

2011 HOUSE APPROPRIATIONS

HB 1005

# 2011 HOUSE STANDING COMMITTEE MINUTES

## House Appropriations Human Resources Division Roughrider Room, State Capitol

HB 1005  
January 10, 2011  
12718

Conference Committee

Committee Clerk Signature

*Julia Geigle*

### Explanation or reason for introduction of bill/resolution:

To provide an appropriation for defraying the expense of the Indian Affairs Commission

### Minutes:

**Chairman Pollert** opened meeting on hearing for HB 1005. **Scott J. Davis, Executive Director of the ND Indian Affairs Commission**, submitted testimony referenced as attachment **ONE**, in support of HB 1005. **Scott J. Davis** also submitted testimony that is labeled as attachment **FOUR**, that was not specifically reviewed in the hearing and submitted on behalf of the Unite Tribes Technical College.

DVD shown that gives a brief overview of the success of the North Dakota Indian Youth Leadership Academy (NDIYLA). DVD testimony is referenced as attachment **TWO**.

**Ryan Netterville**, gave verbal testimony in support of HB 1005. **Ryan Netterville** stated he is an enrolled member of Standing Rock Sioux Tribe, is age 17 and attends Bismarck High School (BHS). He plans on attending University of Mary in Bismarck, ND after completing high school. **Mr. Netterville** reports that attending NDIYLA has increased his confidence, allowed him to "step out of my comfort zone and not be afraid to speak what I want to say." The conference has taught him to go back to his roots and increased his leadership qualities as evidenced by taking an active role in leading the hockey team he plays on and being a leader in the classroom. Since attending the camp, **Mr. Netterville** states his grades have improved and he looks forward to coming to the next summer academy.

**Representative Kreidt**: Regarding the leadership conference, were there a limited amount of individuals that could attend?

**Scott J. Davis, Executive Director of the ND Indian Affairs Commission**: this was debated; however an application process has been in place as we wanted the best of the best. Based on people who had been there, done that, it was recommended we go from 40 to 50. We are going to keep it there because it's manageable.

**Representative Kreidt**: the additional \$20,000 you are asking for would allow you to accommodate the extra individuals in going from 40 to 50? Or what's the intent?

**Scott J. Davis, Executive Director of the ND Indian Affairs Commission**: the additional \$20,000 would be for more individuals to attend; more dorm rooms, meals, different activities. Funding will come from, as it has in the past, entities we have partnered with. We also like to follow up, thus we will be on the road recruiting which contributes to the cost.

**Representative Wieland:** On the 100,000 that you are asking for to be included on the suicide issue, specifically how will that money be used? In the form of grants?

**Scott J. Davis, Executive Director of the ND Indian Affairs Commission** answered this question by referring to the last page of the testimony (pg 4). It is our intention to utilize the funds to develop a crisis team that would be on standby and look at deploying from Bismarck as well as developing partnerships like with the ND Suicide Coalition, WCHSC, other reservations.

**Representative Wieland** requested Scott to introduce members of his staff.

**Scott J. Davis, Executive Director of the ND Indian Affairs Commission** introduced all his staff members which he stated were in attendance at the hearing.

**Chairman Pollert:** the \$40,000 last session, was that on an ongoing basis?

**Office of Management and Budget:** the \$40,000 continued and then we added an additional \$20,000.

**Representative Nelson:** Ryan, you did a wonderful job testifying. As we go forward, when you come back before us in detail, how do we leverage the state money to make this more of a world class experience? Can we look more closely at the partnerships and what they bring to the table? In the same light as far as suicide prevention goes, are there other moneys you are leveraging besides the \$100,000 that's in this budget and if you are, we'd like to know what they are and how they're being used.

**Scott J. Davis, Executive Director of the ND Indian Affairs Commission:** I am a member of the ND Suicide Coalition and at one time we did receive grant money which we distributed out evenly to tribal and nontribal entities. I've been watching this suicide crisis for 10 years, easily. When the last crisis happened, we got a letter from Chairman Murphy stating we are in need of resources and need to address this immediately. IHS was not fulfilling their obligation in hiring psychiatrist that can go out in the field and assess these families that are borderline with suicide. What we did, with the help of Dept of Health and human services, we funded a onetime only doctor that could assess, treat and diagnose those out there (this is going on right now), but more can be done. But again, it all goes back to partnerships and increasing sustainability. We are looking at going into the schools and providing education on suicide and what it means and promoting dialogue in talking about and preventing suicide. Also important is incorporating the cultural and tribal focus on what suicide means historically, whether it's through veterans, elders, etc. With that \$100,000, we need to be innovative as a lot of this has been tried before, but the ideology continues and suicides are on the incline. The leadership conference has had great success, but we need to continue to sustain partnerships, recruit members, track those who have been through the academy to encourage mentorship and sharing experience like Mr. Netterville did today.

**Nola Taken Alive, Oni Yapi Program Director** and enrolled member of the Standing Rock Tribe, submitted written testimony in support of HB 1005. Testimony can be referenced as attachment **THREE**.

**Scott J. Davis, Executive Director of the ND Indian Affairs Commission:** I really appreciate you allowing the people here to be part of my testimony today. I am not sure if

my predecessor did some of these practices, but I think it is important to share the work that I do and the partnerships we have out there in addressing some of these issues like suicide, economic issues, education, etc.

**Representative Nelson:** Is there a strategy in place to address suicide on a preventative level? What's taking place in the schools so that young people have a person to talk to, to express their feelings and issues? A crisis team was mentioned, however when we get to a point of crisis we may be at a point of recovery, at times. I'm assuming we won't have 5 crisis teams across the state, so what taking place on this issue in places like Belcourt?

**Scott J. Davis, Executive Director of the ND Indian Affairs Commission:** Education is taking place up there regarding suicide. Dr. De Coteau can illustrate further what's taking place across the state, as I am not as well versed with this.

**Tami De Coteau, Standing Rock Sioux Tribe Clinical Psychologist:** For the past four years I have worked at Standing Rock as a clinical psychologist. I have developed and created a psychology internship and training program, where I train doctorate level psychology students to work with reservation based populations. With the help of our interns, we have expanded our mental health services at least 4 fold and provide outreach to at least 5 of the 8 districts at Standing Rock. Yet, we continue to struggle to keep up with the growing workload of patients, continuing to identify more areas of need, particularly in the school system. We are providing services in the school as the bulk of our referrals for mental health services come from the schools. In the most recent suicide crisis, we developed a makeshift crisis and response triage team, working collaboratively with human services critical incident and debriefing team. We covered the schools and the "hot spots" on the reservations, using my work, Oni Yapi program and Youth Wellness program. We do have the entire continuum of care from prevention, to intervention, to postvention. The protocol and long-term strategy is lose at this time, and we will be working with WCHSC for technical support later this month, to develop long term strategic planning and a more tightly woven protocol that will integrate all of the protocols with every program. What Scott is referring to with the \$100,000 is to replicate that model that we know is working at Standing Rock, to create a mobile crisis team for all of Indian country. Thus if there is a crisis on a reservation we will have a team ready to that includes mental health professionals that are Native American or have experience working in Indian country. Essentially, we want to maximize the \$100,000 to support the other Native American tribes in a similar way that we are able to at Standing Rock.

**Representative Nelson:** is this program taking place at any level on the other reservations?

**Tami De Coteau, Standing Rock Sioux Tribe Clinical Psychologist:** It is not taking place at any other place in the nation. We are the only reservation based psychology intern program that's part of a national system thus it is very precedent setting. What is also precedent setting is it is a good example of tribal sovereignty, it's administered by the tribe, it's supported by the tribe. At this point, we have great interest from other tribal communities and of course, funding is always the bottom-line. We are always looking for funding from other entities to develop an infrastructure to be able to share this model with other tribes.

**Chairman Pollert** confirmed there was no other questions for **Scott J. Davis** and stated the committee would be in contact with him about coming back to detail the budget.

**Representative Wieland:** Office of Management and Budget, there is a discrepancy between the bill and the green sheet of \$2,000?

**Chairman Pollert:** Legislative Council actually has an answer to that question.

**Legislative Council** answered the question by referring committee members to the footnote on the green sheet for HB 1005. There was \$2,000 for salary equity funding and that would be the difference from the green sheet.

**Chairman Pollert** closed hearing on HB 1005.

# 2011 HOUSE STANDING COMMITTEE MINUTES

House Appropriations Human Resources Division  
Roughrider Room, State Capitol

HB 1005  
January 24, 2011  
13269

Conference Committee

Committee Clerk Signature *Julia Yeagle*

## Explanation or reason for introduction of bill/resolution:

To provide an appropriation for defraying the expense of the Indian Affairs Commission

## Minutes:

**Vice Chairman Bellew** called meeting to order, as Chairman Pollert is out for first part of the week. Clerk called role and quorum declared. **Vice Chairman Bellew** asked committee if Office of Administrative Hearings (OAH) should come back to detail bill 1017 tomorrow (January 25) as schedule or if this wasn't necessary due to the straight forward nature of the budget and fulfilling the detailing requirements last Thursday (January 20) during the overview of OAH. The committee had a consensus that it would not be necessary for OAH to come in tomorrow. The clerk will be responsible for contacting OAH (Judge Allen Hoberg) and informing him of this.

**Vice Chairman Bellew** opened hearing on HB 1005, detailing of the Indian Affairs Commission budget. **Scott Davis**, Executive Director of ND Indian Affairs Commission, provided two documents to the committee members. The first, labeled attachment **ONE**, illustrates requested increase in the budget. The second, labeled attachment **TWO**, is the spend down report.

**Scott Davis** stated he was present to discuss major variances in HB 1005. He indicated that his office is supporting the increase in \$20,000 for the ND Indian Youth Leadership Academy Activities and the increase in \$100,000 for ND Tribal Suicide Prevention efforts.

**Scott Davis:** to give you a background of youth leadership academy. I am a product of the 80s when the state sponsored a youth leadership academy, a conference back in those days. I attended those quite religiously for a number of years throughout high school. As time went on, funding became less and less so a group of us, alumni from those days, decided to coordinate and re-establish this academy. Last biennium, we came and you appropriated \$40,000 for our academy which was very successful this last July, but that was only a one time funding. We served over 40 students across ND (4-5 reservations), from freshman to graduating seniors. Topics we touched on in the academy were college access, career development, wellness, leadership, spiritual and cultural activities ...it was a huge success. We got PR from our local radio and television stations illustrating its success. We'd like to continue that. Are there any questions at this time?

**Representative Kreidt:** in regards to the youth leadership, the one you did last year, was the first one you did? Or did it go away for awhile and come back? Were there some federal funds involved in that? Was it always a general appropriation that was being used for that?

**Scott Davis:** I am assuming it was some type of state grant funds through the department of public instruction. I am not sure of the exact breakdown of how that happened in the 80s, but if you need clarification I can provide the correct answer to that.

**Representative Kreidt:** Maybe if you could give a little bit of history on what's happened in the past with that, I would appreciate it.

**Scott Davis:** I'll have my assistant, Mr. Kramer follow up on that.

**Scott Davis:** the other proposed funding we are asking for is the \$100,000 for suicide prevention. Suicide is becoming very rapid, not only amongst our tribal nations but across the state of ND. I've been involved personally as I have lost two nephews to suicide about last two years. I also serve on the State Coalition for Suicide Prevention with partnership with the Department of Health and Human Services. I work with the dept of health and coordinate efforts with West Central Human Services Center. In looking at the suicide rates amongst tribes, ages 5-14, 2.6 times higher than the national average. Here in the northern plains the rates are 7 times higher than the national average. More than one half of all persons who commit suicide in our Indian communities, have never been seen by mental health providers. That's really the basis for this funding is to provide protocols and a game plan to educate our schools, the parents, the guardians, law enforcement, whoever it may be in assessing and being the gate keeper to those who are borderline suicide. In measuring suicide there are three areas that are looked at. One is ideology that alone is in the 100s. You are looking at 100 people who are thinking about suicide in one to two months time on Standing Rock. The second area is attempts. Attempts are a little lower. And third, suicide itself as measured in completion. We are at a point in time in our tribal communities, where we are directly or indirectly effected by suicide, where we either know someone who has attempted or completed, or we ourselves have ideology. I feel it's a shared responsibility among my office and the state and also the partnerships I mentioned before that we try to provide better measurements, protocols, game plans in providing assistance to the state and to the tribal communities in regards to suicide prevention.

**Representative Kaldor:** when I saw this in the budget, I thought this was an absolute necessity. I wonder about the best practices or models that can be used. Are there examples in other areas of the country where they've addresses this and have had success? What kinds of strategies are you looking at employing in reducing the number of suicides?

**Scott Davis:** There are bills floating around in regards to bullying which is another factor related to suicide, whether it's the direct bullying face to face or the cyber bullying; either way you are affecting the children's behavior. It's important to keep tabs on your children with facebook, who he/she is talking to. How do you track that? How do you measure if one is being bullied and in turn being reluctant to go to school or put him/her into depression. As far as best practices, we utilized sources of strength. I know tribes have utilized that curriculum and among tribes are a nationally known critique towards suicide and seem beneficial. I know we need evidence to prove success and I feel that this money can be used to help measure some of those areas. Also, when a crisis is happening, there are certain parts of the year where certain tribes will face crises. The springtime is a hot peak

time for some reason and this could relate to coming off of a long winter and the body is changing within some of our youth. If we have an on call basis with state and tribal resources, we could be better prepared for those instances. Again, it's developing that outline, that strategic plan of whose responsibility it is to do this and that. I also think parental involvement is a huge factor. Education and poverty are additionally major factors in suicide. I work with Dept of Commerce in trying to get mom and dad jobs.

**Representative Wieland:** just to follow up; is it your intent to use these funds as grants to the individual tribes and to use it for such things as testing (talking with the kids, teachers and leaders in the community that they are fearful that there are some thoughts there)? Is that what you are specifically talking about?

**Scott Davis:** We did utilize state funds to provide grants, not only to the reservations, but other areas of the state and that seemed to work out pretty well. I think that's going to continue. I do not anticipate using this money as grant money. Part of the need too is Indian Health Services (IHS)'s lack of obligation in providing their services, even in hiring mental health providers. A few months ago when a crisis hit Standing Rock, they were under a heavy emergency crisis as there were a lot of attempts within weeks and there as no doctor in IHS. We rallied and scrambled and were able to hire a part time doctor to begin assessments. I anticipated some of this money may be used for that due to the turnover rate of doctors, psychiatrist, psychologists in our native community and it still being unstable. I believe it will continue. I am hoping to use the money to hire a psychiatrist, psychologist, doctor, or even an intern (UND) to do some of these assessments. As far as testing, I don't think this money will be used for testing as there are already programs in place that do testing.

**Representative Metcalf:** I have a concern about the requests you have for \$100,000. I really feel that, that is justified, but based on things over the past couple years, to go from \$5000 to \$105,000, how do you plan to use this? Do you have a plan that's going to involve a certain number of people? What's the situation there?

**Scott Davis:** This is the first time that our office has ever received our proposed amount for suicide. My plan is to build that plan with the tribes, state agencies; that is the foundation of this money. The challenge is trying to bring everybody on the same page. When I look at a crisis out there, I see a lot of what's my responsibility? I can do this. I can do that. There is a lot of lack of communication and no one is really on the same page. That is the basis of the work I do is bring multiple entities together. A large part of the money too is funding the ND tribal mental health crisis team which is comprised of mental health workers, tribal health officials, tribal cultural and spiritual leaders, graduate students, clinical social workers, and expertise in prevention, education, intervention, mentoring, counseling, and debriefing to patients, family and providers. All those players on this team need to be coordinated in some way on their responsibilities.

**Representative Metcalf:** do you have anything firm that you have established at this point? Is there anybody out there that has said, yeah, this is what I am going to do for it to get it going?

**Scott Davis:** It's a verbal commitment (nothing on paper) from each of the tribal members that I work with and also the state and other entities I work with. I call it an opportunity for all partnerships to come together and address this as a shared responsibility.

**Vice Chairman Bellew:** continue, Scott.

**Scott Davis:** I am not sure what other questions you have for my office regarding operating expenses, salaries, etc. Our audit was very clean. I think we've elevated our commission to another level. We try to do the best job we can regarding education, jobs, job creation, health and human services. I want to commend the legislative body as I seen a wide range of opportunities provided as far as understanding between the tribes and yourselves. I always compare our office to my counterparts in other states. They don't do these things in other states. It says a lot about who we are as a state. In the work I've done these past couple years I've seen a huge number of MOAs, MOUs, between the states and the tribes, whether it's taxation agreements or education agreements. Thank you for your commitment to doing that.

**Representative Metcalf:** Since I've been in the legislature, I've been trying to work to solve this problem that we have in our Native American communities. You've probably got a good plan. Outside of that, is there anything that you can tell me at this time that you are making changes that is going to be of the betterment of Native Americans? To me it seems like we are not making any gain with the increase in suicides. I understand that. They are individuals whose problems are more than just suicide. That's what pushes them toward that suicide. I sure wish there was some way that we could say, yeah, this is what we wanted and go at it.

