

# MICROFILM DIVIDER

OMB/RECORDS MANAGEMENT DIVISION

SFN 2053 (2/85) 5M



ROLL NUMBER

DESCRIPTION

2302

2007 SENATE HUMAN SERVICES

SB 2302

## 2007 SENATE STANDING COMMITTEE MINUTES

Bill/Resolution No. SB 2302

Senate Human Services Committee

Check here for Conference Committee

Hearing Date: 1-23-07

Recorder Job Number: 1639, 1713, 1718

Committee Clerk Signature

*Mary K Monson*

Minutes:

Senator J. Lee, Chairman, opened the hearing on SB 2302 to provide an appropriation to the state department of health for providing grants to domestic violence sexual assault organizations.

Senator Nething (District #12) testified in support of SB 2302 and talked about the organizations that provide the services that are called the domestic violence sexual assault organizations. They break their services into core services and all the centers in North Dakota provide those services. They include emergency housing, a 24 hour crisis line, an advocacy program, supportive peer counseling etc. These are services that are provided to those individuals in an abusive situation and need to have a good place to go.

He provided a packet of information for the committee (Attachment #1).

Senator Dever asked what the governor did in the area of domestic violence and why this wasn't already included in his budget.

Senator Nething replied that there is \$210,000 included. This is an additional \$540,000 which brings the total needed up to \$750,000. This is to enhance. The problem is that they are losing grant money from federal sources.

Representative Delmore (District #43) testified in support of SB 2302 and is aware of the crisis in the crisis centers because she also works with the local board which gives out money.

There has been a decrease of about \$200,000/year just on the federal side. The centers serve 4,300 new victims of domestic violence and 843 new victims of sexual assault every year. The twenty centers provide a very valuable service.

Lynne Tally (Executive Director of Safe Shelter in Jamestown) See attached testimony #2 in favor of SB 2302.

Senator Dever asked if we were starting new programs or just funding what we are already doing.

Ms. Tally said they are only attempting to maintain the services they have, not adding new services or new staff.

Senator Warner commented that incarceration for a single perpetrator of sexual abuse would be about \$600,000 for about 20 years. To make that relative to the amount of the request, there are 843 victims of sexual assault.

Ms. Tally said that part of the money they are asking for will help pay for prevention services which, hopefully, will prevent sexual abuse and sexual assault from some occurring in the future. That would help save money that would be used for incarceration.

Diane Zainhofsky (Executive Director of the Abused Adult Resource Center/Bismarck) testified in favor of SB 2302. (Attachment #3)

Senator Warner asked how their organizations and tribal programs work this out.

Ms. Zainhofsky replied that they work out very nicely because, not all of their programs are new. Only eight of the 20 programs have shelters.

Lisa Weisz (Executive Director/Mercer County Women's Action and Resource Center and member of the ND Council on Abused Women's Services.) testified in support of SB 2302.

(Attachment #4)

Senator Erbele asked if, coming from a rural area, they were seeing an increase in cases of domestic violence and sexual assault.

Ms. Weisz said in their area it has been fairly stable.

Roberta Crows Breast (Director of the Fort Berthold Coalition against Violence and a member of the ND council on Abused Women's Services) See attached testimony #5 in support of SB 2302.

Greg Diehl (Executive Director of the Rape and Abuse Crisis Center of Fargo-Moorhead-RACC) provided testimony in support of SB2302. (Attachment #6)

Senator J. Lee referred to JAG money and asked if the YWCA is still part of the group that provides services to victims of violence.

Mr. Diehl said currently they are not. (Meter 34:25)

Senator J. Lee said at the time the Y was being prevented from being a part of the group.

(Meter 35:10)

Mr. Diehl thought, in the past, the major thing that prevented them from becoming part of the group was that the primary mission of the center had to be providing services to these clients.

At that time, their primary mission was more the racial equality and empowering of women.

Senator J. Lee said an organization such as theirs belongs in this group because they serve more people than any other entity in the state. They bring a lot to the table.

Mr. Diehl said they are trying to work closer together with them now.

