

2009 SENATE GOVERNMENT AND VETERANS AFFAIRS

SB 2286

## 2009 SENATE STANDING COMMITTEE MINUTES

Bill/Resolution No. 2286

Senate Government and Veterans Affairs Committee

Check here for Conference Committee

Hearing Date: 1/30/09

Recorder Job Number: 8224

Committee Clerk Signature

*Kate Aivie*

Minutes:

**Senator Robinson:** Larry Robinson state senator from District 24. It is a pleasure to appear before you as a sponsor on SB2286. Issue of silver haired assembly has had bill for support, for last several session we have allowed a check off on the tax form. Unfortunately that bill has been approved by Senate and gone down in House. Silver haired assembly is a very important organization for North Dakota. These folks have elected to remain involved in the political process and we are all better off for that decision. They bring a life of experience to the table and many of the ideas and proposals that are channeled to the legislative assembly of this great state originated in the work of the Silver Haired Assembly this organization supported a moratorium, supported partnership for insurance and Medicaid in 1998, it has just recently been implemented into law. 1994 asked for prohibition of smoking in public buildings, the list goes on and on. Bill before you is straight forward \$20,000 to the department of human services division of aging services to be re appropriated back to silver haired assembly. Money is always a concern; I think we need to keep in mind fastest growing pop in North Dakota is in 2 categories: those people who are 65 and over and those people who are 85 and over. We have more people living longer and the state is fortunate for that. They bring a lot to the table. With me we have the president of silver haired assembly who will be speaking on this bill and a

good friend of mine, Bernie Wagner and spouse. A Veteran of military service, fought in Guadalcanal. He is symbolic of the best of what we have to offer in this great state. You would think that after many years of getting shot down they would give up. These folks are from the greatest generation. Given so much asked for so little. Approve this bill so they can continue their great work in North Dakota. Some have said that they should fund raise. They have done that do many years.

**Senator Horne:** Help us understand silver hairs assembly? Meet every 2 years? If that is true, what would this money cover, per Diem, mileage, ect?

**Senator Robinson:** Defer to president of organization.

**Senator Dever:** Department of Human Services been consulted on this bill.

**Senator Robinson:** We have not. There have been soul searching about what to do. We felt the income tax check off would be fairest. As you know, House shot it down, Senate has always approved concept. Approach it straight on. They have the allocation and money. They keep these folks active involved and at the table.

**Senator Dever:** Arguments for check off not related to silver haired, but the tax form.

**Bernie Wagner:** 24<sup>th</sup> district. Senator Horne, I have been active for silver haired since it originated I was also full time national guard 17 years on active duty, state of North Dakota snow removal. Last session I was unable to attend because of bypass. I am the secretary of continuing with it. I am chairman of Barnes county seniors, Chairman of south-central adult services, & chairman of Barnes county housing, the aging population that he talked about the 85 and that is where I am. My wife Mary and I live in assisted living in Valley City, we were 2<sup>nd</sup> residents. 1<sup>st</sup> resident is 103. We are in contact daily with elderly. With silver haired it is all voluntary, expenses come out of pocket. We conduct the session here at the capitol; 2 times

we have been at BSC. I would certainly appreciate it if you could give us the support we need.  
In closing if you have any question I would be happy to answer them.

**Ray Siver:** Attached testimony #1

**Senator Horne:** What would these costs cover?

**Ray Siver:** Reimburse for mileage and lodging if necessary at the state rate. The rest of the expenses are for contract a secretary, only \$300 listed on here. Admin postage, printing cost, filing fees for state and federal licensing. Our interest and donations still lost... Meet every 2 years, in house chambers. Those are our charters and by lawas which form us our mission are to serve as a liaison for grassroots organization to present ideas, suggestion, and comments and to learn education process to get legislation approved.

**Senator Horne:** 41 delegates,

**Senator Nelson:** How do they get chosen?

**Ray Siver:** Election in their county, ballots are sent in Nov and back by Feb, so we can send out a welcoming and training packages for a July/August assembly.

