

2015 SENATE HUMAN SERVICES

SB 2239

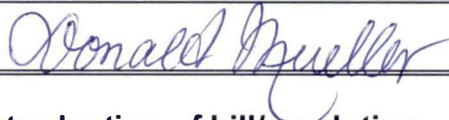
2015 SENATE STANDING COMMITTEE MINUTES

Human Services Committee
Red River Room, State Capitol

SB 2239
1/28/2015
22695

- Subcommittee
 Conference Committee

Committee Clerk Signature



Explanation or reason for introduction of bill/resolution:

A bill for the establishment of a center for independent living outreach office on the Turtle Mountain Indian Reservation; and to provide an appropriation.

Minutes:

Attach #1: Testimony by Sen. Richard Marcellais

Senator Richard Marcellais introduced SB 2239 to the committee. (attach #1) (1:56)

Senator Howard Anderson, Jr. asked what percent of the total population of enrolled members does 2,800 represent?

Senator Marcellais indicated 35,000 members, so whatever the 2,800 into 35,000.

Senator Marcellais Introduced Mr. Willie Davis. He is disabled. He is very involved with Turtle Mountain.

Mr. Willie Davis testified in FAVOR of SB 2239, via phone. (2:04-7:15) Mr. Davis indicated that this is persistence, the bill failed in the last session and he wanted to increase the awareness of the need of services for people with disabilities, and an independent living center with support of the local tribe established on the reservation would provide daily services. Mr. Davis indicated this would be a pilot project to demonstrate to the State that they have an advocacy program.

Chairman Judy Lee asked if Senator Warner could sign the register for the record for Mr. Davis, and Mr. Davis gave permission.

Chairman Judy Lee also identified the fiscal note.

Chairman Judy Lee asked will the money be used for services or use for a building/facility.

Mr. Davis indicated the funds would be used for personnel, a director and assistant, to manage the facility, as well as client services, and rental of facility. They have verbal response from bill that the tribe is willing to give them land. Land is identified, and if we

work from a facility for a lease, the hope is after the pilot project to have a permanent facility.

Chairman Judy Lee asked if they would build, what will be the costs to build a facility? And then costs for the ongoing maintenance.

Mr. Davis indicated that once the facility is there, either rental or built, the tribe would provide ongoing. The Tribe has facilities that they can lease at this time. We have a plan in place, and have the Tribe help with the facility and the land. Also need to make sure the facility is accessible and accommodations, and that it passes the Americans Disability Act regulations.

Senator Axness stated that he is employed with one of the regional centers for independent living. Last session, we provided support to have Scott Burling in Minot have the responsibility to provide services in your area. Since last session, have you visited with Independent Sync about expanding services to your area (Scott).

Mr. Davis indicated that he did have the conversation. The concern is about daily services, and if they don't stay on the reservation, it is an issue. They created a satellite office out of Bottineau. It's where it's located and the cultural aspect as well, and that it has not been well received.

Ms. Donna Thomas joined the hearing via phone. The person from Independent Sync in Minot who works from the Bottineau satellite office has worked with Ms. Thomas on 5 cases so far this year. She wanted to rent office space, at tribal buildings or college or any place on the tribes, but there is no place to rent. My role is to be heavily associated with the person who is assigned here. As predicted, about half of her caseload is here. Having an office at the tribes is very important. May want to discuss with Michelle Anderson from Bottineau. Even though it would be located here, it would be available to anybody, not just tribal members, as long as they fit into the description of independent living client.

Mr. Davis disagreed, that it is only for the tribal members in Rolette County. We are trying to more for the Native American population on the reservation. There is already an identified IOC in Bottineau that helps any disabled individual.

Chairman Judy Lee in balancing the needs and resources, if there is a person had a disability, some of us wouldn't think it matters if they are tribal member or not if they live in the area close to where the facility is located on tribal land; that whoever is providing the services would provide them to whomever is qualified, regardless if they are tribal.

