

MICROFILM DIVIDER

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



ROLL NUMBER

DESCRIPTION

2402

2007 SENATE POLITICAL SUBDIVISIONS

SB 2402

2007 SENATE STANDING COMMITTEE MINUTES

Bill/Resolution No. **SB 2402**

Senate Political Subdivisions Committee

Check here for Conference Committee

Hearing Date: **February 1, 2007**

Recorder Job Number: **2547**

Committee Clerk Signature

Shirley Borg

Minutes:

Chairman Cook called the Senate Political Subdivisions to order. All members (5) present.

Chairman Cook opened the hearing on SB 2402 relating to extension of the committee on tribal and state relations.

Senator Marcellais, District 9, Belcourt, ND, introduced SB 2402. (See Attachment #1)

Representative Boucher, Dist 9, home of the Turtle Mountains Band of Chippewa Indian Reservation, testified in support of SB 2402. (See attachment #2)

Senator Hacker asked why there was not a sunset clause in the first place.

Representative Boucher answered he had a part in the bill the last time around and had a part in implementing what we are asking you to do today. We put a sunset on the bill to see how things would go because we were breaking new ground. I would like to see at sometime and from our experience positive relationships and the positives that he feels could come out of this. Then we could make it a permanent interim committee that we could have on going.

David Gipp, President, United Tribes Technical College, testified in support of SB 2402. (See attachment #3)

Steve Kelly, attorney for Three Affiliated Tribes, on behalf of Marcus Wells, Jr. Chairman of the Three Affiliated Tribes, to present his testimony in support of SB 2402. (See attachment #4)

Representative Charging, District 4, Fort Berthold Reservation, testified in support of SB 2402. She hopes this can be continued.

No further testimony in support, opposed or neutral.

Chairman Cook closed the hearing on SB 2402.

2007 SENATE STANDING COMMITTEE MINUTES

Bill/Resolution No. **SB 2402**

Senate Political Subdivisions Committee

Check here for Conference Committee

Hearing Date: **February 8, 2007** (action)

Recorder Job Number: **3202 and 3261** (Discussion on Amendments by John Bjornson)

Committee Clerk Signature

Shirley Borg

Minutes:

Chairman Cook called the committee to order and asked them to go to SB 2402.

Chairman Cook asked Senator Warner if he could try and find something that might make this bill a little more successful. This is on tribal and state relations.

Senator Warner said he would like some direction from the committee. It has some weaknesses. One of the things I saw is they didn't seem to have authority people to make motions.

Chairman Cook said he thinks the only thing that could be improved is some changes to this language in the bill that will assure that we have pretty much the same people sitting at the table at all of the meetings.

Senator Hacker said he thought the language could be adopted by saying they would be appointed for a two year term.

Senator Warner said these meetings are useful and he thinks consistency is very important.

Amendments were drafted.

Senator Hacker moved amendments on SB 2402.

Senator Warner seconded the motion.

Voice Vote: All members in favor. Amendment adopted.

Senator Warner moved a Do Pass as Amended on SB 2402.

Senator Anderson seconded the motion.

Discussion:

Roll call vote: Yes 5 No 0 Absent 0

Carrier: **Senator Warner**

February 9, 2007 Recorder # 3261

Chairman Cook told the committee John Bjornson would be discussing the amendments.

John Bjornson discussed SB 2402 amendments and then rewrote them to accomplish what the committee wanted to say.

FISCAL NOTE
 Requested by Legislative Council
 01/23/2007

Bill/Resolution No.: SB 2402

1A. State fiscal effect: *Identify the state fiscal effect and the fiscal effect on agency appropriations compared to funding levels and appropriations anticipated under current law.*

	2005-2007 Biennium		2007-2009 Biennium		2009-2011 Biennium	
	General Fund	Other Funds	General Fund	Other Funds	General Fund	Other Funds
Revenues						
Expenditures			\$17,840			
Appropriations						

1B. County, city, and school district fiscal effect: *Identify the fiscal effect on the appropriate political subdivision.*

2005-2007 Biennium			2007-2009 Biennium			2009-2011 Biennium		
Counties	Cities	School Districts	Counties	Cities	School Districts	Counties	Cities	School Districts

2A. Bill and fiscal impact summary: *Provide a brief summary of the measure, including description of the provisions having fiscal impact (limited to 300 characters).*

The bill continues the Legislative Council's seven member Committee on Tribal and State Relations through July 31, 2009. The committee was scheduled to be discontinued on July 31, 2007.