**Senator Nelson:** I have never gotten any mailing from you other than as a legislator, where is the group?

**Ray Siver:** Part of the governor's 5 year plan. We are administered under Aging Services.

**Senator Nelson:** Like in Fargo, are you part of Fargo Commission on Aging? How does someone know you exist?

**Ray Siver:** Senior clubs and agencies in the county where they are organized.

**Senator Dever:** Annually or every other year?

**Ray Siver:** Steering committee meets quarterly and the assembly is every 2 years.

**Senator Dever:** The grant, in addition to covering the expenses that you have delineated here, would cover the expenses of delegates that attend the assembly

**Ray Siver:** If authorized we will not use it all in 2 years. Still get donations from clubs and senior centers in the state which is where the \$6,200 came from. Some want to continue to do that, but I don't feel comfortable asking. I attend the 4 county councils in the Grand Forks area, and we are the lead agency in Grand Forks and we support Nelson county more than other 2 counties we have unpaid meals in Nelson County that cost \$2,300. I am aware of situations that we don't address here, but they are coincidental to this financial struggle. When I attended meeting in Pembina last year, one of the lady's was asking for money from her county council to pay the fuel bill, because she didn't have it. And she was the treasurer of that county.

**Senator Nelson:** You talked about 2 Senators and 1 Representative for the national organization. Can you tell us a little about what that program is and would their expenses go to that meeting, too?

**Ray Siver:** It would be used if we have the funding. The ground rules to be eligible to be elected to any of those 3 positions is that you must be willing to fund your own way, generally speaking that is about \$1,500. We also have talked about, and probably will pass, a new by law if funding is available and adequate we would pay.

**Senator Nelson:** The problem we have had because they can't afford escalating expense of national meetings.

**Ray Siver:** I am very familiar with that, I was the representative for a while and had to drop out.

**Senator Dever:** My mom had a real interest in silver hairs association. Through that I brought her up here and had her attend. One time I was a scout master and were asked to help with luggage at BSC. I thought it was a good public service and they told me about the tips that they received. It's not that participation caused a hardship, they are very generous. One of the things that I found interesting is that there are former legislators that participate in silver haired assembly. I see the value in the organization.

**Ray Siver:** We feel that we do a good job. This is the fastest growing demographic; Slope County has largest over 85 populations in the country. I am not from here, I am from Maine but I like North Dakota and I really like Grand Forks. I was disappointed when I saw muddy rivers and not clear rivers.

**Senator Dever:** We like North Dakota, some of us are screaming towards that age group.

**Ray Siver:** Our previous chairman would have been here, but he had a doctor's appointment. The question about services but Linda Wright would have been here but she was not able to come. I went through them to the Governor's office to try and get funding that way, but didn't work. She is a strong supporter.

**Senator Dever:** Thank you. We appreciate your service.

**Ray Siver:** If you are in Grand Forks, please come see our senior center.

## 2009 SENATE STANDING COMMITTEE MINUTES

Bill/Resolution No. 2286

Senate Government and Veterans Affairs Committee

Check here for Conference Committee

Hearing Date: 1/30/09

Recorder Job Number: 8225

Committee Clerk Signature

Minutes:

Committee Work

Committee was called back to order by the chairman.

Senator Oehlke moved a do pass with a referral to the appropriations committee a second my

Senator Nelson. Roll call vote was taken and the bill passed with 4 yeas 0 nays and 1 absent

and not voting.

The bill was carried by Senator Dever

Date: \_\_\_\_\_  
Roll Call Vote #: \_\_\_\_\_

**2009 SENATE STANDING COMMITTEE ROLL CALL VOTES  
BILL/RESOLUTION NO.**

2286

Senate Government and Veterans Affairs Committee

Check here for Conference Committee

Carrie Dever

Legislative Council Amendment Number \_\_\_\_\_

Action Taken Do Pass Referred

Motion Made By Chelle Seconded By Nelson

Senators	Yes	No	Senators	Yes	No
Dick Dever	X		Dwight Cook		
Dave Oehike	X		Carolyn Nelson	V	
Robert M. Horne	X				

Total Yes 4 No \_\_\_\_\_

Absent 1

Floor Assignment \_\_\_\_\_

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



**REPORT OF STANDING COMMITTEE (410)**  
January 30, 2009 11:13 a.m.

**Module No: SR-19-1256**  
**Carrier: Dever**  
**Insert LC: . Title: .**

**REPORT OF STANDING COMMITTEE**

**SB 2286: Government and Veterans Affairs Committee (Sen. Dever, Chairman) recommends DO PASS and BE REREFERRED to the Appropriations Committee (4 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). SB 2286 was rereferred to the Appropriations Committee.**

2009 SENATE APPROPRIATIONS

SB 2286

## 2009 SENATE STANDING COMMITTEE MINUTES

Bill/Resolution No. SB 2286

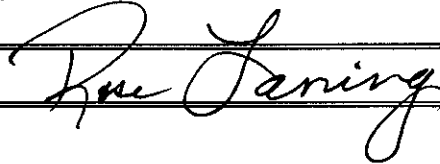
Senate Appropriations Committee

Check here for Conference Committee

Hearing Date: February 5, 2009

Recorder Job Number: 8764

Committee Clerk Signature



Minutes:

**Chairman Holmberg** called the committee hearing back to order on SB 2286 concerning an appropriation to the department of human services for a grant to the silver-haired education association.

