

# MICROFILM DIVIDER

OMB/RECORDS MANAGEMENT DIVISION  
SFN 2053 (2/85) 5M



ROLL NUMBER

DESCRIPTION

1005

The micrographic images on this film are accurate reproductions of records delivered to Modern Information Systems for microfilming and were filmed in the regular course of business. The photographic process meets standards of the American National Standards Institute (ANSI) for archival microfilm. NOTICE: If the filmed image above is less legible than this Notice, it is due to the quality of the document being filmed.

Deanna G. Sullivan  
Operator's Signature

10/30/03  
Date

2003 HOUSE APPROPRIATIONS  
HB 1005

The micrographic images on this film are accurate reproductions of records delivered to Modern Information Systems for microfilming and were filmed in the regular course of business. The photographic process meets standards of the American National Standards Institute (ANSI) for archival microfilm. NOTICE: If the filmed image above is less legible than this Notice, it is due to the quality of the document being filmed.

Deanna G. Smith  
Operator's Signature

10/30/03  
Date

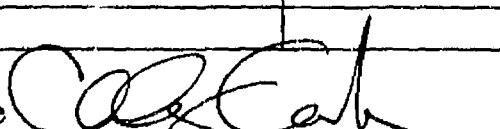
2003 HOUSE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. 1005

House Appropriations Committee  
Human Resources Division

☐ Conference Committee

Hearing Date January 15, 2003

Tape Number	Side A	Side B	Meter #
One	XX	XX	
Committee Clerk Signature 			

Minutes:

**Ms. Cheryl Kulas**, Executive Director, ND Indian Affairs Commission (see attached testimony)

**Ms. Kulas**, testifying mainly from her prepared testimony, was asked whether or not the commission collects any fees from the publication of its directory. Ms. Kulas said the commission does not collect any fees for the directory. In addition, she referred to a proposal that would allow the commission to establish a revolving printing fund. Chairman Delzer wondered whether or not the commission would begin to collect fees for the directory. Kulas responded that because the budget is so limited, charging fees would represent an opportunity to raise revenue. The commission has been asked to develop materials for the upcoming Lewis and Clark Bicentennial and Kulas sees fees as a way of continuing the commission's outreach and to raise funds. In response to Chairman Delzer, Kulas said that the commission has the opportunity to raise around \$25,000 if the commission charged fees for the directory.

The micrographic images on this film are accurate reproductions of records delivered to Modern Information Systems for microfilming and were filmed in the regular course of business. The photographic process meets standards of the American National Standards Institute (ANSI) for archival microfilm. NOTICE: If the filmed image above is less legible than this Notice, it is due to the quality of the document being filmed.

  
Operator's Signature

10/30/03  
Date

Page 2

Human Resources Division

Bill/Resolution Number 1005

Hearing Date January 15, 2003

**Mr. Phil Baird**, Member, ND Indian Affairs Commission & Academic Dean, UTTC (see attached testimony)

Testifying mostly from his prepared testimony, Mr. Baird said that UTTC conducted a study to measure UTTC's economic impact on Bismarck. He stated that it is their estimate that UTTC contributes nearly \$40 million dollars to the economy. Mr. Baird also said that it his view that Indians and non-Indians must join together to find solutions to the issues that we currently face. In addition, he stated that the native population in ND is growing, and is the only growing segment of the population. Mr. Baird said it is this population that is the workforce of the future. He said that this population comprises a lot of talent and that many Indians are more and more willing to leave the reservation in order to find employment.

**Mr. Kurt Luger**, Chairman, ND Indian Gaming Committee

Mr. Luger state the commission is a valuable resource that provides information. He also said that the commission has been an integral part in building, strengthening, and maintaining a healthy relationship between the tribal and state government. Mr. Luger praised this relationship as being positive and cited the Collective Gaming Compact and the problem gambling programs as examples of how state and tribal government have successfully meshed. He also stated that gaming has created 2,104 full-time positions with benefits in ND in areas where economic development is rare and difficult to maintain. In addition, Mr. Luger said that since 1997, \$1 billion has been added to our economy through gaming-related purchases. Mr. Luger also stated that a new program, "Federal Indian Law Review" program with UND Law School that is privately funded, will study federal policies and relationships to constitutional issues with regard to tribal law.

Page 3

Human Resources Division

Bill/Resolution Number 1005

Hearing Date January 15, 2003

Returning, Ms. Kulas continued her testimony on her commission's budget. (see attached) In response to the committee's questions, Ms. Kulas addressed her salary line-item and stated that the savings shown are the result of the vacancy of the directorship. In addition, she said that her printing costs are lower because the commission opted not to reprint the directory this year to save money. Chairman Delzer questioned the IT hookup charges and optional requests. Ms. Kulas stated that they were not planning on purchasing any equipment over the next biennium and outlined what the dues and professional development line-item comprises. Ms. Kulas confirmed that \$36,622 was the spin-down and that the differential is explained by a reduction of one percent.

The micrographic images on this film are accurate reproductions of records delivered to Modern Information Systems for microfilming and were filmed in the regular course of business. The photographic process meets standards of the American National Standards Institute (ANSI) for archival microfilm. NOTICE: If the filmed image above is less legible than this Notice, it is due to the quality of the document being filmed.

Dea. [Signature]  
Operator's Signature

10/30/03  
Date


2003 HOUSE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. 1005

House Appropriations Committee  
Human Resources Division

☐ Conference Committee

Hearing Date January 28, 2003

Tape Number	Side A	Side B	Meter #
One	XX		
Committee Clerk Signature 			

Minutes: Committee Work

**Chairman Delzer** called the meeting to order with all members present. The committee began a budget review. Discussion centered around the amendment that was proposed by Cheryl Kulas, Director of Indian Affairs. DPI has a revolving printing fund that would be utilized to print both the curriculum guide and the guide published by the commission.

**Chairman Delzer** asked for the balance of the fund. Kulas responded that when she left DPI in April 2001, the balance of the fund was around \$24,000. The proposed amendment requests \$50,000, but Chairman Delzer suggested that \$25,000 would be a more appropriate figure. Kulas agreed with that amount. Ms. Kulas also stated that any new development projects will transpire using existing commission staff and resources.

The micrographic images on this film are accurate reproductions of records delivered to Modern Information Systems for microfilming and were filmed in the regular course of business. The photographic process meets standards of the American National Standards Institute (ANSI) for archival microfilm. NOTICE: If the filmed image above is less legible than this Notice, it is due to the quality of the document being filmed.

  
Operator's Signature

10/30/03  
Date

Page 2

Human Resources Division

Bill/Resolution Number 1005

Hearing Date January 28, 2003

**Cheryl Kulas** also stated that the directory is valuable and thinks that there will be enough demand for it that people and organizations will purchase the directory. She also stated that the guide is reprinted every biennium.

**Chairman Delzer** stated that there will need to be a specific section within the amendment that addresses the transfer of printing funds from DPI.

Recess.

The micrographic images on this film are accurate reproductions of records delivered to Modern Information Systems for microfilming and were filmed in the regular course of business. The photographic process meets standards of the American National Standards Institute (ANSI) for archival microfilm. NOTICE: If the filmed image above is less legible than this Notice, it is due to the quality of the document being filmed.

*Deanna Galt*  
Operator's Signature

10/30/03  
Date

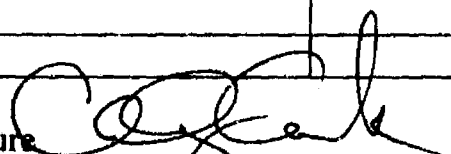
2003 HOUSE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. 1005

House Appropriations Committee  
Human Resources Division

☐ Conference Committee

Hearing Date February 12, 2003

Tape Number	Side A	Side B	Meter #
One	XX		
Committee Clerk Signature 			

Minutes: Committee Work

**Chairman Delzer** called meeting to order with all members present. He gave an overview of the amendment and explained the changes.

**Rep. Kerzman** stated that he thinks that the committee needs to be fair with IT reductions. In addition, he stated that he thinks that the \$2,500 reduction should be put back into the budget and requested that it be pulled out of the amendment and voted on separately.

**Vice-Chair Warnke** moved to accept the change requested by Rep. Kerzman.

**Rep. Kerzman** seconded that motion.

**Rep. Kerzman** said that he feels that for a budget of this size, this represents a large hit.

**Rep. Kempenich** argued that the commission does not necessarily need a new computer, but are instead, just replacing their equipment on an IT schedule.

The micrographic images on this film are accurate reproductions of records delivered to Modern Information Systems for microfilming and were filmed in the regular course of business. The photographic process meets standards of the American National Standards Institute (ANSI) for archival microfilm. NOTICE: If the filmed image above is less legible than this Notice, it is due to the quality of the document being filmed.

  
Operator's Signature

10/30/03  
Date



Page 2  
Human Resources Division  
Bill/Resolution Number 1005  
Hearing Date February 12, 2003

**Chairman Delzer** agreed with this statement and noted that this amendment takes the money away for the computer, but does not remove the authority to purchase one.

**Rep. Metcalf** asked about whether or not there could be a blanket policy for computer replacement.

**In a voice vote, the motion was carried, five to one.**

**Vice-Chair Warnke** moved to adopt the amendment (38005.0101)

**Rep. Bellew** seconded that motion.

**In a voice vote, the motion was carried, five to one.**

**Vice-Chair Warnke** moved to pass the bill as amended.

**Rep. Kempenich** seconded that motion and in a roll call vote, the motion was passed six to zero.

**Rep. Kerzman** agreed to carry the bill.

The micrographic images on this film are accurate reproductions of records delivered to Modern Information Systems for microfilming and were filmed in the regular course of business. The photographic process meets standards of the American National Standards Institute (ANSI) for archival microfilm. NOTICE: If the filmed image above is less legible than this Notice, it is due to the quality of the document being filmed.

*Dennis G. Hall*  
Operator's Signature

10/30/03  
Date

2003 HOUSE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. HB 1005

House Appropriations Committee

☐ Conference Committee

Hearing Date 02-14-03

Tape Number	Side A	Side B	Meter #
1		X	8.0 - 16.9
Committee Clerk Signature <i>Chris S. Nyman</i>			

Minutes:

**Chairman Svedjan** Opened HB 1005 for discussion. A quorum was present.

**Rep. Kerzman** Gave overview of the subcommittee's work on the bill.

**Rep. Delzer** I move the amendment 38005.0101 to HB 1005. 2nd by Rep. Warnke.

**Chairman Svedjan** As this relates to IT, pending what happens with it, what will happen?

**Rep. Kerzman** My concern is that this department is getting hit substantially harder than the larger ones.

**Rep. Delzer** We removed the funding for the PC, not the authority to purchase one.

**Rep. Aarsvold** Small agencies are hit disproportionately when we anticipate these cuts.

**Rep. Delzer** That's true. Our committee felt it was the right thing to do. They were on a 4 year replacement plan. I'd like to add that sections 2,3, and 4 of the bill were being done in DPI.

**Chairman Svedjan** What has been this fund's history? Underspensing?

**Rep. Delzer** No, we put the \$25,000 cap on it to cover costs of publications.

The micrographic images on this film are accurate reproductions of records delivered to Modern Information Systems for microfilming and were filmed in the regular course of business. The photographic process meets standards of the American National Standards Institute (ANSI) for archival microfilm. NOTICE: If the filmed image above is less legible than this Notice, it is due to the quality of the document being filmed.

*Deanna Ball*  
Operator's Signature

10/30/03  
Date

Page 2  
House Appropriations Committee  
Bill/Resolution Number HB 1005  
Hearing Date 02-14-03

**Rep. Carlisle** Depending on ITD, we don't want them to get a double hit.

**Rep. Delzer** They can't because we took it all away.

**Rep. Kerzman** They do charge for a publication and its a wash for printing and postage.

**Rep. Skarphol** We're going to maintain fairness.

**Rep. Warnke** The number of computers is not being discussed in the IT committee. We'd rather take money from machines than people or programs.