Ms. Thomas indicated that Turtle Mountain Tribe, when we use a local Indian Health facility, the hospital for example, we have a series of eligibility. You don't have to be enrolled to use their hospital. You have to show decadency, via document, you are still eligible for health care. Other programs where the federal laws and regulations you must be enrolled in the tribe, but medical issued is based on decadency.

Mr. Davis spoke again, would like the discussion to continue IOC and the state. We are missing the cultural aspect.

Senator Warner signed the register on behalf of Donna Thomas.

Recess
Re-opened Hearing.

No more testimony in favor

OPPOSITION TO SB 2239
No opposing testimony.

NEUTRAL TO SB 2239
No neutral testimony.

Closed Public Hearing.

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Donald Mueller



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Minutes:

No attachments

This is minutes from Senate Human Services Committee on January 28, 2015.

V. Chairman Oley Larsen from last session, we wanted to come together with the folks and give them help, which was no previously available. So we had players come together and make this happen. Scott from Independence in Minot started a satellite program in Bottineau. They have an employee and are servicing that area. It is an opportunity for everyone who is seeking help to go to Bottineau. In testimony, we heard they have no building, but they could possibly get use of the college or some other facility, but the second person indicated that those facilities are not available. The satellite facility is there. The need is being addressed.

Senator Axness agrees with V. Chairman Oley Larsen. We can't have an office in every community - we would like to. The way the southeast area works has a satellite office, and if a surrounding community needs a service, if it is reasonable, we go out there. In testimony, this is described as a pilot project but plan to build an entire new building, which isn't pilot program. I have confidence of the current makeup that if the needs there the needs will be met.

Senator Howard Anderson, Jr. additionally heard in the testimony that if this facility, should they have, is only for tribal members. If off the reservation, we expect that for everyone, it should be the same. There were too many inconsistencies for him, which it looks like they want a new building.

V. Chairman Oley Larsen made a motion of DO NOT PASS on SB 2239. The motion was seconded by **Senator Axness**. No discussion.

Roll Call Vote

Senate Human Services Committee

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6 Yes, 0 No, 0 Absent. Motion passes.

V. Chairman Oley Larsen will carry the bill to the floor.

Date: 01/28 2015
Roll Call Vote #: 1

2015 SENATE STANDING COMMITTEE
ROLL CALL VOTES
BILL/RESOLUTION NO. SB 2239

Senate Human Services 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 Larson Seconded By Axness

Senators	Yes	No	Senators	Yes	No
Senator Judy Lee (Chairman)	✓		Senator Tyler Axness	✓	
Senator Oley Larson (V-Chair)	✓		Senator John M. Warner	✓	
Senator Howard C. Anderson, Jr.	✓				
Senator Dick Dever	✓				

Total (Yes) 6 No 0

Absent 0

Floor Assignment Larson

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

REPORT OF STANDING COMMITTEE

SB 2239: Human Services Committee (Sen. J. Lee, Chairman) recommends **DO NOT PASS** (6 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2239 was placed on the Eleventh order on the calendar.

2015 TESTIMONY

SB 2239



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Attach #1
SB 2239
01/28/2015
J# 22695
COMMITTEES:
Education
Government and Veterans Affairs



Testimony for SB 2239 Relating to establishment of a center for independent living outreach office on the Turtle Mountain Indian Reservation

Chairwomen Lee, members of the Senate Human Services Committee, for the record my name is Richard Marcellais, Senator from District 9, Rolette County.

The Center of Independent Living (CIL) is a pilot project for 2 years by providing training, networking and/or resources to individuals with disabilities, mobility impairments, those requiring special needs or elders who require these types of assistance.

Those coming to the Center of Independent Living (CIL) Outreach office will have the opportunity to gain independence, along with a better outlook and improve self-image.

With the sum of nearly 2,800 enrolled members living with some type of disability or requiring some form of medical assistance from ages 5 to 85 there is a vast need to help establish resources for the tribal members.

Therefore, I am here today in support of Senate Bill 2239.

**Thank You, Chairwomen Lee and Human Services Committee.
I will try an answer any questions you may have.**