

2021 SENATE GOVERNMENT AND VETERANS AFFAIRS

SB 2316

2021 SENATE STANDING COMMITTEE MINUTES

Government and Veterans Affairs Committee Room JW216, State Capitol

SB 2316
2/4/2021

Relating to changing the date of First Nations Day.
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Chair Vedaa opened the hearing at 2:26 p.m. with Sen Vedaa, Meyer, Elkin, K Roers, Wobbema, Weber, and Marcellais present.

Discussion Topics:

- Native American traditions
- Respect for Native cultures

Sen Hogan - introduced the bill #5422

Sharnell Seaboy - testified in favor

Melanie Moniz - testified in favor # 5525

Cheryl Kary – Sacred Pipe Resource Center – testified in favor #5527

Rep Buffalo - testified in favor #5529

Alicia Hegland-Thorpe - testified in favor #5476

Carol Two Eagles - testified in favor

Brandi Hardy – ND Human Rights Coalition - testified in favor #5491

Additional written testimony:

Gretchen Deeg – in favor #5482

Tawny Cale – in favor #5480

Amy Ingersoll-Johnson in favor #5454

Courtney Davis Souvannasacd – in favor #5436

Kathryn L. Dunlap – in favor #5434

Tim Baumann – in favor #5359

Maura Ferguson – in favor #5328

Annette L. Mennem – in favor #5224

Richard M. Marcellais – in favor #4353

Adjourned at 3:36 p.m.

Pam Dever, Committee Clerk

**Testimony on
Senate bill 2316
Government and Veterans' Affairs
Feb 4, 2021**

Good afternoon Chairman Veeda and member of the Government and Veterans Affairs Committee. For the record, my name is Senator Kathy Hogan, I represent District 21 which is the heart of Fargo.

In 2013, ND adopted *First Nations* day to be held on the Friday prior to the second Monday of October. This day is recognized in the list of official days to be recognized with other days including Mother's Day, Arbor Day, Bird Day, Four Chaplains Sunday, Vietnam Veteran's Day, Women Veterans month, Firefighters memorial weekend and Patriots day.

This bill simply changes the date from a Friday in October to the second Monday. South Dakota was the first state to recognize Indigenous Peoples day in 1989. Fourteen states – Alabama, Alaska, Hawaii, Idaho, Maine, Michigan, Minnesota, New Mexico, North Carolina, Oklahoma, Oregon, South Dakota, Vermont, and Wisconsin – plus the District of Columbia and more than 130 cities observe Indigenous Peoples Day on the second Monday in October. This bill simply aligns us with other jurisdictions.

The issue I struggled in drafting this bill was whether to call it First Nations Day or Indigenous People day. Our neighbor to the north uses the term *First Nations* to acknowledge the many different nations or tribes. It is sometimes seen as a broader term than Indigenous People although both terms are help all ND citizens recognize the history, culture, and legitimacy of the original inhabitants of our beautiful state.

Chairman Veeda and Members of the committee, I urge you to will approve this change.

(Greeting in traditional language)

Greetings, it is good to see you all.

My name is butterfly woman, my English name is Melanie Moniz. I am Nueta, Hidatsa, and Sahnish and I've come today with a good heart. I am a descendant of Paints Up, Woman Goes Out, and Bears Ghost, my people, the Nueta (or as many of you have come to learn the Mandan) once lived in village's throughout this region and we are still here today, we have lived here for thousands of years.

Chairman Vedaa and members of the committee

I am here today in support of SB 2316.

I wear many hats as most of us do, today I am here as an Indigenous woman, a mother, an advocate, and a constituent of district 30.

In 1977 at the International Conference on Discrimination Against Indigenous Populations in the Americas an idea to celebrate Indigenous People's Day in lieu of Columbus Day was born. Many people, both Indigenous and Non-Indigenous alike worked very hard to make that idea a reality. In 1990 South Dakota became the first state to celebrate and recognize Indigenous people. In the years following other neighbor states such as Montana and Minnesota followed.

Tribal Nations, Tribal Colleges, a growing number of states and cities, three of which are right here in North Dakota, and Indigenous people throughout our nation all celebrate, observe, and recognize Indigenous people on the second Monday of October.

