

1999 HOUSE APPROPRIATIONS

HB 1005

1999 HOUSE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. 1005

House Appropriations Committee
Human Resources Division

Conference Committee

Hearing Date January 15, 1999

Tape Number	Side A	Side B	Meter #
1		x	12.1-End
2	X		0-43
Committee Clerk Signature <i>Paulette Gussioas</i>			

Minutes:

HB 1005--A Bill for an Act to provide an appropriation for defraying the expenses of the Indian affairs commission.

(12.1) Cynthia Mala (Ex. Dir. Indian Commission), see attached testimony.

(31.8) Rep Svedjan asked if Indian Affairs Budget could be kept in governors office. Ms. Mala stated she asked the same question to OMB. She stated it would not be a problem.

(36.7) Richard Frombroise spoke in support of Bill 1005.

(44.1) Mr. Disselhorst, see attached testimony.

(49.1) Barb Poitra (Chairman Leg. Turtle Mountain) See attached testimony.

(Tape 2, A, 3.2) Judith Sand-lobbyist-See attached testimony.

General Discussion

- Committee on Committees
- Rules Committee
- Confirmation Hearings
- Delayed Bills Committee
- House Appropriations
- Senate Appropriations
- Other

Date January 28, 1999			
Tape Number	Side A	B Side	Meter #
1		x	12.0-end
2	x		0-38.2
Committee Clerk Signature <i>Paulitt Gussias</i>			

Minutes:

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

(Tape 1, B, 12.0) **Chairman Svedjan** opened HB 1005. All committee was present.

(12.1) **Cynthia Mala** was available for any questions.

(12.2) **Chairman Svedjan** asked if Ms. Mala would explain her FTE's again for the record. Ms. Mala replied that there are three FTE's, two were Clerical IV positions Administrative Assistant positions and the last position Service Program Administrative IV.

General Discussion

Page 2

Human Services, Appropriations

January 28, 1999

(Tape 2, A, 0.0) Chairman Svedjan and Rep Delzer are asking about the technology updates.

Ms. Mala states that the computers all need to be updated, it would cost \$2800. Because of where they are located they don't have the right cabling to update the computers. Ms. Mala states that is why the cost is that high.

(5.0) Committee discussed the budget for HB 1005.

(38.2) Chairman Svedjan adjourned the meeting for HB 1005.

General Discussion

- Committee on Committees
- Rules Committee
- Confirmation Hearings
- Delayed Bills Committee
- House Appropriations
- Senate Appropriations
- Other

Date February 3, 1999			
Tape Number	Side A	B Side	Meter #
1	x		18.2-26
Committee Clerk Signature <i>Paulette Gussieas</i>			

Minutes:

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

(Tape 1, A, 18) **Chairman Svedjan** opened the committee work of HB 1005. All members present.

(18.2) **Alan Knudson** (Legislative Council) went over amendments.

(22.6) **Rep. Delzer** moved the amendment, 2nd Vice Chairman Bernstein. The vote was 4 yes, 2 no, 0 absents.

(24.7) **Rep. Timm** moved to pass the bill, 2nd Vice Chairman Bernstein. The vote was 6 yes, 0 no, 0 absent.

Bill is carried by Rep. Kerzman.

General Discussion

- Committee on Committees
- Rules Committee
- Confirmation Hearings
- Delayed Bills Committee
- House Appropriations
- Senate Appropriations
- Other

Date February 4, 1999			
Tape Number	Side A	B Side	Meter #
2	x		27.3-END
Committee Clerk Signature <i>Roxanne Kone</i>			

Minutes:

2A: 27.3 Chairman Dalrymple opened the discussion on House Bill 1005.

2A: 28.1 Rep. Kerzman briefly discussed the amendment: salary/wage adjustment, removed \$500.00 on equipment, and fee charge for brochures (\$3275) to pick up cost. Rep. Kerzman moved to adopt the amendment 98005.0102. Rep. Svedjan 2nd the motion. On a voice call vote the amendment was adopted.

2A: 33.0 Rep. Kerzman moved for a DO PASS AS AMENDED. Rep. Svedjan 2nd the motion. On a Roll Call vote the bill passed.

18 voting Yes
0 voting No
2 voting Absent

Rep. Kerzman will be the carrier.

January 21, 1999

PROPOSED AMENDMENTS TO HOUSE BILL NO. 1005

Page 1, after line 15, insert:

**"SECTION 2. LEGISLATIVE INTENT - INDIAN AFFAIRS COMMISSION
FUND.** It is the intent of the fifty-sixth legislative assembly that the office of
management and budget change the name of fund 318 from the Indian affairs alcohol
and drug abuse fund to the Indian affairs commission fund and that the fund then be
used to account for special fund revenues and expenditures associated with the general
operation of the commission."

Renumber accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

DEPARTMENT 316 - INDIAN AFFAIRS COMMISSION

HOUSE - This amendment adds a section of legislative intent relating to the Indian Affairs
Commission special fund. The section provides for the renaming of the fund and clarifies that
the fund is to be used to account for special fund revenues and expenditures of the
commission.

PROPOSED AMENDMENTS TO HOUSE BILL NO. 1005

Page 1, line 10, replace "276,289" with "273,507"

Page 1, line 12, replace "2,800" with "2,300"

Page 1, line 13, replace "332,364" with "329,082"

Page 1, line 14, replace "16,300" with "19,575"

Page 1, line 15, replace "316,064" with "309,507"

Page 1, after line 15, insert:

"SECTION 2. LEGISLATIVE INTENT - DIRECTORY FEES. It is the intent of the fifty-sixth legislative assembly that the Indian affairs commission establish a fee to recover all or a portion of its costs related to printing and distributing its directory.

SECTION 3. LEGISLATIVE INTENT - INDIAN AFFAIRS COMMISSION FUND. It is the intent of the fifty-sixth legislative assembly that the office of management and budget change the name of fund 318 from the Indian affairs alcohol and drug abuse fund to the Indian affairs commission fund and that the fund then be used to account for special fund revenues and expenditures associated with the general operation of the commission."

Re-number accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

DEPARTMENT 316 - INDIAN AFFAIRS COMMISSION

HOUSE - This amendment makes the following changes:

	EXECUTIVE BUDGET	HOUSE CHANGES	HOUSE VERSION
Salaries and wages	\$276,289	(\$2,782)	\$273,507
Operating expenses	53,275		53,275
Equipment	<u>2,800</u>	<u>(500)</u>	<u>2,300</u>
Total all funds	\$332,364	(\$3,282)	\$329,082
Less special funds	<u>16,300</u>	<u>3,275</u>	<u>19,575</u>
General fund	\$316,064	(\$6,557)	\$309,507
FTE	3.00	0.00	3.00

Detail of House changes to the executive budget include:

	REDUCE COMPENSATION PACKAGE TO 2/2	ADJUST HEALTH INSURANCE COST	REDUCE EQUIPMENT FUNDING	CHANGE OPERATING EXPENSE FUNDING SOURCE	TOTAL HOUSE CHANGES
Salaries and wages	(\$3,637)	\$855			(\$2,782)
Operating expenses					
Equipment			<u>(\$500)</u>		<u>(500)</u>
Total all funds	(\$3,637)	\$855	(\$500)	\$0	(\$3,282)
Less special funds				<u>3,275</u>	<u>3,275</u>
General fund	(\$3,637)	\$855	(\$500)	(\$3,275)	(\$6,557)
FTE	0.00	0.00	0.00	0.00	0.00

House changes narrative:

This amendment reduces information technology equipment funding by \$500 and provides for a funding source change of \$3,275 in operating expenses. The funding source change increases other funds and decreases the general fund money provided for operating expenses.

The amendment also adds sections of legislative intent relating to the establishment of a fee to recover all or a portion of the directory costs and the renaming of the Indian Affairs Commission special fund.

Date: 2399
Roll Call Vote #: 1

1999 HOUSE STANDING COMMITTEE ROLL CALL VOTES
BILL/RESOLUTION NO.

House APPROPRIATION Committee

Subcommittee on Human Service ^{HB 1005}
or
 Conference Committee

Legislative Council Amendment Number 98005.0101 + .0102

Action Taken Do pass

Motion Made By Delzer Seconded By Bernstein

Representatives	Yes	No	Representatives	Yes	No
Chairman Ken Svedjan	✓				
Vice Chairman LeRoy Bernstein	✓				
Rep. Jeff Delzer	✓				
Rep. Serenus Hoffner		✓			
Rep. James Kerzman		✓			
Rep. Mike Timm	✓				

Total (Yes) 4 No 2

Absent 0

Floor Assignment Kerzman

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

Date: 2.4.99
 Roll Call Vote #: 1

1999 HOUSE STANDING COMMITTEE ROLL CALL VOTES
 BILL/RESOLUTION NO. 1005

House APPROPRIATION Committee _____

Subcommittee on _____

or

Conference Committee

Legislative Council Amendment Number 98005.0102

Action Taken DO PASS

Motion Made By Kerzman Seconded By Svedjan

Representatives	Yes	No	Representatives	Yes	No
Rep. Ole Aarsvold	✓		Rep. Ronald Nichols	✓	
Rep. LeRoy G. Bernstein	✓		Rep. Jim Poolman		
Rep. James Boehm	✓		Rep. Ken Svedjan	✓	
Rep. Rex R. Byerly	✓		Rep. Mike Timm		
Rep. Al Carlson	✓		Rep. Ben Tollefson	✓	
Rep. Ron Carlisle	✓		Rep. Janet Wentz	✓	
Rep. Al Carlson	✓		Chairman Jack Dalrymple	✓	
Rep. Jeff Delzer	✓				
Rep. Pam Gulleon	✓				
Rep. Serenus Hoffner	✓				
Rep. Robert Huether	✓				
Rep. James Kerzman	✓				
Rep. Ed Lloyd	✓				
Rep. David Monson	✓				

Total (Yes) 18 No 0

Absent 2

Floor Assignment Rep. Kerzman

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

REPORT OF STANDING COMMITTEE

HB 1005: Appropriations Committee (Rep. Dalrymple, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (18 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING). HB 1005 was placed on the Sixth order on the calendar.

