

FISCAL NOTE
Requested by Legislative Council
01/16/2015

Bill/Resolution No.: SB 2244

- 1 A. **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.*

	2013-2015 Biennium		2015-2017 Biennium		2017-2019 Biennium	
	General Fund	Other Funds	General Fund	Other Funds	General Fund	Other Funds
Revenues						
Expenditures			\$31,066			
Appropriations			\$31,066			

- 1 B. **County, city, school district and township fiscal effect:** *Identify the fiscal effect on the appropriate political subdivision.*

	2013-2015 Biennium	2015-2017 Biennium	2017-2019 Biennium
Counties			
Cities			
School Districts			
Townships			

- 2 A. **Bill and fiscal impact summary:** *Provide a brief summary of the measure, including description of the provisions having fiscal impact (limited to 300 characters).*

Creates a tribal veterans' advisory commission to advise state agencies and programs on issues related to tribal veterans. The 5 member commission will receive compensation, mileage and expense reimbursement. Veterans Affairs shall provide administrative and staff services to the commission.

- B. **Fiscal impact sections:** *Identify and provide a brief description of the sections of the measure which have fiscal impact. Include any assumptions and comments relevant to the analysis.*

Section 1:

#4: the commission shall meet at least twice a year and any additional meetings as the chairman deems necessary. We assume the commission will meet more often its first biennium to establish its mission statement, guidelines, and policies.

#6: each member is entitled to be compensated at \$100 per day and mileage and expense reimbursements. Besides compensation and mileage, we assume there will be reimbursement for meals and lodging also. The commission will be composed from the following tribes: Standing Rock Sioux Tribe, Spirit Lake Sioux Tribe, Three Affiliated Tribes of the Ft Berthold Reservation, Turtle Mountain Band of Chippewa Indians and Sisseton-Wahpeton Oyate of the Lake Travers Reservation. These costs are to be paid by Veterans Affairs.

#7. Veterans Affairs shall provide administrative and staffing services to the commission. We assume staff members, at least two, will be at the meetings and provide other office support, and the department will provide miscellaneous meeting supplies. Staff members expenses will include meals and lodging. State Fleet vehicle will be used for travelling.

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.*

N/A

- 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.*

Veterans Affairs Agency
Salaries: \$8,000 (commission members' compensation)
Operating Expenses: \$23,066

General Fund: \$31,066

- C. **Appropriations:** *Explain the appropriation amounts. Provide detail, when appropriate, for each agency and fund affected. Explain the relationship between the amounts shown for expenditures and appropriations. Indicate whether the appropriation or a part of the appropriation is included in the executive budget or relates to a continuing appropriation.*

Veterans Affairs: \$31,066
General Fund: \$31,066

SB 2244 provides that Veterans Affairs shall pay for this commission expenses but the agency doesn't have the funding available to take care of these costs. The Legislature will need to add additional funding to the Veterans Affairs budget to cover these expenses.

Name: Cathy Halgunseth

Agency: Veterans Affairs

Telephone: 701-298-4692

Date Prepared: 01/26/2015

2015 SENATE GOVERNMENT AND VETERANS AFFAIRS

SB 2244

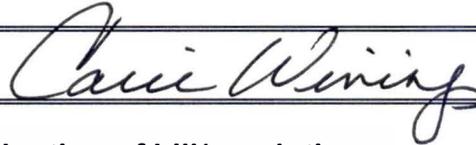
2015 SENATE STANDING COMMITTEE MINUTES

Government and Veterans Affairs Committee
Missouri River Room, State Capitol

SB 2244
1/29/2015
Job # 22778

- Subcommittee
 Conference Committee

Committee Clerk Signature



Explanation or reason for introduction of bill/resolution:

A BILL for an Act create and enact a new section to chapter 37-18 of the North Dakota Century Code, relating to the creation, membership, and duties of the tribal veterans' advisory commission.

Minutes:

Attachments 1

Chairman Dever: Opened the hearing on SB 2244.

Senator Marcellais, District 9: See Attachment #1 for testimony as sponsor and in support of the bill.

(1:45) Chairman Dever: Each of the tribes is a sovereign nation. Why is it necessary to have this in the century code? Couldn't they set it up in a cooperative arrangement?

Senator Marcellais: They could do a memorandum of understanding between the commissioner of the North Dakota Veteran's Affairs and the tribes. I have attended Native American Veteran's meetings but I have not seen a state representative at these meetings. We do have benefits through the state and also through the federal government. I have seen the federal VA there at the meetings I have been to. That is why this advisory committee. We both know that the largest population of veterans is on reservations.

