

NORTH DAKOTA LEGISLATIVE MANAGEMENT

Minutes of the

TRIBAL AND STATE RELATIONS COMMITTEE

Thursday, October 21, 2010
Prairie Room, State Capitol
Bismarck, North Dakota

Representative Merle Boucher, Chairman, called the meeting to order at 8:10 a.m.

Members present: Representatives Merle Boucher, Kari L. Conrad, Jim Kasper, Don Vigesaa; Senators Stanley W. Lyson, Tim Mathern, Dave Oehlke

Native American Tribal Citizens' Task Force members absent: Scott J. Davis, Marcus Levings, Richard J. Marcellais, Charles Murphy, Myra Pearson, Michael Selvage Sr.

Others present: See [Appendix A](#)

MILITARY ONESOURCE

Chairman Boucher recognized Ms. Angela Messmer, Joint Family Support Assistance Program Consultant, North Dakota Military OneSource, who discussed the Military OneSource program. Ms. Messmer also distributed a packet of materials concerning the Joint Family Support Assistance Program which are on file in the Legislative Council office. A copy of the PowerPoint used by Ms. Messmer in her presentation is attached as [Appendix B](#) and an information sheet on Military OneSource is attached as [Appendix C](#). She said the mission of the Joint Family Support Assistance Program is to provide mobile outreach services to military service members and their families throughout North Dakota and to build local networks of support by educating communities on challenges faced by military families. One aspect of Military OneSource, she said, is the provision of military family life consultants. These consultants, she said, provide free, nonmedical support, coaching, education, and solution-focused one-to-one consultations for up to 12 sessions for military members and their families. She emphasized that no records are kept, and the service is confidential. She said the program assists with enhancement of skills and abilities to cope with the stress of deployment, redeployment, and reintegration; parenting issues; marriage and relationship issues; and death, grief, and loss.

Ms. Messmer said the military family life consultant also provides personal finance counselors to provide education, support, and assistance on personal financial solutions and access to personal financial counseling. She said the personal finance counseling services also include professional, individualized financial planning and consultation services, including assistance with money management, credit and debt

liquidation, analysis of assets and liabilities, and establishing and building savings plans.

Ms. Messmer also reviewed Operation Military Kids. She said this program is a partnership between the Department of Defense and the national 4-H headquarters created to support geographically dispersed military youth impacted by deployment. Under the program, she said, the Department of Defense and 4-H collaborate with local communities to provide social, educational, and recreational youth development programming for military youth.

Chairman Boucher recognized Ms. Linda Vig, American Red Cross. Ms. Vig said the American Red Cross partners with Military OneSource to provide services to military families. The primary program, she said, is emergency communications to military members located overseas. She said this service is typically used in the death or birth of a family member. She said the American Red Cross is funded by charitable contributions, and thus financial support for the program is limited. However, she said, the American Red Cross assists where it can and does have a force of volunteers to collaborate with other agencies.

In response to a question from Representative Boucher, Ms. Messmer said Military OneSource provides services on the state's reservations.

INDIAN EDUCATION

At the request of Chairman Boucher, committee counsel reviewed a bill draft [\[10252.0100\]](#) to provide for a Superintendent of Public Instruction study, grants to low-performing schools, reports to the Legislative Management, and an appropriation.

Chairman Boucher recognized Mr. Robert Marthaller, Deputy Superintendent of Public Instruction, Department of Public Instruction. Mr. Marthaller said the initiative was developed in conjunction with the North Dakota Indian Education Advisory Council. He said this council would assist the Department of Public Instruction in conducting the study called for in the bill draft. He said the study would identify the factors and barriers that are preventing the state's lowest-performing schools from achieving at a higher level. The goal, he said, is to move the performance level of these schools upward. To develop an effective program, he said, the department needs the time, expertise, and resources to develop and implement the grant program.

