
TRIBAL AND STATE RELATIONS COMMITTEE

Wednesday, May 13, 2026
Spirit Lake Casino and Resort, 7889 Highway 57
St. Michael, North Dakota

Representative Dawson Holle, Chairman, called the meeting to order at 1:08 p.m.

Members present: Representatives Dawson Holle, Collette Brown, Matthew Heilman, Jon O. Nelson; Senators Richard Marcellais, Tim Mathern, Scott Meyer*

Members absent: None

Others present: Representative Kathy Frelich, Devils Lake, member of the Legislative Management Representative Jayme Davis,* Rolette

Vicki Alberts, Kevin Dauphinais, Robert Greywater, Kooper Longie, and Mark Van Norman, Spirit Lake Tribe; Eric Bailly,* NorthStar Behavioral Health Advisory; Sara Otte Coleman, Department of Commerce; Krista Fremming,* Department of Health and Human Services; Ty Hegland, Prairie St. John's; Steven Smith, Cankdeska Cikana Community College; Randy Thompson, Benson County

See [Appendix A](#) for additional persons present.

**Attended remotely*

It was moved by Representative Nelson, seconded by Senator Mathern, and carried on a voice vote that the minutes of the April 13, 2026, meeting be approved as distributed.

TRIBAL-STATE RELATIONS

Ms. Lonna Jackson-Street, Chairperson, Spirit Lake Tribe, provided information regarding tribal-state relations. She noted:

- The tribe hopes to increase the amount of tribal-owned land near the reservation boundaries.
- The Legislative Assembly is encouraged to consider providing state-funded financial assistance for tribal college students.
- The tribe is seeking a memorandum of understanding with the state to cooperatively manage water rights.
- The expansion of off-reservation gaming has reduced tribal gaming revenue.
- Unlike other alert systems, the Feather Alert notice does not send an audible notification.
- The need for mutual respect and consultation concerning access to land and water in the state.

Mr. Kevin Dauphinais, Fort Totten District Representative, Spirit Lake Tribe, provided information regarding tribal-state relations. He noted the importance of the state and tribe taking action on issues raised by the committee.

Mr. Robert Greywater, Director, Fish and Wildlife Department, Spirit Lake Tribe, provided information regarding tribal and state fishing issues. He noted due to significant jurisdictional questions related to hunting and fishing near the reservation boundaries, the state and the tribe may wish to consider signing a memorandum of understanding to clarify jurisdictional questions.

In response to questions from committee members, Mr. Greywater noted:

- Historically, tribal members could fish along the north shore of Devils Lake with a tribal-issued fishing license, but a state-issued fishing license is now required.
- The Game and Fish Department generally considers the south shore of the lake as being under the tribe's jurisdiction.
- The Legislative Assembly may wish to consider legislation to clarify state fishing license requirements for Devils Lake.

Mr. Joshua Tweeton, Director, Environmental Protection Administration, Spirit Lake Tribe, submitted information ([Appendix B](#)) regarding environmental, natural resource, and human health protection partnerships.

Mr. Mark Van Norman, Special Counsel, Spirit Lake Tribe, provided information regarding tribal treaties. He noted treaties between the federal government and the tribe outline the reservation boundaries and the state generally is not allowed to claim jurisdiction over tribal lands.

Mr. Kooper Longie, Wood Lake Representative, Spirit Lake Tribe, provided information regarding tribal and state fishing issues. He noted the boundary of the reservation should be fixed and should not move with the lake.

Mr. Darren Walking Eagle, Vice-Chair, Spirit Lake Tribe, provided information regarding gaming and education. He noted pull-tab machines operating in the state negatively impact the tribe's finances and state monitoring of pull-tab machines is insufficient.

Committee members noted the Department of Public Instruction makes Native American studies curriculum and tribal history books available for use in high schools.

Mr. Van Norman provided information regarding motor vehicle taxes on tribal land and caselaw related to the state's ability to tax motor vehicles on tribal land.

Ms. Jackson-Street and Mr. Longie provided information regarding trust land. They noted:

- Benson County passed a resolution to prohibit land in the county from being converted into trust land.
- Following the tribe contacting the county, the county rescinded the resolution.

Mr. Van Norman provided information regarding trust land and noted the county does not have the authority to prevent a tribe from converting land into trust land.

Mr. Randy Thompson, Tax Director, Benson County Tax Equalization, provided information regarding county taxation issues related to taxation of land owned by enrolled tribal members. He noted the county uses valuation guides and comparable sales to determine land value.

