

MICROFILM DIVIDER

OMB/RECORDS MANAGEMENT DIVISION
SFN 2053 (2/85) 5M



ROLL NUMBER

DESCRIPTION

22245

The micrographic images on this film are accurate reproductions of records delivered to Modern Information Systems for microfilming and were filmed in the regular course of business. The photographic process meets standards of the American National Standards Institute (ANSI) for archival microfilm. NOTICE: If the filmed image above is less legible than this Notice, it is due to the quality of the document being filmed.

Deanna D. Smith
Operator's Signature

10/21/03
Date

2003 SENATE HUMAN SERVICES

SB 2245

The micrographic images on this film are accurate reproductions of records delivered to Modern Information Systems for microfilming and were filmed in the regular course of business. The photographic process meets standards of the American National Standards Institute (ANSI) for archival microfilm. NOTICE: If the filmed image above is less legible than this Notice, it is due to the quality of the document being filmed.

Deanna D. Waller
Operator's Signature

10/21/03
Date

2003 SENATE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. SB 2245

Senate Human Services Committee

☐ Conference Committee

Hearing Date January 27, 2003

Tape Number	Side A	Side B	Meter #
1	X		95 - 3900
Committee Clerk Signature <i>Donna Kramer</i>			

Minutes:

SENATOR JUDY LEE opened the public meeting for SB 2245 relating to disclosure of the identity of child support obligors.

Roll call was read. 5 present 1 absent.

SENATOR FISCHER introduced the bill. He said this bill would allow the public to know the identity of persons that are held responsible for child support payments that are in arrears. It also removes obstacles of information about obligors.

MIKE SCHWINDT, Director of Child Support Enforcement Office of the Department of Human Services, testified. (Written testimony and copy of South Dakota's "most wanted" poster)

There are two parts to the bill. The first part would require the Department to maintain a list of obligors who have been held in contempt or convicted of nonpayment of support. The second part would authorize the Department to send a letter to obligors who owe more than \$2,000 in

The micrographic images on this film are accurate reproductions of records delivered to Modern Information Systems for microfilming and were filmed in the regular course of business. The photographic process meets standards of the American National Standards Institute (ANSI) for archival microfilm. NOTICE: If the filmed image above is less legible than this Notice, it is due to the quality of the document being filmed.

Donna D. Smith
Operator's Signature

10/21/03
Date

Page 2
Senate Human Services Committee
Bill/Resolution Number SB 2245
Hearing Date January 27, 2003

past-due child support informing them that their name and other information regarding their obligation may be published and added to a list of delinquent obligors that is publicly available.

The last section of the bill protects the Department from lawsuits arising out of the disclosure.

The fiscal note shows that the second part of the bill would require computer programming costs of roughly \$20,000 (in addition to the \$2,000 for part one of the bill) and postage costs for mailing the letters to the obligors and obligees.

If enacted, the bill would authorize but not require the Department to publicize information regarding obligors. (Meter # 263 - 1136)

SENATOR LEE: Posters not considered a cost now?

MIKE SCHWINDT: Right. This is permissible, not mandatory.

SENATOR LEE: Do all those states that have posters send to every state and how do those posters get distributed in the state?

MIKE SCHWINDT: We put them in the state office, but we don't take them down to the post office.

Continued discussion regarding distribution of list of obligors, where information on obligors is obtained or when information on obligors is released. (Meter #1220 - 2228)

Public Hearing closed. (Meter # 2317)

Discussion on SB 2245 reopened. (Tape 1, Side A, Meter # 2339)

SENATOR FAIRFIELD: This will apply to all child support cases. It won't just be the, for example IV-D cases? It represents a little bit of break from what currently happens in IV-D cases. Because the obligee really doesn't have much choice in how aggressively those obligors are pursued or what happens in those cases. There is a policy shift. (Meter #2458)

Page 3
Senate Human Services Committee
Bill/Resolution Number SB 2245
Hearing Date January 27, 2003

SENATOR LEE: They are still aggressively pursued (Meter #2476) but they have something to say about whether or not there would be publicity for the family because there could be an adverse effect in some cases. (Meter 2480 - 2599)

SENATOR FISCHER made a motion to do pass.

SENATOR BROWN seconded the motion.

Discussion:

SENATOR FAIRFIELD: I really appreciate what this bill is trying to accomplish and I certainly support what you are trying to do. (Meter # 2691- 3078)

SENATOR POLOVITZ: How much publicity is given? (Meter # 3112 - 3250)

SENATOR BROWN: How many of these past due people are still in North Dakota? (Meter 3322 - 3391)

SENATOR LEE: What kinds of communications with other states enhanced now to allow you to work with other states. So that you can keep track of people living in your state with obligations in another state?

MIKE SCHWINDT: Probably most effective is what we call family, parent locate system. It is a federal data base that we are able to access. Continued discussion. (Meter # 3453 - 3900)

Roll Call was read. 5 yes and 1 no.

SENATOR FISCHER to be the carrier.

The micrographic images on this film are accurate reproductions of records delivered to Modern Information Systems for microfilming and were filmed in the regular course of business. The photographic process meets standards of the American National Standards Institute (ANSI) for archival microfilm. NOTICE: If the filmed image above is less legible than this Notice, it is due to the quality of the document being filmed.