The idea to shift away from celebrating a false narrative that negatively impacts Indigenous people has proven to be healing for Indigenous people and positively impacts every community by building bridges and filling gaps.

The health and well-being of our children and all children is always at the center of our decisions as they are impacted by our actions. Watching my children participate in an Indigenous People's Day celebration was such a joy every mother wants for their children. The prayer, ceremony, and celebrations of people who look like them empowered them, so much so that it has led me here to you today.

Consistency is so important; we would not celebrate Christmas Day on a separate day from the rest of the nation and we should not celebrate Indigenous people on a separate day either.

Chairman Vedaa and members of the commission 2020 has taught us so many things and has shown that we must work to fill gaps and come together. Move North Dakota forward and vote yes on SB 2316.

Thank you for your public service. I will stand for questions.

Melanie Moniz

**Testimony in SUPPORT of SB 2316
Related to Changing the Date of First Nations Day
Senate Government and Veterans Affairs**

February 4, 2021 • ND State Capitol

Submitted by Cheryl Kary, Ph.D.

Cheryl@sacredpipe.net • 701.426.1315

Chairperson and members of the Committee:

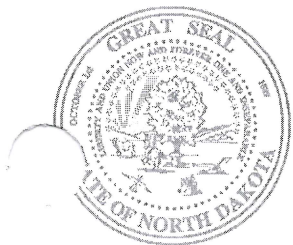
My name is Cheryl Kary and I am the Executive Director of the Sacred Pipe Resource Center, a local non-profit serving the American Indian population in Bismarck-Mandan and Lincoln.

I would like to offer this testimony in support of SB 2316, to change the date of First Nations Day. In my opinion, a serious mistake was made in establishing the current date of recognition (which is the Friday before).

We live in a State that is deeply and negatively impacted by our history of conflict. And, in my opinion, we have done very little to address any sort of reconciliation or attempt to resolve this shared trauma. American Indian people continue to live with the legacy of racism and discrimination and socio-economic distress. The settler-immigrants of this State also have their unresolved trauma and continue to live with hyper-fixation with military and force, distrust of government, and negative coping mechanisms such as unwillingness to discuss truth and reconciliation.

But this is what is needed right now. We need a First Nations Day and a Columbus Day to occupy the same date in order to have honest discussions about the occupancy of this continent. What we have had with these holidays is all the pomp and circumstance, the pretty speeches, and the colorful flags. But those do not allow us to have the hard discussions about sharing space. In moving First Nations Day to the second Monday in October, we create opportunities to speak to each other and heal.

I encourage your DO PASS recommendation and your support in the full vote for SB2316.



North Dakota House of Representatives

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Committees:
Agriculture
Library

#5529

February 4, 2021

Chair Shawn Vedaa and Senate Government and Veterans Affairs Committee,

My name is Ruth Buffalo and I represent District 27 in south Fargo. I am here to offer support for SB 2316. The proposed change to the second Monday in October will provide consistency throughout the region and country in recognizing the contributions of the Indigenous peoples of this continent.

Please give SB 2316 a Do Pass Recommendation.

Thank you for your time. I will stand for any questions.

Maacigiraac!

Thank you!

Good Afternoon. Thank you Chairman Vedaa and members of the Government and Veteran affairs Committee, for this opportunity to testify today in support of Senate Bill 2316, First Nations Day in North Dakota.

My name is Alicia Hegland-Thorpe. I am a Dakota woman of the Mni Wakan Oyate, the Spirit Lake Nation. I currently reside in Lincoln, which is now a part of District 7. I am a mother, a wife, an advocate for truth and healing. I'm also a member at large on the Indigenous Parent Advisory Committee, also known as the Indian Education and JOM program at Bismarck Public Schools. I have a bachelors degree in broadcasting and minor in mass comm. I'm only three classes shy of a Masters Degree in Business. My career path has been an interesting one, to keep it brief it all started with a career in radio. Eventually, moving on to become a tv news anchor and producer in small market ND. I have ventured in entrepreneurship. I have owned and operated my own travel agency. As far as I know I am the only Dakota woman to have done so in the state of North Dakota. And as far as I know I am the only Indigenous woman to have anchored the 6 and 10pm newscasts on a ND TV Station. (((***This is not taking away anything from my idol Harriet Skye who hosted Indian Country today a talk show on KFYP TV in the 70s and 80s.***))) And while I am no longer in either one of those careers at the moment, I am currently a business consultant and a voice artist who works from home. I am blessed and humbled to be using my voice today in this setting- and am willing to do so, even more.