Page 1, line 10, replace "276,289" with "273,507"

Page 1, line 12, replace "2,800" with "2,300"

Page 1, line 13, replace "332,364" with "329,082"

Page 1, line 14, replace "16,300" with "19,575"

Page 1, line 15, replace "316,064" with "309,507"

Page 1, after line 15, insert:

"SECTION 2. LEGISLATIVE INTENT - DIRECTORY FEES. It is the intent of the fifty-sixth legislative assembly that the Indian affairs commission establish a fee to recover all or a portion of its costs related to printing and distributing its directory.

SECTION 3. LEGISLATIVE INTENT - INDIAN AFFAIRS COMMISSION FUND. It is the intent of the fifty-sixth legislative assembly that the office of management and budget change the name of fund 318 from the Indian affairs alcohol and drug abuse fund to the Indian affairs commission fund and that the fund then be used to account for special fund revenues and expenditures associated with the general operation of the commission."

Renumber accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

DEPARTMENT 316 - INDIAN AFFAIRS COMMISSION

HOUSE - This amendment makes the following changes:

	EXECUTIVE BUDGET	HOUSE CHANGES	HOUSE VERSION
Salaries and wages	\$276,289	(\$2,782)	\$273,507
Operating expenses	53,275		53,275
Equipment	<u>2,800</u>	<u>(500)</u>	<u>2,300</u>
Total all funds	\$332,364	(\$3,282)	\$329,082
Less special funds	<u>16,300</u>	<u>3,275</u>	<u>19,575</u>
General fund	\$316,064	(\$6,557)	\$309,507
FTE	3.00	0.00	3.00

Detail of House changes to the executive budget include:

	REDUCE COMPENSATION PACKAGE TO 2/2	ADJUST HEALTH INSURANCE COST	REDUCE EQUIPMENT FUNDING	CHANGE OPERATING EXPENSE FUNDING SOURCE	TOTAL HOUSE CHANGES
Salaries and wages	(\$3,637)	\$855			(\$2,782)
Operating expenses					
Equipment			<u>(\$500)</u>		<u>(500)</u>
Total all funds	(\$3,637)	\$855	(\$500)	\$0	(\$3,282)

REPORT OF STANDING COMMITTEE (410)
February 8, 1999 9:50 a.m.

Module No: HR-25-2151
Carrier: Kerzman
Insert LC: 98005.0102 Title: .0200

Less special funds				<u>3,275</u>	<u>3,275</u>
General fund	(\$3,637)	\$855	(\$500)	(\$3,275)	(\$6,557)
FTE	0.00	0.00	0.00	0.00	0.00

House changes narrative:

This amendment reduces information technology equipment funding by \$500 and provides for a funding source change of \$3,275 in operating expenses. The funding source change increases other funds and decreases the general fund money provided for operating expenses.

The amendment also adds sections of legislative intent relating to the establishment of a fee to recover all or a portion of the directory costs and the renaming of the Indian Affairs Commission special fund.

1999 SENATE APPROPRIATIONS

HB 1005

1999 SENATE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. ENGROSSED HB 1005

Senate Appropriations Committee

Conference Committee

Hearing Date 2/26/99; 3/29/99

Tape Number	Side A	Side B	Meter #
2	X		2360-end
		x	0-1153
3/29/99	x		1235-1860
Committee Clerk Signature <i>Gloria Anderson</i>			

Minutes:

SENATOR NETHING: Opened the hearing on engrossed HB 1005; a BILL for an Act to provide an appropriation for defraying the expenses of the Indian affairs commission.

CYNTHIA MALA: ND Indian Affairs Commission, Executive Director, to testify in support of HB 1005. (testimony attached 1A; mission 1B) (tape 2650-3977)

SENATOR ANDRIST: What part do you play in tribal council problems?

CYNTHIA MALA: Tribal problems are local tribal issues, comparable to what might be happening in a city or county. I have not been involved; they will resolve the issue.

SENATOR SOLBERG: The House moved the funding from general to other. Where did this "other" come from?

CYNTHIA MALA: I assume it is the money I will raise - either from private sources and/or asking the tribes to partner in. You authorize it, but I will find the money. It will not be general fund dollars. The Directory is part of it. My office produces an Indian statewide program directory every two years which outlines the current tribal government, gives a profile of each reservation, and lists all of the various programs and services on each reservation or Indian community across the state. We published 500 copies in 1998, and we were out of copies immediately. It is widely requested by state agencies. We have the master copy so we run copies to supply requests. The House put it in under the special line item and have asked that I charge a small fee to help offset the cost of producing and printing that directory. I am a state agency. The legislature authorizes this department and part of my function, if you look in the yellow sheets, is to develop information, compile information, and disseminate that information. I'm not aware of any other state agency that is required to charge for that information and/or their directory. (tape 440)

SENATOR ST. AUBYN: In terms of the \$500 reduction in equipment, did they identify specific equipment?

CYNTHIA MALA: The reason for the reduction was when we estimated the cost of purchasing a new system, I made the estimates in July or August last summer. We know the costs are going down, so I think they just picked \$500.

SENATOR NAADEN: What are the prospects for jobs for these 18 year olds on the reservation?

CYNTHIA MALA: I think it is one of the key issues we are attempting to address. Each reservation's tribal government is at a different level in determining what it can do to create more employment locally. Each tribe has different resources to do that, but they are looking at cooperative ways. Hopefully we can partner better with ED&F, the Greater ND Association and look at it from a statewide perspective. Community colleges are beginning to provide those types of training and services. (tape 4922)

TERRANCE RED FOX: An enrolled member of the Fort Berthold Reservation, an Arikara who left in 1964, received education in Colorado, worked in the federal government, and returned in 1994, to testify in support of HB 1007. I don't think our relationship is quite as rosy as we'd like to believe. As Executive Director of the Fort Berthold Housing Authority, he noted trying to work with the ND Housing Finance Agency and indicated the problems associated with securing funding - either because they are located inside or outside the reservation boundaries. He also indicated that 5 tribes are considering a class action suit against the state of ND in regard to discrimination in the housing industry. Their housing needs can't be met with current funding. Fort Berthold has lost half of its funding since 1996. He noted a need for cooperation with the state. (tape 5600)

SENATOR SOLBERG: You say your federal budget on this has dropped from \$6-7M to \$2.7M. What does the congressional delegation say about this? What do Senators Conrad and Dorgan have to say about this?

TERRANCE RED FOX: About 3 weeks ago, we stopped up to their office to talk about this issue. Unfortunately, they were busy; however, we did talk with their staff. We're encouraging them to ask for more funding.

SENATOR SOLBERG: You said this has dropped from 1996 - from \$6-7M to \$2.7M. Have you contacted them before? What was their answer?

TERRANCE RED FOX: Yes. Their answer is always the same, they'll try to push it through, they'll talk to the committees, etc. We've pushed our issues with other congressmen regarding our housing issues as well. One of the things they've done in cutting our budgets, is telling us they've given us access to more money, but we have to go to the states to get it. We have to go the banks to get it; other financial institutions. They created a 184 program which is great for the bank as the bank is guaranteed 100% of their money back should they have to foreclose, but that is all it does. There is no subsidy involved with that home loan. They say they've created this

other market for us and that will compensate for the other dollars we can't get. We can't find that many people on the reservation that are either credit qualified or have the employment to qualify for those loans.

SENATOR BOWMAN: I'm trying to figure out what part the state of ND plays in this if this is a federal program from the housing authority. Do you feel they're not working under those federal guidelines or the guidelines have been taken away from them to help you with the problems?

TERRANCE RED FOX: We're trying to figure this out, too. Mr. Disselhorst, an attorney for our tribe, is also working on this issue and may address some of that. As far as we can tell, the ND finance agency does get federal funds to disperse in ND. In order to get these dollars, they use our population numbers on the reservation for homeless, etc. and by using those numbers they are mandated under this federal law to assist us with our housing needs. They have a couple of programs that when we go to access them, there are barriers. This particular barrier is the bond council. They said they couldn't do these first time home buyer programs on the reservation because it is within the reservation boundaries. Our argument is that is the way housing authorities were created 20-30 years ago was by bonds. (tape end)

DAVID BREAN: A member of the Turtle Mountain Chippewa Indians, a member of the Indian Affairs Commission, to testify in favor of HB 1005, and to show support for building diplomatic relationships between the state and Native Americans - the largest ND minority population. (tape 370)

SENATOR ANDRIST: Reservations themselves tend to set Indians populations apart.

DAVID BREAN: Most Indians on reservations receive funding from the federal government. We also need to partner with the state.

THOMAS DISSELHORST: Attorney for the 3 Affiliated Tribes and the United Tribes Technical Service to testify as a private citizen in support of HB 1005. (testimony attached #2) (tape 580)

LOIS WHITE EAGLE: Standing Rock Sioux Tribe, to testify on support of HB 1005. (tape 1000-1140)

SENATOR NAA DEN: Closed the hearing on engrossed HB 1005.