Operator's Signature

10/21/03
Date

FISCAL NOTE
Requested by Legislative Council
03/18/2003

Amendment to: SB 2245

1A. State fiscal effect: *Identify the state fiscal effect and the fiscal effect on agency appropriations compared to funding levels and appropriations anticipated under current law.*

	2001-2003 Biennium		2003-2005 Biennium		2005-2007 Biennium	
	General Fund	Other Funds	General Fund	Other Funds	General Fund	Other Funds
Revenues				\$15,303		\$198
Expenditures			\$7,883	\$15,303	\$102	\$198
Appropriations			\$7,883	\$15,303	\$102	\$198

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

2001-2003 Biennium			2003-2005 Biennium			2005-2007 Biennium		
Counties	Cities	School Districts	Counties	Cities	School Districts	Counties	Cities	School Districts

2. Narrative: *Identify the aspects of the measure which cause fiscal impact and include any comments relevant to your analysis.*

This bill would allow the Department of Human Services (DHS) to publish and disclose information to the public about parents whose location is unknown or about obligors who owe more than \$25,000 in past-due child support. This would increase child support collections which would result in a decrease in general funds needed. The increase in collections is unknown. The bill would also require DHS to maintain a list of obligors who have been the subject of a contempt proceeding for failure to comply with a child support order. Costs would be incurred by DHS for programming changes to the Fully Automated Child Support Enforcement System (FACSES) and for postage to mail notices to obligors and obligees about the disclosure of information.

3. State fiscal effect detail: *For information shown under state fiscal effect in 1A, please:*

A. Revenues: *Explain the revenue amounts. Provide detail, when appropriate, for each revenue type and fund affected and any amounts included in the executive budget.*

The Department of Human Services would receive federal funds of \$15,303 for the 03-05 biennium, which is 66% of the expenditures incurred.

B. Expenditures: *Explain the expenditure amounts. Provide detail, when appropriate, for each agency, line item, and fund affected and the number of FTE positions affected.*

The Department of Human Services would incur operating costs of \$23,186 in the 03-05 biennium consisting of \$21,986 for programming changes to FACSES for both maintaining the list of obligors held in contempt and for implementing the process to publish and disclose obligor information and \$1,200 for postage costs to mail notices to obligors and obligees. Costs for the 05-07 biennium are postage costs.

C. Appropriations: *Explain the appropriation amounts. Provide detail, when appropriate, of the effect on the biennial appropriation for each agency and fund affected and any amounts included in the executive budget. Indicate the relationship between the amounts shown for expenditures and appropriations.*

The Department of Human Services would need additional appropriation authority of \$23,186 for the 03-05 biennium.

The micrographic images on this film are accurate reproductions of records delivered to Modern Information Systems for microfilming and were filmed in the regular course of business. The photographic process meets standards of the American National Standards Institute (ANSI) for archival microfilm. NOTICE: If the filmed image above is less legible than this Notice, it is due to the quality of the document being filmed.

Operator's Signature

Date

Name:	Brenda M. Welsz	Agency:	Dept. Human Services
Phone Number:	328-2397	Date Prepared:	03/18/2003

The micrographic images on this film are accurate reproductions of records delivered to Modern Information Systems for microfilming and were filmed in the regular course of business. The photographic process meets standards of the American National Standards Institute (ANSI) for archival microfilm. NOTICE: If the filmed image above is less legible than this Notice, it is due to the quality of the document being filmed.

Deanna Waller
Operator's Signature

10/21/03
Date

FISCAL NOTE
Requested by Legislative Council
01/20/2003

Bill/Resolution No.: SB 2245

1A. State fiscal effect: Identify the state fiscal effect and the fiscal effect on agency appropriations compared to funding levels and appropriations anticipated under current law.

	2001-2003 Biennium		2003-2005 Biennium		2005-2007 Biennium	
	General Fund	Other Funds	General Fund	Other Funds	General Fund	Other Funds
Revenues				\$15,699		\$1,188
Expenditures			\$8,087	\$15,699	\$612	\$1,188
Appropriations			\$8,087	\$15,699	\$612	\$1,188

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

2001-2003 Biennium			2003-2005 Biennium			2005-2007 Biennium		
Counties	Cities	School Districts	Counties	Cities	School Districts	Counties	Cities	School Districts

2. Narrative: Identify the aspects of the measure which cause fiscal impact and include any comments relevant to your analysis.

This bill would allow the Department of Human Services (DHS) to publish and disclose information to the public about parents whose location is unknown or about obligors who owe more than \$2,000 in past-due child support. This would increase child support collections which would result in a decrease in general funds needed. The increase in collections is unknown. The bill would also require DHS to maintain a list of obligors who have been the subject of a contempt proceeding for failure to comply with a child support order. Costs would be incurred by DHS for programming changes to the Fully Automated Child Support Enforcement System (FACSES) and for postage to mail notices to obligors and obligees about the disclosure of information.

3. State fiscal effect detail: For information shown under state fiscal effect in 1A, please:

A. Revenues: Explain the revenue amounts. Provide detail, when appropriate, for each revenue type and fund affected and any amounts included in the executive budget.

The Department of Human Services would receive federal funds of \$15,699 for the 03-05 biennium, which is 66% of the expenditures incurred.

B. Expenditures: Explain the expenditure amounts. Provide detail, when appropriate, for each agency, line item, and fund affected and the number of FTE positions affected.

The Department of Human Services would incur operating costs of \$23,786 in the 03-05 biennium consisting of \$21,986 for programming changes to FACSES for both maintaining the list of obligors held in contempt and for implementing the process to publish and disclose obligor information and \$1,800 for postage costs to mail notices to obligors and obligees. Costs for the 05-07 biennium are postage costs.

C. Appropriations: Explain the appropriation amounts. Provide detail, when appropriate, of the effect on the biennial appropriation for each agency and fund affected and any amounts included in the executive budget. Indicate the relationship between the amounts shown for expenditures and appropriations.

The micrographic images on this film are accurate reproductions of records delivered to Modern Information Systems for microfilming and were filmed in the regular course of business. The photographic process meets standards of the American National Standards Institute (ANSI) for archival microfilm. NOTICE: If the filmed image above is less legible than this Notice, it is due to the quality of the document being filmed.

Operator's Signature

Date

The Department of Human Services would need additional appropriation authority of \$23,786 for the 03-05 biennium.

Name:	Debra A. McDermott	Agency:	Human Services
Phone Number:	328-3695	Date Prepared:	01/24/2003

The micrographic images on this film are accurate reproductions of records delivered to Modern Information Systems for microfilming and were filmed in the regular course of business. The photographic process meets standards of the American National Standards Institute (ANSI) for archival microfilm. NOTICE: If the filmed image above is less legible than this Notice, it is due to the quality of the document being filmed.

