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ROLL NUMBER

DESCRIPTION

1098

2007 HOUSE GOVERNMENT AND VETERANS AFFAIRS

HB 1098

# 2007 HOUSE STANDING COMMITTEE MINUTES

Bill/Resolution No. HB 1098

House Government and Veterans Affairs Committee

Check here for Conference Committee

Hearing Date: January 4, 2007

Recorder Job Number: 604

Committee Clerk Signature

*Morgan Reince*

Minutes:

**Cheryl Kulas** – Testimony attached.

**Rep. Froseth:** Has there been an official name change like Standing Rock changing to the Standing Rock Sioux Tribe. Is this an official name change or is it just more of a reflection on the culture of each one.

**Cheryl Kulas:** As stated in the bill, the name changes reflect. Others can change name by a council resolution. The Sisseton – Wahpeton Oyate is the name they call themselves.

**Rep. Kasper:** Are you eliminating Fort Berthold and Fort Totten. Are they now some of the other nations. Are they included, but just under a different name?

**Cheryl Kulas:** They are not eliminated. They have essentially changed their name to Fort Berthold instead of a reservation. It refers to the tribal designation itself as the Mandan – Hidatsa Arikara Nations.

**Rep. Weiler:** Line 7 says that the “Indian affairs commission consists of the governor”. If you go down to line 10 it says “ and the chairperson”. The governor is the chairperson so does the governor and the chairperson both need to be mentioned.

**Rep. Haas:** Line 11 the chairperson refers to the chairperson of the Standing Rock Sioux Tribe or the chairperson of the Spirit Lake Nations, Etc.

**Rep. Haas:** Any other questions for Cheryl. Is there any additional testimony in favor of HB 1098?

**David Gipp:** Testimony attached.

**Rep. Amerman:** Right now as the commission stand there are four members at large? One of those is from the Sisseton – Wahpeton Oyate?

**David Gipp –** There are three. One is designated because he is filling an at large position. When his term expires the governor can appoint someone else at large. There is no particular sanctity in appointing a representative of the Sisseton-Wahpeton.

**Rep. Amerman –** Here it says you are going from four to three.

**David Gipp –** There are three at large. One will be moved down to a designated position. We are not increasing size of commission. Technically there will be no increased costs, and little if so which would be mileage.

**Rep. Amerman –** Why are you changing the four?

**Cheryl Kulas –** There at three at large positions. What we would do is simply change one of the at large positions to a formal member and tribal chair. The overall membership of the commission will not change. Few if any of the tribal chair persons, although authorized to get paid for lodging and miles, do not use it.

**Rep. Haas:** any other questions for Cheryl.

**Cheryl Kulas:** Can I clarify that legally I will go and visit with the tribes on their formal name change. They have formally not changed their name so they are still the Three Affiliated Tribes.

**Rep. Haas:** Are you saying that you want the formality changed in this bill?

**Cheryl Kulas:** I think what we did is we changed in the bill that you will probably have to come back and correct it so it's the Mandan, Hidatsa, Arikara.

**Rep. Haas:** So you are saying you will submit a formal amendment to this bill?

**Cheryl Kulas:** If the way it is stated is not legally correct we will have to change that.

**Rep. Haas:** So we will hold this bill until you get back to me with any additional information.

**Cheryl Kulas:** Correct.

**Rep. Haas:** Any more questions for Cheryl or Dr. Gipp?

**Rep. Boehning:** Are there any other tribes represented in this state besides the five that are listed here and doing business.

**David Gipp:** Not in the sense that there are those who would want a vested interest in terms of things as trust plans and those kinds of things. This would be the missing one in terms of the State of ND and commission.

**Rep. Boehning:** Is it also true that these are the ones that have a legal relationship with the state of ND?

**David Gipp:** Correct. All five of these tribes do have legal relationships with government.

**Rep. Froseth:** More then likely the tribal chair near south Dakota will live in south Dakota?

**David Gipp:** I assume this is correct.

**Rep. Froseth:** Does south Dakota have a similar commission as we do? And if the tribal chairman lived in ND would they also accept that persons' position on their board.