Chairman Dever: At least the greatest concentration of veterans. So the tribes do have conversations regarding veteran's issues now?

Senator Marcellais: Some of the tribal veteran's representatives contacted me and they recommended this advisory committee. They feel that they are not getting the services from the VA commissioner that they should be getting.

Chairman Dever: S the purpose of the bill is not to bring tribal representatives together but to bring the commissioner to the table.

Senator Marcellais: Yes.

(4:00) Manajaunjinca Hill Veteran service officer for Standing Rock Sioux Tribe: Testified in support of the bill. I have been the veteran's service officer for the last year and during that period of time; my contact with the state department of veteran's affairs has been pretty good. The training has been good. The representation is just the opposite from my experiences at the tribal veteran's services officers not given a chance to come together. The problems we face as veterans in rural areas we face across the state of North Dakota. When it comes to the tribal entities, we face unique issues. Some of those issues are the implementation or development of services and benefits that are done on a state or federal level. We do not have input on that. A lot of times it is creating the wheel on our reservations and the wheel is already there. We know how to access our veterans on a reservation. One of the biggest issues is data collection. The census is not applicable on the reservations because of our systems that we have there. As tribal veterans service officers, we know those systems and access them on a daily basis. We can get better information, but if we are provided the opportunity as a group to come in and develop a system as well as implement various types of programs and benefits, I think we would reach a lot more veterans on our reservations. We are not saying we are different we just need to use the avenue that is established among us. The advisory board would have an impact on the development. Many voices are better than one. I am a veteran service officer. I am not just a native veteran service officer. If you are a veteran, you have worn the uniform you are a veteran and you are entitled to the benefits. I will do my utmost to assist you in receiving the benefits you deserve. It does not matter the color of your skin. In my county, Sioux County, I am willing to have our county veteran service officers housed in the same area. The outlook from the public will say that it is not only a tribal thing, it is a veteran thing. The allocations do not allow my program to fund another veteran's service officer. As to the advisory committee, I think it is an awesome idea and we need that.

(9:53)Chairman Dever: Does Sioux County also has a county veteran's service officer?

Manajaunjinca Hill: Yes, I met the gentleman the 2nd month I came on board and have not seen him since.

Chairman Dever: A few sessions ago one of your Sioux County commissioners told me that Sioux County is the only county in the US that is entirely on a reservation.

Manajaunjinca Hill: Yes.

Chairman Dever: Then it seems odd to me that you would have separate responsibilities.

Manajaunjinca Hill: In my eyes we do not, but we are two different entities.

Chairman Dever: Yes, but hopefully working to the same end.

Manajaunjinca Hill: That is why it makes more sense to me to house this in the same area. A veteran is a veteran. I serve whoever comes to my office.

Chairman Dever: There are non-Native Americans living there too, do you serve them too?

Manajaunjinca Hill: They come to my office. A veteran is a veteran. I serve whoever comes to my office.

Chairman Dever: Do you know how their service is from the other person?

Manajaunjinca Hill: No I do not. The door is always open. It has never been closed to any vet. The county veteran service officers have their experience in filing claims over me because of their experience. I cannot compete with that.

Chairman Dever: I understand you receive your training from the state?

Manajaunjinca Hill: Yes. The state has been a very good to work with. You cannot ask for a better partnership. It is all about helping vets.

Chairman Dever: We have a common desire to help the veterans. Closed the hearing on SB 2244.

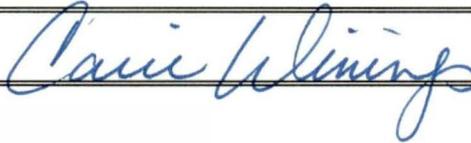
2015 SENATE STANDING COMMITTEE MINUTES

Government and Veterans Affairs Committee Missouri River Room, State Capitol

SB 2244
1/29/2015
Job # 22844

- Subcommittee
 Conference Committee

Committee Clerk Signature



Minutes:

No Attachments

Chairman Dever: Opened SB 2244 for committee discussion. (Reminded the committee of the fiscal impact.)

Senator Marcellais: The \$30,000 was for conducting the meetings for the biennium and paid by the Dept. of Veteran's Affairs. It is for 5 veteran members to meet with the commissioner.

Chairman Dever: It does not particularly say that the commissioner has to be there but his office has to provide administrative and staffing services.