Debra A. McDermott
Operator's Signature

10/21/03
Date

Date: 01-27-03
Roll Call Vote #:

2003 SENATE STANDING COMMITTEE ROLL CALL VOTES
BILL/RESOLUTION NO. 2245

Senate Human Services Committee

☐ Check here for Conference Committee

Legislative Council Amendment Number _____

Action Taken Do Pass Referred to Appropriations

Motion Made By Sen. Fischer Seconded By Sen. Brown

Senators	Yes	No	Senators	Yes	No
Senator Judy Lee - Chairman	✓				
Senator Richard Brown - V. Chair.	✓				
Senator Robert S. Erbele	✓				
Senator Tom Fischer	✓				
Senator April Fairfield		✓			
Senator Michael Polovitz	✓				

Total (Yes) 5 No 1

Absent _____

Floor Assignment Sen. Fischer

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

The micrographic images on this film are accurate reproductions of records delivered to Modern Information Systems for microfilming and were filmed in the regular course of business. The photographic process meets standards of the American National Standards Institute (ANSI) for archival microfilm. NOTICE: If the filmed image above is less legible than this Notice, it is due to the quality of the document being filmed.

Deanna Waller
Operator's Signature

10/21/03
Date

REPORT OF STANDING COMMITTEE (410)
January 27, 2003 4:22 p.m.

Module No: SR-15-1158
Carrier: Fischer
Insert LC: . Title: .

REPORT OF STANDING COMMITTEE

SB 2245: Human Services Committee (Sen. J. Lee, Chairman) recommends DO PASS
(5 YEAS, 1 NAY, 0 ABSENT AND NOT VOTING). SB 2245 was placed on the
Eleventh order on the calendar.

(2) DESK, (3) COMM

Page No. 1

SR-15-1158

The micrographic images on this film are accurate reproductions of records delivered to Modern Information Systems for microfilming and were filmed in the regular course of business. The photographic process meets standards of the American National Standards Institute (ANSI) for archival microfilm. NOTICE: If the filmed image above is less legible than this Notice, it is due to the quality of the document being filmed.

Deanna Waller
Operator's Signature

12/21/03
Date

2003 HOUSE HUMAN SERVICES

SB 2245

The micrographic images on this film are accurate reproductions of records delivered to Modern Information Systems for microfilming and were filmed in the regular course of business. The photographic process meets standards of the American National Standards Institute (ANSI) for archival microfilm. NOTICE: If the filmed image above is less legible than this Notice, it is due to the quality of the document being filmed.

Deanna D. Hall
Operator's Signature

10/21/03
Date

2003 HOUSE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. SB 2245

House Human Services Committee

☐ Conference Committee

Hearing Date March 3, 2003

Tape Number	Side A	Side B	Meter #
1	x		0.9 - 19.0
Committee Clerk Signature <i>Sharon Bengtson</i>			

Minutes:

Sen. Fischer appeared as prime sponsor and handed out examples and stating the Department intends to use a web site to publish these people.

Mike Schwindt, Director of State Child Support Enforcement Office with the Department of Human Services appeared in support with written testimony.

Rep. Price: I know this came about because the Fargo Forum was asking for the list of those obligors that had the most expenses owed to the State, can you give an example of top 2 or 3.

Answer: One gentleman owed \$170,000.00 and another owed \$150,000.00. The list of top 25 all were over \$100,000.00. We collected over 186 million Dollars.

Rep. Wieland: Does this bill in any part mandate its regions to do this or is the department going to do it?

Answer: The list is compiled at the State level and on the local lever, they input the faces, etc.

The micrographic images on this film are accurate reproductions of records delivered to Modern Information Systems for microfilming and were filmed in the regular course of business. The photographic process meets standards of the American National Standards Institute (ANSI) for archival microfilm. NOTICE: If the filmed image above is less legible than this Notice, it is due to the quality of the document being filmed.

Deanna D. Smith
Operator's Signature

10/21/03
Date

Page 2
House Human Services Committee
Bill/Resolution Number SB 2245
Hearing Date March 3, 2003

Rep. Weisz: Regarding children, have you looked at the negative effect on children when his parents faces on front of newspaper, etc.

Answer: No, they aren't sure and haven't done a study, that's why they are here an asking for advice.

Questions of the committee regarding collection and disbursement of funds, in release of custodial parents, some remain anonymous because of domestic violence, etc. and wit the 30 day notice, if that is a flag to get their act together to pay and is it to make sure the information is correct.

Rep. Potter: Page 2, # 3, written consent of obligee regarding obligor, why the consent?

Answer: That's the point Rep. Weisz made, so kids don't get ambushed

Rep. Pollert: Feels this is public humiliation and we do have ways of collecting now, no enforcement in this bill.

Answer: coercing behavior, is it fair? I think its unfair that the kids aren't getting the support they need.

Rep. Pollert: Should we be tightening up the enforcement so we don't hassle with everything? or is there another option?

Answer: no single one answer to this, it depends on the , bills today are good ideas.

2003 HOUSE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. SB 2245

House Human Services Committee

☐ Conference Committee

Hearing Date March 5, 2003

Tape Number	Side A	Side B	Meter #
2	x		47.8 - 62.0
		x	0.0 - 21.2
Committee Clerk Signature <i>Sharon Penzance</i>			

Minutes: Committee Work

Rep. Porter: The concept is good and has safety guards built into it so I motion a DO PASS, second by Rep. Wieland.

Rep. Pollert: I will oppose it, I have heart burn with this bill, there are better ways of doing this.

Rep. Niemeier: I agree with Rep. Pollert, I don't see how this is workable.

Rep. Potter: I can't support this either for the same reasons, family members involved and I have concerns with repercussions of kids.

Rep. Amerman: I have trouble with immunity part.

Rep. Price: Didn't they say that in South Dakota, they have 140 of them and only 6 agreed to publish them.