B. Fiscal impact sections: *Identify and provide a brief description of the sections of the measure which have fiscal impact. Include any assumptions and comments relevant to the analysis.*

The bill continues the Legislative Council's seven member Committee on Tribal and State Relations through July 31, 2009. The committee was scheduled to be discontinued on July 31, 2007.

3. State fiscal effect detail: *For information shown under state fiscal effect in 1A, please:*

A. Revenues: *Explain the revenue amounts. Provide detail, when appropriate, for each revenue type and fund affected and any amounts included in the executive budget.*

B. Expenditures: *Explain the expenditure amounts. Provide detail, when appropriate, for each agency, line item, and fund affected and the number of FTE positions affected.*

The expenditure amounts reflect the estimated travel and per diem costs associated with the Committee on Tribal and State Relations.

C. Appropriations: *Explain the appropriation amounts. Provide detail, when appropriate, for each agency and fund affected. Explain the relationship between the amounts shown for expenditures and appropriations. Indicate whether the appropriation is also included in the executive budget or relates to a continuing appropriation.*

The 2007-09 budget request for the Legislative Council includes adequate funding to provide for the costs of this committee for the 2007-09 biennium.

Name:	Jim W. Smith	Agency:	Legislative Council
Phone Number:	328-2916	Date Prepared:	01/23/2007

Date: 2-8-07
Roll Call Vote #: 1

2007 SENATE STANDING COMMITTEE ROLL CALL VOTES
BILL/RESOLUTION NO. SB 2402

Senate Political Subdivisions Committee

Check here for Conference Committee

Legislative Council Amendment Number _____

Action Taken Moved Amendments

Motion Made By Senator Hacker Seconded By Senator Warner

Senators	Yes	No	Senators	Yes	No
Senator Dwight Cook, Chairman			Senator Arden C. Anderson		
Senator Curtis Olafson, ViceChair			Senator John M. Warner		
Senator Nicholas P. Hacker					

Total Yes 5 No —

Absent 0

Floor Assignment —

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

Date: 2-8-07
Roll Call Vote #: 2

2007 SENATE STANDING COMMITTEE ROLL CALL VOTES
BILL/RESOLUTION NO. SB 2402

Senate Political Subdivisions Committee

Check here for Conference Committee

Legislative Council Amendment Number _____

Action Taken Do Pass as Amended

Motion Made By Senator Warner Seconded By Senator Anderson

Senators	Yes	No	Senators	Yes	No
Senator Dwight Cook, Chairman	X		Senator Arden C. Anderson	X	
Senator Curtis Olafson, ViceChair	X		Senator John M. Warner	X	
Senator Nicholas P. Hacker	X				

Total Yes 5 No 0

Absent 0

Floor Assignment Senator Warner

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

REPORT OF STANDING COMMITTEE

SB 2402: Political Subdivisions Committee (Sen. Cook, Chairman) recommends AMENDMENTS AS FOLLOWS and when so amended, recommends DO PASS (5 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2402 was placed on the Sixth order on the calendar.

Page 2, line 11, after "6." insert "a."

Page 2, line 13, overstrike "a." and insert immediately thereafter "(1)"

Page 2, line 15, overstrike "b." and insert immediately thereafter "(2)"

Page 2, line 16, overstrike "c." and insert immediately thereafter "(3)"

Page 2, line 17, overstrike "d." and insert immediately thereafter "(4)"

Page 2, line 18, overstrike "e." and insert immediately thereafter "(5)"

Page 2, line 20, overstrike "f." and insert immediately thereafter "(6)"

Page 2, after line 21, insert:

"b. If the executive director of the Indian affairs commission or any of the tribal chairmen appoint a designee to serve on the task force, only one individual may serve as that designee during the biennium."