**Scott Davis:** I eat and sleep this stuff every day. I believe it is empowerment. Providing them with opportunities, but having them take ownership of those opportunities is the key. Our people are dependent because of government policy. Our parents depend on tribal councils too much to do things for them because that's the norm. I'm a firm believer is saying you as an individual have an obligation to strengthen your tribe and here's how you do it.

**Representative Metcalf:** I think you are on the right track. It's getting our youth to believe that. The main difficulty is with the youth because when you get older, it's too late. if you can get a program to bring our youth around, I'd applaud you right now.

**Scott Davis:** that's my focus.

**Representative Wieland:** I've noticed that you've had the \$5000 in operating fees and services last time and you are continuing that. Would you refresh our memories as to what that \$5000 is for? Is it intended to be \$100,000 even?

**Scott Davis:** It is my intention that it's \$100,000 even.

**Chadwick Kramer:** The \$5000 is a line we've used over the past several biennium. I am not sure what expenses get coded there. We've recently had turnover in our administrative assistant staff and she was the one that paid all our bills and she would have been the one that coded our expenses to that 621000 operating fees and services. We can find out for you what we have been spending that \$5000 on in the past. It is \$100,000 even and the \$5000 is for the miscellaneous that we have been using it on in the past.

**Representative Wieland:** we'll need to know because we have not allowed for miscellaneous things in anyone else's budget. In 07-09, it was \$857, in 09-11 it was \$2482 (balance of \$2518) and \$5000 was appropriated and then the 100. We need to know specifically what that's intended to be used for.

**Chadwick Kramer:** Lori, do you have any idea what some examples would be under that area?

**Office of Management and Budget:** if you look at the line right about that, you'll see that that they needed more money in their professional development than they had spread to that piece of the budget. If it's something more general that doesn't fit into food and clothing, utilities, etc. and it's just a general operating expense, it can get coded to that operating fees and services. We can assist Chad with pulling out those vouchers to find what sorts of things may have fit there. But even with operating the youth academy there certain things that they could be paying for that there's not a specific account code for. We could get those vouchers to see specifically what they are for.

**Representative Wieland:** I want to echo on what Representative Metcalf said. I'm certainly going to support your attempts to curb suicide. I am confident you'll use it in a beneficial way. You're not going to get much with psychiatrists, psychologists as those people are so expensive. I would just ask if you would consider doing a review of data. When I talk about testing, I am talking about the same thing you are. You have to find the people first and the get them some assistance. Testing is probably the wrong terminology. I know you're your Parents, teachers and your community leaders will see kids that they're concerned about. I hope you're successful. It's a huge problem and it isn't limited to the tribe.

**Representative Nelson:** on the suicide prevention area, the \$100,000; are you leveraging some tribal funds to assist you in that area so that \$100,000 can be leveraged to include some psychiatrists and psychologists in this or is this appropriation in the governor's budget meant to stand alone?

**Scott Davis:** I always believe in cost sharing. There are verbal commitments from each tribes as what they will bring to this overall strategic plan. Every tribe is different in how they approach suicide from a cultural standpoint. From a medical standpoint, you are looking at internship programs with UND (we are the only tribe in the nation doing this). The cost of a doctor is very expensive so again, that's why we are using our internship program up at UND. Studies have shown that once we provide interns from our local universities, they are more willing to stay in ND and provide services here.

**Representative Nelson:** can you give us a report as to what your goals are. The ARRA funding that you received last session that is no longer available. What did you utilize those funds for? Was that the youth academy?

**Scott Davis:** The ARRA funds that we received were under the language preservation bill. Those funds are in the midst are being drawn down to Standing Rock Language Preservation and the Dakota Language Organization here in Bismarck. The challenge in those ARRA funds was a 3-1 match, basically to access that \$18,000 or a portion of it. That got clarified. In doing assessment of all the tribes and their language projects out there, Standing Rock was the only tribe that was able to meet that 3 to 1 match.

**Representative Nelson:** 3 from the tribe to the 1 from the ARRA funds?

**Scott Davis:** Yes.

**Representative Nelson:** will that continue through this biennium at Standing Rock?

**Scott Davis:** No. That was a one-time fund.

**Representative Nelson:** last week, we had DOCR into do their detailing and juvenile services discussed a program that I believe has merit which is the day treatment program to work with young people to get them more on a positive track. I know there are a couple of schools in the Turtle Mountain region that was using day treatment. It seems like a great program and that money needs to be leveraged by the school districts. Is that a program you would endorse in continuing?

**Scott Davis:** That's another area I'm heavily involved with. I've done numerous onsite visits to YCC to look at Native Americans youth and why they are offending, why they're re offending, their social issues (drugs and alcohol abuse, lack of parenthood), etc. We're looking at the strength of the program, in this case, the juvenile side, and I have yet to really wrap my head around it. My focus is getting myself engaged with the Native students and really examining why they are there. Those are the factors I need to digest before looking at implementing my own plan. I'll give you an example. With DOCR, at the state penitentiary there are a group of organized Native American males (gang related). I was out there last week to talk about leadership because as of late, there's been lot of gang activity, fighting and I brought a success story out there. That ties in with our juvenile. We also talk about fatherhood, culture, spirituality, and identity. A big factor of amongst our youth is their identity. They are bombarded with media, rap music, etc. and it confuses them in looking at who they are as a Native American which in turn leads to decrease test scores and attendance issues. It all ties into why our juveniles are committing offenses and parental involvement is huge.

**Representative Nelson:** One of programs has been most successful in the Dunseith Public School system and it's a 40% state match, 60% school district match for this day treatment. This fills the gap of the lack of parental involvement and brings more responsibility to the students who are in that. It seems to me that there are a number of other schools that would be interested in beginning programs; I believe Belcourt Public is a school that has some interest in that. I'm wondering if that 40/60 match is a problem; if there's a lack of people that can put that program in place. Lisa (DORC Juvenile Services Director) spoke very highly of that program and that's an area that has merit in reaching young people so they don't get into the correctional system.

**Scott Davis:** I have yet to really indulge myself in that area. I will look more into that. There are so many good programs out there that are out there in regards to juvenile justice and preventing criminal activity. It's just a matter of finding those and connecting the dots, so to speak and that's a responsibility I have in my office.

**Office of Management and Budget:** I've got some additional information on those operating fees and expenses. The account codes were advertising services for youth academy and awards, rewards, and prizes which were also related to the youth academy. So that's why there would be more in 11-13 is because they're expanding the youth academy.

**Representative Wieland:** in that case, I would prefer that we would title that allocation as youth academy as opposed to just miscellaneous.

**Office of Management and Budget:** the detail account codes are under operating fees. The operating fees and services is budget account code. It's like a rolled up account code. It is actually coded to the appropriate detail account code. If you go back to the voucher in the accounting system to look at that, you see that it is coded to advertising services and the other part for rewards, awards, prizes. There are probably 15-20 detailed accounts below that operating fees and services so it is a subcategory of operating fees and services. I can get you a copy of our account chart if you'd like.

**Representative Wieland:** It isn't that. I don't like the ambiguity of it because then we ask the same question, year after year. If it can fall under a specific use, does it really matter if it's \$20,000 for youth leadership versus adding it to a miscellaneous category? We did

away with miscellaneous some years back and if this is just a miscellaneous account, I am concerned about that.

**Office of Management and Budget:** It might be helpful if I showed you the chart of accounts. At the budget level, we have the rolled up account and the detail account. If everything would be listed at a detail level, there would be pages and pages. I'm misunderstanding what you are saying; they are not in a miscellaneous account code. The expenditure is tied to a specific detail account code.

**Chadwick Kramer:** In looking at the printout for December, under that 62-1, we had advertising services (\$752), awards, rewards, prizes (\$20) and other operating fees of \$309 and those would all fall under what she's talking about. So it gets really detailed.

**Representative Wieland:** my point is those specific items, are they all part of the Indian Youth Academy?

**Chadwick Kramer:** no, not in December. Most of our expenses for the youth leadership took place in the summer months. We do have a separate object code that does show what was spent on the youth leadership academy.

**Vice Chairman Bellew:** could you provide that for us, Chad?

**Representative Wieland:** What do they advertise for other than that?

**Chadwick Kramer:** yes, I can provide that. The advertising actually would have been tied to the youth academy.

**Representative Wieland:** I'm not objecting to the expenditure. I'm objecting to the way it's coded. That's my concern.

**Office of Management and Budget:** we wouldn't have any kind of an account code that would be titled Indian youth academy. You can categorize your expenses in several different ways and I don't know if Indian affairs has a program account set up for academy and if they did, that would pull down all of these account codes that have a string attached to them as Indian youth academy.

**Vice Chairman Bellew:** I see that you want to do two academies next year and increase funding from \$40 to \$60,000? Are those expenses intermingled in the request for \$20,000?

**Scott Davis:** Yes, that is correct.

**Vice Chairman Bellew:** IT equipment under \$5000. Last biennium we appropriated \$8000 for that. As of December, you have not spent any of it. Are there plans to spend it? Is that for new computers?

**Chadwick Kramer:** we had turnover in our administrative assistant staff in October and she was one who did all the coding and I'm not as familiar with these coding and why certain expenses get put under one category versus another. I have purchased IT software, but it's not reflected in this report. The discrepancy is in that I've purchased some of that equipment on the purchasing card for the state and that has not been reconciled yet then to this report yet. It just hasn't been coded correctly.

**Vice Chairman Bellew:** do you anticipate any general fund turn back this biennium?

**Scott Davis:** There may be some. We had two positions that were turn over (administrative assistant and Indian Education Programs Director). Both were vacant for at least 2-3 months. When our previous admin assistant left, there was no transition. We are picking up where she left off and trying to figure that out.

**Vice Chairman Bellew:** have you hired a new assistant?

**Scott Davis:** Yes, we have. I can assure we'll be up to par very soon.

**Vice Chairman Bellew:** you can let us know if there is any turn back? Or is it like any other agency, where if there's turn back it will just be added into next biennium's budget?

**Office of Management and Budget:** if they don't spend their money, it'll go back into the general fund.

**Representative Nelson:** in other budgets, other agencies have had a marked increase in the IT charges. You are not showing an increase in your spend down report. The assumption I would make is that you are able to meet your needs with their new charges. Can you explain this to me?

**Chadwick Kramer:** I sat down with IT and was educated on what the new charges would be and was told we would have savings in certain areas and those would offset what our increases were going to be. We actually came out a few hundred dollars ahead. In our ITD bill, we came out pretty much even.

**Vice Chairman Bellew:** regarding the youth leadership academy, do you invite kids from all the tribes? Or is it just one specific tribe?

Scott Davis: Yes, we do. We invite every school that has a Native American population, even in Bismarck, Fargo, Minot and they have to apply.

**Vice Chairman Bellew** informed Scott Davis that the clerk would get a hold of him when amendments come about.

**Vice Chairman Bellew:** Thank you for your time and we appreciate the information.

**Vice Chairman Bellew** reviewed the schedule for the weekend and due to no further questions, adjourned the meeting until Wednesday January 26 at 8:30 am.

# 2011 HOUSE STANDING COMMITTEE MINUTES

House Appropriations Human Resources Division  
Roughrider Room, State Capitol

HB 1005  
February 10, 2011  
14313

Conference Committee

Committee Clerk Signature



## Explanation or reason for introduction of bill/resolution:

To provide an appropriation for defraying the expenses of the Indian Affairs Commission

## Minutes:

**Chairman Pollert** called meeting to order regarding discussing amendments on HB 1005. Chairman Pollert opened up floor for discussion on Indian Affairs Commission.

**Representative Wieland:** I have one amendment here and needed to add two words to it. Amendment distributed and labeled as attachment **ONE**. They are asking for \$100,000 for suicide prevention and education. I am hoping the focus would be different. The amendment I am proposing would reduce the requested money for suicide prevention from \$100,000 to \$50,000 and require the Indian Affairs Commission work in conjunction with the NDDOH to develop a suicide prevention program including outreach, education, administration, and implementation of grants for suicide prevention activities.

**Vice Chairman Bellew:** does that mean you want to take out administration after the and?

**Representative Wieland:** we would take out the word and before administration, add the words "and" and "implementation" following the words administration of grants. The intent would be to see how the program will progress.

**Vice Chairman Bellew:** Are there any reporting mechanisms here?

**Representative Wieland:** there is none in this particular amendment.

**Chairman Pollert:** I would anticipate Mr. Davis would be reporting on the program.

**Vice Chairman Bellew:** I would just look for a report for next session for status on program and how it is working.

**Chairman Pollert:** this discussion can continue in the conference committee.

**Representative Nelson:** I think that coordinated effort with the DOH would allow for a reporting mechanism. The important thing to note in this language is about cutting down silos and for the Indian Affairs Commission to coordinate with DOH.

**Representative Wieland:** this helps to put the Indian Affairs Commissioner at the table because there is some funding in the health dept for suicide prevention as well and this should help to be a coordinated effort. Further, as far as reporting is concerned and if a successful program comes out of this, you can be reasonably sure that Mr. Davis will be back in 2 years asking for additional funds because the program is working.

**Chairman Pollert:** We know that there is a much higher rate on the Standing Rock Reservation and this puts them at the table and if there needs to be more of an emphasis from the DOH statewide, then that's what should be done.

**Representative Wieland:** I make a motion that we adopt this amendment with the changes suggested; we would remove the word and between education and administration and add, after the word grants, and implementation.

**Representative Kreidt:** second the motion

**Legislative Council:** can I get clarification on the wording?

**Representative Nelson** clarified the wording explained above.

**Representative Kaldor:** in addition in that operating line item that you are reducing by \$50,000 does that have any impact on the leadership program?

**Representative Wieland:** No, it would not.

**Chairman Pollert:** the amendment is dealing with solely the suicide prevention. Last biennium, we put \$40,000 toward the leadership program and due to its success, so we thought the \$20,000 more was warranted.

**Representative Wieland:** it would be under item number 3 only on the green sheet.

**Representative Kaldor:** as I look at the testimony we received, there is a plan and strategy set up. \$50,000 in today's world doesn't go very far to address the work that they are going to have to do as they describe this to include mental health workers, tribal health officials, clinical social work, prevention, education, counseling, mentoring graduate students, tribal, cultural, spiritual leaders, intervention crisis assessment and debriefing. I think I just spent \$100,000 reading that sentence. I would like to know, other than wanting to test this, whether or not \$50,000 is going to be an adequate test to make an assessment in the next biennium.

**Representative Wieland:** this does not preclude them from getting other partners in developing these programs. There may be some other funds that were added to it through partnerships. This is just one source of funding that could get them started. They haven't got the plan. They need to work on that plan. We need to get a program that's going to be effective and work and if you are going to do a whole bunch of things to try, that's not going to work. This is going to require something a little bit different in order to make it effective and I'd like to see if whatever they do and if they can work together, they are going to have the health dept to work with them because that's what the language is in there.

**Representative Metcalf:** suicide has been a problem in the tribes ever since I remember. Nobody ever seems to come up with a plan that will reduce the frequency of suicides in our Indian neighbors. I would hope that this reduction would not any impact on moving forward because we have to move this suicide prevention forward. I'm sure this bill is not through yet and has a distance to go so I feel that we need that additional \$50,000 to get it off the ground. I don't know if \$100,000 will get the program off the ground. I think it would take a million to get it off the ground. I would hope that our people would take care of that and spend the money wisely. We haven't done a thing at this point about the suicides in the Indian nation.

**Chairman Pollert:** don't be surprised if you see some legislative intent language in the health dept budget, knowing full well that we need the health dept budget to be working with Indian affairs on the matter.

**Representative Metcalf:** but we've had those discussions before and have had intent put in before and it hasn't done a thing. I really don't know what the answer is, but I don't think we can afford to start cutting the budget.

**Representative Kreidt:** in response to Representative Metcalf's comment, wasn't there an emphasis by former Senator Bryon Dorgan down in Standing Rock Sioux reservation with the suicide problem. I don't know if there were federal funds pumped into it at that time, but I do know that was an emphasis to move in that direction. Thus, we can't say there hasn't been anything done as far as I am aware.

**Representative Kaldor:** this is about the state of ND and I find it very challenging to justify going below the governor's budget on this particular issue. I agree with the portion of the amendment that calls on the health dept to work with Indian Affairs Commission on this issue, but this is a very troubling issue and yes, the federal govt has been involvement and they've increased the appropriation to help in this area. However the work is daunting. Of all the things, we should be looking at in the Indian Affairs Commission, this is the one that should be a high priority. We are not just looking at one reservation; this is for five reservations. We are minimizing our effort and I am doubtful that the health dept will have money to throw into this.

**Representative Wieland:** this is a brand new program. It's not a cut; it's a reduction in increase.

**Representative Kaldor:** I understand that, that it's a new program. The governor, in his wisdom, approved this in the budget. He did so because he understands what a significant problem this is. Even \$100,000 won't scratch the surface when you get right down to it. This is one of the things we should be putting resources in as aggressively as possible to try to meet this, what's almost an endemic.