Rep. Porter: These people are not upstanding or model citizens, they are criminals and they've broken the law. They have deprived their children of the necessary means to buy clothes, to eat,

The micrographic images on this film are accurate reproductions of records delivered to Modern Information Systems for microfilming and were filmed in the regular course of business. The photographic process meets standards of the American National Standards Institute (ANSI) for archival microfilm. NOTICE: If the filmed image above is less legible than this Notice, it is due to the quality of the document being filmed.

Deanne Waller
Operator's Signature

10/21/03
Date

Page 2

House Human Services Committee

Bill/Resolution Number SB 2245

Hearing Date March 5, 2003

to comply with the court order, I don't know why you would feel compelled to protect this individual from being caught and coming clean and paying what they owe to their children.

Rep. Wieland: Feels these people are criminals also.

Rep. Uglem: Sees it as child abandonment.

Rep. Kreidt: Goes along with Rep. Wieland and Rep. Porter.

Rep. Pollert: I'm not looking at this bill as on an emotional side, I'm looking from this bill from the Judicial side. The Judicial side of government is responsible for law enforcement. So basically what we're doing is we're gonna circumvent that and we're gonna allow the Child Support Division to go ahead and use coercion. We are basically over stepping the Judicial branch. That's why I don't support the bill.

Rep. Amerman: Section 3 on page 2 says the State Agency has to retain written consent and of course then they will be immune section 5, I have concerns with anyone publishing it without written consent.

Rep. Price: They won't be able to access the information unless the Dept. gives it to them.

Rep. Pollert: Feels we're setting up a posse.

Rep. Niemeier: There is a loop hole by sending to the obligor and has concerns with bringing additional publicity to a legal matter involving children and feels we are opening up problems with family and the court system.

Rep. Weisz: Has concerns on the child's standpoint but likes the intent of the bill.

Rep. Devlin: I have never supported publishing posters with someone who owes child support.

Rep. Pollert: On page 2 of Mike Schwindt's testimony, this amount could be as small as \$2000.

Rep. Pietsch: Agrees with the Do Pass, but the kids learn from the parents.

Page 3
House Human Services Committee
Bill/Resolution Number SB 2245
Hearing Date March 5, 2003

Rep. Niemeier: This further causes problems from them possibly getting employment. We should consider family and children.

Rep. Potter: Why doesn't the court just do something about it? It seems there must be other options available for the Court to proceed and do what they do with other folks. There are a whole lot of options open to the Court that seems to me would be better to follow.

Rep. Wieland: The problem is that when they are brought back into court, then they say, well if you put me in jail, I can't work, so the judge has a tendency to want to be lenient and I think that's the whole problem with the courts, its far more receptive to what the obligor has to say than those people that are trying to raise the children and actually have the children.

VOTE: 8 - 4 - 1

Rep. Porter will carry the bill

Deanna D. Hall
Operator's Signature

10/21/03
Date

2003 HOUSE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. SB 2245

House Human Services Committee

☐ Conference Committee

Hearing Date March 17, 2003

Tape Number	Side A	Side B	Meter #
2	x		39.5 -49.5
Committee Clerk Signature <i>Sharon Lenfrew</i>			

Minutes: Committee work.

Rep. Pollert: Discussion in raising from \$2,000 to \$10,000.

Rep. Price: That is the wanted poster bill, so if we need to look at it and raise the amount, we need a motion to reconsider our action. The discussion is, do we want to raise the limit thinking the bill may not pass on the floor with \$2000, raise the limit to \$10,000 or \$25,000 to give it the department a chance to see how it works

Rep. Porter made a motion to reconsider our action, second by Rep. Kreidt.

VOTE: 13 - 0 - 0 PASSED

Rep. Porter made a motion to amend from \$2,000 to \$25,000, second by Rep. Weisz.

Rep. Uglem: Is this going to reduce the incentive terrifically for those that only owe 10 to 15 thousand? This is an incentive bill more than a punishment is my concern.

Rep. Wieland: Do we have any idea of how many are over \$25,000 or even how many are at \$10,000? Answer: Lots, no definite answer

The micrographic images on this film are accurate reproductions of records delivered to Modern Information Systems for microfilming and were filmed in the regular course of business. The photographic process meets standards of the American National Standards Institute (ANSI) for archival microfilm. NOTICE: If the filmed image above is less legible than this Notice, it is due to the quality of the document being filmed.

Deanna Waller
Operator's Signature

10/21/03
Date

Page 2
House Human Services Committee
Bill/Resolution Number SB 2245
Hearing Date March 17, 2003

VOTE: 13 - 0 - 0 Amendment passed

Rep. Kreidt: made a motion for DO PASS as Amended and re-refer to Appropriations, second

by Rep. Amerman.

VOTE: 9 - 4 - 0 Rep. Porter to carry the bill

The micrographic images on this film are accurate reproductions of records delivered to Modern Information Systems for microfilming and were filmed in the regular course of business. The photographic process meets standards of the American National Standards Institute (ANSI) for archival microfilm. NOTICE: If the filmed image above is less legible than this Notice, it is due to the quality of the document being filmed.

Deanna Ball
Operator's Signature

10/21/03
Date

Date: March 5, 2003
Roll Call Vote #:

2003 HOUSE STANDING COMMITTEE ROLL CALL VOTES
BILL/RESOLUTION NO. SB 2245

House HUMAN SERVICES Committee

☐ Check here for Conference Committee

Legislative Council Amendment Number _____

Action Taken Do Pass & Refer to Approp's

Motion Made By Rep Seconded By Rep

Representatives	Yes	No	Representatives	Yes	No
Rep. Clara Sue Price - Chair	✓		Rep. Sally Sandvig	✓	
Rep. Bill Devlin, Vice-Chair		✓	Rep. Bill Amerman	✓	
Rep. Robin Weisz <i>A</i>			Rep. Carol Niemeier		✓
Rep. Vonnie Pietsch	✓		Rep. Louise Potter		✓
Rep. Gerald Uglem	✓				
Rep. Chet Pollert		✓			
Rep. Todd Porter	✓				
Rep. Gary Kreidt	✓				
Rep. Alon Wieland	✓				

Total (Yes) 8 No 4

Absent 1

Floor Assignment Rep. Porter

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

The micrographic images on this film are accurate reproductions of records delivered to Modern Information Systems for microfilming and were filmed in the regular course of business. The photographic process meets standards of the American National Standards Institute (ANSI) for archival microfilm. NOTICE: If the filmed image above is less legible than this Notice, it is due to the quality of the document being filmed.

