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*Deanna Hall*

Date

10/23/03

2003 SENATE GOVERNMENT AND VETERANS AFFAIRS

SB 2410

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Deanna Holman  
Operator's Signature

10/23/03  
Date

2003 SENATE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. SB 2410

Senate Government and Veterans Affairs Committee

☐ Conference Committee

Hearing Date 02/14/03

Tape Number	Side A	Side B	Meter #
Tape 1		x	4050-end
Tape 2	x		0-4550
Committee Clerk Signature <i>[Signature]</i>			

Minutes:

**Senator Karen Krebsbach**, Chairman opens SB 2410. All senators present.

**Senator Bercier** introduces bill. this was requested from Chairman Tex Hall from the three affiliated tribes.

Native Americans means we are native to this nation. I feel First Nations Day has more strength that Native Americans day. people sometimes think negatively when they hear Native American. this would not create a new holiday, this would be a day to recognize the indigenous people of this state. many towns in the state are even named after the tribal language. Native American people serve in military more per capita than every other people.

**Senator Nelson** : during the Olympic games Sydney, Australia made a lot of their stars that were indigenous people, do you have any ideas how those tribes are handled in those countries?

**Senator Bercier**: Indigenous games are in Canada, that are games of tribal people. We have tribal person on that board who tried to bring those games to Fargo but it didn't happen.

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10/23/03  
Date

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Senate Government and Veterans Affairs Committee

Bill/Resolution Number SB 2410

Hearing Date 02/14/03

**Senator Nelson :** It seemed the countries really support there people.

**Senator Bercier:** Fargo was actually not large enough, that is one of the major reasons why the games were not held there.

**Senator Dever :** My concerns is the separation of powers whether or not it is appropriate for the legislature to require the governor to issue a proclamation when it seems to me that it should be others that do this.

**Senator Bercier:** I visited with the governor and he was fine with this.

**Senator Dever :** could he do this himself?

**Senator Bercier:** I didn't ask that specific question. this day would be important for the reason of sovereignty? We want people to enjoy our ceremonies and culture. Tourism, which is not a issue. but some people come to ND to see the "Indians" expecting to see us in teepees but obviously that is not what they see. we need these continued efforts to help bring all people together.

**Senator Dever :** the second Day of October is also known as Columbus Day.

**Senator Bercier:** I would prefer not to have that day then, I would prefer to change that day.

**Senator Fairfield,** sponsor of the bill is in support of SB 2410.

**Mervin Packineau, vice Chairman of the Three Affiliated Tribes (Testimony attached)**

**Senator Dever :** Is this to bring Columbus Day and First Nations Day together?

**Packineau:** I am not sure. I have not spoken with Tex Hall specifically about this. I believe it is because the Native Americans believe that they were the natives to this land and this is in celebration of Columbus. Indians would like to celebrate their day instead of having to celebrate Columbus Day. in fact our tribe already celebrates this day.

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10/23/03  
Date

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Senate Government and Veterans Affairs Committee  
Bill/Resolution Number SB 2410

Hearing Date 02/14/03

Senator Brown: Do you happen to know what day South Dakota uses?

Packineau: No I am not sure. I do believe it is early November maybe.

Cheryl Kulas, ND Indians Affairs Commission, in support of SB 2415.

She gives a history of the Native Americans to this state. She also backs up the reasoning for Columbus day. She states there are 563 tribes in America.

Carol Two Eagles, in support of SB 2415. she states there is many reasons to have First Nations Day.

Closed SB 2410

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10/23/03  
Date

2003 SENATE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. SB 2410

Senate Government and Veterans Affairs Committee

☐ Conference Committee

Hearing Date 02/17/03

Tape Number	Side A	Side B	Meter #
Tape 1	x		0-350
Committee Clerk Signature			

Minutes:

Senator Karen Krebsbach, Chairman reopens SB 2410. All senators present.

