

MICROFILM DIVIDER

OMB/RECORDS MANAGEMENT DIVISION

SFN 2053 (2/85) 5M



ROLL NUMBER

DESCRIPTION

2094

2001 SENATE HUMAN SERVICES

SB 2094

2001 SENATE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. SB 2094

Senate Human Services Committee

Conference Committee

Hearing Date January 10, 2001

Tape Number	Side A	Side B	Meter #
1	X		
1	X		13.5
Committee Clerk Signature <i>Paul Kalodziejchuk</i>			

Minutes:

Roll call was taken at the beginning of orientation with each member telling a bit about themselves; all were present - Senator Lee, Senator Kilzer, Senator Fischer, Senator Eberle, Senator Mathern, Senator Polovitz. The orientation was concluded by a brief explanation of protocol and procedure.

The hearing on SB2094 was opened.

Brenda Weisz Dept of Human Services introduced the bill. See written testimony.

Senator Mathern asked what we have been doing? Are we not following the law?

Ms. Weisz explained that the State Auditor's office goes through Century Code to see if there are items that need to look at that agencies should be doing and in this section it states that we will track these payments in this particular fund and the Auditor's Office will certify the expenditure and they are asking to take that part out because they don't do that and the fund is not even operational. Basically this is housekeeping. There is a fund established that allows us to track

all set of dollars that come into the state, but not a separate fund that this suggests. They are identified and I don't think we were aware of this language until the Auditor's office brought it to our attention.

Senator Kilzer asked if this will affect the counties.

Ms Weisz replied that it would not affect the counties; they do not supply any reimbursement of this fund.

No further testimony. The hearing was closed on Senate Bill 2094.

Senator Mathern There were no people here representing these organizations that provide this residential care. Were they made aware of this change?

Brenda Weisz was called to check on this.

Jack McDonald: In response to this, I am representing the ARC of the Upper Valley which is the Association for People of Developmental Disabilities. Our understanding is that payments will still be made but not from segregated funds. I will call and double check on this bill.

Senator Mathern: I move a Do Pass, but not report to the floor until Friday.

Senator Polovitz seconded the motion.

Senator Kilzer supports the motion as is.

Roll call vote carried 6-0. Senator Mathern will carry the bill.

The committee was recessed.

FISCAL NOTE

Requested by Legislative Council

12/21/2000

Bill/Resolution No.: SB 2094

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
Revenues						
Expenditures			\$0	\$0	\$0	\$0
Appropriations						

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.*

This bill is considered to be a housekeeping measure. The payments made to the Developmentally Disabled (DD) providers are included each biennium in the appropriation bill of the Department of Human Services. Repealing this section of NDCC does not have a fiscal impact as the funds for the services are included and will continue to be included in the appropriation bill of the Department of Human Services. The 2001 - 2003 biennium includes a recommended \$156.9 million in total grants to the DD providers including \$51.4 million in general funds.

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.*

Name:	Brenda M. Weisz	Agency:	Department of Human Services
Phone Number:	328-2397	Date Prepared:	12/26/2000

Date: 1/10/01

Roll Call Vote #:

2001 SENATE STANDING COMMITTEE ROLL CALL VOTES
BILL/RESOLUTION NO. 2094

Senate HUMAN SERVICES Committee

- Subcommittee on _____
- or
- Conference Committee

Legislative Council Amendment Number _____

Action Taken Do Pass

Motion Made By Sen Mathern Seconded By Sen Polovitz

Senators	Yes	No	Senators	Yes	No
Senator Lee, Chairperson	✓		Senator Polovitz	✓	
Senator Kilzer, Vice-Chairperson	✓		Senator Mathern	✓	
Senator Erbele	✓				
Senator Fischer	✓				

Total (Yes) 4 No 0

Absent 0

Floor Assignment Sen Mathern

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

REPORT OF STANDING COMMITTEE (410)
January 12, 2001 11:36 a.m.

Module No: SR-04-0934
Carrier: T. Mathern
Insert LC: . Title: .

REPORT OF STANDING COMMITTEE

SB 2094: Human Services Committee (Sen. Lee, Chairman) recommends DO PASS
(6 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2094 was placed on the
Eleventh order on the calendar.

2001 HOUSE HUMAN SERVICES

SB 2094

2001 HOUSE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. SB 2094

House Human Services Committee

Conference Committee

Hearing Date February 14, 2001

Tape Number	Side A	Side B	Meter #
Tape 1	X		3690 to 4390
Committee Clerk Signature <i>Corinne Pastor</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.