**David Gipp:** South Dakota does have an Indian Commission? I'm not entirely aware of the composition of how it's represented, but I do know that each tribe has some representation on their commission. It is very likely that the chairperson of each of those tribes in South Dakota will have representation on that commission.

**Rep. Froseth:** So the chairperson of Sisseton – Wahpeton may also be going to that commission, as does the chairman of the Standing Rock Sioux tribe. He is located in Fort Yates. He also resides in ND.

**Rep. Haas:** What does Oyate mean?

**David Gipp:** Refers to family, friend, tribe. That is the way we describe our nation.

**Rep. Boehning:** Are the tribal members of ND allowed to vote in the tribal elections?

**David Gipp:** My knowledge, they do, as long as they are residing on the ND side because of their territory.

**Rep. Boehning:** is that something you can find out for us?

**David Gipp:** We sure can but as I say I'm certain they are allowed to vote.

**Rep. Meier:** How large is the Sisseton – Wahpeton tribe

**David Gipp:** We don't know the total enrollment. Do you want the population in North Dakota, South Dakota, or both.

**Rep. Meier:** North Dakota

**David Gipp:** I expect to have higher because of the casino. I can have our people do a check on that and get you the numbers of people in North and South Dakota.

**Cheryl Kulas:** I think it is important to clarify the voting issue as well as part of the way the Indian Affairs Commission is structured. Because of reputation and tribal solvency, it does not require that tribal chairperson have voting rights in ND. The chairman and former chairperson of the Standing Rock Sioux Tribe lives in Little Eagle, SD. So the voting provision for members is not required under the bill.

**Rep. Kasper:** I want to give Dr. Gipp an analogy on the bill. I know that the Native American tribes and the tribes of North Dakota and South Dakota are the ones I'm familiar with. Some are very structured, very honorable, very detailed people. I've sat in on some of the board meetings and seen how some of your colleges and nations work. This looks to me like a situation where we have five states in the US and the Sisseton Wahpeton Oyate were not included in making decisions but they were part of the 5 states and feeling left out, although they are an important part of the five states. That is why they want part of the commission. Is that a fair analogy?

**David Gipp:** That is a fair analogy. In terms of the ND Indian affair commission and relations, it is the missing link. We know that there are future issues that this particular tribe will have in terms of its legal relationship with the state of ND. (ie) compacts. There will be a time when those will be negotiated. There will probably be other business affairs that will come up. This allows a way to negotiate those items. It also enhances a proactive relationship with the government.

**Rep. Haas:** Any other testimony in favor or opposed to HB 1098. Any Neutral testimony? We will close hearing on HB 1098.

## 2007 HOUSE STANDING COMMITTEE MINUTES

Bill/Resolution No. HB 1098

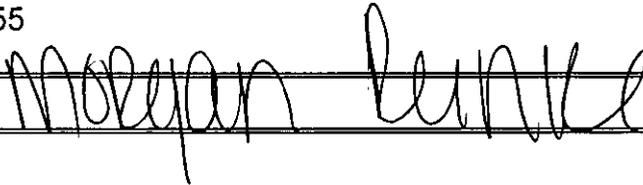
House Government and Veterans Affairs Committee

Check here for Conference Committee

Hearing Date: January 5, 2007

Recorder Job Number: 655

Committee Clerk Signature



Minutes:

**Rep. Haas:** At this time we will take up HB 1098. The question we had on that yesterday was whether or not the names of the various Native American tribes in the bill were actually the legitimate names that they go by. What Cheryl Kulas told us yesterday is that she was going to go back and make sure they were the same as how they are recognized according to the federal legislation.

**Amendment attached.**

On page 1 Line 12 nation should be underlined. We are replacing nation with tribe. On the amendment we are replacing nation with tribe. I am going to read the bill as amended.

**Rep. Froseth:** Did you get an explanation from anyone as to why they inserted the names the way they did in this. Apparently there are some changes in the professional names of the reservation.