Renumber accordingly

2007 HOUSE POLITICAL SUBDIVISIONS

SB 2402

2007 HOUSE STANDING COMMITTEE MINUTES

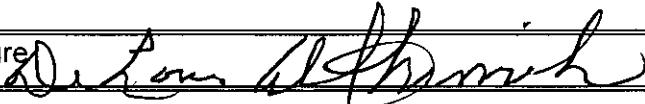
Bill No. SB 2402

House Political Subdivisions Committee

Check here for Conference Committee

Hearing Date: March 2, 2007

Recorder Job Number: 4289, 4290

Committee Clerk Signature 

Minutes:

Chairman Herbel opened the hearing on SB 2402.

Senator Marcellais: (see testimony #1)

Rep. Lawrence Klemin: On page 2 at the bottom it says if the executive director of the Indian affairs commission or any of the tribal chairmen appoints a designee to serve on the task force, only one individual may serve as that designee during the biennium. I think I understand what that means, but there doesn't seem to be a safety value if that designee can't serve for a variety of reasons.

Senator Marcellais: I think we have some issues on the reservation so what they wanted was a secondary person that can report back to the tribal chair person. It maybe a vice chair or another council men. For their communications they want some body more stable in that particular position so at least they would have two people identified. It is just a backup value if they need it.

Rep. Nancy Johnson: That would be just so you would have two people on the committee.

Senator Marcellais: That is correct; it is a backup.

Chairman Herbel: Is that so they could only have one designee. Only one designee may attend, but they could have a replacement for a designee should that person not be able to make it.

Rep. Nancy Johnson: The way I understand it is to have one other person as designee. You can't have another person one time and then another one the next time.

Senator Heckaman: I support SB 2402 and I think it is important to keep the lines of communications open.

Chad Krammer: (Handed out testimony #2 from Three Affiliated Tribes, Marcus Wells, Jr.)
Weather was very bad today.

Opposition: None

Hearing Closed.

Chairman Herbel reopened the hearing on SB 2402.

Do Pass by Rep.Dwight Wrangham Seconded By Rep. Chris Griffin

Discussion:

Rep. William Kretschmar: I think there is some wrong with that new language. It doesn't mean pass away.

Chairman Herbel : Would you like that we hold the bill and get some clarification?

Rep. William Kretschmar: Yes, I would and I think we need an amendment to that or talk about it anyway.

The motion and second has been withdrawn.

Chairman Herbel We will hold the bill for clarification.

We are probably going to look at the last part since we may want to tighten it up a little bit if the designee can't be there.

Marcus Wells, Jr: Had very bad weather and was very impressed because he was just at a hearing in Washington DC and the weather had shut down the whole city with a little snow and here it was just business as usual. I think it is important to keep good communications. I am 40 years old and am the National Guard Engineer. We want to keep a good working relationship with the state and keep informed on what is going on.

Rep. Kim Koppelman I noticed the bill basically extended the sunset. I realize you are new in office, but I am curious to know what your feeling is on this. Do you see this as an ongoing thing and is there a certain value that we have completed and then we are done?

Marcus Wells, Jr: I think working on a continuing relationship because I think an organized effort is better than coming up here trying to hit or miss the bills that are affiliated with us. I see the relationship as an ongoing thing.

Rep. Charging: I do encourage support of continuing this committee. Rep. Kim Koppelman questions in my roll I hear people wanting to be on legislative call and know what is going on between the tribes and the Governor's office. Rather than engaging in Legislative action it does work better for communications if we work together and discussed so that they can be resolved. There are five nations in the state of ND.

Cheryl Kulas: Executive Director of the Indian Affairs Counsel: The Indian affairs commission is comprised of the Indian Affairs commission and two members that are appointed by the Governor. The creation of the state travel agency provided one more opportunity for the tribal community and tribal government to improve dialogue and that is so important. We share lots of things in the state like water and resources and it is important to keep communications open.

Hearing closed.

