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10/2/03  
Date

2003 HOUSE GOVERNMENT AND VETERANS AFFAIRS

HB 1308

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2003 HOUSE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. HB 1308

House Government and Veterans Affairs Committee

☐ Conference Committee

Hearing Date 1-31-03

Tape Number	Side A	Side B	Meter #
1	x		32.6-end
1		x	0-5.9
Committee Clerk Signature <i>Joseph Runkle</i>			

Minutes: Chairman Klein called the hearing to order on HB 1308. All committee members were present.

Representative Gulleason was present and gave testimony in favor of HB 1308. Gave out testimony from Linda Lembke who could not be here today (SEE ATTACHED TESTIMONY).

HB 1308 will raise the limits on grants to be accepted in this state. We ask our agencies to look more and more toward outside sources for funding. And I've introduced this bill in an effort to lower some of the barriers so that outside grants and other sources of funding can be accepted with the least amount of bureaucratic hoops. Writing competitive grants is tough work, they require a tremendous amount of time, planning, cooperation, between many multiple groups. When you receive them it is a very big deal, we had a situation last fall that was particularly disappointing to the child care community in the state. They had written a very large competitive grant at the national level, ended up receiving the grant and then for a time lost it because of

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*10/3/03*  
Date

Page 2

House Government and Veterans Affairs Committee

Bill/Resolution Number HB 1308

Hearing Date 1-31-03

some of the hoops that we have in place in the barriers in this state, had to go to the emergency commission for approval. The current limit is \$50,000, well in reality you don't write many grants for \$50,000 anymore. You are usually writing grants upwards \$200-\$300 thousand dollars. That is just the way it is. There are about 10 different groups at all levels in the state working on it, including the Dept. of Human Services. Really what this bill will do is it raises the limit from 50,000 to 500,000 and then we have added a provision there which I think gives us a certain amount of security if you will. On page 2 a new section 2 has been added to make sure everybody is in the loop on this.

Lori Heiber, Voices for North Dakota's Children: appeared in favor of HB 1308. (SEE ATTACHED TESTIMONY).

Representative Williams: will this solve the problem that almost buried on this 324,000 dollar grant?

Lori Heiber: not only will it solve it, but it was embarrassing I must say to find out that our state lost that to Delaware, who was last in the grant application, and they got the money, fortunately though, with our great Representatives of the state, we were able to get that back.

Al Jaeger, Sec. of State, Emergency Commission: I'm mainly coming in my secretarial functions in terms of this particular bill, and I can answer some questions.

The situation really did not have to do with the process of Emergency Commission in the budget section, The Dept. of Human Services was under the full understanding that they could follow our normal approval process, and all of a sudden on the 11th hour, they said no they cannot wait for that process.

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Page 3

House Government and Veterans Affairs Committee

Bill/Resolution Number HB 1308

Hearing Date 1-31-03

There are provisions in it that do allow the Emergency Commission to except funds when ever there is a threat of financial loss to the state. Had we known that in time, Emergency Commission could have met and could have received those monies. There was a misunderstanding and thats all there was, and yet the Emergency Commission caught a lot of heat. The intent of this bill I do understand what they are attempting to do. I do however need to make the committee aware that HB 1421 is a bill that is being heard by the House Appropriations Committee that I spoke in, that will establish the language consistent of across that chapter the language would hit. Those funds could have been accepted, but we weren't given that chance because of the timing. This bill would not have made any difference because we already had the laws in place to accept those funds. Other funds that come from private foundations that money is received under the provisions of this chapter, anything that comes from the federal government is actually received under the chapter specific to federal funds, again all of those things are being addressed in HB 1421.

Representative Winrich: when was the 50,000 dollar limit put into statute, how old is it?

Al Jaeger: yes I do, 1995 Legislature, changed that law.

Here ends testimony.

Hearing closed.

La Costa Rickford  
Operator's Signature

10/2/03  
Date

2003 HOUSE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. HB 1308

House Government and Veterans Affairs Committee

☐ Conference Committee

Hearing Date 2-07-03

Tape Number	Side A	Side B	Meter #
2	x		51.5-end
2		x	0-11.5
Committee Clerk Signature <i>James R. Smith</i>			

Minutes: Chairman Klein: opened the hearing on HB 1308. All committee members were present.