**Rep. Haas:** That is an excellent question. We did have a bit of a discussion on that out in the hall. I think the trend of all Native American tribes is to try to revert to what they consider their original, authentic name. Rather than calling themselves the 3 affiliated tribes or something of that nature. They want to be called the Mandan, Hidatsa, Arikara nation. That refers back to their original name. That is not the way they are named in federal legislation or even in ND

legislation. I think we will probably see more of those as time goes on. Is there a motion on the amendment?

**Rep. Froseth:** I move to amend

**Rep. Potter:** I second that.

**Rep. Haas:** Is there any discussion on the amendment? Amendment carries.

**Rep. Haas:** I'm going to call for a motion on the bill as amended.

**Rep. Kasper:** I move a do pass as amended

**Rep. Wolf:** I second that

**Rep. Haas:** Is there any discussion? The bill passes unanimously.

**Rep. Kasper:** I'll carry it to the floor

PROPOSED AMENDMENTS TO HOUSE BILL 1098  
(submitted by the ND Indian Affairs Commission)

Page 1, line 12 after "Lake" replace "Nation" with "Tribe"

Page 1, line 12 after the third "the" replace "Mandan, Hidatsa and Arikara Nation" with "Three Affiliated Tribes of the Fort Berthold Reservation"

Page 1, line 14 after "Oyate" insert "of the Lake Traverse Reservation"

Page 1, line 16 overstrike "vice chairperson" and insert "chairperson's designee"



Handwritten signature and date: 1-5-7

PROPOSED AMENDMENTS TO HOUSE BILL NO. 1098

Page 1, line 12, replace "Nation" with "Tribe" and replace "Mandan," with "Three Affiliated Tribes of the Fort Berthold Reservation"

Page 1, line 13, remove "Hidatsa and Arikara Nation"

Page 1, line 14, after "Oyate" insert "of the Lake Traverse Reservation"

Page 1, line 16, overstrike "vice chairperson" and insert immediately thereafter "chairperson's designee"

Renumber accordingly

Date:  
Roll Call Vote #:

**2007 HOUSE STANDING COMMITTEE ROLL CALL VOTES**  
**BILL/RESOLUTION NO. "Click here to type Bill/Resolution No."**

House Government and Veterans Affairs Committee

Check here for Conference Committee

Legislative Council Amendment Number HB 1098

Action Taken move to amend

Motion Made By Rep. Froseth Seconded By Rep. Potter

Representatives	Yes	No	Representatives	Yes	No
Rep. C.B Haas Chairman			Rep. Bill Amerman		
Rep. Bette Grande V.P			Rep. Louise Potter		
Rep. Randy Boehning			Rep. Jasper Schneider		
Rep. Stacey Dahl			Rep. Lisa Wolf		
Rep. Glen Froseth					
Rep. Karen Karls					
Rep. Jim Kasper					
Rep. Lisa Meier					
Rep. Dave Weiler					

Total (Yes) \_\_\_\_\_ No \_\_\_\_\_

Absent \_\_\_\_\_

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

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

Date: 1/9/07  
Roll Call Vote #: 1

2007 HOUSE STANDING COMMITTEE ROLL CALL VOTES  
BILL/RESOLUTION NO. "Click here to type Bill/Resolution No."

House Government and Veterans Affairs Committee

Check here for Conference Committee

Legislative Council Amendment Number HB 1098

Action Taken Do pass

Motion Made By Rep Kasper Seconded By Rep Wolf

Representatives	Yes	No	Representatives	Yes	No
Rep. C.B Haas Chairman	X		Rep. Bill Amerman	X	
Rep. Bette Grande V.P	X		Rep. Louise Potter	X	
Rep. Randy Boehning	X		Rep. Jasper Schneider	X	
Rep. Stacey Dahl	X		Rep. Lisa Wolf	X	
Rep. Glen Froseth	X				
Rep. Karen Karls	X				
Rep. Jim Kasper	X				
Rep. Lisa Meier	X				
Rep. Dave Weiler	X				

Total (Yes) 13 No 0

Absent 0

Floor Assignment Rep. Kasper

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

**REPORT OF STANDING COMMITTEE**

**HB 1098: Government and Veterans Affairs Committee (Rep. Haas, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (13 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1098 was placed on the Sixth order on the calendar.

