

MICROFILM DIVIDER

OMB/RECORDS MANAGEMENT DIVISION

SFN 2053 (2/85) 5M



ROLL NUMBER

DESCRIPTION

2361

2005 SENATE POLITICAL SUBDIVISIONS

SB 2361

2005 SENATE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. SB 2361

Senate Political Subdivisions Committee

Conference Committee

Hearing Date February 4, 2005

Tape Number	Side A	Side B	Meter #
1	X		722 - 4889
Committee Clerk Signature <i>Shirley Borg</i>			

Minutes:

Chairman Cook opened the hearing on SB 2361 relating to premarital counseling and relating to marriage license fees. Five committee members present and one absent.

Senator Dever, District 32, introduced SB 2361. This bill will encourage young couples preparing to take their wedding vows to get premarital counseling. It doesn't require that they do but it charges them an additional sixty five dollars for their license if they don't. This bill is modeled after a bill in existence in the state of Minnesota. I believe it is a good thing. In the church that Senator Dever attends his pastor will not perform a wedding unless he is able to take the couple through premarital counseling to consider things regarding the relationships, personality profiles and that kind of thing. There are a lot of resources out there for them to do that. We deal in the legislature with a lot of issues regarding broken families. I think long term this kind of thing, to just ask people to sit down and talk about it before they take that step, would make a big difference in building the corner stone of society, our family. He asked the positive

consideration of this bill. He was not the one that asked for this to be drafted so if there are some changes the committee would like to consider he would be favorable to that. One thing he sees that might be lacking is how do you certify that the premarital counseling has been accomplished.

Senator Tim Mathern, District 11, Fargo, ND, Co-Sponsor of this bill. This bill came about when a group of people got together and were talking about bills in this legislative session and there was this discussion about lets introduce some bills delaying divorce or having some more requirements for divorce. Senator Mathern asked that they do something positive and get on the front end of this deal Lets be proactive. What can we do to make sure that as many relationships are in as positive of order as possible when they become legal. The bill is a replication of the policies in place right now in Minnesota. It offers people the option when they pay their marriage license fee to get a rebate on the fee. The major provisions that he liked is it not only offers this rebate but makes it possible to use a professional counseling service or somebody from the clergy and would require no one to do this.

Senator Hacker: Since you are modeling this bill after Minnesota, what kind of number changes has Minnesota seen.

Senator Mathern: I do not know what the number changes have been. It probably would be very minor as it has not been in place that long. The general society developments are probably more influential then this in itself. I think this just offers the potential for some people to take advantage of this to have more skills but I don't think it is changing the culture to any great extent.

Chairman Cook: Senator Mathern could you speak to the mechanics of this bill. Do you think this bill with the way it is drafted will accomplish that.

Senator Mathern: I think it would be incumbent upon the place where you get your marriage license to have some requirements. We could as a legislature define those requirements and put them in the bill or we could just leave it up to the county. The intent was to raise the issue, not define how each county auditor would determine the signature. This provides a vehicle to give incentives to couples to do this. It really does not set up a structure providing the counseling or the counseling services itself. It provides a financial incentive to a couple to go out and get that service. Whoever sets up that service and how that is done is a matter outside of this bill.

Christina Rondeau, North Dakota Family Alliance, testified in support of SB 2361. (See attachment # 1)

Chairman Cook: Do you know Minnesota's plan? Do they get a rebate on their marriage license?

Christina Rondeau: Yes. In Minnesota currently the fee is eighty five dollars and if you get the counseling it drops down to twenty five dollars.

Keith Ritchie, Pastor of Corner Stone Church, Bismarck, North Dakota testified in support of this bill. What you are asking to be done in this bill is already being done. We have ninety two ministers and we all require premarital counseling. What you are doing is rewarding what is being done. The counseling makes an absolute difference. In our denomination there is an eighty five percent difference. The counseling averages about twelve hours.

Christopher Dodson, Executive Director of North Dakota Catholic Conference testified in support of SB 2361. The catholic diocese in the state can not marry someone if they do not go through marriage counseling. Marriage is so important that the church mandates counseling. He

suggest that the committee look at the two bills; SB 2287 and SB 2361, don't touch the domestic violence fund and work at combining the two bills.

No opposition to the SB 2361

Linda Rohrbach, McIntosh County Recorder/Ex-Officio Clerk of Court, Marriage License Committee Chairman appeared neutral . (See attachment # 2)

Chairman Cook: The mechanics are good points that will give us direction on where we would have to go. The last part of your testimony, if I hear you correctly, you would like to see the fees to the county go up to support the effort that you have to put in to it and then you would probably like to see the intent of this bill be added to the twenty nine dollar fee that goes to the domestic violence and then if someone does not get the credit then that money would go to domestic violence.

Linda Rohrbach: Not particularly we are just saying that the county is being rewarded if they do not take counseling and we as a committee feel that the domestic violence fee is in tact and a good fee. But the fact that the county is being rewarded if they do not take counseling we feel like this is a punishment reward type thing. Our main concern is that the county level of the fee is raised, the thirty five dollars again leaves us with six dollars and we will be putting a lot more administrative effort into it.

Senator Gary Lee: What will you do with the forms that are filled out? Will you keep them?

Linda Rohrbach: We would do with this form the same as all the other forms that we receive. We file the application for the license, if there has been a divorce, we attach that to the application, we also have them fill out an oath stating that what they have stated on the

Page 5
Senate Political Subdivisions Committee
Bill/Resolution Number SB 2361
Hearing Date February 4, 2005

application is correct and I would assume that we would file this form right along with those papers.

No further testimony for or against the bill.

Chairman Cook closed the hearing on SB 2361.

2005 SENATE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. SB 2361

Senate Political Subdivisions Committee

Conference Committee

Hearing Date February 10, 2005

Tape Number	Side A	Side B	Meter #
1		X	1484 - 3320
Committee Clerk Signature <i>Shirley Long</i>			

Minutes:

Chairman Cook called the committee to order for discussion and action on SB 2361. Five members present and one absent.

Carlee McLeod explained the amendments.

Senator Dever moved amendments.

Senator Gary Lee seconded the motion.

Roll call vote: 5 Yes 0 No 1 Absent.

Senator Triplett returned all members now present.

Senator Dever moved a Do Pass as Amended.

Senator Gary Lee seconded the motion.

Roll call Vote: 6 Yes 0 No 0 Absent

Carrier: **Senator Dever**

FISCAL NOTE
 Requested by Legislative Council
 04/14/2005

Amendment to: Engrossed
 SB 2361

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.*

	2003-2005 Biennium		2005-2007 Biennium		2007-2009 Biennium	
	General Fund	Other Funds	General Fund	Other Funds	General Fund	Other Funds
Revenues				\$60,000		\$60,000
Expenditures				\$60,000		\$60,000
Appropriations				\$60,000		\$60,000

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

2003-2005 Biennium			2005-2007 Biennium			2007-2009 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 increases the supplemental fee collected from \$29 to \$35. These funds are sent by the county treasurer to the state treasurer to be credited to the domestic violence prevention fund.

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.*

With approximately 5,000 marriage licenses per year, the increase in revenue for the domestic violence prevention fund will be \$60,000.

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.*

These funds are expended as grants to the Domestic Violence Sites. The revenue generated by SB 2361 will allow the Health Department to increase these grants from \$280,000 to \$340,000.

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.*

Senate Bill 2004 includes an appropriation of \$280,000 to the Health Department from the domestic violence prevention fund. The House amendments to SB 2004 include an amendment to add \$60,000 to the appropriation.

Name:	Kathy J. Albin	Agency:	Health
Phone Number:	328.4542	Date Prepared:	04/14/2005

FISCAL NOTE

Requested by Legislative Council

03/28/2005

REVISION

Amendment to: Engrossed
 SB 2361

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.*

	2003-2005 Biennium		2005-2007 Biennium		2007-2009 Biennium	
	General Fund	Other Funds	General Fund	Other Funds	General Fund	Other Funds
Revenues				\$60,000		\$60,000
Expenditures				\$60,000		\$60,000
Appropriations				\$60,000		\$60,000

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

2003-2005 Biennium			2005-2007 Biennium			2007-2009 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 increases the supplemental fee collected from \$29 to \$35. These funds are sent by the county treasurer to the state treasurer to be credited to the domestic violence prevention fund.

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.*

With approximately 5,000 marriage licenses per year, the increase in revenue for the domestic violence prevention fund will be \$60,000.

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.*

These funds are expended as grants to the Domestic Violence Sites. The revenue generated by SB 2361 will allow the Health Department to increase these grants from \$280,000 to \$340,000.

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.*

Senate Bill 2004 includes an appropriation of \$280,000 to the Health Department from the domestic violence prevention fund. The House amendments to SB 2004 include an amendment to add \$60,000 to the appropriation.

Name:	Kathy J. Albin	Agency:	Health
Phone Number:	328-4542	Date Prepared:	03/28/2005

FISCAL NOTE
Requested by Legislative Council
03/24/2005

Amendment to: Engrossed
SB 2361

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.*

	2003-2005 Biennium		2005-2007 Biennium		2007-2009 Biennium	
	General Fund	Other Funds	General Fund	Other Funds	General Fund	Other Funds
Revenues		\$280,000		\$340,000		\$340,000
Expenditures		\$280,000		\$340,000		\$340,000
Appropriations		\$280,000		\$340,000		\$340,000

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

2003-2005 Biennium			2005-2007 Biennium			2007-2009 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 increases the supplemental fee collected from \$29 to \$35. These funds are sent by the county treasurer to the state treasurer to be credited to the domestic violence prevention fund.

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.*

With approximately 5,000 marriage licenses per year, the increase in revenue for the domestic violence prevention fund will be \$60,000.

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.*

These funds are expended as grants to the Domestic Violence Sites. The revenue generated by SB 2361 will allow the Health Department to increase these grants from \$280,000 to \$340,000.

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.*

Senate Bill 2004 includes an appropriation of \$280,000 to the Health Department from the domestic violence prevention fund. The House amendments to SB 2004 include an amendment to add \$60,000 to the appropriation.

Name:	Kathy J. Albin	Agency:	Health
Phone Number:	328-4542	Date Prepared:	03/28/2005

FISCAL NOTE STATEMENT

Senate Bill or Resolution No. 2361

This bill or resolution appears to affect revenues, expenditures, or fiscal liability of counties, cities, or school districts. However, no state agency has primary responsibility for compiling and maintaining the information necessary for the proper preparation of a fiscal note regarding this bill or resolution. Pursuant to Joint Rule 502, this statement meets the fiscal note requirement.

John Walstad
Code Revisor

Date: 2-10-05
Roll Call Vote #: 1

2005 SENATE STANDING COMMITTEE ROLL CALL VOTES
BILL/RESOLUTION NO. SB 2361

Senate Political Subdivisions Committee

Check here for Conference Committee

Legislative Council Amendment Number _____

Action Taken Moved Amendments

Motion Made By Senator Dever Seconded By Senator Gary Lee

Senators	Yes	No	Senators	Yes	No
Senator Dwight Cook, Chairman	X				
Senator Nicholas P. Hacker, VC	X				
Senator Dick Dever	X				
Senator Gary A. Lee	X				
Senator April Fairfield	X				
Senator Constance Triplett	A				

Total Yes 5 No 0

Absent 1

Floor Assignment _____

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

Date: 2-10-05
Roll Call Vote #: #2

2005 SENATE STANDING COMMITTEE ROLL CALL VOTES
BILL/RESOLUTION NO. SB 2361

Senate Political Subdivisions Committee

Check here for Conference Committee

Legislative Council Amendment Number _____

Action Taken Do Pass as Amended

Motion Made By Senator Dever Seconded By Senator Gary Lee

Senators	Yes	No	Senators	Yes	No
Senator Dwight Cook, Chairman	X				
Senator Nicholas P. Hacker, VC	X				
Senator Dick Dever	X				
Senator Gary A. Lee	X				
Senator April Fairfield	X				
Senator Constance Triplett	X				

Total Yes 6 No 0

Absent _____

Floor Assignment Senator Dever

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

REPORT OF STANDING COMMITTEE

SB 2361: Political Subdivisions Committee (Sen. Cook, Chairman) recommends AMENDMENTS AS FOLLOWS and when so amended, recommends DO PASS (6 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2361 was placed on the Sixth order on the calendar.