Senator Nelson moves a Do Pass

Fairfield 2nd

6 Yes 0 No

Carrier: Senator Fairfield

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10/23/03  
Date

Date: 2/17/03  
Roll Call Vote #: |

**2003 SENATE STANDING COMMITTEE ROLL CALL VOTES**  
**BILL/RESOLUTION NO. 2410**

Senate Government and Veteran Affairs Committee

☐ Check here for Conference Committee

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

Action Taken DO Pass

Motion Made By Nelson Seconded By Fairfield

Senators	Yes	No	Senators	Yes	No
Senator Karen Krebsbach, Chr.	✓		Senator April Fairfield	✓	
Senator Dick Dever, Vice Chr.	✓		Senator Carolyn Nelson	✓	
Senator Richard Brown	✓				
Senator Rich Wardner	✓				

Total (Yes) 6 No 0

Absent 0

Floor Assignment Fairfield

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

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Deanna Hall 10/23/03  
Operator's Signature Date

**REPORT OF STANDING COMMITTEE (410)**  
February 18, 2003 8:26 a.m.

Module No: SR-31-3035  
Carrier: Fairfield  
Insert LC: . Title: .

**REPORT OF STANDING COMMITTEE**  
**SB 2410: Government and Veterans Affairs Committee (Sen. Krebebach, Chairman)**  
**recommends DO PASS (8 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2410**  
**was placed on the Eleventh order on the calendar.**

(2) DESK, (3) COMM

Page No. 1

SR-31-3035

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Deanna Hall  
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10/23/03  
Date



2003 HOUSE GOVERNMENT AND VETERANS AFFAIRS

SB 2410

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10/23/03  
Date

2003 HOUSE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. SB 2410

House Government and Veterans Affairs Committee

☐ Conference Committee

Hearing Date 3-14-03

Tape Number	Side A	Side B	Meter #
1		x	19.3
2	x		21.1-23.8
Committee Clerk Signature <i>Jody Runkle</i>			

Minutes: Chairman Klein opened the meeting on SB 2410. All committee members were present.

Senator O'Connell: appeared and was in favor of SB 2410. (SEE ATTACHED TESTIMONY).

Representative Grande: are other states doing this?

Senator O'Connell: I can't answer that question.

Representative Bouchee: appeared in support of SB 2410. The state of South Dakota does this and there are some other states, but I don't know which they are.

The Native Americans make up a significant percent of our states population, they are the largest minority group in the state and I sometimes become offended when we are referred to Native Americans in North Dakota as minorities because indeed they were the first people here. Long before the Europeans came to North Dakota.

David M. Gipp, President, United Tribes Technical College: appeared in support of SB 2410 and provided a statement (SEE ATTACHED TESTIMONY).

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*10/23/03*  
Date

Page 2

House Government and Veterans Affairs Committee

Bill/Resolution Number SB 2410

Hearing Date 3-14-03

Carol Two Eagle appeared in support of SB 2410.

Hearing closed.

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10/23/03  
Date

2003 HOUSE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. SB 2410

House Government and Veterans Affairs Committee

☐ Conference Committee

Hearing Date 3-27-03

Tape Number	Side A	Side B	Meter #
1		x	18.8-24.0
Committee Clerk Signature <i>Joseph Rinkke</i>			

Minutes: Chairman Klein: lets take up SB 2410. All committee members were present.

Representative Grande: after discussion with the tribes, what they would like to do is have First Nations Day fall on the Friday before the second Monday of October.

Representative Grande: moved to **AMEND** SB 2410 as presented by Grande.

Representative Haas: **SECOND** the motion to amend SB 2410.

Representative Tieman: made a **DO PASS MOTION ON SB 2410 AS AMENDED**.

Representative Winrich: **SECOND** the motion.

**VOTE: 13-YES 0-NO 1-ABSENT (KLEMIN).**

**Motion carried.**

Representative Grande: will carry the bill to the floor.

