15.8189.01000

FISCAL NOTE
Requested by Legislative Council
01/14/2015

Bill/Resolution No.: SB 2219

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						
Appropriations						

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).*

This bill creates a statewide human trafficking 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.*

This bill is not anticipated to have any significant 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.*

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.*

N/A

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.*

N/A

Name: Kathy Roll
Agency: Office of Attorney General
Telephone: 701-328-3622
Date Prepared: 01/15/2015

2015 SENATE JUDICIARY

SB 2219

2015 SENATE STANDING COMMITTEE MINUTES

Judiciary Committee
Fort Lincoln Room, State Capitol

SB 2219
1/28/2015
22709

☐ Subcommittee
☐ Conference Committee

Commi ee Cle k Signature DRenose

Minutes: 1,2

Ch. Hogue: We will open the hearing on SB 2219.

Sen. Nicole Poolman: Sponsor, support (see attached #1).

Ch. Hogue: Thank you. Further testimony in support.

StacyPfliiger, ND Catholic Conference: Support (see attached #2).

Ch. Hogue: Thank you. (directed question to A.G.) Do we need government structure, it says that you appoint or remove them from the Commission. Do we need that language?

Wayne Stenehjem, AG: I think the bill is drafted just fine and workable. If you think any of those things are necessary, that's fine. I am very eager to get this up and running. If we need to look at changes in two years, we can do that then.

Sen. C. Nelson: We've been talking all morning about female victims. Is there any evidence of male victims in ND?

Wayne Stenehjem: There are two things that need to be remembered when we are talking about human trafficking. Yes there are males that are victims; in ND I'm not aware of any, we haven't seen that. The information is that nationally and internationally, yes there are male victims. Second, we focused on sex trafficking but also remember that human trafficking in labor is an issue as well. That is part of the focus of all of these things as well.

Ch. Hogue: Thank you. Further testimony in support. Testimony in opposition. Neutral testimony. We will close the hearing.

2015 SENATE STANDING COMMITTEE MINUTES

Judiciary Committee
Fort Lincoln Room, State Capitol

SB 2219
2/3/2015
23061

☐ Subcommittee
☐ Conference Committee

Committee Clerk Signature

Minutes:

Ch. Hogue: We will take action on SB 2219. What are the committee's wishes? Does anyone have amendments for this bill?

Sen. Armstrong: I move a Do Pass.

Sen. Casper: Second the motion.

Sen. Luick: What was finally decided on the fiscal note? Was there any.

Ch. Hogue: This is the AG's bill, where he can establish and appoint these members, so I assume there may be some expenses related to travel.

Sen. Armstrong: The fiscal note says this bill is not anticipated to have any significant fiscal impact.

Sen. C. Nelson: Having been on one of the AG's unofficial commissions, you kind of volunteer your services.

Ch. Hogue: If one travels in a capacity as the legislative representative, I assume that it is a legislative expense. I initially thought of putting a sunset clause on this bill, but decided against it. I don't have any amendments to offer. We will take a roll call vote.

6 YES 0 NO 0 ABSENT DO PASS CARRIER: Sen. Grabinger

Date: 2/3/15

Roll Call Vote #: 1

2015 SENATE STANDING COMMITTEE
ROLL CALL VOTE

BILL/RESOLUTION NO. 2219

Senate **JUDICIARY** 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 Sen Armstrong Seconded By Sen. Casper

Senators	Yes	No	Senators	Yes	No
Chairman Hogue	✓		Sen. Grabinger	✓	
Sen. Armstrong	✓		Sen. C. Nelson	✓	
Sen. Casper	✓				
Sen. Luick	✓				

Total (Yes) 6 No Ø

Absent Ø

Floor Assignment Sen. Grabinger

REPORT OF STANDING COMMITTEE

SB 2219: Judiciary Committee (Sen. Hogue, Chairman) recommends **DO PASS** (6 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2219 was placed on the Eleventh order on the calendar.

2015 HOUSE JUDICIARY

SB 2219

2015 HOUSE STANDING COMMITTEE MINUTES

Judiciary Committee
Prairie Room, State Capitol

SB 2219
3/23/2015
25227

☐ Subcommittee
☐ Conference Committee

Explanation or reason for introduction of bill/resolution:

An Act to establish a statewide human trafficking commission.

Minutes: Testimony #1

Chairman K. Koppelman: Opened the hearing on SB 2219.