Representative Winrich: made a motion to **AMEND** HB 1308 as presented.

Representative Potter: **SECOND** the amendment to HB 1308.

Representative Winrich: moved to **DO PASS AS AMENDED** HB 1308 and re-referred to appropriations.

Representative Potter: **SECOND** the do pass motion.

Motion carried.

**VOTE: 8 YES 6 NO 0 ABSENT.**

Representative Winrich: will carry the bill to the floor.

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Date

2003 HOUSE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. HB 1308 Engrossed

House Government and Veterans Affairs Committee

☐ Conference Committee

Hearing Date 2-14-03

Tape Number	Side A	Side B	Meter #
1	x		0-12.7
Committee Clerk Signature <i>Jody Rucke</i>			

Minutes: Chairman Klein: called the hearing to order on Engrossed HB 1308. All committee members were present.

Representative Klein: stated that appropriations kicked this bill back to us meanwhile, HB 1421 was passed on the 12th of February and what HB 1421 does, I honestly don't believe we need HB 1308. Basically what this bill was trying to do is call it under new language in HB 1421. This bill came about because there was a possibility of something with Human Services missing out on some Federal money. It got into the wrong track as the Secretary of State testified, and got blown out of proportion, it could have been handled but because of the possibility they did put this extra language in HB 1421 saying if there is a possible loss of money, you don't need to go through the budget section. But you still need to go through the Emergency Commission. The appropriations committee doesn't want to lose that control, so they did put that in there.

Representative Winrich: made a motion to **AMEND** Engrossed HB 1308.

Representative Grande: **SECOND** the motion to amend HB 1308.

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*10/2/03*  
Date

Page 2

House Government and Veterans Affairs Committee

Bill/Resolution Number Engrossed HB 1308

Hearing Date 2-14-03

All in favor Motion to amend HB 1308 passed.

Representative Grande: made a **DO NOT PASS** motion on HB 1308.

Representative Sitte: **SECOND** the do not pass motion.

**VOTE: 12 YES 2 NO 0 ABSENT.**

Representative Klein will carry the bill to the floor.

Meeting adjourned.



30133.0101  
Title.0200

Prepared by the Legislative Council staff for  
Representative Gulleson  
February 6, 2003

VR  
2/7/03

HOUSE AMENDMENTS TO HOUSE BILL NO. 1308 GVA 2-10-03

Page 2, line 5, overstrike "fifty" and insert immediately thereafter "five hundred"

Renumber accordingly

Page No. 1

30133.0101

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10/3/03  
Date

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Date: 2-7-03  
Roll Call Vote #:

**2003 HOUSE STANDING COMMITTEE ROLL CALL VOTES**  
**BILL/RESOLUTION NO. 1308**

House GOVERNMENT AND VETERANS AFFAIRS Committee

☐ Check here for Conference Committee

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

Action Taken to Amend 1308 page 2 line 5

Motion Made By Rep Winrich Seconded By Rep. Grande

Representatives	Yes	No	Representatives	Yes	No
Chairman M.M. Klein			B. Amerman		
Vice Chairman B.B. Grande			L. Potter		
W.R. Devlin			C. Williams		
C.B. Haas			L. Winrich		
J. Kasper					
L.R. Klemin					
L. Meier					
M. Sitte					
W.W. Tieman					
R.H. Wikenheiser					

Total (Yes) 14 No 0

Absent \_\_\_\_\_

Floor Assignment \_\_\_\_\_

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

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10/3/03  
Date

P

Date: 2-7-03  
Roll Call Vote #:

**2003 HOUSE STANDING COMMITTEE ROLL CALL VOTES**  
**BILL/RESOLUTION NO. 1308**

House GOVERNMENT AND VETERANS AFFAIRS Committee

☐ Check here for Conference Committee

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

Action Taken D.P. as Amended

Motion Made By Rep. Winrich Seconded By Rep. Potter

Representatives	Yes	No	Representatives	Yes	No
Chairman M.M. Klein		X	B. Amerman	X	
Vice Chairman B.B. Grande		X	L. Potter	X	
W.R. Devlin	X		C. Williams	X	
C.B. Haas	X		L. Winrich	X	
J. Kasper	X				
L.R. Klemin		X			
L. Meier	X				
M. Sitte		X			
W.W. Tieman		X			
R.H. Wikenheiser		X			

Total (Yes) 8 No 6

Absent -0-

Floor Assignment Rep. Winrich

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

re-referred to appropriations

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**REPORT OF STANDING COMMITTEE (410)**  
February 10, 2003 9:21 a.m.