Chairman Price: Opened hearing on SB 2094.

Brenda Weisz: Director of Fiscal Administration for the Department of Human Services. (See support of SB 2094 in written testimony.) The department is proposing to repeal the section of code that relates to payments made to purchase residential care, custody, treatment, training, and education for developmentally disabled persons. The department is not suggesting eliminating payments for these services but rather, proposing to repeal the section as a matter of housekeeping based on the current method used to track these expenditures.

Rep. Devlin: How long have you been doing it this way?

Page 2
House Human Services Committee
Bill/Resolution Number SB 2094
Hearing Date February 14, 2001

Brenda Weisz: Ever since the inception of community based services in the department there was never technically a separate fund.

Chairman Price: Closed hearing on SB 2094

COMMITTEE WORK:

Chairman Price: What are your wishes.

Rep. Galvin: I'll motion a DO PASS.

Rep. Niemeier: I will second motion.

Chairman Price: Discussion. Clerk will take the roll.

13 YEAS, 1 ABSENT

CARRIED BY REP. GALVIN

Date: 2-14-01
Roll Call Vote #: 1

2001 HOUSE STANDING COMMITTEE ROLL CALL VOTES
BILL/RESOLUTION NO. SB 2094

House Human Services Committee

Subcommittee on _____
or
 Conference Committee

Legislative Council Amendment Number _____

Action Taken DO PASS

Motion Made By Galvin Seconded By Niemeyer

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

Total (Yes) 13 No _____

Absent 1

Floor Assignment Rep. Galvin

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

REPORT OF STANDING COMMITTEE (410)
February 14, 2001 10:44 a.m.

Module No: HR-27-3290
Carrier: Galvin
Insert LC: . Title: .

REPORT OF STANDING COMMITTEE

SB 2094: Human Services Committee (Rep. Price, Chairman) recommends DO PASS
(13 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). SB 2094 was placed on the
Fourteenth order on the calendar.

2001 TESTIMONY

SB 2094

COMMITTEE ON HUMAN SERVICES

MADAME CHAIRMAN JUDY LEE

JANUARY 10, 2001

Madame chairman Lee and members of the committee, I am Brenda Weisz, Director of Fiscal Administration for the Department of Human Services. I appear before you today to provide information relating to SB2094, a bill to repeal section 25-16-11 of the NDCC.

The Department is proposing to repeal the section of code that relates to payments made to purchase residential care, custody, treatment, training, and education for persons with developmental disabilities. This particular section of NDCC refers to accounting/tracking for these expenditures in a separate fund. These expenditures are currently and have been for many biennia included in the budget request of the Department of Human Services in the funds established and operated under the current statewide accounting system, which is not a separate fund.

The Department is not suggesting to eliminate payments for these services but rather, proposing to repeal the section as a matter of housekeeping based on the current method used to track these expenditures.

This section of NDCC was initially passed during the 1967 Legislative Session (SB 249) when community based care was just beginning to be introduced for persons with developmental disabilities. It was also a time period long before the current accounting system used by state agencies was established which now allows for proper and thorough tracking of these types of expenditures within a Department's budget structure. Repealing this section will not change the manner in which these expenditures are paid, reported and monitored.

This concludes my testimony. I would be happy to address your questions.



Jack McDonald
<jackmcdonald@whe
elerwolf.com>

01/11/01 04:25 PM

To: "jlee@state.nd.us" <jlee@state.nd.us>, "tfischer@state.nd.us"
<tfischer@state.nd.us>, "rerbele@state.nd.us" <rerbele@state.nd.us>,
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<mpolovit@state.nd.us>

cc:

Subject: SB 2094 comments from interested parties

Thursday, January 11, 2001

LEGISLATIVE MEMO

TO: Senate Human Services Committee
FROM: Jack McDonald
RE: SB 2094

Below are the comments of Mike Williams, a board member of The Arc, Upper Valley, in response to SB 2094 and the testimony you heard on that bill Wednesday. I believe they are indicative of the feelings of the whole board.

"I am not aware that this change would have any negative effect upon the provision of services for people with disabilities. The repeal of an outdated accounting statute (which statute has been largely ignored for so long as I am aware) should not affect our programs or the funding for our programs in any way. The fact that these funds are accounted for in the Departmental budget, instead of separately, should be no big deal."