**Senator Wardner**, District 37 Dickinson – was pinch hitting for **Senator Robinson** and asked for money for the silver-haired association. \$20,000 on appropriations.

**Ray Siver, Chairman, Silver-Haired Education Association (SHEA)**

Testified in favor of SB 2286. (Written attached testimony # 1)

**Bernie Wagner, District 24, Valley City Chairman, Barnes County Seniors; Barnes County Adult Services**

Testified in favor of SB 2286. (Written attached testimony # 2)

**Chairman Holmberg** closed the hearing on SB 2286.

**V. Chair Grindberg** moved **Do Pass** on SB 2286.

**Senator Lindaas** **Seconded**.

A Roll Call vote was taken. Yea: 11 Nay: 0 Absent: 3

The bill goes to the Government and Veteran's Affairs.

Date: 2-5-09

Roll Call Vote # 1

2009 SENATE STANDING COMMITTEE ROLL CALL VOTES  
BILL/RESOLUTION NO. 2286

Senate Senate Appropriations Committee

Check here for Conference Committee

Legislative Council Amendment Number \_\_\_\_\_

Action Taken  Do Pass  Do Not Pass  Amended

Motion Made By Sen. Grindberg Seconded By Sen. Lindaas

Senators	Yes	No	Senators	Yes	No
Sen. Ray Holmberg, Ch	✓		Sen. Tim Mathern	✓	
Sen. Tony S. Grindberg, VCh	✓		Sen. Aaron Krauter	✓	
Sen. Bill Bowman, VCh	✓		Sen. Larry J. Robinson		
Sen. Randel Christmann			Sen. John Warner	✓	
Sen. Rich Wardner	✓		Sen. Elroy N. Lindaas	✓	
Sen. Ralph L. Kilzer	✓		Sen. Tom Seymour	✓	
Sen. Tom Fischer					
Sen. Karen K. Krebsbach	✓				

Total Yes 10 No 0

Absent 3

Floor Assignment GVA Rever

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

REPORT OF STANDING COMMITTEE (410)  
February 5, 2009 12:59 p.m.

Module No: SR-23-1776  
Carrier: Dever  
Insert LC: . Title: .

**REPORT OF STANDING COMMITTEE**

**SB 2286: Appropriations Committee (Sen. Holmberg, Chairman) recommends DO PASS**  
(11 YEAS, 0 NAYS, 3 ABSENT AND NOT VOTING). SB 2286 was placed on the  
Eleventh order on the calendar.

2009 HOUSE APPROPRIATIONS

SB 2286

## 2009 HOUSE STANDING COMMITTEE MINUTES

SB 2286

House Appropriations Committee

Check here for Conference Committee

Hearing Date: March 9, 2009

Recorder Job Number: 10504

Committee Clerk Signature

*Holly N. Sand*

Minutes:

**Chm. Svedjan** called the meeting of the House Appropriations Committee to order. Clerk, Holly Sand, called the roll and a quorum was declared.

**Chm. Svedjan** discussed what was on the agenda and opened the hearing on SB 2286.

**Sen. Larry Robinson, District 24** approached the podium and distributed his testimony

(Attachment A) and Ray Silver (Attachment B). Sen. Robinson reviewed his written testimony.

(1:29)

**Chm. Svedjan:** I'm not familiar with equal pay for equal care. (5:51)

Sen. Robinson: Mr. Herman might be able to speak to that. Is that the preload to the equal assessment of charges in nursing home care across the state of North Dakota?

**Chm. Svedjan:** Equalized rates?

**Sen. Robinson:** I think that goes way back. I did have a list of proposals that they have worked on that have become law and it is quite lengthy. One other individual who had hoped to be here from my hometown, Vernie Wagner, who has been involved in this effort for many years, apologizes for his absence.

**Sen. Rich Wardner, District 37,** approached the podium to express his support for this bill.

He said that this is a small amount of money when you think of the involvement of these people. (7:12)

**Rep. Berg:** The budget is \$6,800. Why are we asking for \$20,000? (7:40)

**Sen. Wardner:** I think that's just what they need for those things. I'm not aware that they needed that much.

**Chm. Svedjan:** It's less than what is in the bill – the budget that's attached to Mr. Siver's testimony.

**Sen. Wardner:** What amount?

**Chm. Svedjan:** \$6,810.28.

**Rep. Berg:** Do we provide General Fund money to other groups like this? That are 501(c) (3) where we just give them a direct appropriation? (8:38)

**Sen. Wardner:** Yes we do, in a variety of ways. We stick it in another budget and get it to them. When you say "direct" I can't think of anything. In this one it goes to Aging Services and it goes out of the Human Service area. Do we put money for these groups into other budgets and they can pick them up as grants, the answer is "yes."