**Motion Passes.**

**Rep. Kerzman** I move a Do Pass As Amended to HB 1005. Motion Passes 22-0-1. Rep.

**Kerzman** will carry this bill on the floor.

The micrographic images on this film are accurate reproductions of records delivered to Modern Information Systems for microfilming and were filmed in the regular course of business. The photographic process meets standards of the American National Standards Institute (ANSI) for archival microfilm. NOTICE: If the filmed image above is less legible than this Notice, it is due to the quality of the document being filmed.

*Deanna Hall*  
Operator's Signature

10/30/03  
Date

38005.0101  
Title.  
Fiscal No. 1

Prepared by the Legislative Council staff for  
House Appropriations - Human Resources  
January 29, 2003

PROPOSED AMENDMENTS TO HOUSE BILL NO. 1005

Page 1, line 2, after "commission" insert "; to create and enact two new sections to chapter 54-36 of the North Dakota Century Code, relating to a revolving fund for publications and the authority to produce publications and charge a fee; to provide for a transfer; and to declare an emergency"

Page 1, line 9, replace "318,109" with "314,621"

Page 1, line 10, replace "41,222" with "38,722"

Page 1, line 11, replace "359,331" with "353,343"

Page 1, after line 11, insert:

**"SECTION 2.** Two new sections to chapter 54-36 of the North Dakota Century Code are created and enacted as follows:

**Indian affairs commission printing fund for publications - Appropriation.**

There is created a revolving fund known as the Indian affairs commission printing fund. All moneys collected by the commission from fees from persons purchasing publications and informal and educational materials produced or distributed by the commission and moneys received from a state agency, federal agency, tribe, and any private person or entity for producing and distributing publications and informational and educational materials must be deposited into the Indian affairs commission printing fund. Money in the Indian affairs commission printing fund and earnings on the money in the fund are appropriated on a continuing basis to the commission to defray expenses incurred by the commission in producing and distributing publications and informational and educational materials. This fund is not subject to section 54-44.1-11. If on the first day of July in any year the amount of money in the Indian affairs commission printing fund is more than twenty-five thousand dollars, the amount in excess of twenty-five thousand dollars must be transferred to the general fund.

**Publications - Fees.** To further its powers and duties, the commission may produce and distribute publications and informational and educational materials and it may charge a fee for the publication. The fee shall be established at an amount equal to the postage and printing costs of the publication.

**SECTION 3. TRANSFER.** The department of public instruction shall transfer \$14,500 from the department's revolving printing fund to the Indian affairs commission printing fund.

**SECTION 4. EMERGENCY.** Sections 2 and 3 of this Act are declared to be an emergency measure."

Renumber accordingly

**STATEMENT OF PURPOSE OF AMENDMENT:**

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

Page No. 1

38005.0101

The micrographic images on this film are accurate reproductions of records delivered to Modern Information Systems for microfilming and were filmed in the regular course of business. The photographic process meets standards of the American National Standards Institute (ANSI) for archival microfilm. NOTICE: If the filmed image above is less legible than this Notice, it is due to the quality of the document being filmed.

Operator's Signature

10/30/03

	EXECUTIVE BUDGET	HOUSE CHANGES	HOUSE VERSION
Salaries and wages	\$318,109	(\$3,488)	\$314,621
Operating expenses	41,222	(2,500)	38,722
Total all funds	\$359,331	(\$5,988)	\$353,343
Less estimated income			
General fund	\$359,331	(\$5,988)	\$353,343
FTE	3.00	0.00	3.00

**Dept. 316 - Indian Affairs Commission - Detail of House Changes**

	REMOVES RECOMMENDED SALARY INCREASE 1	REMOVES FUNDING FOR PERSONAL COMPUTER 2	TOTAL HOUSE CHANGES
Salaries and wages	(\$3,488)		(\$3,488)
Operating expenses		(\$2,500)	(2,500)
Total all funds	(\$3,488)	(\$2,500)	(\$5,988)
Less estimated income			
General fund	(\$3,488)	(\$2,500)	(\$5,988)
FTE	0.00	0.00	0.00

1 This amendment removes the Governor's recommendation for state employee salary increases.

2 This amendment removes the funding for personal computer replacement.

**House Bill No. 1005 - Other Changes - House Action**

New Sections 2 and 3 provide for the creation of a revolving printing fund within the Indian Affairs Commission for collecting fees for publications based on the publication's printing and postage cost. An initial transfer is made of \$14,500 from the Department of Public Instruction's printing revolving fund to the Indian Affairs Commission's printing fund. Any balance in the printing fund in excess of \$25,000 at the end of a biennium is transferred to the general fund.

Section 4 provides that Sections 2 and 3 of the amendment are an emergency measure.

*Deanna Gallardo*  
Operator's signature

10/30/03  
Date

Date: February 12, 2003  
Roll Call Vote #: One

**2003 HOUSE STANDING COMMITTEE ROLL CALL VOTES**  
**BILL/RESOLUTION NO. 1005**

House Appropriations - Human Resources Division Committee

☐ Check here for Conference Committee

Legislative Council Amendment Number 38005.0101

Action Taken Do Pass As Amended

Motion Made By Rep. Warnke Seconded By Rep. Kempenich

Representatives	Yes	No	Representatives	Yes	No
Rep. Jeff Delzer, Chairman	X				
Rep. Amy Warnke, Vice Chairman	X				
Rep. Larry Bellew	X				
Rep. Keith Kempenich	X				
Rep. James Kerzman	X				
Rep. Ralph Metcalf	X				

Total (Yes) Six No 0

Absent \_\_\_\_\_

Floor Assignment Rep. Kerzman

If the vote is on an amendment, briefly indicate intent: House Bill 1005 - Indian Affairs  
Commission - House Action

The micrographic images on this film are accurate reproductions of records delivered to Modern Information Systems for microfilming and were filmed in the regular course of business. The photographic process meets standards of the American National Standards Institute (ANSI) for archival microfilm. NOTICE: If the filmed image above is less legible than this Notice, it is due to the quality of the document being filmed.

Deanna Hall  
Operator's Signature

10/30/03  
Date

REPORT OF STANDING COMMITTEE (410)  
February 14, 2003 3:20 p.m.

Module No: HR-29-2839  
Carrier: Delzer  
Insert LC: 38005.0101 Title: .0200

**REPORT OF STANDING COMMITTEE**

**HB 1005: Appropriations Committee (Rep. Svedjan, Chairman) recommends AMENDMENTS AS FOLLOWS and when so amended, recommends DO PASS (22 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). HB 1005 was placed on the Sixth order on the calendar.**

Page 1, line 2, after "commission" insert "; to create and enact two new sections to chapter 54-36 of the North Dakota Century Code, relating to a revolving fund for publications and the authority to produce publications and charge a fee; to provide for a transfer; and to declare an emergency"

Page 1, line 9, replace "318,109" with "314,621"

Page 1, line 10, replace "41,222" with "38,722"

Page 1, line 11, replace "359,331" with "353,343"

Page 1, after line 11, insert:

**"SECTION 2. Two new sections to chapter 54-36 of the North Dakota Century Code are created and enacted as follows:**

**Indian affairs commission printing fund for publications - Appropriation.** There is created a revolving fund known as the Indian affairs commission printing fund. All moneys collected by the commission from fees from persons purchasing publications and informal and educational materials produced or distributed by the commission and moneys received from any person for producing and distributing publications and informational and educational materials must be deposited into the Indian affairs commission printing fund. Money in the Indian affairs commission printing fund and earnings on the money in the fund are appropriated on a continuing basis to the commission to defray expenses incurred by the commission in producing and distributing publications and informational and educational materials. This fund is not subject to section 54-44.1-11. If on the first day of July in any year the amount of money in the Indian affairs commission printing fund is more than twenty-five thousand dollars, the amount in excess of twenty-five thousand dollars must be transferred to the general fund.

**Publications - Fees.** The commission may produce and distribute publications and informational and educational materials and may charge a fee for the publication. The fee must be established at an amount equal to the postage and printing costs of the publication.

**SECTION 3. TRANSFER.** The department of public instruction shall transfer \$14,500 from the department's revolving printing fund to the Indian affairs commission printing fund.

**SECTION 4. EMERGENCY.** Sections 2 and 3 of this Act are declared to be an emergency measure."

Renumber accordingly

**STATEMENT OF PURPOSE OF AMENDMENT:**

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

(2) DESK, (3) COMM

EXECUTIVE

HOUSE

HOUSE

Page No. 1

HR-29-2839

The micrographic images on this film are accurate reproductions of records delivered to Modern Information Systems for microfilming and were filmed in the regular course of business. The photographic process meets standards of the American National Standards Institute (ANSI) for archival microfilm. NOTICE: If the filmed image above is less legible than this Notice, it is due to the quality of the document being filmed.

Operator's Signature

10/30/03  
Date

**REPORT OF STANDING COMMITTEE (410)**  
**February 14, 2003 3:20 p.m.**

**Module No: HR-29-2839**  
**Carrier: Dolzer**  
**Insert LC: 38005.0101 Title: .0200**

	BUDGET	CHANGES	VERSION
Salaries and wages	\$318,109	(\$3,488)	\$314,621
Operating expenses	<u>41,222</u>	<u>(2,500)</u>	<u>38,722</u>
Total all funds	\$359,331	(\$5,988)	\$353,343
Less estimated income			
General fund	\$359,331	(\$5,988)	\$353,343
FTE	3.00	0.00	3.00

**Dept. 316 - Indian Affairs Commission - Detail of House Changes**

	REMOVES RECOMMENDED SALARY INCREASE 1	REMOVES FUNDING FOR PERSONAL COMPUTER 2	TOTAL HOUSE CHANGES
Salaries and wages	(\$3,488)		(\$3,488)
Operating expenses		(\$2,500)	(2,500)
Total all funds	(\$3,488)	(\$2,500)	(\$5,988)
Less estimated income			
General fund	(\$3,488)	(\$2,500)	(\$5,988)
FTE	0.00	0.00	0.00

<sup>1</sup> This amendment removes the Governor's recommendation for state employee salary increases.

<sup>2</sup> This amendment removes the funding for personal computer replacement.

**House Bill No. 1005 - Other Changes - House Action**

New Sections 2 and 3 provide for the creation of a revolving printing fund within the Indian Affairs Commission for collecting fees for publications based on the publication's printing and postage cost. An initial transfer is made of \$14,500 from the Department of Public Instruction's printing revolving fund to the Indian Affairs Commission's printing fund. Any balance in the printing fund in excess of \$25,000 at the end of a biennium is transferred to the general fund.

Section 4 provides that Sections 2 and 3 of the amendment are an emergency measure.



REPORT OF STANDING COMMITTEE (410)  
February 18, 2003 11:16 a.m.

Module No: HR-31-3065  
Carrier: Kerzman  
Insert LC: 38005.0101 Title: .0200

**REPORT OF STANDING COMMITTEE**

HB 1005, as engrossed: Appropriations Committee (Rep. Svedjan, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (22 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 create and enact two new sections to chapter 54-36 of the North Dakota Century Code, relating to a revolving fund for publications and the authority to produce publications and charge a fee; to provide for a transfer; and to declare an emergency"

Page 1, line 9, replace "318,109" with "314,621"

Page 1, line 10, replace "41,222" with "38,722"

Page 1, line 11, replace "359,331" with "353,343"

Page 1, after line 11, insert:

**"SECTION 2.** Two new sections to chapter 54-36 of the North Dakota Century Code are created and enacted as follows:

**Indian affairs commission printing fund for publications - Appropriation.** There is created a revolving fund known as the Indian affairs commission printing fund. All moneys collected by the commission from fees from persons purchasing publications and informal and educational materials produced or distributed by the commission and moneys received from any person for producing and distributing publications and informational and educational materials must be deposited into the Indian affairs commission printing fund. Money in the Indian affairs commission printing fund and earnings on the money in the fund are appropriated on a continuing basis to the commission to defray expenses incurred by the commission in producing and distributing publications and informational and educational materials. This fund is not subject to section 54-44.1-11. If on the first day of July in any year the amount of money in the Indian affairs commission printing fund is more than twenty-five thousand dollars, the amount in excess of twenty-five thousand dollars must be transferred to the general fund.

