

**1999 HOUSE APPROPRIATIONS**

**HB 1409**

1999 HOUSE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. 1409

House Appropriations Committee

Conference Committee

Hearing Date January 25, 1999

Tape Number	Side A	Side B	Meter #
1	x		.7-40.5
Committee Clerk Signature <i>Kathleen Jones</i>			

Minutes:

**A BILL FOR AN ACT TO PROVIDE AN APPROPRIATION TO THE DEPARTMENT OF HUMAN SERVICES FOR MONITORED VISITATION AND SAFE EXCHANGE CENTERS FOR CHILDREN.**

Chairman Dalrymple called the committee to order and opened the hearing on House Bill 1409.

**1A: 1.7 Rep. Mary Ekstrom, District 11** (See attached testimony)

**1A: 3.3 Rep. Hoffner** asked if the \$1.5 million dollars would be coming from the general fund. Rep. Ekstrom replied yes.

**1A: 5.7 Rep. Timm** asked if the Child Visitation Centers shared buildings with Domestic Violence Programs. Rep. Ekstrom replied that they are separate centers and programs.

**1A: 6.4 Rep. Cleary, District 49** testified briefly in support of House Bill 1409.

**1A: 7.5 Tracy Miller, Director Family Safety Center Bismarck** (See attached testimony)

**1A: 10.0 Rep. Timm** asked if there has been a request of funds from the Human Services Department. Tracy Miller replied that the funding that they receive comes from the Burleigh County Social Services through a federal grant. Human Services Department allocates that money to the county.

**1A: 14.2 Bonnie Palecek Director of Council on Abused Women's Services** testified briefly in support of House Bill 1409.

**1A: 17.3 Rep. Carlson** asked about the sliding scale fee charged to the users of the center. Tracy Miller replied that the fee is income based and usually ranges around \$15.00 but is split between the parents.

**1A: 21.4 Rep. Bernstein** asked about location of center in Moorhead, Minnesota and why North Dakota is funding this due to the out of state location. Rep. Ekstrom replied that is the only center located in the Fargo area. The bill would provide funding for the North Dakota residents who use the facility.

**1A: 22.5 Margaret Bitz Director of Rainbow Bridge Safe Exchange Visitation Centers** testified briefly in support of House Bill 1409.

**1A: 29.9 Gladys Cairns, Representing Paul Ronningen Director of Children and Family Services** (See attached testimony) Suggested an amendment in line 1 of the bill, substituting Human Services for Health Services.

**1A: 33.8 Linda Isakson Executive Director Children's Caucus** (See attached testimony)

Closed hearing on House Bill 1409.

There was no opposition to the bill.

## General Discussion

- House Appropriation - HB 1409
- Other

Date: January 27, 1999			
Tape Number	Side A	B Side	Meter #
THREE	X		0.0 -10.5
Committee Clerk Signature <i>Kathleen Jones</i>			

**Minutes: A BILL for an Act to provide an appropriation to the Department of Human Services for the monitored visitation and safe exchange centers for children.**

**Chairman Dalrymple** called the meeting for discussion on HB 1409 to order.

**1A:0.7 Rep. Svedjan** expressed concern that there are already facilities serving the stated purpose of HB 1409 in the state. He feels ND funds should be used to support ND facilities.

**1A:2.9 Chairman Dalrymple** agreed that the crisis intervention personnel should be capable of working a safe exchange program for the crisis centers.

**1A: 3.8 Rep. Delzer** expressed concern that the tax payers' dollars would be supporting "neighboring communities", i.e., other states' facilities.

**1A: 4.4 Rep. Aarsvold** stated his concerns of contracting with out-of- state entities for services. This is not a new concept in North Dakota but this is not clearly stated in the bill.

**1A: 7.6 Rep. Svedjan** believes the Human Service Department is involved in child abuse, neglect, and domestic violence and questions whether the health department was the appropriate department for this spending.