Page 1, line 12, replace "Nation" with "Tribe" and replace "Mandan," with "Three Affiliated Tribes of the Fort Berthold Reservation"

Page 1, line 13, remove "Hidatsa and Arikara Nation"

Page 1, line 14, after "Oyate" insert "of the Lake Traverse Reservation"

Page 1, line 16, overstrike "vice chairperson" and insert immediately thereafter "chairperson's designee"

Renumber accordingly

2007 SENATE GOVERNMENT AND VETERANS AFFAIRS

HB 1098

## 2007 SENATE STANDING COMMITTEE MINUTES

Bill/Resolution No. 1098

Senate Government and Veterans Affairs Committee

Check here for Conference Committee

Hearing Date: 2/22/07

Recorder Job Number: 3666

Committee Clerk Signature

*Monica Spaulding*

Minutes:

All members of the committee were present.

Sen. Dever, Chairman, opened the hearing on HB 1098.

Cheryl Kulas, Director of the North Dakota Indian Affairs Commission, introduced the bill. See attachment #1. She made a correction to line 5 of her testimony. The correct date is 1949 not 1049. She mentioned that in the House the bill was amended by adding the federally designated names of the Tribes.

Senator Horne asked Miss Kulas to clarify the composition of the commission.

Cheryl said it used to be the Governor, 4 members appointed at large by the Governor and the chairmen of the four tribes. With this change the composition of the commission will be the Governor, 3 members appointed at large by the Governor and the chairmen of the five tribes.

Senator Oehlke asked what the commission does.

Cheryl said the Commission is a liaison between the tribe and the state. She cited an example that involved a number of federal agencies in which the Commission stepped in as a liaison.

Senator Oehlke asked what the advantage is of being a regular member on the commission rather than a member at large.

Cheryl said it just formalizes the relationship.

Senator Dever asked if it is possible to have residents of South Dakota be serving on the Commission in North Dakota. He also asked if South Dakota has a similar commission.

Cheryl said it is possible to have residents of South Dakota serving on the Commission in North Dakota. She also said South Dakota has no similar commission.

There was discussion about Turtle Mountain having two members on the commission because one of the at large members is from that tribe.

See attachment # 2 which is a letter from the Sisseton-Wahpeton Oyate tribe.

She mentioned that South Dakota used to have an Indian Affairs Commission but no longer does.

There was discussion about Cheryl Kulas' background and how she became director of the North Dakota Indian Affairs Commission and how long she has been in that position.

Support: -

Opposition: -

Neutral: -

Vice Chairman Oehlke closed the hearing on HB 1098.

Senator Nelson made a motion to pass HB 1098.

The motion was seconded by Senator Marcellais.

Roll Call Vote: Yes 6 No 0 Absent 0

Carrier: Marcellais

Date : 2-22-07  
Roll Call Vote # : 1

2007 SENATE STANDING COMMITTEE ROLL CALL VOTES  
BILL/RESOLUTION NO. 1098

Senate Government and Veterans Affairs Committee

Check here for Conference Committee

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

Action Taken do pass

Motion Made By Nelson Seconded By Marcellais

Senators	Yes	No	Senators	Yes	No
Senator Dick Dever - Chairman	✓		Senator Robert Horne	✓	
Senator Dave Oehke - VC	✓		Senator Richard Marcellais	✓	
Senator Judy Lee	✓		Senator Carolyn Nelson	✓	

Total (Yes) 6 No 0

Absent 0

Floor Assignment Marcellais

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

**REPORT OF STANDING COMMITTEE (410)**  
February 22, 2007 11:49 a.m.

**Module No: SR-34-3671**  
**Carrier: Marcellais**  
**Insert LC: . Title: .**

**REPORT OF STANDING COMMITTEE**

**HB 1098, as engrossed: Government and Veterans Affairs Committee (Sen. Dever, Chairman) recommends DO PASS (6 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). Engrossed HB 1098 was placed on the Fourteenth order on the calendar.**