=====

3/29/99 tape 1, B, 1235-1860

SENATOR NETHING: Reopened the hearing on engrossed HB 1005.

SENATOR NAA DEN: Presented the amendments, and moved do pass amendment # 98005.0201.

SENATOR HOLMBERG: Seconded the motion.

ROLL CALL: Unanimous voice vote to do pass amendments.

Page 4

Senate Appropriations Committee
Bill/Resolution Number HB 1005.lwp
Hearing Date ~~2/26/99~~

3-29-aa

SENATOR NAADEN: Moved do pass engrossed HB 1005, as amended.

SENATOR ANDRIST: Seconded the motion.

ROLL CALL: 13 yeas; 0 nays; 1 absent & not voting.

MOTION CARRIED TO DO PASS ENGROSSED HB 1005, AS AMENDED.

Yeas: Nothing, Naaden, Solberg, Lindaas, Tallackson, Robinson, Krauter, St. Aubyn, Grindberg, Holmberg, Kringstad, Bowman, Andrist

Absent & Not Voting: Tomac

CARRIER: Senator Naaden

SENATOR NETHING: Closed the hearing on HB 1005.

Date: 3/29/99
Roll Call Vote #: 7

1999 SENATE STANDING COMMITTEE ROLL CALL VOTES
BILL/RESOLUTION NO. HB1005

Senate APPROPRIATIONS Committee

Subcommittee on _____
or
 Conference Committee

✓ Legislative Council Amendment Number 98005.0201

Action Taken DO PASS

Motion Made By Senator NAADEN Seconded By Senator HOLMBERG

Senators	Yes	No	Senators	Yes	No
Senator Nething, Chairman					
Senator Naaden, Vice Chairman					
Senator Solberg					
Senator Lindaas					
Senator Tallackson					
Senator Tomac					
Senator Robinson					
Senator Krauter					
Senator St. Aubyn					
Senator Grindberg					
Senator Holmberg					
Senator Kringstad					
Senator Bowman					
Senator Andrist					

Total (Yes) VOICE VOTE UNANIMOUS No _____

Absent _____

Floor Assignment Senator _____

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

Date: 3/29/99
Roll Call Vote #: 1

1999 SENATE STANDING COMMITTEE ROLL CALL VOTES
BILL/RESOLUTION NO. HB 1005

Senate APPROPRIATIONS Committee

Subcommittee on _____
or
 Conference Committee

✓ Legislative Council Amendment Number 98005.0201

Action Taken DO PASS AS AMENDED

Motion Made By SENATOR NAADEN Seconded By SENATOR ANDRIST

Senators	Yes	No	Senators	Yes	No
Senator Nething, Chairman	✓				
Senator Naaden, Vice Chairman	✓				
Senator Solberg	✓				
Senator Lindaas	✓				
Senator Tallackson	✓				
Senator Tomac					
Senator Robinson	✓				
Senator Krauter	✓				
Senator St. Aubyn	✓				
Senator Grindberg	✓				
Senator Holmberg	✓				
Senator Kringstad	✓				
Senator Bowman	✓				
Senator Andrist	✓				

Total (Yes) 13 No 0

Absent 1

Floor Assignment SENATOR NAADEN

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

REPORT OF STANDING COMMITTEE

HB 1005, as engrossed: Appropriations Committee (Sen. Nething, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (13 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). Engrossed HB 1005 was placed on the Sixth order on the calendar.

Page 1, line 2, after "commission" insert "; to provide for line item transfers; and to declare an emergency"

Page 1, line 14, replace "19,575" with "16,300"

Page 1, line 15, replace "309,507" with "312,782"

Page 1, after line 23, insert:

"SECTION 4. LINE ITEM TRANSFERS - 1997-99 BIENNIUM.

Notwithstanding section 54-16-04, the director of the office of management and budget and the state treasurer, at the request of the director of the Indian affairs commission, shall transfer \$4,500 from the salaries and wages line item contained in section 1 of chapter 34 of the 1997 Session Laws to the operating expenses line item contained in section 1 of chapter 34 of the 1997 Session Laws. The authority to make this transfer begins with the effective date of this Act and ends on June 30, 1999.

SECTION 5. EMERGENCY. Section 4 of this Act is declared to be an emergency measure."

Renumber accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

DEPARTMENT 316 - INDIAN AFFAIRS COMMISSION

SENATE - This amendment reverses the House's operating expense funding source charge of \$3,275 by decreasing other funds by \$3,275 and increasing the general fund by \$3,275. The amendment also adds a section to amend Section 1 of Chapter 34 of the 1997 Session Laws. The amendment also provides for a transfer of \$4,500 from the salaries and wages line item to the operating expenses line item for printing costs for a 50-year history report on the North Dakota Indian Affairs Commission.

1999 TESTIMONY

HB 1005

Department 316 - Indian Affairs Commission
 House Bill No. 1005

	FTE Positions	General Fund	Other Funds	Total
1999-2001 Executive Budget	3.00	\$316,064	\$16,300	\$332,364
1997-99 Legislative Appropriations	3.00	263,904	200,394	464,298
Increase (Decrease)	0.00	\$52,160	(\$184,094)	(\$131,934)

Major Items Affecting Indian Affairs Commission 1999-2001 Budget

	General Fund	Other Funds	Total
1. Provides for the following FTE position changes: 1 FTE human service program administrator IV (1) FTE administrative assistant I	\$80,381 (61,131)		\$80,381 (61,131)
2. Transfers the youth drug and alcohol grant program to the Department of Human Services		(\$200,000)	(200,000)
3. Provides funding for the printing of a 50th anniversary history of the Indian Affairs Commission	3,750	3,750	7,500
4. Provides funding for the printing and postage of a quarterly newsletter		6,550	6,550
5. Provides additional funding for the printing of directories and changes the funding from the general fund to special funds	(2,195)	6,000	3,805
6. Provides funding for consulting fees for the development and maintenance of a web site (\$5,400) and accounting services (\$3,200)	8,600		8,600

Major Legislation Affecting the Indian Affairs Commission

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

North Dakota Indian Affairs Commission

Appropriations Hearing

January 15, 1999

Testimony by: Cynthia A. Mala, Executive Director

The year 1999 represents a significant milestone – the ending of a century and the beginning of a new millenium. Individuals, communities and businesses are all clamoring to celebrate and 'to get ready' for the new century. From an Indian perspective, we too are excited. Ceremonies will be held to commemorate the span of time gone by and also to begin a 'new beginning.' We strive to heal and forgive, to remember the past, and most importantly to plan for those yet to be born. Our communities our rich with ideas and knowledge of how to live in a good way.

This new year, 1999, is also a milestone for North Dakota history and State-Tribal relations. Fifty years ago, the 31st North Dakota Legislative Assembly saw the need and importance to establish an entity to address issues of Indian citizens, and hence in 1949, the North Dakota Indian Affairs Commission was created. Initially focused on the 'welfare' of Indian people, the Commission has evolved to be an important part of State government in the facilitation of relationships between the State and the Tribal governments. The Indian Affairs office functions as a liaison for the State and the Governor to the Tribal communities and Indian citizens. Equally important is the extension of health and human service programming to Indian families through improved understanding by State employees that Indian citizens are eligible for many State managed programs.

The role and responsibilities of the North Dakota Indian Affairs Commission per State Century Code 54-36 include:

1. To assist and mobilize the support of the state and federal agencies in assisting Tribal governments and Indian people;
2. To assemble and make available the facts to work effectively together;
3. To assist in developing programs whereby Indian citizens may achieve a more adequate standard of living;
4. To assist Tribes in developing effective institutions of self-government;
5. To work for greater understanding;
6. To seek increased participation by Indian citizens in local and state affairs; and
7. To encourage and propose agreements and accords between federal, state, and local agencies and the Tribal governments.

Over the years the State's Indian Affairs Commission has played a key role in coordinating working relationships between State agencies and Indian programs. The Juvenile Justice summit held two years ago is an example of promoting better understanding of issues and developing mutual strategies that enhance the use of limited resources. There are many issues that are researched and advocated for by the Indian Affairs Commission - welfare reform, road maintenance, educational scholarships, violence, law enforcement training, disaster

management, or children's services - to name but a few. This advocacy benefits the State's interest and improves access to services for Indian people.

Another critical role is the many public presentations made to Indian and non-Indian audiences to improve understanding and foster better relationships. During the past year I have given an average of two public presentations per week. There is a need to educate both sides about history, service availability, and working together. As the federal government continues the decentralization process under the philosophy of 'new federalism,' State-Tribal relationships are in a new era - welfare reform is a good example. Both sides must understand how and why this happening. More importantly, working together for the benefit of the children and families must be the bottom line.

The unmet needs and the staggering health status statistics continue to plague North Dakota Indian communities. I am attaching to this testimony a 4-page report regarding the social, health and economic status of Northern Plains Indian families. The report provides current demographic information for North Dakota Indian. Please note from the report the data on Indian children and also the discussion about accomplishments.

The federal government does not provide for all the needs of Indian people, as most people tend to believe. The agencies charged with 'taking care of' Indians - Indian Health Service and Bureau of Indian Affairs - are only funded at maybe 60 percent of need. Indian Health Service per capita spending in 1997 was \$1,132 as compared to the U.S. health per capita expenditure of \$3,261.

Equally frustrating is the perception that Tribal gaming ventures are making all Indians millionaires. This not true for North Dakota Tribes and North Dakota's Indian population. Tribal gaming in the State has created over 2,500 jobs, including employing about 17 percent non-Indian workers, but these operations are only realizing small net profits. As per the compact agreements, some of the profit goes into social, welfare and economic development programming for the reservation. These gaming businesses also greatly contribute to the vitality of the communities on or near the reservation since purchases are off-reservation and with non-Indian vendors.