**Publications - Fees.** The commission may produce and distribute publications and informational and educational materials and may charge a fee for the publication. The fee must be established at an amount equal to the postage and printing costs of the publication.

**SECTION 3. TRANSFER.** The department of public instruction shall transfer \$14,500 from the department's revolving printing fund to the Indian affairs commission printing fund.

**SECTION 4. EMERGENCY.** Sections 2 and 3 of this Act are declared to be an emergency measure."

Renumber accordingly

**STATEMENT OF PURPOSE OF AMENDMENT:**

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

(2) DESK, (3) COMM

EXECUTIVE

HOUSE

HOUSE

Page No. 1

HR-31-3065

The micrographic images on this film are accurate reproductions of records delivered to Modern Information Systems for microfilming and were filmed in the regular course of business. The photographic process meets standards of the American National Standards Institute (ANSI) for archival microfilm. NOTICE: If the filmed image above is less legible than this Notice, it is due to the quality of the document being filmed.

Operator's Signature

Date

**REPORT OF STANDING COMMITTEE (410)**  
**February 18, 2003 11:16 a.m.**

**Module No: HR-31-3065**  
**Carrier: Kerzman**  
**Insert LC: 38005.0101 Title: .0200**

	BUDGET	CHANGES	VERSION
Salaries and wages	\$318,109	(\$3,488)	\$314,621
Operating expenses	<u>41,222</u>	<u>(2,500)</u>	<u>38,722</u>
Total all funds	\$359,331	(\$5,988)	\$353,343
Less estimated income			
General fund	\$359,331	(\$5,988)	\$353,343
FTE	3.00	0.00	3.00

**Dept. 316 - Indian Affairs Commission - Detail of House Changes**

	REMOVES RECOMMENDED SALARY INCREASE 1	REMOVES FUNDING FOR PERSONAL COMPUTER 2	TOTAL HOUSE CHANGES
Salaries and wages	(\$3,488)		(\$3,488)
Operating expenses		<u>(\$2,500)</u>	<u>(2,500)</u>
Total all funds	(\$3,488)	(\$2,500)	(\$5,988)
Less estimated income			
General fund	(\$3,488)	(\$2,500)	(\$5,988)
FTE	0.00	0.00	0.00

<sup>1</sup> This amendment removes the Governor's recommendation for state employee salary increases.

<sup>2</sup> This amendment removes the funding for personal computer replacement.

**House Bill No. 1005 - Other Changes - House Action**

New Sections 2 and 3 provide for the creation of a revolving printing fund within the Indian Affairs Commission for collecting fees for publications based on the publication's printing and postage cost. An initial transfer is made of \$14,500 from the Department of Public Instruction's printing revolving fund to the Indian Affairs Commission's printing fund. Any balance in the printing fund in excess of \$25,000 at the end of a biennium is transferred to the general fund.

Section 4 provides that Sections 2 and 3 of the amendment are an emergency measure.

2003 SENATE APPROPRIATIONS

HB 1005

The micrographic images on this film are accurate reproductions of records delivered to Modern Information Systems for microfilming and were filmed in the regular course of business. The photographic process meets standards of the American National Standards Institute (ANSI) for archival microfilm. NOTICE: If the filmed image above is less legible than this Notice, it is due to the quality of the document being filmed.

Deanna G. Hall  
Operator's Signature

10/30/03  
Date

2003 SENATE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. HB 1005

Senate Appropriations Committee

☐ Conference Committee

Hearing Date 3-13-03

Tape Number	Side A	Side B	Meter #
1	X		2891-end
1		X	0-632
Committee Clerk Signature <i>Sandra Davison</i>			

Minutes: CHAIRMAN HOLM BERG opened the hearing to HB 1005. A bill relating to the defraying of the expenses of the Indian Affairs commission budget.

(Meter 2971) CHERYL KUALA, Executive Director of the ND Indian Affair Commission testified in support of HB 1005. See written testimony Exhibit 1.

(Meter 4448) CHAIRMAN HOLM BERG asked about the House action that put on the amendments that you requested regarding the printing fund. The only difference is that you would like a personal computer that the House removed for \$2,500.

(Meter 4533) SENATOR KRAUT asked MS. KUALA to explained about the computer of what you have now, the ages of them, how many? (Meter 4556) CHERYL KUALA explained the they have three computers at the moment. Her is the oldest which she has had since 2001. The technology replace has a scheduled time on one of the computers in the office and they want to stay abreast of the new technology. She also spoke about the printing funds that would be

The micrographic images on this film are accurate reproductions of records delivered to Modern Information Systems for microfilming and were filmed in the regular course of business. The photographic process meets standards of the American National Standards Institute (ANSI) for archival microfilm. NOTICE: If the filmed image above is less legible than this Notice, it is due to the quality of the document being filmed.

*Deanna Hall*  
Operator's Signature

*10/30/03*  
Date

Page 2  
Senate Appropriations Committee  
Bill/Resolution Number HB 1005  
Hearing Date 3-13-03

appropriated. When this project was in the DPI and they were able to generate about \$24,000 from the printing of those books. There is a demand for them.

(Meter 4730) SENATOR KRAUT elaborated the reason he was interested in the printing fund is he was thinking if with that project there was the ability to raise funds for a new computer.

(Meter 4770) CHERYL KUALA explained that the printing fund is limited to printing only not accessible for other item.

(Meter 4782) SENATOR KRAUT asked the Indian Scholarship program and if she has had any discussion with Higher Ed on that. (Meter 4834) CHERYL KUALA explained she did attend discussions with Higher Ed and is one of the best investments ND could have done for the opportunity of Indians going to school.

(Meter 4927) SENATOR BOWMAN asked about the health issues that he feels is alarming and the unemployment. He wanted to know if there was a relationship and if there was a study between the two issues ever done? (Meter 5050) CHERYL KUALA stated she was not aware of any study between the two but believes there is correlation between them.

(Meter 5106) SENATOR ANDRIST questioned if her computer replacement was a matter of an aging problem or a capacity issue. CHERYL KUALA stated it was an capacity issue.

(Meter 5305) Dave Gibb, President of United Tribes Technical College & United Tribes of ND testified in support of HB 1005. See written testimony Exhibit 2.

**Tape 1 Side B**

(Meter 35) CHAIRMAN HOLM BERG requested Stephanie from Legislative Council to draft up an amendment to replace the computer that the House amendment removed.

The micrographic images on this film are accurate reproductions of records delivered to Modern Information Systems for microfilming and were filmed in the regular course of business. The photographic process meets standards of the American National Standards Institute (ANSI) for archival microfilm. NOTICE: If the filmed image above is less legible than this Notice, it is due to the quality of the document being filmed.

Operator's Signature

10/30/03  
Date

Page 3

Senate Appropriations Committee

Bill/Resolution Number HB 1005

Hearing Date 3-13-03

(Meter 81) SENATOR ANDRIST asked additional information of Dave of the United Tribes Technical College and MR. GIBB provide this information and the needs of the growing population that leads to the leaders of our state and country.

(Meter 283) SENATOR THANE commented that most of us are proud of our constitution and the founding fathers who wrote it. The Cherokees had a constitution and a form government long before we dreamed on up.

(Meter 340) TOM DISSELHORST, Attorney testified in support of HB 1005 and provided written testimony from Tex Hall, Chairman of the Mandan, Hidatsa and Arikara Nations. See written testimony Exhibit 3.

(Meter 538) CAROL TWO EAGLES spoke on working with the Indian Affairs commission on economic development.

(Meter 632) CHAIRMAN HOLM BERG closed the hearing HB 1005.

The micrographic images on this film are accurate reproductions of records delivered to Modern Information Systems for microfilming and were filmed in the regular course of business. The photographic process meets standards of the American National Standards Institute (ANSI) for archival microfilm. NOTICE: If the filmed image above is less legible than this Notice, it is due to the quality of the document being filmed.

Dennis G. Ball  
Operator's Signature

10/30/03  
Date

2003 SENATE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. HB 1005 Vote

Senate Appropriations Committee

☐ Conference Committee

Hearing Date 4-3-03

Tape Number	Side A	Side B	Meter #
I	X		1700-2250
Committee Clerk Signature <i>Sandra Dawson</i>			

Minutes: CHAIRMAN HOLMBERG opened the hearing to HB 1005. A bill relating for an ACT to provide an appropriation for defraying the expenses of the Indian affairs commission.

(Meter 1700) CHAIRMAN HOLMBERG handed out proposed amendment (38005.0202) and explained them. Proves flexibility is an attribute that is important on this committee. The amendment does three things. It reinstates the laptop computer that the House took away, it reduces the health insurance funding which was already discussed. It reduces the IT funding by 4% which is \$232 for a net changes of \$1, 958 to the budget.

(Meter 1990) SENATOR BOWMAN stated if you have a motion this is taken out, will it be taken out twice? CHAIRMAN HOLMBERG explained no. IT is just making that recommendation, it needs to be taken out in each bill. He gave an example if a bill for Ag Extension has an amendment the amend will have it in.

(Meter 1985) SENATOR CHRISTMANN made a motion to adopt the amendments and SENATOR KILZER seconded.

The micrographic images on this film are accurate reproductions of records delivered to Modern Information Systems for microfilming and were filmed in the regular course of business. The photographic process meets standards of the American National Standards Institute (ANSI) for archival microfilm. NOTICE: If the filmed image above is less legible than this Notice, it is due to the quality of the document being filmed.

*Deanna Hall*  
Operator's Signature

*10/30/03*  
Date

Page 2  
Senate Appropriations Committee  
Bill/Resolution Number HB 1005 Vote  
Hearing Date 4-3-03

(Meter 2022) SENATOR KRAUTER expressed he wants to be consistent with the IT issue. If the reductions are going to be made, he will oppose this motion.

(Meter 2043) A roll call vote passed with 8 yeas, 4 nays and 1 absent to adopt amendment (38005.0202).

(Meter 2152) SENATOR GRINDBERG made a motion of DO PASS AS AMENDED, with SENATOR CHRISTMANN seconded. The bill passed with a vote of 13 yeas, 0 nays and 1 absent. The bill will be carried by SENATOR SCHOBINGER.

The micrographic images on this film are accurate reproductions of records delivered to Modern Information Systems for microfilming and were filmed in the regular course of business. The photographic process meets standards of the American National Standards Institute (ANSI) for archival microfilm. NOTICE: If the filmed image above is less legible than this Notice, it is due to the quality of the document being filmed.

Deanna Ballantyne  
Operator's Signature

10/30/03  
Date



38005.0202  
Title.0300  
Fiscal No. 3

Prepared by the Legislative Council staff for  
Senate Appropriations  
April 3, 2003

*[Handwritten signature]*  
4-3-03

PROPOSED AMENDMENTS TO ENGROSSED HOUSE BILL NO. 1005

Page 1, line 11, replace "314,621" with "314,311"

Page 1, line 12, replace "38,722" with "40,990"

Page 1, line 13, replace "353,343" with "355,301"

Renumber accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

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

	EXECUTIVE BUDGET	HOUSE VERSION	SENATE CHANGES	SENATE VERSION
Salaries and wages	\$318,109	\$314,621	(\$310)	\$314,311
Operating expenses	<u>41,222</u>	<u>38,722</u>	<u>2,288</u>	<u>40,990</u>
Total all funds	\$359,331	\$353,343	\$1,958	\$355,301
Less estimated income:				
General fund	\$359,331	\$353,343	\$1,958	\$355,301
FTE	3.00	3.00	0.00	3.00

Dept. 316 - Indian Affairs Commission - Detail of Senate Changes

	RESTORES FUNDING FOR COMPUTER REPLACEMENT <sup>1</sup>	REDUCES RECOMMENDED FUNDING FOR HEALTH INSURANCE <sup>2</sup>	REDUCES FUNDING FOR INFORMATION TECHNOLOGY COSTS <sup>3</sup>	TOTAL SENATE CHANGES
Salaries and wages		(\$310)		(\$310)
Operating expenses	<u>\$2,500</u>		<u>(\$232)</u>	<u>2,268</u>
Total all funds	\$2,500	(\$310)	(\$232)	\$1,958
Less estimated income:				
General fund	\$2,500	(\$310)	(\$232)	\$1,958
FTE	0.00	0.00	0.00	0.00

<sup>1</sup> This amendment restores the funding removed by the House for personal computer replacement.