(testimony #3 included-handed out from Rep. Merle Boucher- for part of the record)

2007 HOUSE STANDING COMMITTEE MINUTES

Bill No. SB 2402

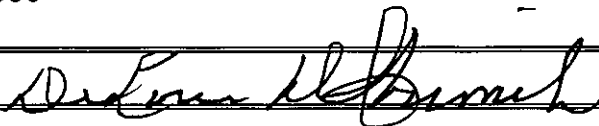
House Political Subdivisions Committee

Check here for Conference Committee

Hearing Date: March 8, 2007

Recorder Job Number: 4660

Committee Clerk Signature



Minutes:

Chairman Herbel reopened the hearing on SB 2402. There was some concern if something happened to a designee that they may not have a replacement for that person.

Rep. William Kretschmar presented an proposed amendment for this bill. This was put in there because they did not want a different person coming at each meeting so they wanted one person in this position. In visiting with Rep. Lawrence Klemin and so we are proposing this amendment.

Moved Amendment Motion Made By Rep. William Kretschmar Seconded By Rep. Kim Koppelman

Discussion: None

Voice Vote Carried.

Do Pass As Amended Motion Made By Rep. Louis Pinkerton Seconded By Rep. Kari Conrad

Discussion: None

Vote: 13 Yes 0 No 1 Absent Carrier: Rep. Chris Griffin

Hearing Closed.

Date: 3-2-07
Roll Call Vote #: 1

2007 HOUSE STANDING COMMITTEE ROLL CALL VOTES
BILL/RESOLUTION NO. SB 2402

House Political Subdivisions Committee

Check here for Conference Committee

Legislative Council Amendment Number _____

Action Taken Do Pass

Motion Made By Wrangham Seconded By Griffin

Representatives	Yes	No	Representatives	Yes	No
Rep. Gil Herbel-Chairman			Rep. Kari Conrad		
Rep. Dwight Wrangham-V. Chair			Rep. Chris Griffin		
Rep. Donald Dietrich			Rep. Lee Kaldor		
Rep. Patrick Hatlestad			Rep. Louis Pinkerton		
Rep. Nancy Johnson			Rep. Steve Zaiser		
Rep. Lawrence Klemin					
Rep. Kim Koppelman					
Rep. William Kretschmar					
Rep. Vonnie Pietsch					

Handwritten signature: W. Wrangham

Total (Yes) _____ No _____

Absent _____

Floor Assignment _____

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

VR
3/8/07

PROPOSED AMENDMENTS TO ENGROSSED SENATE BILL NO. 2402

Page 2, line 26, after the underscored period insert "A substitute designee may be appointed by the executive director of the Indian affairs commission or a tribal chairman in the event of the death, incapacity, resignation, or refusal to serve of the initial designee."

Renumber accordingly

Date: 3-8-07
Roll Call Vote #: 1

2007 HOUSE STANDING COMMITTEE ROLL CALL VOTES
BILL/RESOLUTION NO. SB 2402

House Political Subdivisions Committee

Check here for Conference Committee

Legislative Council Amendment Number _____

Action Taken Moved

Motion Made By Kretschmar Seconded By KK

Representatives	Yes	No	Representatives	Yes	No
Rep. Gil Herbel-Chairman			Rep. Kari Conrad		
Rep. Dwight Wrangham-V. Chair			Rep. Chris Griffin		
Rep. Donald Dietrich			Rep. Lee Kaldor		
Rep. Patrick Hatlestad			Rep. Louis Pinkerton		
Rep. Nancy Johnson			Rep. Steve Zaiser		
Rep. Lawrence Klemin					
Rep. Kim Koppelman					
Rep. William Kretschmar					
Rep. Vonnie Pietsch					