Page 1, line 11, replace "seventy-one" with "thirty-one" and remove ", but if the applicant has"

Page 1, remove lines 12 through 15

Page 1, line 16, remove "premarital counseling that meets the requirement of section 2 of this Act" and overstrike "The"

Page 1, remove lines 17 through 19

Page 1, line 20, remove "or reduced license fee"

Page 1, line 22, overstrike "twenty-nine" and insert immediately thereafter "ninety-four"

Page 1, line 23, after "14-07.1" insert ", except if the applicant has completed at least twelve hours of premarital counseling, the recorder or designated official shall collect the sum of twenty-nine dollars. To qualify for the reduced license fee, the applicant shall submit to the recorder or designated official a signed and dated certificate that indicates completion by the applicant of premarital counseling that meets the requirements of section 2 of this Act. The recorder or designated official shall prescribe and furnish the form that is to be completed by the individual who certifies that the applicant has completed premarital counseling"

Page 2, line 25, replace "and have either made application" with "before applying"

Page 2, line 26, remove "or intend to apply for a marriage license"

Renumber accordingly

2005 HOUSE POLITICAL SUBDIVISIONS

SB 2361

2005 HOUSE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. SB 2361

House Political Subdivisions Committee

Conference Committee

Hearing Date March 10, 2005

Tape Number	Side A	Side B	Meter #
1		x	23.3 to end
2	x		0.1 to end
2		x	0.1 to 14.8
Committee Clerk Signature <i>Laura M. Fisk</i>			

Minutes: **Rep. Devlin, Chairman** opened the hearing on SB 2361, a bill for an Act to create and enact a new section to chapter 14-03 of the North Dakota Century Code, relating to premarital counseling; and to amend and reenact section 14-03-22 of the North Dakota Century code, relating to marriage license fees.

Sen. Mathern representing District 11 and as one of the sponsors for the bill explained the bill.

The bill does two main things -- one, it changes the license fee that is kept by the county - increases it from \$6.00 to \$31.00 and two, to add \$65.00 to the fee that is collected -- that additional amount would be used for premarital counseling-- if the persons wanted to -- essentially the way that would work -- the persons when they come would pay \$125.00 and if they had completed 12 hours of premarital counseling they would get the reduced --they would have \$65 dollars taken off that so they would be paying --\$70.00. This bill has gone through a number of changes and I was one of the cosponsors of the bill -- primarily as it relates to the marriage counseling -- so I would address that for you. At the beginning of the session asked if I

would sponsor a bill regarding divorce -- suggesting that we should have more restrictions on getting a divorce -- or requirements on people who wanted to divorce -- I said I am interested in getting on the front of these kinds of issues. There is a lot of pain and suffering in their marital relationships for a lot of reasons --- I would just as soon see if we could prevent those kinds of problems. So we came up with this bill. It is patterned after Minnesota's -- wherein persons would be given credit for doing some preparation for this major development in their lives-- namely marriage. Premarital counseling could be provided by -- as you will notice on page 3 -- by a member of the clergy, somebody from a staff member of a church, or maybe a sponsor couple organization, or a person trained or certified counselor. That pre marriage counseling would have to be certified as having been received and bring that to the county to get that credit of \$65.00. If you look at page two -- you get down to items in line 26 -30 -- discussing the obligation, the commitment in a marriage contract, a discussion about finances, about children, relationships with family members, conflict resolution skills-- that would be the content in one of these premarital counseling sessions. Some may ask what you are going to get for \$65 -- professional counselor may charge \$65 per hour -- we talking about 12 hours here -- I seen this as potentially happening in a group session --I see a number of young couples planning to be married as meeting in a group with a counselor or clergy -- in that regard the fee could cover what that service is -- It appropriate that the counties have an increased fee just for administering marriage license -- we haven't changes that in many years -- we take that from \$6 to \$31 and I think it is appropriate to add an incentive for people to prepare for this most important part of their life.

Rep. Ekstrom (29.9) Are there any provisions in some other sections of law that allow counties to waive a fee because of financial hardship -- is a substantial increase.

Sen. Mathern -- I do not know if we do have a waiver -- I suspect that we may not -- I also believe in terms -- if you are talking about the \$65 -- are organization that may no charge that fee and it may be free and still get a certificate and not have to pay that \$65.

Rep. Ekstrom (30.8) What about the situation where someone has been married for a long time and loses their spouse and then wants to marry again to someone who also has been married for a long time -- this doesn't take that into account--

Sen Mathern -- Indications are that they might benefit as much as anyone from the sort of counseling.-- perhaps it could be taken into consideration by the persons who conduct the seminar for marriage counseling. People pay so much more that this amount o flowers and attire and other this that are not as lasting as this -- so we must put this in to context.

Rep. Ekstrom (33.2) On the flip side while we have seen tremendous amounts of money spent but there are some people who can not afford this and yet we want to see them married.

Sen Mathern -- It does concern me too but I think what we are looking at is the long term issue and should look at it as an investment -- the question of a waiver based on income -- I guess is open.

Rep. N. Johnson (34.8) Is there any research been done this to support that if they have had counseling prior to marriage that the marriage has a better chance of survival?

Sen. Mathern Yes there has been -- I don't have to share with you but someone else here will likely have that.

Rep. Zaiser (35.4) Would the group setting provide a diversity of issues -- how would you ---?

Sen. Mathern many times when a counseling session is done if a group the members help each other -- learning from their experiences. It interesting to note that the divorce rate of second marriages is higher that for first marriages.

Rep. Koppelman (37.3) The definition on page 3 of the bill where you talk about " including a church volunteer counseling couple " I am not sure what that would include.

Sen Mathern many churches have who train lay couple in the congregations to work with couples planning to marry. They go through a specific training process for that.

Rep. Koppelman (39.8) I know there are churches that do that but I am concerned whether the language as written might be exclusionary but of the "volunteer couple".

Rep. Zaiser (41.9) Do those folks have the background in complex situation to address issues -- you have certified counselors -- are there not standards -- I don't see them here?

Sen Mathern -- There are a number of ingredients in relationships -- one is to have professional skills-- some times there are people who can walk with them and they have that characteristic to relate from their experiences in a way that professional people can't or don't. The intent is to have a proactive approach.

Sen Dever representing District 32 and prime sponsor of the bill appeared on behalf of the bill. If anybody has a concern about interfering in marriage I submit they already do when they offer the licenses, when they set out rules for divorces, when they set out rules for child support, -- Programs for teaching high schoolers about pregnancy, marriage and divorce and those kinds of things. As for the burden of the \$65 -- it is not overburdening but in any case many churches including his offer the counseling for free in the bill it mentions one of the things to be included

in counseling is about finances -- it eh \$65 is a burden at least they will be talking about it. As for the effect of pre marriage --it has a dramatic positive effect on the success of the marriage.

Rep. Maragos (51.0) How did you arrive at the \$31 dollars and the \$94?

Sen. Dever The fee has been at \$6 and the county recorder ask for an increase of \$25 . IN another bill the increase would have taken it \$60 -- because \$29 goes into the domestic violence fund --\$29 plus \$31 had that bill stood. The \$94 --

Rep. Koppelman (53.2) Is this a part of the idea from the beginning or from the other bill which failed - - the \$31.

Sen Dever -- May I point out that the reason the other bill failed was because we chose to put the other bill into this one.

End of tape 1 side B

Tape 2 Side A -- continue

Sen Dever (continued) (0.1) The \$65 fee has to be significant enough for somebody to take notice of it and to be an incentive. As for the churches offering this counseling they are concerned enough to be sure that it done well thus if a mentoring couple were involved in that process -- their interest in that young couple their interest may well continue beyond the wedding.

Rep.Devlin, Chairman -- Sen. Dever , who actually pays for the counseling? You are going to give \$65 back--

Sen Dever -- The couple getting married would pay for the counseling but in my church there is no charge for that.

Rep. Devlin, Chairman --It there were a \$100 charge for that would they pay that on top of the \$65?

Sen Dever -- if they did they would get \$65 back and then it would cost them only \$35.

Rep. Wrangham (1.5) Is there a distinct difference between a church member and one who is not? Do I see an inequity here?

Sen Dever - We are not talking just about Christians here -- it includes all religions if the choose that but if they don't they can get private counseling almost anywhere.

Rep. Devlin, Chairman If a couple went to private entity and paid \$100 and paid the \$94 up front -- They would get \$65 back if they completed it and -- but they would still pay \$129 if a private entity charged them that and I realize your church would do it for nothing --

Sen Dever -- They would be paying the \$100 for the counseling and \$60 for the license instead of the \$125.

Rep. Koppelman (3.9) How do other non secular groups handle counseling -- like YMCA, extension groups and others -- do they offer group therapy sessions?

Sen. Dever --My awareness would be as strong as yours. I really am not sure but the language in the bill is intended to encourage them to get counseling before marrying.

Rep. Ekstrom (4.5) A couple that can't afford these fees and they don't be long to a church -- but they go in for counseling and complete the 12 hours and the counselor says you two should not get married -- then what?

Sen. Dever Those situations happen -- they would have to resolve that with the counselor and themselves.

Rep. Ekstrom But they have already paid out the money and they wouldn't get the refund?

Sen Dever --The certificate is to say they had the 12 hours of counseling -- it is not to say whether the counselor recommends they get married or not.

Christina Rondeau representing the North Dakota Family Alliance spoke in support of the bill. A copy of her prepared remarks is attached.

Rep. Kaldor (15.8) do you know if there are secular counselors who offer this counseling at not cost?

Christina Rondeau -- I do not -- I defer back to Rep. Mathern statements -- He has had some experience with that and say there is at low cost but I don't know if it can be done at no cost. This is not aimed at getting people to move toward a church -- but I do believe there are groups like family advocacy groups that will do this at a very low cost.

Rep. Kaldor (15.9) --Looking at the math -- take a couple not affiliated with a church of any kind -- wanting to get married and -- looking at the math it is not a great incentive.

Rep. Ekstrom (20.2) In your written testimony you talk about the fee being only \$35 -- that marriage is cheap (?) -- I would support the concept of keeping it cheap -- less expensive -- it is better that they get married -- you an talk about counseling but in essence if we keep the fees low they will get the license and get married.

Christina Rondeau -- It is our goal to help them get married and stay married.

Rep. Maragos - (21.8) -- We can carry these things out to ridiculous situation -- are we going to get these fees to a point where the Domestic Abuse people are going to be encouraging people not to get counseling because of the fee.

Christina Rondeau -- funding is important to all groups and when I first looked at this bill my first reaction was that the Domestic Abuse people are going to be getting a windfall.

Rep. Koppelman (24.2) It has been interesting listening to the line of questioning and the testimony regarding the perceived inequity between those that have a religious affiliation and those that do not -- it is my sense that in this culture that many of those who are not active in a church still want to get married in a church-- I am sure there some who get married by judges and justices of peace -- if that is the case -- our pastor will marry people who are not a member of our church or a church but Rep. Herbal, Vice Chairman will insist that they get counseling.

Rep. Dietrich (27.2) What is the average fee for a trained or certified counselor.

Christina Rondeau -- It does vary in different regions and the availability of the services but I believe you are quite accurate would be in the range of \$50 to \$100 per hour.

Christopher Dodson Executive Director of the North Dakota Catholic Conference spoke in support of the bill. A copy of his prepared remarks is attached.

Rep. Koppelman (33.2) It has been raised about a perceived lack of or availability of affordable pre marriage counseling -- for people not married in a church -- is there that kind of counseling available?

Christopher Dodson -- I don't know but it is the type service that public service agencies could do. I think there is general agreement that this is a good thing. Better marriages and less social costs later is a good thing -- a social good there.

Rep. Koppelman (34.9) I had a thought that the Extension Service and talking with some during the interim this noon she thought that would be something they could get into very easily.

Rep. Ekstrom (35.3) Do you have some statistics from the Catholic community that after counseling that marriage -- due in fact last longer?

Christopher Dodson -- Mrs. Rondeau mentioned or referenced some of these facts -- I don't have them with me but have seen them through my work.

Rep. Ekstrom (36.8) Anecdotally -- what we know is that about 50% rate of divorce -- Do you have some notion --

Christopher Dodson If I Do have it somewhere -- I just don't have it with me -- it is a different area -- marriage and family than what I work in -- Catholic charities may have it --

Keith Ritchie Pastor of the Connerstone Church in Bismarck -- a Wesleyan Church -- you just heard from the Catholic -- now you will hear from the Protestants -- 41 churches in town require premarital counseling -- no marriage counseling, no marriage -- as far as Statistics it depends on your denomination and the denominations reporting procedure - our denomination is between 50 and 80% in 10 years. If I can make a difference in a marriage -- I would pour my life into it before it starts -- it is too easy to get a divorce -- it is better to fix it and why not prevent a problem.

Rep. N. Johnson (41.1) When you have counseled have you say 'no' you need to think about this?

Rev. Ritchie --Yes I have had one couple -- I said no I will not marry you. You need to understand that as a counselor and that of a minister is a different role.

Rep. Kretschmar -- (42.9) Is your counseling program and others in this area geared to 12 hours -- a minimum -- ?

Rev. Ritchie -- After the last session I called around the city of Bismarck and the average was 11.9 hours for these sessions and I did not get a hold of all the churches. You have to understand that some churches brought down the average -- so some are doing more.