<sup>2</sup> This amendment reduces funding for state employee health insurance premiums from \$483 per month to \$468.70 per month.

<sup>3</sup> This amendment reduces funding for information technology by \$232 from the general fund, which represents a reduction in information technology funding from the general fund of approximately 4 percent.

*[Handwritten signature]*  
Operator's signature

10/30/03  
Date

1005.0202  
Amend  
Christmann  
Kilzer

Amend

Date: 4-3-03  
Roll Call Vote #: 1

2003 SENATE STANDING COMMITTEE ROLL CALL VOTES  
BILL/RESOLUTION NO. 1005

Senate Appropriations Committee

☐ Check here for Conference Committee

Legislative Council Amendment Number 38005.0202

Action Taken Do PASS Amendment

Motion Made By Christman Seconded By Kilzer

Senators	Yes	No	Senators	Yes	No
Senator Holmberg, Chairman	✓				
Senator Bowman, Vice Chair	✓				
Senator Grindberg, Vice Chair	✓				
Senator Andrist	✓				
Senator Christmann	✓				
Senator Kilzer	✓				
Senator Krauter		✓			
Senator Kringstad					
Senator Lindaas		✓			
Senator Mathern		✓			
Senator Robinson		✓			
Senator Schobinger	✓				
Senator Tallackson					
Senator Thane	✓				

Total (Yes) 9 No 4

Absent 1

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

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

The micrographic images on this film are accurate reproductions of records delivered to Modern Information Systems for microfilming and were filmed in the regular course of business. The photographic process meets standards of the American National Standards Institute (ANSI) for archival microfilm. NOTICE: If the filmed image above is less legible than this Notice, it is due to the quality of the document being filmed.

Deanna Hall 10/30/03  
Operator's Signature Date

Date: 4-3  
Roll Call Vote #: 2

2003 SENATE STANDING COMMITTEE ROLL CALL VOTES  
BILL/RESOLUTION NO. 1005

Senate Appropriations Committee

☐ Check here for Conference Committee

Legislative Council Amendment Number 38005 . 0202

Action Taken DO PASS AS Amended

Motion Made By Grindberg Seconded By Christman

Senators	Yes	No	Senators	Yes	No
Senator Holmberg, Chairman	✓				
Senator Bowman, Vice Chair	✓				
Senator Grindberg, Vice Chair	✓				
Senator Andrist	✓				
Senator Christmann	✓				
Senator Kilzer	✓				
Senator Krauter	✓				
Senator Kringstad					
Senator Lindaas	✓				
Senator Mathern	✓				
Senator Robinson	✓				
Senator Schobinger	✓				
Senator Tallackson					
Senator Thane	✓				

Total (Yes) 13 No

Absent 1

Floor Assignment Schobinger

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

The micrographic images on this film are accurate reproductions of records delivered to Modern Information Systems for microfilming and were filmed in the regular course of business. The photographic process meets standards of the American National Standards Institute (ANSI) for archival microfilm. NOTICE: If the filmed image above is less legible than this Notice, it is due to the quality of the document being filmed.

Deanna G. Ball  
Operator's Signature

10/30/03  
Date

REPORT OF STANDING COMMITTEE (410)  
April 3, 2003 3:53 p.m.

Module No: SR-60-6702  
Carrier: Schobinger  
Insert LC: 38005.0202 Title: .0300

REPORT OF STANDING COMMITTEE

HB 1005, as engrossed: Appropriations Committee (Sen. Holmberg, 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 11, replace "314,621" with "314,311"

Page 1, line 12, replace "38,722" with "40,990"

Page 1, line 13, replace "353,343" with "355,301"

Renumber accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

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

	EXECUTIVE BUDGET	HOUSE VERSION	SENATE CHANGES	SENATE VERSION
Salaries and wages	\$318,109	\$314,621	(\$310)	\$314,311
Operating expenses	41,222	38,722	2,268	40,990
Total all funds	\$359,331	\$353,343	\$1,958	\$355,301
Less estimated income				
General fund	\$359,331	\$353,343	\$1,958	\$355,301
FTE	3.00	3.00	0.00	3.00

Dept. 316 - Indian Affairs Commission - Detail of Senate Changes

	RESTORES FUNDING FOR COMPUTER REPLACEMENT <sup>1</sup>	REDUCES RECOMMENDED FUNDING FOR HEALTH INSURANCE <sup>2</sup>	REDUCES FUNDING FOR INFORMATION TECHNOLOGY COSTS <sup>3</sup>	TOTAL SENATE CHANGES
Salaries and wages		(\$310)		(\$310)
Operating expenses	\$2,500		(\$232)	2,268
Total all funds	\$2,500	(\$310)	(\$232)	\$1,958
Less estimated income				
General fund	\$2,500	(\$310)	(\$232)	\$1,958
FTE	0.00	0.00	0.00	0.00

<sup>1</sup> This amendment restores the funding removed by the House for personal computer replacement.

<sup>2</sup> This amendment reduces funding for state employee health insurance premiums from \$493 per month to \$488.70 per month.

<sup>3</sup> This amendment reduces funding for information technology by \$232 from the general fund, which represents a reduction in information technology funding from the general fund of approximately 4 percent.

2003 HOUSE APPROPRIATIONS

CONFERENCE COMMITTEE

HB 1005

The micrographic images on this film are accurate reproductions of records delivered to Modern Information Systems for microfilming and were filmed in the regular course of business. The photographic process meets standards of the American National Standards Institute (ANSI) for archival microfilm. NOTICE: If the filmed image above is less legible than this Notice, it is due to the quality of the document being filmed.

Deanna G. Hall  
Operator's Signature

10/30/03  
Date

2003 HOUSE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. HB 1005

House Appropriations Committee

☒ Conference Committee

Hearing Date 03-21-03

Tape Number	Side A	Side B	Meter #
1	X		0.0 - 3.0

Committee Clerk Signature

*Chris S. Svedjan*

Minutes:

**Chairman Skarphol** Opened HB 1005 for discussion. All members of the conference committee were present including Sen. Schobinger, Sen. Christmann, Sen. Robinson, Rep. Skarphol, Rep. Glassheim, Rep. Svedjan.

**Rep. Svedjan** I move amendment .0203 to HB 1005. 2nd by Sen. Schobinger.

**Rep. Glassheim** The computer was restored by the Senate?

**Rep. Skarphol** Yes.

**Motion Carries on a voice vote.**

**Rep. Christmann** I move a Do Pass As Amended. 2nd by Rep. Svedjan. Motion Carries 6-0-0.

The micrographic images on this film are accurate reproductions of records delivered to Modern Information Systems for microfilming and were filmed in the regular course of business. The photographic process meets standards of the American National Standards Institute (ANSI) for archival microfilm. NOTICE: If the filmed image above is less legible than this Notice, it is due to the quality of the document being filmed.

*Deanna Ballantyne*  
Operator's Signature

10/30/03  
Date

Date: 4-21

Roll Call Vote #: 1

## 2003 HOUSE STANDING COMMITTEE ROLL CALL VOTES

House Appropriations Committee

☒ Check here for Conference Committee

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

Action Taken DPA4

Motion Made By Sen. Christmann Seconded By Rep. Svedjan

[illegible]

Total (Yes) 6 No 0

**Absent** \_\_\_\_\_

### Floor Assignment

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

The micrographic images on this film are accurate reproductions of records delivered to Modern Information Systems for microfilming and were filmed in the regular course of business. The photographic process meets standards of the American National Standards Institute (ANSI) for archival microfilm. NOTICE: If the filmed image above is less legible than this Notice, it is due to the quality of the document being filmed.

Operator's Signature Donna Hall Date 10/30/03

REPORT OF CONFERENCE COMMITTEE (420)  
April 21, 2003 1:26 p.m.

Module No: SR-72-7988

Insert LC: 38005.0203

**REPORT OF CONFERENCE COMMITTEE**

**HB 1005, as engrossed:** Your conference committee (Sens. Schobinger, Christmann, Robinson and Reps. Skarphol, Svedjan, Glassheim) recommends that the **SENATE RECEDE** from the Senate amendments on HJ page 1277, adopt amendments as follows, and place HB 1005 on the Seventh order:

That the Senate recede from its amendments as printed on page 1277 of the House Journal and pages 1089 and 1090 of the Senate Journal and that Engrossed House Bill No. 1005 be amended as follows:

Page 1, line 11, replace "314,621" with "314,311"

Page 1, line 12, replace "38,722" with "40,932"

Page 1, line 13, replace "353,343" with "355,243"

Renumber accordingly

**STATEMENT OF PURPOSE OF AMENDMENT:**

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

	EXECUTIVE BUDGET	HOUSE VERSION	CONFERENCE COMMITTEE CHANGES	CONFERENCE COMMITTEE VERSION	SENATE VERSION	COMPARISON TO SENATE
Salaries and wages	\$318,109	\$314,621	(\$310)	\$314,311	\$314,311	
Operating expenses	<u>41,222</u>	<u>38,722</u>	<u>2,210</u>	<u>40,932</u>	<u>40,990</u>	(\$58)
Total all funds	\$359,331	\$353,343	\$1,900	\$355,243	\$355,301	(\$58)
Less estimated income						
General fund	\$359,331	\$353,343	\$1,900	\$355,243	\$355,301	(\$58)
FTE	3.00	3.00	0.00	3.00	3.00	0.00

**Dept. 316 - Indian Affairs Commission - Detail of Conference Committee Changes**

	RESTORES FUNDING FOR COMPUTER REPLACEMENT <sup>1</sup>	REDUCES RECOMMENDED FUNDING FOR HEALTH INSURANCE <sup>2</sup>	REDUCES FUNDING FOR INFORMATION TECHNOLOGY COSTS <sup>3</sup>	TOTAL CONFERENCE COMMITTEE CHANGES
Salaries and wages		(\$310)		(\$310)
Operating expenses	<u>\$2,500</u>		<u>(\$290)</u>	<u>2,210</u>
Total all funds	\$2,500	(\$310)	(\$290)	\$1,900
Less estimated income				
General fund	\$2,500	(\$310)	(\$290)	\$1,900
FTE	0.00	0.00	0.00	0.00

<sup>1</sup> This amendment restores the funding removed by the House for personal computer replacement.

<sup>2</sup> This amendment reduces funding for state employee health insurance premiums from \$493 to \$488.70 per month.

<sup>3</sup> This amendment reduces funding for information technology by \$290 from the general fund, which represents a reduction in information technology funding from the general fund of approximately 5 percent.

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

(2) DESK, (2) COMM

Page No. 1

SR-72-7988

The micrographic images on this film are accurate reproductions of records delivered to Modern Information Systems for microfilming and were filmed in the regular course of business. The photographic process meets standards of the American National Standards Institute (ANSI) for archival microfilm. NOTICE: If the filmed image above is less legible than this Notice, it is due to the quality of the document being filmed.

Operator's Signature

Date



2003 TESTIMONY

HB 1005

The micrographic images on this film are accurate reproductions of records delivered to Modern Information Systems for microfilming and were filmed in the regular course of business. The photographic process meets standards of the American National Standards Institute (ANSI) for archival microfilm. NOTICE: If the filmed image above is less legible than this Notice, it is due to the quality of the document being filmed.