Total (Yes) _____ No _____

Absent _____

Floor Assignment _____

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

Date: 3-8-07
Roll Call Vote #: 1

2007 HOUSE STANDING COMMITTEE ROLL CALL VOTES
BILL/RESOLUTION NO. 5B2402

House Political Subdivisions Committee

Check here for Conference Committee

Legislative Council Amendment Number _____

Action Taken Do Pass As Amended

Motion Made By Rep. Pinkerton Seconded By Rep. Conrad

Representatives	Yes	No	Representatives	Yes	No
Rep. Gil Herbel-Chairman	✓		Rep. Kari Conrad	✓	
Rep. Dwight Wrangham-V. Chair	✓		Rep. Chris Griffin	✓	
Rep. Donald Dietrich	✓		Rep. Lee Kaldor		
Rep. Patrick Hatlestad	✓		Rep. Louis Pinkerton	✓	
Rep. Nancy Johnson	✓		Rep. Steve Zaiser	✓	
Rep. Lawrence Klemin	✓				
Rep. Kim Koppelman	✓				
Rep. William Kretschmar	✓				
Rep. Vonnie Pietsch	✓				

Total (Yes) 13 No 0

Absent 1

Floor Assignment Rep. Griffin

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

REPORT OF STANDING COMMITTEE

SB 2402, as engrossed: Political Subdivisions Committee (Rep. Herbel, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (13 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). Engrossed SB 2402 was placed on the Sixth order on the calendar.

Page 2, line 26, after the underscored period insert "A substitute designee may be appointed by the executive director of the Indian affairs commission or a tribal chairman in the event of the death, incapacity, resignation, or refusal to serve of the initial designee."

Renumber accordingly

2007 TESTIMONY

SB 2402

PROPOSED AMENDMENTS TO SENATE BILL 2402

Page 2, line 11, after "members" insert ",each appointed for a two-year term,"

Same to House Political Subdivisions

**SENATE BILL 2402 TESTIMONY
POLITICAL SUBDIVISIONS COMMITTEE
CHAIRMAN – SENATOR DWIGHT COOK**

Good morning Mr. Chairman and members of the Senate Political Subdivisions Committee. For the record I am Representative Merle Boucher, a member of the House of Representatives from District Nine (9).

District Nine (9) is the home of the Turtle Mountains Band of Chippewa Indians and the Turtle Mountains Band of Chippewa Indian Reservation.

During the 59th Legislative Session the Committee on Tribal and State Relations was created. This committee was created as an interim committee and state and tribal representative's met and discussed issues involving the State of North Dakota and the state's five (5) Indian Reservations.

Review on the success of our efforts has been mixed. It appears that it will take time and meetings for a total process to evolve.

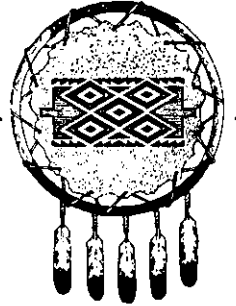
I appear before you today to ask that we extend the life of the committee on State & Tribal Relations. This committee's potential and usefulness is important. There is much that state government and tribal leaders can learn about each other and from each other.

Mr. Chairman and Committee Members, I ask that you give serious consideration to Senate Bill 2402 and recommend a DO PASS.

Thank you, Mr. Chairman and Committee members. I would be willing to respond to any questions you may have.

Respectfully submitted:

Representative Merle Boucher, Minority Leader
North Dakota House of Representatives



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

**60th Legislative Assembly
State of North Dakota
Senate Political Subdivisions Committee**

**Testimony of United Tribes Technical College
and United Tribes of North Dakota
David M. Gipp, President
in Support of SB 2402**

Continuation of Tribal-state Relations Interim Committee

February 1, 2007

Mr. Chairman and members of the Committee: This testimony is in support of SB 2402, which would seek to continue for another two years the Interim Committee on State and Tribal Relations. As you may know, United Tribes Technical College, and United Tribes of North Dakota, have on their board of directors the Chairperson and one additional representative, usually a member of the Tribal Council, from each of the five tribes in North Dakota.

We believe that the Interim Committee on State and Tribal Relations should continue to be a Legislative Council Committee, and hopefully become a permanent committee, for a number of reasons.

First, the Committee serves to educate state legislators about common issues facing the Indian Tribes and Indian citizens within North Dakota. These issues do not remain static. The populations of the Indian tribes are increasing in North Dakota, and as populations grow, services must be increased to serve those populations. Increasingly, those services are, or can be, provided with some kind of assistance provided by the state, whether it is education, social services, transportation, economic development or other matters. Tribal citizens do pay state taxes that contribute to these services, such as sales and motor fuel taxes, and when they work off the reservation, state income taxes. Roughly one-half of all Indian people within the state of North Dakota live off the reservations.