2007 TESTIMONY

HB 1098

**Testimony on Behalf of the North Dakota Indian Affairs Commission  
Before the House Committee on Government and Veterans Affairs  
Cheryl Kulas – Executive Director**

**January 4, 2007**

Chairman Haas and members of the Government and Veterans Affairs Committee, my name is Cheryl Kulas and I am Executive Director for the North Dakota Indian Affairs Commission. I appreciate the opportunity to speak to you in support of the addition of the Sisseton Wahpeton Oyaté as a member of the North Dakota Indian Affairs Commission.

The North Dakota Indian Affairs Commission has been in existence since 1949. Throughout its evolving history, the North Dakota Indian Affairs Commission has gone through changes in membership which at time varied on the needs of the State of North Dakota and its Governors and the needs of the Native peoples of North Dakota.

The various changes in Native leadership over the years have brought awareness of the strengths that the American Indian population contribute to this State. This is so very evident in the leadership provided by the participation of the leaders of the Sisseton – Wahpeton Oyaté (people) in their participation in the North Dakota Indian Affairs Commission. However, throughout the history of their involvement with the North Dakota Indian Affairs Commission, it as been through the initiative of each succeeding Governor to appoint the chairperson of the Sisseton Wahpeton Oyaté as a member-at-large on the Commission.

Throughout their involvement with the NDIAC they have served with distinction and demonstrated to us exemplary tribal self-determination and leadership by establishing one of the first tribal governments in the United States to start and financially support their own child-support enforcement programs. It was the Honorable Russell Hawkins, chairman of the Sisseton Wahpeton Oyaté who presented the first State of the Tribal Nations Address to the North Dakota Legislative assembly in 1985.

It is the wishes of collective of the membership of the North Dakota Indian Affairs Commission and Governor John Hoeven as the Chair of the Commission that full membership be afforded the Sisseton Wahpeton Oyaté.



UNITED TRIBES TECHNICAL COLLEGE  
3315 UNIVERSITY DRIVE  
BISMARCK, NORTH DAKOTA 58504 • PHONE 701-255-3285 • FAX 701-530-0605



**North Dakota State Legislature  
60<sup>th</sup> Legislative Assembly**

**House of Representatives**

**Before the House Government and Veteran's Affairs Committee**

**January 4, 2007**

**Testimony of David M. Gipp  
President  
United Tribes Technical College**

**In Support of HR 1098  
Approval of Adding the Chairman of the Sisseton Wahpeton Oyaté as a Member of the North  
Dakota Indian Affairs Commission**

Chairman Haas and members of the Committee: Thank you for the opportunity to testify. I am David M. Gipp, President of United Tribes Technical College in Bismarck, North Dakota. Today I am speaking in support of HB 1098, which does one thing: it adds the Chairman of the federally recognized Indian Tribe, the Sisseton Wahpeton Oyaté as a permanent member of the Indian Affairs Commission in North Dakota.

First, I would like to describe briefly United Tribes of North Dakota and United Tribes Technical College, and why we have an interest in this issue. United Tribes of North Dakota is an inter-tribal organization that furthers the interest of the North Dakota tribes. United Tribes Technical College is a postsecondary tribally controlled technical and career training college with over 1,000 students located just south of the airport in Bismarck. We are a non-profit institution operated by the five federally recognized Indian tribes with a presence in North Dakota, which include the Spirit Lake Tribe, the Standing Rock Sioux Tribe, the Three Affiliated Tribes, the Turtle Mountain Band of Chippewa, and the Sisseton Wahpeton Oyaté. As you may know, the Standing Rock Tribe, of which I am a citizen, is located in two states, North and South Dakota, and its headquarters is in Fort Yates, North Dakota.

The same is also true of the Sisseton Wahpeton Oyaté, which was formerly known as the Sisseton Wahpeton Sioux Tribe. First Sisseton has tribal trust land located in both North and South Dakota. Since 1971, the Sisseton Wahpeton Oyaté has been a member of our United Tribes board of directors, in recognition of its presence in North Dakota.