**1A: 9.1 Rep. Delzer** made a motion for a **DO NOT PASS** on HB 1409. Rep. Boehm seconded the motion. Motion carried with **11 yeas, 5 nays, 4 absent and not voting. Rep. Delzer will carry the bill to the House Floor.**

**The meeting on HB 1409 was concluded.**

Date: JANUARY 27, 1999

Roll Call Vote #: ONE

1999 HOUSE STANDING COMMITTEE ROLL CALL VOTES  
BILL/RESOLUTION NO. HOUSE BILL 1409

House APPROPRIATIONS Committee

Subcommittee on \_\_\_\_\_  
or

Conference Committee

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

Action Taken DO NOT PASS

Motion Made By REP. DELZER Seconded REP. BOEHM  
By \_\_\_\_\_

Representatives	Yes	No	Representatives	Yes	No
Rep. Ole Aarsvold		X	Rep. Jim Poolman	X	
Rep. LeRoy G. Bernstein	X		Rep. Ken Svedjan	X	
Rep. James Boehm	X		Rep. Mike Timm - Not Present		
Rep. Rex Byerly - Not present			Rep. Ben Tollefson	X	
Rep. Ron Carlisle	X		Rep. Janet Wentz	X	
Rep. Al Carlson - Not Present			Chairman Dalrymple	X	
Rep. Jeff Delzer	X				
Rep. Pam Gulleason		X			
Rep. Serenus Hoffner		X			
Rep. Robert Huether - Not Present					
Rep. James Kerzman		x			
Rep. Ed Lloyd	X				
Rep. David Monson	X				
Rep. Ron Nichols		x			

Total (Yes) ELEVEN (11) No FIVE (5)

Absent THREE (3)

Floor Assignment Rep. Jeff Delzer, District 8

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

REPORT OF STANDING COMMITTEE (410)  
January 27, 1999 4:50 p.m.

Module No: HR-17-1321  
Carrier: Delzer  
Insert LC: . Title: .

**REPORT OF STANDING COMMITTEE**

**HB 1409: Appropriations Committee (Rep. Dalrymple, Chairman) recommends DO NOT PASS (11 YEAS, 5 NAYS, 4 ABSENT AND NOT VOTING). HB 1409 was placed on the Eleventh order on the calendar.**

**1999 TESTIMONY.**

**HB 1409**

*Grants  
granted:*

HB 1409

House Appropriations

January 20, 1999

Chairman Dalrymple and members of the Committee. My name is Paul Ronningen, Director of Children and Family Services, Department of Human Services. I am here to provide information of HB 1409.

After reviewing HB 1409, I talked with Murray Sagsveen, Health Officer, North Dakota Department of Health. I believe that HB 1409 would be more appropriately assigned to the Health Department. Mr. Sagsveen agreed. He indicated that the Health Department does administer grants for domestic violence. Thus, this bill provides "grants to agencies that provide safe exchange of children and monitored visitation services", it would seem most appropriate that this program also be administered by the Health Department.

Thus, I would suggest the following amendment to HB 1409, line one: "A Bill for an act to provide an appropriation to the Department of ~~Human Services~~ Health for". The amendment would shift this grant program to the Department of Health where other domestic violence grants are administered.

The Departments of Health and Human Services have not budgeted for this grant. Thus, as the bill indicates the appropriation would need to come from the general fund.

Thank you for this opportunity to provide information to the committee. I would be happy to answer any questions.

## **HB1409 MONITORED VISITATION AND SAFE EXCHANGE CENTERS FOR CHILDREN**

TESTIMONY BY: MARY EKSTROM, ND HOUSE/DISTRICT 11  
JANUARY 25, 1999, HOUSE APPROPRIATIONS, ROUGHRIDER ROOM

Good morning, Chairman Dalrymple and members of the Committee.

My name is Mary Ekstrom; I represent District 11 in south central Fargo. I am here to present HB 1409 which is a request for an appropriation of \$1.5 million dollars to fund Child Visitation Centers. These centers currently exist but are funded through grants and sliding scale fees.


In our day of broken marriages, children are frequently the victims of the storms that rage between their parents. After the breakup of the once happy family, the kids find themselves tossed about as they pass back and forth between their parents.

The stormiest times they experience are often when they are picked up at the home of one of their parents by their other parent. Experience shows that, at these times, the chance of a major storm is greatest. It is at these times, that verbal and even physical confrontations occur. These are the times when the stormy relationship between the parents can have the most severe impact on the children. The conflict is often verbal, but in some cases, it can escalate to physical abuse. On at least two occasions in North Dakota, it has led to death.

These centers offer safe harbors for children. They provide a place where one parent can drop of a child for their former spouse to pick up or they provide a safe place for visitation to occur when there has been domestic violence or a threat of violence.