Deanna G. Hall  
Operator's Signature

10/30/03  
Date

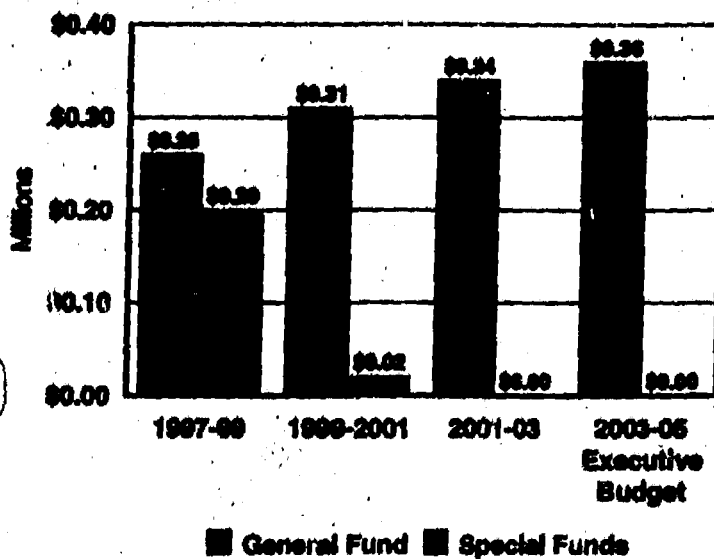
Prepared by the North Dakota Legislative Council  
staff for House Appropriations  
January 13, 2003

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

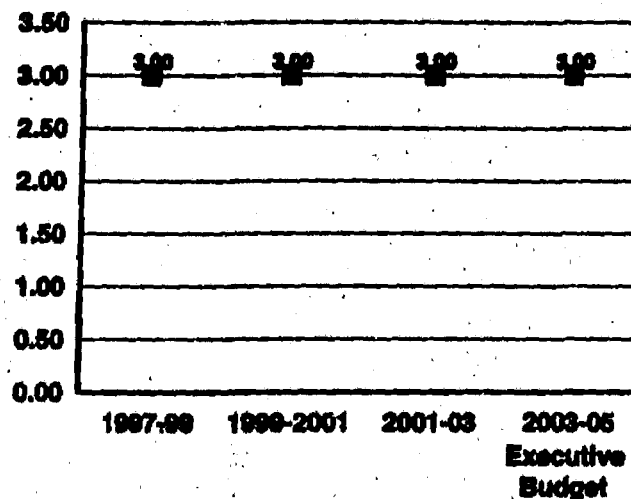
	FTE Positions	General Fund	Other Funds	Total
2003-05 Executive Budget	3.00	\$359,331	\$0	\$359,331
2001-03 Legislative Appropriations	3.00	336,059 <sup>1</sup>	0	336,059
Increase (Decrease)	0.00	\$23,272	\$0	\$23,272

<sup>1</sup> The 2001-03 general fund appropriation is the amount appropriated by the 2001 Legislative Assembly and does not include a reduction of \$3,529 relating to the 1.05 percent budget allotment ordered by Governor Hoeven in July 2002.

**Agency Funding**



**FTE Positions**



**Executive Budget Highlights**

	General Fund	Other Funds	Total
1. Increases funding for higher operating costs due to inflation and increased risk management and information technology costs	\$5,200		\$5,200
2. Increases funding for cost to continue salary increases and implement the executive budget recommendation for salary and health insurance increases	\$18,072		\$18,072

**Major Related Legislation**

No major legislation has been introduced affecting this agency.

The micrographic images on this film are accurate reproductions of records delivered to Modern Information Systems for microfilming and were filmed in the regular course of business. The photographic process meets standards of the American National Standards Institute (ANSI) for archival microfilm. NOTICE: If the filmed image above is less legible than this Notice, it is due to the quality of the document being filmed.

*Deanna Ballantyne*  
Operator's Signature

10/30/03  
Date

**North Dakota Indian Affairs Commission  
House Appropriations Budget Hearing  
Human Resources Committee  
January 15, 2003**

**North Dakota State Capitol, Bismarck, ND  
Wednesday, January 15, 2003**

Chairman Delzer and members of the Committee, my name is Cheryl Kulas, and I am a member of the Turtle Mt. Band of Chippewa and the Governor's appointee as the Executive Director of the North Dakota Indian Affairs Commission. I joined the two member staff of the Commission on April 1, 2001.

In 1999, the North Dakota Indian Affairs Commission commemorated its' 50th year as a legislatively authorized Commission. The nine-member Commission is comprised of the Governor, the Tribal Chairpersons elected from the four reservations, and four at-large members appointed by the Governor, three of whom must be of Indian descent. The Commission is authorized to meet on a quarterly basis, or at the behest of the governor. The work of the commission is coordinated and administered by a three-member staff.

From 1949 to 2003 the North Dakota Indian Affairs Commission has evolved to be a critical link between state and tribal governments. Additionally, the Commission functions as a liaison in bringing agencies and individuals together to facilitate coordination and communication to address numerous social and economic issues.

The Native American population in North Dakota constitutes 4.9% of the state's population, a figure representing 20.9% growth from the 1990 to 2000 census. This population is both growing and young. Additionally, the Native American student population enrolled in North Dakota schools has grown from 8,412 in 1990 to slightly over 10, 571 or 9% of the total number students enrolled in North Dakota schools in 2002.

*Some  
extending from  
to back  
1*

The micrographic images on this film are accurate reproductions of records delivered to Modern Information Systems for microfilming and were filmed in the regular course of business. The photographic process meets standards of the American National Standards Institute (ANSI) for archival microfilm. NOTICE: If the filmed image above is less legible than this Notice, it is due to the quality of the document being filmed.

*Deanna Ball*  
Operator's Signature

*10/30/03*  
Date

1  
Indian country in North Dakota includes 16 counties and 8 legislative districts. Attachment #1 provides you with a fact sheet that outlines the health disparities and demographics of the Native American population.

A central role of Commission staff is advocacy and networking through representation and participation on various committee and boards (Attachment #2). State related information is disseminated to appropriate Native tribal agencies, and public and private Native organizations. The primary work of the Commission staff involves preparation and participation in various meetings, responding to inquiries, and coordination of efforts to address high need issues. Requests come from both Native and non-Native organizations and individuals. Our office also researches and investigates inquiries for state and federal offices.

The budget history of the North Dakota Indian Affairs Commission is presented in Attachment #3. The Governor's budget request for the 2003-2005 biennium for the Commission reflects a total of \$359,000. This amount represents an increase of approximately \$5,000 to maintain the functioning of the office. Without such an increase, the Commission's office would have to limit its essential services and outreach. In times of difficult budget limitations, this amount is modest and allows the office to stay competitive technologically and provide a small amount of flexibility to carry out the work of the Commission. This request maintains the three FTE's within the 2003-2005 biennium, and an operating line item of \$20,611 per year. The small increase in our budget will allow us to increase our outreach capacity.

An addition to the 2003-2005 appropriations, is our request for an amendment to the Commission statutory authority for the provision of a revolving printing fund. This request is to comply with the legislative intent of the 1999-2001 HB 1005, Section 2, which specifies...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.* This amendment complies with the legislative intent of Section 2 of HB 1005, 1999-2001 and will provide the opportunity of the Commission to continue the ND Indian Affairs Directory as an essential service of the commission. Additionally, the fund would also allow the commission to develop needed informational

resources in keeping with an increased economic development role, and increase the capacity of the Commission to meet its mission.

Key accomplishments in the 2001-2003 biennium have focused on both economic and human service related needs of the Native American community.

**Economic Development:**

- 1) Economic Development Summit – June 2001- Identified Native tribal and private sector businesses in North Dakota to identify barriers, maximize access to resources, provide more responsive connections and services, and create a data-base to facilitate greater involvement in Indian Affairs.
- 2) Task Force on Reservation Lending – FDIC, ND Rural Development Council, USDA Rural Development and the Indian Affairs Commission. Group goal is to promote financial literacy among Native people. Western State Bank of Devils Lake and Candeska Cikana College partnered to teach financial literacy classes to both tribal housing residents and TANF clients on the Spirit Lake Reservation.
- 3) Standing Rock /Fannie Mae Foundation and its investment companies coordinated tax credits for housing projects on the Standing Rock Reservation in the amount of \$42 million for housing rehabilitation.
- 4) Partnership between the Fannie Mae Foundation and the Lewis & Clark Planning Council – hiring of a grants Associate. That individual works with Standing Rock and Spirit Lake Nations.

**Health Disparities:**

- 1) Coordinated Native American Cancer Awareness Symposium: co-sponsored by the Mayo Clinic – and the American Indian Leadership Center on Cancer, Madison, Wisconsin, ND Department of Health and the Indian Affairs Commission. Participants included Native physicians, ND Cancer Registry, Indian Health Services and tribal and state health care professionals. Symposium addressed the alarming growth of cancer among Native Americans in the

Aberdeen Area. Outcomes include grant opportunities, and college and University partnerships through the National Cancer Institute\* prevention clinical trials.

- 2) Indian Epidemiological Center: Facilitated planning meeting between tribal leaders and the ND Department of Health, and UND School of Medicine to seek a Native American Epidemiological Center to be located in North Dakota.

**Five Leading Causes of Mortality  
Of Native Americans In the Aberdeen Area**

Males		Females	
• Lung	88.2	• Lung	54.6
• Colorectal	27.5	• Breast	26.3
• Prostate	22.3	• Colorectal	21.3
• Unknown	19.6	• Unknown	17.0

**Education:**

- 3) Joint-Agency Agreements: Through the Governor's Office, the Commission is facilitating an agreement between the ND Department of Public Instruction and the Bureau of Indian Affairs to address the impact of the *No Child Left Behind* legislation on Bureau of Indian Affairs Schools. Eighteen (18) of the 23 ND schools identified under the NCLB legislation are Bureau of Indian Affairs funded schools, or schools with large enrollments of Native learners.

These are but a few of the critical areas the Indian Affairs Commission has chosen to focus its efforts. There is so much work to be accomplished. The disparities are so great among North Dakota Native citizens. Amelioration of any issue today, lies in the willingness to be a partner in the solution. The Native American population in North Dakota continues to grow and its communities constitute a growing and crucial segment of North Dakota's economic sector.

The role of the North Dakota Indian Affairs Commission is to facilitate partnerships. Legislative leadership has demonstrated its support and understanding of the Commission's role; by it's continued endorsement of its various programs. We urge your continued support of the State/Tribal relationship for the requested amendment and appropriation for the new biennium. Thank you for your consideration.

## Attachment #1

### Demographics and Disparities of the ND Native American Population

#### Demographics:

- In the 2000 Census, the U.S. Census Bureau reported the North Dakota Indian population to be 35,228 (race alone or in combination with one or more other races)– 5.5 percent of the State's population.
- 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.
- Unemployment varies from reservation to reservation but averages 63 percent for North Dakota Indians as compared to the U.S. rate of 4.3 percent.

#### Race & Ethnicity:

Current information about the biological and genetic characteristics of African Americans, Hispanics, American Indians, Alaska Native, etc. does not explain the health disparities experienced these groups compared with white, non-Hispanic populations in the United States. These disparities are believed to be the result of complex interaction among genetic variations, environmental factors, and specific health behaviors. \*

#### Native Americans:

- Have an infant death rate almost double that for whites. American Indians have disproportionately high death rates from unintentional injuries and suicide. \*
- Tobacco use is twice as prevalent in American Indians is twice as prevalent as it is in whites.
- There are higher teen pregnancy rates, more sexually transmitted infections, and a greater degree of high-risk behaviors and unhealthy lifestyles.
- American Indians are disproportionately affected tuberculosis and HIV/AIDs.
- Older American Indians are: 17.7% more likely to have high blood pressure; 48% more likely to suffer congestive heart failure; and 173% more likely to be affected diabetes.
- American Indians who have less than a college degree are rarely included in any type of cancer clinical trials (i.e. prevention, screening/early detection, diagnosis, treatment, quality of life).

\* North Central Cancer Information Service, Feb. 2002; ND Health Disparities Group, December 2002.