Committee Discussion: The committee discussed that it was for the coming biennium and what would happen if it doesn't work and whether or not they need to be concerned about that. The committee felt better that Scott Davis addressed the problem in testimony and sounded as though things would be worked on from his office. The problem is communication and the veterans should know the benefits that they have. The committee wants the issues addressed and but not sure how to deal with the problem and whether or not to make changes to the bill and if the bill actually would do what it is intended to do. The fact that there are people out there not doing their jobs and that one meeting will not address that in the long term was brought forward. A suggestion was made to turn the bill into a resolution or a study addressed to Scott Davis's office as well as Lonnie Wangen. There was disappointment in the fact that the state Veteran's Commissioner was not present for the hearing expressed by all in the committee.

Senator Flakoll: Asked if the committee intern could research if the job duties of the state Veteran's Commissioner are in code.

Senator Dever: The commissioner does not report to the Governor. He serves at the pleasure of ACOVA (Administrative Committee on Veteran's Affairs). There are 15 members; three from each of the veteran's organizations.

Chairman Dever: Decided to set the bill aside and closed the committee discussion on SB 2244.

2015 SENATE STANDING COMMITTEE MINUTES

Government and Veterans Affairs Committee
Missouri River Room, State Capitol

SB 2244
2/5/2015
Job # 23289

- Subcommittee
 Conference Committee

Committee Clerk Signature



Minutes:

No Attachments

Chairman Dever: Opened SB 2244 for committee discussion. The amendments for SB 2245 addressed this bill.

Senator Poolman: Moved a Do Not Pass.

Senator Flakoll: Seconded.

A Roll Call Vote Was Taken: 5 yeas, 2 nays, 0 absent.

Motion Carried.

Senator Davison will carry the bill.

Date: 2/5
 Roll Call Vote #: 1

**2015 SENATE STANDING COMMITTEE
 ROLL CALL VOTES
 BILL/RESOLUTION NO. 2244**

Senate Government and Veterans Affairs Committee

Subcommittee

Amendment LC# or Description: _____

- Recommendation: Adopt Amendment
 Do Pass Do Not Pass Without Committee Recommendation
 As Amended Rerefer to Appropriations
 Place on Consent Calendar
 Other Actions: Reconsider _____

Motion Made By Poolman Seconded By Flakoll

Senators	Yes	No	Senators	Yes	No
Chairman Dever	✓		Senator Marcellais		✓
Vice Chairman Poolman	✓		Senator Nelson		✓
Senator Cook	✓				
Senator Davison	✓				
Senator Flakoll	✓				

Total (Yes) 5 No 2

Absent 0

Floor Assignment Davison

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

REPORT OF STANDING COMMITTEE

SB 2244: Government and Veterans Affairs Committee (Sen. Dever, Chairman)
recommends **DO NOT PASS** (5 YEAS, 2 NAYS, 0 ABSENT AND NOT VOTING).
SB 2244 was placed on the Eleventh order on the calendar.

2015 TESTIMONY

SB 2244



NORTH DAKOTA SENATE

STATE CAPITOL
600 EAST BOULEVARD
BISMARCK, ND 58505-0360



Senator Richard Marcellais
District 9
RR 1, Box 267A
Belcourt, ND 58316-9787
rmarcellais@nd.gov

COMMITTEES:
Education
Government and Veterans Affairs

Testimony

Senate Bill No. 2244 – relating to creation, membership, and duties of the tribal veterans' advisory commission; and to provide an appropriation

Government Veterans Affairs (GVA) Committee

Senator Dever, Chairman

January 29, 2015

Chairman Dever, members of the GVA Committee, for the record is my name is Richard Marcellais, Senator from District 9, Rolette County.

Senate Bill 2244 relating to the creation, membership, and duties of the tribal veterans' advisory commission; and to provide an appropriation. Senate Bill 2244 would establish a Tribal Veterans' Advisory Commission for a Tribal Veteran Representatives to assist veterans of the North Dakota Tribal Reservations and their dependents in obtaining all benefits to which they are entitled, both federal and state, either by direct contact or through the assistance of the North Dakota Veterans Affairs Commissioner.

The Tribal Veteran' Advisory Commission would meet quarterly with the North Dakota Veterans Affairs Commissioner to advise him issues and concerns with the Tribal Veterans on the five (5) Native American reservations in the state.

Thank you very much for the opportunity to appear in support of Senate Bill # 2244. I will try an answer any questions the committee may have.