I have served as a volunteer with the YWCA Women's Shelter in Fargo preparing statistics for them. I have personally read over 2300 case histories of women using the services for the Shelter. The problem of





domestic violence and associated custody issues cut across the economic spectrum.

I sincerely hope that none of you have any personal experience with domestic violence. You now, however, have met someone who was a victim. Almost thirty years ago, my first husband was physically abusive – if it could happen to me, it can happen anyone.

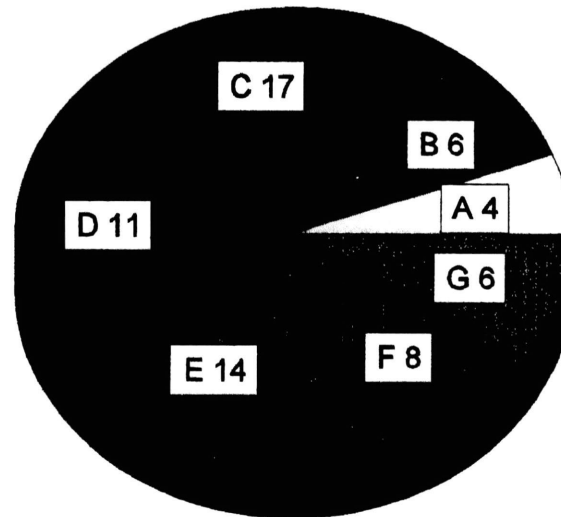
There are other professionals here who can tell you of the day to day operations of these centers and the economics of running them.

Thank you – I will try to answer any questions you may have.



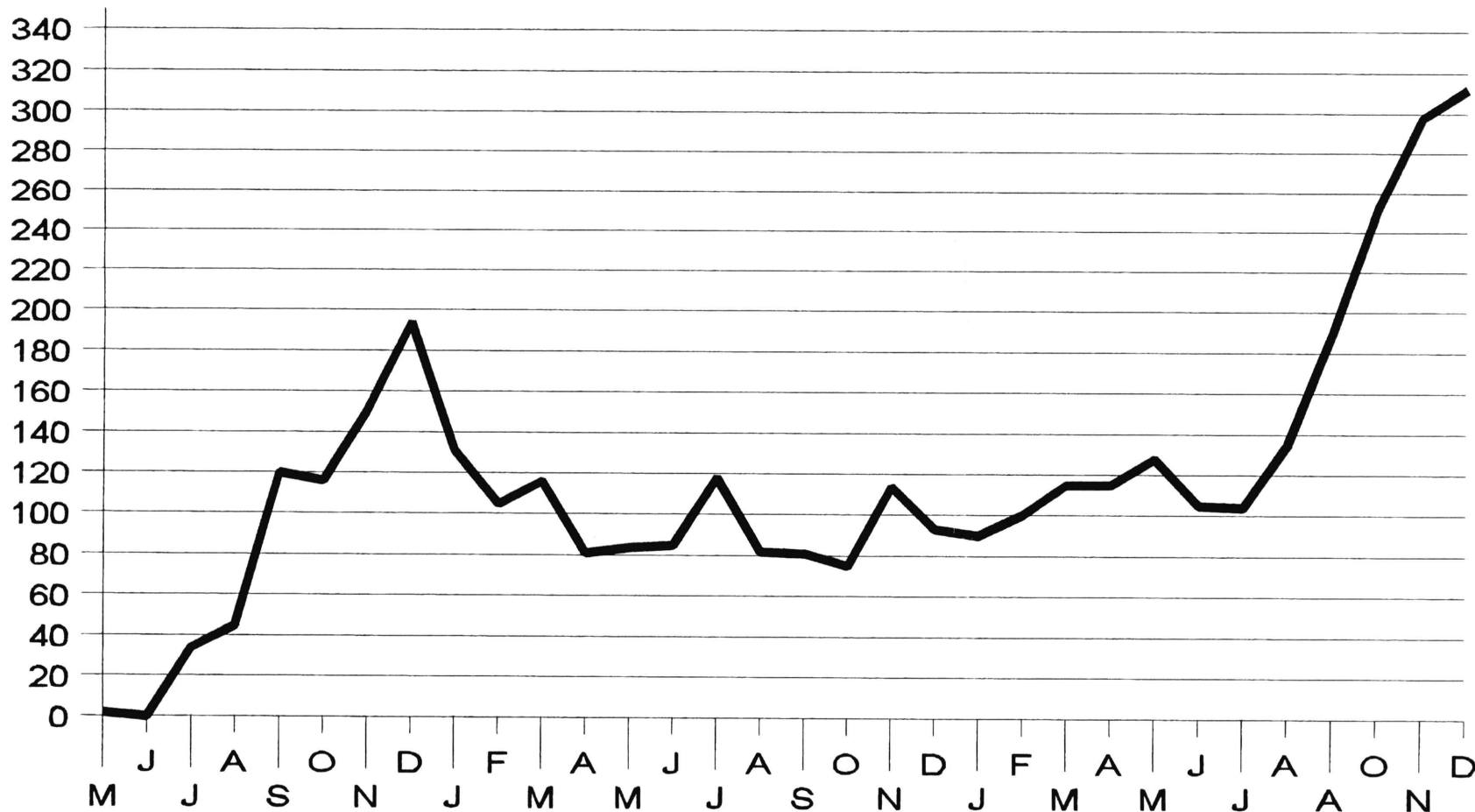
# Children Being Served Through RAINBOW BRIDGE