Rep. Zaiser (44.2) I agree that there is some benefits here -- What I am searching for is some sense of equity -- how can equity be established for those folks who choose to approach it in a secular fashion. Do you know of any people or through your organization who are providing these service for what you furnish essentially free -- are there any you know of?

Rev. Ritchie -- Anchor Christian Counseling does not do it free -- there are many avenues for a young couple who want to get married -- if they can not afford it they can go to many -- I would do it myself for free if they want to get married -- I don't no of a minister in this town who wouldn't spend the time if they want it. Secular -- to answer your question -- there are people who come and do rotating courses.

Rep. Zaiser (46.4) So you would be to approach a couple who doesn't have a religion or they are atheist -- or whatever -- would you be willing to approach it strictly a secular basis and keep religion out of the counseling?

Rev. Ritchie -- (47.1) -- Right now I am doing after the fact -- right now people are coming to me for marriage counseling -- their marriage is falling apparent and then they come to a minister and they don't want to go to their local minister or they don't have a church but they do know that if they come to us -- we don't charge -- we spend a lot of midnight oil trying to save marriages - and I have been successful in a few.

Linda Rohrbach Clerk of Court -- McIntosh County Recorder spoke in support of the bill. A copy of her prepared remarks is attached.

Page 11
House Political Subdivisions Committee
Bill/Resolution Number SB 2361
Hearing Date March 10, 2005

Linda Rohrbach's testimony continue to the end Side A of Tape 2.

Tape 2 Side B Continued.

Charlotte Sandvik , Cass County Treasurer spoke in support of the bill. Her testimony tended to be centered on the actual costs. A copy of her prepared remarks is attached.

Terry Traynor representing the North Dakota Association of Counties emphasized the organizations strong support for the bill. A copy of his prepared remarks is attached.

Linda Isakson presented the testimony for Bonnie Palecek for the North Dakota council on Abused Women's Services/Coalition Against Sexual Assault. A copy of her prepared remarks is attached.

There being no further testimony for nor against S3 2361, **Rep.Devlin, Chairman** closed the hearing. (14.7)

2005 HOUSE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. SB 2361 b

House Political Subdivisions Committee

Conference Committee

Hearing Date March 18, 2005

Tape Number	Side A	Side B	Meter #
1	x		1.2 to 16.4
Committee Clerk Signature <i>Lauren B. Fide</i>			

Minutes: In work session **Rep. Devlin, Chairman** opened the discussion for action on SB 2361.

Rep. Dietrich (1.5) Proposed amendments -- which he reviewed -- they are the lc draft .0201.

Rep. Dietrich move for approval of the amendments. **Rep. Ekstrom** seconded the motion.

Rep. Devlin, Chairman just so I understand you are removing everything except the fee increases. --ans. Yes.

Rep. Koppelman (3.5) supported the original intent of the bill rather than pass a fee increase bill.

Rep. Ekstrom (4.8) she likes this approach -- she is aware of the marriage proponents and doesn't disagree with them but she has empathy for the people who do not attend church and for those who can not afford the higher fees for counseling.

Rep. Koppelman (6.1) disagrees this bill is not mandatory.

Rep. Wrangham (7.7) supports the amendments -- this bill tries to cure social ills by imposing

a fee.

Rep. Ekstrom (7.9) This bill imposes a very large fee increase and large fee for counseling which statistics have not shown to be all that helpful as the divorce rate is still 32% as opposed to 50% after 10 years of efforts to counsel.

Rep. Koppelman (9.2) you argument that people can't afford this but you are ratcheting up the fees for abuse abatement which they all have to pay -- there is even free counseling available.

Rep. Ekstrom it is not a huge fee.

Rep. Dietrich (9.8) testimony was that the counties were woefully short on the \$6.00 fee and The \$31 is a break even to pay for services you can't ratchet up the counseling fee \$65 and not call that a penalty.

Rep. Kaldor (11.2) I do have sympathy for sponsors of the bill and their attempt here. It certainly would help to have somebody to talk to if you have no one to talk to before entering into marriage -- its not the money but it doesn't even create the incentive.

Rep. Wrangham (12.3) to clarify -- I have no problem with the fee but the fee versus counseling isn't the issue for me -- its that I don't see it helping .

On a voice vote the amendment carried.

Rep. Koppelman (13.1) proposed an amendment to strike the amendment we just adopted without the exception of the portion dealing with the fees. **Rep. Pietsch** seconded the motion.

On a voice vote the motion failed. It would have lowered the fees and the rebate would be only \$6

Rep. Dietrich moved a 'Do Pass as amended' motion. **Rep. Maragos** seconded the motion.

On a roll call vote the motion carried **7 ayes 3 nays 2 absent.** **Rep. Dietrich** was designated

VR
3/18/05

PROPOSED AMENDMENTS TO ENGROSSED SENATE BILL NO. 2361

Page 1, line 1, remove "to create and enact a new section to chapter 14-03 of the North Dakota"

Page 1, line 2, remove "Century Code, relating to premarital counseling; and"

Page 1, line 13, overstrike "also"

Page 1, line 14, replace "ninety-four" with "thirty-five"

Page 1, line 15, remove ", except if"

Page 1, remove lines 16 through 22

Page 1, line 23, remove "premarital counseling"

Page 2, remove lines 18 through 31

Page 3, remove lines 1 through 7

Re-number accordingly

Date: March 11, 2005
Roll Call Vote:

2005 HOUSE STANDING COMMITTEE ROLL CALL VOTES
BILL/RESOLUTION NO. SB 23616

House POLITICAL SUBDIVISIONS Committee

Check here for Conference Committee

Legislative Council Amendment Number

0201 moved by Dietrich and Ekstrom
voice vote carried

Action Taken

Do Pass as Amended

Motion Made By

Rep. Dietrich

Seconded By

Rep. Maragos

Representatives	Yes	No	Representatives	Yes	No
Rep. Devlin, Chairman	✓		Rep. Ekstrom	✓	
Rep. Herbel, Vice Chairman	A		Rep. Kaldor	✓	
Rep. Dietrich	✓		Rep. Zaiser	✓	
Rep. Johnson	A				
Rep. Koppelman		✓			
Rep. Kretschmar	✓				
Rep. Maragos	✓				
Rep. Pietsch		✓			
Rep. Wrangham		✓			

Total (Yes)

7

No

3

Absent

2

Floor Assignment

Rep. Dietrich

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

Date: March 18, 2005
Roll Call Vote:

2005 HOUSE STANDING COMMITTEE ROLL CALL VOTES
BILL/RESOLUTION NO. SB 2361

House POLITICAL SUBDIVISIONS Committee

Check here for Conference Committee

Legislative Council Amendment Number _____

Action Taken

Die M - Ekstrom - 0201
Die M - Amend Do Pass - 2nd by Maragos *Voice vote carried*

Motion Made By

Seconded By _____

Representatives	Yes	No	Representatives	Yes	No
Rep. Devlin, Chairman	✓		Rep. Ekstrom	✓	
Rep. Herbel, Vice Chairman	A		Rep. Kaldor	✓	
Rep. Dietrich	✓		Rep. Zaiser	✓	
Rep. Johnson	A				
Rep. Koppelman		✓			
Rep. Kretschmar	✓				
Rep. Maragos	✓				
Rep. Pietsch		✓			
Rep. Wrangham		✓			

Total (Yes) 7 No 3

Absent 2

Floor Assignment Rep. Dietrich -

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

REPORT OF STANDING COMMITTEE

SB 2361, as engrossed: Political Subdivisions Committee (Rep. Devlin, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (7 YEAS, 3 NAYS, 2 ABSENT AND NOT VOTING). Engrossed SB 2361 was placed on the Sixth order on the calendar.

Page 1, line 1, remove "to create and enact a new section to chapter 14-03 of the North Dakota"

Page 1, line 2, remove "Century Code, relating to premarital counseling; and"

Page 1, line 13, overstrike "also"

Page 1, line 14, replace "ninety-four" with "thirty-five"

Page 1, line 15, remove ", except if"

Page 1, remove lines 16 through 22

Page 1, line 23, remove "premarital counseling"

Page 2, remove lines 18 through 31

Page 3, remove lines 1 through 7

Re-number accordingly

2005 SENATE POLITICAL SUBDIVISIONS

CONFERENCE COMMITTEE

SB 2361

2005 SENATE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. SB 2361

Senate Political Subdivisions Committee

Conference Committee

Hearing Date April 5, 2005

Tape Number	Side A	Side B	Meter #
2	X		434 -3037
Committee Clerk Signature <i>Shirley Borg</i>			

Minutes:

Senator Dever called the conference committee on SB 2361 to order relating to premarital counseling and marriage license fees. Senators Dever, G. Lee, Fairfield and Representatives Devlin, Pietsch and Ekstrom were present.

Senator Dever: Would the chair of the house like to explain the differences?

Representative Devlin: Essentially what we did is took out the twelve hours of premarital counseling, we left the license increase from six to thirty one dollars because it hadn't went up since 1971 which is thirty four years and we put a little more money into domestic violence because they were showing a shortage for what they needed to do the work for domestic violence.

Senator Dever: So the bill now stands as basically two things, increasing the marriage license from six dollars to thirty one dollars and domestic violence fund from twenty nine dollars to thirty five. There is a fiscal note that indicates the increase. I have had several conversations

with different people regarding this issue. Ms Palecek offered some information which I will pass out (See attachment #1) I also have information from ND Family Alliance (See attachment #2). I also brought a manual that my pastor uses for premarital counseling you can look at for resources.

Representative Ekstrom: We received documentation that put things in a very different light and was troubling. The testimony provided said that approximately 32% of couples get married out side of a church. All of the churches that we talked to said counseling is a requirement and you can not be married with out counseling. The higher fees was a concern. It seems we are putting up more barriers and a mandatory requirement for the 32% that don't get married in church to have to get counseling. I agree people should think carefully about getting married before they do and I don't like people to get divorced.

Representative Devlin: We struggle with requiring counseling. There is just enough out there that we didn't think we should be making this type of policy. The fees have not been raised in thirty four years and domestic violence also required more money so that is what we did.

Representative Pietsch: I am still for premarital counseling. My draw back is the connection., getting a marriage license and getting charged for domestic violence. People getting married are not the only ones who should be paying for that. I see a need for a marriage license increase.

Senator Gary Lee: I thought the Senate version was reasonable. I don't support the bill as it is. I am not comfortable with the fees.

Senator Dever: As I listen I got the feeling that you felt that counseling is a good thing but there are some issues out there that made putting this bill out there a bad thing.

Representative Devlin: I think it would be fair to say that the committee would support counseling of some type but we did not feel the state should be involved in trying to force marriage counseling as it is being done in the churches now.

Senator Dever: I am not tied to the language but I think counseling is a good thing. This is what I am thinking that we might want to do; the sixty five dollars confused a lot of things. If we increase domestic violence to a level that would provide an increase in that fund. instead of the thirty one dollars for the marriage license, which is an odd number, we increase that to fifty or sixty dollars and recognize premarital counseling and giving a discount if they receive it.

Representative Devlin: Raising a fee to fifty dollars is not going to be any easier to sell. House members feel that 90% of people getting married in churches are getting counseling within the church. Don't think we need state interference.

Senator Dever closed the conference committee .

2005 SENATE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. SB 2361

Senate Political Subdivisions Committee

Conference Committee

Hearing Date April 7, 2005

Tape Number	Side A	Side B	Meter #
1	X		0-2625
Committee Clerk Signature <i>Shirley Long</i>			

Minutes:

Senator Dever called the conference committee to order. Senators Dever, G. Lee, Fairfield and Representatives Devlin, Pietsch and Ekstrom were present.

Senator Dever: Made a list of the issues we talked about and will pass those out. There might be some ways of addressing some of the issues. Open to conversation.

Representative Devlin: The house has some information to hand out (Attachment #1)

Representative Ekstrom: I will explained the handouts. Shows ND is eighth in the nation in terms of divorace rate. The divorace rate in ND has declined and there has also been a decline in marriages. I feel you are looking for a solution for a problem that does not exist. ND is far from the worst in divorce rates in the state.

Senator Dever: I think there are some good reasons why ND has those good rates and I feel this is a good reason to pursue this.

Representative Devlin: Maybe we need to look at the whole gamet of things. There is a large numbers of topics that could be studied in the intierm. Maybe the senate would look at doing something like that.

Senator Fairfield: I feel that this is something that needs to be looked at at a longer process. Maybe we need to look at it in the whole during the intierm. I am not sure we can come up with the right answer.

Senator Gary Lee: Something was mentioned about the cost being a burden to some. If the counseling was put back in and the cost was adjusted so it wouldn't be as big, would that be an incentive to put counseling back?

Senator Fairfield: I like the idea of the counseling but I have a little trouble with the mechanism of tying premarital counseling to the marriage license.