**Chm. Svedjan:** Lutheran Social Services would be an example. There are dollars that flow through Human Services.

**Rep. Wald:** We've given money to the Cowboy Hall of Fame in Medora and they're a 501(c) (3).

**Rep. Hawken:** The financial attachment is not a budget. It's what they spent this past year. They are in the hole \$500.

**Rep. Nelson:** In the past, there has been question as to if we appropriate money whether it affects their ability to lobby. Are you aware of any restrictions? (10:52)

**Sen. Robinson:** I'm not aware of any. I know that individually they do. I do not remember ever receiving anything particularly from the Silver-Haired Assembly, but have heard from them on an individual basis. The involvement has suffered because of their inability to raise funds.



**Rep. Skarphol:** Rep. Nelson raises a good point. This morning, Rep. Grande talked about the fact that her husband who was merely in the audience when some legislation was proposed that he worked directly with, when he attempted to testify with Al Jaeger present he was told he would have to register as a lobbyist. I think it would be important to ask the Secretary of State whether or not they have to register as lobbyists. It could be counterproductive to give them money if that's the case. (13:06)

**Curtis Herman, Past President, Silver-Haired Education Association (SHEA)** approached the podium and distributed testimony (Attachment C). Mr. Herman gave a brief history of the SHEA and reviewed his testimony. The SHEA is asking for \$20,000 which would cover the costs of the 2010 Assembly. (13:59)

**Rep. Wald:** How do you get elected? (21:26)

**Mr. Herman:** I have to get five signatures and take it to the Senior Center and there is an election.

**Rep. Nelson:** When you were getting funding prior to 1997 was that a direct appropriation? (22:24)

**Mr. Herman:** That appropriation was Human Services.

**Rep. Nelson:** So that was a grant from Human Services.

**Mr. Herman:** From the federal government.

**Rep. Nelson:** So up to this point, there has not been a direct appropriation from the North Dakota legislature, though?

**Mr. Herman:** This is the first time I've asked for something like this. We've asked for a line item before. This time we are asking for it differently.

**Chm. Svedjan:** That line item was to have a line item on the income tax return. (23:23)

**Rep. Glasheim:** Aside from the 41 people at the Assembly, are there additional things that happen to inform other people back home, or does the main benefit go to the 41 members of the assembly? (23:31)

**Mr. Herman:** The assembly is directed to go back home and deliver the information. I do it like you legislators do.

**Rep. Pollert:** How many members are in the SHEA? Are there dues and what are they? (24:44)

**Mr. Herman:** This past session there were 41.

**Rep. Pollert:** Do you have a membership?

**Mr. Herman:** No. All we know is how many people – about 160,000 North Dakota who are AARP members. We're not associated with AARP but we know that there are that many senior out there and those are the people we contact.

**Chm. Svedjan:** There is no membership plan of any kind.

**Mr. Herman:** We have no membership.

**Rep. Delzer:** Have you checked with Ward County to see what increase Senior mill levy money there will be this year compared to last? (25:35)

**Mr. Herman:** After the increase, after last session, the interest was \$6,000.

**Rep. Delzer:** Are you aware of what the mill levy is in Ward County?

**Mr. Herman:** One mill.

**Rep. Delzer:** The last report I saw was actually less than one mill levy. It was .88.

**Mr. Herman:** This is what happens when you involve the mill levies. If you talk money instead of mill levy you are better off. In Ward County, the commissioners didn't understand that they weren't giving us the full mill and they increase the amount of the mill levy.

**Rep. Delzer:** Have you asked or are you aware of any other counties that have asked for county support?

**Mr. Herman:** Yes. I received about \$4,000 over this past year. I sent out a letter to 242 Senior Centers across North Dakota asking for money. In the case of Ward County the county gave \$1,000. McHenry County gave us \$500. Originally the counties were supposed to give \$1,000 but some can't afford \$500.