By Age categories - Jan 1999



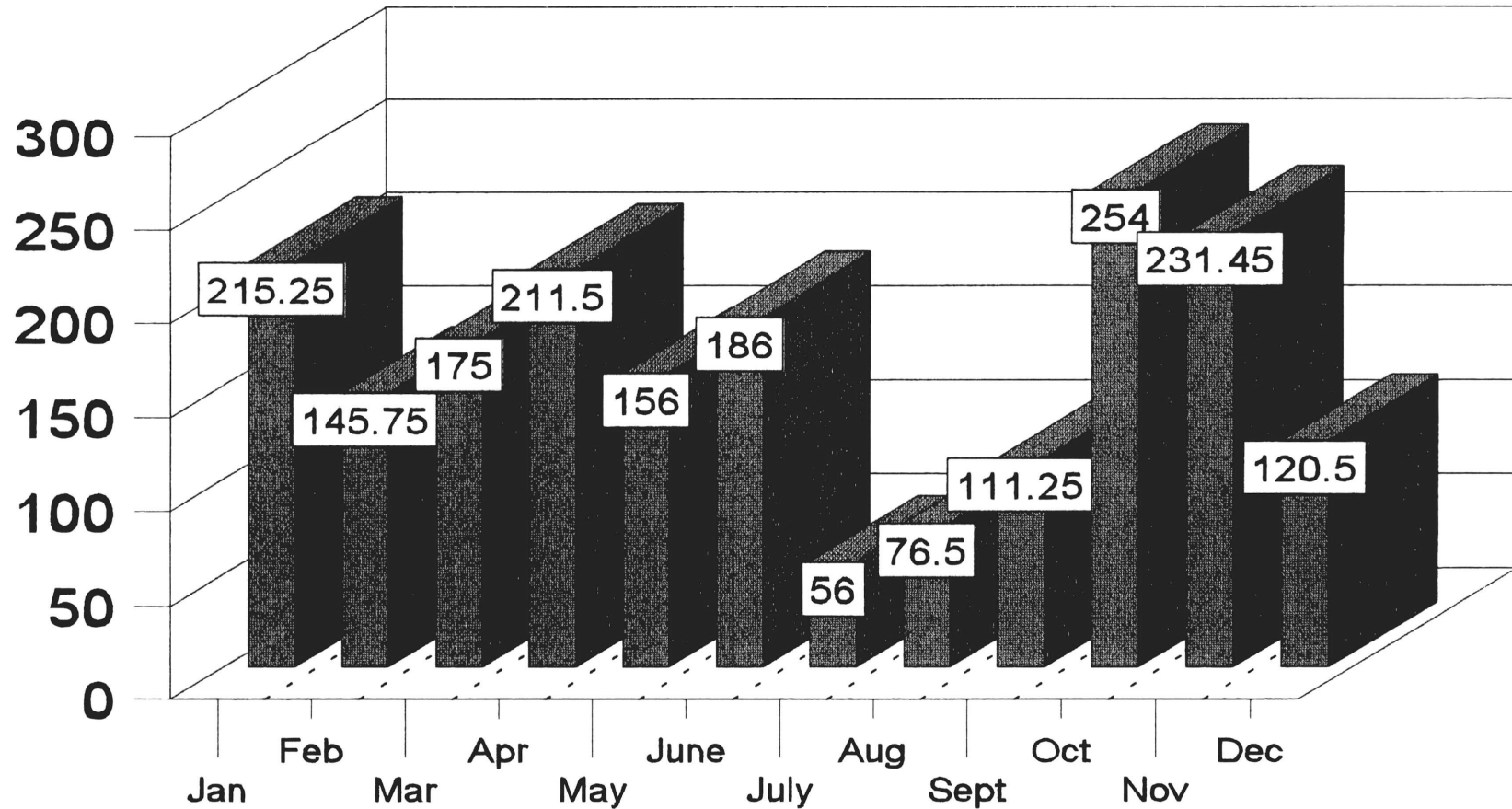
# Rainbow Bridge Usage by Children

May 1996 - Dec. 1998



# Volunteer Hours

January 1, 1998 to December 31, 1998



January 25, 1999

Testimony on HB1409

Rep. Dalrymple, Chair

Chairman Dalrymple and Members of the Committee:

My name is Tracy Miller and I am the Director of the Family Safety Center in Bismarck. I am here today in support of HB1409.

The Family Safety Center provides supervised visitation services and supervised exchange services. The goal of our Center is to provide a safe and supportive environment for children. We advocate for the child to maintain, establish, or re-establish a healthy and safe relationship with the non-custodial adult. Before the Family Safety Center was available in 1994, many families had to use public places for exchanging their children. These exchanges proved to be another outlet for conflict and violence to occur. Much of the time the children were witnesses to the conflict. The Family Safety Center offers exchange services in which the parties exchanging the children have no contact with each other. This preserves the welfare and safety of all involved. Supervised visitations are ordered when a referring agency has found that there is risk to the child. The Family Safety Center's cases are approximately 50% Domestic Violence and 50% Child Abuse and Neglect.

Currently the Family Safety Center employs five (5) staff people which is equivalent to two and half (2 ½) full time staff. It is necessary for us to have a number of staff people. Most of our hours of operation are in the evenings and on weekends, since these are the times families are available. We utilize thirty (30) volunteers in helping with the operations of our Center. The Center serves an average of thirty (30) families per quarter with an average of two hundred and seventy five (275) contacts per family annually.

Funding for the Family Safety Center in 1998 was as follows:

<u>Funding Source</u>	<u>Amount</u>	<u>Percent of Total Funding</u>
• Edward Byrne Grant (Federal Portion Only)	\$10,500	14%
• STOP Violence Against Women Federal Grant	\$27,267	37%