Senator Gary Lee: How would you see a study playing out? I think it would be very difficult.

Representative Devlin: It would be difficult but so is child support and everything else. If you can figure a way to look at some of these things it would be a good study. I think we should look hard at having a waiting period for marriage licenses. If nothing else we could have couples look at how they would handle their children after they are divorce. I just think we could put together a broad meaningful study and be a lot further ahead two years from now.

Senator Dever: I like the idea of a study. Lets think about that until we meet again.

Senator Dever closed the conference committee meeting.

2005 SENATE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. SB 2361

Senate Political Subdivisions Committee

Conference Committee

Hearing Date April 12, 2005

Tape Number	Side A	Side B	Meter #
1	X		0-2436

Committee Clerk Signature

Shirley Borg

Minutes:

Senator Dever called the conference committee to order. Senators Dever, G. Lee, Fairfield, and Representatives Devlin, Pietsch and Ekstrom were present.

Senator Dever: Since our conversation regarding a study our intern did some research and drafted an amendment for the committee to consider. I am prepared to go in what ever direction the conference committee decides. I will pass the amendments out and ask Carlee to explain them. (See attachment #1)

Carlee McLeod, Intern: Explained the amendment.

Senator Fairfield: So what this amendment says is there is a waiting period unless you get premarital counseling. It rounds the thirty one dollars off to thirty dollars.

Representative Devlin: I have amendments to pass out which I had put together by the legislative counsel. (See attachment #2) We talked about the whole legislative counsel study at the last meeting and I had legislative counsel put together some language that covered all the

bases. We want to review the marriage laws, ways to strengthen the traditional marriage, marital education counseling, the waiting period, the drug test, the availability of marriage counseling, predivorce requirements and look at the whole gamut of what would help strengthen marriage in the state and bring it back next session. These would be amendments to the 200 version.

Senator Gary Lee: Did domestic violence ask for an increase from twenty nine dollars to thirty five dollars?

Representative Devlin: There is documentation that they would be substantially short of meeting their needs. The licensing fee we did not change on the house side, that was done on the senate side. It is more costly in some counties than others and they just want to cover the cost so it has been suggested that perhaps the bill should read up to thirty dollars.

Representative Ekstrom: I have some concern with Senator Dever's amendment regarding the ten days waiting period. I think five days would be a little more acceptable.

Senator Fairfield: There would have to be some sort of education because the license is one of the last things a couple does.

Representative Ekstrom: I think all people should set back and wait and think about what they are doing. I have no problem with the waiting period but I do think the mechanism of this for all practical purposes people are planning a wedding and doing a lot of preparations. There would have to be some education go on.

Senator G. Lee: The license does have a six month period of validity so you would have plenty of time to get it. But I agree ten days seems to be a different kind of numbers than we are seeing in other states. A lesser amount of days would be better.

Senator Dever: The reason for the waiting period would be to encourage people to get counseling and then they could bring in a certificate and would not have a waiting period.

Representative Devlin how would you feel about marrying the two proposals together.

Representative Devlin: I think the house has already voted against the premarital counseling and I am quite confident they will vote against it again. The house is certainly willing to look at anything they can do to strengthen marriage and they have a strong feeling that there should be some counseling before people get a divorce, before marriage, the waiting period after you get the license and do a study resolution on these issues. I think it is time to look at the whole gamut.

Senator Dever: We need to address the license fee.

Representative Devlin: If the issue is page 1, line 11 remove the thirty one and language could be agreed to replace it with "up to thirty".

Representative Ekstrom made a motion that the house recede from the house amendments .0202 and amend to remove thirty one and replace with "up to thirty"

Representative Devlin seconded the motion.

Roll call vote: 6 Yes 0 No 0 absent

Senator Dever closed the conference committee on SB 2361.

att. #1
Sen. Dever 4/12/04

Proposed Amendments to Engrossed Senate Bill 2361 (0200 Version)
April 10, 2005

The House recedes from its amendments as printed on page ___ of the Senate Journal and page ___ of the House Journal and amends Engrossed Senate Bill 2361 as follows:

Page 1, line 11, remove "-one"

Page 1, line 14, replace "ninety-four" with "thirty-five"

Page 1, line 15, remove ", except if"

Page 1, remove lines 16 through 22

Page 1, line 23, remove "premarital counseling"

Page 2, after line 19, insert:

"Waiting Period.

1. When the county clerk has received the written application for the marriage license from both applicants, and all other legal requirements for issuance of the marriage license have been met, the county clerk shall issue a marriage license which shall become effective ten business days after the date on which the application was signed by the applicants. The county clerk shall indicate on the license the date on which the license becomes effective. The license shall be valid for a period of six months.
2. The waiting period may not apply:
 - a. In the case of emergency or extraordinary circumstances. A judge of the district court in which the application is made or the county clerk or official responsible for issuing the marriage license, may authorize the license to be issued at any time before the expiration of ten business days.
 - b. If the applicants have completed at least ten hours of premarital counseling. To qualify for a waiting period exemption, the applicants shall submit to the recorder or designated official a signed and dated certificate that indicates completion by the applicants of premarital counseling that meets the requirements of this Act. The recorder or designated official shall prescribe and furnish the form that is to be completed by the individual who certifies that the applicant has completed premarital counseling.

SECTION 3. A new section to chapter 14-03 of the North Dakota Century Code is created and enacted as follows:"

Page 2, line 24, replace "twelve" with "ten"

Page 3, line 5, after "section" insert "2 of this Act" and remove "14-03-22"

Renumber accordingly

PROPOSED AMENDMENTS TO ENGROSSED SENATE BILL NO. 2361

That the House recede from its amendments as printed on pages 948 and 949 of the Senate Journal and pages 1224 and 1225 of the House Journal that Engrossed Senate Bill No. 2361 be amended as follows:

Page 1, line 1, remove "to create and enact a new section to chapter 14-03 of the North Dakota"

Page 1, line 2, remove "Century Code, relating to premarital counseling; and"

Page 1, line 3, after "fees" insert "; and to provide for a legislative council study"

Page 1, line 13, overstrike "also"

Page 1, line 14, replace "ninety-four" with "thirty-five"

Page 1, line 15, remove ", except if"

Page 1, remove lines 16 through 22

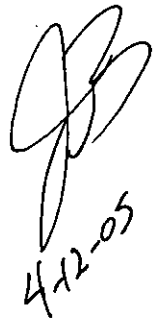
Page 1, line 23, remove "premarital counseling"

Page 2, replace lines 18 through 31 with:

"SECTION 2. MARRIAGE LAWS - LEGISLATIVE COUNCIL STUDY. The legislative council shall consider studying, during the 2005-06 interim, the state's marriage laws and methods for strengthening the institution of marriage in the state, including premarital requirements, such as marital education and counseling, waiting periods, and marital blood tests; the availability of marriage counseling and parenting education in the state; and the implementation of predivorce requirements, such as divorce-effects education. The legislative council shall report its findings and recommendations, together with any legislation required to implement the recommendations, to the sixtieth legislative assembly."

Page 3, remove lines 1 through 7

Renumber accordingly



PROPOSED AMENDMENTS TO ENGROSSED SENATE BILL NO. 2361

That the House recede from its amendments as printed on pages 948 and 949 of the Senate Journal and pages 1224 and 1225 of the House Journal that Engrossed Senate Bill No. 2361 be amended as follows:

Page 1, line 1, remove "to create and enact a new section to chapter 14-03 of the North Dakota"

Page 1, line 2, remove "Century Code, relating to premarital counseling; and"

Page 1, line 3, after "fees" insert "; and to provide for a legislative council study"

Page 1, line 10, overstrike "the sum" and insert immediately thereafter "a fee"

Page 1, line 11, replace "thirty-one" with "up to thirty"

Page 1, line 13, overstrike "also"

Page 1, line 14, replace "ninety-four" with "thirty-five"

Page 1, line 15, remove ", except if"

Page 1, remove lines 16 through 22

Page 1, line 23, remove "premarital counseling"

Page 2, replace lines 18 through 31 with:

"SECTION 2. LEGISLATIVE COUNCIL STUDY - MARRIAGE LAWS. The legislative council shall consider studying, during the 2005-06 interim, the state's marriage laws and methods for strengthening the institution of marriage in the state, including premarital requirements, such as marital education and counseling, waiting periods, and marital blood tests; the availability of marriage counseling and parenting education in the state; and the implementation of predivorce requirements, such as divorce-effects education. The legislative council shall report its findings and recommendations, together with any legislation required to implement the recommendations, to the sixtieth legislative assembly."

Page 3, remove lines 1 through 7

Renumber accordingly

REPORT OF CONFERENCE COMMITTEE
(ACCEDE/RECEDE) - 420

07398

Bill Number) SB 2361 (, as (re)engrossed):

Your Conference Committee

For the Senate:

	Attendance 4/5		Vote 4/12	
Senator Deveser (Chair)	P	P	P	Y
Senator G. Lee	P	P	P	Y
Senator Fairfield	P	P	P	Y

For the House:

	Attendance 4/5		Vote 4/12	
Rep. Devlin	P	P	P	Y
Rep. Pietsch	P	P	P	Y
Rep. Ekstrom	P	P	P	Y

recommends that the (SENATE/HOUSE) (ACCEDE to) (RECEDE from) the (Senate/House) amendments on (SJ/HJ) page(s) _____ - _____

6 Yes 0 No 0 Absent

and place _____ on the Seventh order.

, adopt (further) amendments as follows, and place SB 2361 on the Seventh order:

having been unable to agree, recommends that the committee be discharged and a new committee be appointed.

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

DATE: ____/____/____

CARRIER: _____

LC NO. _____ of amendment

LC NO. _____ of engrossment

Emergency clause added or deleted _____

Statement of purpose of amendment _____

(1) LC (2) LC (3) DESK (4) COMM.

REPORT OF CONFERENCE COMMITTEE

SB 2361, as engrossed: Your conference committee (Sens. Dever, G. Lee, Fairfield and Reps. Devlin, Pietsch, Ekstrom) recommends that the **HOUSE RECEDE** from the House amendments on SJ pages 948-949, adopt amendments as follows, and place SB 2361 on the Seventh order:

That the House recede from its amendments as printed on pages 948 and 949 of the Senate Journal and pages 1224 and 1225 of the House Journal that Engrossed Senate Bill No. 2361 be amended as follows:

Page 1, line 1, remove "to create and enact a new section to chapter 14-03 of the North Dakota"

Page 1, line 2, remove "Century Code, relating to premarital counseling; and"

Page 1, line 3, after "fees" insert "; and to provide for a legislative council study"

Page 1, line 10, overstrike "the sum" and insert immediately thereafter "a fee"

Page 1, line 11, replace "thirty-one" with "up to thirty"

Page 1, line 13, overstrike "also"

Page 1, line 14, replace "ninety-four" with "thirty-five"

Page 1, line 15, remove ", except if"

Page 1, remove lines 16 through 22

Page 1, line 23, remove "premarital counseling"

Page 2, replace lines 18 through 31 with:

"SECTION 2. LEGISLATIVE COUNCIL STUDY - MARRIAGE LAWS. The legislative council shall consider studying, during the 2005-06 interim, the state's marriage laws and methods for strengthening the institution of marriage in the state, including premarital requirements, such as marital education and counseling, waiting periods, and marital blood tests; the availability of marriage counseling and parenting education in the state; and the implementation of predivorce requirements, such as divorce-effects education. The legislative council shall report its findings and recommendations, together with any legislation required to implement the recommendations, to the sixtieth legislative assembly."

Page 3, remove lines 1 through 7

Renumber accordingly

Engrossed SB 2361 was placed on the Seventh order of business on the calendar.

2005 TESTIMONY

SB 2361

TO: Political Subdivision Committee
FROM: Christina Rondeau, North Dakota Family Alliance
DATE: Friday, February 04, 2005

Mr. Chairman and members of the Political Subdivision Committee, thank you for hearing my testimony today.

My name is Christina Rondeau, and I represent the North Dakota Family Alliance.

I am here today in support of SB 2361.

Research consistently shows that children and adults do best in strong, intact marriages and families. We have all seen the data, and there is no need today for my presenting you with charts and graphs illustrating some of those statistics, although I would be happy to provide such data if you wish to review it at a later time.

SB 2361 is modeled after Minnesota's existing state law. Its purpose is simple, and that is to create an incentive for pre-married couples to take the time to complete what some may view as an extensive pre-marital training course. The bill does not mandate that this counseling take place, nor does it mandate who must provide the counseling. Rather, it provides options, but in a way that clearly encourages couples to consider pre-marital counseling as a viable option for their upcoming marriage, and creates an incentive for them to do so.