In response to a question from Senator Lyson, committee counsel said the bill draft does not specify which interim Legislative Management committee the Superintendent of Public Instruction will report to. He said the Legislative Management would determine an appropriate committee and agreed that the Education Committee may be more appropriate than the Tribal and State Relations Committee and that the Budget Section may be the appropriate entity to receive reports concerning the grants made under the program.

Representative Kasper said he is concerned with the appropriation for the grant program. He said the study may indicate that more or less money is required and the appropriation seems to indicate that the Superintendent of Public Instruction will expend \$500,000 under the program.

In response to Representative Kasper's comments, Representative Boucher said the Legislative Assembly should assist schools and move Indian education forward in the state. He said this proposal would help educate legislators on Indian education delivery systems. He said it is critical to Indian education in the state to recommend the bill draft.

In response to Representative Boucher's comments, Representative Kasper said he is still concerned with the appropriation. He suggested that the appropriation be made subject to Budget Section approval as one way of ensuring that the Legislative Assembly has some oversight over the expenditure.

In response to a question from Senator Mathern, Mr. Marthaller said once the grant criteria was finalized, he anticipated school districts would apply for grant amounts. He said grants may be expended to extend schooldays, to expand curriculum, support tutoring, establish afterschool programs, and support other programs to enhance student achievement.

In response to Mr. Marthaller's comments, Senator Lyson said the appropriation for the grant may not be necessary as it may take the entire biennium to develop the criteria under the study being assigned to the Superintendent of Public Instruction.

Representative Kasper said perhaps the study should be expanded to two years and then the Superintendent of Public Instruction could seek an appropriation during the 63rd Legislative Assembly to fund grants based upon criteria developed pursuant to the study.

In response to Representative Kasper's comments, Representative Boucher agreed there is a consensus on the importance of the study and to see the bill draft go forward he would agree to support an amendment to remove the authorization and appropriation for the grant program.

It was moved by Representative Kasper, seconded by Senator Lyson, and carried on a roll call vote that the study be lengthened from the first year of the biennium to July 1, 2011, through July 1, 2013, that the grant program and appropriation be removed, and that the appropriation for the study be increased from

\$50,000 to \$100,000. Representatives Boucher, Conrad, Kasper, and Vigesaa and Senators Lyson and Oehlke voted "aye." Senator Mathern voted "nay."

Senator Mathern said the amendment does not go far enough and removes critical resources that are needed in Indian country.

In response to a question from Representative Conrad, Mr. Marthaller said the North Dakota Indian Education Advisory Council supports the study and the grant for a demonstration program. In addition, he said, the bill draft is supported by the executive director of the Indian Affairs Commission.

It was moved by Representative Kasper, seconded by Representative Vigesaa, and carried on a roll call vote that the bill draft, as amended, relating to a Superintendent of Public Instruction study be approved and recommended to the Legislative Management. Representatives Boucher, Conrad, Kasper, and Vigesaa and Senators Lyson, Mathern, and Oehlke voted "aye." No negative votes were cast.

COMMITTEE ON TRIBAL AND STATE RELATIONS

At the request of Chairman Boucher, committee counsel reviewed a bill draft relating to extension and the duties of the Committee on Tribal and State Relations [[10121.0200](#)]. He said the committee has already approved this bill draft for recommendation to the Legislative Management. However, he said, due to the extensive changes in the bill draft, he placed it on the agenda for final review before the Legislative Management meeting.

It was moved by Senator Lyson, seconded by Senator Oehlke, and carried that the chairman and the staff of the Legislative Council be requested to prepare a report and the bill drafts recommended by the committee and to present the report and recommended bill drafts to the Legislative Management.

Chairman Boucher thanked the committee members for their hard work and extended best wishes to the committee members.

Representative Kasper thanked Representative Boucher and said he will miss Representative Boucher as a member of the Legislative Assembly. He said Representative Boucher has been a tremendous asset to North Dakota and the Legislative Assembly.

No further business appearing, Chairman Boucher adjourned the meeting at 9:10 a.m.

Jeffrey N. Nelson
Committee Counsel

ATTACH:3