Senator Poolman: See testimony #1

Rep. L. Klemin: Last sentence on subsection 1 on page one; Attorney General may establish the commission by appointing an existing state wide coalition. What does that refer to?

Senator Poolman: I am going to guess that I may be referring to FUSE.

Attorney General Wayne Stenehjem: I would appoint a committee of 9 or 10 people if this were to pass. That would include one of our agents from BCI; the victim advocate if that is approved that is part of my budget as it now stands in the House, a representative or two from FUSE that is the coalition that Representative Klemin referred to. I would not intend to just appoint that group, I would focus on a couple of members of that which would include the counsel on abused women services, a prosecutor either from my office, an assistant AG or from the North Dakota Association of counties. We will need some none government organization involvement because there are some of those organizations providing services as well as the faith community. There are a number of churches that are providing services and I think that is critical that we have their involvement as well and the local law enforcement. My intention would not be to just appoint someone else and have them take care of it.

Rep. L. Klemin: I don't think I have ever seen anything like that where you can just appoint a coalition and take it over?

Attorney Stenehjem: You can take that out if you want I don't have any objection to it. I have kind of outlined what I think the group would be and that would enable us to do the kinds of things that need to be done. I had just become aware in the last year or so that

there are churches that are providing services and I think it is important that we include them. There are a number of request we get for law enforcement saying please come out and do some training so I think coordinating with training activities could be useful and input from this group on the kinds of training that our needed and are available is helpful. There also are public awareness campaigns. The state of Montana for example has a poster campaign where they place posters urging people who feel they may possibly be victims of human trafficking to call the national hotline. Those are posted at truck stops, hospitals and even some at hotels. We would want to do that kind of thing as well.

Rep. L. Klemin: On other kinds of commissions we have all this stuff about them being paid compensation for their time.

Attorney Stenehjem: I intend not to pay per diem, because they would already be employees. I am hoping not to incur many expenses.

Chairman K. Koppelman: Double dipping has occurred at times and we said that is not the intent so it is wise to go about it the way you are suggesting. When I read that line I actually was impressed with it, because the first knee jerk reaction I hear from a lot of our colleagues when they see a bill like this is do we need another government body. The idea that maybe there is something or a group out there would be good efficiency.

Attorney Stenehjem: So it is clear I don't intent to do that. I think it is important that we have the components that I was talking about so we can coordinate everything, find out who is doing what. There are a lot of things that are going on that others may not be aware off and I think focusing it all together makes a lot of sense.

Dan Olmer ~ Volunteer on Youth Works: This bill ties it all together. If you think of 2107 that you are working on now you are changing the law, we are taking a serious step forward with that particular piece of what the law will be and how we want to treat this particular problem. The second bill that is in my mind fairly critical is 2199, the million dollars that I sincerely hope this committee will seriously advocate for because it doesn't work unless you put the money behind it. We are really not exactly sure what we are going to do with all of these victims. At Youth Works we have had a number of them. We have had to protect them from pimps and there is sort of a fine line as to whether or not this is sort of a witness protection program we are entering into or is it a treatment plan. There is a lot that we have to learn and I think that 2219 ties it all together. I am very impressed with Wayne Stenehjem taking this on as seriously has he has been. We trust that he will do as good of a job as he does with everything else.

Chairman K. Koppelman: I know that the Attorney General's around the country worked together on various issues, could you highlight for the committee what if anything is going on in this front with human trafficking?

Attorney Stenehjem: This is a huge issue with the National Association of Attorneys Generals. We have worked together, we have had a number of training sessions, and educational programs for ourselves. This is an issue that is going on all across the country and the other thing I want to mention too is we talk about sex trade but this human

trafficking also involves the labor trade so it is not just entirely the sex trafficking and that is something we haven't even started to get our hands around here in North Dakota.

Chairman K. Koppelman: With that in mind is there cooperation occurring state to state then to try deal with the issues?

Attorney Stenehjem: Yes we have a number of programs and training sessions and some law enforcement initiatives will be announcing a little bit later about efforts with federal, local and Montana.

Rep. Kretschmar: How often do you envision this commission will meet?

Attorney Stenehjem: It will first depend on the package of bills that you pass and what you do with the legislation that we have and then who is on the commission. Then that commission will be discussion how often it is that it is necessary, probably more often early. Maybe we can do it less often later on, but we will need to wait and see how things proceed. This is a very critical part of the entire package of legislation that you are considering and I thank you for the tremendous amount of time you have spent and the attention that you have given to this issue.