Deanna Waller
Operator's Signature

10/21/03
Date

REPORT OF STANDING COMMITTEE (410)
March 13, 2003 8:57 a.m.

Module No: HR-45-4637
Carrier: Porter
Insert LC: . Title: .

REPORT OF STANDING COMMITTEE
SB 2245: Human Services Committee (Rep. Price, Chairman) recommends **DO PASS** and **BE REREFERRED** to the Appropriations Committee (8 YEAS, 4 NAYS, 1 ABSENT AND NOT VOTING). SB 2245 was rereferred to the Appropriations Committee.

(2) DESK, (3) COMM

Page No. 1

HR-45-4637

The micrographic images on this film are accurate reproductions of records delivered to Modern Information Systems for microfilming and were filmed in the regular course of business. The photographic process meets standards of the American National Standards Institute (ANSI) for archival microfilm. NOTICE: If the filmed image above is less legible than this Notice, it is due to the quality of the document being filmed.

Deanna D. Ball
Operator's Signature

10/21/03
Date

17
Date: March , 2003
Roll Call Vote #:

2003 HOUSE STANDING COMMITTEE ROLL CALL VOTES
BILL/RESOLUTION NO. SB ~~2244~~ 2245

House _____ HUMAN SERVICES _____ Committee

☐ Check here for Conference Committee

Legislative Council Amendment Number _____

Action Taken

DP as Amended & refer to Approps

Motion Made By

Rep Kreidt

Seconded By

Rep. Amerman

Representatives	Yes	No	Representatives	Yes	No
Rep. Clara Sue Price - Chair	✓		Rep. Sally Sandvig	✓	
Rep. Bill Devlin, Vice-Chair		✓	Rep. Bill Amerman	✓	
Rep. Robin Weisz		✓	Rep. Carol Niemeier	✓	
Rep. Vonnice Pietsch	✓		Rep. Louise Potter		✓
Rep. Gerald Uglem	✓				
Rep. Chet Pollert		✓			
Rep. Todd Porter	✓				
Rep. Gary Kreidt	✓				
Rep. Alon Wieland	✓				

Total (Yes) 9 No 4

Absent 0

Floor Assignment

Rep. Porter

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

The micrographic images on this film are accurate reproductions of records delivered to Modern Information Systems for microfilming and were filmed in the regular course of business. The photographic process meets standards of the American National Standards Institute (ANSI) for archival microfilm. NOTICE: If the filmed image above is less legible than this Notice, it is due to the quality of the document being filmed.

Deanna Wallis
Operator's Signature

10/21/03
Date

REPORT OF STANDING COMMITTEE (410)
March 17, 2003 3:00 p.m.

Module No: HR-47-4944
Carrier: Porter
Insert LC: 38305.0101 Title: .0200

REPORT OF STANDING COMMITTEE

SB 2245: Human Services Committee (Rep. Price, Chairman) recommends
AMENDMENTS AS FOLLOWS and when so amended, recommends **DO PASS** and
BE REREFERRED to the Appropriations Committee (9 YEAS, 4 NAYS, 0 ABSENT
AND NOT VOTING). SB 2245 was placed on the Sixth order on the calendar.

Page 1, line 9, replace "two" with "twenty-five"

Renumber accordingly

(2) DESK, (3) COMM

Page No. 1

HR-47-4944

The micrographic images on this film are accurate reproductions of records delivered to Modern Information Systems for microfilming and were filmed in the regular course of business. The photographic process meets standards of the American National Standards Institute (ANSI) for archival microfilm. NOTICE: If the filmed image above is less legible than this Notice, it is due to the quality of the document being filmed.

Deanna D. Hall
Operator's Signature

12/21/03
Date

2003 HOUSE APPROPRIATIONS

SB 2245

The micrographic images on this film are accurate reproductions of records delivered to Modern Information Systems for microfilming and were filmed in the regular course of business. The photographic process meets standards of the American National Standards Institute (ANSI) for archival microfilm. NOTICE: If the filmed image above is less legible than this Notice, it is due to the quality of the document being filmed.

Deanna D. Smith
Operator's Signature

10/21/03
Date

2003 HOUSE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. SB 2245

House Appropriations Committee

☐ Conference Committee

Hearing Date 03-19-03

Tape Number	Side A	Side B	Meter #
2		X	-33.8
Committee Clerk Signature <i>Chris S. Svedjan</i>			

Minutes:

Chairman Svedjan Opened SB 2245 for discussion. A quorum was present. This bill is very similar to what we considered in 2246. It is a matter of setting policy. Our concern is the fiscal part of it as well as policy. The real issue is that we can move this out with a Do Pass, and then ask the Human Service section to consider these as they work on their budget.

Rep. Carlisle I move a Do Pass. 2nd by Rep. Wald. Motion Carries 16-3-4. **Rep. Porter** will carry this on the floor.

Rep. Delzer If someone makes two month's payments, does 2160 do anything about that?

Mike Schwendt, Director of Child Support Program If there are arrearages on early payments, then we hold that money until the 1st of the month and pay it out.

Rep. Skarphol The practice of passing and not funding policy bothers me. They aren't tracked either. Can I amend this so they track non funded policy decisions?

The micrographic images on this film are accurate reproductions of records delivered to Modern Information Systems for microfilming and were filmed in the regular course of business. The photographic process meets standards of the American National Standards Institute (ANSI) for archival microfilm. NOTICE: If the filmed image above is less legible than this Notice, it is due to the quality of the document being filmed.

