

# MICROFILM DIVIDER

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



ROLL NUMBER

DESCRIPTION

20005

2005 SENATE APPROPRIATIONS

SB 2005

2005 SENATE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. 2005

Senate Appropriations Committee

☐ Conference Committee

Hearing Date January 6, 2005

Tape Number	Side A	Side B	Meter #
1	a		
Committee Clerk Signature			

Minutes:

**David Gipp**, President, United Tribes Technical College and Director, United Tribes of North Dakota located in Bismarck, ND, distributed testimony in support of SB 2005. Also accompanying **David Gipp** are two of the chairman, Charles W. Murphy also member of North Dakota Indian Affairs Commission, Phil Bert, member of North Dakota Indian Affairs Commission, and chairman, from the Sisseton Wahpeton Sioux and Dakota Tribes.

**David Gipp** summarized his testimony in strong support of the ND Indian Affairs Commission and work that it does. They are a major resource to government as well as a resource to Indian tribes in providing information, doing research and providing liaison and coordination between tribal governments, Indian and urban communities with the various state agencies. They provide a forum for many issues that tribal populations face throughout the state in areas of economic development, business development, health, welfare, education and jurisdictional issues. The appropriation request is about \$386,000 from the Governor's budget that has been submitted. We

recommend that the legislature provide an additional \$100,000 to the Indian Affairs Commission because there has been no increase for the past 10-20 years. (additional information can be seen in the written handouts)

**Senator Bowman** What exactly would the \$100,000 be earmarked for .

**David Gipp** At least two more staff and the addition of technology and technology support as well as ability to do more research. Cheryl Kulas will elaborate on this.

**Cheryl Kulas**, Executive Director of the Indian Affairs Commission. In 2004 the commission celebrated its 55th year in operation. Cheryl Kulas distributed a document in support of SB 2005. The commission consists of nine members, is coordinated by a three member staff. Its role is to bring together agencies and individuals to coordinate a variety of issues.

The presentation to the Legislative Council will focus on four main issues as per the handouts. The total budget request is \$386,228 for 2005-07 to cover salary increases, 4 percent budget increases, and operating expenses. The changes in the budget are outlined in the handouts. The major budget needs and various include health disparities, First Nations Day, Child Support Enforcement Support, Drug and Alcohol Task Force. The Revolving Printing Fund of 2003-05 was discussed together with the variance issue in the fund which has impacted the overall budget.

**Chairman Holmberg** interrupted indicating he needed to leave the meeting and **Vice Chairman Bowman** will continue to chair the meeting.

**Chairman Holmberg** raised the issue of the laptop computer being approved last session.

**Cheryl Kulas** thanked the Appropriations committee for the purchase of the laptop.

**Cheryl Kulas** continued her support statement discussing the Real Choice Systems grant provided to the Indian Commission in 2003. The purpose was to develop a culturally based

congruent model for home and community based care for American Indians who are aged and disabled. An independent contractor is doing the bulk of the work on this grant. The tribal request is that tribal agencies be allowed to provide for case management in the elderly. The remaining balance in the Real Choice grant is \$58,926 and the agency will be going to the communities for follow-up planning meetings with consumers and advocates to develop a one-stop site for consumer needs.

One of the major request is the creation of a position of sub-population in the Health Department budget to address health disparities including those of native people. In addition there will be a request from the Health Department for the creation of a tribal state health force.

**Cheryl Kulas** urges continued support of the commission and request the appropriations for the next biennium.

**Senator Robinson** Do we have in place any committee that is engaged in an overview as to what can be done about the Native Americans drug and alcohol problem within our correctional system..

**Cheryl Kulas** Department of Commerce has created a transition from home to community group and part of that is to look at various strategies that corrections is currently using. One area that needs to have greater engagement is probation and parole to involve parents in what to look for.

**Vice Chairman Bowman** With unemployment the way it is does that contribute a lot towards the incarceration of Native Americans. If you get out of prison and go to a job you are productive would the availability of more jobs solve that problem or is there a different part of the culture that I don't understand.

**Cheryl Kulas** I think if you have generational substance abuse it creates a sense of hopelessness among individuals, a lack of a sense of self worth and there may be a physiological change.

**Senator Mathern** Would you please provide us with a list of items with some specificity that you would fund if you got more money.

**Cheryl Kulas** Yes I would do that.

**Tiffany Johnson**, Lobbyist for Mandan, Hidatsa and Arikara Nation, testified in support of SB 2005. **Tiffany Johnson** distributed a handout highlighting her support for a do pass for SB 2005.

**Carol Two Eagles**, concerned citizen who works with at risk youth, testified in support of the Native American budget SB 2005. No printed testimony was distributed.

**Phil Baird**, Dean, Vocational and Academic Programs, United Tribes Technical College (UTTC), member of the Rosebud-Sioux Tribe, testified in support of the Indian Affairs Budget SB 2005. No written testimony was distributed. Discussed the historic legislation and citizenship of the United States. Identified issues of tribal government dealing with the broad spectrum of issues such as economic development, drug and alcohol issues, legislation and what is good for North Dakota. Need information, need bodies to gather information and data. There is a great need to support the Indian Affairs Budget SB 2005.

**Senator Robinson** raised a question about the change in amounts in the budget and how the budget is determined. He then indicated there is an opportunity to provide funding so that we can have facts and statistics to help make a significant improvement for the state's population.

Hearing closed on SB 2005.

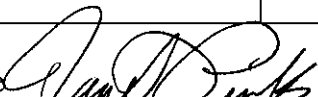
2005 SENATE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. 2005

Senate Appropriations Committee

☐ Conference Committee

Hearing Date February 11, 2005

Tape Number	Side A	Side B	Meter #
1	a		6,106
		b	
Committee Clerk Signature 			

Minutes:

**Chairman Holmberg** reopened the hearing on SB 2005 indicating there needs to be a motion to reconsider the action.

**Senator Thane** moved to reconsider the action, **Senator Krauter seconded**. Discussion followed. A voice vote was taken and it passed to open the hearing.

**Senator Krauter** discussed the Indian Affairs Commission being three individuals who attend many different committees trying to make life better for 26,000 people. He looked at optional requests and FTE's and functionality. The concerns are in the Department of Commerce there has been a request for an Indian Business Development person, the other area is in child support enforcement on reservations, the Department of Corrections. I think it is worth it to add this one FTE to the Department of Commerce to take care of this. I have handed out an amendment

**Senator Krauter** moved to accept the amendment .0101 as distributed, **Senator Mathern seconded**. Discussion took place.

**Senator Fischer**, indicated the Department of Human Services does have a native American that should be doing this so I won't support the placement of this.

**Senator Krauter** expressed concerns of going down the same path that has been done. I have a strong feeling it should be in the Indian Affairs Commission.

A roll call vote was taken on the acceptance of the amendment as proposed. The amendment did not pass.

**Senator Schobinger** moved for a Do Pass as amended, Senator Mathern seconded. The vote was 15 to 0 in favor of the bill as amended.