Tribal governments are new with most being established under the Indian Reorganization Act of 1934. This is true for the North Dakota Tribes when they adopted Constitution and By-Laws under the Act and replicated the democratic form of government. Traditionally, Indian governments operated under consensus-style governance, which is very time and people intense. As fairly 'new' governments, Tribes are in a learning and stabilizing phase. Infrastructure and systems development are just now taking hold on reservations with the added strength of educated Tribal members managing and leading the way out of dependency toward self-sufficiency.

Community-based prevention and promotion activities that germinate from and are nurtured with local experience, knowledge and initiative have greatest promise for success in bridging

gaps and barriers that remain for Indian families. However, resources from the larger society in building better access and in assuring availability of services are essential and critically needed.

In North Dakota, the model program that emphasizes response from the larger society in nurturing and building community-based programming is the Children's Services Coordinating Committee (CSCC). The Regional and Tribal CSCCs have generated local resource allocation with a spirit of collaboration and cooperation that is truly unique. CSCC efforts strengthen and enhance local service programs.

The North Dakota Indian Affairs Commission plays a critical role in representing Indian interests for CSCC and other health and human service programming. Since 1981 the office has overseen the administration of the Native American Alcohol and Drug Abuse Education Program, which in the last Legislative Session was funded via CSCC. This project provides substance abuse education funds for the four reservation communities in North Dakota. The focus is on youth education and prevention. The Tribes host various activities in conjunction with other groups and/or events to foster local collaborations. Each Tribe is required to match, dollar for dollar, the amount granted by the State.

It is better to get along and work together. By collaborating we save resources and avoid adversarial conflicts that could lead to costly litigation. The Commission facilitates and coordinates working relationships on behalf of the State and the Governor. A second State-Tribal Accord was signed this past fall with the Turtle Mountain Band of Pembina Chippewa. The Accord provides a protocol for mutual respect and working together. The Indian Affairs Commission assists in finding common ground by bringing people and agencies together to address the serious health, social, and economic problems facing Indian communities.

A key activity of the office is dissemination of information. We carry out this responsibility through the publication of a Statewide Indian Directory that is widely distributed and used by State agencies and staff. Included in the Directory is a reservation summary, lists of the Tribal Councils and the various Tribal programs. We published 500 copies in 1998 but continue to get weekly requests for copies of the document. We fulfill those requests by just running copies off the master. The Commission also produced a quarterly newsletter that I have put a hold on while the office is reorganized and plans developed for the 50th anniversary events.

Realizing that 1999 is an important year for State-Tribal relationships, a 50-year history report is being researched and developed that will highlight the work of the Commission. Attached to this testimony however, is a graph that outlines the budget history.

Governor Schafer's budget request for the Indian Affairs Commission reflects about a 20 percent increase with the most significant change/increase for a transfer of one of the 3 positions from a clerical support staff to a professional support staff (Program Administrator IV). The range and depth of the issues called upon for comment by the Indian Affairs office, requires appropriate staffing to research, analyze, and develop briefing papers for response.

At the same time, with such a small office staff (3 FTEs) an equipment line item is needed to assure upgraded computer information systems for administrative efficiency. OMB is recommending the Directory be on a WEB page and current systems and programs are not efficient enough to accommodate the development of a site.

Other enhancements would be to re-establish the quarterly Indian Affairs Newsletter, a small boost for Commission travel and funds for consulting fees to hire computer technician and accounting services, and funds for 50th anniversary activities which would primarily be printing costs and conference costs.

To carry out the role and responsibilities of the North Dakota Indian Affairs Commission in a more professional and efficient manner, a modest increase in the budget is requested. As we come to close out a century, the Commission is looking to improve relationships and to begin a new era. The two communities – Indian and non-Indian – have much in common as fellow North Dakotans. We both love our homes and families and are proud to be from this wonderful State. We also have similar struggles for rural economies and surviving our infamous winters.

State-Tribal relations have always generally been good. Our programs and services find ways to cooperate and work together to help people. The State Legislature has demonstrated their support by funding the Commission, scholarship award for Indians, and substance abuse education programming. I ask your consideration for continued support and additional resources to do an even better job.

Thank you for your time and effort in addressing Indian issues. I look forward to celebrating with you the 50th anniversary of the North Dakota Indian Affairs Commission throughout this coming year.

Attachments:

1. Budget History
2. Report on Indian Children and Families December 1998
3. September 1998 U.S. Census, North Dakota
4. ND Indian Affairs Commission members

NDIAC BUDGET HISTORY

BIENNIUM	FTE'S & SALARIES	OPERATING	SCHOLARSHIP	NAADAEP GRANT	TOTAL
(25) 97-99	(3) 230,410	33,888		200,000	464,298
(24) 95-97	(2.5) 195,099	32,884		150,000	377,983
(23) 93-95	(2.5) 184,754	44,632		385,000	614,386
(22) 91-93	(2) 112,720	28,150	TRANSFERED	385,000	526,997
(21) 89-91	(3) 169,099	39,350	168,000	316,974	693,423
(20) 87-89	(3) 169,727	39,350	168,000	303,405	680,482
(19) 85-87	(3) 169,540	35,345	200,000	335,000	739,885
(18) 83-85	(3) 152,294	40,000	200,000	300,000-	688,448
(17) 81-83	(3) 150,314	38,170	195,000		383,484
(16) 79-81	107,333	20,901	195,000		223,880
(15) 77-79	83,894	15,781	85,000	25,000 IDF	209,675
(14) 75-77	51,711	11,318	75,000	20,000	158,029
(13) 73-75	40,398	10,897	45,000	10,000	106,295
(12) 71-73	35,905	7,320			43,225
(11) 69-71	32,716	6,684			39,400
(10) 67-69	26,225	3,775	(12,600) DPI		30,000
(9) 65-67	11,400	3,600			15,000
(8) 63-65					15,000
(7) 61-63					20,000
(6) 59-61					20,000
(5) 57-59				+5000 STUDY	20,000
(4) 55-57					25,000
(3) 53-55					20,000
(2) 51-53					20,000
(1) 49-51					20,000



North Dakota Indian Affairs Commission

600 E. Boulevard Avenue
State Capitol - 1st Floor, Judicial Wing
Bismarck, ND 58505-0300
Fax (701) 328-3000/1537



Governor Edward T. Schafer, Chairman
(701) 328-2200

Cynthia A. Mala, Executive Director
(701) 328-2428

A Report on American Indian Children and Families in North Dakota December 1998

Demographic Considerations

There are four federally recognized Tribes and one Indian community in North Dakota:

- Spirit Lake Tribe, Fort Totten, ND (Enrolled members 4,300)
- Standing Rock Tribe, Fort Yates, ND (Enrolled members 13,000)
- Three Affiliated Tribes, New Town, ND (Enrolled members 8,700)
- Turtle Mountain Band of Chippewa, Belcourt, ND (Enrolled members 28,000)
- Trenton Indian Service Area, Trenton, ND (IHS User Population 1,800)

In September 1998, North Dakota State University Data Center estimated the *North Dakota Indian population to be about 30,000*. Indians are young and increasing at a rate of about 2.1 percent per year. The average age for Northern Plains Indians is 18 years old as compared to North Dakota average age of 32 years. The Indian Health Service (IHS) estimates that 43 percent of American Indian population is under the age of 20 years – this would be *about 13,000 Indian children in North Dakota*. The 1990 U.S. Census data estimated 41 percent of the Indian population live off-reservation in communities near-by or in urban centers.

Almost half the Indian people live below the federal poverty level. In the Northern Plains the Median Household Income is \$12,310 as compared to the U.S. All Races of \$35,225. Unemployment varies from reservation to reservation but averages 30 percent for the Plains Indians as compared to the U.S. rate of 6.3 percent. Some key facts about American Indian children as reported by the Indian Health Service, January 1998:

- *Indian infants die from sudden infant death syndrome (SIDS) at a rate 1.8 times the rate for U.S. All Races infants, 2.1 compared to 1.2.*
- *13 percent of Indian deaths pertain to ages under 25 compared to 4 percent for U.S. All Races.*
- *38 percent of Indians ages 6 to 11 years live below the poverty level, more than twice the number for the U.S. All Races age group (18 percent).*
- *The accident death rate for Indians aged 5 to 14 years is nearly double the corresponding U.S. All Races, 20.8 to 9.4 deaths per 100,000.*

- *The suicide death rates for 15 to 24 year old Indians is nearly 3 times the corresponding rate for U.S. All Races, 37.1 to 13.5.*
- *Homicide is the second leading cause of death among Indian children ages 1 to 14 years and third for 15-24 years olds.*
- *Diabetes prevalence rates among Indian children under 15 years of age are 2-3 times higher than the general rate for U.S. All Races youth, 1.9 compared to 0.7 for the Aberdeen Area.*

Social Profile

Public health experts agree that the health status of mothers and children is probably the most sensitive indicator of the health of the larger community. Poor community health leads to lower maternal and child (MCH) status, and poor health status of mothers and children has an adverse impact on current and future health of the community. Many Indian children and families experience an excess of childhood morbidity and mortality that are associated with a constellation of social and economic factors and pervasive poverty.

