

MICROFILM DIVIDER

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



ROLL NUMBER

DESCRIPTION

2014

2007 SENATE APPROPRIATIONS

SB 2014

2007 SENATE STANDING COMMITTEE MINUTES

Bill/Resolution No. 2014

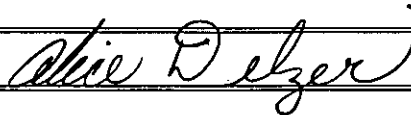
Senate Appropriations Committee

Check here for Conference Committee

Hearing Date: 01-22-07

Recorder Job Number: 1511

Committee Clerk Signature



Minutes:

Chairman Holmberg opened the hearing at 11:00 am on January 22, 2007 regarding SB 2014 in reference to the appropriation for defraying the expenses of the **Committee** on Protection and Advocacy (PA)

Written Testimony (1) was distributed to the Committee from Jack McDonald, on behalf of The Arc of North Dakota. He was not here to testify.

There was a slight delay in further testimony as the Protection and Advocacy Department had the wrong time on their records for presenting testimony. The Legislative Council hands out a tentative schedule and the times may change.

James Jacobson Director of Protection and Advocacy Projects, the Protective Services Unit asked for the Committee's support for this bill. Case loads have become stable or rising through the years and we also see an increase of funding on the federal level which has been very helpful to our department. Funding has been provided by the federal government for the Assistant Technology Program and the Traumatic Brain Injury Program. We work very cooperatively with the State Department of Human Services (DHS) to try to receive funding for wages for people in that population. We see a continued need for our Protection and Advocacy Services and I am available for any questions the committee may have.

Chairman Holmberg asked if the Department was aware of two new FTE's in the budget on the federal level and since they are involved in the funding do we have a choice on the state level whether to participate in this funding.

Senator Christmann asked questions regarding the federal funding, is there a mandate that these funds be used for federal employees only and requested an explanation in the responsibilities of the person hired in reference to the Help America Vote Act.

Corinne Hoffman, Director of Policy and Operations of the Protection and Advocacy Project (P AND A) had written testimony (2) and gave oral testimony giving the highlights of the services of her department and a budget review. She stated the Protection and Advocacy agency is governed by an independent 7 member board, 2 are appointed by the Governor, 2 by the Legislative Council and three by advocacy organizations. The Agency receives federal funding for 7 advocacy programs by grants or other sources. Our primary mandate is to pursue legal, administrative and other appropriate remedies to ensure protection and assert the rights of people with disabilities. Written testimony (3) was distributed and the Protection and Advocacy Project Budget Analysis for 2007-2009 (4) was also distributed to the Committee

Jon Larson, Executive Director of ENABLE, INC. presented written testimony (5) in support of the SB2014 and gave oral testimony in support of the bill.

Chairman Holmberg stated all they require is in the budget and requested all interested parties at the hearing to sign the Registration Sheet. Those present in support of the bill but did not testify were James Moen, Joyce Smith, Connie Hofmann, Dotty Simes, Pamela Mack and Elaine Grasl. Ms. Grasl submitted written testimony (6) after the hearing was completed.

The hearing on SB 2014 was closed by Chairman Holmberg.

2007 SENATE STANDING COMMITTEE MINUTES

Bill/Resolution No. 2014

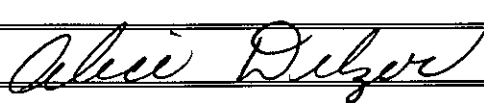
Senate Appropriations Committee

Check here for Conference Committee

Hearing Date: 01-25-07

Recorder Job Number: 1954

Committee Clerk Signature



Minutes:

Vice Chairman Grindberg opened the hearing on SB 2014 regarding the OMB Budget on January 25, 2007. Senator Holmberg was called out to testify regarding other bills. He stated that he didn't believe there were any requests for any amendments but just note that there are two FTE's that are federally funded, one for Advocate for Disabilities and one for the Help America Vote Act. Could Council verify this for the committee. He was informed that one is federally funded and one is partially federally funded.

