

**2023 SENATE HUMAN SERVICES**

**SB 2182**

# 2023 SENATE STANDING COMMITTEE MINUTES

**Human Services Committee**  
Fort Lincoln Room, State Capitol

SB 2182  
2/8/2023

Relating to the definition of early childhood services

10:18 AM **Senator Cleary** called the hearing to order.

**Senators Lee, Cleary, Clemens, K. Roers, Weston, Hogan** were present.

## Discussion Topics:

- DOD Certified
- Home visits
- Childcare instructors
- Task force

10:19 AM **Senator Lee** introduces SB 2182 verbally.

10:21 AM **Major Jay Sheldon, Strategy and Policy Officer, North Dakota National Guard,** testimony in favor. #19743

10:26 AM **Kay Larson, Early Childhood Section Director, North Dakota Department of Health and Human Services,** testified in favor. #19834

**Senator K. Roers** moved **DO PASS.**

**Senator Weston** seconded the motion.

Roll call vote.

<b>Senators</b>	<b>Vote</b>
Senator Judy Lee	Y
Senator Sean Cleary	AB
Senator David A. Clemens	Y
Senator Kathy Hogan	AB
Senator Kristin Roers	Y
Senator Kent Weston	Y

The motion passed 4-0-2.

**Senator Weston** will carry SB 2182.

## Additional written testimony:

**Michelle Richart, Midwest Region Liaison, Department of Defense, State Liaison Office** in favor #19121

10:31 AM **Madam Chair Lee** closed the hearing.

*Patricia Lahr, Committee Clerk*

**REPORT OF STANDING COMMITTEE**

**SB 2182: Human Services Committee (Sen. Lee, Chairman)** recommends **DO PASS** (4 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING). SB 2182 was placed on the Eleventh order on the calendar. This bill affects workforce development.

**2023 HOUSE HUMAN SERVICES**

**SB 2182**

# 2023 HOUSE STANDING COMMITTEE MINUTES

## Human Services Committee Pioneer Room, State Capitol

SB 2182  
3/6/2023

Relating to the definition of early childhood services.

Chairman Weisz called the meeting to order at 9:51 AM.

Chairman Robin Weisz, Reps. Karen A. Anderson, Mike Beltz, Clayton Fegley, Kathy Frelich, Dawson Holle, Dwight Kiefert, Carrie McLeod, Todd Porter, Brandon Prichard, Karen M. Rohr, and Gretchen Dobervich present. Vice Chairman Matthew Ruby and Rep. Jayme Davis not present.

### **Discussion Topics:**

- Financial stability
- Licensing Regulations

Sen. Lee introduced SB 2182 speaking in favor of bill.

Jay Sheldon, Strategy and Policy Office for the North Dakota National Guard (NDNG) and administrator for the Task Force for Military Issues in North Dakota (TF MIND), supportive testimony (#22107).

Kay Larson, Early Childhood Section Director for the Department of Health and Human Services, supportive testimony (#22040).

Chairman Weisz adjourned the meeting at 10:01 AM.

*Phillip Jacobs, Committee Clerk*

# 2023 HOUSE STANDING COMMITTEE MINUTES

## Human Services Committee Pioneer Room, State Capitol

SB 2182  
3/6/2023

Relating to the definition of early childhood services.

Chairman Weisz called the meeting to order at 11:11 AM.

Chairman Robin Weisz, Reps. Karen A. Anderson, Mike Beltz, Clayton Fegley, Kathy Frelich, Dawson Holle, Dwight Kiefert, Carrie McLeod, Todd Porter, Brandon Prichard, Karen M. Rohr, and Gretchen Dobervich present. Vice Chairman Matthew Ruby and Rep. Jayme Davis not present.

### Discussion Topics:

- Committee work

Chairman Weisz called for a discussion on SB 2182.

Rep. Anderson moved a do pass on SB 2182.

Seconded by Rep. Dobervich.

### Roll Call Vote:

Representatives	Vote
Representative Robin Weisz	Y
Representative Matthew Ruby	AB
Representative Karen A. Anderson	Y
Representative Mike Beltz	Y
Representative Jayme Davis	AB
Representative Gretchen Dobervich	Y
Representative Clayton Fegley	Y
Representative Kathy Frelich	Y
Representative Dawson Holle	Y
Representative Dwight Kiefert	Y
Representative Carrie McLeod	Y
Representative Todd Porter	Y
Representative Brandon Prichard	Y
Representative Karen M. Rohr	Y

Motion carries 12-0-2.

Carried by Rep. Anderson.

Chairman Weisz adjourned the meeting at 11:14 AM.

*Phillip Jacobs, Committee Clerk*

**REPORT OF STANDING COMMITTEE**

**SB 2182: Human Services Committee (Rep. Weisz, Chairman)** recommends **DO PASS** (12 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING). SB 2182 was placed on the Fourteenth order on the calendar.