Module No: HR-25-2085  
Carrier: Winrich  
Insert LC: 30133.0101 Title: .0200

**REPORT OF STANDING COMMITTEE**

**HB 1308: Government and Veterans Affairs Committee (Rep. M. Klein, Chairman)**  
recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends  
**DO PASS** and **BE REREFERRED** to the **Appropriations Committee** (8 YEAS,  
6 NAYS, 0 ABSENT AND NOT VOTING). HB 1308 was placed on the Sixth order on  
the calendar.

Page 2, line 5, overstrike "fifty" and insert immediately thereafter "five hundred"

Renumber accordingly

(2) DESK, (3) COMM

Page No. 1

HR-25-2085

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*La Costa Rickford*

Date

*10/3/03*

30133.0201  
Title.0300

Adopted by the Government and Veterans  
Affairs Committee  
February 14, 2003

VR  
2/14/03

HOUSE AMENDMENTS TO ENGROSSED HOUSE BILL NO. 1308 GVA 2-17-03

Page 1, line 22, after the period insert "Upon providing written notice to the emergency commission and the budget section of the legislative council, a state officer may receive moneys from grants, not otherwise appropriated by the legislative assembly, in an amount not exceeding five hundred thousand dollars if the acceptance of the moneys is consistent with state law, the legislative assembly has not indicated an intent to reject the moneys or the program for which the moneys are provided, and the acceptance of the moneys does not commit the legislative assembly for matching funds in the future."

Renumber accordingly

Page No. 1

30133.0201

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10/3/03  
Date

Date: 2-14-03  
Roll Call Vote #: 7

**2003 HOUSE STANDING COMMITTEE ROLL CALL VOTES**  
**BILL/RESOLUTION NO. HB 1308**

House GOVERNMENT AND VETERANS AFFAIRS Committee

☐ Check here for Conference Committee

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

Action Taken Motion to amend HB 1308

Motion Made By Rep. Winrich Seconded By Rep. Grande

Representatives	Yes	No	Representatives	Yes	No
Chairman M.M. Klein			B. Amerman		
Vice Chairman B.B. Grande			L. Potter		
W.R. Devlin			C. Williams		
C.B. Haas			L. Winrich		
J. Kasper					
L.R. Klemin					
L. Meier					
M. Sitte					
W.W. Tieman					
R.H. Wikenheiser					

Total (Yes) 14 No 0

Absent \_\_\_\_\_

Floor Assignment \_\_\_\_\_

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

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10/2/03  
Date

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Date: 2-14-03  
Roll Call Vote #:

2003 HOUSE STANDING COMMITTEE ROLL CALL VOTES  
BILL/RESOLUTION NO. 1308 engrossed

House GOVERNMENT AND VETERANS AFFAIRS Committee

☐ Check here for Conference Committee

Legislative Council Amendment Number 30133.0201

Action Taken Do Not Pass as amended HB1308

Motion Made By Rep Grande Seconded By Rep Sitte

Representatives	Yes	No	Representatives	Yes	No
Chairman M.M. Klein	X		B. Amerman		X
Vice Chairman B.B. Grande	X		L. Potter	X	
W.R. Devlin	X		C. Williams	X	
C.B. Haas	X		L. Winrich		X
J. Kasper	X				
L.R. Klemin	X				
L. Meier	X				
M. Sitte	X				
W.W. Tieman	X				
R.H. Wikenheiser	X				

Total (Yes) 12 No 2

Absent 0

Floor Assignment Rep. Klein

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

language in paragraph 2. Sec.2  
line 22 page one.  
Renumbar accordingly.

12-19 lines be added  
after.

La Costa Rickford  
Operator's Signature

10/3/03  
Date

REPORT OF STANDING COMMITTEE (410)  
February 17, 2003 9:12 a.m.