• Burleigh County Social Services	\$14,610	20%
• Foundations	\$ 3,000	4%
• Program Fees, Contributions, Fund-raisers	\$18,293*	25%

\*Projected-if no other sources of grant, Agency general funds are used to make up the difference.

I am a member of the Child Advocacy Committee of the Council on Abused Women's Services, and as a part of that committee I have been involved in discussions concerning guidelines and standards for all types of visitation centers in North Dakota. The Family Safety Center is a member of the national Supervised Visitation Network and follows the standards and guidelines put forth by the Network. As a committee we are looking into developing statewide standards and guidelines.

The Family Safety Center in Bismarck is a program of the Abused Adult Resource Center. However, not all the Visitation Centers in North Dakota are part of a domestic violence center. Several are free standing community efforts. To the best of the committee's knowledge there are currently five in operation and 3 in the planning stages. Bismarck, Devil's Lake, and Grafton are operating under a domestic violence program. Valley City and Fargo/Moorhead both operate as community projects. Minot and Ellendale are in the planning stages but will also be community projects. Grand Forks is also in the planning stage and will be opening under a domestic violence program.

The Family Safety Center is designed to be a safe and caring place for parents and children to have a meaningful visit or to arrange for an exchange of children for visits.

The Center will provide the following visitation services:

✧ **VISITATION EXCHANGE:**

As a safe place for the custodial parent to exchange children with the non-custodial parent for visitation, without having face-to-face contact. The Family Safety Center will be used specifically in cases where there may be a history of spouse abuse, harassment, or any other stressful visitation situation.

✧ **VISITATION WITH ABUSIVE PARENTS:**

Provide supervised visitation in cases where there is documented or suspected sexual, physical, or emotional abuse. The level of supervision is determined according to need.