**TESTIMONY**

**SB 2182**





**OFFICE OF THE ASSISTANT SECRETARY OF DEFENSE**  
1500 DEFENSE PENTAGON  
WASHINGTON, D.C. 20301-1500

**February 8, 2023**

**Senator Judy Lee**  
**Chair, Senate Human Services Committee**

**Remarks of**  
**Michelle Richart**  
**Midwest Regional Liaison**  
**United States Department of Defense-State Liaison Office**

**Support of: SB 2182 – A BILL for an Act to amend and reenact section 50-11.1-02 of the North Dakota Century Code, relating to the definition of early childhood services.**

**Testimony**

Chairwoman Lee and honorable members of the Senate Human Services Committee thank you for the opportunity to provide written testimony in support of the policies reflected in Senate Bill 2182. It is the Department's hope that the North Dakota will consider supporting this key issue as it pertains to our military service members and their families accessing family child care services.

My name is Michelle Richart. I am the Midwest Regional Liaison at the United States Department of Defense-State Liaison Office, operating under the direction of Under Secretary of Defense for Personnel and Readiness. We represent the Department and establish relationships with state leaders across the country who are concerned for troops and their families' welfare by harmonizing state and federal law and regulation on policy problems of national significance. These are identified by the Office of the Secretary of Defense, the Military Departments, and the National Guard Bureau as areas where states can play a crucial role.

The Department of Defense recognizes the importance of providing military families with access to quality, affordable child development programs, and is committed to meeting the increased demand for child care across the nation. By exempting family child care providers from licensure and registration that is duplicative of the certification they receive from the military services, states like North Dakota have the opportunity to enhance the quality of life and economic security of both the providers and military families seeking qualified child care options.

Family child care workers provide military families with reliable and personalized care in a homelike setting on and off installations, and the majority of providers are spouses of currently serving members of the armed forces.<sup>1</sup> However, states require separate licensure and registration for some family child care providers serving families. This includes providers both on and off the installation.

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<sup>1</sup> Licensure Exemptions for Military Family Child Care Providers, *United States Department of Defense*, <https://statepolicy.militaryonesource.mil/key-issue/licensure-exemptions-for-military-family-child-care-providers>

As parents, advocates, and state leaders, we assuredly share similar concerns regarding the care of nation's most precious commodity: our children. Accessing quality child care is an enduring challenge for civilians and service members alike, and the passage of the policies in SB 2182 will exempt from licensing requirements certain child care services administered by the federal government, on federal property or for the benefit of military families.

That is not to say standards are reduced. In fact, the standards set by the Department of Defense and military branches ensure strict oversight of service providers, to include background checks. Background checks for individuals who have regular, recurring contact with children and youth, including adult family members of family child care providers and any individual over the age of 18 living in a home where child care is provided, and persons who serve as substitute or backup providers, shall be conducted.<sup>2</sup> Monitoring of family child care providers is conducted on a regular basis, during all hours of operation, and those providers are expected to maintain information as it relates to their background checks, inspections, insurance, training records, and visiting records.

Family child care providers are also expected to complete 40 hours of training and orientation, which occurs prior to working with children. Stated orientation, upon completion, is then documented for each provider, and includes: developmentally appropriate activities and environmental observations; age appropriate guidance and discipline techniques; applicable regulations, policies, and procedures; child safety and fire prevention; child abuse prevention, identification, and reporting; nutrition; health and sanitation; and parent and family relations.

Support of our military spouses is also a key component of the DoDs support of family child care initiatives. Taking care of our people remains the top priority of the Department of Defense and is at the center of our National Defense Strategy.<sup>3</sup> Military spouses provide the strong foundation upon which their loved ones in uniform stand, and both our communities and nation rely on their resilience. Military members are often forced to relocate to new duty stations every few years. To further expand employment opportunities for military spouses, the Department supports policies that will ease the burden for spouses who must go through the often challenging and frustrating process of relocating.

When moving with their service member, family child care providers do not have to complete additional training or another background check when they arrive at their new installation, unless their certification is due for renewal.<sup>4</sup> The new installation commander would then grant such a provider certification upon completion of the required home inspection.

In conclusion, the Department of Defense strongly supports the policies articulated in Senate Bill 2182, increasing access to family child-care services. This change enhances the quality of life

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<sup>2</sup> DODI 6060.02, "Child Development Programs (CDPs)", September 20, 2020

<sup>3</sup> Terri Moon Cronk, Austin Outlines His Top Three Priorities on Defense, People, Teamwork, United States Department of Defense, March 5, 2021, <https://www.defense.gov/News/News-Stories/Article/Article/2526532/austin-outlines-his-top-three-priorities-on-defense-people-teamwork/>

<sup>4</sup> "Licensure Exemptions for Military Family Child Care Providers" <https://statepolicy.militaryonesource.mil/key-issue/licensure-exemptions-for-military-family-child-care-providers>

and economic security of providers and military families seeking qualified child care options.