To varying extent, essentially every American Indian and Alaska Native community in America has experienced social and economic change, adjustment and adversity. Various federal policies to deal with or take care of Indian people have been implemented over the years. These policies have mostly compounded the socio-economic disadvantages facing Indian communities. While the policies were supposedly well intended, the federal agencies charged with 'taking care of' Indian people have been historically under-funded. The Indian Health Service is funded at approximately 65% of need and the Bureau of Indian Affairs at maybe 50-60% of need. When you look at the Indian Health Service budget for mental health/prevention programs, they are funded at less than 25% of need. The Indian Health Service per capita expenditure in FY 1997 was \$1,132, as compared to the U.S. health per capita expenditure of \$3,261.

In the face of adversity and limited resources, Indian communities hold, in highest honor, the well being of children and mothers. This high regard for the needs of children and mothers is the foundation on which many American Indian communities in collaboration with resources from federal, state, local, and private agencies have built effective services and programs for children and families. This same spirit and collaboration has enabled North Dakota Indian communities to appropriate resources through Tribal Children Services Coordinating Committees to strengthen and enhance service programs. Children's Services Coordinating Committee and the Regional and Tribal Committees are an integral and critical source of support for the health and well being of Indian families.

Community-based prevention and promotion activities that germinate from and are nurtured with local experience, knowledge, and initiative have greatest promise for success in bridging important health status gaps that remain for Indian children. However, community-based efforts alone will not be fully successful. *Resources from larger society in building better access and in assuring availability of comprehensive services are essential and critically needed.*

North Dakota Indian Affairs Commission

The Commission was established by state statute in 1949 to facilitate working relationships between the State agencies and the Tribal groups and individuals in North Dakota. The office functions as a liaison and makes available the facts needed by Tribal, State and Federal agencies to work effectively together. There are nine Commission members with the Governor serving as Chairman. Each of the four Tribal Chairpersons are members with four at-large members appointed by the Governor, including the Chairman of the Board from Trenton Indian Service Area. Three of the four at-large members must be of Indian heritage. The North Dakota Indian Affairs Commission meets quarterly.

The Commission played a key role in the establishment of the Children's Services Coordinating Committee and assuring adequate Tribal input and involvement. The Executive Director of the Commission sits on the State CSCC board and works with the Tribal CSCCs in determining needs and seeking resources. The TCSCC follow their respective five year Comprehensive Plans that were completed in 1996.

The Commission administers the Native American Alcohol and Drug Abuse Education Program that is funded by the CSCC. This program provides substance abuse education funds for the four reservations with distribution on a prorated share based upon the Indian population living on the reservation as compared with the total Indian population living on all four reservations as determined by the most recent census data. The focus is on youth education and prevention. The prorated share for the four communities for the '97 biennium is:

Reservation (Prorated %)	Dollar Amt.	# Youth <19 yrs.
Spirit Lake Tribe (18%)	\$36,000	2,400
Standing Rock Tribe (18%)	\$36,000	(ND side only) 1,500
Three Affiliated Tribes (20%)	\$40,000	2,500
Turtle Mt. Band of Chippewa (44%)	<u>\$88,000</u>	<u>6,000</u>
TOTAL	\$200,000	12,400

The Tribes each conduct or host various activities for the youth – such as speakers, sporting events, cultural activities, etc. – throughout the year and usually in conjunction with another planned event. Each Tribe is required to match, dollar-for-dollar, the amount granted by the State and they do so. The arrangement encourages and fosters partnerships and collaboration.

The Executive Director of the North Dakota Indian Affairs Commission sits on many boards and committees as the State's Indian liaison. Through this role, relationships are established and better understanding of the inadequacies in Indian programming are promoted. A few of the committees that the Director participates on that impact Indian children and families include:

- CSCC
- Healthy Start, Inc.
- ND Conference on Social Welfare
- Youth Power Advisory Board
- School-to-Work Management Team
- Juvenile Justice planning
- FAS Work Group
- Children & Family Services Advisory Committee

- Native American Children & Family Services Training Institute
- Sacred Child Project
- STOP Advisory Committee
- Partnerships Project – Early Childhood Tracking
- Lifeways Village, Inc.
- Pathways from Poverty
- Upward Bound/Talent Search (UND)
- Multi-Agency Drug & Alcohol Work Group
- MRCC & YCC (Juvenile offenders)
- State Health Department – Children’s Health Services
- State Indian Scholarships Board
- Voices in Partnership/Health Care Reform Coalition (MHAND)
- State Suicide Prevention Task Force

A positive change that has occurred within State government that affects Indian children and families was the hiring of a Tribal Liaison for the Department of Human Services. Hired during the summer of 1998 the role is critical in addressing welfare reform policies and the impact on Indian families. In addition, the position will educate and sensitize the State programs under Human Services – Aging, Medicaid, etc. – regarding diversity and the unique problems in Indian communities. The Director of the North Dakota Indian Affairs Commission was a member of the selection team and process. It would be ideal if all the larger State agencies could see the benefit having such a position.

A key role of the Commission is promoting better understanding of the Indian culture and complexities of services and programming for reservations and also urban Indians. Presentations are made for/to various groups, organizations, and agencies. At the same time there is a need to educate Indian people about the role of State government and to provide factual information about services and programs that do extend into Indian country. Several presentations have been made to Indian high schools about the Commission and State/Tribal relations.

The Executive Director of the Commission serves as an advisor to the Kaiser Family Foundation. A study was completed in the fall of 1998 regarding the new federal program, Children’s Health Insurance Program (CHIP), and its impact on American Indian children. Five State CHIP plans were reviewed for the inclusion of Indian children and to assess the Tribal consultation process. As North Dakota looks to initiate its State CHIP plan, a similar analysis will be conducted. CHIP has the potential to greatly impact disenfranchised children who fall through cracks in the system for whatever reason. The goal of CHIP is to provide health insurance coverage for uninsured children. North Dakota is eligible for about \$5 million for this initiative.

The North Dakota Indian Affairs Commission will be celebrating its 50th anniversary during 1999. Several events and activities are being planned to commemorate the many positive State/Tribal relationships that have evolved over the years. The work and collaboration that has been fostered and nurtured by CSCC and the Regional and Tribal CSCCs is a model that will be touted an example of people and programs getting along. A statewide Youth Summit in April 1999 is being planned with a key component on diversity issues and Indian cultures.

Population by Race and Hispanic Origin in North Dakota by County, 1998

Area	Total	Total		White		Black	Hispanic	Asian & Pacific Islander
		Hispanic	Total	Hispanic	Non-Hispanic			
North Dakota	648,888	6,810	602,165	5,766	596,399	4,029	28,888	5,160
Adams	2,748	1	2,734	1	2,733	4	10	0
Barnes	12,066	48	11,875	45	11,830	37	101	53
Benson	6,795	19	3,953	11	3,942	0	2,887	5
Billings	1,108	0	1,105	0	1,105	0	4	0
Bottineau	7,483	19	7,411	19	7,392	5	50	17
Bowman	3,290	6	3,282	6	3,276	0	4	4
Burke	2,332	18	2,301	14	2,287	0	25	6
Burleigh	66,647	536	64,217	423	63,794	100	1,888	367
Cass	114,580	1,177	111,380	1,048	110,331	410	1,231	1,559
Cavalier	5,145	8	5,080	7	5,083	3	45	6
Dickey	5,638	37	5,588	37	5,551	8	20	20
Divide	2,416	7	2,398	7	2,391	1	11	6
Dunn	3,641	29	3,233	26	3,207	0	308	10
Eddy	2,867	3	2,817	3	2,814	0	49	1
Emmons	4,372	8	4,363	8	4,355	0	5	4
Foster	3,772	12	3,741	12	3,729	0	29	2
Golden Valley	1,901	2	1,867	1	1,856	0	36	8
Grand Forks	69,808	1,594	65,314	1,345	63,969	1,583	1,488	1,217
Grant	3,043	11	3,005	11	2,994	1	30	7
Griggs	2,834	6	2,817	6	2,811	0	11	6
Hettinger	2,988	2	2,951	2	2,949	0	7	8
Kidder	2,929	8	2,925	8	2,917	0	0	4
LaMoure	4,907	9	4,900	9	4,891	0	5	2
Logan	2,417	10	2,410	10	2,400	1	5	1
McHenry	6,168	9	6,140	7	6,133	4	18	8
McIntosh	3,569	7	3,557	7	3,550	0	7	5
McKenzie	5,771	53	4,825	28	4,797	3	940	3
McLean	9,753	38	9,138	28	9,110	4	598	13
Mercer	9,440	79	9,074	43	9,031	26	270	70
Morton	24,397	108	23,777	73	23,704	14	527	79
Mountrail	6,650	30	5,156	18	5,138	4	1,492	18
Nelson	3,811	7	3,796	6	3,790	1	11	3
Oliver	2,217	3	2,170	3	2,167	0	47	0
Pembina	8,617	114	8,390	107	8,283	11	202	14
Pierce	4,567	1	4,514	1	4,513	4	33	16
Ramsey	12,376	53	11,657	33	11,624	27	646	43
Ransom	5,826	31	5,798	31	5,767	5	10	13
Renville	2,852	6	2,802	6	2,796	12	25	13
Richland	18,222	71	17,645	38	17,607	32	410	135
Rolette	14,130	76	4,293	31	4,262	35	9,788	20
Sargent	4,430	14	4,411	13	4,398	2	11	6
Sheridan	1,784	1	1,774	1	1,773	0	9	1
Sioux	4,088	26	877	4	873	3	3,188	22
Slope	846	1	843	1	842	0	3	0
Stark	22,697	209	22,321	157	22,164	52	181	143
Steele	2,252	6	2,246	6	2,240	0	2	4
Stutsman	21,117	108	20,823	98	20,727	45	116	133
Towner	3,077	5	3,002	5	2,997	1	67	7
Traill	8,630	154	8,486	148	8,350	12	86	34
Walsh	13,671	588	13,451	578	12,875	29	103	88
Ward	58,747	1,286	55,151	1,100	54,051	1,522	1,188	886
Wells	5,261	11	5,242	10	5,232	1	14	4
Williams	20,412	144	19,127	129	18,998	27	1,122	66

Source: U.S. Bureau of the Census, Population Division, September 1998.