Second, the Sisseton Wahpeton Oyaté does major business on its trust land in North Dakota. For the past 13 years, Sisseton Wahpeton has operated a casino and hotel, and more recently, a golf course, called Dakota Magic, just north of the South Dakota – North Dakota state line, under a Tribal-state gaming compact negotiated with the State of North Dakota in 1992 and revised in 1999. The headquarters of the Sisseton Wahpeton Oyaté are in Sisseton, South Dakota, just south of the North

Dakota border. Now, mainly because of its casino operation, Sisseton Wahpeton also has a number of tribal citizens living in North Dakota, including in the town of Hankinson, near the South Dakota border. Thus, the presence of the Sisseton Wahpeton Oyaté in North Dakota is very real, and it has and has had a substantial impact on the economy of southeast North Dakota.

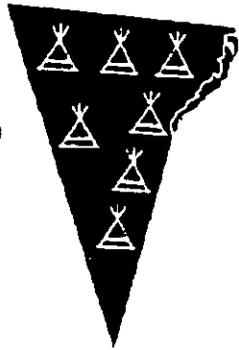
Other issues regarding the Sisseton Wahpeton Oyaté have surfaced in relation to its casino operation. The Tribe has worked out various relationships with fire and police protection locally with both the City of Hankinson and Richland County and is continuing to work with the state of North Dakota on various tax issues. The Tribe paid for the entire cost of the interchange on Interstate 29, Exit 1 that allows visitors from both sides of the state border to visit their casino. The Tribe has many vendors who supply services to the casino located in Fargo and elsewhere in North Dakota. Many local non-Indian North Dakota state citizens work at the casino and hotel.

Of course, the history of the Sisseton Wahpeton Oyaté also reveals a substantial connection with the State of North Dakota. Although the reservation boundaries are not now observed by non-Indians because of a court case decided more than 30 years ago, the original boundaries of the Traverse Reservation, home to the Sisseton Wahpeton Oyaté, including a large triangular portion extending north towards the city of Wahpeton in North Dakota. Even before the reservation boundaries were established in the late 1800's, the traditional range of the Sisseton and Wahpeton bands of the Dakota extended far north on both sides of the present border between Minnesota and North Dakota along the Red River valley. Thus, the people of the Sisseton Wahpeton Oyaté have long had an impact on North Dakota and deserve a place on the North Dakota Indian Affairs Commission.

The issue of the membership of the Chairman of the Sisseton Wahpeton Oyaté on the Indian Affairs Commission came up last before the legislature in 1991, when the Indian Affairs Commission was being reorganized and when it was reduced in size from 25 members to its present size. During that session, United Tribes passed a resolution in support of Sisseton Wahpeton's membership on the Indian Affairs Commission which is still in effect. Unfortunately, at that time, the legislature did not see a strong enough connection between the Sisseton Wahpeton Oyaté and the state of North Dakota to warrant them having a representative on the Commission. But now, with the substantial impact of the Dakota Magic Casino, owned and operated by the Sisseton Wahpeton Oyaté, on the economy of the southeast region of North Dakota, it should be obvious that they should have representation on the Indian Affairs Commission.

As a testament to their connection to North Dakota, the Sisseton Wahpeton Oyaté have consistently sent representatives to the Indian Affairs Commission meetings, at the request of the Governor, for a number of years, going back at least to 1991. They know and understand that a large part of their economic success is dependent on good relations with the state of North Dakota. Sisseton Wahpeton's representation on the Commission will further the interests of North Dakota by ensuring that all tribal interests are represented.

We would also note that the addition of one member does not substantially raise the costs of the Commission, where most of the members voluntarily contribute their time and even the cost of attending. Therefore, Mr. Chairman, we strongly urge this Committee to give a DO PASS recommendation to HB 1098, so that the Sisseton Wahpeton Oyaté can be formally represented in a voting capacity on the Indian Affairs Commission through their Chairman.