Deanna Waller
Operator's Signature

10/21/03
Date

Page 2
House Appropriations Committee
Bill/Resolution Number SB 2245
Hearing Date 03-19-03

Roxanne Woeste, Legislative Council If the bill has a continuing appropriation, then it takes effect on July 1st.

The micrographic images on this film are accurate reproductions of records delivered to Modern Information Systems for microfilming and were filmed in the regular course of business. The photographic process meets standards of the American National Standards Institute (ANSI) for archival microfilm. NOTICE: If the filmed image above is less legible than this Notice, it is due to the quality of the document being filmed.

Deanna D. Smith
Operator's Signature

10/21/03
Date

2003 HOUSE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. SB 2245

House Appropriations Committee

☐ Conference Committee

Hearing Date 03-19-03

Tape Number	Side A	Side B	Meter #
2		X	0.03 - 4.6
Committee Clerk Signature <i>Chris I. Nyhus</i>			

Minutes:

Chairman Svedjan Opened SB 2245 for discussion.

James Fleming, Deputy Directory and attorney for the State Child Support Program

Explained the fiscal note on this bill. See written testimony pertaining to the fiscal note on 2245.

Rep. Delzer Is this done on all cases, both 4-E and none 4-E?

Fleming It is done on all obligors.

Chairman Svedjan Closed discussion on SB 2245.

The micrographic images on this film are accurate reproductions of records delivered to Modern Information Systems for microfilming and were filmed in the regular course of business. The photographic process meets standards of the American National Standards Institute (ANSI) for archival microfilm. NOTICE: If the filmed image above is less legible than this Notice, it is due to the quality of the document being filmed.

Deanna D. Ball
Operator's Signature

10/21/03
Date

5. The governor shall determine the total number of nonresident waterfowl hunting licenses issued before November first by subtracting the number of resident waterfowl hunters of the previous fall season from the targeted hunting pressure for the current season, dividing the difference by the current hunting pressure factor, and increasing the quotient by forty percent. Notwithstanding the number determined by the formula, at least fifteen thousand nonresident waterfowl hunting licenses must be made available in any year. Targeted hunting pressure is the sum obtained by adding thirty-one thousand three hundred twenty-six and the product resulting from multiplying two thousand one hundred twenty-six ten-thousandths times the wetland index. The wetland index is the sum of current season wetlands counted during the May waterfowl breeding ground survey of semipermanent wetlands, permanent wetlands, manmade impoundments, dugouts, and permanent streams, multiplied by the current year expansion factor to provide a statewide index. The current hunting pressure factor is the average of the five most recent estimates of the daily average number of ducks harvested per nonresident hunter divided by the daily number of ducks harvested per resident hunter based on annual department hunter harvest surveys.
6. If there is an early fall duck season, the governor, in the governor's proclamation, shall prohibit a nonresident duck hunter from hunting for the first seven days of the season on land owned or private land enrolled by the department for the purpose of hunting or on land for which the department pays in lieu of tax payments"

Page 2, after line 3, Insert:

"SECTION 3. A new subsection to section 20.1-03-12 of the North Dakota Century Code is created and enacted as follows:

For a resident fall waterfowl license, one dollar."

Renumber accordingly

REPORT OF STANDING COMMITTEE

SB 2052, as engrossed: Political Subdivisions Committee (Rep. Froseth, Chairman) recommends **DO PASS** (11 YEAS, 1 NAY, 2 ABSENT AND NOT VOTING). Engrossed SB 2052 was placed on the Fourteenth order on the calendar.

REPORT OF STANDING COMMITTEE

SB 2058, as engrossed: Government and Veterans Affairs Committee (Rep. M. Klein, Chairman) recommends **DO PASS** (14 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). Engrossed SB 2058 was placed on the Fourteenth order on the calendar.

REPORT OF STANDING COMMITTEE

SB 2198, as engrossed: Agriculture Committee (Rep. Nicholas, Chairman) recommends **DO PASS** (11 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING). Engrossed SB 2198 was placed on the Fourteenth order on the calendar.

REPORT OF STANDING COMMITTEE

SB 2201: Agriculture Committee (Rep. Nicholas, Chairman) recommends **DO PASS** (11 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING). SB 2201 was placed on the Fourteenth order on the calendar.

REPORT OF STANDING COMMITTEE

SB 2211, as engrossed: Judiciary Committee (Rep. DeKrey, Chairman) recommends **DO PASS** (11 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING). Engrossed SB 2211 was placed on the Fourteenth order on the calendar.

REPORT OF STANDING COMMITTEE

SB 2228, as engrossed: Judiciary Committee (Rep. DeKrey, Chairman) recommends **DO PASS** (10 YEAS, 1 NAY, 2 ABSENT AND NOT VOTING). Engrossed SB 2228 was placed on the Fourteenth order on the calendar.

REPORT OF STANDING COMMITTEE

SB 2245: Appropriations Committee (Rep. Svedjan, Chairman) recommends **DO PASS** (16 YEAS, 3 NAYS, 4 ABSENT AND NOT VOTING). SB 2245 was placed on the Fourteenth order on the calendar.

2003 TESTIMONY

SB 2245

The micrographic images on this film are accurate reproductions of records delivered to Modern Information Systems for microfilming and were filmed in the regular course of business. The photographic process meets standards of the American National Standards Institute (ANSI) for archival microfilm. NOTICE: If the filmed image above is less legible than this Notice, it is due to the quality of the document being filmed.

Deanna D. Hall
Operator's Signature

10/21/03
Date

TESTIMONY
SB 2245 – DEPARTMENT OF HUMAN SERVICES
SENATE HUMAN SERVICES
JUDY LEE, CHAIRMAN
JANUARY 27, 2003

*Same
to
House*

Chairman Lee, members of the Senate Human Services Committee, I am Mike Schwindt, Director of the State Child Support Enforcement Office of the Department of Human Services. I am here today on behalf of the Department to provide information regarding Senate Bill 2245.