Module No: HR-30-2869  
Carrier: M. Klein  
Insert LC: 30133.0201 Title: .0300

**REPORT OF STANDING COMMITTEE**

HB 1308, as engrossed: Government and Veterans Affairs Committee (Rep. M. Klein, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO NOT PASS** (12 YEAS, 2 NAYS, 0 ABSENT AND NOT VOTING). Engrossed HB 1308 was placed on the Sixth order on the calendar.

Page 1, line 22, after the period insert "Upon providing written notice to the emergency commission and the budget section of the legislative council, a state officer may receive moneys from grants, not otherwise appropriated by the legislative assembly, in an amount not exceeding five hundred thousand dollars if the acceptance of the moneys is consistent with state law, the legislative assembly has not indicated an intent to reject the moneys or the program for which the moneys are provided, and the acceptance of the moneys does not commit the legislative assembly for matching funds in the future."

Renumber accordingly



2003 TESTIMONY

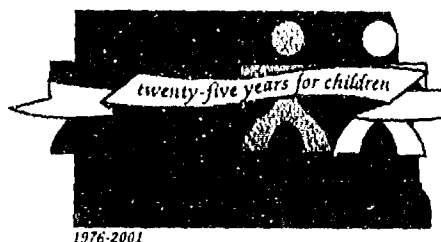
HB 1308

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10/2/03  
Date

VOICES FOR NORTH DAKOTA'S CHILDREN



CENTER FOR EARLY CHILDHOOD LEADERSHIP & ADVOCACY

To: Matthew Klein, Chairman, and members of the House Government and Veteran Affairs Committee

From: Lori Heiberg, Voices for North Dakota's Children

Date: January 31, 2003

Re: Testimony in support of HB 1308

Good Morning,

Chairman Klein and members of the House Government and Veteran Affairs Committee, I am Lori Heiberg and I am speaking on behalf of *Voices for North Dakota's Children*.

Voices for North Dakota's Children is a collaborative advocacy effort of early childhood education professional organizations. It is made up of the North Dakota Association for the Education of Young Children, NDCCPT (North Dakota Child Care Providers Incorporated), Child Care Resource and Referral Network, Children's Caucus, North Dakota Professional Development leadership team, Children's Services Coordinating Committee's and tribal early childhood partners.

**We ask for your support of House Bill 1308.**

As we enter into a new fiscal period, budget cuts are expected. Chairman Klein and members of the committee, many important programs across North Dakota rely on grants and other sources of income to maintain their programs. These grants also help to provide education to better enhance the delivery of services ensuring quality programs for all North Dakotans.

House Bill 1308 is a crucial element in assuring the smooth and easy process for accepting grant monies into our state in a quick and timely manner. We have an opportunity before us to alleviate a difficult situation that the Emergency Commission faced during the Summer of 2002.

The Federal Department of Labor made available a competitive Child Care Apprenticeship in the Fall of 2001. A task force comprised of higher learning and early childhood professionals were gathered to write the grant with the assistance of state program specialists.

410 E. Thayer Avenue, Suite 2 ♦ Bismarck, ND 58501 ♦ Phone: 701-224-1445 ♦ Toll Free: 1-866-204-3322 ♦ Fax: 701-255-0848

btengesdal@qwest.net ♦ ndaeyc@qwest.net

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*LuCosta Rickford*

10/3/03

Date

The Department of Human Services submitted the application in the third and final grant round. The application included a cover letter of support written by Carol Olson, on March 10<sup>th</sup>, 2002.

The task force member's hard work and dedication paid off as the application received a number one rating in the grant pool throughout the nation. A notification was sent to our state on June 17<sup>th</sup>, 2002. The state celebrated in a collective, "Yes!"

An acceptance letter was sent on June 25<sup>th</sup> to the United States Department of Labor. The letter included an explanation that formal acceptance would not happen until September or October when the state Emergency Commission would convene.

Shortly there after North Dakota was informed that the Department of Labor could not honor the terms under which the Department of Human Services would accept the \$324,000 Child Care Apprenticeship grant.