## Sisseton-Wahpeton Oyate

LAKE TRAVERSE RESERVATION

Jerry Flute, Tribal Chairman

P.O. Box 509

100 Veterans Memorial Drive

Agency Village, South Dakota 57262-0509

Phone: (605) 698-3911

### **Testimony of the Honorable Michael Selvage Chairman, Sisseton -Wahpeton Oyate**

Mr. Chairman, I would like to thank you and the other distinguished members of the commission, House of Representatives and the State Senate for providing me the opportunity to provide testimony on behalf of the Sisseton – Wahpeton Oyate.

The focus of my testimony is in regards to the amendments to House Bill 1098.

As Chairman I realize the importance this bill exemplifies and would like to add the expansion of the committee to include The Spirit Lake Nation and the Sisseton – Wahpeton Oyate can only improve the Tribal State Relations in every aspect.

Thank You for allowing me to present.

Testimony of the Honorable Michael Selvage, Sisseton-Wahpeton Oyate Chairman

BIG COULEE • BUFFALO LAKE • ENEMY SWIM • HEIPA/VEBLEN • LAKE TRAVERSE • LONG HOLLOW • OLD AGENCY

*Attach A1*

**North Dakota Indian Affairs Commission Testimony  
Senate Government Affairs Committee  
Missouri River Room – State Capitol  
Senator Dick Dever – Chairman  
February 22, 2007**

Chairman Dever and members of the Senate Government Committee, I am Cheryl Kulas, Director of the North Dakota Indian Affairs Commission. I am here today to testify in support of House Bill 1098 which proposes to add the Sisseton Wahpeton Oyaté (people) to the membership of the North Dakota Indian Affairs Commission.

The North Dakota Indian Affairs Commission has been in existence since 1949. Throughout its evolving history, the North Dakota Indian Affairs Commission has gone through changes in membership which at times varied on the needs of the State of North Dakota and its Governors and the needs of the Native peoples of North Dakota.

The Various changes in Native leadership over the years brought awareness of the strengths that the American Indian people contribute to this State. This is so very evident in the leadership provided by the participation of the leaders of the Sisseton-Wahpeton Oyaté in the work of the North Dakota Indian Affairs Commission. However, throughout the history of their involvement with the ND Commission, it has been through the initiative of each succeeding Governor to appoint the chairperson of the Sisseton-Wahpeton Oyaté as a member-at-large on the Commission.

Throughout their involvement with the NDIAC, they have served with distinction and demonstrated exemplary self-determination and leadership. Through their efforts, they have distinguished themselves as one of the first tribal governments in the U.S. to start and financially support their own child-support enforcement programs.

It was the Honorable Russell Hawkins, Chairman of the Sisseton-Wahpeton Oyaté who presented the first State of Tribal Nations Address to the North Dakota Legislative Assembly in 1985.

It is the wishes of the collective of the membership of the North Dakota Indian Affairs Commission and Governor John Hoeven as the Chair of the Commission that full membership be afforded the Sisseton Wahpeton Oyaté.

# SISSETON- WAHPETON SIOUX TRIBE OF THE LAKE TRAVERSE RESERVATION

## A. LOCATION

The Lake Traverse Reservation is located primarily in Northeast South Dakota and includes Roberts, Day and Marshall Counties and portions of Grant and Codington Counties. It also extends into Sergeant and Richland Counties in North Dakota and a portion of Traverse County in Minnesota.

## B. POPULATION

1. Currently, the Sisseton- Wahpeton Sioux Tribe has over 11,000 enrolled members. Over 5,500 of them live on or near the reservation.

2. The Tribe is currently completing a comprehensive Reservation Census, but we know that we have a young and growing population. Over 50 percent of the population are 18 years of age or younger.

## C. LAND BASE

1. The Reservation boundaries encompass 918,799.32 acres of land. Individual Indians and the Tribe own over 1 10,000 acres. This includes 28,319.25 acres owned and managed by the Tribe and valued at approximately \$10 million. The BIA manages the individually owned land. Non-Indians own over 800,000 acres.