Christina Sambor ~ FUSE Coordinator: Fuse has really positioned itself to be a clearing house for an overall impact that this issue is having state wide and discipline wide. We have a leadership group that we go to and talk to about 25 people just to get one person to speak for all those voices, we kept it as small as we could. I think that is really a place where it is a safe space for everyone to talk and contribute their ideas and BCI has a seat at the table as does the US Attorney's Office and have been a strong voice at FUSE. However there are separate needs of the law enforcement community to have places where they can have really frank discussion about operations and that is going on around the state as well. I think 2219 gives us a great opportunity to bring what FUSE is doing and apply it broadly to some of those other efforts so that we all have a place to talk about what the different sectors are doing. In practice you see that those different practitioners want to collaborate but they also want to have collaborations within their specific sector. Really what this does is it builds that state wide effort. This is something that as the Attorney General mentioned is really best practice across the country and something that is encouraged very strongly by the Officer Victims of Crime Division of the Department of Justice and things that they will support financially too. Those will be things that we will be looking for in the future in terms of service provider roll. I think it is great to have a statement in a century code that this is something that needs to continue and something that is highlighted as a priority in our code.

Rep. Lois Delmore: I think many of you probably will be involved in this commission as well and I think it will be helpful to have a state entity where we can draft legislation, we can get some of the other things that maybe would be more difficult for you to do just as your own group, would you agree with that?

Christina Sambor: Yes I do. What I think really has been one of the most encouraging things with this whole thing is the level of cooperation and integration between the Attorney General's office and our coalition and so we fully expect and have been told that we would

defiantly be welcome as part of that conversation. I don't think we look at is a territorial issue, we understand that from a practical stand point something moving on some of these concrete things can be hard to do when you have a group of 25 so maybe kind of pulling that together with a couple representatives and taking that to people that are more focused on the law enforcement side or people that are starting to look at the labor trafficking side of things. Labor trafficking is something we haven't really started to approach. Our coalitions focus specifically on commercial sexual exploitation and so we certainly see the need to start collaborating around labor trafficking as well and would welcome the opportunity to lend our experience and what we have done on the commercial sex side to that effort.

Chairman K. Koppelman: Do you know if there is a big problem in North Dakota with labor trafficking?

Christina Sambor: I don't know. In terms of numbers it is the same issue that we have. I suspect that the labor department will obviously have caseloads that we could start look at. Certainly you see a lot of labor trafficking victim's also experiencing sexual harassment or sexual violence, because they are in a place that there is no ability to advocate for themselves. Some of those numbers may be easier to get than the sex trafficking, because we do have the department of labor that is investigating those types of cases.

Christopher Dodson ~ North Dakota Catholic Conference: This committee understands now how multi phasic this problem is now. You are dealing with law enforcement, social services, labor issues and so many other different things. I think this committee understands and can really make the pitch on why this is part of this three legged stool of 2107, 2199 and this bill are necessary all together. I want to emphasize that faith based groups are involved but there are also faith based groups that just want to do more but they don't know what to do and a group like this that sees the big picture on how these things are related maybe can open doors for faith based groups, churches and so on to get involved. To answer your question, labor trafficking may not occur here as much as in other states but it pops up and if you recall a few years ago there was a situation where the company they hired had no idea, but it turned out the individuals here claimed they were held up in Louisiana in bad conditions and then shipped here for a job. It does pop up but I think more importantly there is this overlap that we need to be congestive of at all times between the sex trafficking and the labor trafficking.

Opposition: None

Neutral: None

Hearing closed,.

2015 HOUSE STANDING COMMITTEE MINUTES

Judiciary Committee
Prairie Room, State Capitol

SB 2219
3/23/2015
No recording

☐ Subcommittee
☐ Conference Committee

Committee Clerk Signature

Minutes:

Chairman K. Koppelman: Opened the meeting on SB 2219. This was to establish a statewide human trafficking commission.

