

MICROFILM DIVIDER

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



ROLL NUMBER

DESCRIPTION

2354

2001 SENATE HUMAN SERVICES

SB 2354

2001 SENATE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. SB 2354

Senate Human Services Committee

Conference Committee

Hearing Date January 31, 2001

Tape Number	Side A	Side B	Meter #
1	X		
February 6, 2001 3	X		53.6
3		X	3.3
Committee Clerk Signature <i>Barb Hladkychuk</i>			

Minutes:

SENATOR LEE called the committee to order. Roll call was taken with all the Senators present. The hearing was opened on SB 2354.

SENATOR KRAUTER introduced the bill. I'd like to coin this with the phrase "This is the ND women's and children's resources act." ND has the most restrictive laws in relation to abortion, but we are seeing a trend of going opposite of the other states. In 97-98 we see about a 2% increase and in 98-99 period we see about an 8% increase. Why? Economic things are happening in rural ND and women relate to rather than having a child to relate to the abortion. Declining population means declining services. Counseling centers are closed. The Fargo abortion clinic performs abortions. Out of 100 pregnancies what % of those became births. Bill provides alternatives to abortions. Department of Human Services provide information on counseling, adoption, parenting. This bill was patterned after Pennsylvania and offers real alternatives.

REPRESENTATIVE RENNER, sponsor of the bill, supports bill.

CHRISTOPHER DOBSON, Executive Director Catholic Conference, supports bill. (Written testimony) SENATOR LEE: Does Pennsylvania system exclude contraceptive program. MR. DOBSON: The bill only contains this program, not reimbursed for contraceptives. SENATOR KILZER: Is this appropriation included in the Human Services budget? MR. DOBSON: This was presented to Human Services Dept. In late October or November and they didn't get it into the budget. SENATOR LEE: Are these county numbers places of residents? MR. DOBSON: My numbers concern only ND residents.

STACEY PFLIGER, Right to Life, supports bill. (Written testimony) SENATOR MATHERN: Do you have a list of services and what they provide? MS. PFLIGER: No, last as to how or services provided was in 1992. Volunteers are not available all the time.

MRS. GARY ZENTZ, Birthright volunteer, supports bill. The organization had to close, not enough volunteers.

Opposition:

CAROL TWOEAGLES, ACLU Board member opposes the bill. Section 5 last line and through section 6 and 7 is objection. Irresponsible humans are responsible for inhabitant reproduction. The idea of humans making more humans at the expense of others. It is not healing to the sacred hoop of the world, of which we are all a part, when you create more of that which creates a problem. Section 9 is in violation of the concept of separation of church and state. Section 10 and 11 are the same thing. In section 13 it says the state auditor may audit a religious organization if the organization has segregated the funds, but only then should it require if you ignore me and pass this bill. These organizations will use these funds to promote their religion and then again you are violating the separation of church and state. I urge a No vote on this bill.

While abortion is not pleasant this bill speaks about not promoting contraception. I was taught that an ounce of prevention is worth a pound of cure.

BLAINE NORDWALL, Department of Human Services, opposes bill. (Written testimony) This bill is very general. What is our roll as a department? SENATOR MATHERN: What agencies would you see as excluded? MR. NORDWALL: Type of agencies, physical locations, separate funding providers. Who would be funded? Public Health Services would not be able to provide services. SENATOR KILZER: When was the budget presented? MR. NORDWALL: In July. There is possible availability of funds under TANIF. There are some block grants. In concept TANIF funds could be used. SENATOR MATHERN: Could alternative service providers be County Health providers? Would you have objection to counties being funded? MR. NORDWALL: No objection - we couldn't make referrals. Government agencies are limited. The hearing was closed on SB 2354.

February 6, 2001, Page 3, Side A, Meter 54.1

SENATOR MATHERN presented amendments. Discussion was held. SENATOR MATHERN moved the amendments. SENATOR ERBELE seconded the motion. Roll call vote carried 6-0. SENATOR FISCHER moved a DO PASS AS AMENDED and REREFERRED to Appropriations. SENATOR ERBELE seconded the motion. Roll call vote carried 6-0. SENATOR MATHERN will carry the bill.