**Rep. Delzer:** Have you petitioned the County Commissioners not the Senior Citizen Centers?

**Mr. Herman:** I present to the senior citizens. We don't go to the commission because our budget for the Seniors Commission on Aging goes before the Ward County Commissioners.  
(28:30)

**Rep. Berg:** You mentioned that a number of good ideas came from the Department of Human Services that you took up and debated. What were some of those ideas that you took up this last assembly? (29:02)

**Mr. Herman:** This was one of them.

**Rep. Berg:** To go to the legislature and get funding?

**Mr. Herman:** Yes. If we don't get it, I don't know what else to do. We have come a long way without any help from the state. Senior Centers are taking on more costs.

**Rep. Kaldor:** When you assemble do you put together the results of your actions? (30:06)

**Mr. Herman:** Are you asking if we show the results of the assembly?

**Rep. Kaldor:** I have that at home. Our Assistant Secretary is here and we have results of our work. I could see that this Committee gets a copy.

**Rep. Berg:** Sometimes we say in politics "be careful what you ask for. It might come true."

Obviously you are committing yourself to our constitutional right of free speech and putting ideas forward and lobbying for those ideas to become law. I was just thinking what happens if

100 percent of your funding comes from the legislature? What happens if your assembly wants ideas that will be contradictory to what the legislature wants? Will you be forced to not take those ideas up and not debate those issues in fear of losing funding? (31:50)

**Mr. Herman:** Inaudible. I don't think we would do anything above and beyond what you ask us to.

**Rep. Berg:** For example, if your assembly said, "we should have no red cars in North Dakota." And the legislature said, "We want red cars." And someone said, "If you vote for no red cars, we're going to pull your funding from you." What kind of influence would that have on your assembly as you're debating issues?

**Mr. Herman:** We would have to say, "This is what the state says." The state overrides us.

**Chm. Svedjan** thanked Mr. Herman. (33:30)

**Chm. Svedjan:** We have a question for you (Secretary of State) that has to do with the request to fund through the Department of Aging Services a 501(c) (3) organization, the SHEA, and what implications that has on the issue of lobbying. (33:35)

**Al Jaeger, Secretary of State,** approached the podium. The North Dakota SHEA has been incorporated as a non-profit since 1981. It also has a charitable solicitation license and that was licensed in June 1992. In terms of lobbying, any time that an individual comes in and speaks on behalf of an organization under our state lobbying laws they should be registered as lobbyists. At the present time this association does not have any registered lobbyists. In terms of providing the money, that's up to you as far as providing it to a non-profit organization. In terms of their status, by our present laws, if someone speaks on behalf of that organization they should be registered as a lobbyist for that organization. (33:59)

**Chm. Svedjan:** Would that be the case whether or not we provide funding? (35:30)

**Mr. Jaeger:** My guess is because you also provide funding directly or indirectly to a lot of non-profit organizations. I would think that would be the same. The only people that are excluded are people in their official capacity like me or County Commissioner or City Commissioner.

**Chm. Svedjan:** The fact that we provide funding is not an issue with regard to lobbying and registering as a lobbyist. They should register as a lobbyist either way.

**Mr. Jaeger:** I would think so.

**Rep. Onstad:** They could, as long as there wasn't any reimbursement from the organization, lobby on their own behalf as an individual?

**Mr. Jaeger:** As long as they are testifying on their own behalf and not indicating that they are testifying on the behalf of an organization, as soon as the individual makes a reference that "I am here on behalf of" that invokes the lobbyist registration requirement. (36:13)

**Chm. Svedjan:** And that's whether or not they receive funding from the state?

**Mr. Jaeger:** That would be my understanding. The law doesn't get into that at all. It just talks about of "on behalf of anybody else."

**Rep. Skarphol:** Is there a fee involved in being registered? (37:17)

**Mr. Jaeger:** \$25 plus \$5 for each additional. We have legislation going through that raises that to \$15 but the \$25 stays the same.

**Rep. Skarphol:** The \$25 is for an organization for one individual and if they wanted to have two individuals it's more?

**Mr. Jaeger:** No. It's \$25. We do not register the organization, we register the individual. So one individual can represent many different organizations. The registration for that individual is \$25. If they add another organization, that's another \$5. If an organization has six people come in to testify on their behalf they could probably have to pay for each one but there is a provision in the law, . . . , for example, the North Dakota Association of Realtors. If a number of

Realtor members come in to testify on something, under current law if Claus Lembke as the lobbyist indicates to the Chairman that "these are people on behalf of" they are allowed to testify without being individually registered.

