roers Jones

Stopped at 8:54

DeLores D. Shimek
Committee Clerk

REPORT OF STANDING COMMITTEE

SB 2131, as engrossed: Judiciary Committee (Rep. Klemin, Chairman) recommends **DO PASS** (10 YEAS, 3 NAYS, 1 ABSENT AND NOT VOTING). Engrossed SB 2131 was placed on the Fourteenth order on the calendar.

Testimony
Engrossed Senate Bill Number 2131
House Judiciary Committee
Representative Klemin, Chairman
March 15th, 2021

Chairman Klemin, and members of the House Judiciary Committee, I am Cory Pedersen, Director of the Children and Family Services Division with the Department of Human Services (Department). I appear before you to support Engrossed Senate Bill 2131.

Children's Advocacy Centers are vital partners to the Department, to Human Service Zones and to law enforcement in effectively addressing child abuse and neglect in North Dakota, particularly in cases of child sexual abuse and child physical abuse. Without Children's Advocacy Centers, prosecutions for criminal acts against children would be much less likely to occur and much less likely to result in conviction of those who offend against children. The multidisciplinary approach, forensic interviewing expertise, treatment services and prevention efforts of the Children's Advocacy Centers are vital to the investigative, administrative, and judicial systems that respond to child abuse cases in our state.

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The Department of Human Services supports Engrossed Senate Bill 2131. Thank you for your time and I will stand for any questions.