**Representative Nelson:** I couldn't agree more with Representative Kaldor in that there is nothing more we should be working on than suicides with young people. However, we are arguing over \$50,000 and in looking at the bigger picture, Scott Davis is going to be the one who will carry the message to the 5 tribes of ND, through his office. He's testified to the fact that he lives and breathes this issue. His toolbox wouldn't be as full with the \$50,000 reduction, but I don't think it's empty. The important aspect is that we leverage the use of the DOH that has the resources in suicide prevention in place and access to open up doors to systemically deal with this problem in a number of ways (intervention, education). The bigger picture is that we work at it from a state level and not separate the tribes from the general population because that shouldn't be separated. We know where the greatest need is and that is on the Standing Rock Sioux tribe, but it certainly is a statewide issue. This discussion isn't going to end here, but it will go to conference committee and the Senate will weigh in. This is a reasonable approach.

**Chairman Pollert** clarified no further discussion.

**Chairman Pollert:** what should we call this amendment due to changes being made?

**Legislative Council:** the amendment can be called .01001 with proposed changes. It will come down with the incremented number of 2 at the end. It eventually will become .01002, but it's not officially that yet.

**Chairman Pollert** clarified that it will come down as .01002 when it comes to full committee.

Vote taken on amendment .01001 with proposed changes which resulted in 5 yes, 2 no, 0 absent thus amendment .01001 with proposed changes passed.

**Chairman Pollert:** any other amendments to come forward to HB 1005? Any discussion?  
No response from committee.

**Representative Nelson:** I will move a do pass as amended to HB 1005.

**Representative Wieland:** second

**Chairman Pollert:** discussion?

Due to no discussion, vote taken on do pass as amended to HB 1005 which resulted in 4 yes, 3 no, and 0 absent. Thus the recommendation was HB 1005 passed as amended.

**Chairman Pollert** assigned **Representative Wieland** to carry the bill to full committee.

**Chairman Pollert** closed hearing on HB 1005.

# 2011 HOUSE STANDING COMMITTEE MINUTES

## House Appropriations Committee Roughrider Room, State Capitol

HB 1005  
2/17/11  
14647

Conference Committee

Committee Clerk Signature



### Explanation or reason for introduction of bill/resolution:

A BILL for an Act to provide an appropriation for defraying the expenses of the Indian affairs commission

### Minutes:

**Chairman Delzer** opened discussion on HB 1005

**Representative Wieland:** This is the budget for the Indian Affairs commission as the bill came to House Appropriations Human Resources Division from the governor, the total budget was \$847,878,000 all in general funds. That is an increase of \$163,293 or 24%. The increase is in the salary and benefit package, \$20,000 increase in Youth Leadership Academy, and \$100,000 new program for suicide. The committee's only action was to reduce the suicide program to \$50,000 and to include language to work with the ND Department of Health (NDDOH) and we intent to include similar language in NDDOH's budget (HB 1004). This provides the Indian Affairs to be at the table on the suicide programs. I would move the amendment .01002.

**Representative Pollert:** second

**Chairman Delzer:** Discussion on the amendment?

**Representative Kaldor:** I disagree with the amendment. In speaking with Scott Davis, Executive Director of Indian Affairs Commission, the reason the governor put the \$100,000 in the budget for suicide prevention is that, that is what it'll take in developing a suicide prevention program plan. They anticipate this will at least expend this much money. They are already at the table with NDDOH. They are working with every other state agency that has to do with suicide prevention. The other factor is that when we speak of suicide prevention on the tribal nations, we are not just speaking of one reservation, but rather five and this bleeds into outside the reservation. At this point in time, this amendment is ill advised and I would hope that we would resist the motion.

**Representative Pollert:** We also have dollars increases in NDDOH budget for suicide prevention. We haven't voted on it yet, but we know there is an amendment coming with language similar to what Representative Wieland spoke of. We thought the two needed to collaborate as it wasn't clear during testimony, if they were going to work together or not.

**Representative Kaldor:** I appreciate hearing that, but working on HB 1004 (NDDOH budget), however one of the proposed soft amendments are to cut the suicide prevention dollars (operations) by \$291,000.

**Representative Pollert:** The soft amendments keep the grant dollars for the suicide prevention in there, but the amendment coming forward is to reduce the funding for the staffing. We haven't voted that bill out yet either.

**Representative Dosch:** One of my frustrations on this is this is a problem in all the tribes, but we haven't gotten an answer as to what they're doing to help themselves. They the casinos they operate and we don't know where that money is going. It certainly doesn't seem to be helping the Native American people. They have oil wells on their property pumping oil and we have no idea where that money is going. It seems like if they are truly serious about doing something, it seems like they need to start doing something for themselves and taking some of the resources that they have and taking care of some of their own people. Perhaps we need to put the ball back in their court and say you need to do something for yourselves.

**Representative Wieland:** One of the reasons I asked for this amendment is that in describing what they will be doing, they are going to be using a portion of the funding for developing protocols of actions and follow up various teams which collaborate during a crisis. The other part is to use in providing educational lectures on events at high schools and town events. It's a new program so if it goes well, they will be coming back and asking for additional funds. I've asked for information from the federal govt as to how much money the federal govt is providing with the tribes in the state of ND for suicide. I have not been able to get that information at this time. I hope we get it before the second half is done.

**Representative Nelson:** There's no question that this amount (whether it be \$100,000 or \$50,000) is going to meet the needs that are out there. We asked about leveraging tribal money in other sources and that's part of what the plan is without that leveraging of other sources, we are not going to get to the point where we can start responding to this, but there is intervention policies that are in this particular program. There's counseling and a number of things that are pieced together to provide a plan to stop suicides. The answer that was given to us is the tribes are putting in money. This is meant to be a comprehensive effort so I think it's a little presumptuous that the tribes in this state aren't participating in this.

**Chairman Delzer:** We have the motion to amendment before us.  
**Voice vote taken on passing amendment, motion carried.**

**Representative Wieland:** I make a motion for a do pass as amended for HB 1005  
**Representative Pollert:** second

Due to further discussion, roll call vote taken, resulting in 18 yes, 2 no, and 1 absent, thus motion carried. **Chairman Delzer** assigned **Representative Wieland** to be carrier of HB 1005 to the floor.

**Chairman Delzer** closed hearing on HB 1005.

*01001 w/  
 proposed  
 changes*

*- Attachment  
 ONE*

PROPOSED AMENDMENTS TO HOUSE BILL NO. 1005

Page 1, replace lines 12 and 13 with:

"Operating expenses	<u>126,505</u>	<u>70,000</u>	<u>196,505</u>
Total general fund	\$682,585	\$115,293	\$797,878"

Page 1, after line 19, insert:

**"SECTION 3. LEGISLATIVE INTENT - SUICIDE PREVENTION PROGRAM.** It is the intent of the sixty-second legislative assembly that the Indian affairs commission work in conjunction with the state department of health to develop a suicide prevention program, including outreach, education, and administration of grants for suicide prevention activities."

Renumber accordingly

**STATEMENT OF PURPOSE OF AMENDMENT:**

**House Bill No. 1005 - Indian Affairs Commission - House Action**

	Executive Budget	House Changes	House Version
Salaries and wages	\$601,373		\$601,373
Operating expenses	<u>246,505</u>	<u>(50,000)</u>	<u>196,505</u>
Total all funds	\$847,878	<u>(50,000)</u>	\$797,878
Less estimated income	<u>0</u>	<u>0</u>	<u>0</u>
General fund	\$847,878	<u>(50,000)</u>	\$797,878
FTE	4.00	<u>0.00</u>	4.00

**Department No. 316 - Indian Affairs Commission - Detail of House Changes**

	Reduces Funding for Suicide Prevention Program <sup>1</sup>	Total House Changes
Salaries and wages		
Operating expenses	<u>(50,000)</u>	<u>(50,000)</u>
Total all funds	<u>(\$50,000)</u>	<u>(\$50,000)</u>
Less estimated income	<u>0</u>	<u>0</u>
General fund	<u>(\$50,000)</u>	<u>(\$50,000)</u>
FTE	0.00	<u>0.00</u>

<sup>1</sup> The amendment reduces funding provided in the executive budget for a suicide prevention program directed at Native American tribes from \$100,000 to \$50,000 from the general fund.

The amendment also adds a section of legislative intent to provide that the Indian Affairs Commission work in conjunction with the State Department of Health to develop a suicide prevention program, including outreach, education, and administration of grants for suicide prevention activities.

Date: 2/10/11  
 Roll Call Vote # 1

2011 HOUSE STANDING COMMITTEE ROLL CALL VOTES  
 BILL/RESOLUTION NO. 1005

House Appropriations Human Resources Division Committee

Check here for Conference Committee

Legislative Council Amendment Number 01001 with proposed changes

Action Taken:  Do Pass  Do Not Pass  Amended  Adopt Amendment  
 Rerefer to Appropriations  Reconsider

Motion Made By Rep. Wiedland Seconded By Rep. Kreidt

Representatives	Yes	No	Representatives	Yes	No
Chairman Chet Pollert	✓		Rep. Lee Kaldor		✓
Vice Chairman Larry Bellew	✓		Rep. Ralph Metcalf		✓
Rep. Gary Kreidt	✓				
Rep. Jon Nelson	✓				
Rep. Alon Wiedland	✓				

Total (Yes) 5 No 2

Absent 0

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

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

Reduce suicide prevention funding from \$100,000 to \$50,000 and insert section about Indian affairs commission working with State Dept. of Health to develop a suicide prevention program

Date: 2/10/11  
 Roll Call Vote # 1

**2011 HOUSE STANDING COMMITTEE ROLL CALL VOTES**  
**BILL/RESOLUTION NO. 1005**

House Appropriations Human Resources Division Committee

Check here for Conference Committee

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

Action Taken:  Do Pass  Do Not Pass  Amended  Adopt Amendment  
 Rerefer to Appropriations  Reconsider

Motion Made By Rep. Nelson Seconded By Rep. Wiedland

Representatives	Yes	No	Representatives	Yes	No
Chairman Chet Pollert	✓		Rep. Lee Kaldor		✓
Vice Chairman Larry Bellew		✓	Rep. Ralph Metcalf		✓
Rep. Gary Kreidt	✓				
Rep. Jon Nelson	✓				
Rep. Alon Wiedland	✓				

Total (Yes) 4 No 3

Absent 0

Floor Assignment Rep. Wiedland

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

VR  
 2/17/11  
 1082

PROPOSED AMENDMENTS TO HOUSE BILL NO. 1005

Page 1, replace line 12 with:

"Operating expenses      126,505      70,000      196,505"

Page 1, replace line 13 with:

"Total general fund      \$682,585      \$115,293      \$797,878"

Page 1, after line 19, insert:

**"SECTION 3. LEGISLATIVE INTENT - SUICIDE PREVENTION PROGRAM.** It is the intent of the sixty-second legislative assembly that the Indian affairs commission work in conjunction with the state department of health to develop a suicide prevention program, including outreach, education, administration, and implementation of grants for suicide prevention activities for the biennium beginning July 1, 2011, and ending June 30, 2013."

Renumber accordingly

**STATEMENT OF PURPOSE OF AMENDMENT:**

**House Bill No. 1005 - Indian Affairs Commission - House Action**

	Executive Budget	House Changes	House Version
Salaries and wages	\$601,373		\$601,373
Operating expenses	<u>246,505</u>	(50,000)	<u>196,505</u>
Total all funds	\$847,878	(\$50,000)	\$797,878
Less estimated income	<u>0</u>	<u>0</u>	<u>0</u>
General fund	\$847,878	(\$50,000)	\$797,878
FTE	4.00	0.00	4.00

**Department No. 316 - Indian Affairs Commission - Detail of House Changes**

	Reduces Funding for Suicide Prevention Program <sup>1</sup>	Total House Changes
Salaries and wages		
Operating expenses	<u>(50,000)</u>	(50,000)
Total all funds	(\$50,000)	(\$50,000)
Less estimated income	<u>0</u>	<u>0</u>
General fund	(\$50,000)	(\$50,000)
FTE	0.00	0.00

<sup>1</sup> The amendment reduces funding provided in the executive budget for a suicide prevention program directed at Native American tribes from \$100,000 to \$50,000 from the general fund.

2082

The amendment also adds a section of legislative intent to provide that the Indian Affairs Commission work in conjunction with the State Department of Health to develop a suicide prevention program, including outreach, education, administration, and implementation of grants for suicide prevention activities.

Date: 2/17  
Roll Call Vote #: 1

2011 HOUSE STANDING COMMITTEE ROLL CALL VOTES  
BILL/RESOLUTION NO. 1005

House Appropriations Committee

Legislative Council Amendment Number 01002

Action Taken:  Do Pass  Do Not Pass  Amended  Adopt Amendment  
 Rerefer to Appropriations  Reconsider

Motion Made By Rep. Wieland Seconded By Rep. Pollert

Representatives	Yes	No	Representatives	Yes	No
Chairman Delzer			Representative Nelson		
Vice Chairman Kempenich			Representative Wieland		
Representative Pollert					
Representative Skarphol					
Representative Thoreson			Representative Glassheim		
Representative Bellew			Representative Kaldor		
Representative Brandenburg			Representative Kroeber		
Representative Dahl			Representative Metcalf		
Representative Dosch			Representative Williams		
Representative Hawken					
Representative Klein					
Representative Kreidt					
Representative Martinson					
Representative Monson					

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

Absent \_\_\_\_\_

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

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

*Motion carries by voice vote*

Date: 2/17  
Roll Call Vote #: 2

2011 HOUSE STANDING COMMITTEE ROLL CALL VOTES  
BILL/RESOLUTION NO. 1005

House Appropriations Committee

Legislative Council Amendment Number 01002

Action Taken:  Do Pass  Do Not Pass  Amended  Adopt Amendment  
 Rerefer to Appropriations  Reconsider

Motion Made By Rep. Wieland Seconded By Rep. Pollert

Representatives	Yes	No	Representatives	Yes	No
Chairman Delzer	X		Representative Nelson	X	
Vice Chairman Kempenich	X		Representative Wieland	X	
Representative Pollert	X				
Representative Skarphol	X				
Representative Thoreson	X		Representative Glassheim	X	
Representative Bellew		X	Representative Kaldor	X	
Representative Brandenburg	X		Representative Kroeber		
Representative Dahl	X		Representative Metcalf	X	
Representative Dosch		X	Representative Williams	X	
Representative Hawken	X				
Representative Klein	X				
Representative Kreidt	X				
Representative Martinson	X				
Representative Monson	X				

Total (Yes) 18 No 2

Absent 1

Floor Assignment Rep. Wieland

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

**REPORT OF STANDING COMMITTEE**

**HB 1005: Appropriations Committee (Rep. Delzer, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (18 YEAS, 2 NAYS, 1 ABSENT AND NOT VOTING). HB 1005 was placed on the Sixth order on the calendar.

Page 1, replace line 12 with:

"Operating expenses 126,505    70,000    196,505"

Page 1, replace line 13 with:

"Total general fund \$682,585    \$115,293    \$797,878"

Page 1, after line 19, insert:

**"SECTION 3. LEGISLATIVE INTENT - SUICIDE PREVENTION PROGRAM.**

It is the intent of the sixty-second legislative assembly that the Indian affairs commission work in conjunction with the state department of health to develop a suicide prevention program, including outreach, education, administration, and implementation of grants for suicide prevention activities for the biennium beginning July 1, 2011, and ending June 30, 2013."

Renumber accordingly

**STATEMENT OF PURPOSE OF AMENDMENT:**

**House Bill No. 1005 - Indian Affairs Commission - House Action**

	Executive Budget	House Changes	House Version
Salaries and wages	\$601,373		\$601,373
Operating expenses	246,505	(50,000)	196,505
	\$847,878	(\$50,000)	\$797,878
Total all funds			
Less estimated income	0	0	0
	\$847,878	(\$50,000)	\$797,878
General fund			
	4.00	0.00	4.00
FTE			

**Department No. 316 - Indian Affairs Commission - Detail of House Changes**

	Reduces Funding for Suicide Prevention Program <sup>1</sup>	Total House Changes
Salaries and wages		
Operating expenses	(50,000)	(50,000)
	(\$50,000)	(\$50,000)
Total all funds		
Less estimated income	0	0
	(\$50,000)	(\$50,000)
General fund		
	0.00	0.00
FTE		

<sup>1</sup> The amendment reduces funding provided in the executive budget for a suicide prevention program directed at Native American tribes from \$100,000 to \$50,000 from the general fund.

The amendment also adds a section of legislative intent to provide that the Indian Affairs Commission work in conjunction with the State Department of Health to develop a suicide prevention program, including outreach, education, administration, and implementation of grants for suicide prevention activities.

2011 SENATE APPROPRIATIONS

HB 1005

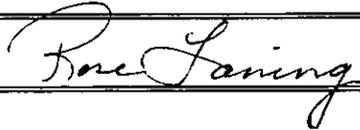
# 2011 SENATE STANDING COMMITTEE MINUTES

## Senate Appropriations Committee Harvest Room, State Capitol

HB 1005  
March 2, 2011  
Job # 14820

Conference Committee

Committee Clerk Signature



### Explanation or reason for introduction of bill/resolution:

**A BILL for an Act to provide an appropriation for defraying the expenses of the Indian Affairs Commission.**

### Minutes:

See attached testimony # 1-3.