Senator Dever wanted to make Mr. Diehl aware that there was a bill in the works to beef up the staff in the Attorney General's office to deal with cases of child abuse across the state at the

request of the Association of Counties. He then referred to page one of Mr. Diehl's testimony and asked if there is any effort made to make perpetrators pay for the violence they perpetrate. Mr. Diehl replied that, in their case, as part of the sentencing there is a requirement to pay the center for some of the treatment of the victim. The history with a lot of perpetrators is not very reliable.

Bonnie Palecek (ND Council on Abused Women's Services) had responses to questions that were previously asked. In terms of the issue of offenders paying for their portion of responsibility in these crimes, there is the option of the \$25 victim/witness fee for people who are convicted of crimes of violence and other crimes that goes into a fund. Those funds are distributed on a county level.

Originally they were organized according to the way the statute reads defining domestic violence and sexual assault programs. (Meter 40:50) They are in the process of restructuring their organization.

Funding is always an issue. More programs have been added over the years with that primary mission.

The reason for not being in the governor's budget is not for lack of trying. They repeatedly attempted to be in the budget. (Meter 42:35)

There was no opposing or neutral testimony.

The hearing on SB 2302 was closed.

#### **Job #1713**

Senator J. Lee opened SB 2302 for discussion and asked the committee what their thoughts were.

Senator Warner said one of the frustrations he has is that, so often, we wait until the courts intervene.

Discussion followed about a revenue comparison chart that documents the reductions and dollars they have gotten. Based on estimated holding and budget and estimated revenue, there is a \$753,000 shortfall. This is a continuing need and there was a question as to whether it can be amended so it says it will be a continuing appropriation? It will be rereferred anyway. Senator J. Lee said it is fine to have the policy discussion on an issue that probably should be a line item in either the human services or health dept. budget.

There was discussion on amending it to include it in the health dept. budget. The problem is that budget is in the House. The committee continued to talk about how to make this a continuing appropriation and if it would cause other problems.

Senator J. Lee asked the committee what they wanted to do. Is the goal to move it forward with the appropriation as requested or a different number?

Senator Erbele said he was comfortable with the bill as it is.

The committee indicated agreement.

#### **Job #1718**

Senator J. Lee asked the intern to report to the committee what he found out about continuing appropriations.

Chris Rausch, the intern, reported that in order to do a continuing appropriation there needs to be a specific fund created for it. This one comes out of the general fund so it has to be renewed for each biennium.

Senator Dever asked about the status for the \$210,000 that is in the budget now.

Senator Warner asked why the committee had the impression the \$210,000 is a continuing appropriation. Discussion followed about the \$210,000 and the decrease in federal funds.

Senator J. Lee recessed the committee work.

## 2007 SENATE STANDING COMMITTEE MINUTES

Bill/Resolution No. SB 2302

Senate Human Services Committee

Check here for Conference Committee

Hearing Date: 1-31-07

Recorder Job Number: 2361

Committee Clerk Signature

*Mary K. Mosson*

Minutes:

Senator J. Lee, Chairman, opened SB for discussion. She read an e-mail from the health department about her question concerning general funds. (Meter 1:10) The department suggested passing SB 2302 and then watching it in the House along with watching the budget after the cross over.

Senator Erbele moved a Do Pass and rerefer to Appropriations.

The motion was seconded by Senator Warner.

Roll call vote 6-0-0. Motion carried. Carrier is Senator Warner.



Date: 1-31-07

Roll Call Vote #: 1

2007 SENATE STANDING COMMITTEE ROLL CALL VOTES

BILL/RESOLUTION NO. SB 2302

Senate HUMAN SERVICES Committee

Check here for Conference Committee

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

Action Taken No Pass - Rerefer to Appropriations

Motion Made By Sen. Erbele Seconded By Sen. Warner

Senators	Yes	No	Senators	Yes	No
Senator Judy Lee, Chairman	✓		Senator Joan Heckaman	✓	
Senator Robert Erbele, V. Chair	✓		Senator Jim Pomeroy	✓	
Senator Dick Dever	✓		Senator John M. Warner	✓	