This bill is not just about obligors. It authorizes the Department to release the names of parents who need to be located. Despite a recent project to find missing custodial parents, we still have over \$128,000 in undistributed child support that is payable to about 320 parents. This bill will expressly authorize us to release the parent's name to the public to help us find the parent and distribute the child support payment to the family.

In late 2001, the Department received a request for a list of the twenty individuals owing the most in uncollected child support. This was a simple request on its face, but it raised questions that the Department eventually concluded needed to be brought to the attention of the Legislature. These included:

- Is it good public policy to bring additional publicity to a legal matter involving a child?
- Is the additional publicity an effective enforcement tool?
- Should the family to whom the support is owed be consulted before their case is identified as one involving a "most delinquent" obligor?
- Can the State be sued for invasion of privacy if the information is released?
- Can the State be sued if, despite its best efforts, the information it releases is incorrect?

Deanna Waller
Operator's Signature

10/21/03
Date

The Department appreciates the interest of Senator Flischer and the co-sponsors of the bill in bringing this matter forward for your consideration. We believe the bill, if enacted, would resolve the questions raised by the request.

There are two parts to the bill. The first part of the bill would require the Department to maintain a list of obligors who have been held in contempt or convicted of nonpayment of support. Since these proceedings are already open to the public, releasing the obligors' identity does not raise the same privacy concerns as the request we received for the twenty most delinquent obligors. A fiscal note has been submitted on this bill by the Department. For this part of the bill alone, we anticipate a slight expense for computer programming, roughly \$2,000, with the only ongoing expense being the cost of printing the list on a periodic basis for release to the public or the media upon request.

The second part of the bill would authorize the Department to send a letter to obligors who owe more than \$2,000 in past-due child support informing them that their name and other information regarding their obligation may be published and added to a list of delinquent obligors that is publicly available. An obligor would be given 30 days to challenge the accuracy of the information in the notice. After that time, as long as the obligor makes all required payments, including current monthly support and required installment payments toward any arrears, his or her name and other information would not be released. However, if at any time in the future the obligor fails to make a payment in the required amount, then a letter is sent to the obligee asking whether the obligee has any objection to the Department releasing the name of the obligor and other information about the debt to the public.

Assuming the obligee consents, the Department could either prepare a "most wanted" poster, list the obligors on a web site or provide the names to a local newspaper, or release the information in other ways to help collect child support from the obligor.

Will the publicity be effective? We aren't sure, but states having a "Most Wanted" poster have experienced some success. For example, Massachusetts has printed a poster since 1992. During that time, 79 of the 85 parents featured on the poster have been caught or have surrendered and more than \$2.6 million has been collected from those parents.

The last section of the bill protects the Department from lawsuits arising out of the disclosure. Many states have similar language to protect themselves from nuisance lawsuits by obligors who have nothing to lose by suing the State.

The fiscal note on this bill shows that the second part of the bill would require computer programming costs of roughly \$20,000 (in addition to the \$2,000 for part one of the bill) and postage costs for mailing the letters to the obligors and obligees. These funds have not been included in the Governor's budget for the next biennium. If enacted, the bill would authorize but not require the Department to publicize information regarding obligors. We would consider our publication options in developing our 2005-07 biennial budget. In addition, given the relatively small project size and the legislative intent of the bill, we would see if the changes to implement the bill could be included in the normal ongoing maintenance to our computer system during the 2003-05 biennium.

This concludes my testimony. I would be happy to answer any questions the committee may have.

1/24/2003 4:21 PM 3
2003 Amended Testimony on 2245 - Senate.doc

The micrographic images on this film are accurate reproductions of records delivered to Modern Information Systems for microfilming and were filmed in the regular course of business. The photographic process meets standards of the American National Standards Institute (ANSI) for archival microfilm. NOTICE: If the filmed image above is less legible than this Notice, it is due to the quality of the document being filmed.

Operator's Signature

Deanna D. Hall

12/21/03
Date

Mass.

mass.gov home online services state agencies

SEARCH MASS.GOV



COMMONWEALTH OF MASSACHUSETTS
Department of Revenue

Go Home

Child Support En

CSE Home
Mission Statement
Case Manager
Database
Contacts
Ten Most Wanted
Registration Tool
Usability
Links
Site Map
Privacy Statement

Governor
Mitt Romney
Lieutenant Governor
Kory Matys
Commissioner of
Revenue
Anna's Derville