Senator Robinson moved a DO PASS, Senator Seymour seconded. Senator Grindberg asked for discussion.

Senator Christmann asked the question that it appears it is a game to move one of the new positions to one fund and the other one to another fund. Not so sure he completely convinced it is necessary for the Help America Vote position, but will go along with it. OMB gave further explanation regarding this position. No further discussion.

A roll call vote was taken resulting in 12 yeas, 0 no, 2 absent. The motion carried.

Senator Robinson will carry the bill. The hearing on SB 2014 closed.

Date: 1-25-07
Roll Call Vote #: 1

2007 SENATE STANDING COMMITTEE ROLL CALL VOTES
BILL/RESOLUTION NO. 2014

Senate Appropriations Committee

Check here for Conference Committee

Legislative Council Amendment Number _____

Action Taken do pass

Motion Made By Robinson Seconded By Seymour

Senators	Yes	No	Senators	Yes	No
Senator Ray Holmberg, Chrm	✓		Senator Aaron Krauter	✓	
Senator Bill Bowman, V Chrm			Senator Elroy N. Lindaas	✓	
Senator Tony Grindberg, V Chrm	✓		Senator Tim Mathern	✓	
Senator Randel Christmann	✓		Senator Larry J. Robinson	✓	
Senator Tom Fischer	✓		Senator Tom Seymour	✓	
Senator Ralph L. Kilzer	✓		Senator Harvey Tallackson		
Senator Karen K. Krebsbach	✓				
Senator Rich Wardner	✓				

Total (Yes) 12 No 0

Absent 2

Floor Assignment Robinson

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

REPORT OF STANDING COMMITTEE (410)
January 25, 2007 4:26 p.m.

Module No: SR-17-1276
Carrier: Robinson
Insert LC: . Title: .

REPORT OF STANDING COMMITTEE

SB 2014: Appropriations Committee (Sen. Holmberg, Chairman) recommends DO PASS
(12 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). SB 2014 was placed on the
Eleventh order on the calendar.

2007 HOUSE APPROPRIATIONS

SB 2014

2007 HOUSE STANDING COMMITTEE MINUTES

Bill/Resolution No. SB 2014

House Appropriations Committee
Human Resources Division

Check here for Conference Committee

Hearing Date: February 26, 2007 - Time: 2:15 pm

Recorder Job Number: 3893

Committee Clerk Signature

Donna Kramer

Minutes:

Rep. Chet Pollert, Chairman opened the hearing on **SB 2014**, A Bill for an Act to provide an appropriation for defraying the expenses of the committee on protection and advocacy. All

division members present: **Representatives Larry Bellew, Vice Chairman, James**

Kerzman, Ralph Metcalf, Mary Ekstrom, Jon Nelson, Gary Kreidt, and Alon Wieland.

Teresa Larsen, Executive Director of the Protection & Advocacy Project, testified highlighted P&A's services and reviewed the budget request for the biennium. (Written testimony provided)

Questions were asked about the number of full-time attorneys ... 2 new positions ...

disappearance of federal dollars ... DD providers advocates ... Developmental Center - 30 individuals to be discharged this biennium.

Teresa handed out written testimony from a parent of a disabled person.

Questions were asked regarding "Help America Act" and the rise in utilization of on-going services.

Chairman Pollert stated the spend down would be reviewed at a later date.

Adjournment.

2007 HOUSE STANDING COMMITTEE MINUTES

Bill/Resolution No. SB 2014

House Appropriations Committee
Human Resources Division

Check here for Conference Committee

Hearing Date: March 8, 2007 - Time: 8:30 am

Recorder Job Number: 4624

Committee Clerk Signature

Donna Kramer

Minutes:

Rep. Chet Pollert, Chairman opened the hearing on **SB 2014**, A Bill for an Act to provide an appropriation for defraying the expenses of the committee on protection and advocacy. All

division members present: **Representatives Larry Bellew, Vice Chairman, James**

Kerzman, Ralph Metcalf, Mary Ekstrom, Jon Nelson, Gary Kreidt, and Alon Wieland.