Total (Yes) 6 No 0

Absent 0

Floor Assignment Senator Warner

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

**REPORT OF STANDING COMMITTEE**

**SB 2302: Human Services Committee (Sen. J. Lee, Chairman) recommends DO PASS and BE REREFERRED to the Appropriations Committee (6 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2302 was rereferred to the Appropriations Committee.**

2007 SENATE APPROPRIATIONS

SB 2302

# 2007 SENATE STANDING COMMITTEE MINUTES

Bill/Resolution No. 2302

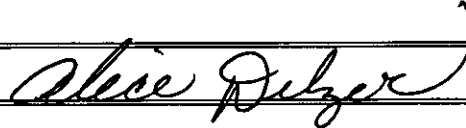
Senate Appropriations Committee

Check here for Conference Committee

Hearing Date: 02-08-07

Recorder Job Number: 3194

Committee Clerk Signature



Minutes:

**Chairman Holmberg** opened the hearing on SB 2302 on February 8, 2007 regarding State Department of health providing grants to domestic violence sexual assault organizations.

**Senator Dave Nething, District 12, Jamestown** presented written testimony (1) and gave oral testimony in support of SB 2302.

**Lynne Tally, Executive Director of Safe Shelter in Jamestown and Legislative Committee Chair for the North Dakota Council on Abused Women's Services** presented written testimony (2) and gave oral testimony in support of SB 2302.

**Chairman Holmberg** closed the hearing on SB 2302.

## 2007 SENATE STANDING COMMITTEE MINUTES

Bill/Resolution No. 2302

Senate Appropriations Committee

Check here for Conference Committee

Hearing Date: 02/13/07

Recorder Job Number: 3446

Committee Clerk Signature



Minutes:

**Chairman Holmberg** opened the hearing on SB 2302.

**Senator Mathern** moved a **DO PASS** on **SB 2302**, **Senator Krauter** seconded. A roll call vote was taken resulting in 6 yes, 7, no 1 absent. The motion failed.

**Senator Grindberg** moved a **DO NOT PASS** on **SB 2302**, **Senator Bowman** seconded. A roll call vote was taken resulting in 7 yes, 6 no, 1 absent. The motion carried. **Senator Grindberg** will carry the bill.

**Senator Holmberg** closed the hearing on SB 2302.

Date: 2/13/07  
Roll Call Vote #: 1

2007 SENATE STANDING COMMITTEE ROLL CALL VOTES  
BILL/RESOLUTION NO. 2302

Senate Appropriations Committee

Check here for Conference Committee

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

Action Taken DP

Motion Made By Mathern Seconded By Krauter

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) 6 No 7

Absent \_\_\_\_\_

Floor Assignment \_\_\_\_\_

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

*Fail*

Date: 2/13/07  
 Roll Call Vote #: 2

**2007 SENATE STANDING COMMITTEE ROLL CALL VOTES**  
**BILL/RESOLUTION NO. 2302**

Senate Appropriations Committee

Check here for Conference Committee

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

Action Taken DNP

Motion Made By Grindberg Seconded By Bowman

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) 7 No 6

Absent 1

Floor Assignment Grindberg

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

REPORT OF STANDING COMMITTEE (410)  
February 13, 2007 8:25 a.m.

Module No: SR-30-2988  
Carrier: Grindberg  
Insert LC: . Title: .

**REPORT OF STANDING COMMITTEE**

**SB 2302: Appropriations Committee (Sen. Holmberg, Chairman) recommends DO NOT PASS (7 YEAS, 6 NAYS, 1 ABSENT AND NOT VOTING). SB 2302 was placed on the Eleventh order on the calendar.**



2007 HOUSE HUMAN SERVICES

SB 2302

## 2007 HOUSE STANDING COMMITTEE MINUTES

Bill/Resolution No. SB 2302

House Human Services Committee

Check here for Conference Committee

Hearing Date: March 5, 2007

Recorder Job Number: 4321

Committee Clerk Signature

*Judy Dehock*

Minutes:

**Chairman Price:** We will open the hearing on SB 2302.

**Senator Dave Nething, District 12, of Jamestown:** This bill has been introduced to supplement the amount of dollars that was allocated in the Governors budget to increase 210,000 to 540,000. These funds would be distributed from the Health Department to 19 domestic violence sexual assault crises center in ND. It is difficult for the state to replace all the federal dollars that have been lost. Look at the value of the program, and the reason the dollars are needed. There are increased operating costs, and there are more individuals that are in need of these services. This is sad, but a fact of life.

