

MICROFILM DIVIDER

OMB/RECORDS MANAGEMENT DIVISION

SFN 2053 (2/85) 5M



ROLL NUMBER

DESCRIPTION

4032

2001 SENATE HUMAN SERVICES

SCR 4032

2001 SENATE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. SCR 4032

Senate Human Services Committee

Conference Committee

Hearing Date February 19, 2001

Tape Number	Side A	Side B	Meter #
1	X		24.2
Committee Clerk Signature <i>Carol Kolodziejchuk</i>			

Minutes:

The hearing was opened on SCR 4032.

SENATOR JACK TRAYNOR, sponsor, introduced the resolution. There have been problems with advising clients to provide for the education of their grandchild about whether the trust they set up for that purpose can be used for that purpose or if it can be invaded by other agencies.

A grandfather had set up a fund for the child's education; the parents were on assistance; the trust fund was invaded.

The hearing was closed on SCR 4032.

We need to know if the Federal law and state law has and conflict.

SENATOR LEE introduced her daughter and son-in-law, Marv and Jo McCauly, attorneys in Washington, DC.

SENATOR KILZER: We need to consider the Federal requirements for child's trust fund.

Discussion was held.

Page 2

Senate Human Services Committee

Bill/Resolution Number SCR 4032

Hearing Date February 19, 2001

SENATOR FISCHER moved a DO PASS. SENATOR POLOVITZ seconded the motion. Roll call vote carried 6-0. SENATOR FISCHER will carry the resolution on the floor.

Date: 2/19/01

Roll Call Vote #: 1

2001 SENATE STANDING COMMITTEE ROLL CALL VOTES
BILL/RESOLUTION NO. 4032

Senate HUMAN SERVICES Committee

Subcommittee on _____
or

Conference Committee

Legislative Council Amendment Number _____

Action Taken Do Pass

Motion Made By Sen Fischer Seconded By Sen Polovitz

Senators	Yes	No	Senators	Yes	No
Senator Lee, Chairperson	✓		Senator Polovitz	✓	
Senator Kilzer, Vice-Chairperson	✓		Senator Mathern	✓	
Senator Erbele	✓				
Senator Fischer	✓				

Total (Yes) 6 No 0

Absent 0

Floor Assignment Sen Fischer

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

REPORT OF STANDING COMMITTEE (410)
February 13, 2001 11:36 a.m.

Module No: SR-30-3850
Carrier: Fischer
Insert LC: . Title: .

REPORT OF STANDING COMMITTEE

SCR 4032: Human Services Committee (Sen. Lee, Chairman) recommends DO PASS
(6 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SCR 4032 was placed on the
Eleventh order on the calendar.

2001 HOUSE HUMAN SERVICES

SCR 4032

2001 HOUSE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. SCR 4032 A

House Human Services Committee

Conference Committee

Hearing Date March 21, 2001

Tape Number	Side A	Side B	Meter #
I	X		2077 to 2245
			2538 to 2556
Committee Clerk Signature <i>Corinne Easton</i>			

Minutes:

Chairman Price: I will open the hearing on SCR 4032.

Sen. Traynor - District 15: SCR 4032 is the result of a call I received from an attorney in Grand Forks who is actively involved in estate planning. He told me he doesn't know how to advise his clients who want to set up a trust for a grandchild, for instance. He has encountered difficulties when the parents of that child are in circumstances that require public assistance. Apparently there is a danger that the trust set up by the grandparent could be invaded has the grandparents frustrated by the action of the agency against the funds in the trust. So he asked what we could do about it. I think it needs to have a study. I don't believe we could draft any legislation to cure this until we know what is going on here. So that is the reason for the resolution. I hope the committee will look with favor on it.

Chairman Price: Any questions. Anyone else to testify in favor of 4032? Anyone in opposition to 4032? I will close the hearing on SCR 4032.

Page 2
House Human Services Committee
Bill/Resolution Number SCR 4032
Hearing Date March 21, 2001

COMMITTEE WORK:

Chairman Price: 4032.

Rep. Cleary: I move a DO PASS and place on consent calendar.

Rep. Dosch: Second.

Rep. Niemeier: Are trust accounts like that would be from grandparents taken into consideration on income levels?

Chairman Price: I suppose the real question is it for education after the age of 18 or before the age of 18. I would imagine that would be the tricky question.

14 YES 0 NO 0 ABSENT

CARRIED BY REP. DEVLIN

Date: 3-21-01
Roll Call Vote #: 1

2001 HOUSE STANDING COMMITTEE ROLL CALL VOTES
BILL/RESOLUTION NO. SCR 4032

House Human Services Committee

Subcommittee on _____

or

Conference Committee

Legislative Council Amendment Number _____

Action Taken DO PASS and place on Consent Calendar

Motion Made By Rep. Cleary Seconded By Rep. Dosch

Representatives	Yes	No	Representatives	Yes	No
Clara Sue Price - Chairman	✓		Audrey Cleary	✓	
William Devlin - V. Chairman	✓		Ralph Metcalf	✓	
Mark Dosch	✓		Carol Niemeier	✓	
Pat Galvin	✓		Sally Sandvig	✓	
Frank Klein	✓				
Chet Pollert	✓				
Todd Porter	✓				
Wayne Tieman	✓				
Dave Weiler	✓				
Robin Weisz	✓				

Total (Yes) 14 No 0

Absent 0

Floor Assignment Rep. Devlin

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

REPORT OF STANDING COMMITTEE (410)
March 21, 2001 1:22 p.m.

Module No: HR-49-6291
Carrier: Devlin
Insert LC: . Title: .

REPORT OF STANDING COMMITTEE

SCR 4032: Human Services Committee (Rep. Price, Chairman) recommends DO PASS and BE PLACED ON THE CONSENT CALENDAR (14 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SCR 4032 was placed on the Tenth order on the calendar.