ND INDIAN COUNTRY and LEGISLATIVE DISTRICTS

January 1999

Spirit Lake Tribe: Benson, Eddie, Ramsey, Nelson Counties

- District 12 - Senator Vern Thompson (D)
Representative Dennis Johnson (R)
Representative Arlo E. Schmidt (D)
- District 15 - Senator John T. Traynor (R)
Representative Curtis E. Brekke (R)
Representative Eugene Nicholas (R)
- District 23 - Senator Kenneth Kroepflin (D)
Representative William R. Devlin (R)
Representative Dale C. Severson (R)

Standing Rock Tribe: Sioux County

- District 35 - Senator Aaron Krauter (D)
Representative Rodney Froelich (D)
Representative James A. Kerzman (D)

Three Affiliated Tribes: McLean, Ward, Mountrail, Mercer, Dunn, McKenzie Counties

- District 4 - Senator Meyer Kinnoin (D)
Representative Ronald Nichols (D)
Representative John M. Warner (D)
- District 8 - Senator Layton Freborg (R)
Representative Jeff W. Delzer (R)
Representative Mick Grosz (R)
- District 33 - Senator Randel Christmann (R)
Representative Pat Galvin (R)
Representative John Mahoney (D)
- District 36 - Senator Herb Urlacher (R)
Representative C. B. Haas (R)
Representative Shirley Meyer (D)
- District 39 - Senator Bill L. Bowman (R)
Representative David Drovdal (R)
Representative Keith Kempenich (R)



January 15, 1999

**TESTIMONY SUPPORTING THE NORTH DAKOTA INDIAN AFFAIRS
COMMISSION AND ITS BUDGET**

Mr. Chairman & Members of the Appropriations Committee:

Thank you for the opportunity to testify before you today.

My name is **David M. Gipp**, and I am **president of the United Tribes Technical College (UTTC)**, also referred to as **the United Tribes of North Dakota**, since our organization is intertribal in nature and is represented by the five tribes located completely or partially in North Dakota. I will note these tribes, later.

So, we serve both intertribal policy functions when the tribes so choose and we serve students from up to 40 different tribes and 15 states around the nation.

Our statement, today, is to **support the appropriations and continuance of the operations of the North Dakota Indian Affairs Commission (NDIAC)**. It has been operating since 1949, and it is noteworthy that it celebrates its 50th anniversary.

I have had the personal and professional privilege of having worked with and observed past governors, commissioners and executive directors since 1969.

The North Dakota Indian Affairs Commission plays an important role of coordinating, researching and providing information and views about and by American Indian citizens and Tribes of the good State of North Dakota.

Representation on the Commission is afforded our tribes, Indian Citizenry and state agencies. It frequently provides a link as a forum for each successive governor and the executive branch. Moreover, we know that members of the legislative branch oftentimes rely on the Commission for vital information or other basic research in their policy work. Similarly, the judicial branch has relied on Commission advice to develop relations with the tribal courts in North Dakota.

The United Tribes is a private non-profit parallel to the Commission, except that the commission has representation from the "urban Indian sector" and state agencies. The Commission plays a strong role in fostering better understanding among all of our Non-Indian and American Indian citizens.

For your information, United Tribes is comprised of The Spirit Lake Sioux Tribe, The Standing Rock Sioux Tribe, The Three Affiliated Tribes of Fort Berthold, and Turtle Mountain Band of Chippewa. The fifth tribe, The Sisseton Wahpeton Sioux Tribe, is not represented on the Commission but is on the United Tribes of North Dakota board. I should note the Sisseton Wahpeton Sioux Tribe does have a casino and a compact in North Dakota and has lands held in trust within the State of North Dakota. Frankly, this is one tribe, for legal reasons, which ought to be represented on the Commission.

Overall, members of the committee, it is important to maintain the Commission with a sound, basic operational budget. The requested increase is modest when coupled with the growing increase of North Dakota Indian populations and the growing economic activity on or near the reservations.

The appropriations are really a **sound investment** and promote **positive relations and growth** among all of **North Dakota's citizenry**. Thank you for your time and consideration; we urge **funding the Governor's full request**.

David M. Gipp
President, UTTC



January 15, 1999

Testimony provided to the Appropriations Committee
Testimony provided by: Judith A. Sand
Lobbyist Number: 120

For the record, my name is Judith A. Sand. I work for Catholic Family Service as the Tribal Child Care Consultant. I have worked in this position since 1991. I am here today to state that I am in support of HB 1005 for the Indian Affairs Commission Funding.

It is extremely important to continue the funding for this department because it provided a direct communication link between the Governor's Office and that of the various governments found on each of the Indian Reservations in North Dakota. It is to the benefit of both the state of North Dakota and the Tribal Governments to be in continuous communication to deal with the needs of North Dakota's Native population.

I would like to share an example of such a benefit. In 1991, the Department of Human Services together with representation from all 5 tribal areas in North Dakota came together to discuss how they might join in Partnership to meet the needs of children and families residing on the reservations within our state. It was determined with the quality funding found within the new Child Care Block Grant that a pilot project was to be tried dealing with the delivery of a consultant service that would focus on the needs for child care through the use of the available CCDBG funding. At the end of that year the group was called together and the tribes were asked whether they would like to join into a partnership and collectively share in the funding so that the consultant service might continue. I am very pleased to announce to you that we have a Public-Private Partnership with the Department of Human Services, Trenton Indian Service Area, Fort Berthold with the Mandan, Hidatsa and Arikara Tribes, the Turtle Mountain Band of Chippewa, Spirit Lake Nation and the Standing Rock Sioux Tribe together with the Agency of Catholic Family Service. Over the years we have not only experienced expansion of child care services but we have been involved in facilitating meeting with the Office of Economic Assistance where both Sue Satterthwaite and John Hougen have been instrumental in providing TA concerning child care policy dealing with the new CCDF federal funding. We also have worked extensively over the years with Corrine Bennett from the Early Childhood department of the Children and Families Division of the Department of Human Services.

This strong development of communication with the Department of Human Services has lead to meetings with other state agencies which ultimately allows the Tribes to provide quality serves to their residence.



GOD'S SHARE



GOD'S GIFT



ACCREDITED
COUNCIL ON ACCREDITATION
OF SERVICES FOR FAMILIES
AND CHILDREN, INC.



A UNITED WAY AGENCY

Page 2

The funding that you invest in the concerns of your Native citizens is a win-win situation. You enable the tribes to be informed and create an opportunity for them to provided needed services within their reservations.

I thank you for the opportunity to speak with you and to provide this testimony for your consideration. If you have any questions I would be happy to try to address them for you if I can at this time.

LEGISLATIVE COUNCIL
ANALYSIS OF LEGISLATIVE CHANGES
AS OF FEBRUARY 18, 1999

BILL #/DEPARTMENT	LINE	EXECUTIVE BUDGET	HOUSE VERSION	HOUSE DIFF TO EXEC BUDGET	SENATE VERSION	SENATE DIFF TO EXEC BUDGET	DIFF BETWEEN HOUSE & SENATE
HB1005 INDIAN AFFAIRS COMMISSION	SALARIES AND WAGE	276,289	273,507	2,782-	0	0+	0+
	OPERATING EXPENSE	53,275	53,275	0+	0	0+	0+
	EQUIPMENT	2,800	2,300	500-	0	0+	0+
	TOTAL	332,364	329,082	3,282-	0	0+	0+
316	SPECIAL FUNDS	16,300	19,575	3,275+	0	0+	0+
	GENERAL FUND	316,064	309,507	6,557-	0	0+	0+
BILL TOTAL	TOTAL	332,364	329,082	3,282-	0	0+	0+
HB1005	SPECIAL FUNDS	16,300	19,575	3,275+	0	0+	0+
	GENERAL FUND	316,064	309,507	6,557-	0	0+	0+

STATEMENT OF PURPOSE OF AMENDMENT:

DEPARTMENT 316 - INDIAN AFFAIRS COMMISSION

HOUSE - This amendment makes the following changes:

	EXECUTIVE BUDGET	HOUSE CHANGES	HOUSE VERSION
Salaries and wages	\$276,289	(\$2,782)	\$273,507
Operating expenses	53,275		53,275
Equipment	2,800	(500)	2,300
Total all funds	\$332,364	(\$3,282)	\$329,082
Less special funds	16,300	3,275	19,575
General fund	\$316,064	(\$6,557)	\$309,507
FTE	3.00	0.00	3.00

Detail of House changes to the executive budget include:

	REDUCE COMPENSATION PACKAGE TO 2/2	ADJUST HEALTH INSURANCE COST	REDUCE EQUIPMENT FUNDING	CHANGE OPERATING EXPENSE FUNDING SOURCE	TOTAL HOUSE CHANGES
Salaries and wages	(\$3,637)	\$855			(\$2,782)
Operating expenses					
Equipment			(\$500)		(500)
Total all funds	(\$3,637)	\$855	(\$500)	\$0	(\$3,282)
Less special funds				3,275	3,275
General fund	(\$3,637)	\$855	(\$500)	(\$3,275)	(\$6,557)
FTE	0.00	0.00	0.00	0.00	0.00

House changes narrative:

This amendment reduces information technology equipment funding by \$500 and provides for a funding source change of \$3,275 in operating expenses. The funding source change increases other funds and decreases the general fund money provided for operating expenses.