Teresa Larsen, Executive Director of the Protection & Advocacy Project, introduced

Christina McComish who spoke in support of Protection and Advocacy. (Written testimony attached) She used a machine equivalent to a laptop which is in Braille to help her give her testimony and explained what the machine could do. She said she was visually impaired.

Teresa handed out information about the office in Belcourt and some case summaries of the work of the work that is being done there.

Question was asked about the authority of P&A on the reservation and Teresa responded by saying they do have some authority in certain areas. Some of students are covered under IDEA and so they do have authority to work those children. She said they do networking.

Teresa began explaining and reviewing the spend down budget. (Copy of her testimony is attached) Questions were asked regarding the salaries and computers.

Corrine Hoffman explained the IT equipment costs, rate changes and services. Questions were asked about the IT costs - telephone and there was some discussion about long distance calling.

Teresa continued with Professional Development and answered questions. Fees for professional services was explained and includes using legal services that are contracted for as well as interpreters and consultants. The funds were moved over and are kept in reserve.

Representative Kerzman asked how much was in the reserve now and the answer was \$203,500 in the line item for the next biennium which are all federal funds.

The last item was Grants and this was explained. The total operating will decrease by \$52,329 and total budget increases by \$335,709.

Laurie of OMB stated the salaries of the 2 FTEs were \$34,000 and \$13,000 for benefits for a total of \$47,975.

Teresa continued answering questions as to what the two FTEs would do and this was explained. The number of the caseload was to be submitted later. Questions were asked about the Help America Vote Act and the Secretary of State office. Teresa explained they worked with the Secretary of State's office to make sure that voting is accessible for disabled persons. Continued discussion regarding operating funds and FTEs on HAVA program. A breakdown of federal funds report was requested.

Adjournment.

2007 HOUSE STANDING COMMITTEE MINUTES

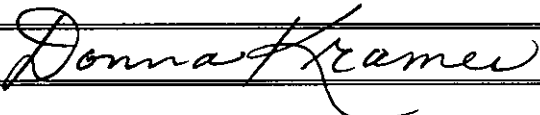
Bill/Resolution No. SB 2014

House Appropriations Committee
Human Resources Division

Check here for Conference Committee

Hearing Date: March 19, 2007 - Time: 8 am

Recorder Job Number: 5280

Committee Clerk Signature 

Minutes:

Rep. Chet Pollert, Chairman opened the hearing on **SB 2014**, A Bill for an Act to provide an appropriation for defraying the expenses of the committee on protection and advocacy. All division members present: **Representatives Larry Bellew, Vice Chairman, James**

Kerzman, Ralph Metcalf, Mary Ekstrom, Jon Nelson, Gary Kreidt, and Alon Wieland.

Representative Bellew submitted two amendments to SB 2014. (Attachments) Amendment 78038.0101 removing the new FTE for the HAVA program which is handled through the Secretary of State's office. Amendment 73038.0102 removes the new position if Federal funds go away.

Motion from Representative Bellew to approval of 0101. Seconded from Representative Kreidt. Questions and discussion followed as the number 3 position on the green sheet ... whether this had been coordinated with the Secretary of State office. Funds were mentioned and it was stated there were already dollars allocated towards this project.

Roll call vote was taken. 4 yes, 3 no and 1 absent. Approved.

Motion from Representative Bellew and second from Representative Wieland to approve

Amendment 0102. Discussion on intent ... the program would have to be justified ... if Federal dollars go away, the position would have to be funded by General funds.

Page 2

House Appropriations Committee

Human Resources Division

Bill/Resolution No. 2014

Hearing Date: March 19, 2007

Discussion with **Teresa Larsen, Executive Director of the Protection & Advocacy Project**, and she stated there was an understanding about the Federal funds.