Childcare professionals were stunned. There would be no education, no college course work, no funds for improvement. Many children would suffer and parents would ask what happened to the early childhood training that was promised to our state. Newspaper articles and radio shows voiced the frustration that many felt. "How could we let \$324,000 slip through our fingers?"

Fortunately for us this story has a positive ending. Through the combined efforts and tireless work of Senator Kent Conrad and Governor John Hoeven, the Department of Labor reversed its decision. North Dakota received the much sought after grant.

Many grants and foundation supports are in excess of \$50,000. I believe our state department leaders are diligent in questioning each project and the long term role the state will play when making decisions about whether to apply for a grant.

It is a matter of trusting the executive directors and placing faith in their decisions that they will do what is best for the families of North Dakota. Raising the ceiling of the pass through to \$500,000 would enable the directors to do just that.

We agree that it is important that the Emergency Commission continue to convene on a regular basis. They are a valuable asset and play a vital role in monitoring state involvement in projects

House Bill 1308 would provide a measure of protection for North Dakota so as to avoid another situation like that of June 2002.

**Chairman Klein and members of the committee, thank you for your time. We urge your support of House Bill 1308.**

**To: Matthew Klein, Chairman, and members of the House Government and Veterans Affairs Committee**

**From: Barb Arnold-Tengesdal, Executive Director, Voices for North Dakota's Children**

**Date: January 31, 2003**

**Re: Testimony in support of HB 1308**

*Voices for North Dakota's Children* is a collaborative advocacy effort of early childhood education professional organizations. It is made up of the North Dakota Head Start Association, North Dakota Association for the Education of Young Children, NDCCPI (North Dakota Child Care Providers Incorporated), Child Care Resource & Referral Network, Children's Caucus, North Dakota Professional Development leadership team, Children's Services Coordinating Committee's and tribal early childhood partners.

**We urge your support of HB 1308.**

In a time of severe budget shortages, many important programs and activities rely heavily on grants and other source of income to ensure the continuation or improvement of a good project. This bill is important in assuring the smooth and easy process for acceptance grant monies in a quick and timely manner. Sometimes the process laid out to have oversight of government can also become so cumbersome that important opportunities can be lost. Such is the case of the Child Care Apprenticeship grant given to the state of North Dakota by the federal department of Labor in June 2002.

The competitive Child Care Apprenticeship grants offered by the United States Department of Labor were made available in the fall of 2001. It was the third grant round and was to be the last. A planning group from across the state was brought together including business, higher education, state programs and early childhood professionals to write a grant for North Dakota. It was well written, having read both Montana and South Dakota's funded applications earlier, the model for North Dakota was based on the other states trial and errors. The application was the top rated one in the grant pool. It was submitted by the Department of Human Services with the cover letter of support written by Carol Olson on March 10<sup>th</sup> 2002. We eagerly waited for notification late in May. Notification of award was sent to our state on June 17<sup>th</sup> 2002. A letter was sent back the US Department of Labor June 25<sup>th</sup> contingent upon the approval from the state Emergency Commission in September or October. The Department of Labor said they could not honor the terms under which the agency would accept the grant (because of time limitations we would later hear) and instead, awarded the grant to the State of Delaware.

The Child care professional community across the state was devastated as this 18 month grant for \$324,000 would enhance the already under funded training opportunities for child care center staff. This grant would set up training courses on-line so caregivers across the state would have access to college credit coursework.

This story fortunately has a happy ending! Through the efforts of Senator Conrad working from the federal side of things, and Governor Hoeven on the state side- we were able to move this grant back to our state, but missed the first planning meeting for state grantees because of the awarding mess. Currently, there are 16 child care centers who have applied to be

*Val Costa Rickford*  
Operator's Signature

*10/2/03*  
Date

"apprenticeship" sites across our state and the money will be used to set in place a unique system of training that our state would never have afforded without this opportunity.

The issue of how will the state sustain a program once grant money is gone is most often the reasons given for the stringent oversight process. Most grants applications ask the agency to clearly lay out how the project will be self-sustaining after the grant money is gone. I believe our state agency officials are diligent in questioning each project and the long term role the state will play when making decisions about whether to apply for a grant. It is a matter of trusting the executive directors to make prudent decisions as they sign off on projects. I know for a fact, Carol Olson asked this same question several times until she was satisfied of the states role.