**Chairman Holmberg** closed the hearing on SB 2005.



Date 2-10-05  
Roll Call Vote #: 1

**2005 SENATE STANDING COMMITTEE ROLL CALL VOTES**  
**BILL/RESOLUTION NO. SB 2005**

Senate SENATE APPROPRIATIONS Committee

☐ Check here for Conference Committee

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

Action Taken

Do Pass AS Amended

Motion Made By

G

Seconded By

Fisch

Senators	Yes	No	Senators	Yes	No
CHAIRMAN HOLMBERG	/		SENATOR KRAUTER		
VICE CHAIRMAN BOWMAN	/		SENATOR LINDAAS	/	
VICE CHAIRMAN GRINDBERG	/		SENATOR MATHERN		
SENATOR ANDRIST	/		SENATOR ROBINSON	/	
SENATOR CHRISTMANN	/		SEN. TALLACKSON	/	
SENATOR FISCHER	/				
SENATOR KILZER	/				
SENATOR KRINGSTAD	/				
SENATOR SCHOBINGER	/				
SENATOR THANE	/				

Total (Yes) 13 No 0

Absent

2

Floor Assignment

Sen Robinson

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

*Leave open*

*Leave open*

Date

Roll Call Vote #:

2/11/05  
~~2004~~  
20052005 SENATE STANDING COMMITTEE ROLL CALL VOTES  
BILL/RESOLUTION NO. SBSenate SENATE APPROPRIATIONS

Committee

☐ Check here for Conference Committee

Legislative Council Amendment Number

2005

Action Taken

Do Pass on amend - 0/02

Motion Made By

Krauter

Seconded By

Mather

Senators	Yes	No	Senators	Yes	No
CHAIRMAN HOLMBERG		/	SENATOR KRAUTER	/	
VICE CHAIRMAN BOWMAN			SENATOR LINDAAS	/	
VICE CHAIRMAN GRINDBERG			SENATOR MATHERN	/	
SENATOR ANDRIST		/	SENATOR ROBINSON	/	
SENATOR CHRISTMANN		/	SEN. TALLACKSON	/	
SENATOR FISCHER		/			
SENATOR KILZER		/			
SENATOR KRINGSTAD		/			
SENATOR SCHOBINGER		/			
SENATOR THANE		/			

Total (Yes)

2

No

13

Absent

2

Floor Assignment

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

Amendment

did not carry

Date

Roll Call Vote #:

2/11/05  
~~2004~~  
20052005 SENATE STANDING COMMITTEE ROLL CALL VOTES  
BILL/RESOLUTION NO. SBSenate SENATE APPROPRIATIONS

Committee

☐ Check here for Conference Committee

Legislative Council Amendment Number

2005

Action Taken

Do Pass as Amended

Motion Made By

Schobinger

Seconded By

Mather

Senators	Yes	No	Senators	Yes	No
CHAIRMAN HOLMBERG	/		SENATOR KRAUTER	/	
VICE CHAIRMAN BOWMAN	/		SENATOR LINDAAS	/	
VICE CHAIRMAN GRINDBERG	/		SENATOR MATHERN	/	
SENATOR ANDRIST	/		SENATOR ROBINSON	/	
SENATOR CHRISTMANN	/		SEN. TALLACKSON	/	
SENATOR FISCHER	/				
SENATOR KILZER	/				
SENATOR KRINGSTAD	/				
SENATOR SCHOBINGER	/				
SENATOR THANE	/				

Total (Yes)

15

No

2

Absent

1

Floor Assignment

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

**REPORT OF STANDING COMMITTEE**

**SB 2005: Appropriations Committee (Sen. Holmberg, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (15 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2005 was placed on the Sixth order on the calendar.

Page 1, line 14, replace "28,022" with "26,633"

Page 1, line 16, replace "50,985" with "49,596"

Page 1, line 18, replace "30,985" with "29,596"

Page 2, line 1, replace "342,333" with "340,944"

Page 2, line 3, replace "406,228" with "404,839"

Page 2, line 5, replace "386,228" with "384,839"

Renumber accordingly

**STATEMENT OF PURPOSE OF AMENDMENT:**

**Senate Bill No. 2005 - Indian Affairs Commission - Senate Action**

	EXECUTIVE BUDGET	SENATE CHANGES	SENATE VERSION
Salaries and wages	\$342,333	(\$1,389)	\$340,944
Operating expenses	<u>63,895</u>		<u>63,895</u>
Total all funds	\$406,228	(\$1,389)	\$404,839
Less estimated income	<u>20,000</u>		<u>20,000</u>
General fund	\$386,228	(\$1,389)	\$384,839
FTE	3.00	0.00	3.00

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

	REDUCES COMPENSATION PACKAGE TO 3/4	TOTAL SENATE CHANGES
Salaries and wages	(\$1,389)	(\$1,389)
Operating expenses		
Total all funds	(\$1,389)	(\$1,389)
Less estimated income		
General fund	(\$1,389)	(\$1,389)
FTE	0.00	0.00

2005 HOUSE APPROPRIATIONS


SB 2005

2005 HOUSE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. SB 2005  
Defray Expenses of Indian Affairs Commission

House Appropriations Committee  
Human Resources Division

Hearing Date 2-28-05 Monday p.m.

Tape Number	Side A	Side B	Meter #
II	X	X	15.0 - 46.0
Committee Clerk Signature 			

Minutes: **Chairman Delzer** called the meeting to order on SB 2005.

**Cheryl Kulas, Executive Director of the North Dakota Indian Affairs Commission**, provided testimony (see 11-page handout). Two budget changes requested deal with 1) an increase of \$2,000 for the transfer and maintenance of the website; and 2) a \$7,500 salary line item as a contingency cost should a staff vacancy occur.

**Sandy/OMB:** It is up to 10% sick leave money.

**Chairman Delzer:** We will have to see what happens with Bill 1334 in the Senate. It proposes to take roll-up dollars and put into a pool to be available for these sick leaves.

**Kulas** reviewed the NDIAC 03-05 appropriation, spending, revolving printing fund, Lewis and Clark appropriation, and the Real Choices Systems Change Grant. Next was the 05-07 Budget Needs and Major Variances: health disparities, creation of a Tribal-State Health Care Task Force, First Nations Day, child support enforcement support, and the Drug and Alcohol Task Force.

**Chairman Delzer:** We will break for 15 minutes so we can go get our laptops.

After reconvening at 3:15 p.m., **Chad Kramer, Research Analyst for Indian Affairs**, reviewed their budget history detailed on Attachment #1.

**Chairman Delzer:** How come the \$384,839 does not match the green sheet?

**Don/LC:** The \$386 is the Governor's recommendation. It is not adjusted. The Olmstad is special funds.

**Chairman Delzer:** Why did you do a NDIAC Agency Networking attachment?

**Kulas:** The Senate asked how much time is spent networking. We spent 800 hours per biennium in just meetings, an average of two hours long and with some day-long meetings.

**Chairman Delzer:** How come the Olmstad Commission is not listed on this?

**Kulas:** That is an oversight on my part. *(Tape II Side B starts)*

**Sandy/OMB** explained she does not yet have authorization access to the request detail by the Governor. The new system, PeopleSoft, requires special authority. They use BARs for first-year expenditures, and she can get to the SAMAS report.

**Kramer:** I will do the website work. I have spend-down information with PeopleSoft, not BARs.

Distributed and reviewed two-page Operating Unit Intermediate Account Report for the month ending January 31, 2005 handout.

**Chairman Delzer:** Under special services, what are you doing with that Olmstad grant?

**Kulas:** During the year, we had input sessions. We pulled together human service agencies and focussed on in-home aid care during the meetings. Our subcontractor was the Native American

Training Institute. They have held focus and coordinating meetings for Olmstad issues. Also online and printed material have been used.

**Chairman Delzer:** Where are you located?

**Kramer:** In the Judicial wing.

**Chairman Delzer:** What is your computer schedule?

**Kramer:** We plan on replacing two desktops next biennium. Two desktops, one laptop and one extra was purchased this biennium.

**Kulas:** We replaced the desk in my office since it was small, in poor shape and we needed the space.

**Kramer:** For our last Nations Day at the Heritage Center, we had special rent.

**Chairman Delzer:** I would like to know where you moved the money amount from?

**Kramer:** I do not know.

**Chairman Delzer:** When did you start using the PeopleSoft?

**Kramer:** October.

**Chairman Delzer:** Sandy, isn't OMB going to PeopleSoft to build the budget?

**Sandy/OMB:** At this point we still use BARS. It is more complicated to make changes in PeopleSoft, so we do it in BARS.

**Phil Baird, representing United Tribes Technical College,** testified in support of SB 2005 (see two-page written testimony by Charles Murphy, Chairman of the Standing Rock Sioux Tribe). He also commented as a liaison for the Governor's budget. In June 1924, the government recognized Indians as Americans. They are state residents. For the fourth year, the tribal college is facing another shortfall. It begs the question of what tribes are doing for themselves, but it



takes a shared responsibility to make changes. After 35 years of operation, the economic impact would be \$50 million if we were not there.

