

**Fifty-sixth Legislative Assembly, State of North Dakota, begun in the Capitol in the City of Bismarck, on Tuesday, the fifth day of January, one thousand nine hundred and ninety-nine**

SENATE CONCURRENT RESOLUTION NO. 4036  
(Senators Bercier, T. Mathern, Mutzenberger, Thane, Thompson)  
(Representative Boucher)

A concurrent resolution directing the Legislative Council to study the operation of the temporary assistance for needy families program in North Dakota as it relates to the relationship between the state and the federally recognized Indian tribes in the state.

**WHEREAS**, the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 provides the state of North Dakota with an annual temporary assistance for needy families block grant to assist needy families so that children may be cared for in their own homes or in the homes of relatives; and

**WHEREAS**, the temporary assistance for needy families block grant allows states some flexibility in the design of the program; and

**WHEREAS**, the temporary assistance for needy families block grant requires recipients of assistance to meet certain work requirements and limits the number of months an adult may receive such assistance; and

**WHEREAS**, an increasing percent of the recipients of assistance under the temporary assistance for needy families block grant in North Dakota are members of a federally recognized Indian tribe; and

**WHEREAS**, a large portion of these individuals resides on Indian reservations within the state; and

**WHEREAS**, the Indian reservations are located in the rural areas of the state and are economically depressed with an unemployment rate approaching sixty percent according to the Bureau of Indian Affairs; and

**WHEREAS**, while federal law requires states to disregard the months of assistance received by an adult while living on an Indian reservation with at least fifty percent unemployment, a question has arisen as to the method to be used to determine unemployment rate statistics; and

**WHEREAS**, the effective coordination and cooperation between the state, tribes, and local governments are critical to the success of welfare, job and workforce training, and economic development programs;

**NOW, THEREFORE, BE IT RESOLVED BY THE SENATE OF NORTH DAKOTA, THE HOUSE OF REPRESENTATIVES CONCURRING THEREIN:**

That the Legislative Council study the operation of the temporary assistance for needy families program in North Dakota as it relates to the relationship between the state and the federally recognized Indian tribes in the state; and

**BE IT FURTHER RESOLVED**, that the Legislative Council, in conducting its study, evaluate the impact of the temporary assistance for needy families program on the federally recognized Indian tribes within the state; and

**BE IT FURTHER RESOLVED**, that the Legislative Council, in conducting its study, evaluate the use of the Bureau of Indian Affairs unemployment rate statistics to determine if adults within an Indian reservation are exempt from the state's lifetime limit under the temporary assistance for needy families program and evaluate and consider other methods of determining the unemployment rate specifically as it applies to those areas; and

**BE IT FURTHER RESOLVED**, that the Legislative Council review the process through which the Department of Human Services receives input from local governments and the federally recognized Indian tribes within the state; and

**BE IT FURTHER RESOLVED**, that the Legislative Council study how state-sponsored economic development, job training, and workforce training programs can be coordinated between the state and federally recognized Indian tribes within the state; and

**BE IT FURTHER RESOLVED**, that the Legislative Council consider the impact of tribal sovereignty on economic development and the implementation of the temporary assistance for needy families program in areas under the jurisdiction of federally recognized Indian tribes within the state; and

**BE IT FURTHER RESOLVED**, that the Legislative Council, in conducting its study, request input from members of the federally recognized Indian tribes within the state and from officials of the government of those tribes, especially tribal officials involved with human services and economic development programs; and

**BE IT FURTHER RESOLVED**, that the Legislative Council report its findings and recommendations, together with any legislation required to implement the recommendations, to the Fifty-seventh Legislative Assembly.

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President of the Senate

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Speaker of the House

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Secretary of the Senate

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Chief Clerk of the House

Filed in this office this \_\_\_\_\_ day of \_\_\_\_\_, 1999,  
at \_\_\_\_\_ o'clock \_\_\_\_\_ M.

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Secretary of State