I want to thank all of the predecessors on this bill who paved the way back in 2003 and also, I thank those who are sponsoring and supporting this bill today, Senators Hogan and Marcellais, Representatives Dobrevitch and Nelson and all of those testifying in support of SB 2316. Everyone in support of this bill understands the importance of honoring and celebrating the indigenous people of this land, what THIS legislature calls "First Nations" people. They also understand that we aren't street names, mascots, marketing labels or halloween costumes. We are Not invisible. We are alive and well - as you can tell from my introduction- WE ARE making valuable contributions to our economy and communities, to our tribal nations, and to local and state municipalities in this Great state.

It's probably no surprise to this committee *that Native American Veterans have the highest record of military service in the Armed Forces and have served -with distinction- in every major conflict for over 200 years* - but yet our people were ONLY granted the right of citizenship and the right to vote less than 100 years ago, in 1924. And thanks to the act of Congress in 1975, called the Indian Self-Determination and Education Reform Act - we, as sovereign nations, FINALLY gained the right to openly speak our language AGAIN. To celebrate our heritage and culture Openly - again. That was *only* 45 years ago. My mother was in her 30s 45 years ago. She grew up having to learn the Dakota language in secret. This wasn't generations ago. This was my mother. Think about that. We still have so much **more** to gain and so much **more** to be recognized for when our voices are no longer suppressed.

I think it's clear and goes without saying, why the second Monday in October is so significant to this First Nations Day bill. In fact it was what the original writers of this bill wanted in the first place and we applaud them for that. But To recognize *this* day - NOW-is all the more powerful and a step toward much needed healing. Not only for our people, but for all citizens of this state. And through the *act of healing*, we create space for others to start their journey of healing. *To recognize this day* is a day to recognize that we, as Indigenous people, are survivors of a very controversial history in ND. But we ARE still here. We are survivors. That, in itself, is a beautiful reason to celebrate First Nations Day in North Dakota.

Placing FND on the second Monday in October, unifies efforts all over the US. More than 130 cities, 34 states plus the District of Columbia all observe or celebrate as a state holiday in what they call Indigenous People's Day. ND tribal nations also celebrate and acknowledge this day as a holiday. But this is not just about us, the indigenous people of North Dakota. It's about all of our indigenous brothers and sisters from all over the world, of all colors and skin tones who know with their whole heart that the LAND is their 'culture and legacy' and that water is life.

In closing, I urge a DO PASS on Senate Bill 2316.

Thank you Chairman Vedaa, and members of this committee for your time and consideration.

PIDAMAYA YAPI - I am grateful to all of you.

Testimony on SB 2316
Brandi Hardy
Legislative Coordinator
February 4th, 2021

Greetings Chairman Veda and Members of the Committee,

I am Brandi Hardy and I am the Legislative Coordinator for the North Dakota Human Rights Coalition. Our membership base is state-wide with people who are of different races, religions, gender identities, socio-economic class status, sexual orientation, from rural communities, and larger cities. Our mission is to champion policies that allow all North Dakotans to enjoy a free and safe existence in our state.

NDHRC is in support of SB 2316, changing the date of Five Nations Day to be more in sync with the National Celebration of Indigenous People's Day.

North Dakota currently has five federally recognized Tribes and a history of trials and triumphs between the settlers and Indigenous people. With each step our state takes to heal our past and look towards a more unified future, it's important that we are honoring our Native American on an appropriate day.

This day of celebration is shared with fourteen states, the District of Columbia, and 130 cities across our nation. According to the Indian Affairs of ND, we have 31,329 Native Americans living in our state. By changing Five Nations Day to the second Monday in October, we, as a state, are honoring the culture, heritage, and life of our Indigenous community members.