When one takes into consideration the huge costs to society and to government when marriages fail, in the form of prison expansion for boys raised without fathers, in welfare rolls as single, divorced mothers are forced to find assistance for themselves and their children, and in educational programs as children of divorce are found to struggle with emotional, behavioral, and even academic problems at greater rates than their peers from intact homes, it hardly seems unrealistic to expect that government at every level should take steps to promote stronger and healthier marriages.

SB 2361 provides a creative and perhaps unique way for the state of North Dakota to say, strong marriages are important – so important, that we believe it is worth providing an incentive to couples completing extensive premarital counseling.

Although there may be little research to support “generic pre-marital counseling” that involves little time, there has been at least one study to support more extensive counseling, such as the 12 hours this bill would reward. A study performed in Colorado, and used by the sponsoring senator of Minnesota's existing law after which SB 2361 is patterned, showed that after five years, couples who had completed 12 hours of pre-marital counseling had a divorce rate of 50% less than the control group with no counseling. In addition, I know of many local clergy members who will personally attest to the effectiveness of extensive marriage preparation in their own work and in their congregations.

To take all of this down to a more personal note, I myself was married just last year. Of course, one of the things we did as we planned our wedding, was to check on the marriage license requirements. In all honesty, my fiancé and I were almost shocked to discover how simple and inexpensive it was to obtain a marriage license in North Dakota. A fee of \$35 seemed unbelievably cheap in view of the value we both instinctively place on marriage – and in view of the amount we spent on our wedding. We are not wealthy people. I work for a non-profit organization, and my husband is a paramedic, yet I believe neither one of us would have found a fee closer to \$100 unreasonable. In addition, it would have sent a stronger message about the value the state of North Dakota places on marriage. A fee of only \$35 sends the message, in my opinion, that marriage is cheap and of little value to the state or society. After all, most people are willing to spend more than \$35 for a good pair of tennis shoes. I think every one of us would attest that marriage is far more valuable, and of far more consequence, than a pair of shoes.

I attend a church where our pastor also requires at least ten hours of premarital counseling. I am so thankful that I am part of a church community that strongly encouraged my husband and I to make an investment in our upcoming marriage, while we dealt with the chaos, and the expense, of planning a wedding.

My husband and I would have gladly paid a much higher fee for our wedding license, and we would have chosen to complete our pre-marital counseling without a discount incentive. We are not unlike many people either in our state or elsewhere.

However, there are those who would by-pass good marriage preparation if not for a healthy incentive and a little promotion. North Dakota Family Alliance remains committed to the principle that we as a society and a state need to invest in creating such incentives that further encourage stronger, healthier marriages, including the promotion of good pre-marital counseling. We have a responsibility to consistently send the message that we believe marriage is good for society, and consequently, good for government, and that healthy and extensive marriage preparation can help produce stronger marriages. SB 2361 attempts to do just that, by rewarding those willing to make that investment. I would urge your strong support of SB 2361.

Thank you.

I would be happy to answer any questions.

Reduced Marriage License Fee Survey

Conducted by Sen. Steve Dille

On July 1, 2001 a new law went into effect that would provide for a reduction in the marriage license fee of \$70 down to \$20 if the couple participated in 12 hours of pre-marriage education. These classes must be taught by a licensed or ordained minister or a person authorized to practice marriage and family therapy. It must include a pre-marriage inventory and emphasize conflict management and communication skills. Couples must bring proof of the successful course completion when they come to apply for a license

*increased
last year
to \$85/025*

With 45 counties reporting, 24% of the licenses applied for were at the reduced fee. This accounting is taken from July 1, 2001 through July 31, 2002. The fiscal note on the original bill predicted that the rate would be 5% the first year and 10% the second year.

The greatest factor influencing whether or not the reduced fee was used seems to be **publicity**. For example, in Meeker County (Sen. Dille's home county) the percentage rose to 45%. In Anoka County, where the recorded message you receive when you call to inquire about getting a marriage license does not even mention the reduced fee, the percentage is 19%

The attitude of the County Recorder also appeared to be a factor. Some indicated that they were not in support of the idea itself, while others were enthusiastic. Some felt that it was just more work to do, while others indicated that they had made signs and forms, etc.

Oilli

RESEARCH ON EFFECTIVNESS OF PREMARITAL EDUCATION

Summary by William J. Doherty, Ph.D.
University of Minnesota

1. There are many studies demonstrating that 12 hour premarital education courses start couples off in marriage with better communication skills and more satisfaction with their relationships (citation: James Bray and Ernest Jouriles, "Treatment of Marital Conflict and Prevention of Divorce," Journal of Marital and Family Therapy, 1995, vol. 21, pp. 461-473.)
2. A long term follow up study of a 12 hour premarital education program in Colorado found that couples who went through the program had less divorce, over the first five years of marriage, than the control group of couples who did not have the course. Their divorce rate was cut in half as compared to the control group. (citation: Howard Markman et al., "Preventing marital distress through communication and conflict management training: A 4-and 5-year follow up. Journal of Consulting and Clinical Psychology, 1993, vol. 61, pp. 70-77.)
3. There have been no studies of the effectiveness of generic "premarital counseling," which is why we are calling for a course in premarital education that uses principles of conflict management training.
4. Why 12 hours? That is the minimum standard in the field, with good research support. There is no research on programs of less duration.

Dille

FRIDAY, APRIL 7 • 2000

Minneapolis
STAR TRIBUNE

Metro/State



DAILY LEGISLATIVE REPORT

Premarriage counseling bill passes

The measure, which would reduce the cost of a license if a couple received instruction, is headed to the governor.

By Robert Whorsett
Star Tribune Staff Writer

An engaged couple taking 12 hours of premarriage education could save \$50 on the cost of their marriage license, under legislation approved Thursday by the Senate and sent to the governor.

The bill actually increases the cost of a wedding license by \$5, to \$75, but by completing the volun-

tary premarital instruction, a couple would cut the cost to \$25.

The education session would include a "premarital inventory," described by the chief sponsor, Sen. Steve Dille, R-Dassel, as a compatibility test.

The instruction would be delivered by a minister or a licensed marriage or family therapist.

"I've been probing around for years for ways to strengthen families," said Dille after the Senate passed the bill on a 55-7 vote. The House earlier had approved it, 97 to 35.

Dille said Florida, the only state with such a law, had a 5 percent participation rate in 1994, the first full year the law was in force. He said he does not expect Minnesota couples to par-

ticipate in the counseling and instruction only because of the fee break.

Dille said a study in Colorado showed that 12 hours of premarital education that focused on communications skills and conflict management reduced the divorce rate by 50 percent at the five-year mark, compared with the rate for a control group that did not take the counseling.

Dille said that more than 80 percent of couples in Minnesota are married in churches, and that they average four hours of premarital counseling. "We're pushing the envelope here at 12 hours," he said.

The bill received the strong endorsement of Sen. Dean Johnson, D-L. Willmar, a Lutheran

minister who has officiated at more than 200 weddings.

Sen. Martha Robertson, R-Minnetonka, voted against the bill.

"I don't understand why you would create a differential in the wedding license," she said. "It just seems to add some unneeded confusion on what it costs to get married. . . . You've always got the option for counseling."

Dille said he has talked to Gov. Jesse Ventura about the legislation but does not know if he will sign the bill into law. If it is enacted, it would take effect Aug. 1.

— The bill is Senate file 884. To get a copy, go to: <http://www.senate.leg.state.mn.us> or call 651-296-0504.

Gov Ventura Vetoes the bill in 2000

It passed again in 2001 and was signed

Marriage license fee reduction for premarital
education participation S.F. 009
2001 Special Session

- 74.28 Sec. 81. Minnesota Statutes 2000, section 517.08,
74.29 subdivision 1b, is amended to read:
74.30 Subd. 1b. [TERM OF LICENSE; FEE; PREMARITAL EDUCATION.]
74.31 (a) The court administrator shall examine upon oath the party
74.32 applying for a license relative to the legality of the
74.33 contemplated marriage. If at the expiration of a five-day
74.34 period, on being satisfied that there is no legal impediment to
74.35 it, including the restriction contained in section 259.13, the
74.36 court administrator shall issue the license, containing the
full
75.1 names of the parties before and after marriage, and county and
75.2 state of residence, with the district court seal attached, and
75.3 make a record of the date of issuance. The license shall be
75.4 valid for a period of six months. In case of emergency or
75.5 extraordinary circumstances, a judge of the district court of
75.6 the county in which the application is made, may authorize the
75.7 license to be issued at any time before the expiration of the
75.8 five days. Except as provided in paragraph (b), the court
75.9 administrator shall collect from the applicant a fee of \$70 for
75.10 administering the oath, issuing, recording, and filing all
75.11 papers required, and preparing and transmitting to the state
75.12 registrar of vital statistics the reports of marriage required
75.13 by this section. If the license should not be used within the
75.14 period of six months due to illness or other extenuating
75.15 circumstances, it may be surrendered to the court administrator
75.16 for cancellation, and in that case a new license shall issue
75.17 upon request of the parties of the original license without
75.18 fee. A court administrator who knowingly issues or signs a
75.19 marriage license in any manner other than as provided in this
75.20 section shall pay to the parties aggrieved an amount not to
75.21 exceed \$1,000.
75.22 (b) The marriage license fee for parties who have completed
75.23 at least 12 hours of premarital education is \$20. In order to
75.24 qualify for the reduced fee, the parties must submit a signed
75.25 and dated statement from the person who provided the premarital
75.26 education confirming that it was received. The premarital
75.27 education must be provided by a licensed or ordained minister
or
75.28 the minister's designee, a person authorized to solemnize
75.29 marriages under section 517.18, or a person authorized to
75.30 practice marriage and family therapy under section 148B.33.
The
75.31 education must include the use of a premarital inventory and
the
75.32 teaching of communication and conflict management skills.
75.33 (c) The statement from the person who provided the
75.34 premarital education under paragraph (b) must be in the
75.35 following form:
75.36 "I, (name of educator), confirm that (names of both
76.1 parties) received at least 12 hours of premarital education
that
76.2 included the use of a premarital inventory and the teaching of

- 76.3 communication and conflict management skills. I am a licensed
 76.4 or ordained minister, a person authorized to solemnize
 marriages
 76.5 under Minnesota Statutes, section 517.18, or a person licensed
 76.6 to practice marriage and family therapy under Minnesota
 76.7 Statutes, section 148B.33."
 76.8 The names of the parties in the educator's statement must
 76.9 be identical to the legal names of the parties as they appear
 in
 76.10 the marriage license application. Notwithstanding section
 76.11 138.17, the educator's statement must be retained for seven
 76.12 years, after which time it may be destroyed.
 76.13 (b) (d) If section 259.13 applies to the request for a
 76.14 marriage license, the court administrator shall grant the
 76.15 marriage license without the requested name change.
 76.16 Alternatively, the court administrator may delay the granting
 of
 76.17 the marriage license until the party with the conviction:
 76.18 (1) certifies under oath that 30 days have passed since
 76.19 service of the notice for a name change upon the prosecuting
 76.20 authority and, if applicable, the attorney general and no
 76.21 objection has been filed under section 259.13; or
 76.22 (2) provides a certified copy of the court order granting
 76.23 it. The parties seeking the marriage license shall have the
 76.24 right to choose to have the license granted without the name
 76.25 change or to delay its granting pending further action on the
 76.26 name change request.
 76.27 Sec. 82. Minnesota Statutes 2000, section 517.08,
 76.28 subdivision 1c, as amended by Laws 2001, chapter 7, section 84,
 76.29 is amended to read:
 76.30 Subd. 1c. [DISPOSITION OF LICENSE FEE.] (a) Of the
 76.31 marriage license fee collected pursuant to subdivision
 76.32 1b, paragraph (a), \$15 must be retained by the county. The
 76.33 court administrator shall ~~shall~~ must pay \$55 to the state treasurer
 to
 76.34 be deposited as follows:
 76.35 (1) \$50 in the general fund;
 76.36 (2) \$3 in the special revenue fund to be appropriated to
 77.1 the commissioner of children, families, and learning for
 77.2 parenting time centers under section 119A.37; and
 77.3 (3) \$2 in the special revenue fund to be appropriated to
 77.4 the commissioner of health for developing and implementing the
 77.5 MN ENABL program under section 145.9255.
 77.6 (b) Of the \$20 fee under subdivision 1b, paragraph (b), \$15
 77.7 must be retained by the county. The state court administrator
 77.8 must pay \$5 to the state treasurer to be distributed as
 provided
 77.9 in paragraph (a), clauses (2) and (3).

TO: Chairman Cook and Members - Senate Political Subdivision

Regarding : SB2361

From: Linda Rohrbach - McIntosh County Recorder/Ex-Officio Clerk of Court
Marriage License Committee Chairman

Good Morning Chairman Cook & Committee Members. For the record my name is Linda Rohrbach, I am the McIntosh County Recorder from Ashley and I also chair the Marriage License Committee. The Marriage License Committee consists of 11 Officials throughout the state who have been designated by their commissions to issue marriage licenses. The Officials who issue marriage licenses consist of Recorders, Clerks of Court, Treasurers, Auditors and Tax Directors.