The Department of Defense is grateful for the efforts North Dakota has historically made to support our uniformed service members and their families. We appreciate the opportunity to support the passage of the policies reflected in Senate Bill 2182 and are especially grateful to the Senate Human Services Committee for raising the issue.

Thank you for taking the time to read this written testimony and thank you for your continued support for the well-being of our service members and their families.

Sincerely,

A handwritten signature in cursive script that reads "Michelle Richart".

**MICHELLE RICHART**  
Midwest Regional Liaison  
Defense-State Liaison Office

TESTIMONY OF  
MAJOR JAY SHELDON  
NORTH DAKOTA NATIONAL GUARD  
BEFORE THE  
SENATE HUMAN SERVICES  
08 FEBRUARY 2023  
SENATE BILL 2182

Good morning, Chairwoman Lee members of the committee, I am Jay Sheldon, Strategy and Policy Officer for the North Dakota National Guard (NDNG) and administrator for the Task Force for Military Issues in North Dakota (TF MIND). I am here today to testify in support of Senate Bill 2182.

I would like to take a moment to explain TF MIND. It is a Governor's appointed task force chaired by the Lt. Governor with members from around North Dakota with a focus on Minot, Grand Forks, Fargo, and Bismarck, communities with the largest military footprint. The group normally meets twice a year and discusses issues that impact military members and their families in North Dakota. TF MIND has used a Department of Defense website that lists the top issues, heavily focused on occupational licensing and military children. This bill supports both of those areas.

Task Force MIND supports the waiver of Department of Defense licensed and registered Family Child Care providers. In most cases, military family childcare providers must be licensed or registered by the state in addition to the military. By exempting providers already certified through the military SB 2182 would enhance the economic status of both the providers and families.

Family childcare workers provide military families with reliable and personalized care in a homelike setting, on and off installations. These FCC providers, the majority of whom are military spouses (87% in fiscal year 2021), operate as independent business owners, contributing to the financial stability of their families.

When moving with their service member, FCC providers do not have to complete additional training or another background check when they arrive at their new installation, unless their certification is due for a renewal. The new installation commander grants providers certification upon completion of the required home inspections.

States, however, require licensure or registration for some on installation and all off-installation FCC providers — which is duplicative of the military service FCC certification process. This can delay them from providing childcare, which can create a financial hardship for a military spouse reestablishing a business after a military directed move.

By exempting FCC providers already certified through the military service process, states enhance the quality of life and economic security of both the FCC provider and military families seeking qualified childcare options.

Installation family childcare programs manage the military service certification of FCC providers, in accordance with Department of Defense Instruction 6060.02, "Child Development Programs."

In discussion with Human Services and Grand Forks Air Force Base childcare personnel the DoD standard is by enlarge stricter than North Dakota standards.

To potentially address the existing shortage of childcare providers and additionally streamline an employment opportunity for military spouses in North Dakota I ask for your support of SB 2182 and will stand by for any questions that you may have.

**Testimony**  
**Senate Bill 2182**  
**Senate Human Services Committee**  
**Senator Judy Lee, Chairman**  
February 8, 2023

Chairman Lee, members of the Senate Human Services Committee, I am Kay Larson, Early Childhood Section Director for the Department of Health and Human Services (Department). I am here today to register the Department's support for Senate Bill 2182.

The United States Department of Defense (DoD) has a program to certify family child care programs that uses a rigorous set of standards and quality expectations outlined in Department of Defense Instruction 6060.02. DoD's regulations exceed North Dakota's licensing regulations for early childhood services which includes a system to monitor DoD family child care homes on a regular basis during any hours of operation.

It is our understanding that DoD takes an active role in child care because they have found it supports mission readiness, family readiness, and service member retention. DoD is working with states across the country to identify opportunities to increase the availability of quality child care for military families.

Senate Bill 2182 would allow these DoD-certified child care programs to be excluded from the definition of early childhood services as outlined in North Dakota Century Code 50-11.1-02. While child care providers can already operate on military installations without state licensure, this Bill would create the opportunity for DoD-certified programs to operate legally in locations that are off the installation via the licensure exemption created on page 2 lines 22-24 of the Bill.

This concludes my testimony. I would be happy to answer any questions the Committee may have.

**Testimony**  
**Senate Bill 2182**  
**House Human Services Committee**  
**Representative Robin Weisz, Chairman**  
March 6, 2023

Chairman Weisz, members of the House Human Services Committee, I am Kay Larson, Early Childhood Section Director for the Department of Health and Human Services (HHS). I am here today to register the Department's support for Senate Bill 2182.

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MAJOR JAY SHELDON  
NORTH DAKOTA NATIONAL GUARD  
BEFORE THE  
HOUSE HUMAN SERVICES  
06 MARCH 2023  
SENATE BILL 2182

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