**Chairman Holmberg** called the committee hearing to order on HB 1005.  
**Lori Laschkewitsch** – OMB. **Sara Chamberlin** – Legislative Council

**Scott Davis, Executive Director, ND Indian Affairs Commission**  
(Testimony attached #1)

**Scott Davis** spoke on suicide epidemic within the tribal nations. He states he is a member of the statewide suicide coalition. It is not just our small towns, small reservations but in our bigger cities. There is no place for a tribal member to go to for service. Most programs are 8-5. Those are not peak hours for a suicide attempts. There are no weekend or after hour services. How do we take care of this program? Another hurdle is the credentialing. About a year ago we had a crisis. It becomes a "copycat" issue. So everyone is on high alert. We provided some emergency resources down to Standing Rock. There was a problem with our personnel not being "credentialed" under the IHS system. We were informed that since we were not, we could not provide services to their people. He states that he has been working very hard to get the proper federal credentialing system for these people on weekends etc. Those doctors, who work for IHS, will work for a year to six months and then are gone. We then have inconsistent psychiatric care to our tribal members which is very tough on our tribal members. My thoughts are if we can utilize our local doctors from Bismarck, who want to work on the reservations. The credentialing system is hindering their efforts. It is going to take resources and efforts to implement this.

**Senator Robinson** asks about the IHS credentialing issue. Is that an issue that would have to be addressed by the congressional delegation?

**Scott Davis** states we can eliminate this through tribal leadership and have trust relationship with patients.

**Senator Robinson** asks if we have any Native American communities in the state, that is doing a better job in the communities, and we might be able to replicate?

**Scott Davis** states, "I don't know. There are models out there". I get to a point of being overwhelmed. What strategy is going to work for Standing Rock versus Fargo? Everything and everyone is unique in their demographics. We can go into poverty, drug abuse, 9-1-1, sexual abuse and lack of law enforcement etc. I don't think everyone is on the same page. This is growing. We are also talking about military veterans. How do we monitor those people?

**Senator Robinson** states we are in a reactive mode because of a lack of a system that fails to be proactive. Would that characterize it?

**Scott Davis** states that he would agree, that would be a fair assessment. We are in a reactive mode. When the young lady committed suicide and why was she bullied into this? This bullying stuff happens every day on the tribes. Those are strategies that tie into what this money would do. We have to announce that these things are happening.

(Showed picture of abandoned grain elevator that is part of Attached Testimony #1).

**Senator O'Connell** asks if Scott Davis can explain credential process and what one has to go through and why is it there?

**Scott Davis** states that the credentialing system also hinders our dentists, oral surgeons, and our diabetes doctors. They all want to work on reservations. The credentialing system, through the federal system, it is about 10 pages, where there needs to be background checks, fingerprinting, to make sure you are not a "quack doctor". Anywhere from 6 months to 2 years, is the credentialing process time, and then you had to repeat it every year. I have asked tribal chairpersons to ask why can't we have a seamless type of transition that would not hinder the credibility or laws in place? We need to utilize the good "checks and balances" we have in ND to our tribes.

**Chairman Holmberg** asks about the specific budget itself. Your agency is comfortable with the Governor's executive recommendation and your concern is that the suicide prevention program that was in the budget was reduced by \$50,000?

**Mark Fox (reading a testimony from Tex G. Hall.** (Attached Testimony # 2)  
Testified in favor of HB 1005.

**Mark Fox** shares a story. We are celebrating the game of basketball, the state Class B boys. Parshall went to state 2 years ago and now a star player has committed suicide. The impact of this caused great stress to our young people. It touches everybody. Hopelessness gets to that level.

**Senator Wardner** asks if the federal government ever weighed in on this issue? This isn't just ND reservations that are having this issue but all across the country.

**Mark Fox** states the "yes they do" from time to time. Sometimes they weigh in. Such as in SD, Pine Ridge, and others. They are committing suicide daily. They throw grant moneys at them, but you have to prove that your numbers are greater and above limit. Their hours are

from 8:30 to 4:30. We need to refer them to doctors. Our chairman is in DC now and trying to address this issue. We'd appreciate any help.

**Al Nygard, President and CEO, ANC/Empowerment First testified in favor of HB 1005.**

(Attached Testimony #3). He states that there are innovative efforts on Standing Rock, in how they deliver mental health services, to each community. They are Sioux, but also Lakota and Dakotah. Replication is a good way to go. You have to be attentive when you use replication. The tribal nations contribute to the economic development of ND. In 1995, we did a study on the impact of tribes and they contribute \$2B to the economic impact to the state of ND. It hasn't been done since. I'd estimate it's \$3B today. We provide tax dollars to the state of ND and are partners with the state.

**Susan Wagner, DHS, with Mental Health and Substance Abuse Services.**

Testified in favor of HB 1005. No written testimony. Suicide has reached epidemic proportions. A recent news story cited that young Native American Indians take their life at a rate 3 times the national average. The Indian Affairs Commission would like to see the entire amount restored.

**Senator Christmann** asks that among Native American youth, suicide rate is 3X national average, is that correct?

**Susan Wagner** states, "Yes".

**Senator Christmann** asks if it is dramatically different between "on the reservation" or "off the reservation?" Would youth "off the reservation" be like the rest of the population?

**Susan Wagner** states the news article I read, did not specify either way.

**Senator Robinson** states that the statistic you used of incidents in ND of every 4 days, is that all age groups?

**Susan Wagner** states that "yes it is".

**Chairman Holmberg** closed the hearing on HB 1005.

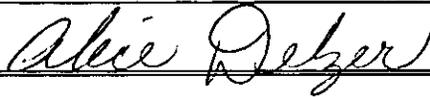
# 2011 SENATE STANDING COMMITTEE MINUTES

Senate Appropriations Committee  
Harvest Room, State Capitol

HB 1005  
03-17-2011  
Job # 15569 (Meter 13.31)  
This job also covers HB 1024 Hearing  
And discussion on HB 1009, 1010, 1343, 1003

Conference Committee

Committee Clerk Signature



## Explanation or reason for introduction of bill/resolution:

A discussion regarding Indian Affairs Commission (held during hearing on HB 1024)

## Minutes:

You may make reference to "attached testimony."

**Chairman Holmberg** opened the discussion regarding the bill on Indian Affairs Commission. All committee members were present. Tad H. Torgerson, OMB and Brady Larson, Legislative Council were also present. I have an amendment to restore the \$50,000 for suicide prevention programs that was reduced. The budget, if that money was restored would be at the governor's level.

**V. Chair Grindberg:** Here's a thought, I don't know if this would a study in the Bill or if it would be in our perview to direct the Affairs Commission next session by intent language, but I think it would be really helpful, in the case of the budget presentation for the Affairs Commission if we have an inventory of all funding provided for Native American communities that would involve what we appropriate in DPI and Commerce and this program and that program. I think one of the things we never really get a handle on all the support we provide and I think it would make sense even if it was just a memo saying here's all the programs, presuming coming here two years from now, and all the various budgets for the biennium that were appropriated and here are the bills that have been introduced or here is the pending legislation to give us a broader global view of the support, because we get little bits and pieces all the time on budgets, and I think at the end of the day we should have a whole view of what we are providing. I don't know if we can do that through the Commission.

**Chairman Holmberg:** Would that be something that the Legislative Council would do, for example the Commission is not going to be aware of a Native American program at DSU or at NDSU but the Council could do some work and get us a memo on that.

**V. Chair Grindberg:** It's here and now request, and that would be fine. We are coming into the tail stretch here. As we start at next session, we all get this bill and then requests, and then a week later another request, doesn't seem to be a coordinated effort amongst various parties.

**Senator Warner:** One of the problems, some of the really big ticket items aren't identified. We suspect that 1/3 of the people in corrections have Native American ancestry somewhere but nobody in Corrections asks about them and there is no tie back to a particular tribe. I suspect a lot of people on TANIF have a Native American connection but there's no questions asked. It would be improper to even ask the question. We need to be careful, do we want programs that are directed towards tribal colleges, direct grants to Indian tribes is nonexistent, we don't do very much of that, because those are sovereign governments. I think we need to be really careful on how we define just what we are asking for.

**Chairman Holmberg:** Could we write a letter to the Indian Affairs Commission asking them to put together some data and share with us before the end of the session. Brady, would you like to ghost write a letter? I'll sign it.

**Senator Warner:** Do you want to hold the budget until after we get the letter?

**Chairman Holmberg:** I don't know if we need to hold the budget. No.

The discussion on HB 1005 ended. (Meter 17.41)

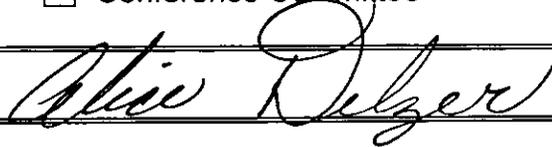
# 2011 SENATE STANDING COMMITTEE MINUTES

## Senate Appropriations Committee Harvest Room, State Capitol

HB 1005  
03-18-2011  
Job 15656

Conference Committee

Committee Clerk Signature



### Explanation or reason for introduction of bill/resolution:

A ROLL CALL VOTE ON A DO PASS AS AMENDED REGARDING INDIAN AFFAIRS.

### Minutes:

You may make reference to "attached testimony."

**Chairman Holmberg** called the committee to order on Friday, March 18, 2011 in reference to HB 1005. All committee members were present except Senator Warner. Sara Chamberlin, Legislative Council and Tammy R. Dolan OMB were also present. We are going to start with 1005.

**Senator Robinson:** The only issue here was the \$50,000 amendment.

**Chairman Holmberg:** Right. And I am passing out the amendment now, prepared actually by Senator Schaible that was interested in this issue that would restore the \$50,000 that was reduced from the governor's executive budget. Otherwise, everything else in the budget is the same. If you recall this is the only change the House made in the executive budget.

**Senator Robinson:** I move the amendment. Seconded by Senator Wardner

**Chairman Holmberg:** Discussion. Would you call the roll on the amendment, moved by Senator Robinson seconded by Senator Wardner to amend 1005 with the amendment # 11.8124.02002.

**A ROLL CALL VOTE WAS TAKEN ON AMENDMENT # 11.8124.02002. YEA: 12; NAY: 0; ABSENT: 1. Motion carried.**

**Senator Robinson moved a DO PASS AS AMENDED ON HB 1005. Seconded by Senator Krebsbach.**

**A ROLL CALL VOTE WAS TAKEN ON A DO PASS AS AMENDED ON HB 1005. YEA: 12; NAY: 0. ABSENT: 1. Chairman Holmberg will carry the Bill. The hearing was closed on 1005.**

March 3, 2011

PROPOSED AMENDMENTS TO ENGROSSED HOUSE BILL NO. 1005

Page 1, replace lines 12 and 13 with:

"Operating expenses	<u>126,505</u>	<u>120,000</u>	<u>246,505</u>
Total general fund	\$682,585	\$165,293	\$847,878"

Renumber accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

House Bill No. 1005 - Indian Affairs Commission - Senate Action

	Executive Budget	House Version	Senate Changes	Senate Version
Salaries and wages	\$601,373	\$601,373		\$601,373
Operating expenses	<u>246,505</u>	<u>196,505</u>	50,000	<u>246,505</u>
Total all funds	\$847,878	\$797,878	\$50,000	\$847,878
Less estimated income	<u>0</u>	<u>0</u>	0	<u>0</u>
General fund	\$847,878	\$797,878	\$50,000	\$847,878
FTE	4.00	4.00	0.00	4.00

Department No. 316 - Indian Affairs Commission - Detail of Senate Changes

	Adds Funding for Suicide Prevention Program <sup>1</sup>	Total Senate Changes
Salaries and wages		
Operating expenses	<u>50,000</u>	<u>50,000</u>
Total all funds	\$50,000	\$50,000
Less estimated income	<u>0</u>	<u>0</u>
General fund	\$50,000	\$50,000
FTE	0.00	0.00

<sup>1</sup> The amendment increases funding for a suicide prevention program directed at Native American tribes by \$50,000 from the general fund, to provide a total of \$100,000 for the program. This restores the funding removed by the House and provides the level included in the executive budget.

Date: 3-18-11  
Roll Call Vote # 1

2011 SENATE STANDING COMMITTEE ROLL CALL VOTES  
BILL/RESOLUTION NO. 1005

Senate Appropriations Committee

Check here for Conference Committee

Legislative Council Amendment Number 11.8124.02002

Action Taken:  Do Pass  Do Not Pass  Amended  Adopt Amendment  
 Rerefer to Appropriations  Reconsider

Motion Made By Robinson Seconded By Wardner

Senators	Yes	No	Senators	Yes	No
Chairman Holmberg	✓		Senator Warner		
Senator Bowman	✓		Senator O'Connell	✓	
Senator Grindberg	✓		Senator Robinson	✓	
Senator Christmann	✓				
Senator Wardner	✓				
Senator Kilzer	✓				
Senator Fischer	✓				
Senator Krebsbach	✓				
Senator Erbele	✓				
Senator Wanzek	✓				

Total (Yes) 12 No 0

Absent 1

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

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

Date: 3-18-11  
Roll Call Vote # 2

2011 SENATE STANDING COMMITTEE ROLL CALL VOTES  
BILL/RESOLUTION NO. 1005

Senate Appropriations Committee

Check here for Conference Committee

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

Action Taken:  Do Pass  Do Not Pass  Amended  Adopt Amendment  
 Rerefer to Appropriations  Reconsider

Motion Made By Robinson Seconded By Krebsbach

Senators	Yes	No	Senators	Yes	No
Chairman Holmberg	✓		Senator Warner	✓	
Senator Bowman	✓		Senator O'Connell	✓	
Senator Grindberg	✓		Senator Robinson	✓	
Senator Christmann	✓				
Senator Wardner	✓				
Senator Kilzer	✓				
Senator Fischer	✓				
Senator Krebsbach	✓				
Senator Erbele	✓				
Senator Wanzek	✓				

Total (Yes) 12 No 0

Absent 1

Floor Assignment Holmberg

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

**REPORT OF STANDING COMMITTEE**

**HB 1005, as engrossed: Appropriations Committee (Sen. Holmberg, Chairman) recommends AMENDMENTS AS FOLLOWS and when so amended, recommends DO PASS (12 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). Engrossed HB 1005 was placed on the Sixth order on the calendar.**

Page 1, replace lines 12 and 13 with:

"Operating expenses	<u>126,505</u>	<u>120,000</u>	<u>246,505</u>
Total general fund	\$682,585	\$165,293	\$847,878"

Renumber accordingly

**STATEMENT OF PURPOSE OF AMENDMENT:**

**House Bill No. 1005 - Indian Affairs Commission - Senate Action**

	Executive Budget	House Version	Senate Changes	Senate Version
Salaries and wages	\$601,373	\$601,373		\$601,373
Operating expenses	<u>246,505</u>	<u>196,505</u>	50,000	<u>246,505</u>
Total all funds	\$847,878	\$797,878	\$50,000	\$847,878
Less estimated income	<u>0</u>	<u>0</u>	0	<u>0</u>
General fund	\$847,878	\$797,878	\$50,000	\$847,878
FTE	4.00	4.00	0.00	4.00

**Department No. 316 - Indian Affairs Commission - Detail of Senate Changes**

	Adds Funding for Suicide Prevention Program <sup>1</sup>	Total Senate Changes
Salaries and wages		
Operating expenses	<u>50,000</u>	<u>50,000</u>
Total all funds	\$50,000	\$50,000
Less estimated income	<u>0</u>	<u>0</u>
General fund	\$50,000	\$50,000
FTE	0.00	0.00

<sup>1</sup> The amendment increases funding for a suicide prevention program directed at Native American tribes by \$50,000 from the general fund, to provide a total of \$100,000 for the program. This restores the funding removed by the House and provides the level included in the executive budget.

2011 HOUSE APPROPRIATIONS

CONFERENCE COMMITTEE

HB 1005

# 2011 HOUSE STANDING COMMITTEE MINUTES

House Appropriations Human Resources Division  
Roughrider Room, State Capitol

HB 1005  
April 13, 2011  
16532

Conference Committee

Committee Clerk Signature

*Julia Ziegler*

## Explanation or reason for introduction of bill/resolution:

To provide an appropriation for defraying the expense of the Indian Affairs Commission

## Minutes:

**Chairman Wieland** called conference committee to order. Clerk took role and quorum declared. He opened hearing on HB 1005, Indian Affairs Commission and instructed **Chairman Erbele** to explain the amendment Senate proposed and adopted.

**Chairman Erbele:** (recording inaudible until 1:05) We are wanting to restore the \$50,000 to the suicide prevention program that the House removed. Suicide is a severe issue across all Indian nations and the Indian Affairs Commission has been working very hard to get on top of the issue and we need to support their efforts to provide hope and we need to put dollars towards that to do that.

**Chairman Wieland:** It's a brand new program. They were going to develop protocol doing lectures in schools and so forth and by reducing it by \$50,000; they could develop partnerships with other tribes and the casinos. Upon checking with the federal govt, I found that the Indian nations in ND, in 2009 and 2010, received \$1,826,364 from the federal govt for mental health and substance abuse services, including suicide prevention. I just felt that they could use the \$50,000 to develop their protocol and plan and then when they come back in the next session, they'll have a report that they can give and if it looks like it's a good working program, then we can work from there. We agree that suicide definitely needs to be worked on in the tribes, but I didn't see the plan and the idea was to develop a plan.