In response to questions from committee members, Mr. Thompson noted land converted into trust land by the tribe is tax exempt.

Mr. Van Norman provided background information regarding the General Allotment Act of 1887 and tribal efforts to recover land removed from the control of the tribe through the Act.

Dr. Steven Smith, President, Cankdeska Cikana Community College, provided information regarding an overview of the college. He noted:

- The college was chartered by the Spirit Lake Tribe in 1974, and is accredited by the Higher Learning Commission to offer vocational training, certificates, and associate degrees.
- There are five tribal colleges in the state and the colleges share resources, including faculty members for high-demand positions.

- Approximately 300 students are enrolled in the college and roughly 18 percent of the student body is non-Native American.

Ms. Krista Fremming, Interim Director, Medical Services Division, Department of Health and Human Services, provided information ([Appendix C](#)) regarding Section 1115 Medicaid waivers and the cost of applying.

In response to questions from committee members, Ms. Fremming noted:

- The department estimates an additional five staff members would be required to apply for the waiver.
- States were allowed to apply for waivers starting in 2015, and only the state Medicaid agency is allowed to apply for a waiver.
- The department does not consult with the tribes regarding all Medicaid options available to the state.

Mr. Mark N. Fox, Chairman, Mandan, Hidatsa, and Arikara Nation, submitted information ([Appendix D](#)) regarding the institutions for mental diseases (IMD) waiver.

Mr. Eric Bailly, Founder, NorthStar Behavioral Health Advisory, provided information ([Appendix E](#)) regarding the impacts of IMD waivers.

In response to questions from committee members, Mr. Bailly noted the cost of medical care for individuals with substance use disorders or mental illness is three times the cost for an individual without a substance use disorder or a mental illness.

Ms. Vicki Alberts, Public Relations Specialist, Spirit Lake Tribe, provided information regarding barriers to mental health access. She noted a process is available for individuals with mental health issues to be admitted for mental health services; however, individuals need access to medical insurance coverage to pay for the services.

Mr. Ty Hegland, Chief Executive Officer, Prairie St. John's, provided information ([Appendix F](#)) regarding IMD waivers.

In response to questions from committee members, Mr. Hegland noted the State Hospital provides excellent psychiatric care in the state.

Ms. Denise Harvey, Program Director, Protection and Advocacy Project, provided information ([Appendix G](#)) regarding IMD waivers. She noted the committee would benefit from receiving information from a national expert on IMD waiver issues.

Ms. Sara Otte Coleman, Director, Tourism and Marketing Division, Department of Commerce, provided information ([Appendix H](#)) regarding the distribution, use, and impact of tribal tourism grants. She noted the department may receive additional applications before the June 1, 2026, application deadline.

COMMITTEE DISCUSSION

It was moved by Senator Mathern, seconded by Representative Brown, and carried on a roll call vote that bill draft [27.0101.01000], relating to an appropriation to the Department of Health and Human Services for the implementation of Medicaid plan amendments or Medicaid waivers related to institutions for mental diseases, be revised by adding "or serious mental illness" to the end of lines 2 and 7 of page 2. Representatives Holle, Brown, Heilman, and Nelson and Senators Marcellais and Mathern voted "aye." No negative votes were cast.

Mr. Van Norman provided information regarding the Indian Health Care Improvement Act. He noted under the Act, tribes are permitted to provide medical services to tribal members, which are reimbursed by the federal government.

Chairman Holle presented a bill draft [\[27.0143.01000\]](#) relating to a legislative management study of an IMD waiver.

Chairman Holle presented a bill draft [\[27.0142.01000\]](#) relating to the creation of the Office of Missing Indigenous People in the Indian Affairs Commission.

Committee members noted the Executive Director of the Indian Affairs Commission may require more flexibility than is provided in the bill draft.

Ms. Jackson-Street provided information regarding missing and murdered indigenous people. She noted the tribe created its own incident command system to aid in the response to missing and murdered indigenous people cases.

Mr. Casey Orvedal, Counsel, Legislative Council, presented a resolution draft [\[27.3003.01000\]](#) related to urging Congress to provide payments in lieu of taxes to local governments for trust land held by the federal government on behalf of tribal nations.

No further business appearing, Chairman Holle adjourned the meeting at 5:09 p.m.

Casey Orvedal
Counsel

ATTACH:8