FISCAL NOTE

Requested by Legislative Council
04/12/2001

Bill/Resolution No.:

Amendment to: Engrossed
 SB 2354

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						
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 would require the Legislative Council to consider studying the feasibility and desirability of an alternatives-to-abortion services program. The study must also include a review of how Federal funds received under Title X of the Public Health Act of 1970 are spent in the state, and a review of the continuum of care and access to services across the state. This bill would have no fiscal impact.

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
Phone Number: 328-2397

Agency: Department of Human Services
Date Prepared: 04/12/2001

FISCAL NOTE
 Requested by Legislative Council
 02/09/2001

Bill/Resolution No.:

Amendment to: SB 2354

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				\$200,000		
Appropriations				\$200,000		

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 establishes funding for a program to provide alternatives-to-abortion services to eligible individuals. Section 2 of the bill includes an appropriation of \$200,000 to accomplish this. If proposed bill passes, the Department of Human Services would contract with a qualified entity to provide the services.

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.*

The revenues are anticipated to be derived from federal Temporary Assistance to Needy Families (TANF) funds.

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.*

The cost estimate to provide the services would be contracted with a qualified entity and paid through the operating line item. No additional FTE would be required, as the Department would utilize existing staff to establish and maintain oversight of the contract.

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.*

If the proposed bill passes an additional \$200,000 in federal / special funds would be necessary to carry out the services.

Name:	Brenda M. Weisz	Agency:	Department of Human Services
Phone Number:	328-2397	Date Prepared:	02/12/2001

FISCAL NOTE

Requested by Legislative Council

01/24/2001

Bill/Resolution No.: SB 2354

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			\$200,000			
Appropriations			\$200,000			

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 establishes funding for a program to provide alternative-to-abortion services to eligible individuals. Section 2 of the bill includes an appropriation of \$200,000 to accomplish this. If proposed bill passes, the Department of Human Services would contract with a qualified entity to provide the services.

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.*

The cost estimate to provide the services would be contracted with a qualified entity and paid through the operating line item. No additional FTE would be required as the Department would utilize existing staff to establish and maintain oversight of the contract.

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.

If the proposed bill passes an additional \$200,000 in general funds would be necessary to carry out the services.

Name:	Brenda M. Weisz	Agency:	Department of Human Services
Phone Number:	328-2397	Date Prepared:	01/29/2001

PROPOSED AMENDMENTS TO SENATE BILL NO. 2354

Page 3, line 17, remove "auditor"

Page 3, line 18, after the first "section" insert "in the same manner it would audit a non-religious organization's use of funds under this section."

Page 3, line 18, replace "if" with "It"

Page 3, line 19, remove "but"

Page 3, lines 25-26, replace "in the general fund in the state treasury, not otherwise appropriated" with "from special funds derived from federal funds and other income for the temporary assistance to needy families program"

Renumber accordingly

*Page 2, Line 15
Delete thru line 21*

Date: 2/6/01

Roll Call Vote #: /

2001 SENATE STANDING COMMITTEE ROLL CALL VOTES
BILL/RESOLUTION NO. 2354

Senate HUMAN SERVICES Committee

Subcommittee on _____

or

Conference Committee

Legislative Council Amendment Number _____

Action Taken Amendments

Motion Made By Sen Mathern Seconded By Sen Erbele

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

Total (Yes) 6 No 0

Absent 0

Floor Assignment _____

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

Sen Mathern

Roll Call Vote #: 2 Date: 2/6/01

2001 SENATE STANDING COMMITTEE ROLL CALL VOTES
BILL/RESOLUTION NO. 2354

Senate HUMAN SERVICES Committee

Subcommittee on _____

or

Conference Committee

Legislative Council Amendment Number _____

Action Taken Do pass as amended + re-referred

Motion Made By Sen Fischer Seconded By Sen Erbele

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

Total (Yes) 6 No 0

Absent 0

Floor Assignment Sen Mathern

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