**Chm. Svedjan** asked for Mr. Herman to provide the summary statement. Chm. Svedjan closed the hearing on SB 2286.

**Rep. Delzer:** I would ask Legislative Council to get the latest Mill Levy match information by county.

## 2009 HOUSE STANDING COMMITTEE MINUTES

Bill/Resolution No. SB 2286

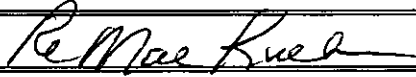
House Appropriations Committee

Check here for Conference Committee

Hearing Date: March 19, 2009

Recorder Job Number: 11236

Committee Clerk Signature



Minutes:

**Chm. Svedjan** called the meeting of the House Appropriations Committee to order. Clerk, Holly Sand, called the roll and a quorum was declared.

**Chm. Svedjan** pointed out the information that was on the Committees' desks, some of which was requested in earlier meetings. Committee photos will be taken Friday, March 27, 2009 at 10 am. There are 16 bills on the agenda today. The total impact of those bills is over \$20 million.

**Chm. Svedjan** turned the Committee's attention to SB 2286.

**Rep. Berg:** I don't see the purpose of us funding this.

I move a Do Not Pass.

**Rep. Kempenich:** Seconded.

A Roll Call vote was taken. **Yes:** 13, **No:** 9, **Absent:** 3, (Representatives Bellew, Glasheim, Wieland).

**Representative Berg will carry the bill.**

Date: 3/19/09  
Roll Call Vote #: 1

2009 HOUSE STANDING COMMITTEE ROLL CALL VOTES  
BILL/RESOLUTION NO. 2286

Day 50

Full House Appropriations Committee

Conference Committee

Legislative Council amendment Number \_\_\_\_\_

Action Taken:  Do Pass  Do Not Pass  As Amended

Motion Made By: Berg Seconded By: Kempenich

Representatives	Yes	No	Representatives	Yes	No
Chairman Svedjan	✓				
Vice Chairman Kempenich	✓				
Rep. Skarphol	✓		Rep. Kroeber		✓
Rep. Wald	✓		Rep. Onstad		✓
Rep. Hawken	✓		Rep. Williams		✓
Rep. Klein		✓			
Rep. Martinson	✓				
Rep. Delzer	✓		Rep. Glassheim		
Rep. Thoreson	✓		Rep. Kaldor		✓
Rep. Berg	✓		Rep. Meyer		✓
Rep. Dosch	✓				
Rep. Pollert	✓		Rep. Ekstrom		✓
Rep. Bellew			Rep. Kerzman		✓
Rep. Kreidt	✓		Rep. Metcalf		✓
Rep. Nelson	✓				
Rep. Wieland					

Total Yes 13 No 9

Absent 3

Floor Assignment: Rep. Berg

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



**REPORT OF STANDING COMMITTEE (410)**  
March 19, 2009 2:29 p.m.

**Module No: HR-50-5396**  
**Carrier: Berg**  
**Insert LC: . Title: .**

**REPORT OF STANDING COMMITTEE**

**SB 2286: Appropriations Committee (Rep. Svedjan, Chairman) recommends DO NOT PASS (13 YEAS, 9 NAYS, 3 ABSENT AND NOT VOTING). SB 2286 was placed on the Fourteenth order on the calendar.**

2009 TESTIMONY

SB 2286

**Supporting Testimony, SB 2286**

*Same to  
given to  
House Appropri.*

My name is Ray Siver, Grand Forks, and I am the Chairman, Silver-Haired Education Association (SHEA) Steering Committee and the President, Silver-Haired Assembly. This bill originated as a means to secure funding to continue operations of SHEA. At one time we were funded by the Older Americans Act, through the Department of Human Services, Aging Services Division (during the 1980's). At that time funding was sufficient to hire an executive director, as well as fund our continuing operational expenses for committee meetings, our biennial assembly, and other incidentals such as printing, computer support, etc. In the 1990's funding became less available and we were dropped from Aging Services budget since they no longer could afford to support us. Since that time we have existed as volunteers, supported solely on contributions from senior center/clubs throughout the state, and individual donations. Each year has provided growing challenges to our continued operation. With current economic conditions creating hardships to the sources of our funding, it has been unrealistic to expect the levels of support we have received in the past. We feel we provide a valuable service to both the Governor and his staff and the grassroots individuals who provide input to our delegates (currently 41 delegates from all over North Dakota). I sincerely ask for your strong support of this bill when your voting takes place. I hope to provide adequate answers to any questions you may have. Thank you for allowing me to testify in this committee meeting.