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*Deanna Hall*  
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10/23/03  
Date

38357.0102  
Title.0200

Adopted by the Government and Veterans  
Affairs Committee  
March 27, 2003

VR  
3/27/03

PROPOSED AMENDMENTS TO SENATE BILL NO. 2410

Page 1, line 8, after "the" insert "Friday before the"  
Renumber accordingly

Page No. 1

38357.0102

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10/23/03  
Date

Date:

3-27-03

Roll Call Vote #:

2003 HOUSE STANDING COMMITTEE ROLL CALL VOTE  
SENATE BILL/RESOLUTION NO. 2410

House GOVERNMENT AND VETERANS AFFAIRS Committee

☐ Check here for Conference Committee

Legislative Council Amendment Number

Action Taken

Move Amendment line 8

Motion Made By

Grande

Seconded By

Haas

Representatives	Yes	No	Representatives	Yes	No
Chairman M.M. Klein			B. Amerman		
Vice Chairman B.B. Grande			L. Potter		
W.R. Devlin			C. Williams		
C.B. Haas			L. Winrich		
J. Kasper					
L.R. Klemin					
L. Meier					
M. Sitte					
W.W. Tieman					
R.H. Wikenheiser					

Total

(Yes)

13

No

2

Absent

1

Floor Assignment

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

Add Friday

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Operator's Signature

Deanna Chiles

10/23/03

Date

Roll Call Vote #:

Date: 3-27-03

2003 HOUSE STANDING COMMITTEE ROLL CALL VOTE  
SENATE BILL/RESOLUTION NO. 2410

House GOVERNMENT AND VETERANS AFFAIRS Committee

☐ Check here for Conference Committee

Legislative Council Amendment Number

Action Taken

Do Pass As Amended by Grande

Motion Made By

Tieman

Seconded By

Rep. Winrich

Representatives	Yes	No	Representatives	Yes	No
Chairman M.M. Klein	X		B. Amerman	X	
Vice Chairman B.B. Grande	X		L. Potter	X	
W.R. Devlin	X		C. Williams	X	
C.B. Haas	X		L. Winrich	X	
J. Kasper	X				
L.R. Klemin	X	A			
L. Meier	X				
M. Sitte	X				
W.W. Tieman	X				
R.H. Wikenheiser	X				

Total (Yes) 13 No 0

Absent

(1) Klemin

Floor Assignment

Rep. Grande

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

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Deanna Haller

Date

10/23/03

**REPORT OF STANDING COMMITTEE (410)**  
March 27, 2003 3:57 p.m.

Module No: HR-55-5975  
Carrier: Grande  
Insert LC: 38357.0102 Title: .0200

**REPORT OF STANDING COMMITTEE**  
SB 2410: Government and Veterans Affairs Committee (Rep. M. Klein, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (13 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). SB 2410 was placed on the Sixth order on the calendar.

Page 1, line 8, after "the" insert "Friday before the"

Renumber accordingly

Deanna Chiles  
Operator's Signature

10/23/03  
Date



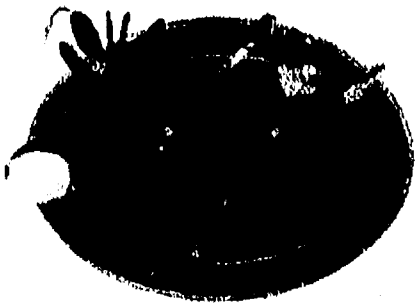
2003 TESTIMONY

SB 2410

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10/23/03  
Date



## 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

Government and Veteran's Affairs Committee  
North Dakota Senate  
58th Legislative Assembly

Testimony of Three Affiliated Tribes  
Mandan, Hidatsa and Arikara Nation

on SB 2410  
"First Nations Day"

February 14, 2003

Madam Chair, members of the Committee, thank you for the opportunity to present testimony today in favor of SB 2410. My name is Mervin Packineau, and I am the Vice-Chairman of the Three Affiliated Tribes. I represent the Lucky Mound segment on our Tribal Business Council. My testimony today is provided on behalf of the Mandan, Hidatsa and Arikara Nation.

