

# MICROFILM DIVIDER

OMB/RECORDS MANAGEMENT DIVISION

SFN 2053 (2/85) 5M



ROLL NUMBER

DESCRIPTION

1037

2001 HOUSE HUMAN SERVICES

HB 1037

2001 HOUSE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. HB 1037

House Human Services Committee

Conference Committee

Hearing Date January 10, 2001

Tape Number	Side A	Side B	Meter #
Tape 1	X		0.1 to 5508
Tape 1		X	0.1 to 614
Committee Clerk Signature <i>Cornie Easton</i>			

Minutes:

Chairman Price, Rep. Dosch, Rep. Galvin, Rep. Klein, Rep. Pollert, Rep. Porter, Rep. Tieman, Rep. Weiler, Rep. Weisz, Rep. Cleary, Rep. Metcalf, Rep. Niemeier, Rep. Sandvig.

Chairman Price: We will open the hearing on HB 1037.

Rep. Delzer: HB 1037 is the result of the TANF study that was done during the interim. The budget committee on Human Services passed this out. What it would do is allow the state department to include domestic violence as one of the 20% exemptions to the 60-month time limit for TANF. He asked for favorable consideration.

Roxanne Hobza: Legislative Council Budget Committee on Human Services. Provided brief explanation of HB 1037. The bill relates to exemptions to the temporary assistance for needy families work requirements and sixty-month benefit limit. She specifically addressed the amendment of subsections c. and i.

John Hougen: Director of Public Assistance for the Department of Human Services. The bill identifies rights of domestic violence victims. (See Testimony)

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Chairman Price: The amendments that you have, are they in agreement with the council and your department?

John Hougen: Yes

Chairman Price: In the interim when we discussed this bill, obviously the screening process and referral process came up.

John Hougen: Absolutely. In looking at some figures of the first quarter of fiscal year 2000, and in that three month period, there were just 2 people that didn't qualify.

Chairman Price: You are saying the biggest benefit in subsection i. would be that it is specifically listed, and is an education process.

John Hougen: Chairman Price, that is correct.

Chairman Price: If someone refuses to leave a dangerous situation for them and their children, and we continue the assistance and keep them in that situation, how do we get them out of the danger?

John Hougen: It is unfortunate in some situations where people do make bad choices. What we would like to accomplish is to recommend treatment.

Rep. Dosch: If they are exempt from the 5-year and can go beyond the 60 month assistance, can they go on indefinitely.

John Hougen: There would have to be reassessment.

Chairman Price: How are you tracking the safety of the children?

John Hougen: Referrals from other agencies.

Chairman Price: So if you have a client who refuses the situation, you are watching over the children.

John Hougen: A lot of that has to do with referrals.

Linda Isakson: Council on Abused Women's Services. (See Testimony.)

Rep. Metcalf: These 5 steps you are talking about, they currently can't be accomplished without this bill?

Linda Isakson: They aren't being implemented right now. They aren't always successful.

Rep. Dosch: In your presentation you indicated that this bill will provide survivors of domestic violence with an additional tool to help them and their children remain independent and work toward self-efficiency. How would that be accomplished when in essence you are telling them that they can stay on the system after 5 years? Let's help them generate their own income so they don't have to rely on the abusive spouse.

Linda Isakson: We need to seek treatment for these women. They need to get safe housing or protection orders.

Rep. Dosch: Don't you think 5 years is a sufficient window of opportunity.

Linda Isakson: If a woman is on TANF, and we have provided a sound support system, we would tell them it is time to start the job program. Women will move in and out of the system two or three times. My experience with these women is that they want to be off the system, they want to improve their lives. Knowing that there is some reserve time, it is not going to keep them from being independent.

Rep. Pollert: You made a statement that some of these women are going to be back in the system two or three times, are you saying that we are going to continue with the TANF benefit even though it has been proven that two or three times she has left and goes back to the spouse, I find that to be of a problem.

Linda Isakson: Traditionally it takes women several times to get a handle on what is going on with their lives. We can give them the tools and show them a better way, but things keep cropping up.

Rep. Galvin: I have to agree with Rep. Doseh. Our overall goal in welfare reform is to get people off the system.

Rep. Niemeier: It seems to me that the issue here is in the language. Is the language standard across the country. Secondly, a lot of victims don't even identify themselves as being in an abnormal situation because they have been brainwashed to the effect that they are lucky to have this protector in their family situation. Does shedding some light on the language of domestic violence help that woman identify herself as a woman who deserves a better life.

Linda Isakson: We are asking for additional time to make women safe so that when they do go out in the work force, they are ready.

Rep. Klein: What percent of the TANF individuals leave before the 5 years now? There are approximately 2,000 that are repeats. How many times are they repeating? What is the history of that?

Linda Isakson: I don't know about the TANF question. Certainly there will be repeats.

Rep. Pollert: Question to Mr. Hougen. Can you enlighten me on the 20% exemption.

John Hougen: We took a look at our case load.

Rep. Pollert: Your amendments shows on the first page under a.1 that the department will inform all temporary assistance for needy family applicants. So are you going to go back to all the people on TANF and let them know about this option or just the ones that have a domestic violence issue?