**Chairman Delzer:** How well attended are the quarterly meetings? Are we energizing enough non-natives in the process?

**Baird:** It is my position there is enough work for everybody. We rely on the Governor to provide representation.

**Kulas:** Over the 50-year history, there were legislators on the commission. Now HB 1440 is dealing with an interim collaborative commission.

**Chairman Delzer:** I do not think legislators should serve on the commission.

**Sandy/OMB:** There was a separate amendment for \$100,000 for research.

**Rep. Metcalf:** Are there additional funds planned for the increasing problems of suicide rates?

**Baird:** Yes.

**Chairman Delzer:** This is an issue for Human Services.

**Kulas:** The commission is building a dormitory to house kids grades 7-12 with highest risk needs. It will be a therapeutic setting. We also work close with suicide prevention teams.

**Austin Gillette, representing Chairman Hall of Three Affiliated Tribes,** testified in support of SB 2005 (see one-page testimony of Tex Hall, Chairman of Mandan, Hidatsa and Arikara Nation handout). They have a small budget, but it is run efficiently, and they are learning where to ask for help.


Meeting adjourned.

2005 HOUSE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. SB 2005  
Indian Affairs Commission

House Appropriations Committee  
Human Resources Division

Hearing Date: 3-7-05 Monday p.m.

Tape Number	Side A	Side B	Meter #
I	X		12.1 - 21.1
Committee Clerk Signature 			

Minutes: **Chairman Delzer** called the meeting to order on SB 2005 and asked for any amendments.

**Rep. Bellew:** On the green sheet, number three says they are going to give their people sick time and leave, anyway?

**Chairman Delzer:** What this means is if there is sick leave, etc. Built up, the department could not hire until the money is covered. If they left on March 1, and they had three weeks of vacation and sick leave, they could not hire anybody until the 21st of March. If nobody leaves, that \$7,500 will go as a salary adjustment.

**Rep. Bellew:** I would ask for the amendment to remove that \$7,500 \_\_\_\_\_ (*undistinguishable on tape*).

**Stephanie/LC** asked **Chairman Delzer** if he wanted that done for the committee.

**Chairman Delzer:** Yes. If it is adopted, it will need to be changed. Did we talk about the computers?

**Vice Chair Pollert:** They will replace two desktops and one laptop as the spare.

**Sandy/OMB:** The additional \$7,500 is because it is a very small agency, so if an employee left, they could not be paid what they are due. Plus a temp could be hired to man the phones if need be.

**Rep. Metcalf:** How much can be carried over?

**Sandy/OMB:** A carryover of 240 hours vacation leave and 10% of sick leave.

**Chairman Delzer:** Were they state employees before they took the job?

**Sandy/OMB:** Yes, Cheryl was. They need to hire temps.

**Vice Chair Pollert:** Could we move the \$7,500 available if someone left, but if there is no termination, get it turned back to the treasurer?

**Chairman Delzer** asked Stephanie (LC) the status of 1334.

**Rep. Kerzman:** Charles Murphy needs another \$100,000. Did he ask the Senate, too?

**Sandy/OMB:** Yes, the \$100,000 is for a research analyst. It was not in the Governor's budget. We hoped to help this small agency.

**Rep. Kerzman:** I would like this as an amendment. I would add \$100,000 and one FTE in case they lose that \$7,500.

**Chairman Delzer:** Stephanie, do Bellew's and Kerzman's amendments separately.

2005 HOUSE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. SB 2005  
Indian Affairs Commission

House Appropriations Committee  
Human Resources Division

Hearing Date: 3-17-05 Thursday p.m.

Tape Number	Side A	Side B	Meter #
III	X		2.6 - 26.0
Committee Clerk Signature <i>Diane M. O'Leary</i>			

Minutes: **Chairman Delzer** called the meeting to order on SB 2005 and asked for amendments.

**Rep. Kerzman** distributed 58005.0201 and **Rep. Bellew** distributed 58005.0202.

**Rep. Kerzman:** I move the acceptance of amendment 58005.0201.

**Rep. Metcalf:** I second it.

**Rep. Kerzman:** They really could use that FTE. On the reservation, the needs are real. At Standing Rock there is a rash of suicides. They need outreach people. It would foster relationships with them.

**Chairman Delzer:** Did the tribes put any money toward this?

**Rep. Kerzman:** Not directly to it. They did toward Gaming and the Tribunal. This is a state agency. They are so limited, they cannot do much.

**Rep. Metcalf:** To me, it is as if we have overlooked these people. I would like to give them \$100,000 to see what they can do with it. Give them a chance to prove to us. We need to seriously look at this.

**Rep. Wieland:** I am wondering about the mission of Indian Affairs. It is more in the way of a liaison between the State and the Tribes. It is a small agency.

**Chairman Delzer:** I am going to oppose. The Indian Affairs Commission has done admirably and Cheryl Kulas has really done well. I think we have built a better liaison path. But adding another person might not do much. I do not think I will support the other amendment either. Sometimes they have things that somebody needs to be doing, and do not add money to a situation when they can and should. For supporting another position, I guess I am not ready to add another \$100,000, though I respect everyone's view. The clerk will call the roll. Motion fails 2-4 on amendment 58005.0201.

**Rep. Bellew:** I move amendment 58005.0202.

**Rep. Wieland:** I second it for discussion purposes.

**Rep. Bellew:** We know where this is going! My amendment removes the \$7,500 and adds funding to temporary salaries. By doing this, they have to fill the positions anyway when vacations are taken.

**Chairman Delzer:** I certainly respect that. But I think they might take sick leave and go places. They are small enough where they might not cover a position for two weeks. It is not a lot of money. Any way we look at it, we are going to have to amend the bill to take care of the health insurance difference.

**Vice Chair Pollert:** If someone would leave early, they might still need that \$7,500. This would take that money away. For that reason, Rep. Bellew, I cannot support the amendment.

**Chairman Delzer:** We will take a voice vote. Motion fails 1-5. We do need a motion to amend for the \$374. We can do on a voice motion. I would like input from the committee on the computer situation. And not just for this one, but for all of them.

**Rep. Kerzman:** This is a small budget. Let's leave it.

**Vice Chair Pollert:** Are some other committees looking at this?

**Chairman Delzer:** I don't think so.

**Vice Chair Pollert:** I would look at each agency.

**Rep. Bellew:** We need to be consistent for everyone.

**Rep. Kerzman:** In full committee, we are not treating everyone the same like we do in this committee.

**Chairman Delzer:** I know. We will hold this budget and see what happens Tuesday on the other budgets. I know we will have to have a vote on the health insurance.

Meeting adjourned.

2005 HOUSE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. SB 2005  
Indian Affairs Commission

House Appropriations Committee  
Human Resources Division

Hearing Date: 3-21-05 Monday p.m.

Tape Number	Side A	Side B	Meter #
I		X	14.6 - 19.0
Committee Clerk Signature <i>Diana M. O'Leary</i>			

Minutes: **Chairman Delzer** called the meeting to order on SB 2005. Rep. Kerzman's and Rep.

Bellew's earlier amendments failed. Amendment 58005.0203 was introduced followed by a brief discussion.

**Vice Chair Pollert:** I move amendment 58005.0203 to SB 2005. This deals with the health insurance.

**Rep. Wieland:** I second it.

**Chairman Delzer:** Any more discussion? We will take a voice vote. Motion passes 6-0.

**Rep. Wieland:** I move a Do Pass as Amended on SB 2005.

**Vice Chair Pollert:** I second it.

**Chairman Delzer:** Any discussion? The clerk will call the roll. Motion passes 6-0.

**Rep. Kerzman** will carry the bill.

2005 HOUSE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. SB2005  
Indian Affairs Commission

House Appropriations Full Committee

☐ Conference Committee

Hearing Date March 22, 2005

Tape Number	Side A	Side B	Meter #
2		X	#8.1 - #9.5
Committee Clerk Signature <i>Chris Alexander</i>			

Minutes:

**Rep. Ken Svedjan, Chairman** opened the discussion on SB2005.

**Rep. James Kerzman** moved to adopt amendment #0203 to SB2005

**Rep. Jeff Delzer** seconded

**Rep. James Kerzman** explained that the only changes made were for the health insurance adjustments.

**Rep. Ken Svedjan, Chairman** called for a voice vote on the motion to adopt amendment #0203 to SB2005. Motion carried

**Rep. James Kerzman** moved a Do Pass As Amended motion for SB2005

**Rep. Jeff Delzer** seconded

**Rep. Ken Svedjan, Chairman** called for a roll call vote on the Do Pass As Amended motion for SB2005. Motion carried with a vote of 19 yeas, 0 neas and 4 absences. Rep Kerzman will carry the bill to the house floor.