**Senator Holmberg:** After we had all of the bills before us that dealt with Native issues, there were 3 that stood out. There was a bill the House passed about saving the Native languages, a bill that had an FTE added to DPI to work on Native issues and this bill. We saw data from the Dept of Health that indicated that suicide is the second leading cause of death of young people from age 12-35 and the Native suicide rates are up to 3 times that much. The Senate killed the other 2 bills that I mentioned, so that we could deal with this issue (suicide), thus we approached it from the standpoint of the 3 bills and prioritizing this 1 as most important.

**Representative Metcalf:** I am support of restoring the \$50,000 into the suicide prevention program. In 1999, when I started as a legislator, I sat in a discussion involving leadership in the Indian nations and leadership from the colleges, trying to influence the legislature develop programs to help this particular situation. That was a special committee with no authority. We brought our recommendations forward and they were discarded. It seems like the Indians don't have any respect or authority to fall back on. They are attempting to develop a program and you can't develop a program without money. This money would be well worth it, even if one life is saved.

**Representative Kreidt:** We realize that this is a serious situation for the tribes. We looked at the dollar amount and due to it being a new program; we felt that \$50,000 was more than adequate to start the program, especially since they are working with the DOH and other programs to start it as well as doing outreach and education. We thought to give them 2 years and consider the dollars they would need at that time. Additionally, there are other sources of income that they could tap into to move forward with this project.

**Chairman Erbele** confirmed that for 2010 and 2009, there was \$1,826,364 for grants given to the ND state tribes for substance abuse and mental health and asked Chairman Wieland about a breakdown for the other \$1.2M he mentioned that were given to the tribes and asked if the dollars flowed through the Indian Affairs Commission.

**Chairman Wieland:** The \$1.8M is grants for mental health and substance abuse, but I don't know if there are X amount of dollars for suicide, X amount for this, etc. They show that the grants are given to the state of ND, but then they are breakout into going to Standing Rock Sioux tribe ONAP and the Cankdeska Cikana Community College in Fort Totten.

**Chairman Erbele:** It seems fragmented and we don't know if federal moneys will maintain. We feel that to bring it through one agency through the Indian Affairs Commission would be a concerted effort and we need to fully fund it.

**Chairman Wieland:** They were vague about how the money would be used. We suggested that they find a partner. This \$100,000 was onetime dollars, but that doesn't mean it will remain onetime.

**Senator O'Connell:** Suicide is the most devastating experience a family or community can experience. If we can get something started to help these people since they have such a high rate, it is worth it.

**Senator Holmberg:** where we came down on this, going back to the other programs that were making their way through the legislature, we had before us a bill that was willing to spend \$265,000 Director of Indian Education in DPI and Language Preservation of \$150,000 and the Senate turned those down because we thought the critical need was in the area of suicide prevention. In this case, that if this came back 2 years from now and it showed some success we would be very glad to continue the program. This is simple in comparison to most conference committees because it's black or white. It's just the dollar amount that we are discussing.

**Representative Metcalf:** I hope that we can put this \$50,000 back in to show the Indian nations that we are concerned where they go. With what we are asking them to do ("develop a prevention program, including outreach, education, administrator and implementation of grants for suicide prevention"), the money is essential (\$100,000). If they get the impression that we are going to throw a little money at this and maybe save 1 or 2 or maybe not try to save any. Are we really concerned about the Indian youth that are out there? I remember programs doing this type of work costing \$2-3M to start with and now we are talking about taking \$50,000 away from \$100,000. This does not seem right to me.

**Chairman Wieland:** We didn't ask them to do anything; that was their suggestion. We just questioned them and they came up with an answer. This does not set up an operating program. They were just going to develop a protocol, thus it would not be a program. When they do develop a program, they will be back and they will ask for additional dollars.

**Senator Holmberg:** I make a motion that the House accede to Senate amendments on HB 1005

**Senator Erbele:** Second

Roll call vote taken, resulting in 4 yes, 2 no, 0 absent, thus motion failed.

**Chairman Wieland** closed hearing.

# 2011 HOUSE STANDING COMMITTEE MINUTES

House Appropriations Human Resources Division  
Roughrider Room, State Capitol

HB 1005  
April 14, 2011  
16582

Conference Committee

Committee Clerk Signature

*Julia Grife*

## Explanation or reason for introduction of bill/resolution:

To provide an appropriation for defraying the expense of the Indian Affairs Commission

## Minutes:

**Chairman Wieland** called conference committee to order. Clerk took role and quorum declared. He opened hearing on HB 1005, Indian Affairs Commission and asked if any members had proposal or motion to make, as well as inquired about new information.

**Chairman Erbele:** We still feel that the entire amount of money is still needed to move the program forward. It would be held in its state agency where it could be carefully monitored where we could get some finite results from it.

**Senator O'Connell:** Suicide is devastating to communities and it is a small amount of money for the potential lives it would save.

**Representative Kreidt:** This is a new program and we don't know any results of what will come from the program. \$50,000 is more than adequate to start the program. If they get the program put together and we start to see some success that would be the time to start looking at more funding.

**Senator Holmberg:** I sit on committees where there is the accepted desire to add more money for salaries for the state auditor and the state treasurer's office, and I would rather see this \$50,000 into a priority of preventing suicide then to pay more money to the bureaucracy.

**Representative Metcalf:** We need to look at how much we are putting into other areas like the BRAC committee. We put \$4M in the BRAC committee and they don't know what they are going to do with their money. There needs to be consistency with accountability. I am doing this because of my conscious.

**Chairman Wieland:** My problem is that there are places where they could get the matching funds. I have not heard what they are doing with the \$1.8M from the federal govt. We have 4 large casinos in the state of ND that they could pull funds from too. I am not ready to accede at this point.

**Senator O'Connell:** The casinos are pretty well tapped out on all their fuel assistance and those kinds of programs.

**Chairman Wieland:** Perhaps, the one up north. I can tell you that for sure there is one that is not tapped out as they are adding buildings and built a golf course. They could handle the whole \$50,000 themselves. Due to lack of no further motions, I will adjourn the meeting.

# 2011 HOUSE STANDING COMMITTEE MINUTES

House Appropriations Human Resources Division  
Roughrider Room, State Capitol

HB 1005  
April 15, 2011  
16664

Conference Committee

Committee Clerk Signature

*Julia Gage*

## Explanation or reason for introduction of bill/resolution:

To provide an appropriation for defraying the expense of the Indian Affairs Commission

## Minutes:

**Chairman Wieland** called conference committee to order. Clerk took role and quorum declared. He opened the hearing on HB 1005. Anybody have any suggestions or motions?

**Senator Holmberg:** I would make a motion that the Senate recede from Senate amendments and re-amend so the appropriation would be \$75,000 for the suicide prevention program.

**Senator O'Connell:** Second

**Representative Wieland:** could there be language added to have a report at the next legislative session?

**Chairman Erbele:** Yes, I think that would be a great idea. I spoke with Scott Davis (Executive Director) about that. We went through what the intent would be for the use of the money and there would be the development of crisis teams because there's not a consistency when the call comes in on who they can send out in terms of professional, medical and counseling services. Part of this would be to have a dependable crisis team that could respond and also there needs to be work done between the state and the federal credentialing. Just because you have your credentials as a doctor, dentist or counselor in the state, if you aren't federally credentialed, you can't use them. Another area they wanted to work on was in data collection like how many attempts and the whys and hows as well as looking at the Veterans. I encouraged that if this would be an ongoing appropriation we would have a line item of delineation coming before us next session. We thought like doing some peer to peer things with the students where they watch out for each other and bring in speakers in Boys and Girls Clubs would be part of the plan. This would be an example and then the speaker would be included as a line item delineation. I would encourage a detailed reporting to be required as part of the motion.

**Senator Holmberg:** One of the things that we should make clear is that we want a report on how this program worked for the next legislative session so that the appropriations committee can be apprised of it. I would bet if we looked at the issue of having a line item

for them, that Office of Management and Budget would require a report before they would put in a line item. Do you do documentation follow up prior to just putting in a line item as to the effectiveness of what the program may have been?

**Office of Management and Budget:** Yes, we would follow up with the program to see how effective and what it is and what they are actually using the funding for before we would continue to fund the program.

**Senator Holmberg:** that report would be the same type of information that they would have to gather for Office of Management and Budget that could then be given to the appropriations committee when the budget is presented.

**Chairman Wieland:** I wouldn't suggest two separate reports but rather that the report is given to Legislative Council before the next biennium. You would include that in the motion?

**Senator Holmberg:** I'll include that information in my motion.

Roll call vote taken on the motion for the **Senate to recede from Senate amendments and re-amend HB 1005** so that the appropriation would be \$75,000 for the suicide program with a report to be given to Legislative Council at the end of the biennium, resulting in 6 yes, 0 no, 0 absent, thus **motion carries**.

**Chairman Wieland** adjourned hearing.



VK  
 4/15/11  
 1082

PROPOSED AMENDMENTS TO ENGROSSED HOUSE BILL NO. 1005

That the Senate recede from its amendments as printed on page 1105 of the House Journal and pages 794 and 795 of the Senate Journal and that Engrossed House Bill No. 1005 be amended as follows:

Page 1, replace lines 12 and 13 with:

"Operating expenses	<u>126,505</u>	<u>95,000</u>	<u>221,505</u>
Total general fund	\$682,585	\$140,293	\$822,878"

Page 1, line 20, after "PROGRAM" insert "- REPORT TO SIXTY-THIRD LEGISLATIVE ASSEMBLY"

Page 1, line 24, after the period insert "The Indian affairs commission shall report to the appropriations committees of the sixty-third legislative assembly on the use of the funding provided for this program in the operating expenses line item in section 1 of this Act, including statistics on the effectiveness of the program, for the biennium beginning July 1, 2011, and ending June 30, 2013."

Renumber accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

House Bill No. 1005 - Indian Affairs Commission - Conference Committee Action

	Executive Budget	House Version	Conference Committee Changes	Conference Committee Version	Senate Version	Comparison to Senate
Salaries and wages	\$601,373	\$601,373		\$601,373	\$601,373	
Operating expenses	<u>246,505</u>	<u>196,505</u>	25,000	<u>221,505</u>	<u>246,505</u>	(25,000)
Total all funds	\$847,878	\$797,878	\$25,000	\$822,878	\$847,878	(\$25,000)
Less estimated income	<u>0</u>	<u>0</u>	0	<u>0</u>	<u>0</u>	<u>0</u>
General fund	\$847,878	\$797,878	\$25,000	\$822,878	\$847,878	(\$25,000)
FTE	4.00	4.00	0.00	4.00	4.00	0.00

Department No. 316 - Indian Affairs Commission - Detail of Conference Committee Changes

	Adds Funding for Suicide Prevention Program <sup>1</sup>	Total Conference Committee Changes
Salaries and wages		
Operating expenses	<u>25,000</u>	25,000
Total all funds	\$25,000	\$25,000
Less estimated income	<u>0</u>	<u>0</u>
General fund	\$25,000	\$25,000
FTE	0.00	0.00

<sup>1</sup> This amendment adds \$25,000 for the suicide prevention program directed at Native American tribes to provide a total of \$75,000. The House provided \$50,000 for the program, and the Senate provided \$100,000.

---

A section is added providing for a report to the 63<sup>rd</sup> Legislative Assembly on the use of funding provided for a suicide prevention program directed at Native American tribes, including statistics on the effectiveness of the program, for the 2011-13 biennium.

# 2011 HOUSE CONFERENCE COMMITTEE ROLL CALL VOTES

Committee: House Appropriations Human Resources  
 Division

Bill/Resolution No. HB 1005 as (re) engrossed

Date: 4/15/11

Roll Call Vote #: 1

- Action Taken**
- HOUSE accede to Senate amendments
  - HOUSE accede to Senate amendments and further amend
  - SENATE recede from Senate amendments
  - SENATE recede from Senate amendments and amend as follows

House/Senate Amendments or HJ/SJ page(s) 1105-1105

- Unable to agree, recommends that the committee be discharged and a new committee be appointed

((Re) Engrossed) HB 1005 was placed on the Seventh order of business on the calendar

Motion Made by: Senator Holmberg Seconded by: Senator O'Connell

Representatives				Senators					
	4/14/11	4/15/11	Yes	No		4/14/11	4/15/11	Yes	No
<i>Chairman</i> Representative Wieland	✓	✓	✓		<i>Chairman</i> Senator Erbele	✓	✓	✓	
Representative Kreidt	✓	✓	✓		Senator Holmberg	✓	✓	✓	
Representative Metcalf	✓	✓	✓		Senator O'Connell	✓	✓	✓	

Vote Count Yes: 6 No: 0 Absent: 0

House Carrier — Senate Carrier —

LC Number 11. 8124 . 02003 of amendment

LC Number \_\_\_\_\_ of engrossment

Emergency clause added or deleted

Statement of purpose of amendment

- \* Appropriation for suicide program adjusted to \$ 75,000
- \* Add language to require Indian Affairs Commission provide report to LC at end of biennium on success of program

Motion Carries

**REPORT OF CONFERENCE COMMITTEE**

**HB 1005, as engrossed:** Your conference committee (Sens. Erbele, Holmberg, O'Connell and Reps. Wieland, Kreidt, Metcalf) recommends that the **SENATE RECEDE** from the Senate amendments as printed on HJ page 1105, adopt amendments as follows, and place HB 1005 on the Seventh order:

That the Senate recede from its amendments as printed on page 1105 of the House Journal and pages 794 and 795 of the Senate Journal and that Engrossed House Bill No. 1005 be amended as follows:

Page 1, replace lines 12 and 13 with:

"Operating expenses	<u>126,505</u>	<u>95,000</u>	<u>221,505</u>
Total general fund	\$682,585	\$140,293	\$822,878"

Page 1, line 20, after "PROGRAM" insert "- REPORT TO SIXTY-THIRD LEGISLATIVE ASSEMBLY"

Page 1, line 24, after the period insert "The Indian affairs commission shall report to the appropriations committees of the sixty-third legislative assembly on the use of the funding provided for this program in the operating expenses line item in section 1 of this Act, including statistics on the effectiveness of the program, for the biennium beginning July 1, 2011, and ending June 30, 2013."

Renumber accordingly

**STATEMENT OF PURPOSE OF AMENDMENT:**

**House Bill No. 1005 - Indian Affairs Commission - Conference Committee Action**

	Executive Budget	House Version	Conference Committee Changes	Conference Committee Version	Senate Version	Comparison to Senate
Salaries and wages	\$601,373	\$601,373		\$601,373	\$601,373	
Operating expenses	<u>246,505</u>	<u>196,505</u>	25,000	<u>221,505</u>	<u>246,505</u>	(25,000)
Total all funds	\$847,878	\$797,878	\$25,000	\$822,878	\$847,878	(\$25,000)
Less estimated income	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>
General fund	\$847,878	\$797,878	\$25,000	\$822,878	\$847,878	(\$25,000)
FTE	4.00	4.00	0.00	4.00	4.00	0.00

**Department No. 316 - Indian Affairs Commission - Detail of Conference Committee Changes**

	Adds Funding for Suicide Prevention Program <sup>1</sup>	Total Conference Committee Changes
Salaries and wages		
Operating expenses	<u>25,000</u>	<u>25,000</u>
Total all funds	\$25,000	\$25,000
Less estimated income	<u>0</u>	<u>0</u>
General fund	\$25,000	\$25,000
FTE	0.00	0.00

<sup>1</sup> This amendment adds \$25,000 for the suicide prevention program directed at Native

American tribes to provide a total of \$75,000. The House provided \$50,000 for the program, and the Senate provided \$100,000.

---

A section is added providing for a report to the 63<sup>rd</sup> Legislative Assembly on the use of funding provided for a suicide prevention program directed at Native American tribes, including statistics on the effectiveness of the program, for the 2011-13 biennium.

Engrossed HB 1005 was placed on the Seventh order of business on the calendar.