Second, the Committee will have a better chance to think carefully about and develop appropriate policy and legislation regarding issues affecting Indian citizens than it has during the rush of a legislative session. There are many issues yet to be resolved where the legislature can be helpful – improving achievement levels of Indian students in the public schools, improving cooperation and coordination in economic development using such tools as the Centers of Excellence program and other workforce development programs, water rights, welfare reform, assisting in implementing the Indian Child Welfare Act, improving understanding and enforcement of civil rights under state law, creation of mechanisms for appropriate conflict resolution, and many others.

Third, for too long both our American Indian citizens and state institutions, including the legislature, have assumed that there are few reasons for American Indian citizens to be concerned about what the state government does. But as I mentioned before, roughly half of our Indian citizens live off the reservation, and they represent the largest minority population in the state by far. That should be

Testimony of David Gipp
President United Tribes Technical College
SB 2402
February 1, 2007

reason enough to continue the Tribal and State Relations Committee. There is also a common misunderstanding that the federal government is solely responsible for Indian citizens in our state. While the federal government provides many of the fundamental resources and some of the administration of Indian affairs, the interaction between Indian Tribes and the state of North Dakota is a daily event that needs to be carefully reviewed so that the long-term interests of both the Tribes and the state can be realized.

Some might ask whether the Indian Affairs Commission can fill the role of the Tribal and state relations committee. The Indian Affairs Commission is an executive branch agency that helps resolve issues within the administration of state government. It does not answer to the legislature, nor does it have legislators as members. Only a Tribal and State Relations Committee can truly provide the interaction between the Indian citizens of North Dakota and the legislature needed to create long term solutions for the issues facing the state and its Indian Tribes.

The long term goals of the state and its Indian tribes are often very similar – Tribes want solid and meaningful economic development, a sound infrastructure for their economies, good education for their children and recognition of their rights as Indian nations. The state, through its elected officials, has often recognized and stated similar goals. Rather than have issues that result in litigation, often protracted, the Interim Tribal and State Relations Committee can provide a real opportunity for resolution of areas of mutual concern between the Indian Tribes and the state.

For these reasons, I urge the Senate Political Subdivisions Committee to give a DO PASS recommendation to SB 2402.

**60th LEGISLATIVE ASSEMBLY
SENATE COMMITTEE ON
POLITICAL SUBDIVISIONS
HONORABLE DWIGHT COOK, CHAIRMAN &
COMMITTEE MEMBERS**

**TESTIMONY OF MARCUS D. WELLS, JR., CHAIRMAN
THREE AFFILIATED TRIBES
ON SENATE BILL 2402**

Chairman Cook and Committee Members, my name is Marcus Wells, Jr. and I am the Chairman of the Three Affiliated Tribes. Thank you for allowing me to testify before you today.

Senate Bill 2402 extends the Committee on Tribal and State Relations for another two years. The Tribal and State Relations Committee (the "Committee") was created just two years ago during the State's 59th legislative session. I was not a member of this Committee but I have read the minutes of the three meetings the Committee held in 2006 and I believe that the Committee has proved beneficial to the State and Tribes.

The Committee dealt with a wide array of issues such as taxation, delivery of services and case management services, child support enforcement in Indian country, economic development initiatives, oil and gas issues, water quantification, game and fish enforcement, education, and law enforcement which included a discussions on how we can come together to fight the use of methamphetamine on our reservations and throughout North Dakota. The minutes of the meetings reveal that officials from both the State and the Tribes educated the other about funding sources; procedures utilized by their respective governments and discussed how their respective governments could best work together. This appears to be the only State forum that Tribes as group are able to meet with State leaders and have multiple state agencies summoned to discuss State and Tribal concerns. This aspect of the Committee makes the Committee invaluable to Tribes as the Tribes are able to address many issues with the State in a single meeting.