Let us celebrate in unity and move this bill forward. Please vote DO PASS on SB 2316.

Thank you,

Brandi Hardy
Legislative Coordinator
NDHRC
brandihardy60@gmail.com

Feb. 4, 2021

Testimony on SB 2316

I write to you to request your full support of SB 2316. As a European American and religious leader in Bismarck, ND, I am strongly in favor of SB 2316. As a child, I learned that Christopher Columbus discovered America and learned nothing about the inaccuracy of that teaching or the horrendous acts he performed. It is time that we taught history more honestly through the celebration of our holidays. Celebrating First Nations Day on the second Monday in October is a more accurate telling of our history and a more worthy celebration.

Rev. Gretchen Deeg

Bismarck, ND

Chairman Vedaa and members of the Government and Veterans Affairs Committee,

Mitakuyepi, anpetu waste waun. My relatives, it is a good day. My name is Tawny 'Trottier' Cale, I am an enrolled member of the Standing Rock Sioux Tribe. I would like to state my support for Senate Bill 2316 in regards to recognizing First Nations Day on the second Monday in October.

It was my honor to be a part of the movement in Minot, North Dakota where in 2019 we held an educational discussion panel about why it would be beneficial to everyone that we recognize and celebrate the Indigenous People of this land. We wanted to educate those willing to listen about the lasting positive impact this will have on future generations. In 2020 we asked our City Council to formally recognize Indigenous Peoples Day and the motion was approved unanimously. The feedback I heard personally from First Nations people who call Minot home was beautiful. They said they finally felt welcomed and seen in their city. They appreciated the example we set of organizing and speaking out. So many of our people believe their voice don't matter. Some feel they aren't "educated" enough or feel they don't belong in these spaces. This only proves that the more positive examples we create for our people, the more we can empower them to bring more perspectives to any level of decision making. That is how we create "liberty and justice for all."

As a First Nations woman and mother to 4 young children, I am so happy we live in a time where Indigenous, First Nations people are a welcomed part of the conversation and not merely recipients of policy that aims to harm us. Let's celebrate together every second Monday in October.

I urge a DO PASS on Senate Bill 2316.

Wopila. Thank you,

Tawny 'Trottier' Cale

SB2316

My name is Amy Ingersoll and I am writing today in support of Senate Bill 2316 to recognize the second Monday in October as First Nations Day. I prefer to honor Native Americans, the first peoples, who have been here for thousands of years and who have enriched and shaped our lives in invaluable ways; instead of the current namesake. He was one of the last explorers to reach America, not the first; and history has taught us that his successes were largely to establish a trade route for enslaved people and monetize colonization, to say nothing of the violence he prioritized in those efforts. To be frank, we now know better, so what exactly are we celebrating?

It is so important that our ideals and values adapt to our growing understanding and awareness. There is no doubt that diverse traditions, culture, language, food ways, music and art enhance our lives and our shared humanity. In North Dakota we are especially fortunate to share geography with five federally recognized Tribes and one Indian community, making our diversity all the more beautiful. This proclamation would loudly state to our First Nations that we see you and we value you. What a wonderful way to celebrate all of those contributions.

Please support SB 2316.

Government and Veterans Affairs Committee

ATTN: Shawn Vedaa, Chair
Scott Meyer, Vice Chair
Mark Weber
Jay Elkin
Kristen Roers
Richard Marcellais
Michael Wobbema

RE: Written Testimony on Senate Bill 2316

Boozhoo, Hello, Good afternoon, Chairman Vedaa and members of the Government and Veterans Affairs Committee.

For the purpose of this letter, please note I use the following terms: First Nations, American Indian, Native American, and Indigenous, interchangeably. The rich history of the United States and Tribal Nations is inherently complex and I humbly recognize an individual's choice to how they identify. For example, within the U.S. Treaties with my people, we are identified as "Chippewa" which I use, in addition to Anishnaube which means the "Original People."