The amendment also adds sections of legislative intent relating to the establishment of a fee to recover all or a portion of the directory costs and the renaming of the Indian Affairs Commission special fund.

Department 316 - Indian Affairs Commission
House Bill No. 1005

	FTE Positions	General Fund	Other Funds	Total
1999-2001 Executive Budget	3.00	\$316,064	\$16,300	\$332,364
1997-99 Legislative Appropriations	3.00	263,904	200,394	464,298
Increase (Decrease)	0.00	\$52,160	(\$184,094)	(\$131,934)

Major Items Affecting Indian Affairs Commission 1999-2001 Budget

	General Fund	Other Funds	Total
1. Provides for the following FTE position changes: 1 FTE human service program administrator IV (1) FTE administrative assistant I	\$80,381 (61,131)		\$80,381 (61,131)
2. Transfers the youth drug and alcohol grant program to the Department of Human Services		(\$200,000)	(200,000)
3. Provides funding for the printing of a 50th anniversary history of the Indian Affairs Commission	3,750	3,750	7,500
4. Provides funding for the printing and postage of a quarterly newsletter		6,550	6,550
5. Provides additional funding for the printing of directories and changes the funding from the general fund to special funds	(2,195)	6,000	3,805
6. Provides funding for consulting fees for the development and maintenance of a web site (\$5,400) and accounting services (\$3,200)	8,600		8,600

Major Legislation Affecting the Indian Affairs Commission

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

HB 1005
2/26/99
Cynthia Mala

7A

**Testimony by North Dakota Indian Affairs Commission
Executive Director, Cynthia Mala
In Support of HB 1005 – North Dakota Indian Affairs Commission Budget
Senate Appropriations Hearing
Friday, February 26, 1999**

This new year, 1999, is a milestone for North Dakota history and State-Tribal relations. Fifty years ago, the 31st North Dakota Legislative Assembly saw the need and importance to establish an entity to address issues of Indian citizens, and hence in 1949, the North Dakota Indian Affairs Commission was created. Initially focused on the 'welfare' of Indian people, the Commission has evolved to be an important part of State government in the facilitation of relationships between the State and the Tribal governments. The Indian Affairs office functions as a liaison for the State and the Governor to the Tribal communities and Indian citizens. Equally important is the extension of health and human service programming to Indian families through improved understanding by State employees that Indian citizens are eligible for State managed programs.

Over the years the State's Indian Affairs Commission has played a key role in coordinating working relationships between State agencies and Indian programs. The Juvenile Justice summit held two years ago is an example of promoting better understanding of issues and developing mutual strategies that enhance the use of limited resources. There are many issues that are researched and advocated for by the Indian Affairs Commission - welfare reform, road maintenance, educational scholarships, violence, law enforcement training, disaster management, or children's services - to name but a few. This advocacy benefits the State's interest and improves access to services for Indian people.

Another critical role is the many public presentations made to Indian and non-Indian audiences to improve understanding and foster better relationships. During the past year I have given an average of two public presentations per week. There is a need to educate both sides about history, service availability, and working together. As the federal government continues the decentralization process under the philosophy of 'new federalism,' State-Tribal relationships are in a new era - welfare reform is a good example. Both sides must understand how and why this happening. More importantly, working together for the benefit of the children and families must be the bottom line.

The unmet needs and the staggering health status statistics continue to plague North Dakota Indian communities. I am attaching to this testimony a 1-page report regarding the social, health and economic status of North Dakota's Indian families. The report provides current demographic information for North Dakota Indians.

The federal government does not provide for all the needs of Indian people, as most people tend to believe. The agencies charged with 'taking care of' Indians - Indian Health Service and Bureau of Indian Affairs - are only funded at maybe 60 percent of need. Indian Health Service per capita spending in 1997 was \$1,132 as compared to the U.S. health per capita expenditure of \$3,261.

Equally frustrating is the perception that Tribal gaming ventures are making all Indians millionaires. This not true for North Dakota Tribes and North Dakota's Indian population. Tribal gaming in the State has created over 2,500 jobs, including employing about 17 percent non-Indian workers, but these operations are only realizing small net profits. As per the compact agreements, the modest profits being realized by North Dakota Tribes goes into social, welfare and economic development programming for the reservation. These gaming businesses also greatly contribute to the vitality of the communities on or near the reservation since all purchases are off-reservation and with non-Indian vendors.

Tribal governments are new with most being established under the Indian Reorganization Act of 1934. This is true for the North Dakota Tribes when they adopted Constitution and By-Laws under the Act and replicated the democratic form of government. Traditionally, Indian governments operated under consensus-style governance, which is very time and people intense. As fairly 'new' governments, Tribes are in a learning and stabilizing phase. Infrastructure and systems development are just now taking hold on reservations with the added strength of educated Tribal members managing and leading the way out of dependency toward self-sufficiency.

Community-based prevention and promotion activities that germinate from and are nurtured with local experience, knowledge and initiative have greatest promise for success in bridging gaps and barriers that remain for Indian families. However, resources from the larger society in building better access and in assuring availability of services are essential and critically needed.

In North Dakota, the model program that emphasizes response from the larger society in nurturing and building community-based programming is the Children's Services Coordinating Committee (CSCC). The Regional and Tribal CSCCs have generated local resource allocation with a spirit of collaboration and cooperation that is truly unique. CSCC efforts strengthen and enhance local service programs.

The North Dakota Indian Affairs Commission plays a critical role in representing Indian interests for CSCC and other health and human service programming. Since 1981 the office has overseen the administration of the Native American Alcohol and Drug Abuse Education Program, which in the last Legislative Session was funded via CSCC. This project provides substance abuse education funds for the four reservation communities in North Dakota. The focus is on youth education and prevention. The Tribes host various activities in conjunction with other groups and/or events to foster local collaborations. Each Tribe is required to match, dollar for dollar, the amount granted by the State.

It is better to get along and work together. By collaborating we save resources and avoid adversarial conflicts that could lead to costly litigation. The Commission facilitates and coordinates working relationships on behalf of the State and the Governor. A second State-Tribal Accord was signed this past fall with the Turtle Mountain Band of Pembina Chippewa. The Accord provides a protocol for mutual respect and working together. The Indian Affairs Commission assists in finding common ground by bringing people and agencies together to address the serious health, social, and economic problems facing Indian communities.

A key activity of the office is dissemination of information. We carry out this responsibility through the development and compilation of data and facts about North Dakota's Indian population. A directory is produced that includes a reservation profile, lists of the Tribal government officials, and lists of the various Tribal programs. We published 500 copies in 1998 but continue to get weekly requests for copies of the document. We fulfill those requests by running copies off the master. The Commission also produced a quarterly newsletter that I have put a hold on while the office is reorganized and plans developed for the 50th anniversary events. We plan to reinstate the newsletter publication in the fall of 1999.

Realizing that 1999 is an important year for State-Tribal relationships, a 50-year history report is being researched and developed that will highlight the work of the Commission. Attached to this testimony is a graph that outlines the budget history.

The House Appropriations Committee budget that passed for the Indian Affairs Commission reflects maintaining the FTE level at 3 but changing one clerical support position to a Program Administrator IV position. The range and depth of the issues called upon for comment by the Indian Affairs office, requires appropriate staffing to research, analyze, and develop briefing papers for response. The House approved budget reflects a 15 percent increase under General Funds – a very modest increase for a minimum budget.

With such a small office, an equipment line item is needed to assure upgraded technology for administrative efficiency and office accountability. OMB is recommending the Directory be on a WEB page and current systems and programs are not efficient enough to accommodate the development of a WEB site.

Other enhancements would be to re-establish the quarterly Indian Affairs Newsletter, a small boost for Commission travel, funds for consulting fees to hire computer technician and accounting services, and funds for the 50th anniversary activities which would primarily be printing and conference costs.

As we come to close out a century, the Commission is looking to improve relationships and to begin a new era. The two communities – Indian and non-Indian – have much in common as fellow North Dakotans. We both love our homes and families and are proud to be from this wonderful State. We also have similar struggles for rural economies and surviving our infamous winters.

State-Tribal relations have always generally been good. Our programs and services find ways to cooperate and work together to help people. The State Legislature has demonstrated their support by funding the Commission, scholarship award for Indians, and substance abuse education programming. I ask your consideration for continued support and additional resources to do an even better job.

Thank you for your time and effort in addressing Indian issues. I look forward to celebrating the 50th anniversary of the North Dakota Indian Affairs Commission with you throughout the coming year.