New legislation has been introduced this session as a direct result of the Committee's work. Examples include:

1. The House and Senate both have bills requesting the State set aside funding for grants to Tribal Community Colleges to defray expenses associated with non-beneficiary students attending these colleges;
2. HB 1504 which seeks to add a Tribal police officer to the peace officer standards and training board;
3. HB 1503 seeking to extend the tribal-state guarantee program for another two years; and

These bills are just a few examples of how the Committee has proved beneficial to Tribes and the State.

Representatives from the State and Tribes both mentioned that they found the Committee had made a good start and had productive meetings. However, they also mentioned that the Committee still had more work to do. I agree with this assessment.

For all of these reasons, I urge this committee to recommend a DO PASS on SB 2402. Thank you for allowing me to testify today.

Testimony

Senate Bill No. 2402 – relating to extension of the committee on tribal and state relations

Political Subdivisions Committee

Senator Cook, Chairman

February 1, 2007

Same testimony given to House

Chairman Cook, members of the Political Subdivisions Committee, I am Senator Richard Marcellais, from District 9, of Belcourt I am here today to provide you with testimony on extension of the Tribal and State committee.

The committee consists of State Legislatures and Native American Tribal Citizens Task Force to study tribal-state issues, including government-to-government relations, the delivery of services, child support enforcement, and issues related to the promotion of economic development.

After the joint meetings have concluded, the committee is to meet to prepare a report on its findings and recommendations, together with any legislation required to implement those recommendations to the Legislative Council.

Currently the expiration of the committee is July 31, 2007 therefore we are requesting an extension effective through July 31, 2009.

Thank you very much for the opportunity to appear in support of Senate Bill # 2402.

#2

**60th LEGISLATIVE ASSEMBLY
HOUSE COMMITTEE ON
POLITICAL SUBDIVISIONS
HONORABLE GIL HERBEL, CHAIRMAN &
COMMITTEE MEMBERS**

**TESTIMONY OF MARCUS D. WELLS, JR., CHAIRMAN
THREE AFFILIATED TRIBES
ON SENATE BILL 2402**

Chairman Cook and Committee Members, my name is Marcus Wells, Jr. and I am the Chairman of the Three Affiliated Tribes. Thank you for allowing me to testify before you today.

Senate Bill 2402 extends the Committee on Tribal and State Relations for another two years. The Tribal and State Relations Committee (the "Committee") was created just two years ago during the State's 59th legislative session. I was not a member of this Committee but I have read the minutes of the three meetings the Committee held in 2006 and I believe that the Committee has been beneficial to the State and Tribes.

The Tribal and State Relations Committee discussed a wide array of issues such as taxation, delivery of services and case management services, child support enforcement in Indian country, economic development initiatives, oil and gas issues, water quantification, game and fish enforcement, education, and law enforcement which included a discussions on how Tribes and the State can come together to fight the use of methamphetamine on our reservations and throughout North Dakota. The minutes of the meetings reveal that officials from both the State and the Tribes educated the other about funding sources, procedures utilized by their respective governments, and how their respective governments could best work together. The Tribal and State Relations Committee appears to be the only State forum that Tribes as group are able to meet with State leaders and have multiple state agencies summoned to discuss State and Tribal concerns. I believe that this aspect of the Committee alone makes the Committee invaluable to Tribes as North Dakota's Tribal leaders are able to address many issues with the State in a single meeting.

New legislation has been introduced this session as a direct result of the productive discussions Tribal leaders had with State representatives. Examples include:

1. SB 2404 requiring the State to set aside funding for grants to Tribal Community Colleges to defray expenses associated with non-beneficiary students attending these colleges;
2. HB 1504 which seeks authorize state licensing of Tribal police officers that attend the State academy; and
3. HB 1503 seeking to extend the tribal-state guarantee program for another two years.

Representatives from the State and Tribes have mentioned in testimony before the Senate Political Subdivisions Committee that they believe the Tribal and State Relations Committee has made a good start but that this Committee still has more work to do. I agree with this assessment. Thus, I urge this committee to recommend a DO PASS on SB 2402. Again, thank you for allowing me to testify today.