That that context, my name is Courtney Davis Souvannasacd and I am an enrolled member of the Turtle Mountain Band of Chippewa. Today, I am writing in support of Senate Bill 2316 to recognize the second Monday in October as "First Nations Day". As a life-long North Dakotan, I have engaged in several efforts to encourage inclusive communities and come to you in a good way.

One endeavor includes the Grand Forks City Council's recognition of the second Monday of October as Indigenous Peoples Day in July 2019. The resolution has been a significant step in building a stronger relationship with the American Indian community. At the time of the Grand Forks City resolution adoption, more than 122 cities and municipalities, three counties, two school districts, nine colleges and universities, and seven states had chosen to celebrate Indigenous Peoples Day. Shortly after, the University of North Dakota and Grand Forks Public School District have added IPD to their academic calendars.

These efforts have unified the Grand Forks community and has reaffirmed its commitment to celebrate, promote understanding, recognition, and respect for the contributions Indigenous People have made in building the Greater Grand Forks area - the traditional lands of the Anishnaube, Metis, Oceti Sakowin, and Sisseton people.

North Dakota has the same opportunity to champion understanding and solidarity by amending the Century Code to recognize the second Monday as "First Nations Day." By doing so, this amendment will unify North Dakota City and Tribal efforts across the state and directly contribute to making North Dakota Legendary.

Chairman Vedaa, and members of the Government and Veterans Affairs committee, I urge a DO pass on Senate Bill 2316.

Miigwech, Thank you,
Courtney Davis Souvannasacd

Testimony in support of SB 2316

Greetings Government and Veterans Affairs Committee Members,

I am submitting written testimony today in support of SB 2316 proposing a date change of First Nations Day as observed in the current North Dakota Century Code. I wish that I could present my testimony directly, but as a teacher my priority is providing instruction to my students.

This bill is about changing the date in the Century Code in the State of North Dakota and I see this is a positive step towards bringing North Dakota in line with other states and cities all around the nation. While we do already honor our Indigenous citizens on First Nations Day, our date is out of sync with the rest of the country, including our neighbors South Dakota and Minnesota. As a college instructor and the daughter of a longtime elementary educator I know the importance of a holiday. Not necessarily because teachers need the break (though often we do), but because holidays mark days of significance--opportunities for learning and growing.

The power of a holiday comes from the unity of recognition. Think of Halloween or Christmas, special days that we in this country and in places all around the globe universally recognize. First Nations Day is not nationwide, or global even (at least not yet), and it is not intended as a replacement for federally recognized holidays. However, unity in celebration is part of respecting and celebrating a holiday properly. The day that states and cities around the country are unifying behind is the second Monday in October. I hope that this committee will recommend that SB 2316 pass and unify North Dakota in our celebration of First Nations Day.

Sincerely,

Kathryn Dunlap

District 32

2/3/21

Dear Chairman Vedaa and members of the Government and Veterans Affairs Committee,

My name is Tim Baumann and I live at 1308 35th Ave. SW in Minot, ND. I am writing today in support of Senate Bill 2316 relating to changing the date of First Nations Day to the Second Monday in October.

Like so many North Dakotans, I believe that it is important to recognize the contributions of all members of our community. Our schools, our economy, and our quality of life are better when people feel as though they are seen, heard, and valued. The change proposed under SB 2316 would honor and recognize our Indigenous/First Nation neighbors and friends while also acknowledging the history and negative impact of European settlement on Indigenous populations. This change would be in line with the actions of several North Dakota communities in previous years.

Thank you Chairman Vedaa and members of the Government and Veterans Affairs committee for listening to my comment today. I urge a DO PASS on Senate Bill 2316.

Sincerely,
Tim Baumann

Chairman Davison, Vice Chairman Meyer, and members of the Government and Veterans Affairs Committee,

My name is Maura Ferguson and I live in District 18. I am writing this from a personal perspective and not on behalf of either of my employers. I am writing to urge you to issue a "Do Pass" on SB 2316 so that the state of North Dakota will officially recognize First Nation's Day on the second Monday of October each year.