Roll call vote on Amendment 78038.0102. Six 6 and 1 No and 1 absent. Approved.

Representative Bellew moved for a "Do Pass As Amended" on SB 2014. Seconded by Representative Wieland.

Roll call vote: 7 yes and 0 no and 1 absent.

Carrier: Representative Bellew

Adjournment.

2007 HOUSE STANDING COMMITTEE MINUTES

Bill/Resolution No. SB 2014

House Appropriations Committee

Check here for Conference Committee

Hearing Date: March 21, 2007

Recorder Job Number: 5387

Committee Clerk Signature

Holly N. Aard

Minutes:

Chm. Svedjan opened the hearing on SB 2014.

Rep. Bellew distributed amendment .0103 (Attachment A).

Rep. Bellew motioned to adopt amendment .0103. **Rep. Pollert** seconded the motion.

Rep. Bellew: This is a budget called the Protection and Advocacy budget (PA). As you can see it is mostly federally funded. What these amendments do is that it adds one FTE to assist with help America Vote Act. My contention was because that we have the funds in the Secretary of States' office. Both PA and the Secretary of State disagree with that. However I would like the amendment to stand to remove the position. I don't know that they justified increasing this position. The second amendment we added was one that says the federal funding goes away from some of these positions and the position goes away too. With that, those are the amendments.

Rep. Kempenich: That all goes to the counties anyway, what does this person do? How are they going to work this?

Rep. Bellew: I don't remember the total discussion.

Rep. Kempenich: I was just curious as to what that one person was going to work that.

Rep. Wieland: It has to do with handicap.

Rep. Kreidt: It was in regards to handicap accessibility and we don't know how that was going to come down.

Rep. Nelson: I can add something to the discussion on that. The funding was a 50/50 state and federal match. The \$51,000 would mean an offset of \$51,445 for federal funds in that position as well.

Chm. Svedjan: The reduction to the federal fund is \$51,000.

Rep. Pollert: I'm just going to read off a testimony we got. This position will be designed to absorb additional administrative demands created by an increase in the number of federal grants received and changes in state administrative requirements and processes. The employee in this position will also work on voting activities while funds remain available or the grant be refunded. It's to help a little bit for administrative programs for voters or people with disabilities but that was only part of what it was. We felt that they hadn't brought forward to us for the whole reason why. It was more to help with the administrative. I think the feeling of most on the Section was it wasn't as much as helping disabilities was as to help administratively.

Chm. Svedjan: Is there any more discussion?

Rep. Metcalf: I realize there are two sections basically with this addition of the legislative intent. Is there anyway that we can vote for the legislative intent but not for the reduction of the position?

Chm. Svedjan: We can move to adopt these amendments and we can move to further amend.

The motion to adopt amendment .0103 carried by voice vote and the amendment was adopted.

Rep. Bellew motioned for a Do Pass as Amended. Rep. Kreidt seconded the motion. The motion for a Do Pass as Amended carried by a roll call vote of 15 ayes, 8 nays and 1 absent and not voting. Rep. Bellew was designated to carry the bill.

PROPOSED AMENDMENTS TO SENATE BILL NO. 2014

Page 1, line 14, replace "335,709" with "232,821"

Page 1, line 15, replace "233,892" with "182,449"

Page 1, line 16, replace "101,817" with "50,372"

Page 2, line 1, replace "4,056,688" with "3,953,800"

Page 2, line 2, replace "3,142,778" with "3,091,335"

Page 2, line 3, replace "913,910" with "862,465"