This bill is very simple. It simply adds to the North Dakota Century Code a paragraph calling on the Governor of North Dakota to issue a proclamation each year on the second Monday of October in honor of the Tribal Nations and their members that are present within the State of North Dakota and the contributions they have made and are making to our state. Other states have such days, such as South Dakota.

Some have asked why we should have such a day placed into state law, rather than simply let the Governor issue a proclamation on that day. Putting the requirement to issue a proclamation in state law means that each Governor, no matter who that might be, has to take a small amount of time and recognize the First Nations of our state, which are the Federally recognized Indian tribes and their members, on the day that the Federal government has designated as a Federal holiday known as "Columbus" day.

We believe that it is important for the State of North Dakota to recognize the First Nations of our state, as this simple act can emphasize the positive relationship our First Nations have developed with the State of North Dakota. There is no better day for that proclamation to be given than the day set aside for the person who began the process of leading Europeans and others to the lands of my ancestors. It is a small way of emphasizing the connections we now have with each other, and the consequences of the interactions over the years between those who followed Columbus and our Tribal Nations, including the contributions that our Tribe and our leaders such as 4 Bears and Sakakawea made to the Lewis and Clark Expedition as they wintered in our villages on the Knife River.

This bill will not cost the state anything, and so I urge a DO PASS recommendation from this Committee for this bill.

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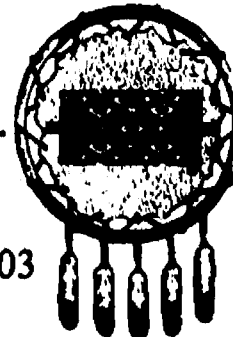
*Deanna Hall*

Date

10/23/03

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

March 14 2003



**Fifty-Eighth Legislative Assembly of North Dakota  
House Committee on Government Affairs  
Fort Union Room  
State Capitol, Bismarck, North Dakota**

**Testimony of David M. Gipp, President,  
United Tribes Technical College  
On SB 2410 – First Nations Day**

**Chairman Klein & Members of the Committee:**

Thank you for this opportunity to testify before you today on SB 2410, a bill to establish First Nations Day in the State of North Dakota. I am David M. Gipp, president of the United Tribes Technical College, which has been serving American Indian Students and their families since July, 1, 1969. We are also known as the United Tribes of North Dakota, when our tribal leaders from the five tribes of North Dakota convene to discuss intertribal policy matters.

As indicated, our board is made up of the five tribal chairmen from each of the five tribes of North Dakota and one other elected councilperson from each of the five tribes. United Tribes, itself, was established to serve our many American Indians who are not served or are poorly served as to the issue of receiving education and training. We are proud of our record of service and typically we serve some 450 to 500 adults and 250 children from as few as 25 to as many as 40 or more tribes from throughout the nation.

I am here today to express our support of SB 2410. We believe this will represent an important and significant population within the state, as well as from around the nation. North Dakota has five Indian Tribes and reservations located within its boundaries. Some seven percent of our population in North Dakota are American Indian or indigenous people. These of course include the Mandan, Arikara, Hidatsa of the Three Affiliated Tribes of Fort Berthold, The Lakota and Dakota Indians who are at The Standing Rock Sioux Reservation and the Spirit Lake Dakota Tribe and reservation, and the Turtle Mountain Band of Chippewa. Of course, the Sisseton Wahpeton Dakota also have territory here in North Dakota, but the

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10/23/03  
Date

predominant population resides on the South Dakota portion of that reservation.

I understand this bill has already passed the North Dakota Senate with a substantial margin.

Likewise, we hope the committee will offer a "do pass" on this bill and refer it to the floor for successful passage.

Mr. Chairman and members of the committee, there is much to say about the contributions of American Indians, indigenous people, to the Great State of North Dakota and to the United States and our surrounding nations. These people are citizens of the state and enrich the state with their presence and diverse history of cultures of songs, dances, customs and languages. The Indian Tribes in the state have a special legal standing, as well.