## **Attachment #2**

Operational changes in the Indian Affairs Commission during the 1999-01 biennium occurred on two levels: 1) focus the activities of the agency toward the Governor's six Pillars: (job creation, education, technology, agriculture and energy) with the intent on strengthening the state's economy, and 2) creation of a systemic mechanism for responding to health and human-service related needs, that have framed the work of the commission since its inception.

Challenges to the agency have been to assume a greater networking role in bridging partnerships in the business sector while responding to ever-increasing issues of health and human-service related disparities of the Native population. Limited staffing presents new challenges in developing a mechanism to create a more integrative role of the Commission among state agencies having shared interests and responsibilities as a mechanism for response. Among the new activities undertaken by the Agency has been to develop and participate in new Initiatives. Along with continuing the Commissions' networking role with 8 on-going committees:

- Children's Services Coordinating Committee
- Indian Scholarships Board of Directors
- NATI – Native American Training Institute
- State Historical Society of North Dakota Commission
- STOP Advisory Board
- Suicide Prevention Task Force
- North Dakota Mental Health Planning Council

The Director and staff have assumed a proactive networking role and involvement in:

- The ND Rural Development Council
- Advisory Board member of Fannie Mae, Inc.
- Member of the ND Workforce Development Council.
- Creating a database of and working relationship with Native American tribal and private sector businesses.
- Establishing a working relationship with the Greater North Dakota Association (GNDA).
- Member of the Task Force on Reservation Lending, along with the ND Rural Development Council, FDIC – Kansas City, and USDA Rural Development.
- Member of the Governor's Military Task Force.
- Member of the Director's Transportation Advisory Committee, ND Department of Transportation.
- Member of the Governor's Lewis & Clark Bicentennial Advisory and Nature-based Tourism Committees.
- Member of the ND Economic Development Foundation's Strategic Planning Group.

In the 2001-2003 biennium the Agency upgraded its technological infrastructures: hardware and software upgrades, creation of a website, and staff training with the intent of assuming operation and maintenance of the office technological operating systems and operation and maintenance of the website.



### Attachment # 3

#### Indian Affairs Commission Budget History

BIENNIUM	F.T.E.'s & Salaries	Operating Expenses & Equipment	Indian Scholarship Program	NAADAEP Grant	Indian Development Fund	TOTAL
(28) 03-05	(3) 318,109	41,222				359,331
(27) 01-03	(3) 300,037	36,022				336,059
(26) 99-01	(3) 273,507	39,275				312,782
(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	44,832		385,000		614,386
(22) 91-93	(2) 112,720	28,150	Transferred	385,000		528,997
(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	Terminated	680,482
(19) 85-87	(3) 169,540	35,345	175,000	335,000	25,000	739,885
(18) 83-85	(3) 152,294	40,000	175,000	300,000	25,000	688,448
(17) 81-83	(3) 150,314	38,170	145,000	(383,836)	50,000	383,484
(16) 79-81	107,333	20,901	85,000		10,000	223,880
(15) 77-79	83,894	15,781	85,000		25,000	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	(12,600 - DPI)		(10,000 - IDD)	43,225
(11) 69-71	32,716	6,684	(12,600 - DPI)			39,400
(10) 67-69	26,225	3,775	(12,600 - DPI)			30,000
(9) 65-67	11,400	3,600	(12,600 - DPI)			15,000
(8) 63-65	15,000		(12,600 - DPI)			15,000
(7) 61-63	20,000					20,000
(6) 59-61	20,000					20,000
(5) 57-59	20,000	5,000 - Study				25,000
(4) 55-57	25,000					25,000
(3) 53-55	20,000					20,000
(2) 51-53	20,000					20,000
(1) 49-51	20,000					20,000

The micrographic images on this film are accurate reproductions of records delivered to Modern Information Systems for microfilming and were filmed in the regular course of business. The photographic process meets standards of the American National Standards Institute (ANSI) for archival microfilm. NOTICE: If the filmed image above is less legible than this Notice, it is due to the quality of the document being filmed.

Deanna Hall  
Operator's Signature

10/30/03  
Date

**Attachment #4**

**PROPOSED AMENDMENT TO HOUSE BILL NO. 1006**

Page 1, line 2, after "commission" insert ", and to create and enact two new sections to chapter 54-36 relating to a revolving fund for publications and the authority to produce publications and charge a fee for them".

Page 1, after line 11, inserts:

**Section 2.** A new section to chapter 54-36 of the North Dakota Century Code is created and enacted as follows:

**Printing fund for publications – Appropriation.**

1. There is created a revolving fund known as the "printing fund."
2. All money the commission receives from the following sources must be deposited in the printing fund:
  - a. Fees from persons purchasing publications and informational and educational materials produced or distributed by the commission.
  - b. Money from a state agency, federal agency, tribe, and any private person or entity to be used for producing and distributing publications and informational and educational materials.
3. Money in the printing fund and earnings on money in the fund are appropriated on a continuing basis to the commission to defray expenses it incurs in producing and distributing publications and informational and educational materials. This fund is not subject to section 54-44.1-11. Any amount in the fund over \$50 thousand dollars at the end of the fiscal biennium must be transferred to the general fund.

**Section 3.** A new section to chapter 56-34 of the North Dakota Century Code is created and enacted as follows:

**Publications – Fees.** To further its powers and duties, the commission may produce and distribute publications and informational and educational materials and it may charge a fee for its publications.

Renumber accordingly.

**CHAPTER 5****HOUSE BILL NO. 1005**  
(Appropriations Committee)  
(At the request of the Governor)**INDIAN AFFAIRS COMMISSION**

AN ACT to provide an appropriation for defraying the expenses of the Indian affairs commission; to provide for line item transfers; and to declare an emergency.

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

**SECTION 1. APPROPRIATION.** The funds provided in this section, or so much of the funds as may be necessary, are hereby appropriated out of any moneys in the general fund in the state treasury, not otherwise appropriated, and from special funds derived from other income, to the Indian affairs commission for the purpose of defraying the expenses of the Indian affairs commission, for the biennium beginning July 1, 1999, and ending June 30, 2001, as follows:

Salaries and wages	\$273,507
Operating expenses	53,275
Equipment	2,300
Total all funds	\$329,082
Less estimated income	16,300
Total general fund appropriation	\$312,782

**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.

**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.

Approved April 7, 1999  
Filed April 8, 1999

**CHAPTER 30****SENATE BILL NO. 2005**

(Appropriations Committee)  
(At the request of the Governor)

**INDIAN AFFAIRS COMMISSION**

AN ACT to provide an appropriation for defraying the expenses of the Indian affairs commission.

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

**SECTION 1. APPROPRIATION.** The funds provided in this section, or so much of the funds as may be necessary, are appropriated out of any moneys in the general fund in the state treasury, not otherwise appropriated, to the Indian affairs commission for the purpose of defraying the expenses of the Indian affairs commission, for the biennium beginning July 1, 2001, and ending June 30, 2003, as follows:

Salaries and wages	\$300,037
Operating expenses	35,022
Equipment	1,000
Total general fund appropriation	\$336,059

Approved April 17, 2001  
Filed April 17, 2001

The micrographic images on this film are accurate reproductions of records delivered to Modern Information Systems for microfilming and were filmed in the regular course of business. The photographic process meets standards of the American National Standards Institute (ANSI) for archival microfilm. NOTICE: If the filmed image above is less legible than this Notice, it is due to the quality of the document being filmed.

*Deanna Galt*  
Operator's signature

10/30/03  
Date

### Native Americans in ND - 2000

**642,200** – Total Population of ND

**31,329** or 4.9% - Total American Indians (One Race) in ND

**35,228** or 5.5% - Total American Indians (Race alone or in combination with one or more other races)

**18,733** or 59.8% – % of American Indians (One Race) living in ND who live on reservations

**12,596** or 40.2% - % of American Indians (One Race) living in ND who live off reservation

**5,915** – Total Population – Fort Berthold Reservation

**3,986** or 67.4% – American Indians – Fort Berthold Reservation

**4,435** – Total Population – Spirit Lake Reservation

**3,317** or 74.8% – American Indians – Spirit Lake Reservation

**4,044** – Total Population – Standing Rock Reservation (ND side only)

**3,421** or 84.6% – American Indians – Standing Rock Reservation (ND side only)

**8,307** – Total Population – Turtle Mountain Reservation

**8,009** or 96.4% – American Indians – Turtle Mountain Reservation

**[All statistics Census 2000]**

The micrographic images on this film are accurate reproductions of records delivered to Modern Information Systems for microfilming and were filmed in the regular course of business. The photographic process meets standards of the American National Standards Institute (ANSI) for archival microfilm. NOTICE: If the filmed image above is less legible than this Notice, it is due to the quality of the document being filmed.

Deanna Ball  
Operator's Signature

10/30/03  
Date

**NORTH DAKOTA INDIAN AFFAIRS COMMISSION  
2001-2003 BIENNIUM BUDGET**

**PROJECTED EXPENDITURES**

<b>LINE ITEM</b>	<b>BIENNIUM</b>
SALARIES	230,865
BENEFITS	69,172
<b>SUB-TOTAL</b>	<b>300,037</b>
OPERATING	
DATA PROCESSING	3,200
TELECOMMUNICATION-ISD	4,200
TRAVEL	10,313
POSTAGE	1,985
DUES & PROFESSIONAL DEV.	2,918
INSURANCE	613
OPERATING FEES & SERVICES	785
PROFESSIONAL SERVICES	700
OFFICE SUPPLIES	1,085
PRINTING	8,078
MISCELLENEOUS	530
PROFESSIONAL SUPPLIES & MATERIALS	615
<b>SUB-TOTAL</b>	<b>35,022</b>
EQUIPMENT	1,000
<b>SUB-TOTAL</b>	<b>1,000</b>
<b>TOTAL</b>	<b>336,059</b>

The micrographic images on this film are accurate reproductions of records delivered to Modern Information Systems for microfilming and were filmed in the regular course of business. The photographic process meets standards of the American National Standards Institute (ANSI) for archival microfilm. NOTICE: If the filmed image above is less legible than this Notice, it is due to the quality of the document being filmed.

*Deanna Hall*  
Operator's Signature

10/30/03  
Date

**INDIAN AFFAIRS COMMISSION**  
**Budget Monitoring**  
 2001-03 33% of Biennium Remaining

LINE ITEM	2001-03 Biennium Appropriation	Monthly Expenses Oct. 31	Biennium To-Date Expenses Oct. 31	Budget Remaining	
Salaries (3) FTE	237,365.00	9,915.61	156,316.48	81,048.52	
Temporary	-	-	-	-	
Benefits	69,172.00	2,895.58	46,496.05	22,675.95	
	306,537.00	12,811.19	202,812.53	103,724.47	33%
Note: 6,500. Transfer from operating to salaries already taken into account					
<b>OPERATING</b>					
Data Processing	2,356.60	117.92	1,456.60	900.00	
Telecommunication - ISD	3,778.13	135.81	2,178.13	1,600.00	
Travel	8,075.34	553.01	6,475.34	1,600.00	
Postage	852.80	-	452.80	400.00	
Dues & Prof. Dev.	2,799.64	100.00	1,299.64	1,500.00	
Repairs & Maint	25.00	-	25.00	-	
Insurance	328.74	-	328.74	-	
Operating Fees & Services	1,091.00	393.30	590.70	500.30	
Professional Services	700.00	-	285.00	415.00	
Office Supplies	2,546.80	59.39	2,046.81	499.99	
Printing	1,971.00	29.28	1,171.00	800.00	
Misc	100.00	-	100.00	-	
Prof. Supplies & Material	450.95	166.95	450.95	-	
Total Operating	25,076.00	1,555.66	16,860.71	8,215.29	33%
<b>EQUIPMENT</b>	1,000.00	-	962.95	37.05	4%
<b>TOTAL BUDGET</b>	332,530.00	14,366.85	220,636.19	111,893.81	34%
<b>GENERAL FUNDS</b>	332,530.00	14,366.85	220,636.19	111,893.81	34%
<b>SPECIAL FUNDS</b>	-	-	-	-	####
	332,530.00	14,366.85	220,636.19	126,360.66	34%

Reconciliation to Samis Report MB4-310-AA:

	Biennium to Date Expense	Percent Remaining
Salaries and Wages	202,812.53	33%
Operating Expenses	16,860.71	34%
Equipment	962.95	4%
	220,636.19	34%

*Melanie L. Luger*  
 Melanie L. Luger, Admin. Asst.