✧ **HEALTHY VISITATION ENVIRONMENT:**

The Family Safety Center strives to provide a neutral and non-threatening environment in which parents may interact with their children while creating positive memories.

The Center will provide children's books, games, puzzles and toys as well as snacks and beverages.

**Who Can Use The Center?**

The facility provides a secure, child-oriented environment. The Family Safety Center and its support services are available to parents and their children.

In addition, the Center will offer professionally-led education and support groups for mothers, fathers, grade-schoolers and teens. The groups will include information on dealing with separation and divorce, abuse issues, and positive parenting techniques. Individual consultations will be available with a trained professional on a request basis.

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For more information call:

Family Safety Center Coordinator

218 West Broadway Avenue  
PO Box 167  
Bismarck, ND 58502  
(701) 222-1053  
(701) 222-3272 (Fax)



The Family Safety Center is a program of the Abused Adult Resource Center, developed with grants from the North Dakota Attorney General, Mid-Dakota Clinic, Dayton's, and the U.S. WEST Foundation.

Mr. Chairman and Members of the Appropriations Committee,

I am Audrey Cleary and I represent District 49, the northeast corner of Bismarck.

HB 1409 provides some monies for safe exchange centers. We realize how important it is to try to keep the family unit together. This is one way to provide for safe visitation (usually the father) when abuse or domestic violence has occurred. These children need to have a relationship with their father and this is the safe way to do it. This is a positive, humane approach to a very difficult issue.

Please support this useful tool in the arsenal of helping families.

Thank you.





# Children's Caucus

January 25, 1999

House Bill 1409

House Appropriations Committee

Chairman and members of the Appropriations Committee:

My name is Linda Isakson. I am the executive director of the Children's Caucus. The Children's Caucus is a grassroots membership organization formed to promote the health, welfare and safety of our children through education and policy development.

The Caucus stands in support of HB 1409.

The formation of visitation centers was born out of the need of children to maintain and rebuild relationship with estranged parents. As more violence was reported in our families, as we became more aware of the physical and sexual abuse perpetrated on children, as more drug and alcohol abuse became apparent, and as divorce continued to be litigious and contentious, child safety centers offered a neutral, child friendly safe environment in which well-trained personnel helped children feel secure while reuniting with non custodial parents.

We understand the need of children to be supported by both parents, not only financially but emotionally too. Judges, attorneys and child advocates are looking for opportunities to help families, divided by custody disputes, heal while making sure children are safe.

With state support Child Visitation Centers will allow a statewide access to supervised visitation and safe exchange services that are provided in the best possible way, with children as the priority.

In 1996 with the Personal Responsibility And work Opportunities Act laid the basis for welfare reform. We increased the emphasis on child support enforcement to help ease the difficulties of welfare reform. But the federal government also acknowledged the responsibility of supporting children emotionally as well as financially.

Congress

felt that visitation was important enough to set aside an allotment for each state to facilitate visitation between children and non-custodial parents. Visitation centers were one of the suggested uses of these funds. Congress also supported the idea that welfare should be surrounded by a variety of funded services if it was going to be successful. Making visitation safer and more accessible was just one of those services. I also see increased usage if the

Adoption and Safe families Act works as expected. If we concentrate on getting children out of foster care in 18 months, visitation centers can serve as a safe, supervised and educational environment in which child and parent can move toward reunification if recommended. Because of the close relationships between these mentioned programs I believe it is important that these moneys remain in the department of human services. It will allow for a more collaborative effort if each program is aware of the activities supported by these funds.

Supervised Visitation and safe exchange services should be community-based services. As in other states, North Dakota centers should be funded with blending of funds. Local support is essential if visitation centers are going to thrive within communities. Funds from outside granting sources are important too, but these funds are difficult to access if there is no financial commitment from state leadership and funds. With the commitment of state funds, federal funds may also be secured. Most centers currently operate on shoestring budgets. Their sources of revenue are limited to fees, fundraisers and small grants. Underfunded centers are not able to provide service to their full potential.

We would encourage guidelines that provide centers with similar services community to community. We would like to insure the quality of service from center to center and regulation to make sure that centers are accessible, effective and using state dollars effectively to leverage other funding.

This is an investment in the children; a population of children that is at risk. But this investment now, could mean healthier and happier young adults who understand the importance of good parenting.

Your consideration of this bill is appreciated. Please seize this opportunity to serve children and families.

Respectfully submitted:

Linda Isakson