WANTED

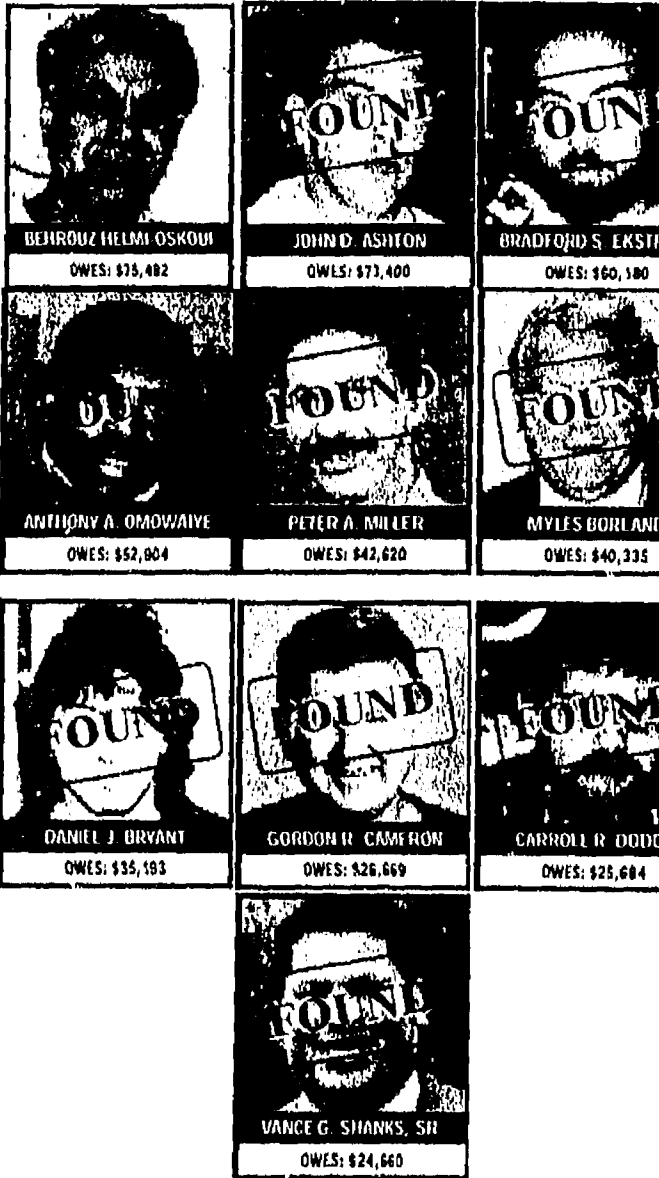
IN MASSACHUSETTS FOR FAILURE TO PAY CHILD SUPPORT

Ten Most Wanted

Massachusetts released the latest of its Ten Most Wanted Delinquent Parents on March

If you have information on any missing parent, please call the Child Support Enforcement Anonymous Tip Line toll free at (888) WANTEDS (888-926-8337) or complete the Onlin Missing Parent Tip Form

For more information about each person click on their image.



CSE Home Email Us Search Fatherhood Initiative
Administration of Children and Families Department of Transitional Assistance
US Dept of Health and Human Services Other Links

About DOR Mass GovCor
Division of Local Services Child Support Enforcement
Underground Storage Tank Program

http://www.cse.state.ma.us/programs/tenwanted2001/tmw.htm

1/24/2003

The micrographic images on this film are accurate reproductions of records delivered to Modern Information Systems for microfilming and were filmed in the regular course of business. The photographic process meets standards of the American National Standards Institute (ANSI) for archival microfilm. NOTICE: If the filmed image above is less legible than this Notice, it is due to the quality of the document being filmed.

Operator's Signature

Date

Aug. 5, 2002

State Distributes Most Wanted Poster to Find Child Support Offenders

(Pierre) – Gov. Bill Janklow has unveiled South Dakota's latest "Most Wanted" child support poster, featuring six of the state's most evasive child support offenders.

"The vast majority of parents not living with their children really do care about and try to support their children," Janklow said. "However, the people on this poster don't consider payment of their child support a priority in their lives, and it's their kids who suffer."

This year's poster, issued by the Department of Social Services (DSS), features six people who owe, in total, more than \$94,000 in back support to their children. The poster contains each person's photograph, physical description, last known address and amount of support owed.

DSS distributes the posters to post offices, local law enforcement agencies, government offices and child support agencies in other states. The poster is also available on the state's **Child Support Enforcement Web site**. People with information or tips on the whereabouts of those on the poster should call Child Support Enforcement at (605) 773-3641 or send an email to cse@dss.state.sd.us.

Since the start of the Most Wanted Poster program in 1995, the Office of Child Support Enforcement (OCSE) has collected more than \$317,000 from 41 of the 53 parents featured on the posters, Janklow said.

"Distributing the poster makes it really tough for people to just take off and abandon their kids without at least supporting them financially," Janklow said. "The poster also lets people know that we are serious about collecting child support."

During state fiscal year 2002 (July 1, 2001, to June 30, 2002), OCSE collected \$68 million in child support, initiated more than 32,000 enforcement actions to collect child support payments on behalf of families and children, established paternity for 3,100 children born out of wedlock, established 2,400 new child support orders and processed 2,400 support order modifications, according to Terry Walter, OCSE Program Administrator.

Walter said child support collections continue to rise annually and have nearly tripled since state fiscal year 1994, when \$24 million was collected.

"We have an extensive automated network of public and private sources to locate noncustodial parents and their income sources," Walter said. "Automation of many of the case management, collection and distribution functions has been a key factor in the overall success of our program."

Walter said the single, most significant improvement to the child support system during this period has been the state and federal new hire reporting programs implemented in 1997 following the federal welfare reform initiatives enacted by Congress. Under new hire reporting laws, employers in each state are required to notify their respective Department of Labor or new hire reporting agency of each newly hired employee within 20 days.

"Automated interfaces at the state and federal levels enable the Office of Child Support Enforcement to issue employers orders for withholding of income from noncustodial parents' paychecks," Walter said. "The cooperation and assistance of the employer community has been tremendous and is a key factor in assisting children to receive financial support from their parents."

Back

WANTED







in
South
Dakota

For Failure to Pay Child Support

When parents don't support their children, taxpayers get the bill.

If you know where any of these people are, send an email or call the SD Department of Social Services' Office of Child Support Enforcement at:

(605) 773-3641

 <p><u>Kevin L. Gauthier</u> owes his children \$33,463</p>	 <p><u>Dennis D. Hendershot</u> owes his children \$19,246</p>
 <p><u>Wayne M. Klima</u> owes his child \$15,078</p>	 <p><u>Patrick S. Marsden</u> owes his child \$10,800</p>
 <p><u>Gary L. Carlson</u> owes his child \$8,178</p>	 <p><u>Clarke E. Chlasson</u> owes his child \$7,375</p>

Most Wanted Poster Press Release
Return to Child Support Home

<http://www.state.sd.us/social/CSE/Resources/MostWanted/poster.htm>

3/3/2003

The micrographic images on this film are accurate reproductions of records delivered to Modern Information Systems for microfilming and were filmed in the regular course of business. The photographic process meets standards of the American National Standards Institute (ANSI) for archival microfilm. NOTICE: If the filmed image above is less legible than this Notice, it is due to the quality of the document being filmed.

Operator's Signature

Date