**Rep. Ken Svedjan, Chairman** closed the discussion on SB2005.



PROPOSED AMENDMENTS TO ENGROSSED SENATE BILL NO. 2005

Page 1, line 14, replace "26,633" with "125,815"

Page 1, line 16, replace "49,596" with "148,778"

Page 1, line 18, replace "29,596" with "128,778"

Page 2, line 1, replace "340,944" with "440,126"

Page 2, line 3, replace "404,839" with "504,021"

Page 2, line 5, replace "384,839" with "484,021"

Renumber accordingly

**STATEMENT OF PURPOSE OF AMENDMENT:**

**Senate Bill No. 2005 - Indian Affairs Commission - House Action**

	Executive Budget	Senate Version	House Changes	House Version
Salaries and wages	\$342,333	\$340,944	\$99,182	\$440,126
Operating expenses	<u>63,895</u>	<u>63,895</u>		<u>63,895</u>
Total all funds	\$406,228	\$404,839	\$99,182	\$504,021
Less estimated income	<u>20,000</u>	<u>20,000</u>		<u>20,000</u>
General fund	\$386,228	\$384,839	\$99,182	\$484,021
FTE	3.00	3.00	1.00	4.00

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

	REDUCES RECOMMENDED FUNDING FOR HEALTH INSURANCE <sup>1</sup>	ADDS ASSISTANT DIRECTOR POLICY RESEARCHER POSITION <sup>2</sup>	TOTAL HOUSE CHANGES
Salaries and wages	(\$374)	\$99,556	\$99,182
Operating expenses			
Total all funds	(\$374)	\$99,556	\$99,182
Less estimated income			
General fund	(\$374)	\$99,556	\$99,182
FTE	0.00	1.00	1.00

<sup>1</sup> This amendment reduces the funding for state employees health insurance premiums from \$559.15 to \$553.95 per month.

<sup>2</sup> Adds 1 FTE assistant director policy researcher position.

Date: 3/17/05  
Roll Call Vote #: (1)

**2005 HOUSE STANDING COMMITTEE ROLL CALL VOTES**  
**BILL/RESOLUTION NO. JB 2005 Indian Affairs**

House Appropriations - Human Resources Committee

☐ Check here for Conference Committee

Legislative Council Amendment Number 58005 - 0201

Action Taken Motion Failed

Motion Made By Rep. Kerzman Seconded By Rep. Metcalf

Representatives	Yes	No	Representatives	Yes	No
Chairman Jeff Delzer		✓	Rep. James Kerzman	✓	
Vice Chairman Chet Pollert		✓	Rep. Ralph Metcalf	✓	
Rep. Larry Bellew		✓			
Rep. Alon C. Wieland		✓			

Total (Yes) 2 No 4

Absent \_\_\_\_\_

Floor Assignment Rep.

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

PROPOSED AMENDMENTS TO ENGROSSED SENATE BILL NO. 2005

Page 1, line 14, replace "26,633" with "18,759"

Page 1, line 16, replace "49,596" with "41,722"

Page 1, line 18, replace "29,596" with "21,722"

Page 2, line 1, replace "340,944" with "333,070"

Page 2, line 3, replace "404,839" with "396,965"

Page 2, line 5, replace "384,839" with "376,965"

Renumber accordingly

**STATEMENT OF PURPOSE OF AMENDMENT:**

**Senate Bill No. 2005 - Indian Affairs Commission - House Action**

	EXECUTIVE BUDGET	SENATE VERSION	HOUSE CHANGES	HOUSE VERSION
Salaries and wages	\$342,333	\$340,944	(\$7,874)	\$333,070
Operating expenses	<u>63,895</u>	<u>63,895</u>		<u>63,895</u>
Total all funds	\$406,228	\$404,839	(\$7,874)	\$396,965
Less estimated income	<u>20,000</u>	<u>20,000</u>		<u>20,000</u>
General fund	\$386,228	\$384,839	(\$7,874)	\$376,965
FTE	3.00	3.00	0.00	3.00

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

	REMOVES FUNDING FOR TEMPORARY SALARY ASSISTANCE <sup>1</sup>	REDUCES RECOMMENDED FUNDING FOR HEALTH INSURANCE <sup>2</sup>	TOTAL HOUSE CHANGES
Salaries and wages	(\$7,500)	(\$374)	(\$7,874)
Operating expenses			
Total all funds	(\$7,500)	(\$374)	(\$7,874)
Less estimated income			
General fund	(\$7,500)	(\$374)	(\$7,874)
FTE	0.00	0.00	0.00

<sup>1</sup> This amendment removes funding for temporary salary assistance and contingency costs.

<sup>2</sup> This amendment reduces the funding for state employees health insurance premiums from \$559.15 to \$553.95 per month.

PROPOSED AMENDMENTS TO ENGROSSED SENATE BILL NO. 2005

Page 1, line 14, replace "26,633" with "26,259"

Page 1, line 16, replace "49,596" with "49,222"

Page 1, line 18, replace "29,596" with "29,222"

Page 2, line 1, replace "340,944" with "340,570"

Page 2, line 3, replace "404,839" with "404,465"

Page 2, line 5, replace "384,839" with "384,465"

Renumber accordingly

**STATEMENT OF PURPOSE OF AMENDMENT:**

**Senate Bill No. 2005 - Indian Affairs Commission - House Action**

	EXECUTIVE BUDGET	SENATE VERSION	HOUSE CHANGES	HOUSE VERSION
Salaries and wages	\$342,333	\$340,944	(\$374)	\$340,570
Operating expenses	<u>63,895</u>	<u>63,895</u>		<u>63,895</u>
Total all funds	\$406,228	\$404,839	(\$374)	\$404,465
Less estimated income	<u>20,000</u>	<u>20,000</u>		<u>20,000</u>
General fund	\$386,228	\$384,839	(\$374)	\$384,465
FTE	3.00	3.00	0.00	3.00

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

	REDUCES RECOMMENDED FUNDING FOR HEALTH INSURANCE <sup>1</sup>	TOTAL HOUSE CHANGES
Salaries and wages	(\$374)	(\$374)
Operating expenses	<u></u>	<u></u>
Total all funds	(\$374)	(\$374)
Less estimated income	<u></u>	<u></u>
General fund	(\$374)	(\$374)
FTE	0.00	0.00

<sup>1</sup> This amendment reduces the funding for state employee health insurance premiums from \$559.15 to \$553.95 per month.