2011 TESTIMONY

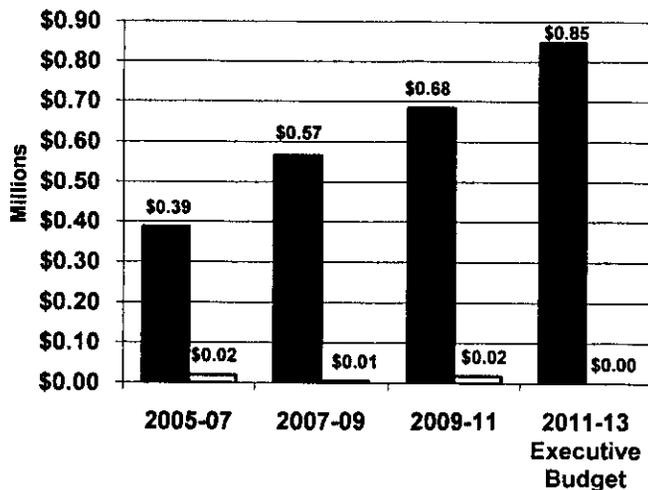
HB 1005

**Department 316 - Indian Affairs Commission  
 use Bill No. 1005**

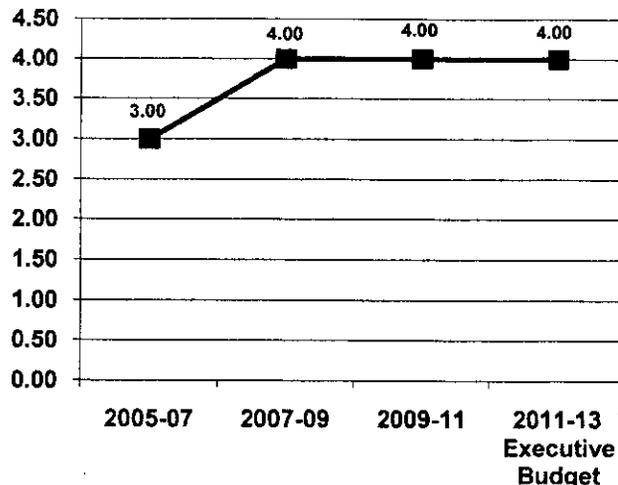
	FTE Positions	General Fund	Other Funds	Total
2011-13 Executive Budget	4.00	\$847,878	\$0	\$847,878
2009-11 Legislative Appropriations	4.00	684,585	18,000	702,585 <sup>1</sup>
Increase (Decrease)	0.00	\$163,293	(\$18,000)	\$145,293

<sup>1</sup>The 2009-11 legislative appropriation amounts include \$2,000 from the general fund for the agency's share of the \$16 million funding pool appropriated to the Office of Management and Budget for special market equity adjustments for executive branch employees.

**Agency Funding**



**FTE Positions**



■ General Fund □ Other Funds

**Ongoing and One-Time General Fund Appropriations**

	Ongoing General Fund Appropriation	One-Time General Fund Appropriation	Total General Fund Appropriation
2011-13 Executive Budget	\$847,878	\$0	\$847,878
2009-11 Legislative Appropriations	684,585	0	684,585
Increase (Decrease)	\$163,293	\$0	\$163,293

**Executive Budget Highlights**

	General Fund	Other Funds	Total
1. Removes one-time federal fiscal stimulus funding provided in the 2009-11 biennium relating to tribal language preservation	\$0	\$18,000	\$18,000
2. Provides funding for the Youth Leadership Academy	\$20,000	\$0	\$20,000
3. Provides funding for suicide prevention and education	\$100,000	\$0	\$100,000

**Continuing Appropriations**

Indian Affairs Commission printing fund - North Dakota Century Code Section 54-36-08 - Used to defray expenses incurred by the commission in producing and distributing publications and educational materials.

**Significant Audit Findings**

None

**Major Related Legislation**

At this time, no major legislation has been introduced affecting this agency.



HB 1005  
1/10/11  
Scott Davis / Chadwick Kramer

# NORTH DAKOTA INDIAN AFFAIRS COMMISSION

Attachment ONE

600 East Boulevard • 1<sup>st</sup> Floor Judicial Wing • Bismarck ND 58505-0300  
Phone (701) 328-2428 • Fax (701) 328-1537  
Homepage: [www.nd.gov/indianaffairs](http://www.nd.gov/indianaffairs)  
Email: [ndiac@nd.gov](mailto:ndiac@nd.gov)

**Governor Jack Dalrymple**  
CHAIRMAN

**Scott Davis**  
EXECUTIVE DIRECTOR

## North Dakota Indian Affairs Commission

HB 1005 Hearing

House Appropriations Committee - Human Resources Division

January 10, 2011

North Dakota State Capital, Roughrider Room, Bismarck ND

Chairman Pollert and members of the Committee, my name is Scott J. Davis, I am a member of the Standing Rock Sioux Tribe and a descendent of the Turtle Mountain Band of Chippewa and serve the great state of North Dakota as the Executive Director of the North Dakota Indian Affairs Commission. I am joined today by my three staff members in presenting our testimony today. Thank you for the opportunity.

In 2009, the North Dakota Indian Affairs Commission commemorated its 60<sup>th</sup> year as a legislatively authorized Commission. The nine-member Commission is comprised of the Governor, the ND Tribal Chairpersons and three at-large members appointed by the Governor, two of whom must be of Native American descent. The Commission is authorized to meet on a quarterly basis, or at the behest of the governor. The work of the commission is coordinated and administered by a three-member staff.

I'd like to begin my testimony today in addressing our most recent audit (see attachment/audit). I feel we have a very clean and transparent department audit. I also feel we have taken the corrective actions based upon the information recommendations of the audit. I'd like to address those recommendations now. As you may see on pages 15 and 16 of the audit, we have eight (8) **Informal** recommendations of the audit both General and Legislative Intent.

- 1a. Draft a code of ethics or a code of business conduct: COMPLETE
- 1b. Ensure employees have annually acknowledged their receipt and reading of the code: COMPLETE.
- 2a. Establish and perform a fraud risk assessment on a recurring basis. PENDING
- 2b. Design and document the necessary control activities to ensure that each significant fraud exposure identified during the risk management process has been adequately mitigated and that each of the identified mitigating controls has been adequately tested by management:  
PENDING, the reason both a and b are pending is due to the fact that we have never had an incident or a reason to create a fraud assessment control documents. If our office has ever questioned or felt that there is a concern of fraud, we immediately contact OMB or other state agencies for corrective action. Please be assured that we will create the necessary assessment and documentation in protecting the state from fraudulent actions.
3. To use state sources of supply and rotate solicited vendors on an equitable bases. Also recommendation that individuals that are responsible for purchases under \$2,500 obtain Level 1 Procurement training: COMPLETE/PENDING. Our office does rotate our vendor purchases on equal basis. My administrative assistant will be receiving the proper procurement training since she is a recent hire.
4. To utilize their purchase card whenever possible: COMPLETE

....continued **Informal** recommendations

5. To have an individual separate from the individual responsible for inventory records take the inventory on an annual basis: COMPLETE/PENDING, since we have two new hires we are setting up the necessary assigned checks and balances for each new hire.
6. To run an agency procurement card state and reconcile this report to the individual purchase card statements and receipts on a monthly basis: PENDING, since our new hire of the administrative assistant, they will develop and control statements and receipts.
7. To code non-state employee travel account 521060 (Non-State Employee Travel); ensure that an employee travelling for only one day code their meal expenses to account 521035 (IRS Meals Taxable) and ensure that someone is reviewing the coding of expenditures prior to being approved in the PeopleSoft system: C COMPLETE/PENDING, we are coding the travel and meals to the correct account numbers and also pending is the approval for our newly hired administrative assistant for the PeopleSoft system.
8. To account for travel payments made by electronic funds transfer by sending written support to the travel agency to ensure all payments are accounted for, and ensure all unused airline tickets are rolled over into new tickets: PENDING, we are now addressing that recommendation, although our staff and executive director rarely flies.

Mr. Chairman and members of the committee, I feel very confident and secure, based upon the audit, that the ND Office of Indian Affairs does NOT show any areas of high risk in operations, internal controls, and that we are in compliance and have done corrective actions to improve effectiveness and efficiency.

The next area I would like to address is our budget appropriations for 2009-11. As you can see, we are a small yet very resourceful and busy office. Our office staff is comprised of a four person staff: a director, an administrative officer/research analyst, an administrative assistant and the Indian Education Programs Administrator. For the 2009-11 biennium we were appropriated \$126,505.00 for operating. As of December 31, 2010 we have expended \$80,626.00. We now have \$45,879 remaining or 36% of our operating budget remaining. In salaries we were appropriated \$569,441.00. As of December 31, 2010 we have expended \$378,895.00. We now have \$190,546.00 or 33% remaining of our salary budget. Although we did experience turn over in two staff members, I feel we are still on our expending target with 25% of the biennium remaining. Currently the Indian Education Programs Administrator and Administrative Assistant are both filled and we are back to a full operating office.

Last biennium our office was given the responsibility to fulfill HB 1399 (see attachment). AN ACT relating to the preservation of American Indian languages; to provide a legislative council report; to provide an appropriation; and to provide a continuing appropriation. And as of late we are in the beginning process of drawing those funds down to the Standing Rock Sioux Tribal Education Department Lakota Language Project.

In my research of the various Native American language projects in the state, I found that many were in the beginning stages and lacked the 3-1 match required by HB 1399. The only Tribe that was able to fulfill that match was the Standing Rock Sioux Tribe. It was under my direct recommendation that we award the entire \$18,000 for their on-going project in preserving and teaching the Lakota language. These funds were made available under the American Reinvestment Act (ARRA).

The other 2009-11 appropriated funded project was our First Annual North Dakota Indian Youth Leadership Academy (NDIYLA). Prior to my appointment as director, my predecessor had requested \$40,000 to fund the NDIYLA. As the funds were appropriated we as an office collaborated and created partnerships with many state, tribal, private and local educational entities in making the NDIYLA a success. My strategy was to create the partnerships for support and also give each student an opportunity to learn about each educational entity. The vision, mission, goals and partnerships are as follows:

**Vision:**

The North Dakota Indian Youth Leadership Academy (NDIYLA) creates and fosters an environment for native youth to learn and enhance leadership skills and create opportunities that are used in their respective local communities, throughout the State of North Dakota, and the nation.

**Mission:**

The Mission of NDIYLA is to design, develop, and implement a wide range of leadership programs, opportunities that will advance one's spiritual, intellectual, emotional, and physical attributes.

**Goals:**

- To begin and sustain a process of developing future leaders amongst Indian youth in North Dakota.
- To build positive interaction between students to experience and learn from each other, as well as learn about various tribal cultures.
- To build knowledge regarding Tribal issues and topics covered during the week-long session including, education, environmental issues, water, land and realty, tribal constitutions, the ND constitution, public speaking, participation in plays, group dynamics, leadership, teamwork, cultural events participation and much more.
- To invite NDIYLA alumni and Native American speakers to mentor youth and serve as role models for developing future Native American Leaders for tomorrow.

**Overview of NDIYLA Topics:**

- Culture and Wellness
- College and Career
- Native American Issues
- Tribal, State and Federal Relations
- Leadership Skills and Character Development

**Partnerships already in place to support 2010 NDIYLA:**

- Attendees of past ND Indian Youth Leadership conferences (4 on the planning committee)
- Bismarck Police Youth Bureau
- Bismarck YouthWorks
- Bismarck YoungLife
- Bismarck Public School
- Bismarck State College
- United Tribes Technical College
- University of Mary
- North Dakota University Systems
- KAT Communications
- Makoche' Studio's

Mr. Chairman and members of the committee, we as an office and committee feel a strong commitment in making this Academy an annual event. The DVD that we are about to show you will give you a brief overview of the success of the NDIYLA. You will also see in the short DVD both the many partnerships that were created and also the positive impact the event had on the lives of the large number of Native American students who attended from North Dakota. We would like to show that now (show DVD).

Mr. Chairman and members of the committee, although we were appropriated the \$40,000 from the 2009-11 legislative body and are very thankful to you for that, I fully support the additional \$20,000 for a total of \$60,000 to ensure we will continue the NDIYLA for the next two years. I am very confident and can ensure the cost to run and operate this Academy will serve the vision, mission and goals as we did this past July. I respectfully request from this committee, your support for the additional \$20,000 for this coming 2011-13 biennium.

Mr. Chairman and members of the committee, another budget item I fully support is the area of Suicide Prevention. As you may know, suicide in North Dakota is a vast and challenging issue. In fact, among the ND Tribes, it has now become a crisis or even an epidemic. The North Dakota Tribal members are now at a time where EVERY Tribal member (including myself), are directly or indirectly effected by suicide. We either know of someone who has committed suicide, or has attempted and has thought of committing suicide. This crisis/epidemic has a history now of over ten years within our ND Tribal Nations and for some reason is still growing.

In a continued partnership with the North Dakota Health and Human Services, the North Dakota Department of Health and all North Dakota Tribes, my office has begun to create strategies and also has strengthened the current state and tribal programs, but I have only scratched the surface on how I can continue to build and address this crisis. One strategy I would like to partially fund a ND Tribal Mental Health Crises Team, in which would be comprised of ND Mental Health Workers and Tribal Health Officials. This team will have the expertise in clinical, social work prevention, education, counseling, mentoring, graduate students, Tribal cultural/spiritual leaders, intervention, crises assessment and debriefing to patients/family and providers.

Although some areas of the state and tribes do have these small teams, it is my understanding that they are not fully armed with enough resources. I also see a high need for developing protocols of actions and follow up as various teams collaborate during a crisis.

A portion of the funding will be needed for developing these protocols through meetings with the various state and tribal agencies. Also a portion of the funding will be used in providing educational lectures and events at high schools and town events. Again, many of these practices are being implemented, but only on a limited basis.

Mr. Chairman and members of the committee, to fulfill some of these recommended strategies, funds will be needed. I am respectfully supporting \$100,000 in the Executive budget for the next biennium in creating and continuing these strategies, in partnership with other ND state agencies, Tribal agencies and private agencies. I feel that we all as North Dakota citizens and leadership have a shared responsibility in addressing and curbing the suicide crises in our great state and within our ND Tribal nations.

In closing, I feel our office and my position have been very busy and feel that we as a staff have elevated the state and tribal relations to a new and exciting level. In comparison to other states we are the leader in how well we work together with the North Dakota Tribes. It is our commitment to the state and to the tribes that our office will continue to work in all areas needed in fulfilling the good and strong government to government relationships we have here in North Dakota.

Mr. Chairman and members of the committee, this concludes my testimony. I will happy to answer any questions you may have this time.

Copy of DVD of the North Dakota Indian Youth Leadership Academy 2010 presented by Chadwick Kramer for 2011 HB 1005 on January 10, 2011 is available upon request.

## Management Letter (Informal Recommendations)

May 13, 2009

Mr. Scott Davis, Executive Director  
Indian Affairs Commission  
600 E. Boulevard Avenue  
Bismarck, ND 58505

Dear Mr. Davis:

We have performed an audit of the Indian Affairs Commission for the two-year period ended June 30, 2008, and have issued a report thereon. As part of our audit, we gained an understanding of the Indian Affairs Commission's internal control structure to the extent we considered necessary to achieve our audit objectives. We also performed tests of compliance as described in the same report.

Our audit procedures are designed primarily to enable us to report on our objectives including those related to internal control and compliance with laws and regulations and may not bring to light all weaknesses in systems and procedures or noncompliance with laws and regulations which may exist. We aim, however, to use our knowledge of your organization gained during our work to make comments and suggestions which we hope will be useful to you.

In connection with the audit, gaining an understanding of the internal control structure, and tests of compliance with laws and regulations referred to above, we noted certain conditions we did not consider reportable within the context of your audit report. These conditions relate to areas of general business practice or control issues that have no significant bearing on the administration of federal funds. We do, however, want to present our recommendations to you for your consideration and whatever follow-up action you consider appropriate. During the next audit we will determine if these recommendations have been implemented, and if not, we will reconsider their status.

The following present our informal recommendations.

### GENERAL

Informal Recommendation 08-1: We recommend the North Dakota Indian Affairs Commission:

- A. Draft a code of ethics or code of business conduct that addresses, at a minimum:
- Honest and ethical conduct, including the ethical handling of actual or apparent conflicts of interest between personal and professional relationships;
  - Full, fair, accurate, timely, and understandable disclosure in reports and documents;
  - Compliance with applicable governmental laws, rules, and regulations;

- The prompt internal reporting of violations of the code to appropriate person or persons identified in the code;
  - Description of what constitutes fraudulent behavior; and
  - Accountability for adherence to the code and sanctions to be imposed on those who breach it.
- B. Ensure employees have annually acknowledged their receipt and reading of the code.

Informal Recommendation 08-2: We recommend the North Dakota Indian Affairs Commission:

- A. Establish and perform a fraud risk assessment on a recurring basis.
- B. Design and document the necessary control activities to ensure that each significant fraud exposure identified during the risk assessment process has been adequately mitigated and that each of the identified mitigating controls has been adequately tested by management.

Informal Recommendation 08-3: We recommend the North Dakota Indian Affairs Commission use state sources of supply and rotate solicited vendors on an equitable basis. We also recommend that individuals that are responsible for purchases under \$2,500 obtain Level I Procurement training.

Informal Recommendation 08-4: We recommend the North Dakota Indian Affairs Commission utilize their purchase card whenever possible.

## LEGISLATIVE INTENT

Informal Recommendation 08-5: We recommend the North Dakota Indian Affairs Commission have an individual separate from the individual responsible for inventory records take the inventory on an annual basis.

Informal Recommendation 08-6: We recommend the North Dakota Indian Affairs Commission run an agency procurement card statement and reconcile this report to the individual purchase card statements and receipts on a monthly basis.

Informal Recommendation 08-7: We recommend the North Dakota Indian Affairs Commission:

- Code non-state employee travel to account 521060 (Non-State Employee Travel);
- Ensure that an employee traveling for only one day code their meal expenses to account 521035 (IRS Meals Taxable); and
- Ensure that someone is reviewing the coding of expenditures prior to being approved in the PeopleSoft system.