John Hougen: Yes, everybody would be notified.

Rep. Pollert: After the 1st, or 2nd, or 3rd consultation with the spouses, does domestic violence taper off? Is there something that tells us this is working, or are we prolonging the problem for them?

John Hougren: It takes awhile for people to break the link.

Rep. Porter: What point in time do we draw the line?

John Hougren: TANF is only available to victims with children until they turn 18. We do want to move them towards the workforce to make them more self-sufficient.

Chairman Price: We will have more discussions before we take any action on this. As much as the issue in front of us today is the fact that the screenings of the referrals has not worked as everyone would like it to work, and that is the main reason the bill is here. Am I understanding that correctly? We are trying to actually make that process work.

Bonnie Pollachek: To have it in the statute makes it much clearer for us to be able to move forward together on training programs.

Chairman Price: We will now close the hearing on HB 1037

2001 HOUSE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. HB 1037 A

House Human Services Committee

Conference Committee

Hearing Date February 20, 2001

Tape Number	Side A	Side B	Meter #
(Tape didn't work)			
Committee Clerk Signature <i>Corinne Carter</i>			

Minutes:

Chairman Price, Vice Chairman Devlin, Rep. Dosch, Rep. Galvin, Rep. Klein, Rep. Pollert,  
Rep. Porter, Rep. Tieman, Rep. Weiler, Rep. Weisz, Rep. Cleary, Rep. Metcalf, Rep. Niemeier,  
Rep. Sandvig

**COMMITTEE WORK:**

**DO NOT PASS 14 YES 0 NO 0 ABSENT CARRIED BY REP. WEISZ**



## FISCAL NOTE

Requested by Legislative Council  
12/14/2000

Bill/Resolution No.: HB 1037

Amendment to:

**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.*

	1999-2001 Biennium		2001-2003 Biennium		2003-2005 Biennium	
	General Fund	Other Funds	General Fund	Other Funds	General Fund	Other Funds
<b>Revenues</b>						
<b>Expenditures</b>						
<b>Appropriations</b>						

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

1999-2001 Biennium			2001-2003 Biennium			2003-2005 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.*

There is no anticipated fiscal impact resulting from this bill amendment. The bill amendment clarifies that Domestic Violence should be treated as an incapacity, which allows recipients to be excused temporarily from work requirements. This would also allow recipients to receive assistance beyond the 60 month time limit imposed by federal regulations. This is allowed under the current statute, however, this proposed bill is a clarification of that statute. System changes would not be required if this amendment passes.

**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.*

**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.*

**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.*

<b>Name:</b>	Brenda Weisz	<b>Agency:</b>	Department of Human Services
<b>Phone Number:</b>	328-2397	<b>Date Prepared:</b>	12/18/2000

Date: 2-20-01  
Roll Call Vote #: 1

2001 HOUSE STANDING COMMITTEE ROLL CALL VOTES  
BILL/RESOLUTION NO. HB 1037

House Human Services Committee

Subcommittee on \_\_\_\_\_  
or  
 Conference Committee

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

Action Taken DO NOT PASS

Motion Made By Rep. Weisz Seconded By Rep. Klein

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

Total (Yes) 14 No \_\_\_\_\_

Absent \_\_\_\_\_

Floor Assignment Rep. Weisz

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

**REPORT OF STANDING COMMITTEE (410)**  
February 21, 2001 8:07 a.m.

**Module No: HR-32-4132**  
**Carrier: Weisz**  
**Insert LC: . Title: .**

**REPORT OF STANDING COMMITTEE**

**HB 1037: Human Services Committee (Rep. Price, Chairman) recommends DO NOT PASS (14 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1037 was placed on the Eleventh order on the calendar.**

2001 TESTIMONY

HB 1037

**TESTIMONY BEFORE THE  
HOUSE HUMAN SERVICES COMMITTEE  
REGARDING HOUSE BILL NO. 1037  
JANUARY 10, 2001**

**Chairman Price, members of the House Human Services Committee, my name is John Hougen. I am Director of Public Assistance for the Department of Human Services.**

**House Bill 1037 identifies victims of domestic violence as being able to be temporarily waived from participation in work activities and also being able to qualify under the 20% hardship exemption to continue receiving TANF assistance beyond the 60<sup>th</sup> month of assistance.**

**My testimony will be brief. Previously, we had included victims of domestic violence under the incapacity exemption. This allowed them the same considerations being proposed in this bill. Very few victims of domestic violence have been identified to receive this TANF waiver. This bill, by speaking specifically to domestic violence, is a further attempt to recognize the difficulty victims of domestic violence can have in becoming self-sufficient.**

**A first vote was taken on this bill by the Interim Human Services Committee. I was asked to work with advocates for domestic violence victims to make a bill that they and the Department of Human Services would be in favor of. I worked with Linda Isakson and Bonnie Palecek from the North Dakota Council of Abused Women's Services on the language of this bill.**

**The original bill amended subsection 1 of section 50-09-29 in two places. This proposed amendment is to create a new unnumbered subsection to section**