Date: 3/21/05 Mon.  
Roll Call Vote #: ①

**2005 HOUSE STANDING COMMITTEE ROLL CALL VOTES**  
**BILL/RESOLUTION NO. SB 2005 Indian Affairs**

House Appropriations - Human Resources Committee

☐ Check here for Conference Committee

Legislative Council Amendment Number 58005.0203

Action Taken Do Pass As Amended

Motion Made By Rep. Wieland Seconded By Rep. Pollert

Representatives	Yes	No	Representatives	Yes	No
Chairman Jeff Delzer	✓		Rep. James Kerzman	✓	
Vice Chairman Chet Pollert	✓		Rep. Ralph Metcalf	✓	
Rep. Larry Bellew	✓				
Rep. Alon C. Wieland	✓				

Total (Yes) 6 No 0

Absent \_\_\_\_\_

Floor Assignment Rep. Kerzman

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

Date: March 22, 2005  
Roll Call Vote #: 1

**2005 HOUSE STANDING COMMITTEE ROLL CALL VOTES**  
**BILL/RESOLUTION NO. SB2005**

House Appropriations - Full Committee

☐ Check here for Conference Committee

Legislative Council Amendment Number 58005.0203

Action Taken **DO PASS AS AMENDED**

Motion Made By Rep Kerzman Seconded By Rep Delzer

Representatives	Yes	No	Representatives	Yes	No
Rep. Ken Svedjan, Chairman	X		Rep. Bob Skarphol	X	
Rep. Mike Timm, Vice Chairman	X		Rep. David Monson	X	
Rep. Bob Martinson	X		Rep. Eliot Glassheim	X	
Rep. Tom Brusegaard	AB		Rep. Jeff Delzer	X	
Rep. Earl Rennerfeldt	X		Rep. Chet Pollert	X	
Rep. Francis J. Wald	X		Rep. Larry Bellew	X	
Rep. Ole Aarsvold	X		Rep. Alon C. Wieland	X	
Rep. Pam Guleson	AB		Rep. James Kerzman	X	
Rep. Ron Carlisle	X		Rep. Ralph Metcalf	X	
Rep. Keith Kempenich	AB				
Rep. Blair Thoreson	X				
Rep. Joe Kroeber	X				
Rep. Clark Williams	AB				
Rep. Al Carlson	X				

Total Yes 19 No 0

Absent 4

Floor Assignment Rep Kerzman

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

**REPORT OF STANDING COMMITTEE**

**SB 2005, as engrossed: Appropriations Committee (Rep. Svedjan, Chairman)**  
recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends  
**DO PASS** (19 YEAS, 0 NAYS, 4 ABSENT AND NOT VOTING). Engrossed SB 2005  
was placed on the Sixth order on the calendar.

Page 1, line 14, replace "26,633" with "26,259"

Page 1, line 16, replace "49,596" with "49,222"

Page 1, line 18, replace "29,596" with "29,222"

Page 2, line 1, replace "340,944" with "340,570"

Page 2, line 3, replace "404,839" with "404,465"

Page 2, line 5, replace "384,839" with "384,465"

Renumber accordingly

**STATEMENT OF PURPOSE OF AMENDMENT:**

**Senate Bill No. 2005 - Indian Affairs Commission - House Action**

	EXECUTIVE BUDGET	SENATE VERSION	HOUSE CHANGES	HOUSE VERSION
Salaries and wages	\$342,333	\$340,944	(\$374)	\$340,570
Operating expenses	<u>63,895</u>	<u>63,895</u>		<u>63,895</u>
Total all funds	\$406,228	\$404,839	(\$374)	\$404,465
Less estimated income	<u>20,000</u>	<u>20,000</u>		<u>20,000</u>
General fund	\$386,228	\$384,839	(\$374)	\$384,465
FTE	3.00	3.00	0.00	3.00

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

	REDUCES RECOMMENDED FUNDING FOR HEALTH INSURANCE <sup>1</sup>	TOTAL HOUSE CHANGES
Salaries and wages	(\$374)	(\$374)
Operating expenses		
Total all funds	(\$374)	(\$374)
Less estimated income		
General fund	(\$374)	(\$374)
FTE	0.00	0.00

<sup>1</sup> This amendment reduces the funding for state employee health insurance premiums from \$559.15 to \$553.95 per month.

2005 TESTIMONY

SB 2005

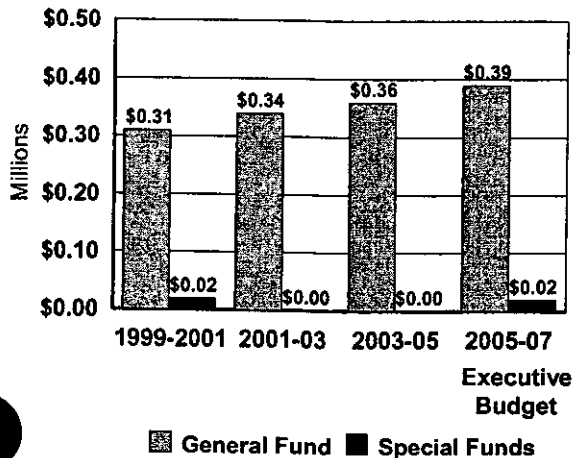


**Department 316 - Indian Affairs Commission**  
**Senate Bill No. 2005**

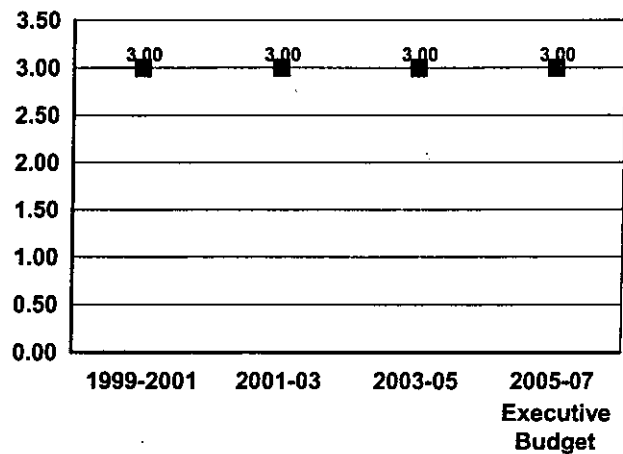
	FTE Positions	General Fund	Other Funds	Total
2005-07 Executive Budget	3.00	\$386,228	\$20,000	\$406,228
2003-05 Legislative Appropriations	3.00	355,243	0 <sup>1</sup>	355,243
Increase (Decrease)	0.00	\$30,985	\$20,000	\$50,985

<sup>1</sup>The 2003-05 appropriation amounts do not include \$85,000 of additional special funds authority resulting from Emergency Commission action during the 2003-05 biennium.

**Agency Funding**



**FTE Positions**



**First House Action**

Attached is a summary of the first house changes.

**Executive Budget Highlights**  
**(With First House Changes Noted)**

	General Fund	Other Funds (\$65,000)	Total (\$65,000)
1. Decreases spending authority for professional services due to federal funding for the Real Choices project ending on August 31, 2005. The mission of the grant is to design a framework for a least restrictive environment for the aged and those with disabilities. The executive recommendation provides for \$20,000 of the \$85,000 grant approved by the Emergency Commission during the 2003-05 biennium to be carried forward to the 2005-07 biennium.			
2. Increases spending authority and the operating line item to transfer the department's web site from a server hosted by the Department of Human Services to an Information Technology Department server. The funding will allow the department to purchase additional software to facilitate updates to the web site and provide for ongoing maintenance costs.	\$2,000		\$2,000
3. Adds funding for temporary salary assistance and contingency costs such as payment of annual and sick leave should an employee terminate employment	\$7,500		\$7,500

**Major Related Legislation**

At this time, no major legislation has been introduced affecting this agency.

ATTACH:1

02/17/05

**STATEMENT OF PURPOSE OF AMENDMENT:****enate Bill No. 2005 - Indian Affairs Commission - Senate Action**

	<b>Executive Budget</b>	<b>Senate Changes</b>	<b>Senate Version</b>
Salaries and wages	\$342,333	(\$1,389)	\$340,944
Operating expenses	63,895		63,895
Total all funds	\$406,228	(\$1,389)	\$404,839
Less estimated income	20,000	0	20,000
General fund	\$386,228	(\$1,389)	\$384,839
FTE	3.00	0.00	3.00

**Department No. 316 - Indian Affairs Commission - Detail of Senate Changes**

	<b>Reduces Compensation Package to 3/4</b>	<b>Total Senate Changes</b>
Salaries and wages	(\$1,389)	(\$1,389)
Operating expenses		
Total all funds	(\$1,389)	(\$1,389)
Less estimated income	0	0
General fund	(\$1,389)	(\$1,389)
FTE	0.00	0.00

**North Dakota Indian Affairs Commission  
Senate Appropriations Budget Hearing  
Human Resources Committee  
January 6, 2005**

*Same given  
to the  
House*

Chairman Holmberg and members of the Committee, my name is Cheryl Kulas, and I am the Executive Director of the North Dakota Indian Affairs Commission.