This committee has asked me to appear here today to express several concerns with SB2361.

The Marriage License Officials are concerned about the significant difference in the amount of time for premarital counseling this bill suggests, and what is common practice with pastors, priests and counselors (3 to 4 hours). It may be difficult and expensive for a couple to arrange for 12 hours of counseling.

On Page 1 line 17 of the bill it states that "the designated official shall prescribe and furnish the form that is to be completed by the individual who certifies" our interpretation of that statement is that the Officials are to develop and provide forms, possibly have a list of counselors, and then try to determine whether these forms have been forged or if the signatures are genuine. We are concerned about our responsibility if we issue a license based on incorrect, incomplete, or forged documentation.

Also there are concerns with the wording on page 2 line 25 of the bill which states that the two parties must have "either *made application* for a marriage license or intend to apply for a marriage license". When applying for a marriage license you receive the license at the time of application. So if the "premarital counseling requirement is enacted" it must be clear that all requirements must be met *before* applying. So we would ask that this wording be corrected.

We are also concerned about the authority of Marriage License Officials to responsibly implement the new interpretations that this legislation would require, and the potential impact that this bill may have on the badly needed adjustment to the license fee contained in SB2287

SB2361 increases the Officials work load - particularly if the counseling is completed - it also increases expenditures, and only increases the fee revenue for those that fail to comply. So we would ask that an increase for the counties also be included in the fee if the requirement for premarital counseling is met. We feel that the portion of the fee retained by the county should be based on the administrative effort, and not the actions of those applying. It seems that if additional fees are to be applied based on the lack of counseling, possibly the resulting revenue should be placed in the State fund that aids domestic violence program.

Thank You for listening to these concerns, and if I may, I would like to again stress that we hope that action on this bill will not affect the badly needed adjustment to the county fee contained in SB2287.

I issue marriage licenses in my office and am willing and anxious to answer any questions you may have.

STATEMENT OF PREMARITAL EDUCATION

I, _____, confirm that
(Name of Educator)

_____ and _____
(Name of Bride) (Name of Groom)

received at least 12 hours of premarital education that included the use of a premarital inventory and the teaching of communication and conflict management skills. I am a licensed or ordained minister, a person authorized to solemnize marriages under Minnesota Statutes, section 517.18, or a person licensed to practice marriage and family therapy under Minnesota Statutes, section 148B.33.

Name

Date

Title

County where credentials are recorded

NOTE: The names of the parties in the educator's statement must be identical to the legal names of the parties as they appear in the marriage license application.

Proposed Amendments to Senate Bill 2361
Political Subdivisions
February 10, 2005

Page 1, line 11, replace "seventy-one" with "ninety-six"

Page 1, line 13, replace "six" with "thirty-one"

If the committee chooses to designate the extra license fee funds to the domestic abuse prevention fund, the last line of this amendment reads as follows:

Page 1, line 13, replace "six" with "thirty-one" and after the period, insert "Of the ninety-six dollar license fee, sixty-five dollars shall be allocated to the domestic violence prevention fund in addition to the funds allocated in subsection 14-03-22-02."

Jma Carlee

Proposed Amendments to Senate Bill 2361
Political Subdivisions
February 10, 2005

Page 1, line 11, replace "seventy-one" with "thirty-one"

Page 1, line 11, after "license" insert a period and remove ", but if the applicant has"

Page 1, line remove lines 12-19

Page 1, line 22, overstrike "twenty-nine" and insert immediately "ninety-four"

Page 1, line 23, after the period, insert: "If the applicant has completed at least twelve hours of premarital counseling, the recorder or designated official shall collect the sum of twenty-nine dollars. To qualify for the reduced license fee, the applicant must submit to the recorder or designated official a signed and dated certificate that indicates the completion by the applicant of premarital counseling that meets the requirement of section 2 of this Act. The recorder, or designated official, shall prescribe and furnish the form that is to be completed by the individual who certifies that the applicant has completed premarital counseling."

Page 2, line 25, remove "and have either made" insert immediately thereafter "prior to"

Page 2, line 26, remove "or intend to apply for a marriage license"



North Dakota
**FAMILY
ALLIANCE**

DEDICATED TO STRENGTHENING FAMILIES

4007 N. STATE ST., #109
BISMARCK, ND 58503
PHONE: 701-223-3575
1-800-485-3575
FAX: 701-223-1133
WWW.NDFA.ORG
NDFA@RIVERJORDAN.COM

Christina Kindel
EXECUTIVE DIRECTOR

TO: Political Subdivision Committee
FROM: Christina Rondeau, North Dakota Family Alliance
RE: SB 2361
DATE: Wednesday, March 09, 2005

Mr. Chairman and members of the Political Subdivision Committee, thank you for hearing my testimony today.

My name is Christina Rondeau, and I represent the North Dakota Family Alliance.

I am here today in support of SB 2361.

Research consistently shows that children and adults do best in strong, intact marriages and families. We have all seen the data, and there is no need today for my presenting you with charts and graphs illustrating some of those statistics, although I would be happy to provide such data if you wish to review it at a later time.

SB 2361 is modeled after Minnesota's existing state law. Its purpose is simple, and that is to create an incentive for pre-married couples to take the time to complete what some may view as an extensive pre-marital training course. The bill does not mandate that this counseling take place, nor does it mandate who must provide the counseling. Rather, it provides options, but in a way that clearly encourages couples to consider pre-marital counseling as a viable option for their upcoming marriage, and creates an incentive for them to do so.

Some would argue that the state has no business interfering with marriage. However, it is clear from a multitude of factors that states do take a huge interest in marriage, both by the fact that they provide the licensing for marriages, and in the fact that they also invest enormous amounts in caring for broken families and needy children when those marriages fail. Some of these costs are seen in the form of prison expansion for individuals raised without fathers; in welfare and human services costs as single, divorced mothers are forced to find assistance for themselves and their children, and in additional educational, treatment, and therapy programs as children of divorce are found to struggle with emotional, behavioral, and academic problems at greater rates than their peers from intact homes. Given these costs and numerous others, it hardly seems

unrealistic to expect that government at every level should take steps to promote stronger and healthier marriages.

SB 2361 provides a creative and perhaps unique way for the state of North Dakota to say, strong marriages are important – so important, that we believe it is worth providing an incentive to couples completing extensive premarital counseling.

Although there may be little research to support “generic pre-marital counseling” that involves little time (such as one or two hours), there has been at least one study to support more extensive counseling, such as the 12 hours this bill would reward. A study performed in Colorado showed that after five years, couples who had completed 12 hours of pre-marital counseling had a divorce rate of 50% less than the control group with no counseling. In addition, I know of many clergy members who will personally attest to the effectiveness of extensive marriage preparation in their own work and in their congregations.

To take all of this down to a more personal note, I myself was married just last year. Of course, one of the things we did as we planned our wedding, was to check on the marriage license requirements. In all honesty, my fiancé and I were almost shocked to discover how simple and inexpensive it was to obtain a marriage license in North Dakota. A fee of \$35 seemed unbelievably cheap in view of the value we both instinctively place on marriage – and in view of the amount we spent on our wedding. We are not wealthy people. I work for a non-profit organization, and my husband is a paramedic, yet I believe neither one of us would have found a fee closer to \$100 unreasonable. In addition, it would have sent a stronger message about the value the state of North Dakota places on marriage. A fee of only \$35 sends the message, in my opinion, that marriage is cheap and of little value to this state or to society. After all, most people are willing to spend more than \$35 for a good pair of tennis shoes. I think every one of us would attest that marriage is far more valuable, and of far more consequence, than a pair of shoes.

My husband and I would have gladly paid a much higher fee for our wedding license, and we would have chosen to complete our ten or twelve hours of pre-marital counseling without a discount incentive. We are not unlike many people either in our state or elsewhere.

However, there are those who would by-pass good marriage preparation if not for a healthy incentive and a little promotion. North Dakota Family Alliance remains committed to the principle that we as a society and a state need to invest in creating incentives that further encourage stronger, healthier marriages, including the promotion of good pre-marital counseling. We have a responsibility to consistently send the message that we believe marriage is good for society, and consequently, good for government, and that healthy and extensive marriage preparation can help produce healthier and stronger marriages. SB 2361 attempts to do just that, by rewarding those willing to make that investment. I would urge your strong support of SB 2361.

Thank you.



*Representing the Diocese of Fargo
and the Diocese of Bismarck*

Christopher T. Dodson
Executive Director and
General Counsel

To: House Political Subdivisions Committee
From: Christopher T. Dodson, Executive Director
Subject: Senate Bill 2361 (Marriage License Fees)
Date: March 10, 2005

The North Dakota Catholic Conference supports Senate Bill 2361 as a way to strengthen marriages in North Dakota.

The two Roman Catholic dioceses in North Dakota require that couples intending to marry receive pre-marital counseling as a prerequisite to any wedding within the Catholic Church. The dioceses insist on this requirement because it reflects and reinforces the position that marriage is an important and serious institution that extends much beyond the church ceremony.

Marriage, however, is not just a religious institution. It is also a civil institution. Moreover, it is the state and society that too often must address the consequences of failed marriages. The state, therefore, should invest in marriages and make its policies reflect the gravity and importance of marriage.

Senate Bill 2361 does that by encouraging premarital counseling. It sends a message to couples that marriage is not something to be taken lightly. It takes some serious thought and commitment. Premarital counseling provides an opportunity for couples to examine the importance of their decision to marry. Providing a reduced fee for those that have made this effort is one way the state can encourage and invest in successful marriages.

We urge a Do Pass recommendation on Senate Bill 2361.

TO: Chairman Devlin and Members - House Political Subdivisions

Regarding : SB2361

From: Linda Rohrbach - McIntosh County Recorder/Ex-Officio Clerk of Court
Marriage License Committee Chairman

Good Morning Chairman Devlin and Committee Members. For the record my name is Linda Rohrbach, I am the McIntosh County Recorder from Ashley and I also chair the North Dakota Marriage License Committee. The Marriage License Committee consists of 11 Officials throughout the state who have been designated by their commissions to issue marriage licenses. The 53 Officials who issue marriage licenses in North Dakota consist of Recorders, Clerks of Court, Treasurers, Auditors and Tax Directors.

I am here today to offer our support for SB2361 and to deliver to you letters of support from both the Recorders Association and the Clerk of Courts Association. You will find these letters attached to my testimony.

Currently only \$6 of the Marriage License Fee remains in the county. This fee was set in 1971 and since the inception of that fee a majority of the counties have tied into the central marriage license system and are charged \$1.00 per license to use the system. Therefore the counties are only receiving \$5 for the administration and issuance of a marriage license. Obviously the increase in costs in the past 24 years have far exceeded the \$5 income. This bill provides a fee of \$31 for the counties and we as Marriage License Officials feel this is a fair and equitable charge for issuing a marriage license.

After doing some research on the subject of premarital counseling I have come to the conclusion that presenting an incentive may change some troubling numbers. Every couple is sure to encounter battles and if marriage is a battle, then Americans are losing. Studies conducted by the U.S. Census Bureau and the National Center for Health Statistics indicate that anywhere from 43 to 50 percent of marriages in this country will end in divorce. Shockingly this percentage holds true in North Dakota. In the year 2004 there were 4405 marriages, and 1,979 divorces, so North Dakotas divorce rate stands at 45%. Also interesting was that out of the 4405 marriages 26% of the grooms had been previously married and 28% of the brides had been previously married.

I issue marriage licenses in my office and have with me today the documents used in issuing a license. After the marriage is performed the license is returned to our office and is stored there permanently. The application, oath, certified copy of divorce decree (if applicable) and now the certification of pre-marital counseling (if applicable) are stored in our offices for no less than 2 years. I have attached to this testimony a copy of a form that the Marriage committee feels could be used for certification of the pre-marital education. We are in the process of having a re-write done for the Central Marriage License System, as a matter of fact, just this past Tuesday we entered the testing phase of that project. The people at ITD have informed me that we would have the capability of establishing a method within this re-write to track the number of couples that complete the premarital counseling.

SB2361 addresses vital issues within the marriage law. It includes the fee increase that the counties need to cover costs, the pre marital counseling incentive, and monies for Domestic Violence, who in all probability will be dealing with some of the couples who choose not to participate in the counseling.

I strongly urge this committee to recommend a "Do Pass" on SB2361.

North Dakota County Recorders Association
201 W 5th Street NW
PO Box 523
Watford City ND 58854
Ann Johnsrud, President
ajohnsru@state.nd.us

Phone 701-444-3453
Fax 701-444-3902

RE: SB 2361

Mr. Chairman and Committee Members,


The North Dakota County Recorders Association supports SB 2361 with the added amendments.