## D. TRIBAL GOVERNMENT (See Attached Diagram)

1. The Lake Traverse Reservation was created by Treaty with the U. S. Government on February 19, 1867.

2. The Sisseton-Wahpeton Sioux Tribe (SWST) is organized under a Constitution and Bylaws adopted by the members of the Tribe on August 2, 1966. It has since been revised and updated.

3. The Tribe is currently governed by a Tribal Council consisting of Seven (7) Council members and three (3) officers; the Tribal Chairman, Vice Chairman and Tribal Secretary.

a. The members of the Tribal Council are elected from each of the reservation's seven political districts according to population every two years. The Tribal Council is the Legislative Branch of Tribal Government.

b. The Three officers are elected at large every two years. The officers oversee and manage the Executive Branch of Tribal Government.

c. The officers serve as an Executive Committee that implements Tribal Council policy and acts on their behalf between their regular monthly meetings.

d. The Judicial Branch of Tribal Government is autonomous, under a separation of powers and includes the Tribal Court. A Judicial Committee appointed by the Tribal Council serves as a liaison between the two branches.

### **E. THE TRIBE AS AN ECONOMIC ENTITY**

1. The Tribe is the largest single employer in an area bounded by Fargo, North Dakota, Marshall, Minnesota, and Brookings and Aberdeen, South Dakota. Tribal employment fluctuates between 1,100-1,250 persons depending on the time of the year and current employment needs. Primary Tribal employers include:

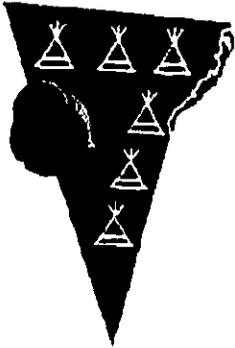
- a. The three branches of Government, BIA and Schools
- b. Tiospa Zina Tribal School (K- 12)
- c. Enemy Swim Day School (K-8)
- d. Sisseton- Wahpeton Community College
- e. Sisseton- Wahpeton Housing Authority
- f. Dakota Western Corporation (manufacturing)
- g. Dakota Sioux Casino (Watertown)
- h. Dakota Connection
- i. Dakota Magic Casino (North Dakota)

2. The Tribe's annual payroll is approximately 30 million across all its current entities.

3. Dakota Magic Casino, the Tribe's North Dakota gaming enterprise, opened on November 15, 1996. It currently employs 375 persons and has an annual payroll exceeding \$6.5 million.

4. There are also other agencies (e.g. BIA, ills, etc.), programs and services that support the Tribe and its members. They conservatively account for an additional \$8-1 million a year that benefits the local and area economy, on and near the reservation.

5. The Sisseton-Wahpeton Housing Authority manages 631 units of public and mutual self help housing in a dozen communities across the reservation.



# Sisseton-Wahpeton Oyate

LAKE TRAVERSE RESERVATION  
P.O. Box 509  
100 Veterans Memorial Drive  
Agency Village, South Dakota 57262-0509  
Phone: (605) 698-3911

*attach #2*

February 22, 2007

Cheryl M. Kulas, Executive Director  
North Dakota Indian Affairs Commission  
600 East Boulevard Avenue  
Bismarck, ND 58505-2432

Subject: Letter of Appreciation

Dear Director Kulas,

The State of North Dakota provides valuable national leadership and consistently demonstrates wisdom in working with its people and fellow governments.

The Sisseton-Wahpeton Oyate deeply appreciates the long-standing efforts of the Honorable Governor John Hoeven, the State of North Dakota, and the North Dakota Indian Affairs Commission for the high honor and recognition of Tribal Chairman Michael I. Selvage, Sr. and the tribal nation he represents.

The State of North Dakota and Sisseton-Wahpeton Oyate have a basis of respect and record of service worthy of the great responsibilities each carry for its people. The assemblies of citizens depending upon proven characters of its leaders is motivation for continued efforts.

Yours Truly,

*Charmel Petersen*  
Charmel Petersen, Director  
Planning and Development Department  
Sisseton-Wahpeton Oyate