In 2019, I was honored to work with community members in Grand Forks to honor Indigenous People's Day. In all of my years living and working in Grand Forks, I have never seen the council chambers so full as it was that day. The University of North Dakota shortly followed suit, and in the early months of 2020, I testified alongside other caring community members at the Grand Forks School Board, who also voted unanimously to recognize Indigenous People's Day.

This action in Grand Forks has been both a way to foster healing for our Indigenous residents while also educating many on the true history of Indigenous people in our country. As a mother of three children, it was a huge learning experience for them for two reasons. One, they were able to learn more about our **true** history and rightfully honor Indigenous people who were treated so terribly by the colonizers who committed mass genocide against them. Second, they saw firsthand how communities can work together to right past wrongs and intentionally set a pathway for healing moving forward. My third grade son was SO proud of our community on Indigenous People's Day 2020, when I was fortunate to be able to hear him gleefully tell his class how he stood with his community to urge our City Council to make the right decision regarding this important holiday.

We are fortunate to have our state enriched by the Indigenous residents who call North Dakota home. I urge you to issue a "do pass" on SB 2316 to make things right and give respect where respect is due.

Thank you for your time and consideration.

February 3, 2021

Aaniin (Hello)

Chairman Vedaa and members of the Government and Veterans Affairs Committee. My name is Annette Mennem an enrolled member of the Turtle Mountain Band of Chippewa Indians and live in Minot. I am writing today in support of Senate Bill 2316 relating to changing the date of First Nations Day to the Second Monday in October.

To pass this bill will work to strengthen the Native American/American Indian/First Nations/Indigenous communities by promoting understanding, recognition, and respect for cultures and to enrich the state as a whole and support empathy, integrity, humility, good stewardship of resources, fostering fellowship, and familial cohesion. Furthermore, it helps to close the equity gap, government entities, organizations, and other public institutions. It helps to better reflect the experiences of Indigenous Peoples and uplift our state's Indigenous roots, history, and contribution, as well as truthfully acknowledge the history of actions taken that created the gap.

Thank you Chairman Vedaa, and members of the Government and Veterans Affairs committee, I urge a DO PASS on Senate Bill 2316.

Miigwech (Thank you)

Annette Mennem



NORTH DAKOTA SENATE

#4353

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COMMITTEES:

Education
Government and Veterans Affairs

SB 2316 Testimony

Senate Government Veterans Affairs Committee

Room 216 2/04/21 @ 2:45 pm

Chairman Vedaa members of the Senate Government Veteran Affairs Committee for the record my name is Richard Marcellais Senator from Rolette County District 9.

I am here this afternoon to testify in favor of SB 2316 – relating to changing the date of First Nations Day.

This bill would allow for the date change to the second Monday in October for recognizing the indigenous people contributions to the State and United States of America.

Chairman Vedaa members of the Senate Government Veterans Affairs Committee, I urge a Do Pass on Senate Bill 2316.

2021 SENATE STANDING COMMITTEE MINUTES

Government and Veterans Affairs Committee Room JW216, State Capitol

SB 2316
2/11/2021

Relating to changing the date of First Nations Day.
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Chair Vedaa called to order at 3:43 p.m. with Sen Vedaa, Meyer, Elkin, K Roers, Wobbema, Weber, and Marcellais present.

Discussion Topics:

- Committee Work

Sen K Roers: I move a **Do Not Pass**

Sen Wobbema: I second

Roll Call Vote: 5 -- YES 2 -- NO -0-ab Motion Passed

Senators	Vote
Senator Shawn Vedaa	Y
Senator Scott Meyer	Y
Senator Jay R. Elkin	Y
Senator Richard Marcellais	N
Senator Kristin Roers	Y
Senator Mark F. Weber	N
Senator Michael A. Wobbema	Y

Sen Wobbema will carry the bill

Adjourned at 3:45 p.m.

Pam Dever, Committee Clerk

REPORT OF STANDING COMMITTEE

SB 2316: Government and Veterans Affairs Committee (Sen. Vedaa, Chairman)
recommends **DO NOT PASS** (5 YEAS, 2 NAYS, 0 ABSENT AND NOT VOTING). SB
2316 was placed on the Eleventh order on the calendar.