Renumber accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

Senate Bill No. 2014 - Protection and Advocacy Project - House Action

	EXECUTIVE BUDGET	SENATE VERSION	HOUSE CHANGES	HOUSE VERSION
Protection and Advocacy Project	<u>\$4,056,688</u>	<u>\$4,056,688</u>	<u>(\$102,888)</u>	<u>\$3,953,800</u>
Total all funds	\$4,056,688	\$4,056,688	(\$102,888)	\$3,953,800
Less estimated income	<u>3,142,778</u>	<u>3,142,778</u>	<u>(51,443)</u>	<u>3,091,335</u>
General fund	\$913,910	\$913,910	(\$51,445)	\$862,465
FTE	27.50	27.50	(1.00)	26.50

Dept. 360 - Protection and Advocacy Project - Detail of House Changes

	REMOVES 1 FTE POSITION ¹	TOTAL HOUSE CHANGES
Protection and Advocacy Project	<u>(\$102,888)</u>	<u>(\$102,888)</u>
Total all funds	(\$102,888)	(\$102,888)
Less estimated income	<u>(51,443)</u>	<u>(51,443)</u>
General fund	(\$51,445)	(\$51,445)
FTE	(1.00)	(1.00)

¹ This amendment removes funding for 1 FTE position that was included in the executive budget to assist with the Help America Vote Act program.

Date: 03-19-07
Roll Call Vote #: 1

2007 HOUSE STANDING COMMITTEE ROLL CALL VOTES
BILL/RESOLUTION NO. 2014

House HUMAN RESOURCES DIVISION Committee

Check here for Conference Committee

Legislative Council Amendment Number 78038.0101

Action Taken Approved

Motion Made By Bellew Seconded By Kreidt

Representatives	Yes	No	Representatives	Yes	No
Chairman Pollet	X		Rep. Nelson		X
Vice Chairman Bellew	X		Rep. Kerzman		
Rep. Wieland	X		Rep. Metcalf		X
Rep. Kreidt	X		Rep. Ekstrom		X

Total (Yes) 4 No 3

Absent 1

Floor Assignment _____

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

Removes new FTE position

Approved

PROPOSED AMENDMENTS TO SENATE BILL NO. 2014

Page 1, line 2, after "advocacy" insert "; and to provide legislative intent"

Page 2, after line 3, insert:

**"SECTION 4. LEGISLATIVE INTENT - FEDERALLY FUNDED DISABILITIES
ADVOCATE.** It is the intent of the sixtieth legislative assembly that if federal funds are
not available for the new disabilities advocate position provided for in this Act, the
position will not be filled and will be eliminated in the agency's 2009-11 budget request."

Renumber accordingly

Date: 03-19-07
Roll Call Vote #: 2

2007 HOUSE STANDING COMMITTEE ROLL CALL VOTES
BILL/RESOLUTION NO. 2014

House HUMAN RESOURCES DIVISION Committee

Check here for Conference Committee

Legislative Council Amendment Number 78038.0102

Action Taken Approved

Motion Made By Bellew Seconded By Wieland

Representatives	Yes	No	Representatives	Yes	No
Chairman Pollet	X		Rep. Nelson	X	
Vice Chairman Bellew	X		Rep. Kerzman		
Rep. Wieland	X		Rep. Metcalf	X	
Rep. Kreidt	X		Rep. Ekstrom		X

Total (Yes) 6 No 1

Absent 1

Floor Assignment _____

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

New position goes if Federal funds 90.

Date: 03-19-07
Roll Call Vote #: 3

2007 HOUSE STANDING COMMITTEE ROLL CALL VOTES
BILL/RESOLUTION NO. 2014

House HUMAN RESOURCES DIVISION Committee

Check here for Conference Committee

Legislative Council Amendment Number _____

Action Taken Do pass as amended

Motion Made By Bellew Seconded By Wieland

Representatives	Yes	No	Representatives	Yes	No
Chairman Pollert	X		Rep. Ekstrom	X	
Rep. Bellew	X		Rep. Kerzman		
Rep. Kreidt	X		Rep. Metcalf	X	
Rep. Nelson	X				
Rep. Wieland	X				