Informal Recommendation 08-8: We recommend the North Dakota Indian Affairs Commission account for travel payments made by electronic funds transfer by sending written support to the travel agency to ensure all payments are accounted for, and ensure all unused airline tickets are rolled over into new tickets.

**Sixty-first Legislative Assembly of North Dakota  
In Regular Session Commencing Tuesday, January 6, 2009**

HOUSE BILL NO. 1399  
(Representatives Onstad, Froelich, Vig)  
(Senators Heckaman, Marcellais, Warner)

AN ACT relating to the preservation of American Indian languages; to provide a legislative council report; to provide an appropriation; and to provide a continuing appropriation.

**BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:**

**SECTION 1. American Indian language preservation committee - Membership - Meetings.**

1. The American Indian language preservation committee consists of:
  - a. The executive director of the Indian affairs commission, who shall serve as the chairman;
  - b. The superintendent of public instruction or the superintendent's designee;
  - c. An individual employed as a faculty member at a tribal college, appointed by the governor;
  - d. The director of the state historical society;
  - e. The chairman of the North Dakota humanities council;
  - f. The chairman of the university of North Dakota department of Indian studies or the chairman's designee; and
  - g. One individual with experience in the development of curriculum pertaining to and the teaching of American Indian languages at the elementary or high school levels, appointed by the governor.
2. The committee shall meet at least quarterly, at the call of the chairman.

**SECTION 2. Duties. The committee shall:**

1. Develop a process for the orderly preservation of American Indian languages spoken by the members of tribes located in this state, including:
  - a. The creation or acquisition of audio recordings, picture dictionaries, and pronunciation guides;
  - b. The translation of existing materials; and
  - c. The acquisition, development, and dissemination of instructional materials for elementary and high school students, individuals enrolled in institutions of higher education, and other adults;
2. Pursue working relationships aimed at American Indian language preservation with public and private sector entities, including institutions of higher education, in this state and in other states and provinces; and
3. Seek the active participation of American Indians residing in this state on an individual and a tribal basis.

**SECTION 3. Powers - Continuing appropriation.**

1. The committee may:
  - a. Accept gifts, grants, and donations of money, property, and services to carry out this Act;
  - b. Expend moneys received under this section to carry out this Act; and
  - c. Contract with any person for any purpose related to this Act.
2. Any moneys received by the committee under this section are appropriated to the committee on a continuing basis.

**SECTION 4. APPROPRIATION.** There is appropriated out of any moneys from the federal fiscal stabilization - other government services funds made available to the governor under the federal American Recovery and Reinvestment Act of 2009, not otherwise appropriated, the sum of \$18,000, or so much of the sum as may be necessary, to the Indian affairs commission for the purpose of providing matching funds to the American Indian language preservation committee, for the biennium beginning July 1, 2009, and ending June 30, 2011. Each dollar provided to the committee under this section is contingent upon the committee demonstrating that it has matched each \$1 to be provided under this section with \$3, or the equivalent thereof in-kind, from nonstate sources for the purposes set forth in this Act.

**SECTION 5. LEGISLATIVE COUNCIL REPORT.** Before September 2010, the chairman of the American Indian language preservation committee shall provide a report to the legislative council regarding the work of the committee, together with any recommendations for ongoing preservation efforts.

Attachment  
THREE

**Testimony  
House Bill 1005  
House Appropriations Committee  
Human Resources Division  
Senator Pollert, Chairman  
January 10, 2011**

Submitted by:

Nola Taken Alive  
Director Oni Yapi Program  
Standing Rock Sioux Tribe

Tami De Coteau, PhD  
Clinical Psychologist  
Standing Rock Sioux Tribe

Arleta Snell  
Director Youth Wellness  
Standing Rock Sioux Tribe

Chairman Pollert and members of the Committee, I am Nola Taken Alive, enrolled member of the Standing Rock Sioux Tribe. I, and my colleagues Dr. De Coteau and Ms. Snell, would like to submit this written testimony for the record in support of House Bill 1005 which includes \$100,000.00 for suicide prevention efforts in Native American Tribal Communities.

Suicide rates among Native American youth are many times higher than those among non-Natives. For 5- to 14- year-olds, the suicide rate is 2.6 times higher than the national average. There is an even greater disparity in the later teenage years and into young adulthood. The suicide rate for Native American youth aged 15 to 24 is 3.3 times higher than the national average and is considered the second leading cause of death (Trends in Indian Health, 2004). In fact, Native Americans have the highest rate of suicide among all ethnic groups in the United States, with a rate of 14.8 per 100,000. In the Northern Plains, rates are up to 7 times higher than the overall U.S. rates (CDC, 1998). More than one-half of all persons who commit suicide in Indian communities have never been seen by mental health providers.

The Standing Rock Sioux Tribe has experienced several suicide epidemics over the last two decades. In 1997-98 Standing Rock was designated as a national "hot-spot" for youth suicides. Recently, in 2009, another suicide cluster occurred on the Standing Rock Reservation. Ten people took their own lives, the majority of whom were youth, and there were over 50 documented suicide attempts.

As Director of the Oni Yapi ("To Live") Program, I work collaboratively Dr. De Coteau and Ms. Snell to provide mental health outreach to individuals and families who present a high-risk for suicide. In addition, we are working together to implement early intervention plans, improve access to prevention and intervention services, promote community training and awareness, and reinstate traditional practices and culture-based interventions to address the suicides at Standing Rock.

We are grateful for the efforts of the North Dakota Department of Human Services, the Governor's Office, and the Indian Affairs Commission for the financial assistance provided to us in response to the 2009 suicide crisis. These funds are being utilized to develop a mobile crisis team and protocol that will enable efficient and effective mental health services to Standing Rock's most difficult to reach areas.

We are also appreciative of the Department of Human Services, West Central Human Service Center for dispatching crisis workers to assist in our suicide crisis response and school debriefings. We look forward to continued collaboration with the West Central Human Service Team as plans are underway to receive technical assistance to develop a community-wide suicide crisis response protocol. Through this effort we will further improve our partnership activities with the Department of Human Services in order to enhance culturally-competent, quality mental health services for Standing Rock patients.

Mr. Chairman and honorable members of the Committee, Indian youth suicide is a long-standing issue that has received federal attention for quite some time. Indian Country needs maximum mental health power to deal with the youth suicide issue. We must continue cooperative efforts and partnering beyond what is available in the rural reservation setting. More money must be allocated for suicide prevention resources. I urge you to support House Bill 1005 that includes \$100,000.00 for suicide prevention for North Dakota Indian tribes.

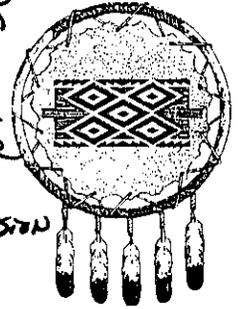
On behalf of the Standing Rock Sioux Tribe, we thank you for the time and opportunity to share our perspective on Indian youth suicides and the urgent need for mental health care resources in Indian Country.

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

Attachment FOUR

Scott J. Davis,  
Executive

Director of the  
ND Indian  
Affairs Commission



## House Appropriations Committee Human Resources Division

62nd Legislative Assembly  
State of North Dakota

Testimony of United Tribes Technical College  
David M. Gipp, President  
in Support of HB 1005

Appropriations for Indian Affairs Commission

January 10, 2011

Mr. Chairman and members of the Committee: This testimony is given on behalf of United Tribes Technical College in support of the Governor's requested budget for the Indian Affairs Commission, now serving the state and American Indians within this state for more than 60 years.

The Indian Affairs Commission serves many roles, and, in the past 25 years or so, does so on an extremely limited budget. Besides fielding questions from the public about Indians and Indian tribes, as well as being a referral point for Tribal members seeking state governmental services, the Commission is an excellent sounding board for issues affecting Tribal Nations and their relationship with the State of North Dakota. Most important, it acts to assist the government-to-government relationship between Indian tribal governments and the State of North Dakota, by bringing the State, through the Governor and Tribes together allowing them to discuss issues of common concern.

In addition, since 2007, the Indian Affairs Commission has provided an Indian education component to its service. The individual in this position not only seeks to ensure that quality education is available to all Indian citizens of this state, but also works with the Department of Public Instruction to ensure that educational curricula developed in our state reflect the cultural background and wisdom of the Indian tribes that exist in our state.

United Tribes Technical College also strongly supports the additional funds sought for the Indian Affairs Commission in this next biennium regarding suicide prevention among American Indians. The suicide rate at Standing Rock, the Tribe of which I am a member, and on other reservations, is far too high, and it is simply unacceptable. We need to get to Indian youth early and often and demonstrate positively to them that they, too, are valuable citizens of our state.

Testimony of David Gipp  
President United Tribes Technical College  
HB 1005  
January 9, 2007

To that end, I understand Scott Davis, the Executive Director of the Indian Affairs Commission, is also requesting an additional amount for his Leadership Program. This excellent program can also assist youth to understand their potential and their value.

In addition to the issues raised above, there are many other areas where the interests of the state and the Tribes and their members coincide. These include such things as: economic development, criminal jurisdiction, water rights, hunting and fishing rights, cross-deputization agreements, tax agreements, transportation issues, Indian Child Welfare Act issues and recognition of tribal and state judgments. We would note that the Indian Affairs Commission has continued to provide assistance to the Interim Tribal-state Relations Committee; which is essentially the legislative equivalent to the Indian Affairs Commission as an executive branch agency.

United Tribes Technical College, our students and our member tribes continue to greatly value the work the Indian Affairs Commission does for our peoples and our state on a limited budget. It needs all the funds listed and more. Again, we urge the 62nd Legislative Assembly to appropriate the base and additional funds as requested by the Commission.

We recommend a DO PASS on HB 1005 regarding the budget for the Indian Affairs Commission as requested.

**NORTH DAKOTA INDIAN AFFAIRS COMMISSION**

600 East Boulevard • 1<sup>st</sup> Floor Judicial Wing • Bismarck ND 58505-0300  
 Phone (701) 328-2428 • Fax (701) 328-1537  
 Homepage: [www.nd.gov/indianaffairs](http://www.nd.gov/indianaffairs)  
 Email: [sjdavis@nd.gov](mailto:sjdavis@nd.gov)



**Governor Jack Dalrymple**  
 CHAIRMAN

**Scott Davis**  
 EXECUTIVE DIRECTOR

## Testimony for House Appropriations Committee - Human Resources Division

Committee Chairman - Representative Chet Pollert

January 24, 2011 - 10:30 AM

### MAJOR VARIANCES in HB 1005

#### Salaries:

Salaries - Permanent: increase of **\$11,354**

- Cost to sustain 5% salary increases that were effective for staff employed with the Indian Affairs Commission as of July 1, 2010

#### Operating Expenses:

##### **Increases for North Dakota Indian Youth Leadership Academy activities:**

Travel: increase of **\$2,000** (from \$25,000 to \$27,000)

- Support increased work activities of the Indian Affairs Commission staff with the 5 Tribal Nations in North Dakota

Food & Clothing: increase of **\$10,000** (from \$5,000 to \$15,000)

- Anticipated increases associated with conducting 2 Youth Academy events per biennium and also to sustain an increase from 40 to 50 students participating in the Academy's activities.
  - Tshirts, supplies, food

Rentals/ Leases: increase of **\$8000** (from \$5,000 to \$13,000)

- Anticipated increases associated with conducting 2 Youth Academy events per biennium and also to sustain an increase from 40 to 50 students participating in the Academy's activities.
  - Dorm and facility rentals

##### **Increases for North Dakota Tribal Suicide Prevention efforts:**

Operating Fees and Services: increase **\$100,000** (from \$5,000 to \$105,000)

- Suicide Prevention planning with the 5 Tribal Nations in North Dakota

**Budget Request Summary - Reporting Level**  
**SR05SRS - OMB - Legislative Spenddown Report - 6830**

**Agency:** Indian Affairs Commission  
**Program:** 105 Indian Affairs Administration  
**Reporting Level:** 00-316-105-00-00-00-00000000

Description	1	2	3	4	5	6	7
	Object/ Revenue Code	2007-09 Biennium Expenditures	2009-11 Biennium Expenditures (as of 12/31/10)	2009-11 Biennium Balance	2009-11 Biennium Appropriation	2011-13 Total Changes	2011-13 Recommendation
<b>10 Salaries and Wages</b>							
Salaries - Permanent	511000	335,689	273,543	125,977	399,520	11,354	410,874
Temporary Salaries	513000	7,704	2,235	4,965	7,200	0	7,200
Fringe Benefits	516000	117,343	103,117	48,243	151,360	0	151,360
Salary Increase	599110	0	0	-	0	18,674	18,674
Benefit Increase	599160	0	0	-	0	3,158	3,158
Health Increase	599161	0	0	-	0	5,822	5,822
Retirement Increase	599162	0	0	-	0	4,273	4,273
EAP Increase	599163	0	0	-	0	12	12
<b>TOTAL</b>		<b>460,736</b>	<b>378,895</b>	<b>179,185</b>	<b>558,080</b>	<b>43,293</b>	<b>601,373</b>
<b>MEANS OF FUNDING</b>							
State General Fund		460,736	265,390	292,690	558,080	43,293	601,373
General Fund TOTAL		460,736	265,390	292,690	558,080	43,293	601,373
<b>TOTAL</b>		<b>460,736</b>	<b>265,390</b>	<b>292,690</b>	<b>558,080</b>	<b>43,293</b>	<b>601,373</b>
<b>30 Operating Expenses</b>							
Travel	521000	23,968	15,413	9,587	25,000	2,000	27,000
Supplies - IT Software	531000	1,577	0	3,000	3,000	0	3,000
Supply/Material-Professional	532000	527	2,020	(20)	2,000	0	2,000
Food and Clothing	533000	0	865	4,135	5,000	10,000	15,000
Bldg, Ground, Maintenance	534000	256	0	500	500	0	500
Miscellaneous Supplies	535000	229	2,415	585	3,000	0	3,000
Office Supplies	536000	4,423	4,243	757	5,000	0	5,000
Postage	541000	278	268	732	1,000	0	1,000
Printing	542000	1,665	3,058	1,942	5,000	0	5,000
IT Equip Under \$5,000	551000	6,247	0	8,000	8,000	0	8,000
Other Equip Under \$5,000	552000	0	823	1,177	2,000	0	2,000
Office Equip & Furn Supplies	553000	15,030	3,029	1,971	5,000	0	5,000
Insurance	571000	1,040	1,405	595	2,000	0	2,000
Rentals/Leases - Bldg/Land	582000	250	1,195	3,805	5,000	8,000	13,000
IT - Data Processing	601000	5,440	4,989	1,621	6,610	0	6,610

ATTACHED TO 100  
 HB 1005 January 24, 2011  
 Scott Davis

IT - Communications	602000	9,863	7,705	5,190	12,895	0	12,895
IT Contractual Srvc and Rprs	603000	1,640	1234	1,766	3,000	0	3,000
Professional Development	611000	5,175	14,412	(4,412)	10,000	0	10,000
Operating Fees and Services	621000	857	2482	2,518	5,000	100,000	105,000
Fees - Professional Services	623000	2,698	9,812	7,688	17,500	0	17,500
TOTAL		81,163	75,368	51,137	126,505	120,000	246,505

MEANS OF FUNDING

State General Fund	1	81,163	34,014	92,491	126,505	120,000	246,505
General Fund TOTAL		81,163	34,014	92,491	126,505	120,000	246,505
TOTAL		81,163	34,014	92,491	126,505	120,000	246,505

**70 Federal Stimulus Funds-2009**

Grants, Benefits & Claims	712000	0	0	18,000	18,000	-18,000	0
TOTAL		0	0	18,000	18,000	-18,000	0

MEANS OF FUNDING

ARRA Fiscal Stimulus	H1300	0	0	18,000	18,000	-18,000	0
Federal Funds TOTAL		0	0	18,000	18,000	-18,000	0
TOTAL		0	0	18,000	18,000	-18,000	0

**Agency TOTALS**

TOTAL EXPENDITURES		541,899	299,404	403,181	702,585	145,293	847,878
--------------------	--	---------	---------	---------	---------	---------	---------

Federal Funds

ARRA Fiscal Stimulus	H1300	0	0	18,000	18,000	-18,000	0
TOTAL		0	0	18,000	18,000	-18,000	0

General Fund

State General Fund	1	541,899	299,404	385,181	684,585	163,293	847,878
TOTAL		541,899	299,404	385,181	684,585	163,293	847,878
TOTAL FUNDING		541,899	299,404	403,181	702,585	145,293	847,878

**AUTHORIZED EMPLOYEES**

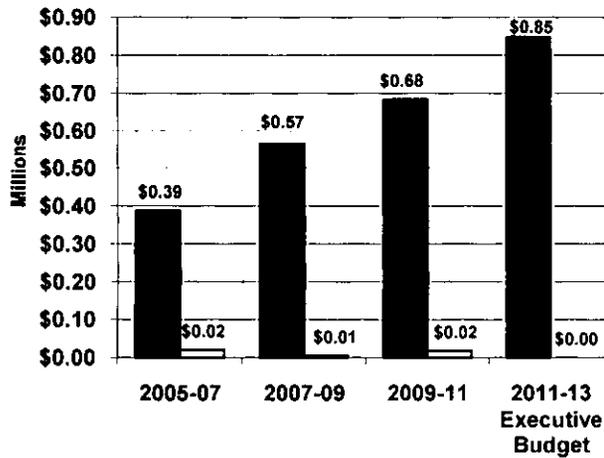
FTE		4	0	4	4	0	4
TOTAL AUTHORIZED EMPLOYEES		4	0	4	4	0	4

**Department 316 - Indian Affairs Commission  
 House Bill No. 1005**

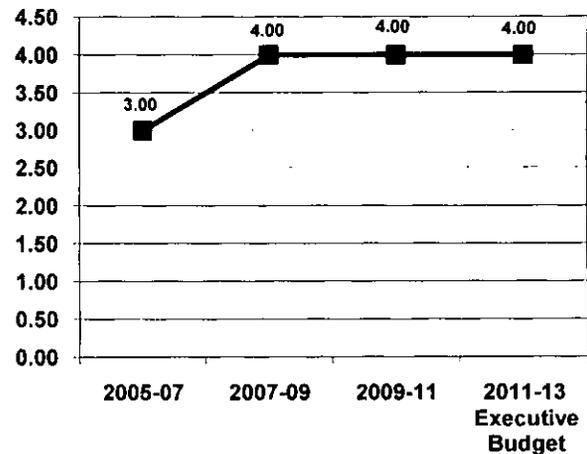
	FTE Positions	General Fund	Other Funds	Total
2011-13 Executive Budget	4.00	\$847,878	\$0	\$847,878
2009-11 Legislative Appropriations	4.00	684,585	18,000	702,585 <sup>1</sup>
Increase (Decrease)	0.00	\$163,293	(\$18,000)	\$145,293

<sup>1</sup>The 2009-11 legislative appropriation amounts include \$2,000 from the general fund for the agency's share of the \$16 million funding pool appropriated to the Office of Management and Budget for special market equity adjustments for executive branch employees.