*Cheryl M. Kulas*  
 Cheryl M. Kulas, Exe. Director

The micrographic images on this film are accurate reproductions of records delivered to Modern Information Systems for microfilming and were filmed in the regular course of business. The photographic process meets standards of the American National Standards Institute (ANSI) for archival microfilm. NOTICE: If the filmed image above is less legible than this Notice, it is due to the quality of the document being filmed.

*Deanna Ballantyne*  
 Operator's Signature

10/30/03  
 Date



## NORTH DAKOTA INDIAN AFFAIRS COMMISSION

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

**Governor John Hoeven**  
CHAIRMAN

**Cheryl M. Kulas**  
EXECUTIVE DIRECTOR

January 14, 2003

Senator Bob Stenehjem, Senate Majority Leader  
Representative Rick Berg, House Majority Leader  
ND House of Representatives  
State of North Dakota – 600 E. Boulevard  
Bismarck, ND 58505-0360

Dear Senator Stenehjem and Representative Berg:

Attached please find the response to your request from the North Dakota Indian Affairs Commission.

The process is a welcomed communication, and is presented with the same hope that the response creates both awareness, and promotes change.

When states such as ours must struggle with deep budget problems, the worry about overtaxing limited resources drives the ultimate question of accountability and efficacy. When a body creates an agency, such as the Indian Affairs Commission whose role is broad, perhaps the central question that needs to be answered how can an agency with high expectations without adequate resources be more effective? Our agencies response hopes to answer that question.

I am more than willing and interested in engendering a conversation regarding the response of the North Dakota Indian Affairs Commission.

With Kind Regards,

Cheryl M. Kulas, Executive Director  
ND Indian Affairs Commission

The micrographic images on this film are accurate reproductions of records delivered to Modern Information Systems for microfilming and were filmed in the regular course of business. The photographic process meets standards of the American National Standards Institute (ANSI) for archival microfilm. NOTICE: If the filmed image above is less legible than this Notice, it is due to the quality of the document being filmed.

Operator's Signature

10/30/03  
Date



## North Dakota Indian Affairs Commission

### 1) What is the main purpose of your agency?

The primary purpose of the ND Indian Affairs Commission is that of advocacy and networking. The commission's duties are:

- a. 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.
- b. To assist tribal, state and federal agencies in developing programs whereby Indian citizens may achieve more adequate standards of living.
- c. To assist tribal groups in developing increasingly effective institutions of self-government.
- d. To work for greater understanding and improved relationships between Indians and non-Indians.
- e. To seek increased participation by Indian citizens in local and state affairs.
- f. To confer with and coordinate officials and agencies of other governmental units and congressional committees with regard to Indian needs and goals, and
- g. To encourage and propose agreements and accords between federal, state, and local agencies and the several tribal governments, and pursuant to chapter 54-40.2, to assist in monitoring and negotiating agreements and accords when asked by an affected tribe.

### 2) How do you measure the achievement of your purpose?

By making certain that the Commission stays apprised of state agency-related issues impacting Native communities and tribes, and relate tribally pertinent information to appropriate state agencies. This is accomplished through the following mechanisms:

- a. Membership on state agency committees and boards. The Indian Affairs Commission staff, 3 – Executive Director, Research Analyst, and Administrative Assistant, has membership in 23 state and tribal related board, commission, and organizations.
- b. Dissemination of information, via electronic communication, facsimile, email, and some printed material. The Commission develops biannually a tribal resource directory.

The Commission has a continuing the networking role with \*8 on-going committees:

- Children's Services Coordinating Committee
- Indian Scholarships Board of Directors
- NATI – Native American Training Institute
- State Historical Society of North Dakota Commission
- STOP Advisory Board
- Suicide Prevention Task Force
- North Dakota Mental Health Planning Council

In the 1999-2001 biennium, 12 additional committees/agencies were added/by appointment by the Governor's office to the advocacy and networking role of the commission:

- ND Rural Development Council.
- Advisory Board member of Fannie Mae, Inc.
- ND Workforce Development Council.

The micrographic images on this film are accurate reproductions of records delivered to Modern Information Systems for microfilming and were filmed in the regular course of business. The photographic process meets standards of the American National Standards Institute (ANSI) for archival microfilm. NOTICE: If the filmed image above is less legible than this Notice, it is due to the quality of the document being filmed.

Operator's Signature

Date

10/30/03

- Creating a database of and working relationship with Native American tribal and private sector businesses.
- Greater North Dakota Association (GNDA). - New Economies Initiative
- Member of the Task Force on Reservation Lending, along with the ND Rural Development Council, FDIC - Kansas City, and USDA Rural Development.
- Member of the Governor's Military Task Force.
- Member of the Director's Transportation Advisory Committee, ND Department of Transportation.
- Scenic By-Ways Review Committee
- Transportation Enhancement Grant Review Team
- Governor's Lewis & Clark Advisory Committee
- Nature-based Tourism Committee.
- Member of the ND Economic Development Foundation's Strategic Planning Group.
- ND Housing Finance Strategic Planning Member

**3) What can the legislature do, financially and otherwise to help you achieve your purpose?**

The Executive Director, by virtue of the nature of the position, spends approximately 80 to 90% of staff time, involved in meetings, and other 10% of time in developing communication linkages between tribal and state agencies, and processing information. By virtue of its' goals, the Indian Affairs Commission work history has addressed human-service related needs. Predicated upon the believe that a healthy economic sector is a vehicle to healthy, self-sustaining community sectors, efforts, both financially and structurally should focus on assisting creating healthier native communities. To achieve this purpose, the North Dakota legislative assembly could:

1. Maximize access to economic and entrepreneurial funding sources.
2. Foster more focused involvement to North Dakota American Indian businesses, both on and off the reservations in economic development services.
3. Provide more responsive programs to Native American businesses.
4. Create a more response structure within State government and within agencies that serve large numbers of Native Americans.

**4) How can you report (measure) your results so the public can easily understand your purpose and evaluate your effectiveness?**

1. Link performance to resources as well as results, including:
  - i. Integrating performance measures and the budget for results-based.
  - ii. Standardize agency measurement systems to ensure data validity.
  - iii. Create greater linkages to stakeholders, the public and government bodies for reporting purposes.

The micrographic images on this film are accurate reproductions of records delivered to Modern Information Systems for microfilming and were filmed in the regular course of business. The photographic process meets standards of the American National Standards Institute (ANSI) for archival microfilm. NOTICE: If the filmed image above is less legible than this Notice, it is due to the quality of the document being filmed.

*Deanna G. Sullivan*  
Operator's Signature

10/30/03  
Date

PHIL BAIRD

1

**TESTIMONY IN SUPPORT OF THE 2003-2005 BUDGET REQUEST  
FOR THE NORTH DAKOTA INDIAN AFFAIRS COMMISSION**

**Submitted by David M. Gipp, President  
United Tribes Technical College**

**North Dakota State Capitol, Bismarck, N.D.  
Wednesday, January 15, 2003**

This testimony is offered by the leadership of United Tribes Technical College (UTTC) in support of state funding for the 2003-2005 budget of the North Dakota Indian Affairs Commission. Specifically, the state legislature is asked to continue funding for the basic operations of the Commission's Office and its important work focused on the needs and issues pertaining to the American Indian Tribes and communities in North Dakota.

Action by the state legislature to provide funding for the Commission would sustain its commitment to support the administration of the Commission, which is a legislatively-authorized entity comprised of the Governor of North Dakota, the Tribal chairpersons elected from each of the four Indian reservations of the state, and four at-large members appointed by the Governor. The primary purpose of the Commission is to strengthen State/Tribal relations leading to an improved quality of life for all North Dakota citizens, Indian and non-Indian alike. This is accomplished through regular meetings of the Commission, the full-time administrative activities of a three-member staff, and the ongoing consultations and collaborations among federal, state, and Tribal agencies.

There is sound rationale why the Commission must continue to be supported by the state of North Dakota:

1. The Indian people of North Dakota retain a unique multi-citizenship status because of the indigenous homelands of their ancestors, the Constitution of the United States, and the proliferation of federal, state, and Tribal law. They are citizens of North Dakota along with being affiliated by enrollment or descendency

The micrographic images on this film are accurate reproductions of records delivered to Modern Information Systems for microfilming and were filmed in the regular course of business. The photographic process meets standards of the American National Standards Institute (ANSI) for archival microfilm. NOTICE: If the filmed image above is less legible than this Notice, it is due to the quality of the document being filmed.

*David M. Gipp*  
Operator's Signature

*10/30/03*  
Date

with their Tribes. The North Dakota citizenship of native people deserves the same rights and opportunities afforded to non-Indians. The Commission has historically acted as a vehicle to ensure an awareness of these rights, to promote an understanding about the needs of North Dakota's Indian citizens, and to seek viable solutions and opportunities to problems and issues demonstrated among Indian Tribes and communities in the state.

2. The Indian Tribes of North Dakota represent sovereignty entities that retain unique government-to-government relationships at the local, state, and national levels. The Tribal leaders of North Dakota have consistently strived to recognize these relationships, commanding reciprocal acknowledgements of the sovereignty of both state government and Tribal governments. Because of this, intergovernmental agreements and compacts must necessarily be negotiated one-on-one. However, the Commission has evolved over the past 51 years as an important link between these governments by providing constructive dialogue and consultations. Given this important protocol, the Commission continues to be valuable in nurturing effective communications and strengthening the government-to-government relationships between the Indian Tribes and the State of North Dakota.
3. Despite the decreasing population trends of North Dakota, U.S. Census data shows that the highest population growth is occurring on the Indian reservations situated in the state. The fastest growing segment on the reservation is the category of 18 years of age and younger (at least 50% of N.D. reservation populations). In addition, the U.S. Census reflects a national trend of more than 50% of American Indians living off the reservation. These trends directly impact many social, educational, and economic dimensions of the state. The Commission is needed to continue organizing the various forums necessary to understand, encourage awareness, and plan for this population dynamics.

4. Because of collective Tribal, state, and federal responsibilities for the well-being of American Indian people, there are a broad array of resources that make social, educational, governmental, and economic systems for Native communities very complex. Most resources are derived from the federal government. The U.S. Congress has historically been challenged to acknowledge its legal, moral, and fiduciary responsibilities to Indian Tribes and Indian people. National efforts by Tribes continue to ensure that these responsibilities are fulfilled. Unfortunately, all too many federal mandates for Indian Tribes and Native communities are not supported with adequate funding. It is anticipated this problem of limited funding will become worse. Shortfalls are expected in 2003 as the White House and the U.S. Congress engage in deliberations and decision-making about federal budget priorities such as the national economy and the potential of military conflict in the Middle East. Again, the role of the Commission and its administrative activities can strengthen communications, networking, and planning among state and Tribal government leaders for responding to anticipated policy changes and federal program rescissions posed by the White House.

The aforementioned points represent some of the most important reasons and justifications to continue the support of the North Dakota Indian Affairs Commission. Since the state legislature previously funded the Commission and its administrative office for the past fifty-one years, the leadership must have recognized the importance of the responsibilities of the Commission. In 2003 and beyond, there will continue to be many issues to be addressed between Indian Tribes and the state of North Dakota. Key areas include:

**Economic Development:** One of the most important and long-standing mutual goals of state and Tribal governments is to develop and sustain viable economic opportunities leading to meaningful employment and a better quality of life for North Dakota citizens. Indian gaming has already yielded immense benefits for North Dakota. Tribal tourism has the next potential to contribute toward the state's economy, especially with the national Lewis & Clark Bicentennial. The Commission can continue to work toward organizing the information and resources to explore and pursue such economic projects.