Many grants and foundation support come with price tags much higher than \$50,000 and thus the change to \$500,000 seems reasonable. We like the fact that the emergency commission will be notified and contacted -as they play an important role in keeping track of state involvement in projects.

**We urge your support of HB 1308 as a way to make government more efficient.**

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"Linda Lembke"  
<LINDAL@owoc.net>  
01/30/2003 04:05 PM

To: <lwinrich@state.nd.us>, <cdwilliams@state.nd.us>,  
<rwikenhe@state.nd.us>, <wtleman@state.nd.us>,  
<msitte@state.nd.us>, <lpotter@state.nd.us>,  
nd.us@relay.state.nd.us, <lmeler@state.nd.us>,  
<lklemm@state.nd.us>, <jkasper@state.nd.us>,  
<chaas@state.nd.us>, <wdevlin@state.nd.us>,  
<bamerman@state.nd.us>, <mklein@state.nd.us>,  
<bgrande@state.nd.us>

cc:  
Subject: Support HB 1308

Chairman Klein and members of the Government and Veteran Affairs Committee,

I am unable to attend the hearing on Friday morning for HB 1308 and wanted to provide some input justifying the need for this legislation. My name is Linda Lembke and I am the director of the Child Care Resource and Referral (CCR&R) program in southeast North Dakota. In March of 2002, our program worked with the Early Childhood Administrator in the Department of Human Services to write a grant to the federal Department of Labor for a Child Care Apprenticeship Grant. CCR&R often works with the State to explore funding sources for the many needed projects for child care. In this case, we had pulled together a statewide planning team and had spent many meetings, calls and e-mails deliberating how to develop and implement an apprenticeship system in child care. The grant writing itself consumed two weeks. Throughout this process, DHS had cautioned us to be sure we were being realistic about being able to sustain this project independently beyond the grant period. I was of the understanding that when Carol Olson signed off on the grant, it had the state's approval to proceed.

This particular grant would bring a one-time grant for \$325,000 to our state to help address child care workforce issues - recruitment, training, progressive wage increases, and retention. Our state's percentage of working mothers is higher than the national average, with 70% of mothers with children under age six in the workforce. Child care for these children is provided in a variety of settings, including child care centers, licensed family child care homes, and unlicensed self-certified care settings. Unfortunately, conditions in these programs are less than ideal. A salary and working conditions survey conducted by Child Care Resource and Referral (CCR&R) in 2002, found that average staff wages in child care centers are very low (\$7.20/hour for teachers) and turnover very high (30% annual turnover). CCR&R has also compiled data using the Harms Clifford Infant Toddler Rating Scales (ITERS), a nationally recognized instrument for rating program quality, which substantiates that the level of quality in North Dakota's child care centers is minimal.

This grant wanted recipients to use the one-time funding to build programming that required an initial cash outlay but that could then be sustained within current systems beyond the grant period. It was our intention to use the grant to work with eight existing child care centers to move them toward becoming a model program, providing comprehensive, accessible (on-line) training tied to college coursework and national credentials which could have been accessed on-line. We would also use this opportunity to provide a road map for all child care centers to initiate an internal training system for their staff based on the apprenticeship model. All of the development of these products would have been integrated into CCR&R and remain in effect beyond the grant period. These model programs would then have served as training

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and demonstration sites for future trainees. The training would have been accessible to the entire child care field, not just those model programs.

We were very excited to have this opportunity to work on these large-scale projects and were extremely disappointed to find out that though North Dakota was awarded the grant, our state was unable to accept it due to unauthorized spending amounts. After hearing that North Dakota needed more time for authorization to receive this grant, the Department of Labor was unable to meet that request and awarded the funding to Delaware.

As a non-profit entity, CCR&R is always looking for funding sources to implement needed programming for child care. Sometimes, only a state entity can make application to a funder. As a non-profit, we are fully aware that some funding is non-renewable and we cannot count on continued support. When no state dollars are involved, it seems reasonable to permit a state officer to accept grant funds without prior approval. I hope you will pass this legislation to prevent other programs from missing out on wonderful opportunities to provide expanded services to help North Dakotans.

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"Advocating for the well-being of children in child care"

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