**Bonnie Palecek, Executive Director Council on Abused Women:** See attachment of programs, and attached fact sheet on sexual assault and domestic violence in ND. I am mostly here to introduce to you people from around the state.

**Representative Conrad:** Is there a formula for the money distributed?

**Ms Palecek:** There is a formula, and it is not divided equally. Marriage license fees do help support violence. We are hoping the state will be able to do more.

**Greg Diehl, Executive Director of the Rape and Abuse Crisis Cent of Fargo-Moorhead:**  
See attached testimony.

**Sherri Doe, Director of Burleigh County Social Services:** I stand in support of SB 2302. I represent an agency that can't afford the services that was pointed out. This program is important to what we do. (Hard to hear and understand)

**Diane Zainhofsky, Executive Director of the Abused Adult Resources Center in Bismarck:** See attached testimony. More and more we have weapon users. Women in the community are not strangers. This is happening in every walk of life. This is a serious problem.

**Lisa Weisz, Executive Director of the Mercer County Women's Action and Resource Center, and member of the ND Council on Abused Women's Services:** See attached testimony.

**Keith Witt, Deputy Chief of Bismarck Police Department:** The programs and advocates that work with sexual assault and domestic violence play a key roll. We have police officers that can deal with and respond to these situations. We don't have the ability to deal properly with the victim. The agencies can fill that need. I don't know how we could accomplish what we need to do, to properly see the victims are dealt with and they get the services needed. I urge your support.

**Dianne Susag, survivor of domestic violence:** See attached testimony.

**Chairman Price:** Anyone else to testify for SB 2302? Any opposition? If not we will close SB 2302.

## 2007 HOUSE STANDING COMMITTEE MINUTES

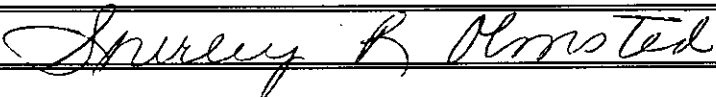
Bill/Resolution No. SB 2302

House Human Services Committee

Check here for Conference Committee

Hearing Date: March 13, 2007

Recorder Job Number: 5008

Committee Clerk Signature 

Minutes:

**Chairman Price** asked the committee to consider SB 2302. She handed out the ND Department of Health budget, attached as item #1.

**Representative Conrad** asked if some of this was federal funds.

**Chairman Price** said there are numerous sources of federal funds. The funds that I believe that are in 07-09 budget that are listed in that three million are still the cure.

**Representative Conrad** said but there would have been more?

**Chairman Price** said there still is a little increase this year because they are at \$3,335,500 and \$3,342,000 for the upcoming biennium and the block funding for \$35,000 is not showing and I think that is still up in the air.

**Bonnie Palichek** came to the podium.

**Representative Conrad** asked if they had been receiving federal funds directly from the federal government and that you are no longer receiving those funds. Is that right or are they funds that come through the state that wouldn't be on this sheet and you are no longer receiving?

**Ms. Palichek** said that the point they would like to be making about the federal funds is that most of them are discretionary and are directed towards certain projects. The monies that

have gone down are some of the direct services so there are big chunks of federal grants that come through from time and time to both individual programs and the state of North Dakota but it is the direct service money that we are concerned about. As far as the direct service money is concerned we have about 3.2 million that we need locally for direct services. It is true that there is a considerable amount of money that comes in for special projects that are federal funds.

**Representative Conrad** asked what part of the 3.2 million dollars are you not getting.

**Ms. Palichek** the 3.2 million dollars is what needs to be raised locally through the United Way or individual member donations and those kinds of things. It is not what is being lost on a federal level it is what needs to be raised.