Very Respectfully,

Ray Siver

**SILVER-HAIRED EDUCATION ASSOCIATION**  
**2008 SUMMARY OF INCOME AND EXPENSES**

*Same amount  
given to  
Senate & House  
Approp.*

State & Federal Filing Fee	\$	30.00
Contracted Secretary		300.00
Postage		59.33
Administrative Supplies & Printing Costs		2,869.63
Assembly Clerk		400.00
Reimbursement for travel and lodging		3,151.32
	<b>Total Expenses</b>	<b>6,810.28</b>
Interest		29.16
Donations		6,212.00
	<b>Total Income</b>	<b>6,241.16</b>
	<b>Total Cash Loss</b>	<b>\$ 569.12</b>

## Supporting Testimony, SB 2286

My name is Ray Siver, Grand Forks, and I am the Chairman, Silver-Haired Education Association (SHEA) Steering Committee and the President, Silver-Haired Assembly. This bill originated as a means to secure funding to continue operations of SHEA. At one time we were funded by the Older Americans Act, through the Department of Human Services, Aging Services Division (during the 1980's). At that time funding was sufficient to hire an executive director, as well as fund our continuing operational expenses for committee meetings, our biennial assembly, and other incidentals such as printing, computer support, etc. In the 1990's funding became less available and we were dropped from Aging Services budget since they no longer could afford to support us. Since that time we have existed as nonpartisan volunteers, supported solely on contributions from senior center/clubs throughout the state, and individual donations. Each year has provided growing challenges to our continued operation. With current economic conditions creating hardships to the sources of our funding, it has been unrealistic to expect the levels of support we have received in the past. We feel we provide a valuable service to both the Governor and his staff and the grassroots individuals who provide input to our delegates (currently 41 delegates from all over North Dakota). I sincerely ask for your strong support of this bill when your voting takes place. I hope to provide adequate answers to any questions you may have. Thank you for allowing me to testify in this committee meeting.

Very Respectfully,

Ray Siver

Bernard A. Wagner  
Chairman of Barnes County Seniors  
Chairman South Central Adult Service  
Chairman of Barnes County Housing  
Chairman Of Bridgeview Estates Assisted Living Facility in Valley City, ND

President of the 164<sup>th</sup> Infantry Association of the United States

*Attachment A*

*3/9/09*

*SB 2286*

March 9, 2009

**Senate Bill 2286**

**House Appropriations Committee**

**Honorable Ken Svedjan, Chairperson**

Please accept my apologies for not being in attendance today to testify in support of SB 2286. I have to attend a board meeting for the foundation I work for at Valley City State University.

This bill is being introduced at the request of the Silver Haired Assembly of North Dakota. There have been other versions of this bill introduced over the years. In the last couple of sessions, a bill to allow for a check off on our state income tax form was proposed to support the activities of the Silver Haired Assembly. That bill was defeated.

The Silver Haired Assembly has served the people of this state well. Their efforts have paved the way for a number of initiatives that eventually became law. Some of those initiatives include the moratorium on nursing home beds, funding for adult protective services, probation of smoking in public places, and the concept of equal pay for equal care in nursing homes also originated with the SHA.

The appropriation in this bill calls for a total of \$20,000 to support the Silver Haired Assembly. The dollars would be administered by the Aging Services Division of the DHS. I urge the committee to support SB2286. This is a modest appropriation to encourage our seniors to remain active and involved in the political process. With the age groups of 65 and older and 85 and older the fasted growing population in North Dakota, it is even more important that we support this legislation.

Mr. Chairperson and members of the committee, the folks involved in the Silver Haired Assembly are from America's Greatest Generation. They have given so much and now are asking so little. I urge you to give SB 2286 a Do Pass recommendation.

Thank you for your consideration.

Senator Larry Robinson, District 24

**SENATE BILL 2286  
ROUGH RIDER ROOM  
MONDAY, MARCH 9, 2009  
2:30 P.M.**

Chairman Pollert and members of this committee  
**GOOD AFTERNOON**

My name is Curtis Herman from Minot, North Dakota. I am Past President of the North Dakota Silver-Haired Education Association (NDSHEA) and am also Past Chairman of the Steering Committee which is the governing body of the NDSHEA. **I am in favor of SB 2286 because of the need to have adequate funding necessary to continue the work of SHEA.**

The goal of the SHEA is to make a difference in the livelihood of the Seniors in North Dakota. The North Dakota Silver-Haired Education Association is an organization composed of Senior Citizens from throughout North Dakota who are 60 years of age and older. SHEA is a 501-C-3 non-profit tax exempt corporation. Originally SHEA was funded by contract with (Federal Older American Act) dollars channeled through the **Aging Network of North Dakota (ANND)**, local match and additional contributions. SHEA lost this Federal funding in 1997 and although the office closed its doors, the vision of the Silver-Haired Assembly remained strong in the hearts and minds of many people. Since 1997 SHEA has been able to continue with contributions



from senior clubs and other organizations. It is our hope that with the passage of SB 2286 we will be able to continue to improve the health and welfare of the approximate 160,000 senior citizens of North Dakota. According to the last census North Dakota persons aged 60 and older comprise 32 per cent of our population and this percentage number is growing in leaps and bounds. Thus the need for an organization such as the North Dakota Silver-Haired Education Association.