*Deanna G. Hall*  
Operator's Signature

10/30/03  
Date

**Education:** The outcomes in the education of our young people will dictate the future of the state. Implementation of President Bush's education initiative, the "No Child Left Behind Act," will have significant ramifications on state public and Tribal education systems. The governmental leadership must come together to assess and plan for the impact of the NCLB Act on the schools in the state. Information can be gathered and assessed by state education agencies and the Commission's administrative office. There must also be constant monitoring about how education entities, particularly state and Tribal postsecondary institutions, interface to address workforce development needs.

**Housing:** Many North Dakotans enjoy the privilege of decent housing made possible through housing construction and credit financing. However, housing for Indian people still remains a challenge, especially on Indian reservations. The Commission has, and must continue to explore housing-related resources for Native people both on and off the reservation.

**Health Care:** The physical and mental well-being of North Dakotans is a major issue. The primary provider for Native Americans, the Indian Health Service, is shifting its policies to become a secondary health provider. This situation will impact other public services that are available, especially in the face of growing problems such as diabetes and substance abuse. The Commission has been active in the past in bringing together those health care representatives to head of the secondary and tertiary effects of poor health care.

**Human Rights:** The Tribal leadership of North Dakota have long been advocating for a more effective means of addressing the protection of basic human rights. To some degree, this issue has come to the agenda of the Indian Affairs Commission. However, Tribal leaders feel a separate commission is required to devote the necessary time and expertise to this area. There will continue to be an effort by human rights advocates to establish a state Human Rights Commission to ensure equal opportunity in North Dakota's communities.

**Land & Natural Resources:** Like most North Dakota communities, Indian Tribes enjoy the beauty and benefits of Tribal land and natural resources. Economic development opportunities require the planning of both human and natural resources. Bison herd restoration, wildlife hunting and fishing, quality clean water, and seasonal recreational sports are examples of resource utilization with potential benefits. But these areas have historically imposed legal problems between state and Tribal governments. One positive step in addressing these problems is communications, and the Commission again has been instrumental in information gathering and sharing.

**Terrorism and Homelands Security:** Since September 11, 2001, the issue of homelands security has quickly evolved with state, national, and global interests. The different jurisdiction interests among and around Indian reservations will require both respect and authentic engagement of state and Tribal governments in efforts to protect North Dakota's resources. The Indian Affairs Commission has a role and responsibility in facilitating the coordination of information-gathering and joint planning.

**Transportation:** The rural nature of North Dakota creates a unique demand on the highway and transportation needs of the state. These needs are in part encompassed in the discussion and consideration of state/Tribal tax agreements. The Commission has provided a forum to consider options to make these agreements mutually beneficial, recognizing that the each Tribe must ultimately negotiate its own agreement.

In his recent "State of the Tribes" address to the 2003 North Dakota State Legislature, Three Affiliated Tribes Chairman Tex Hall called for a renewed commitment for partnerships between state and Tribal governments to explore solutions for common problems involving our state citizens, Indian and non-Indian alike. The development of North Dakota's human and natural resources represents one of our most important common challenges. The North Dakota Indian Affairs Commission has been, and will continue to be valuable in bringing together the collective governmental leadership in planning for the future. The support of the North Dakota State Legislature is requested and appreciated.

The micrographic images on this film are accurate reproductions of records delivered to Modern Information Systems for microfilming and were filmed in the regular course of business. The photographic process meets standards of the American National Standards Institute (ANSI) for archival microfilm. NOTICE: If the filmed image above is less legible than this Notice, it is due to the quality of the document being filmed.

*Deanna G. Hall*  
Operator's Signature

10/30/03  
Date

Exhibit 3



**MANDAN, HIDATSA, & ARIKARA NATION**

*Three Affiliated Tribes • Fort Berthold Indian Reservation*

404 Frontage Road • New Town, North Dakota 58763-9402

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

**Testimony of Tex Hall  
Chairman, Mandan, Hidatsa and Arikara Nation**

**58th Legislative Assembly  
State of North Dakota  
Appropriations for Indian Affairs Commission, HB 1005  
Before the Senate Appropriations Committee**

**March 13, 2003**

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, serving the state of North Dakota and its Indian citizens for more than 54 years.

I apologize for being unable to be present at the hearing today, but urgent matters 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, as demonstrated in the 2000 census. 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 welfare reform laws demand that we work together. In addition, as we approach 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, in such areas as rebuilding of the 4 Bears Bridge, to economic development for many areas of the State that are still suffering from rates of unemployment that are too high. It can be the catalyst to provide a true government-to-government relationship between the Tribal Nations and the State of North Dakota.

I also want to take this opportunity to thank Cheryl Kulas for her leadership as Executive Director of the Indian Affairs Commission these past two years.

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

The micrographic images on this film are accurate reproductions of records delivered to Modern Information Systems for microfilming and were filmed in the regular course of business. The photographic process meets standards of the American National Standards Institute (ANSI) for archival microfilm. NOTICE: If the filmed image above is less legible than this Notice, it is due to the quality of the document being filmed.

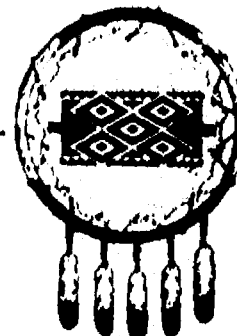
*Tex Hall*  
Operator's Signature

10/30/03  
Date



UNITED TRIBES TECHNICAL COLLEGE  
3315 UNIVERSITY DRIVE  
BISMARCK, NORTH DAKOTA 58504 • PHONE 701-255-3221 • FAX 701-250-0605

March 13, 2003



Honorable Ray Holmberg, Chairman & Members  
Senate Committee on Appropriations  
58<sup>th</sup> North Dakota Legislative Assembly

Testimony Supporting H. B. 1005 by  
David M. Gipp, President  
United Tribes Technical College  
& United Tribes of North Dakota

Mr. Chairman & Members:

Thank you for the opportunity to testify before you today. I am **David M. Gipp**, president of the United Tribes Technical College, located here in Bismarck, North Dakota. We are an intertribal college. We are also an intertribal organization—referred to as United Tribes of North Dakota—which is represented on its board by the five tribal chairs and an elected tribal delegate from each of the five tribes of North Dakota. We have been operating for some 34 years.

To be sure, we know that the Indian Affairs Commission plays an integral role for Governor John Hoeven and the executive branch. He serves as the chair of the commission. It is a key source of **information** about Indian Tribes and has historically served as a point of **coordination and research** for the legislative and judicial branches of state government. Indian Tribes of North Dakota rely on this office as a mechanism for information and liaison with the Governor and the other branches of government, as well.

Indeed, some years ago—I am proud to say—that the North Dakota Indian Affairs Commission and the United Tribes—through our testimony to the legislature—were instrumental in offering the idea of a State of the Tribal Relations speech before the legislature by an elected chairperson from

The micrographic images on this film are accurate reproductions of records delivered to Modern Information Systems for microfilming and were filmed in the regular course of business. The photographic process meets standards of the American National Standards Institute (ANSI) for archival microfilm. NOTICE: If the filmed image above is less legible than this Notice, it is due to the quality of the document being filmed.

*David M. Gipp*  
Operator's Signature

10/30/03  
Date

one of the five North Dakota Tribes. As you know, Chairman Tex Hall gave that speech this past January.

As well and as important, the commission is the only mechanism in state government which has formal representation of North Dakota Tribal governments. Indeed, this **helps maintain a constructive government-to-government relationship** between the state and tribes. Of course, you know four other representatives sit on the commission—three of whom must be of American Indian descent.

There is no doubt in our view as to the value and importance of the commission. Ms. Cheyl Kulas, the executive director of the Indian Commission, has provided you with ample information about the valuable work of the commission.

We support the continued funding of the commission at a level of not less than \$353,343. The funding—though minimal—will be helpful in providing very basic levels of service through the existing three FTE's. It will also allow for the printing of publications, and other support costs.

If you should need further information, please, do not hesitate to contact me. Again, thank you for the opportunity to present this support to the committee on behalf of United Tribes.

# REQUEST DETAIL

316 INDIAN AFFAIRS COMMISSION  
Version: 2003-0316-R-01

Page: 1 of 2  
Date: 1/15/2003  
Time: 11:08:18

Object Description	Object Code	Expenditures 1999 - 2001 Biennium	First Year Expenditures 2001 - 2002	Present Budget Balance 2002 - 2003	Total Present Budget 2001 - 2003 Biennium	Requested Budget 2003 - 2005 Biennium	2003 - 2005 Biennium Incr. (Decr.)
<b>SALARIES AND WAGES</b>							
SALARIES	1001	149,522	116,654	114,211	230,865	240,961	10,096
TEMPORARY, OVERTIME & SHI	1002	41,357	0	0	0	0	0
BENEFITS	1008	47,083	34,825	34,347	69,172	77,148	7,976
<b>TOTAL</b>		<b>237,962</b>	<b>151,479</b>	<b>148,558</b>	<b>300,037</b>	<b>318,109</b>	<b>18,072</b>
<b>SALARIES AND WAGES</b>							
GENERAL FUND	1991	237,962	151,479	148,558	300,037	318,109	18,072
FEDERAL FUNDS	1992	0	0	0	0	0	0
SPECIAL FUNDS	1993	0	0	0	0	0	0
<b>TOTAL</b>		<b>237,962</b>	<b>151,479</b>	<b>148,558</b>	<b>300,037</b>	<b>318,109</b>	<b>18,072</b>
<b>OPERATING EXPENSES</b>							
IT-DATA PROCESSING	3002	2,654	995	2,205	3,200	2,100	(1,100)
IT-TELEPHONE	3003	5,586	1,655	2,545	4,200	3,150	(1,050)
TRAVEL	3004	11,122	5,311	5,002	10,313	2,048	(8,265)
IT-SOFTWARE/SUPPLIES	3005	2,817	0	0	0	0	0
POSTAGE	3007	1,561	428	1,557	1,985	900	(1,085)
LEASE/RENT - EQUIPMENT	3011	316	0	0	0	0	0
DUES & PROFESSIONAL DEV.	3013	4,294	1,308	1,610	2,918	0	(2,918)
OPERATING FEES & SERVICES	3014	5,634	197	588	785	0	(785)
PROFESSIONAL SERVICES	3018	3,911	310	390	700	0	(700)
INSURANCE	3019	83	22	591	613	955	342
OFFICE SUPPLIES	3021	3,518	1,206	100	1,306	821	(485)
PRINTING	3024	8,981	624	7,233	7,857	397	(7,460)
PROFESSIONAL SUPPLIES & M	3025	1,569	281	334	615	0	(615)
MISCELLANEOUS SUPPLIES	3033	1,209	0	530	530	0	(530)
IT-EQUIP UNDER \$5000	3038	7,300	1,000	0	1,000	300	(700)
OPERA BUDGET ADJUSTMENT	3900	0	0	0	0	30,551	30,551
<b>TOTAL</b>		<b>60,555</b>	<b>13,337</b>	<b>22,685</b>	<b>36,022</b>	<b>41,222</b>	<b>5,200</b>
<b>OPERATING EXPENSES</b>							
GENERAL FUND	3991	60,555	13,337	22,685	36,022	41,222	5,200
FEDERAL FUNDS	3992	0	0	0	0	0	0
SPECIAL FUNDS	3993	0	0	0	0	0	0
<b>TOTAL</b>		<b>60,555</b>	<b>13,337</b>	<b>22,685</b>	<b>36,022</b>	<b>41,222</b>	<b>5,200</b>

Office of Management and Budget

R212

The micrographic images on this film are accurate reproductions of records delivered to Modern Information Systems for microfilming and were filmed in the regular course of business. The photographic process meets standards of the American National Standards Institute (ANSI) for archival microfilm. NOTICE: If the filmed image above is less legible than this notice, it is due to the quality of the document being filmed.

Operator's Signature

Date

10/30/03