**Chairman Price** said in the first biennium you got the marriage license fees and the additional three hundred forty thousand or somewhere in that neighborhood. Is that included in the 3.2?

**Ms. Palichek** said no it isn't included. The additional money from the six dollars that was added to the two hundred ten thousand that we have been getting per biennium from the state amounts to around sixty thousand dollars. The Health Department estimates a little bit higher so that they have the spending authority. The last biennium it raised about sixty thousand dollars in addition to the two hundred ten thousand in the general fund.

**Chairman Price** asked how much do you need to raise and how much did you raise in the current biennium.

**Ms. Palichek** said she would hesitate to put a dollar amount on that. That is the whole budget for the eighteen programs. That would be to hold even but we would have to raise that again so our point would be that we are not going to be able to make that difference because of lower contributions by individuals and other things that have made it difficult to raise money locally. We are seeing significant increases in sexual assault. We just completed our statistics

and we had a 15% increase last year alone in sexual assaults victims. We are receiving more requests.

**Representative Hatlestad** asked if she could give him the status of the bill that allowed 2 mills of county levy to support these programs. Do you know what the status is?

**Ms. Palichek** said the hearing was last Friday so I don't know that it came out of committee yet. The hearing was heard in the Senate. Overall we know that it is an opportunity but it will take a lot of work to pass a mill levy. We are looking for every opportunity that we can.

**Representative Conrad** said she thought they needed to let the appropriations committee balance the budget. If they decide to cut back this program may be possible. I would like to see us send this to appropriations and let them work their magic. All of these women are coming forward and we need someone to take care of them. She made a motion for a **do pass with referral to appropriations on SB 2302.**

**Representative Potter** seconded the motion.

**Chairman Price** asked for discussion. Hearing none, the clerk called the roll on a **do pass on SB 2302 with referral to appropriations.** Let the record show 7 yes, 5 no with all present.

**Representative Schneider** will carry this bill to the floor.

Date: 3/13  
Roll Call Vote #: 1

**2007 HOUSE STANDING COMMITTEE ROLL CALL VOTES**  
BILL/RESOLUTION NO. "Click here to type Bill/Resolution No."

House HUMAN SERVICES SB 2302 Committee

Check here for Conference Committee

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

Action Taken As passed R/R/ Appr

Motion Made By Rep. Conrad Seconded By Rep. Potter

Representatives	Yes	No	Representatives	Yes	No
Clara Sue Price - Chairman	✓		Kari L Conrad	✓	
Vonnie Pietsch - Vice Chairman		✓	Lee Kaldor	✓	
Chuck Damschen	✓		Louise Potter	✓	
Patrick R. Hatlestad	✓		Jasper Schneider	✓	
Curt Hofstad		✓			
Todd Porter		✓			
Gerry Uglen		✓			
Robin Weisz		✓			

Total (Yes) 7 "Click here to type Yes Vote" No 5 "Click here to type No Vote"

Absent 0

Floor Assignment Rep. Schneider

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

**REPORT OF STANDING COMMITTEE (410)**  
March 14, 2007 9:05 a.m.

**Module No: HR-48-5230**  
**Carrier: Schneider**  
**Insert LC: . Title: .**

**REPORT OF STANDING COMMITTEE**

**SB 2302: Human Services Committee (Rep. Price, Chairman) recommends DO PASS and BE REREFERRED to the Appropriations Committee (7 YEAS, 5 NAYS, 0 ABSENT AND NOT VOTING). SB 2302 was rereferred to the Appropriations Committee.**



2007 HOUSE APPROPRIATIONS

SB 2302

# 2007 HOUSE STANDING COMMITTEE MINUTES

## Bill No. SB 2302

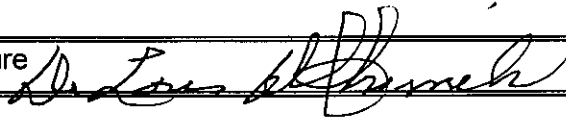
House Appropriations Committee  
Human Resources Division

Check here for Conference Committee

Hearing Date: March 19, 2007 AM

Recorder Job Number: 5280

Committee Clerk Signature



Minutes:

**Rep. Chet Pollert, Chairman** opened the hearing on SB 2302.

**Rep. Price:** The bill before you is on the domestic violence assault organizations throughout the state (see testimony). This organization as well as others is having uncertainty and reductions based on some federal changes and funding. The bill is appropriating \$540,000 to the organizations. I understand you are going to have somebody with more expertise than I coming after me. What we did in our committee is try to gather what sources of funding are out there; one is provided by the legislative counsel. You know there is \$210,000 in the budget. It is my understanding that is committee also added an additional \$150,000 to the health department budget. We did not make any adjustments in the bill for that because we knew that it was coming to you and I figured there may be other adjustments throughout the budget that we may not have been aware of also. The second line is the area for concern because we are not certain; congress has not made the determination on funding that comes through the attorney generals office. The other sheet of paper lays out the different sources of funding and where it goes throughout the state. Obviously the \$210,000; we are up to \$360,000 right now. The second line that comes from the marriage license fees that changed last time. Then you will see the other federal funds that are going through down there to give

you the total. The counties can assess 2 mills if they wish for funding and resources. The policy committee feels that this area where we have increased usage, unfortunately and some uncertain funding and that is the reason the bill is in front of you.

**Chairman Pollert:** So the way we are today including the \$150,000 should be added to that top line. Today we are at an extra \$156,500.

**Rep. Price:** That is correct, don't forget the attorney general got \$198,000 is still uncertain.

**Rep. Bellew:** Do these organizations get some money from the counties and are there other sources of funding?

**Rep. Price:** They can do the 2 mills and they do fund raisers in every community; trying to tap into the United Way private funds, donations and all those sorts of things. As we know that gets harder and harder every year too.

**Rep. Bellew:** Is there a list out there in the counties of what we get from the counties?

**Rep. Price:** We just passed that bill this session.

**Chairman Pollert:** Rep. Bellew we can ask Legislative counsel to give us the breakdown once we act on the bill.

**Rep. Price:** I was in error. That has been passed and we have a list and will get that to you.

**Rep. Nelson:** In a special fund category the marriage license fee is mentioned. Is that the only special fund area revenue that in this particular area?

**Rep. Price:** On the sheet you will see there is a little difference between the two columns is the Attorney Generals and the Department of Human Service money; so they may be considered special funds within the departments.

**Chairman Pollert:** Do you know when we might hear from the Attorney Generals office when we might hear where funding goes?

**Rep. Price:** No

**Lynne Talley, Executive Director of Safe Shelter in Jamestown:** (See written testimony)

As I understand the \$150,000 that was put back into the budget has not been passed by the Senate yet so that remains uncertain. The mill levy bill is uncertain yet too because that has not passed fully. There was a misunderstanding a few minutes ago, there is no mill levy bill in place right now. There are some counties who contribute other monies to a few of the agencies, but I don't have that number for you.

**Chairman Pollert:** When I look at your sheet as compared to what Rep. Price brought out, it looks like the stop violence; the 815 would get you where Rep. Price is at? I am just looking for the difference between the 2.56 vs. Rep. Price's 3.3? I think it comes from the stop violence.

**Lynne Talley:** It could be that the stop violence is divided into two sections: there is formula money that is distributed to the domestic violence agencies through a formula prepared by the Department of Health and then there are additional monies that are discretionary monies. There is money for the courts for law enforcement prosecution and then there is discretionary that people can write competitive grants for.

**Rep. Ekstrom:** In the last biennium to this one can you tell me how the trends seem to be going for domestic violence?

**Lynne Talley:** The domestic violence seems to be evening out. They stayed very close to the same this year. Our sexual assaults increased by 15% in 2006.

**Rep. Bellew:** On the sheet you gave us you said on a subsection entitled "Other Federal Funds Available to some agencies"? Explain that.

**Lynne Talley:** That would be the monies like Safe Haven visitation centers and there are a few areas in the state who provide a safe place for parents to drop their children off for visitation or they provide supervised visitation in their facilities. Those funds are available to