North Dakota's First Citizen's

There are four federally recognized Tribes and one Indian community in North Dakota:

Spirit Lake Tribe, Fort Totten, ND (Enrolled members 4,300)
Standing Rock Tribe, Fort Yates, ND (Enrolled members 13,000)
Three Affiliated Tribes, New Town, ND (Enrolled members 8,700)
Turtle Mountain Band of Chippewa, Belcourt, ND (Enrolled members 28,000)
Trenton Indian Service Area, Trenton, ND (IHS User Population 1,800)

- In September 1998, the U.S. Census Bureau estimated the *North Dakota Indian population to be about 30,000* – about 5 percent of the State's population.
- The 1990 U.S. Census data estimated *41 percent of the Indian population live off-reservation* in communities near-by or in urban centers.
- Indians are young and increasing at a rate of about 2.1 percent per year.
- The average age for Northern Plains Indians is 18 years old as compared to North Dakota average age of 32 years.
- 43 percent of American Indian population is under the age of 20 years – about 13,000 Indian children in North Dakota.
- Poverty rate for Indians in North Dakota is more than three times the rate for North Dakota All Races population – 38 percent compared to 11 percent.
- In the Northern Plains the Median Household Income for Indians is \$12,310 as compared to the U.S. All Races of \$30,056.
- Indians are nearly three times as likely to live in households without plumbing facilities as the general North Dakota population.
- Unemployment varies from reservation to reservation but averages 64 percent for North Dakota Indians as compared to the U.S. rate of 4.3 percent.

To varying extent, essentially every American Indian and Alaska Native community in America has experienced social and economic change, adjustment and adversity. Various federal policies to deal with or take care of Indian people have been implemented over the years. These policies have mostly compounded the socio-economic disadvantages facing Indian communities. While the policies were supposedly well intended, the federal agencies charged with 'taking care of' Indian people have been historically under-funded. The Indian Health Service is funded at approximately 65% of need and the Bureau of Indian Affairs at maybe 50-60% of need. The Indian Health Service per capita expenditure in FY 1997 was \$1,132, as compared to the U.S. health per capita expenditure of \$3,261.

MISSION OF THE NORTH DAKOTA INDIAN AFFAIRS COMMISSION
(Per ND Century Code 54-36)

1. To assist and mobilize the support of State and Federal agencies in assisting Indian individuals and groups in North Dakota, especially the five Tribal Councils (Three Affiliated Tribes, Turtle Mountain Band of Chippewa, Spirit Lake Nation, Standing Rock Tribe, and Trenton Indian Service Area), as they seek to develop their own goals, project plans for achieving those goals and implementing those plans;
2. To investigate any phase of Indian affairs, and to assemble and make available the facts needed by Tribal, State and Federal agencies to work effectively together;
3. To assist Tribal, State and Federal agencies in developing programs whereby Indian citizens my achieve more adequate standards of living;
4. To assist Tribal groups in developing increasingly effective institutions of self-government;
5. To work for greater understanding and improved relationships between Indian and non-Indians;
6. To seek increased participation by Indian citizens in local and state affairs;
7. To confer with and coordinate officials and agencies of other governmental units and Congressional committees with regards to Indian needs and goals;
8. To encourage and propose agreements and accords between Federal, State and local agencies and the Tribal governments; and
9. Pursuant to ND Century Code Chapter 54-40.2, to assist in monitoring and negotiating agreements and accords when asked by an affected Tribe.

The Commission is the liaison between the Executive Branch and the Tribes in North Dakota. Duties include mediation service with the Tribes and State and working with other state agencies regarding proper protocol in working with Indian people and Tribal governments.

Nine Commission members, open-ended terms. The Governor is the Chairperson. The Chairperson of the four reservations/Tribes are members along with four Governor appointees, of which three must be of Indian decent.

Cynthia A. Mala, MPA, Executive Director
North Dakota Indian Affairs Commission
600 East Boulevard Avenue
1st Floor ~ J Wing
Bismarck, ND 58505-0300
701-328-2428
701-328-1537 FAX
cmala@pioneer.state.nd.us

North Dakota Indian Affairs Commission Members:

Governor Edward T. Schafer, Chairman

600 East Boulevard Avenue
Bismarck, ND 58505-0001
701-328-2200 701-328-2205 (fax)

Tex Hall, Chairman

Three Affiliated Tribes
HC3, Box 2
New Town, ND 58763
701-627-4781 701-627-3625 (fax)

Myra Pearson, Chairwoman

Spirit Lake Tribe
P.O. Box 359
Fort Totten, ND 58335
701-766-4626 701-766-4126 (fax)

Charles Murphy, Chairman

Standing Rock Tribe
P.O. Box D
Fort Yates, ND 58538
701-854-7201 701-854-7299 (fax)

Richard LaFromboise, Chairman

Turtle Mountain Band of Chippewa
P.O. Box 900
Belcourt, ND 58316-0900
701-477-0470 701-477-6836 (fax)

Everette Enno, Chairman

Trenton Indian Service Area
P.O. Box 210
Trenton, ND 58853-0210
701-572-8316 701-572-0124 (fax)

Gladys Ray

1130 26th Street NW
Fargo, ND 58102
701-232-0858

David R. Brien

Turtle Mountain Community College
P.O. Box 340
Belcourt, ND 58316-0340
701-477-5605 701-477-5028 (fax)

Kathy Keiser

422 Toronto Drive
Bismarck, ND 58501
701-258-8551

THOMAS M. DISSELHORST
ATTORNEY AT LAW

HB 1005
2/26/99
Tom Disselhorst
311 E. THAYER AVE., SUITE 129
P.O. BOX 2463
BISMARCK, NORTH DAKOTA 58502
TELEPHONE: 701-258-2769
TELEFAX: 701-258-0502

(2)

**56th Legislative Assembly
State of North Dakota**

**Testimony of Thomas M. Disselhorst, Esq.
in Support of HB 1005
Appropriations for Indian Affairs Commission
Before the Senate Appropriations Committee
February 26, 1999**

Mr. Chairman and members of the Committee: This testimony is in support of the Governor's requested budget for the Indian Affairs Commission, in this, its 50th year of service to the State of North Dakota and its Indian citizens. By way of introduction, I am presently serving as counsel for United Tribes Technical College, located in Bismarck, North Dakota, for the North Dakota Indian Gaming Association, and as a staff attorney for the Three Affiliated Tribes. My testimony here today is not on behalf of these organizations, but as an individual attorney who has worked with the Indian Affairs Commission for more than 22 years.

The Indian Affairs Commission serves many roles, and, in the past 15 years or so, has done so on an extremely limited budget. As an attorney, I have represented many individual Tribal members in North Dakota, and the Indian Affairs Commission has been an invaluable resource for myself and Indian citizens. It has served, and continues to serve, as a source of information for Indian people about services available in the state, both private and public. It assists greatly in disseminating information both within and without state government. And most important, it acts to assist the government-to-government relationship between Indian tribal governments and the State of North Dakota, by bringing the parties together and providing critical information about issues of common concern to both the Governor, who is chair of the Commission, and the Tribal leaders and other citizen members of the Commission.

In this era of emphasis on economic development, with the many points of intersection between the Indian tribes of this state, state and local government, and the private sector, the Indian Affairs Commission is even more vital for the success of these common endeavors. The 1996 welfare reform legislation passed by Congress, as highlighted at a recent Indian Affairs Commission meeting, underscores the importance of cooperation and understanding between the state and the Indian tribes of North Dakota, as presently 55% of all welfare recipients receiving state dollars are Tribal members. I believe that the Indian Affairs Commission has a vital role to play in bringing people together to discuss how to meet the challenges of welfare reform and the need for real economic development on and near the Indian reservations.

The Indian Affairs Commission needs all of the funds it has requested for its many important functions. I urge a DO PASS recommendation on the budget of the Indian Affairs Commission from the Senate Appropriations Committee.



MANDAN, HIDATSA, & ARIKARA NATION

Three Affiliated Tribes • Fort Berthold Indian Reservation

HC3 Box 2 • New Town, North Dakota 58763-9402

HB 1005
2/26/99

(3)

Tex Hall
Written Testimony

**Testimony of Tex Hall
Chairman, Three Affiliated Tribes**

TRIBAL BUSINESS COUNCIL
(701) 627-4781
Fax (701) 627-3805

**56th Legislative Assembly
State of North Dakota
Appropriations for Indian Affairs Commission
Before the Senate Appropriations Committee
February 26, 1999**

Mr. Chairman and distinguished members of the Committee. Thank you for the opportunity to provide testimony today on the need for continued and adequate funding for the North Dakota Indian Affairs Commission, which this year is celebrating 50 years of service to the state of North Dakota and its Indian citizens.

I apologize for being unable to be present at the hearing today, but an urgent matter on behalf of the Tribe prevents me from being here. However, the need for the continuation of the work of the North Dakota Indian Affairs Commission has never been greater. As you may be aware, the Indian population of the state is the fastest growing segment of our state. At the same time, we continue to lag far behind the rest of the state in employment, health care and housing, and Indian citizens represent more than 55% of the state's welfare case load.

This is not acceptable. The Indian tribes and the state, working together, can continue to make progress in these areas. The recently enacted welfare reform laws demand that we work together, as does the agricultural crisis of low prices affecting the farmers and ranchers of North Dakota, including those on the Fort Berthold Reservation. In addition, as we near the bicentennial of the Lewis and Clark expedition to North Dakota, we have already begun working closely with state agencies as partners to allow the Three Affiliated Tribes to fully participate in and benefit from the expected increase in tourism the bicentennial will bring to our state. A properly funded Indian Affairs Commission is vital in this cooperative effort.

A strong, well-funded Indian Affairs Commission can help provide the bridge between the state and the Indian tribes in North Dakota that will allow us, working together, to accomplish many things for all of North Dakota's citizens, Indian and non-Indian alike.

I also want to take this opportunity to thank Cynthia Mala for her continued leadership as Executive Director of the Indian Affairs Commission. Her vision for what the Indian Affairs Commission can become, as the Indian citizens of this state work together with state government to improve their lives, can only be accomplished if adequate funding for the Indian Affairs Commission exists.

I urge this Committee to recommend a DO PASS on HB 1005 and full funding for the North Dakota Indian Affairs Commission.