In 2004, the North Dakota Indian Affairs Commission commemorated its' 55<sup>nd</sup> year as a legislatively authorized Commission. The nine-member Commission is comprised of the Governor, as chairperson, the Tribal Chairpersons elected from the four reservations. There are four at-large members appointed by the Governor, three of whom must be Indian. 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. The Commission staff, in its role as liaison, brings together agencies and individuals to facilitate coordination and communication to address a wide range of issues.

A central role of Commission staff is representation and participation on various committee and boards (Attachment #2). Staff work involves preparation and participation in various meetings, responding to inquiries, and coordination of efforts to address high need issues. Requests come from both Indian and non-Indian organizations and individuals. Our office also researches and investigates inquires for state and federal offices.

At the request of the Legislative Council, the following presentation focuses on four main areas: 2003- 2005 ND Indian Affairs Commission's appropriation, estimated 2003- 2005 spending, 2005 – 2007 budget needs, and major variances.

**NDIAC 2003 – 2005 APPROPRIATION:**

For background information, an on-going budget history of North Dakota Indian Affairs Commission is presented in Attachment #1. It is important to note that the Indian Affairs

Commission staff has a great deal of responsibility and very, very little flexibility in our budget. The NDIAC Commission budget presented for the 2005 – 2007 legislative session is essentially a flat budget. It is difficult to do all the work with such a limited staff. More and more the staff has to revert to outsourcing for the work and cannot survive without the engagement of various agencies and organizations.

The Governor's budget request for the 2005-2007 biennium for the Commission reflects a total of \$386,228. The changes are in the salary line item and operating expenses.

This budget request reflect the following:

- 1) An increase of \$2,000 for the transfer and maintenance cost of maintaining the website. Since its inception in 1999, the NDIAC website has been hosted at no charge by the ND Department of Health. The intent of the NDIAC is to move the website to an ITD server, change its URL, and purchase software to facilitate updates to the website.
- 2) The second change to the budget reflects an increased salary line item of \$7,500. This is a contingency cost should a staff vacancy occur. With a small office of three individuals, there is no leeway at all in the budget. There are no monies built into the budget since the agency would be responsible to pay for annual or sick leave. The proposed increase is to provide for this contingency.

**NDIAC 2003- 2005 SPENDING:**

In the 2003-2005, an additional \$4,000 was added to the Commission's operating budget for contingencies. This allowed the commission to maintain the functioning of the office, and provided a small amount of flexibility to carry out the outreach work of the Indian Affairs Commission. Outreach in the 2003-2005 biennium have focused primarily in state outreach efforts in the areas of health disparities – created under the ND Department of Health under aegis of the Healthy North Dakota Initiative, Child Support Enforcement issues through the Dept. of Human Services Child Support Enforcement Office, Help American Vote Act and, drug and alcohol outreach efforts through the Governor's Drug and Alcohol Task Force.

An addition to the 2003-2005 budget, the Commission requested statutory authority for the creation of a revolving printing fund. This request is to comply with the legislative intent of the 1999-2001 HB 1005 Appropriation Bill, Section 2, Legislative Intent – Directory Fees - specifies...*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.* The NDIAC will undertake the update of the Directory within the remaining 6 months of the biennium.

**Revolving Printing Fund:** The 2003-2005 legislative assembly approved the creation of a new section to chapter 54-36 of the North Dakota Century Code which provided for the creation of a revolving printing fund.

This fund allows for fees collection of fees from persons purchasing publications and informational and educational materials produced or distributed by the Commission and 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.

The authorization also specifies that 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 \$25 thousand dollars at the end of the fiscal biennium must be transferred to the general fund.

Section 3 created a new section chapter 56-34 of the North Dakota Century Code creating the authority of the commission to produce and distribute publications and information and educational materials for which a fee may be charged for its publications.

The beginning balance of \$14,500 was transferred to the Indian Affairs Commission from the North Dakota Department of Public Instruction on July 1, 2003, the effective date stated in House Bill 1005.

The \$14,500 was the amount transferred from the ND Department of Public Instruction to continue the development of the Native American curriculum, legislatively authorized in 1971, developed under and appropriation in 1991. Most of the materials developed under the legislation are no longer in print. The purpose of the fund was to provide for the printing and mailing of the work products developed under the aegis of the Native American Curriculum. To date, meetings have been held with two of the reservation

communities, whose history and culture guides are out of print. Those committees are currently reviewing the old guides, and are preparing changes for reprinting of the documents.

There is a variance issue in this fund that is impacting our operating budget which is limited. The printing fund is designated only for printing and postage as interpreted by the Attorney General's office. No expenditures are allowed for development costs. Currently our office is spending funds from its' operating budget to provide travel and lodging for two individuals (one educator and one tribal historian) from two reservations to make the necessary changes to the documents. Estimates for final editing of the documents that have been received indicated a minimum cost of \$1,500 per document for editing purposes.

To date, the balance in the fund is \$15,581.45. This reflects the sale of 128 culture and resource guides, reflecting an increase of \$1,081.00.

1. Lewis and Clark Appropriation

The Indian Affairs Commission has worked closely with the ND Tourism Department to redesign, reprint and develop a Native American specific brochure for dissemination statewide. A copy is attached to this testimony. The funding for the project was provided through the appropriation of \$100,000, administered by the ND Tourism Office under the Lewis and Clark Commemoration.

Also provided for in the appropriation is the development of several public service announcements and a promotional video for use during the Lewis and Clark Bicentennial Signature events. The North Dakota Indian Affairs Commission has produced one public service announcement for the 2004 Signature Event, and is developing the RFP for the completion of three mini-documentaries that will be produced by June 30, 2005 for use in the 2006 Signature event. Table one reflects expenditures to date on that account.

Table 1 – Lewis & Clark Appropriation

DATE	VENDOR	DESCRIPTION	AMOUNT
11/16/2004	Indian Affairs Commission	Historical re-enactment	\$ 2,110.00
12/15/2004	KAT Productions	TV commercial Production	\$ 4,920.00
1/05/05	Richtman's Printing	N.A. Brochure printing	\$ 28,129.95
8/13/2004	David Lee Pictures	photos	\$ 216.72
10/31/2004	Odney	Production/scans	\$ 408.00
7/13/2004	ND Historical Society	scans/photos	\$ 281.00
7/13/2004	NDSU	photo	\$ 10.00
<b>TOTAL SPENT</b>			<b>\$ 36,075.67</b>

The remaining \$63,924.33 will be used for the creation of the aforementioned mini-documentaries.

## 2. Real Choices Systems Change Grant

In September of 2003, the NDIAC applied for and received a grant from the ND Department of Human Services in the amount of \$85,000. Under the auspices of the Olmstead Commission the purpose of the grant is the development of a culturally-congruent model of Home and Community Based care for American Indians on the 4 North Dakota reservations.

Because of limited staffing, the majority of the work of the grant is outsourced to an independent contractor. As the grantee, the Commission provides both administrative leadership and oversight of subcontractor activities, and through a steering committee directs the work of the subcontractor.

Funds were approved on August 18, 2003, approved by the ND Emergency Commission on October 20, 2003. The grant was formally awarded on December 5, 2003. The work

over the biennium has included the creation of a steering committee including representatives from ND-Dept. of Human Services – various divisions within Aging Services, Vocational Rehabilitation, and the Commission. Activities in year one included the hosting of 3 partnership meetings attended by numerous service-provider agencies and tribal health-related agencies and advocates, as well as consumers and consumer advocates. Six focus group meetings have been held on each of the reservations among American Indian elders and the disabled, elder-advocates, service-provider agencies, both state, private and tribal. Activities for the 2005 year include follow-up planning meetings with consumers and advocates to develop a one-stop sites for addressing consumer needs.

Table 2.