Currently there are 33 Recorders designated to issue marriage licenses.

We have worked closely with the Marriage License Committee and feel that the recommendations they have presented, after extensive research, are fair and will put North Dakota in line with surrounding states fees.

Mr. Chairman and Members of the Committee, we urge you to give a **Do Pass** on amended SB 2361.

Thank you,


Ann Johnsrud
McKenzie County Recorder
ND County Recorders Association President

**North Dakota Clerks of Court Assn.
PO Box 379
Bowman, North Dakota 58623**

February 18, 2005

Re: Senate Bill 2361

Mr. Chairman and Committee Members:

Please be informed that the North Dakota Clerks of Court Association supports a fee increase for Marriage License in Senate Bill 2361.

We urge you to give **Senate Bill 2361 a DO PASS.**

Thank you for your consideration.

Sincerely,



Annette Anderson
President of North Dakota Clerks of Court Assn.

AA

STATEMENT OF PREMARITAL EDUCATION/COUNSELING

I, _____, confirm that
(Name of Educator/Counselor)

_____ and _____
(Name of Groom) (Name of Bride)

received at least 12 hours of premarital education/counseling for purposes of discussing the rights, expectations, needs, obligations, and other commitments incident to the marriage contract, including discussion about children, finances, relationships with new family members and friends, time management, goalsetting, and communication and conflict resolution skills.

I am a member of the clergy, staff of a church, including a church volunteer sponsoring couple, or other religious organization with training in premarital counseling; or a trained or certified counselor.

Name

Title

Date

PREMARITAL EDUCATION STATEMENT

I. _____, confirm that
(name of educator)

_____ and _____
(name of both parties-identical to the legal names as they will appear in marriage license application)

received at least 12 hours of premarital education that included the use of a premarital inventory and the teaching of communication and conflict management skills. I am a licensed or ordained minister, a person authorized to solemnize marriages under Minnesota Statutes, section 517.18. or a person licensed to practice marriage and family therapy under Minnesota Statutes, section 148B.33.

Signature of educator

Date

Address of educator

Phone number of educator

**Testimony Prepared For The
HOUSE POLITICAL SUBDIVISIONS COMMITTEE
Prepared March 10, 2005 by the
North Dakota Association of Counties
Terry Traynor, Assistant Director**

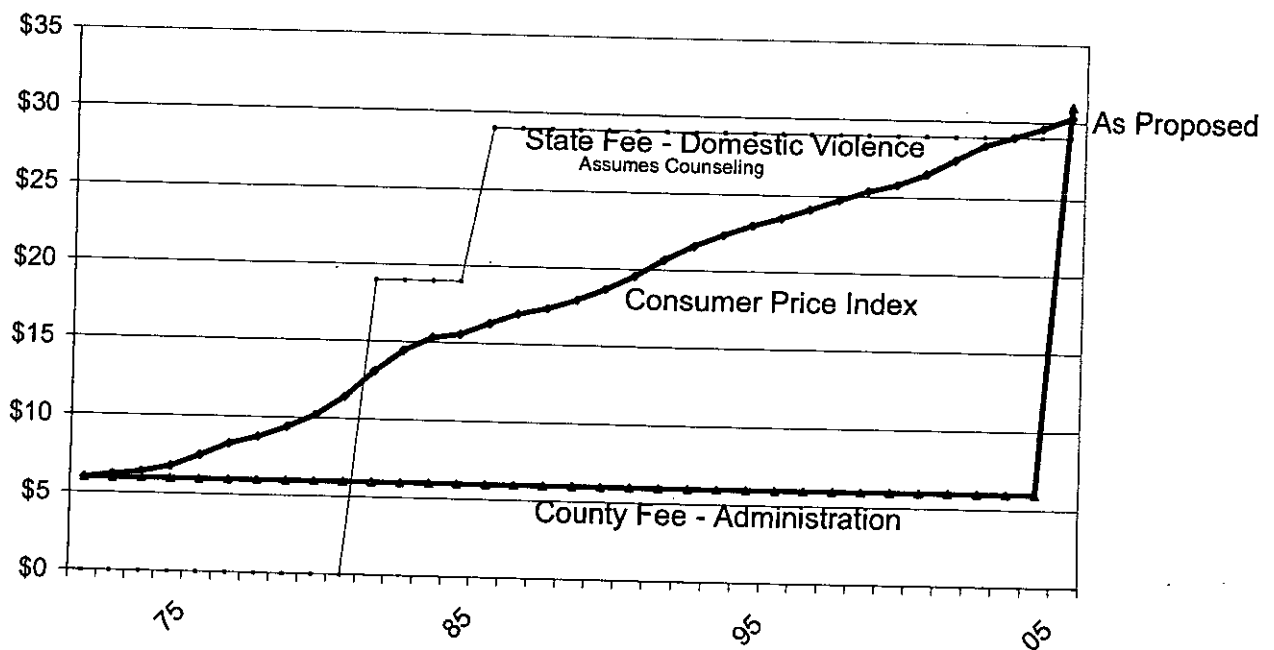
CONCERNING ENGROSSED SENATE BILL 2361

Chairman Devlin and members of the House Political Subdivisions Committee, I am here on behalf of all county officials of the State to support SB2361. Our Association passed a resolution of support for the change in the county fee addressed in subsection 1 of the first section of this bill. Originally, this change was contained in its own bill (SB2287), however the Senate Committee decided to combine our proposed legislation with the differential fee for marriage counseling.

The North Dakota Association of Counties has long maintained the position that government services provided for the direct benefit of individuals or businesses should be funded through user fees, rather than general property taxes paid by those that receive no benefit.

The chart below is a simple illustration of the lack of change the county share of the marriage license fee has seen in the last 34 years. This bill contains a long overdue update of the fees that counties can collect for their efforts in issuing marriage licenses required by State law. Please give SB2361 a Do Pass recommendation.

Marriage License Fees vs. CPI



CPI - West Urban - from DOL Website <http://www.bls.gov/cpi/home.htm>

**NORTH DAKOTA COUNCIL ON ABUSED WOMEN'S SERVICES
COALITION AGAINST SEXUAL ASSAULT IN NORTH DAKOTA**

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Testimony on SB 2361
House Political Subdivisions
March 10, 2005
Representative William Devlin, Chair

Representative Devlin and Members of the Committee:

My name is Bonnie Palecek and I am speaking on behalf of the ND Council on Abused Women's Services/Coalition Against Sexual Assault in favor of SB 2361.

Our organization is comprised of 20 member agencies across the state, each of which provides direct services to victims of domestic violence and sexual assault. Last year 4,109 domestic violence victims and 825 victims of sexual assault sought services from these agencies. In addition, secondary victims, (children, other family members and friends) were also served.

Support for these centers comes from a variety of sources. Over half of the operating costs are raised locally; another 40% or so is generated from public and private grant sources. In 2003 about 5% of these program expenses were supported with state general and special funds. Last year, the collective budgets of these programs exceeded \$7 million.

The Domestic Violence Prevention Fund was established in 1981 through a \$19 surcharge on marriage licenses. It was raised to \$29 in 1989. This generates about \$280,000 per biennium. The state also provides \$210,000 per biennium in General Fund dollars for direct services.

The need for additional state dollars is great. Last summer, in a preliminary survey of program fiscal needs, our member programs projected an \$800,000 shortfall in 2005, primarily due to cutbacks federally and locally. Concerns were raised as well about the ability of the programs to serve an increasing number of sexual assault victims. No doubt due in part to the intense focus on sex offenders over the last year or so, our offices saw a 14% increase in these victims in 2003 and another 7% increase in 2004. Considerable resources are being allocated to treating the offenders in sex crimes; however, we have yet to see any specifically earmarked dollars for the victims of sexual assault.

Some of the youngest and most vulnerable victims of these crimes are children. With the loss of Children's Services Coordinating Committee dollars, many of our agencies are struggling to provide counseling and other services to these innocent victims who have lost their childhoods because of the violence swirling around them or the sexual violence perpetrated on their tender bodies. Often, especially in rural areas, human service centers no longer provide outreach, and multi-county social services no longer have the resources to fund treatment. Our centers are their last hope for professional treatment

The profile of the domestic violence victim clearly shows a relationship between marriage and domestic violence. Victims in North Dakota are overwhelmingly female (95%) and married (66%), according to statistics kept by local service providers.

We are not aware of any statistics that specifically show that premarital counseling reduces violence in a marriage. Unless the counseling addresses the power and control issues which precipitate violence, probably short term sessions, even those including reference to "conflict resolution skills," would not be sufficient to identify, let alone treat, the underlying attitudes of entitlement and inequality which foster violence between partners.

Our work is often focused on crisis intervention in situations which have escalated to the point of criminal behavior. However, we have worked with clergy in recent years to help them develop skills necessary to use pastoral counseling to help keep victims safe and perpetrators accountable. It is hoped that as this partnership evolves, more spiritual advisors will be able to identify and confront potentially dangerous behaviors in more pro-active ways.

Our preference would definitely be to receive support directly from the General fund to support these essential human services. However, the dollars for maintaining existing services at current levels are so critically needed that even more tenuous sources such as special fees must at least be considered. We ask you to look at SB 2361 in that light and request your favorable consideration.

FACTS ABOUT DOMESTIC VIOLENCE IN NORTH DAKOTA

January – December 2004

- 4,109 new victims** (new = unduplicated for calendar year) received services from crisis intervention centers in North Dakota. This number reflects a 2% increase from 2003.
- 4,483 incidents** of domestic violence were reported to crisis intervention centers in North Dakota. This reflects a 1% increase from 2003.
- At least **4,872 children** were directly impacted by these incidents.
- 145 women (4% of total new victims)** were pregnant at the time they were assaulted. This reflects a **13% increase** over 2003.
- 95%** of the victims were **women**.
- At least **42%** of the victims were **under the age of 30**. At least **2%** were **under the age of 18**.
- 14 percent** of the new victims were **disabled**. Of those disabled, **16% were developmentally delayed** and **32% were physically disabled**.
- 35%** of victims were **self-referred** to domestic violence programs. **21% were referred by law enforcement**.
- Weapons** were used in at least **14%** of the cases identified. **Guns** were used in **25%** of the cases involving weapons and **knives** were used in **24%** of the cases involving weapons.
- Law enforcement officers were called to respond in **52%** of the incidents. In at least **40%** of these incidents, an arrest was made.
- At least **74%** of victims served were **physically abused**.
- 1,134 (28%)** victims served were abused by a former spouse or former partner.
- Alcohol use by abuser** only was indicated in **30% of the new cases**. Alcohol use by **both** victim and offender was indicated in **10% of the cases**.
- The abuser had a history of **abusive behavior with other adults, including prior partners** in at least **44%** of the cases.
- Domestic violence programs provided victim assistance with **804 emergency protection orders**, a **3% increase** from 2003.

*Domestic Violence Statistics are compiled by the ND Council on Abused Women's Services/
Coalition Against Sexual Assault in ND for the State Health Department.
418 E Rosser Avenue #320 Bismarck, ND 58501
701-255-6240*

Facts About Sexual Assault In North Dakota January – December 2004

- ✘ 825 **primary victims** and 370 secondary victims were served by 18 sexual assault crisis centers throughout North Dakota. This is a **7% increase** from the number of victims served by crisis centers in 2003.
- ✘ At least 408 (50%) of primary victims were under the age of 18 years old at the time of the assault/s.
- ✘ At least 759 (92%) of the **victims were female**.
- ✘ At least 782 (95%) of the **assailants were male**.
- ✘ At least 2% of the **assailants were female**.
- ✘ **66% of the crimes were reported to law enforcement**.
- ✘ At least **35% of adult victims contacted** a sexual assault center about the crime **within 2 days** of the assault. **27% of adult victims contacted** a sexual assault center within **3-30 days** after the assault.
- ✘ At least 89% (731) of the cases were **male assailant/female victim**.
- ✘ At least 6% (51) of the cases were **male assailant/male victim**.
- ✘ At least 66% of the adult assaults were **rape**, 13% **attempted rape**, and 21% were **sexual contact** other than rape or attempted rape.
- ✘ In adult cases 12% of the assailants were strangers. In child cases 2% of the assailants were strangers.
- ✘ In at least 38% of all cases the **assailant was a friend/acquaintance/date** of the victim.
- ✘ At least 31% of all cases were **incest or indicated a history of incest**. In at least 15% of adult sexual assault cases reported, the victim also experienced **sexual abuse/incest as a child**.
- ✘ At least 7,244 services to primary victims were provided by crisis center advocates from January to December of 2004.
- ✘ At least 59% of the **assaults occurred in the victim's or assailant's home**.
- ✘ At least 43% of the victims were **referred** to sexual assault service providers **by themselves, friends, or family members**.