Indeed, we know that this is a "growing population." It is and will be an increasingly important factor in the growth and well being of North Dakota. From what I can see, over 50 percent of the American Indian population is under age 24. Our Indian Tribes continue to expand their local economies and have plans for more local in-state investment by developing more businesses and industries. This means more jobs and more retention of North Dakotans as continued residents.

Our North Dakota Tribal Colleges, including United Tribes, work hand-in-hand with the state university system and are moving toward greater dialogue on education program offerings and other strategies.

Tribal leadership works well together from the various tribal governments and have a strong interest in the positive future of North Dakota, as well.

We believe passage of this SB 2410 will promote (1) greater educational awareness of American Indian or indigenous peoples and their contributions, (2) provide for greater knowledge and exchange between our tribes and other cultures, and (3) greater recognition of a growing population and its ongoing contributions to the state in all aspects of life—particularly as it relates to the economic and cultural well being of all North Dakotans.

Thank you for your time and we wish you well in your deliberations.



**MANDAN, HIDATSA, & ARIKARA NATION**  
*Three Affiliated Tribes • Fort Berthold Indian Reservation*  
404 Freedom Road • New Town, North Dakota 58763-9402

**TRIBAL BUSINESS CONTACT**  
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**Government and Veterans Affairs Committee**  
**North Dakota House of Representatives**  
**58th Legislative Assembly**

**Testimony of the Three Affiliated Tribes**  
**Mandan, Hidatsa and Arikara Nation**

**on SB 2410**  
**"First Nations Day"**

**March 14, 2003**

Mr. Chairman, members of the Committee, this testimony is being offered on behalf of the Mandan, Hidatsa and Arikara Nation, the Three Affiliated Tribes, in favor of SB 2410.

This bill is very simple. It simply adds to the North Dakota Century Code a paragraph calling on the Governor of North Dakota to issue a proclamation each year on the second Monday of October in honor of the Tribal Nations and their members within the State of North Dakota and to recognize the contributions they have made and are making to our state. Other states have such days in recognition of the indigenous peoples within their state, the "First Nations", such as South Dakota.

Some have asked why we should have such a day placed into state law, rather than simply let the Governor issue a proclamation on his own on that day. Putting the requirement to issue a proclamation in state law means that each Governor, no matter who that might be, has to take a small amount of time and recognize the First Nations of our state, which are the Federally recognized Indian tribes and their members, on the same day that the Federal government has designated as a Federal holiday known as "Columbus" day. Rather than celebrate the person who led Europeans to our shores, the day recognizes us as the "First peoples" of our state.

This simple act of recognition of who we are can emphasize the positive relationship our First Nations have developed with the State of North Dakota. It is a small way of emphasizing the connections we now have with each other, and the consequences of the interactions over the years between those who followed Columbus and our Tribal Nations, including the contributions that our Tribe and our leaders such as 4 Bears and Sakakawea made to the Lewis and Clark Expedition as they wintered in our villages on the Knife River. With passage of this bill, we can further take advantage of the Lewis and Clark Expedition Bicentennial and work on developing other activities that will help focus the attention of visitors to our state on that event.

This bill will not cost the state anything, and so we urge a DO PASS recommendation from this Committee for this bill.

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*Debra J. Hall*  
Operator's Signature  
10/23/03  
Date

SB 2410 provides that the Governor shall issue a proclamation each year designating the second the Monday of each October celebrating First Nation's Day. The celebration, which coincides with Columbus Day would not create an additional holiday but would recognize the indigenous peoples of North Dakota.

[The only catching point is that First Nation's Day would fall on Columbus Day. Like as not, this was not pure coincidence but I would suggest simply explaining that when Columbus arrived here the indigenous people were already here and the indigenous peoples were crucial to the establishment of the United States and North Dakota and have made significant contributions to our state and nation. Therefore, it makes sense that we would celebrate First Nation's Day on Columbus Day.]

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