Olmstead Commission - Real Choices Grant			
Subcontractor Expenditures		NDIAC Operating Expenditures	
Contractual fees, travel, and other expenditures:	\$78,000.00	NDIAC Oversight Expenses.	\$7,000.00
	<u>\$26,073.04</u>		<u>\$1,884.25</u>
Balance:	<u>\$51,926.96</u>	Balance:	<u>\$5,115.75</u>

Remaining balance in the Olmstead Real Choices Grant is \$58,926.96.

## **2005 – 2007 BUDGET NEEDS AND MAJOR VARIANCES.**

### **Health Disparities:**

1) NDIAC is an on-going member of the Health Department's Health Disparities Work Group, and interagency group for coordination and building advocacy to address health disparities, and the larger statewide Health Disparities Subcommittee whose work has resulted in a request for a Director of Subpopulations in the Health Department's budget, to address health disparities among a number of groups, including the American Indian population.



2) At the request of the Health Department, secured support from the Commission's tribal leaders to address systemic health needs of the Native population through the creation of a Tribal-State Health Care Task Force. The cost of hiring a consultant to facilitate a one-time coordination meeting and development of the report was \$700.00 which was covered under our operating budget. Planned are site visits to the each of the reservation communities to determine the work of the task force. Support will be needed for on-going facilitation of the work of the Tribal-State Health Care Task Force.

### 3. First Nations Day

The 2003- 2005 Legislative Assembly passed Senate Bill 2410 which authorized the creation of a new section to Chapter 1-03 of the North Dakota Century Code – creating First Nations Day. The event, to be held each year on the Friday precedes Columbus Day, as provided by the Governor's proclamation, recognizes the indigenous peoples of the State of North Dakota and their contributions to the state and the United States.

This has been a particularly enjoyable addition to the Commission's work. It has been work. In order to host the 2003 event, the Commission raised approximately \$5,000. The majority of the funding was provided by the Tribal Casino's – each contributing between \$300 to \$500. ea. Other funds to support the event, came from the Commission's operating budget, approximately \$1,500 each year. Organizations which have provided technical assistance and support, for which the Commission was not charged for services rendered.

United Tribes Technical College	Staff time for meal preparation/service and transport. \$500.
ND Dept. of Health – Emergency Preparedness	Webcast preparation and staffing time for technical assistance, camera shooting, video-taping.
Tribal Nations	Travel expenses for veterans groups/color guards/ singers.

### 4. Child Support Enforcement Support.

The Office of Child Support Enforcement Services has met continuously with the North Dakota Indian Affairs Commission staff and with the United Tribes Board of Directors. The purpose is to assist the office in facilitating meetings between the Counties which have child support enforcement personnel and the tribal courts on child support collections and tribal administrative infrastructure needs and planning for collections.

The Commission has co-hosted a meeting with tribal judges, attended and presented to the Supreme Courts Committee on Tribal and State Court Affairs to address these issues.

Commission staff has agreed to assist in facilitating meetings to assist in the coordination between tribal courts and county offices. As of September 30, 2003, the state had 4,647 cases in LJ, one year later, there was a slight decrease to 4,430 cases. These are cases involving tribal members where there are jurisdictional issues.

5. Drug and Alcohol Task Force

The Commission is represented on the Governor's Drug and Alcohol Task Force. One of the outgrowths of that task force were community visits to each tribal nation, and the coordinated efforts between United Tribes Technical College, Attorney General's Office, Bureau of Criminal Investigation and the Commission which was realized in a 1.5 million dollar grant for tribal-state interjurisdictional partnerships.

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

The role of the North Dakota Indian Affairs Commission is to help facilitate partnerships. Legislative leadership has demonstrated its support and understanding of the

Commission's role by its' continued endorsement of its various programs. We urge your continued support of the State/Tribal relationship for the requested appropriation for the new biennium. Thank you for your consideration.

# North Dakota Indian Affairs Commission Budget History

BIENNIUM	F.T.E.'s & Salaries	Operating Expenses	Indian Scholarship Program	NAADAEP Grant	Indian Development Fund	Real Choices Grant	TOTAL
(29) 05-07	(3) 355,243	43,895				20,000 (special funds expire 9/30/05)	386,228
(28) 03-05	(3) 314,311	40,932				65,000 (special funds begin 10/1/03)	355,243
(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	44,632		385,000			614,386
(22) 91-93	(2) 112,720	28,150	Transferred	385,000			526,997
(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

**Attachment 2**

**NDIAC Agency Networking 2003-2005**

<i>Attorney General's Office</i>	<i>Dept. of Commerce</i>	<i>Dept. of Transportation</i>	<i>Department of Health</i>	<i>Human Services</i>	<i>Military Task Force</i>	<i>ND University Systems</i>	<i>State Historical Society</i>	<i>Division of Emergency Mgmt.</i>
ND Commission on Drugs and Alcohol-Prevention, Law Enforcement & Treatment	Tourism – General Coordination	Director's Advisory Board-Strategic Planning	Emergency Preparedness	Children's Services Coordinating Council	Jr. ROTC Program	Indian Scholarship Program	State Historical Society Commission	Functional Coordinator
Tribal Subcommittee	Lewis & Clark Bicentennial	Scenic By-Ways (app. Review)	Health Disparities Work Group	Child Support Enforcement Services	Native Partnerships	UND- Center for Rural Health		CERT – Citizens Corps Emergency Response Training
	Workforce Development	Tourism Map	Stop Violence Against Women Grants	Covering Kids and Families Adv. Bd. (RWJ)	UND School of Aviation – Native Initiative	Robert Wood Johnson Health Policy Forums (04_		
<i>Department of Corrections:</i>		Transportation Enhancement Grants	Suicide Prevention Task Force					
Transition from Prison to Communities.		Signage Committee	Mental Health Planning Council					
<b>Governor's Office:</b> Missouri River Trust		Legacy Trails Review Comm.	Community Health Adv. (Tobacco)					
		Review Committee – State Highway Map	Healthy North Dakota					
		Governor's Traffic Safety Coordinating Committee (04)						

**Auxiliary Statewide Committees:**

Bismarck Public School – NCLB – Assist Group

Advisory Board – Fannie Mae, Inc.

**National & Regional Committees:**

Council of Chief State School Officers – Partnerships for improving Am. Indian

McREL Advisory Board – Research for Education Laboratory & Regional Adv. Council on Technical Assistance

Operating Unit Intermediate Account Report  
For the Month Ending January 31, 2005

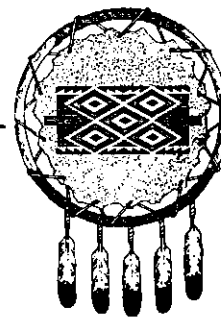
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Class	Account	Description	Current Month	Biennium to Date		
			Activity	General Fund	Federal Fund	Special Funds
Revenues						
	400000	Revenue				
	432000	Intergovernmental Reimbursemen	0.00	2,110.00	0.00	0.00
	467000	Culture and Recreation	0.00	0.00	0.00	698.05
	473000	Miscellaneous General Revenue	0.00	0.00	0.00	383.40
	Total Revenues		0.00	2,110.00	0.00	1,081.45
						3,191.45
Expenditures						
	500000	Expenses				
	511000	Salaries - Permanent	0.00	158,649.76	0.00	0.00
	516000	Fringe Benefits	0.00	50,325.09	0.00	0.00
	31610	Total Salaries and Wages	0.00	208,974.85	0.00	0.00
	500000	Expenses				
	521000	Travel	14.04	13,297.92	0.00	0.00
	531000	Supplies - IT Software	253.36	432.46	0.00	0.00
	532000	Supply/Material-Professional	0.00	420.90	0.00	0.00
	536000	Office Supplies	634.61	2,463.63	0.00	0.00
	541000	Postage	35.66	461.79	0.00	0.00
	542000	Printing	131.34	1,017.17	0.00	0.00
	551000	IT Equip under \$5,000	0.00	1,594.12	0.00	0.00
	553000	Office Equip & Furniture-Under	0.00	2,257.20	0.00	0.00
	571000	Insurance	323.45	1,777.94	0.00	0.00
	582000	Rentals/Leases - Bldg/Land	0.00	100.00	0.00	0.00
	601000	IT - Data Processing	98.34	1,879.57	0.00	0.00
	602000	IT-Communications	0.00	2,422.62	0.00	0.00
	611000	Professional Development	0.00	4,543.29	0.00	0.00
	621000	Operating Fees and Services	472.00	1,614.81	0.00	0.00
	623000	Fees - Professional Services	0.00	1,310.00	0.00	0.00
	31630	Total Operating Expenses	1,962.80	35,593.42	0.00	0.00
	Total Expenditures		1,962.80	244,568.27	0.00	0.00
						244,568.27
Oper Unit 316						
	31610	Salaries and Wages	0.00	208,974.85	0.00	0.00
						208,974.85