Total (Yes) 7 No 0

Absent 1

Floor Assignment Bellew

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

Passed

Date: 3/21/07
Roll Call Vote #: 1

2007 HOUSE STANDING COMMITTEE ROLL CALL VOTES
BILL/RESOLUTION NO. 2014

House Appropriations Full Committee

Check here for Conference Committee

Legislative Council Amendment Number 78038.0103

Action Taken Adopt amend. 0103

Motion Made By Bellew Seconded By Pollert

Representatives	Yes	No	Representatives	Yes	No
Chairman Svedjan					
Vice Chairman Kempenich					
Representative Wald			Representative Aarsvold		
Representative Monson			Representative Gulleson		
Representative Hawken					
Representative Klein					
Representative Martinson					
Representative Carlson			Representative Glassheim		
Representative Carlisle			Representative Kroeber		
Representative Skarphol			Representative Williams		
Representative Thoreson					
Representative Pollert			Representative Ekstrom		
Representative Bellew			Representative Kerzman		
Representative Kreidt			Representative Metcalf		
Representative Nelson					
Representative Wieland					

Total (Yes) _____ No _____

Absent _____

Floor Assignment _____

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

Voice Vote - Carries

Date: 3/21/07
 Roll Call Vote #: 2

2007 HOUSE STANDING COMMITTEE ROLL CALL VOTES
 BILL/RESOLUTION NO. 2014

House Appropriations Full Committee

Check here for Conference Committee

Legislative Council Amendment Number 78038.0103

Action Taken No Pass as amended

Motion Made By Bellew Seconded By Kreidt

Representatives	Yes	No	Representatives	Yes	No
Chairman Svedjan	✓				
Vice Chairman Kempenich	✓				
Representative Wald	✓		Representative Aarsvold		✓
Representative Monson	✓		Representative Gulleon		✓
Representative Hawken	✓				
Representative Klein	✓				
Representative Martinson	✓				
Representative Carlson	✓		Representative Glassheim		✓
Representative Carlisle	✓		Representative Kroeber		✓
Representative Skarphol	✓		Representative Williams		✓
Representative Thoreson	✓				
Representative Pollert	✓		Representative Ekstrom		✓
Representative Bellew	✓		Representative Kerzman		✓
Representative Kreidt	✓		Representative Metcalf		✓
Representative Nelson	✓				
Representative Wieland	✓				

Total (Yes) 15 No 8

Absent 1

Floor Assignment Bellew

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

REPORT OF STANDING COMMITTEE

SB 2014: Appropriations Committee (Rep. Svedjan, Chairman) recommends AMENDMENTS AS FOLLOWS and when so amended, recommends DO PASS (15 YEAS, 8 NAYS, 1 ABSENT AND NOT VOTING). SB 2014 was placed on the Sixth order on the calendar.

Page 1, line 2, after "advocacy" insert "; and to provide legislative intent"

Page 1, line 14, replace "335,709" with "232,821"

Page 1, line 15, replace "233,892" with "182,449"

Page 1, line 16, replace "101,817" with "50,372"

Page 2, line 1, replace "4,056,688" with "3,953,800"

Page 2, line 2, replace "3,142,778" with "3,091,335"

Page 2, line 3, replace "913,910" with "862,465"

Page 2, after line 3, insert:

"SECTION 4. LEGISLATIVE INTENT - FEDERALLY FUNDED DISABILITIES ADVOCATE. It is the intent of the sixtieth legislative assembly that if federal funds are not available for the new disabilities advocate position provided for in this Act, the position will not be filled and will be eliminated in the agency's 2009-11 budget request."