Do Pass Motion Made By Rep. Maragos; Seconded by Rep. L. Klemin:

Discussion: None

Roll Call Vote: 13 Yes 0 No 0 Absent Carrier: Rep. Lois Delmore:

Date: 3-23-15
Roll Call Vote #: 1

2015 HOUSE STANDING COMMITTEE
ROLL CALL VOTES 2219
BILL/RESOLUTION NO.

House **JUDICIARY** Committee

☐ Subcommittee ☐ Conference Committee

Amendment LC# or Description: _____

Recommendation: ☐ Adopt Amendment
☒ Do Pass ☐ Do Not Pass ☐ Without Committee Recommendation
☐ As Amended ☐ Rerefer to Appropriations
Other Actions: ☐ Reconsider ☐ _____

Motion Made By Rep Maragos Seconded By Rep. Klemin

Representative	Yes	No	Representative	Yes	No
Chairman K. Koppelman	✓		Rep. Pamela Anderson	✓	
Vice Chairman Karls	✓		Rep. Delmore	✓	
Rep. Brabandt	✓		Rep. K. Wallman	✓	
Rep. Hawken	✓				
Rep. Mary Johnson	✓				
Rep. Klemin	✓				
Rep. Kretschmar	✓				
Rep. D. Larson	✓				
Rep. Maragos	✓				
Rep. Paur	✓				

Total (Yes) 13 No 0

Absent 0

Floor Assignment Rep. Delmore

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

REPORT OF STANDING COMMITTEE

SB 2219: Judiciary Committee (Rep. K. Koppelman, Chairman) recommends **DO PASS** (13 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2219 was placed on the Fourteenth order on the calendar.

2015 TESTIMONY

SB 2219

1/28/15 #1

Good morning, Chairman Hogue and members of the Judiciary Committee, my name is Nicole Poolman, State Senator from District 7 representing Bismarck and Lincoln.

I want to begin by thanking the Attorney General for taking the lead on such an important issue. He is always getting ahead of the issues our state faces to ensure the safety of our citizens, and we are lucky to have him serving the people of North Dakota.

Senate Bill 2219 creates a Human Trafficking Commission, which will coordinate services, training, and prevention. It will coordinate the services provided to victims, the training of local law enforcement agencies and prosecutors, and the education of local and state employees who may have recurring contact with victims or perpetrators. It will ensure that the many groups interested in helping these victims work together, not in isolation. So often we have the best intentions in government, but we end up with duplication of services and a difficult system to navigate. Establishing a commission like this out of the gate will ensure coordinated and streamlined services.

One of the most important roles of the Commission will be creating a public awareness campaign. We need to help North Dakotans understand the scope of the problem, but more importantly, we want our citizens to be part of the solution. Citizens need to know what signs they can look for to identify these trafficking rings as well as understand what situations can leave young girls vulnerable to becoming victims of human trafficking.

#2

North Dakota Catholic Conference

Representing the Diocese of Fargo and the Diocese of Bismarck

Christopher T. Dodson
Executive Director and
General Counsel

January 28, 2015

TO: Senate Judiciary Committee

FROM: Stacey Pfliiger, Associate

SUBJ: Senate Bill 2219

Chairman Hogue and Members of the Committee, my name is Stacey Pfliiger and I am here on behalf of the North Dakota Catholic Conference. The North Dakota Catholic Conference supports SB 2219 and urges a do pass recommendation.

Fighting human trafficking will take a multi-faceted approach as outlined in SB 2219. That approach will include the following:

- Victim Services
- Data collection
- Public Awareness Campaign including hotline numbers
- Training for prevention, victim services, law enforcement investigations, and prosecution

Fighting human trafficking is an opportunity for local, state and tribal entities; government, nongovernment, or faith based; to find common ground to support and learn from each other while combating modern day slavery.

The North Dakota Catholic Conference urges a DO PASS recommendation on Senate Bill 2219.

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#1
SB2219
3-23-15

Testimony from Nicole Poolman

Monday, March 23, 2015

House Judiciary Committee

Good morning, Mr. Chairman and members of the Judiciary Committee, my name is Nicole Poolman, State Senator from District 7 representing Bismarck and Lincoln.

Senate Bill 2219 creates a Human Trafficking Commission, which will coordinate services, training, and prevention. It will coordinate the services provided to victims, the training of local law enforcement agencies and prosecutors, and the education of local and state employees who may have recurring contact with victims or perpetrators. It will ensure that the many groups interested in helping these victims work together, not in isolation. So often we have the best intentions in government, but we end up with duplication of services and a difficult system to navigate. Establishing a commission like this out of the gate will ensure coordinated and streamlined services.

One of the most important roles of the Commission will be creating a public awareness campaign. We need to help North Dakotans understand the scope of the problem, but more importantly, we want our citizens to be part of the solution. Citizens need to know what signs they can look for to identify these trafficking rings as well as understand what situations can leave our young people vulnerable to becoming victims of human trafficking.

I ask for your support of 2219 and will answer any questions at this time.