Class	Account	Description	Current Month		Biennium to Date		
			Activity	General Fund	Federal Fund	Special Funds	Total
31630		Operating Expenses	1,962.80	35,593.42	0.00	0.00	35,593.42
31610		Total Expe Salaries and Wages	1,962.80	244,568.27	0.00	0.00	244,568.27



UNITED TRIBES TECHNICAL COLLEGE  
3315 UNIVERSITY DRIVE  
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**59th Legislative Assembly  
State of North Dakota**

**Testimony of United Tribes of North Dakota  
and United Tribes Technical College**

**Charles W. Murphy**

**Chairman**

**Standing Rock Sioux Tribe**

**Chairman**

**United Tribes of North Dakota and United Tribes Technical College  
Board of Directors**

**in Support of SB 2005**

**Appropriations for Indian Affairs Commission  
Before the Senate Appropriations Committee**

**January 6, 2005**

Mr. Chairman and members of the Committee: This testimony is given on behalf of United Tribes Technical College in support of the Governor's requested budget for the Indian Affairs Commission, in this, its 56th year of service to the State of North Dakota and its Indian citizens.

The Indian Affairs Commission serves many roles, and, in the past 20 years or so, has done so on an extremely limited budget. Besides fielding questions from the public about Indians and Indian tribes, as well as being a referral point for Tribal members seeking state governmental services, the Commission is an excellent sounding board for issues affecting Tribal Nations and their relationship with the State of North Dakota. Most important, it acts to assist the government-to-government relationship between Indian tribal governments and the State of North Dakota, by bringing the State, through the Governor, and Tribes together, thus allowing them to discuss issues of common concern.

Now the Commission, in this upcoming biennium, has a number of significant additional roles: it is assisting in the coordination of appropriate state officials regarding a U.S. Justice Department grant provided to United Tribes Technical College to help reduce the use of drugs and alcohol within our state. It is also assisting in coordinating a state-intertribal health care task force that will focus on health care issues where the interests of the Tribe and the State of North Dakota intersect.



Testimony of Charles W. Murphy  
Chairman, Board of Directors, United Tribes Technical College  
SB 2005  
January 6, 2005

The above efforts, in part, reflect the fact that the Indian population of the state of North Dakota is the fastest growing population group in our state. Yet, the proposed appropriation does not provide any significant increase to the Indian Affairs Commission budget. We believe that the Indian Affairs Commission needs to have a significant increase in funding to allow it to do its job for an ever increasing state Indian population, whose enterprise and enterprises are contributing more and more to the state economy each passing year.

Further, in this era of emphasis on economic development, and with the many points of intersection between the Indian tribes of this state, state and local government, and the private sector, the Indian Affairs Commission is even more vital for the success of these common endeavors. The 1996 welfare reform legislation passed by Congress underscores the importance of cooperation and understanding between the state and the Indian tribes of North Dakota, as presently more than 50% of all welfare recipients receiving state dollars are Tribal members.

In addition to the issues raised above, there are many other areas where the interests of the state and the Tribes and their members coincide. These include such issues as: education, both K-12 and postsecondary educational opportunities; hunting and fishing rights; cross-deputization agreements; transportation issues; recognition of tribal and state judgments; and water rights, to name just a few.

United Tribes Technical College, our students and our member tribes continue to greatly value the work the North Dakota Indian Affairs Commission does for our peoples and our state on a limited budget. It needs all the funds listed in its budget and more. Again, we urge the 59th Legislative Assembly to appropriate additional funds, in an amount not less than \$100,000, to allow the Indian Affairs Commission to do its job properly by hiring at least two additional staff members. Mr. Chairman, I urge the Senate Appropriations Committee to provide a DO PASS recommendation on SB 2005 regarding the budget for the Indian Affairs Commission along with the amendment as suggested.



**MANDAN, HIDATSA & ARIKARA NATION**  
Three Affiliated Tribes • Ft. Berthold Reservation  
404 Frontage Road • New Town, ND 58763-9402

*Same given to the House*

**59<sup>th</sup> LEGISLATIVE ASSEMBLY  
SENATE COMMITTEE ON APPROPRIATIONS  
HONORABLE RAY HOLMBERG, CHAIRMAN & COMMITTEE MEMBERS**

**TESTIMONY OF TIFFIANY JOHNSON  
LOBBYIST FOR MANDAN, HIDATSA & ARIKARA NATION  
ON SENATE BILL 2005**

Chairman Holmberg and Committee Members. My name is Tiffiany Johnson and I am a lobbyist for the Mandan, Hidatsa & Arikara Nation. Thank you for allowing me to testify before you today.

The Indian Affairs Commission plays an integral role in Tribal/State relations. Established in 1949, the Indian Affairs Commission has been operating for fifty-five years. During this time the Commission has helped resolve issues between the State and Tribes of North Dakota pertaining to jurisdiction, employment, economic development, education, welfare, discrimination, and gaming. The Commission will undoubtedly continue to address these issues and serve as a facilitator between the Tribes and the State.

As the Tribes of North Dakota become more involved with State government – and that appears to be the trend – the need for the Indian Affairs Commission will become greater. The Indian Affairs Commission is the Tribes primary source of contact when we deal with the State the frequency of our dealings with the Commission seems to be increasing all the time.

The Mandan, Hidatsa & Arikara Nation supports the continued funding of the Indian Affairs Commission. We note that Senate Bill 2005 increases the budget for the Indian Affairs Commission by only \$30,985.00 for FY 2006 and FY 2007. We believe that that the Indian Affairs Commission operates on a minimal budget. Our Tribes are working closely with the Commission concerning the bicentennial of the Lewis and Clark expedition. A properly funded Commission is necessary to this cooperative effort.

In closing, I would like to thank Cheryl Kulas, the Executive Director of the Commission, and her staff for all of their hard work and efforts.

I urge this committee to recommend a DO PASS on SB 2005 and full funding for the North Dakota Indian Affairs Commission.

**59th Legislative Assembly  
State of North Dakota**

**Testimony of United Tribes of North Dakota  
and United Tribes Technical College**

**Charles W. Murphy**

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**Standing Rock Sioux Tribe**

**Chairman**

**United Tribes of North Dakota and United Tribes Technical College  
Board of Directors**

**in Support of SB 2005**

**Appropriations for Indian Affairs Commission  
Before the House Appropriations Committee**

**February 28, 2005**

Mr. Chairman and members of the Committee: This testimony is given on behalf of United Tribes Technical College in support of the Governor's requested budget for the Indian Affairs Commission, in this, its 56th year of service to the State of North Dakota and its Indian citizens.

The Indian Affairs Commission serves many roles, and, in the past 20 years or so, has done so on an extremely limited budget. Besides fielding questions from the public about Indians and Indian tribes, as well as being a referral point for Tribal members seeking state governmental services, the Commission is an excellent sounding board for issues affecting Tribal Nations and their relationship with the State of North Dakota. Most important, it acts to assist the government-to-government relationship between Indian tribal governments and the State of North Dakota, by bringing the State, through the Governor, and Tribes together, thus allowing them to discuss issues of common concern.

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**Testimony of Charles W. Murphy**  
**Chairman, Board of Directors, United Tribes Technical College**  
**SB 2005**  
**January 6, 2005**

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