ND Council on Abused Women's Services/Coalition Against Sexual Assault in ND
418 E Broadway #320 Bismarck, ND 58501 701-255-6240

April 2004

Dille

Attachment # 2

2361

Many divorces occur partly because couples are not prepared for marriage. Frequently, couples spend more time preparing for the wedding ceremony than for their marriage relationship.



Each PREPARE/ENRICH Inventory is a 165-item questionnaire assessing relationship strength and growth areas in 20 categories.

These categories are:
Communication
Conflict Resolution
Personality Issues
Financial Management
Spiritual Beliefs
Children & Parenting
Family & Friends
Sexual Expectations
Realistic Expectations
Leisure Activities
Role Relationship
Idealistic Distortion
Family-of-Origin
Type of Marriage



Dille



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April 13, 1999

**Senator Steven Dille
Minnesota Senate
103 State Office Building
100 Constitution Avenue
St. Paul, MN 55155**

Dear Senate Dille:

I am writing to you regarding the premarital education bill that is now focused on reducing the fees if couples participate in a premarital program. I had read about the bill in the newspaper and Dr. Bill Doherty, my colleague, said that you would appreciate a letter from me. I have been out of state from January until the end of March, so I apologize for not being more available.

Let me briefly introduce myself. I am Professor at the University of Minnesota and am the developer of the PREPARE/ENRICH Program. Twenty years ago we developed the PREPARE Program and it is now used by over 30,000 clergy around the United States and over one million couples have taken the program.

In Minnesota, over 3,000 clergy of all denominations have been trained to use PREPARE and over 100,000 couples in Minnesota have taken PREPARE.

With PREPARE, we can predict with about 85% accuracy which couples will get divorced from those that are happily married. This demonstrates that we can identify couples that are at high risk for divorce before they get married. The high rate of predictability also indicates that the quality of the relationship before marriage is very important because it is the foundation for their marriage.

AWARE	PREPARE	PREPARE-MC	ENRICH	MATE
	Growing Together		Coping & Stress Profile	

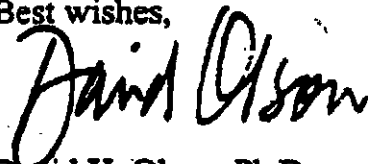
We believe that premarital education is very important for a variety of reasons.

- First, it can help couples get their marriage off to a good start.
- Second, it identifies the high-risk couples who need more help before marriage.
- Third, it discourages some couples from getting married. We find that about 10-15% of the couples who take PREPARE six or more months before marriage cancel their wedding plans. By preventing a bad marriage, you are preventing divorce which affects many people.
- Fourth, it helps couples develop important relationship skills, like communication and conflict resolution, they can use to improve their relationship over time.
- Fifth, couples who have a good premarital program are more open to ongoing couple programs and are more open to going to marriage counseling early before their problems become too problematic.

I have enclosed some materials on PREPARE. It includes an overview article, the 25 workbook *Building a Strong Marriage* which is given to the couple, an overview of the research using PREPARE and a brochure on the program.

In closing, I would welcome the opportunity to testify and consult with you in any way that would be helpful. Since I am on leave from the University, you can best contact me at Life Innovations.

Best wishes,



David H. Olson, Ph.D.
President

2004 Marriage Licenses Issued-Regular Fee and Reduced Fee

COUNTY	REGULAR FEE	REDUCED FEE
AITKIN	63	9
ANOKA	1237	727
BECKER	127	90
BELTRAMI	240	80
BENTON	37	44
BIG STONE	19	9
BLUE EARTH	295	268
BROWN	84	75
CARLTON	190	38
CARVER	346	148
CASS	75	5
CHIPPEWA	41	39
CHISAGO	183	53
CLAY	288	217
CLEARWATER	37	26
COOK	38	5
COTTONWOOD	46	26
CROW WING	284	184
DAKOTA	1827	858
DODGE	47	41
DOUGLAS	158	129
FARIBAUT	53	25
FILLMORE	72	19
FREEBORN	152	58
GOODHUE	181	64
GRANT	14	15
HENNEPIN	5492	1936
HOUSTON	87	32
HUBBARD	91	45
ISANTI	216	63
ITASCA	243	53
JACKSON	32	20
KANABEC	84	31
KANDIYOHI	156	152
KITSON	2	8
KOOCHICHING	68	19
LAC QUI PARLE	8	20
LAKE	69	4
LAKE OF THE WOODS	11	11
LE SUEUR	56	39
LINCOLN	18	28
LYON	123	72
MAHNOMEN	15	11
MARSHALL	14	10
MARTIN	69	33
MCLEOD	132	90
MEEKER	89	60
MILLE LACS	126	42
MORRISON	133	101
MOWER	139	56
MURRAY	16	18

Att. # 2
2361

2004 Marriage Licenses Issued-Regular Fee and Reduced Fee

COUNTY	REGULAR FEE	REDUCED FEE
NICOLLET	114	41
NOBLES	65	132
NORMAN	14	14
OLMSTED	633	390
OTTER TAIL	227	103
PENNINGTON	78	52
PINE	126	30
PIPESTONE	29	24
POLK	84	95
POPE	26	29
RAMSEY	2140	741
RED LAKE	5	10
REDWOOD	40	36
RENVILLE	44	24
RICE	210	110
ROCK	47	59
ROSEAU	66	32
SAINT LOUIS	790	151
SCOTT	397	213
SHERBURNE	296	167
SIBLEY	36	47
STEARNS	635	615
STEELE	156	74
STEVENS	35	34
SWIFT	22	36
TODD	68	39
TRAVERSE	13	12
WABASHA	56	20
WADENA	63	78
WASECA	68	42
WASHINGTON	1128	539
WATONWAN	36	16
WILKIN	12	20
WINONA	157	136
WRIGHT	348	184
YELLOW MEDICINE	30	24
TOTALS	21695	10575

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US Divorce Statistics

of Divorces by State (1998)

State	Number
New England	44,016
Maine	5,132
New Hampshire	7,021
Vermont	2,559
Massachusetts	16,524
Rhode Island	3,165
Connecticut	9,615
Middle Atlantic	109,585
New York	45,781
New Jersey	25,295
Pennsylvania	38,509
East North Central	143,138
Ohio	46,042
Indiana	***
Illinois	40,549
Michigan	38,882
Wisconsin	17,665
West North Central	72,409
Minnesota	15,319
Iowa	9,546
Missouri	25,799
North Dakota	2,087
South Dakota	2,591
Nebraska	6,376
Kansas	10,691
South Atlantic	227,474
Delaware	3,373
Maryland	16,397
District of Columbia	1,096
Virginia	29,965
West Virginia	9,314
North Carolina	36,832
South Carolina	14,608
Georgia	35,753
Florida	80,136
East South Central	96,128
Kentucky	22,369
Tennessee	34,509
Alabama	26,274
Mississippi	12,976

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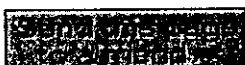
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women

DIVORCE MAGAZINE'S Advisory Board



Attachment # 1



West South Central	35,347
Arkansas	15,376
Louisiana	***
Oklahoma	19,971
Texas	***
Mountain	70,693
Montana	3,351
Idaho	7,018
Wyoming	2,834
Colorado	***
New Mexico	8,039
Arizona	25,798
Utah	8,835
Nevada	14,818
Pacific	52,016
Washington	28,786
Oregon	15,208
California	***
Alaska	3,212
Hawaii	4,810

Divorce Rate by State (1994)
(from lowest to highest)

Rank	State	Number	Rate
1	Massachusetts	14,530	2.4
2	Connecticut	9,095	2.8
3	New Jersey	23,899	3.0
4	Rhode Island	3,231	3.2
5	New York	59,195	3.3
6	Pennsylvania	40,040	3.3
7	Wisconsin	17,478	3.4
8	North Dakota	2,201	3.4
9	Maryland	17,439	3.5
10	Minnesota	16,217	3.6
11	Lousiana	***	3.6
12	Illinois	43,398	3.7
13	District of Columbia	2,244	3.9
14	Iowa	10,930	3.9
15	Nebraska	6,547	4.0
16	Vermont	2,316	4.0
17	Michigan	38,727	4.1
18	South Dakota	3,022	4.2
19	South Carolina	15,301	4.2
20	Hawaii	4,979	4.2
21	California	***	4.3
22	Maine	5,433	4.4
23	New Hampshire	5,041	4.4
24	Ohio	49,968	4.5
25	Virginia	30,016	4.6
26	Kansas	12,093	4.7
27	Utah	8,999	4.7
28	Delaware	3,385	4.8
29	Montana	4,153	4.9
30	Missouri	26,324	5.0

31	West Virginia	9,179	5.0
32	North Carolina	36,292	5.1
33	Colorado	18,795	5.1
34	Georgia	37,001	5.2
35	Oregon	16,307	5.3
36	Texas	99,073	5.4
37	Alaska	3,354	5.5
38	Washington	29,976	5.6
39	Mississippi	15,212	5.7
40	Kentucky	22,211	5.8
41	Arizona	23,725	5.8
42	Florida	82,963	5.9
43	New Mexico	9,882	6.0
44	Idaho	7,075	6.2
45	Alabama	26,116	6.2
46	Indiana	***	6.4
47	Wyoming	3,071	6.5
48	Tennessee	34,167	6.6
49	Oklahoma	21,855	6.7
50	Arkansas	17,458	7.1
51	Nevada	13,061	9.0
	United States	1,191,000	4.6

(Sources: National Center for Health Statistics, In Focus)

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DICKINSON
Domestic Violence and
Rape Crisis Center
225-4506

ELLENDALE
Kedish House
349-4729

FARGO
Rape and Abuse Crisis Center
293-7273

FORT BERTHOLD RESERVATION
Coalition Against
Domestic Violence
627-4171

GRAFTON
Tri-County Crisis
Intervention Center
352-4242

GRAND FORKS
Community Violence
Intervention Center
746-0405

JAMESTOWN
Shelter
7233

MORRIS COUNTY
McLean Family
Resource Center
462-8643

MERCER COUNTY
Women's Action and
Resource Center
873-2274

MINOT
Domestic Violence Crisis
Center
852-2258

RANSOM COUNTY
Abuse Resource Network
683-5061

SPIRIT LAKE
Victim Assistance
766-1816

STANLEY
Domestic Violence Program,
NW, ND
628-3233

TRENTON
Domestic Violence Program,
774-8824

VALLEY CITY
Abused Persons Outreach
Center
81-2378

WILLISTON
Family Crisis Center
642-2115

WILLISTON
Family Crisis Shelter
572-0757

Attachment #1
SB 2361

4/4/05

Dear Senator Dever:

I was not very successful in finding specific information about how pre-marital counseling impacts violence in a marriage. However, I thought this information might be helpful in a general way.

We appreciate your consideration as you deliberate on SB 2361.

Please don't hesitate to call if I might be of help.

Sincerely,
Bonnie Plesch



More than Premarital Counseling: Healthy Marriage and Violence Prevention

Recent research in the area of marriage promotion has been primarily related to low-income individuals and poverty. This research shows that high conflict relationships are detrimental to the well-being of children and the need for a multi-faceted approach. If as a state we are looking to improve our efforts to promote healthy marriage we should keep in mind the following:

- New evidence suggests that income support strategies may have the added benefit of increasing marriage rates and marital stability. (Minnesota Family Investment Program) MFIP by subsidizing the earnings of employed welfare families but including no explicit marriage promotion activities, increased marriage rates for single parent, long term recipients and reduced divorce rates among two parent families. MFIP also reduced rates of domestic violence. *
- Marriage Plus activities that reduce program and policy disincentives to marriage and provide relationship education as well as job training and placement, housing and substance abuse treatment have proven to be more effective than a single activity approach. *
- States with reduction of marriages license fee for couples who attend premarital education do so in conjunction with other marriage promotion activities which address economic hardship and domestic violence as barriers to healthy relationships. *
- States are beginning to try a range of economic, legal and educational strategies to strengthen marriage, reduce divorce and out of wedlock births. Several of these initiatives are reaching out to insure that necessary protections exist against coercion and domestic violence are in place, and that services offered are inclusive. *

Conclusions: As providers of services to victims of domestic violence we have opted to support a multi-faceted approach to promoting healthy relationships which may or not lead to marriage. 72% of all victims in North Dakota served by domestic violence agencies are married or have been married. It is vital that support of domestic violence service providers is seen as an important piece in promoting healthy marriages/relationships which enhance the well-being of North Dakota's children and safety of victims.

** (Policy Brief – Couples and Marriage Series – Center for Policy and Social Law – August 2002 to January 2004)*

Divorce Rate – 43% -- Number of divorces compared to marriages per year.

32% of couples get married outside of a church.

Churches do counseling anyway.

The bill represents an increase in fees.

The bill does not provide for a lower fee if a couple can not afford the fee.

12 Hours might be more than normally provided.

People from Minnesota are coming to Fargo to get married.