**Agency Funding**



**FTE Positions**



■ General Fund □ Other Funds

**Ongoing and One-Time General Fund Appropriations**

	Ongoing General Fund Appropriation	One-Time General Fund Appropriation	Total General Fund Appropriation
2011-13 Executive Budget	\$847,878	\$0	\$847,878
2009-11 Legislative Appropriations	684,585	0	684,585
Increase (Decrease)	\$163,293	\$0	\$163,293

**First House Action**

Attached is a summary of first house changes.

**Executive Budget Highlights  
 (With First House Changes in Bold)**

	General Fund	Other Funds	Total
1. Removes one-time federal fiscal stimulus funding provided in the 2009-11 biennium relating to tribal language preservation	\$0	(\$18,000)	(\$18,000)
2. Provides funding for the Youth Leadership Academy	\$20,000	\$0	\$20,000
3. Provides funding for suicide prevention and education. <b>The House decreased this funding by \$50,000, from \$100,000 to \$50,000.</b>	\$100,000	\$0	\$100,000

**Other Sections in Bill**

The House added a section of legislative intent to provide that the Indian Affairs Commission work in conjunction with the State Department of Health to develop a suicide prevention program, including outreach, education, administration, and implementation of grants for suicide prevention activities.

**Continuing Appropriations**

**Indian Affairs Commission printing fund** - North Dakota Century Code Section 54-36-08 - Used to defray expenses incurred by the commission in producing and distributing publications and educational materials.

**Significant Audit Findings**

None.

**Major Related Legislation**

No major legislation has been introduced affecting this agency.

ATTACH:1

**STATEMENT OF PURPOSE OF AMENDMENT:****House Bill No. 1005 - Funding Summary**

	<b>Executive Budget</b>	<b>House Version</b>	<b>Senate Changes</b>	<b>Senate Version</b>
Indian Affairs Commission				
Salaries and wages	\$601,373	\$601,373		\$601,373
Operating expenses	246,505	196,505	50,000	246,505
<b>Total all funds</b>	<b>\$847,878</b>	<b>\$797,878</b>	<b>\$50,000</b>	<b>\$847,878</b>
Less estimated income	0	0	0	0
<b>General fund</b>	<b>\$847,878</b>	<b>\$797,878</b>	<b>\$50,000</b>	<b>\$847,878</b>
FTE	4.00	4.00	0.00	4.00
<b>Bill Total</b>				
<b>Total all funds</b>	<b>\$847,878</b>	<b>\$797,878</b>	<b>\$50,000</b>	<b>\$847,878</b>
Less estimated income	0	0	0	0
<b>General fund</b>	<b>\$847,878</b>	<b>\$797,878</b>	<b>\$50,000</b>	<b>\$847,878</b>
FTE	4.00	4.00	0.00	4.00

**House Bill No. 1005 - Indian Affairs Commission - House Action**

	<b>Executive Budget</b>	<b>House Changes</b>	<b>House Version</b>
Salaries and wages	\$601,373		\$601,373
Operating expenses	246,505	(50,000)	196,505
<b>Total all funds</b>	<b>\$847,878</b>	<b>(\$50,000)</b>	<b>\$797,878</b>
Less estimated income	0	0	0
<b>General fund</b>	<b>\$847,878</b>	<b>(\$50,000)</b>	<b>\$797,878</b>
FTE	4.00	0.00	4.00

**Department 316 - Indian Affairs Commission - Detail of House Changes**

	<b>Reduces Funding for Suicide Prevention Program<sup>1</sup></b>	<b>Total House Changes</b>
Salaries and wages		
Operating expenses	(50,000)	(50,000)
<b>Total all funds</b>	<b>(\$50,000)</b>	<b>(\$50,000)</b>
Less estimated income	0	0
<b>General fund</b>	<b>(\$50,000)</b>	<b>(\$50,000)</b>
FTE	0.00	0.00

<sup>1</sup> The amendment reduces funding provided in the executive budget for a suicide prevention program directed at Native American tribes from \$100,000 to \$50,000 from the general fund.

The amendment also adds a section of legislative intent to provide that the Indian Affairs Commission work in conjunction with the State Department of Health to develop a suicide prevention program, including outreach, education, administration, and implementation of grants for suicide prevention activities.

**House Bill No. 1005 - Indian Affairs Commission - Senate Action**

	<b>Executive Budget</b>	<b>House Version</b>	<b>Senate Changes</b>	<b>Senate Version</b>
Salaries and wages	\$601,373	\$601,373		\$601,373
Operating expenses	246,505	196,505	50,000	246,505
<b>Total all funds</b>	<u>\$847,878</u>	<u>\$797,878</u>	<u>\$50,000</u>	<u>\$847,878</u>
Less estimated income	0	0	0	0
General fund	<u>\$847,878</u>	<u>\$797,878</u>	<u>\$50,000</u>	<u>\$847,878</u>
FTE	4.00	4.00	0.00	4.00

**Department 316 - Indian Affairs Commission - Detail of Senate Changes**

	<b>Adds Funding for Suicide Prevention Program<sup>1</sup></b>	<b>Total Senate Changes</b>
Salaries and wages		
Operating expenses	<u>50,000</u>	50,000
<b>Total all funds</b>	<u>\$50,000</u>	<u>\$50,000</u>
Less estimated income	0	0
General fund	<u>\$50,000</u>	<u>\$50,000</u>
FTE	0.00	0.00

<sup>1</sup> The amendment increases funding for a suicide prevention program directed at Native American tribes by \$50,000 from the general fund, to provide a total of \$100,000 for the program. This restores the funding removed by the House and provides the level included in the executive budget.

# NORTH DAKOTA INDIAN AFFAIRS COMMISSION

600 East Boulevard • 1<sup>st</sup> Floor Judicial Wing • Bismarck ND 58505-0300  
Phone (701) 328-2428 • Fax (701) 328-1537  
Webpage: [www.nd.gov/indianaffairs](http://www.nd.gov/indianaffairs)  
Email: [sjdavis@nd.gov](mailto:sjdavis@nd.gov)

**Governor Jack Dalrymple**  
CHAIRMAN

**Scott Davis**  
EXECUTIVE DIRECTOR

TESTIMONY ON ENGROSSED HOUSE BILL NO. 1005

SENATE APPROPRIATIONS COMMITTEE

MARCH 2, 2011

Chairman Holmberg and members of the Senate Appropriations Committee,

On behalf of my office and as the Executive Director of the ND Indian Affairs and Cabinet member, I would like to take just a moment of your time to touch base on an area of great concern to our great state. The area that is both a concern of both professional and personal to me is the suicides among our ND citizens and Tribal members. As may know, Suicide in North Dakota is vast becoming a challenging, and problematic issue among our urban and rural areas. Well, among the ND Tribes, it has now become a crises or even an epidemic. The North Dakota Tribal members are now at a time where EVERY Tribal member (including myself), are directly or indirectly effected by suicide. We either know of someone who has committed suicide, or has attempted and has thought of committing suicide. This crises/epidemic has history now of over ten years within our ND Tribal Nations and for some reason growing.

Coming into this legislative session, under the Governor's 2011-13 Executive Budget, the request for 100K would be administered through my office for Suicide Prevention. As of late the house amended HB 1005 to reduce that amount down to 50K from the general fund. I respectfully disagree with this amendment which will only hinder my efforts in fulfilling my set strategies for suicide prevention.

In a continued partnership with the North Dakota Health and Human Services, the North Dakota Department of Health, and all North Dakota Tribes, my office has begun to create strategies and also has strengthened the current state and tribal programs. However, I have only scratched the surface on how I can continue to build and address this crises. One strategy, I would like to partially fund a ND Tribal Mental Health Crises Team, in which would be comprised of ND Mental Health Workers and Tribal Health Officials. This team will have the expertise in clinical, social work prevention, education, counseling, mentoring, graduate students, Tribal cultural/spiritual leaders, intervention, crises assessment and debriefing to patients/family and providers. Data, evaluation and reports will be developed and tracked as indicators of where we are at in combating this state wide epidemic.

Although some areas of the state and tribes do have these small teams, it is my understanding that they are not fully armed with enough resources. I also see a high need for developing protocols of actions and follow up as various teams collaborate during a crises. This includes the issue of credentialing doctors, psychiatrists, and counselors into the IHS system. A portion of the funding will be needed for developing these protocols through meetings with the various state and tribal agencies. Also a portion of the funding will be used in providing educational lectures and events at high schools and town events. Again, many of these practices are being implemented, but only on a limited basis. This 100K will be utilized as cost shares with other local, state and tribal partnerships.

I am respectfully asking for your support/DO PASS for HB 1005 and to maintain the original sum of 100K for the next biennium in creating and continuing these suicide prevention strategies, in partnership with other ND state agencies, Tribal agencies and private agencies. I feel that we all as North Dakota citizens and leadership have a shared responsibility in addressing and curbing the suicide crises in our great state and within our ND Tribal nations.

If you have any questions, please call or email me at anytime, thank you.

Sincerely,

A handwritten signature in black ink, appearing to read "Scott J. Davis". The signature is fluid and cursive, with the first name "Scott" being the most prominent.

Scott J. Davis  
Executive Director  
North Dakota Indian Affairs Commission



TESTIMONY ON ENGROSSED HOUSE BILL NO. 1005  
A BILL FOR AN ACT TO PROVIDE AN APPROPRIATION FOR THE  
INDIAN AFFAIRS COMMISSION

SENATE APPROPRIATIONS COMMITTEE

MARCH 2, 2011

Tex G. Hall "Red Tipped Arrow", Chairman  
Mandan, Hidatsa and Arickara Nation Tribal Business Council  
Fort Berthold Reservation

Mr. Chairman and Members of the Committee, as Chairman of the Mandan, Hidatsa, and Arickara Nation, I am honored to present this testimony.

I support HB 1005 and the North Dakota Indian Affairs Commission's request for an appropriation to develop a Suicide Prevention Program and address an area of dire need on our Reservation. Like other Tribes, our Tribal Government must contend with this serious issue which continues to bring despair and social devastation to our people and residents of the Fort Berthold Reservation. Suicide continues to plague our tribal nation in numbers which far exceed the state and national averages. Hopelessness is common-place for many of our families and community members, who continuously struggle to deal with the terrible effects of suicide incidence.

Our Government, like other tribal governments, does its best in attempting to address this area of significant need. But available Resources have been, and continue to be, extremely limited and are nowhere near the amount necessary to begin to impact the difficulties suffered by this situation. Law enforcement, local churches, and tribal

programs like our Mental Health Program and the Boys and Girls Club valiantly struggle to devise ways to address the problem. But the statistics prove that we remain in dire need of resources and assistance to counter the problem's devastation in our tribal communities. After struggling with this problem for decades, we realize that it is not only practical, but critical, that we partner with various entities to curb and prevent suicide. A unified and coordinated approach may be the only possible measure to contend with this crisis.

On behalf of the Mandan, Hidatsa, and Arickara Nation, I commend the efforts of the North Dakota Indian Affairs Commission to provide leadership in this area and HOPE in addressing this problem. I also thank this Committee and its Members, as well as all members of the State Legislative Assembly, for their consideration in providing assistance to develop and coordinate suicide prevention on Reservations throughout the State of North Dakota. I strongly support HB 1005 and the positive provisions called for in its passage.

**The testimony of Al Nygard to the North Dakota Senate Appropriations Committee in support of House Bill 1005 – ND Indian Affairs Commission Appropriation (3/2/2011).**

Good Morning Mr. Chairman and members of the committee.

My name is Al Nygard. I am the President and CEO of ANC/Empowerment First. I am also an enrolled member of the Mandan, Hidatsa and Arikara Nation - the Three Affiliated Tribes of North Dakota. ANC/Empowerment First is a Native owned organization that specializes in culturally sensitive approaches to management, development and empowerment particularly in Indian Country. We are based here in Bismarck. We work nationwide and in particular in the upper Great Plains and we have had the honor to consult with organizations who work with Indigenous populations in Canada, India, Australia, Ecuador, and South Africa as a result of our work in the US. We are one of the best in the country at what we do and in the course of that work we get the honor of seeing the issues first hand and up close. I tell you this not to blow our horn, but rather to inform you that we have a vast understanding of Native American issues and the myriad of players that interact with, for and on behalf of native peoples.

And that is why I stand before you today. It is no secret that the Native nations in North Dakota have issues. It is no secret that those issues have been simmering for some time now. What is a secret is the players who do good work; effective work, results producing work side by side with the Native nations of North Dakota with little or no fanfare what so ever. Usually, it is the quiet unsung players that make the largest impact in Indian Country. In fact, that is the native way; to walk in humble confidence and to never stand up and toot your own horn. There are those who say they are good and there are those who prove they are good – there is a difference.

The ND Indian Affairs Commission is one of those proven players. Whether you realize it or not, the IAC has been restored as one of the “go to” players regarding Native issues in North Dakota today. You see, one cannot just declare that they are a “player”. Rather, in Indian Country, one must prove themselves and be accepted and TRUSTED by the Nations in order to be “a player”. There are many who make the claim that they are in touch with Native issues. But very few truly understand and very few have the confidence and trust of the nations to make a difference.

Last summer we had the honor to work with the IAC to co-sponsor State/Tribal roundtables throughout the state. We held four roundtables in June, July, August and September. During those meetings we allowed Native people to better understand the State and we allowed the State to better understand Native peoples. As a result the Department of Corrections and Rehabilitation are stepping up their understanding of Native culture and how they can better serve the Native population of the state. The education communities all the way from Head Start to the University System are reexamining the need for renewed commitment to educating Native students. The Tourism Department is stepping up as a full partner with the Tribal Tourism Departments to strategize how they can work together. The Department of Human Services has a greater understanding of EACH Tribal Social Services organization as a unique and complex delivery system in and of themselves AND how they can work together to gain mutually beneficial efficiencies.

I have been in the “Native Development” game in North Dakota for over 20 years. I have been an employee of the State as well. The State/Tribal relations have never been stronger as they are today. That is due to the IAC and the work that they do.

You see it is not just the perception of the office by other State agencies that makes the office effective. It is the TRUST of the office by Tribal Nations that makes the office effective.

I want to address one final issue. Your colleagues in the House have recommended stripping \$50,000 from the IAC budget that was directly targeted toward prevention of Suicide in our Native communities. I make a living by working in those communities. I can tell you that the Suicide issue is real and the size of the issue is larger than what is reported. You need to understand that Mental Health services on the reservations are virtually nonexistent. Many people assume that the Indian Health Service provides those services to our people. I am here to testify to you the Indian Health Service is a joke when it comes to Mental Health Services. Those are strong words and I stand by them. We need effective and innovative attempts if we are going to stem the suicides in our Native communities. That \$50,000 can go a long way to address the suicide issues if it is used to partner with a mind on innovation and effectiveness. There are several such fledgling efforts in the Nations of North Dakota today, but they need your help. You see the bottom line here is the ones that are contemplating and succeeding in suicide attempts on the reservations are our young adults and children. But most importantly, those young adults and children are North Dakotans. North Dakotans have a legacy of helping each other out in times of need. Please continue that legacy for ALL North Dakotans and restore the funding. And most importantly please pass this appropriation for the Indian Affairs Commission.