ReNUMBER accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

Senate Bill No. 2014 - Protection and Advocacy Project - House Action

	EXECUTIVE BUDGET	SENATE VERSION	HOUSE CHANGES	HOUSE VERSION
Protection and Advocacy Project	<u>\$4,056,688</u>	<u>\$4,056,688</u>	<u>(\$102,888)</u>	<u>\$3,953,800</u>
Total all funds	\$4,056,688	\$4,056,688	(\$102,888)	\$3,953,800
Less estimated income	<u>3,142,778</u>	<u>3,142,778</u>	<u>(51,443)</u>	<u>3,091,335</u>
General fund	\$913,910	\$913,910	(\$51,445)	\$862,465
FTE	27.50	27.50	(1.00)	26.50

Dept. 360 - Protection and Advocacy Project - Detail of House Changes

	REMOVES 1 FTE POSITION 1	TOTAL HOUSE CHANGES
Protection and Advocacy Project	<u>(\$102,888)</u>	<u>(\$102,888)</u>
Total all funds	(\$102,888)	(\$102,888)
Less estimated income	<u>(51,443)</u>	<u>(51,443)</u>
General fund	(\$51,445)	(\$51,445)
FTE	(1.00)	(1.00)

1 This amendment removes funding for 1 FTE position that was included in the executive budget to assist with the Help America Vote Act program.

A section is added to provide legislative intent that if federal funds are not available the new disabilities advocate position will not be filled and will be removed from the agency's 2009-11 budget request.

2007 SENATE APPROPRIATIONS

CONFERENCE COMMITTEE

SB 2014

2007 SENATE STANDING COMMITTEE MINUTES

Bill/Resolution No. 2014

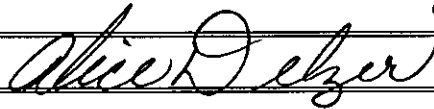
Senate Appropriations Committee

Check here for Conference Committee

Hearing Date: 04-09-07

Recorder Job Number: 5849

Committee Clerk Signature



Minutes:

Chairman Fischer opened the Conference Committee Hearing on SB 2014. All committee members were present. They are: Senators Krebsbach and Robinson; Representatives Bellew, Kreidt, and Ekstrom. Becky Keller, Legislative Council and Sheila Peterson, OMB were also present. Chairman Fischer asked Representative Bellew to explain the amendment #.0103.

Representative Bellew stated this was the second amendment added to the bill. Section 4 refers to the Legislative Intent regarding the Federally funded Disabilities Advocate and basically it says if the federal funding is not available the position will not be filled and will be eliminated in the agency's 2009-11 budget request. The second amendment says "This amendment removes funding for 1 FTE position that was included in the executive budget to assist with the Help America Vote Act program". Those were the two amendments the House added to the bill.

Chairman Fischer asked for further explanation regarding the federally funded.

Representative Bellew explained Disability Advocate is in the Bismarck office. This position is funded with federal dollars. The reason why we removed the second one is it says also included is 1 FTE for administrative position in the Bismarck office. This position is designed to absorb additional administrative demand created by an increase in the number of federal

grants received that changes the administrative requirements and process. We took that to mean that this position was going to be an administrative position. He continued to explain the employee in this position will also work on voting activities. It was our position that this employee would work on the voting activities as a secondary activity. And we thought that since this position is half funded some of us felt that this position should be more of a voting activity type of position.

Chairman Fischer stated would they rather have a Help America Vote Act position rather than an administrative position. He was told yes, even though half the funds are federal and half state. Chairman Fischer commented that this is partnered with the Secretary of State to have funds.

Senator Robinson said it was his understanding from testimony we heard they were making good use of the position. They were being good stewards and getting the most out of the resources that they invest in the position. There was question on our side as well about the addition here but after explanation and justification we came away thinking they were doing the right thing.

Representative Ekstrom stated the other aspect of this given these are federal dollars, the feds don't lightly give us grants and tell us we can do what we want with them. They give this money and tell us what they want us to do. As in the intention of Protection and Advocacy is to use it the way the federal government says we must and it seems to me we will be leaving federal dollars on the table by not refunding this position.

More discussion followed regarding the federally funded positions and the fact that there would be dual roles during voting activities for the administrative person.

Senator Robinson made comments regarding the agency and the things that happened within that agency in the past with this agency going through unusual scrutiny and the budgets