One delegate is elected from each county in North Dakota to represent that county at the North Dakota Silver-Haired Legislative Assembly. The term of office is for two years. During the last day of the Assembly a Steering Committee is formed. The steering committee is composed of one delegate elected from each of the Governor's eight regions is elected to serve on the Steering Committee. The President, President Pro Tem and Past President and the representative from the Reservations are also members of the Committee.

The last SHEA was held on July 30, 31 and August 1, 2008 in the North Dakota House Chambers with forty two of the fifty three counties represented. The state of Missouri held the first Silver-Haired Legislature in 1972 and has convened one every year since. At the present time there are 36 states that have an organized Silver-Haired Education Association. The first NDSHEA was convened in 1980 and is a pattern of the Missouri experience.

A Silver-Haired Legislative Assembly has been held every other year since 1980. The Silver-Haired Legislature is a model legislative session whose purpose is to provide an educational experience for older citizens, informing them about the legislative process through actual involvement in it and to provide a forum through which the needs of their constituents can be brought forth and addressed.

## Chairman Pollert and Members of this Committee:

My name is Curtis Herman and I live in Minot. I have been associated with the North Dakota Silver Haired Education Association since 1994 having been elected as a delegate from Ward County in that year and have represented Ward County every year since. I have been a voting member of the Steering Committee since 1998. I was elected to the position of Chairman of the Steering Committee in 2002 and elected President of the Assembly in the same year. I continued in those positions until this past year. I am now the Association's Treasurer.

For several years now SHEA has relied on the generosity of senior centers/clubs and county councils throughout the state to provide donations for operating expenses and the expenses of our General Assembly which is held in the House chambers during late July and early August time frame every two years. Financial difficulties in those organizations make it unreasonable to expect the levels of support provided in the past. The assembly is used to provide education to delegates (currently 41) elected at their local levels. Development of ideas from grass roots seniors (and those concerned with senior issues) is addressed in our Steering Committee. After discussion, we collectively decide what issues would be important to seniors, and then prioritize the issues in preparation for presentation to our General Assembly.

Four standing committees then review the issues and determine if it would be proper to present it to the legislature in the form of a bill or resolution. At our General Assembly, all bills and/or resolutions are voted on to determine propriety and format. We have been We have been instrumental in initiating many bills that have become law although we have not always been the carrier. Many times other agencies have carried the bills to the legislature for us.

Mr Chairman thank you for allowing me appear before your committee.

I respectfully request your strong support of this bill so that SHEA may continue to be a voice for seniors throughout the state. I would be happy to respond to any questions or comments that you might have.

February 5, 2009

**Senate Bill 2286**

**Senate Appropriations Committee**

**Honorable Ray Holmberg, Chairperson**

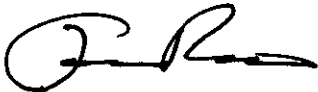
Please accept my apologies for not being in attendance today to testify in support of SB 2286. This bill is being introduced at the request of the Silver Haired Assembly of North Dakota. There have been other versions of this bill introduced over the years. In the last couple of sessions, a bill to allow for a check off on our state income tax forms was proposed to support the activities of the Silver Haired Assembly. The bill was approved by the Senate and then defeated by the House of Representatives.

The Silver Haired Assembly has served the people of this state well. Their efforts have paved the way for a number of initiatives that eventually became law. Some of those initiatives include the moratorium on nursing home beds, funding for adult protective services, probation of smoking in public places, and the concept of equal pay for equal care in nursing homes also originated with the SHA.

The appropriation in this bill calls for a total of \$20,000 to support the Silver Haired Assembly. The dollars would be administered by the Aging Services Division of the DHS. I urge the committee to support SB2286. This is a modest appropriation to encourage our seniors to remain active and involved in the political process. With the age groups of 65 and older and 85 and older the fastest growing population in North Dakota, it is even more important that we support this legislation.

Mr. Chairperson and members of the committee, the folks involved in the Silver Haired Assembly are from America's Greatest Generation. They have given so much and now are asking so little. I urge you to give SB 2286 a Do Pass recommendation.

Thank you for your consideration.



Senator Larry Robinson, District 24