

**Sixty-first Legislative Assembly of North Dakota  
In Regular Session Commencing Tuesday, January 6, 2009**

HOUSE BILL NO. 1059  
(Legislative Council)  
(Tribal and State Relations Committee)

AN ACT to amend and reenact sections 54-36-01 and 54-36-03 of the North Dakota Century Code, relating to the members and the powers and duties of the Indian affairs commission; and to provide a continuing appropriation.

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

**SECTION 1. AMENDMENT.** Section 54-36-01 of the North Dakota Century Code is amended and reenacted as follows:

**54-36-01. Commission - Members - Officers - Expenses of members.** The North Dakota Indian affairs commission consists of the governor, three members appointed by the governor from the state at large, two of whom must be of Indian descent, must be enrolled members of a tribe, and must be current voting residents of the state of North Dakota, and the chairperson, or the chairperson's designee, of the Standing Rock Sioux Tribe; the Spirit Lake Tribe; the Three Affiliated Tribes of the Fort Berthold Reservation; the Turtle Mountain Band of Chippewa Indians; and the Sisseton-Wahpeton Oyate of the Lake Traverse Reservation. The governor is the chairperson of the commission. The commission shall meet quarterly or as otherwise agreed. Members of the commission or the chairperson's designee are entitled to receive mileage and expenses for attending each meeting as are allowed other state officers.

**SECTION 2. AMENDMENT.** Section 54-36-03 of the North Dakota Century Code is amended and reenacted as follows:

**54-36-03. Powers and duties - Continuing appropriation.** The Indian affairs commission ~~shall have the power to~~ may assist and ~~to mobilize~~ the support of state and federal agencies in assisting Indian individuals and groups in North Dakota, especially the five tribal councils, as ~~they~~ the Indian individuals and tribal councils seek to develop their own goals, project plans for achieving those goals, and implement those plans. The commission may accept gifts, grants, donations, and services from any source which are appropriated on a continuing basis for the purposes of the commission. The commission's duties are to:

1. ~~To investigate~~ Investigate any phase of Indian affairs and to assemble and make available the facts needed by tribal, state, and federal agencies to work effectively together.
2. ~~To assist~~ Assist tribal, state, and federal agencies in developing programs whereby Indian citizens may achieve more adequate standards of living.
3. ~~To assist~~ Assist tribal groups in developing increasingly effective institutions of self-government.
4. ~~To work~~ Work for greater understanding and improved relationships between Indians and non-Indians.
5. ~~To seek~~ Seek increased participation by Indian citizens in local and state affairs.
6. ~~To confer~~ Confer with and coordinate officials and agencies of other governmental units and congressional committees with regard to Indian needs and goals.

7. ~~To encourage~~ Encourage and propose agreements and accords between federal, state, and local agencies and the several tribal governments, and, pursuant to chapter 54-40.2, to assist in monitoring and negotiating agreements and accords when ~~asked~~ requested by an affected tribe.

\_\_\_\_\_  
Speaker of the House

\_\_\_\_\_  
President of the Senate

\_\_\_\_\_  
Chief Clerk of the House

\_\_\_\_\_  
Secretary of the Senate

This certifies that the within bill originated in the House of Representatives of the Sixty-first Legislative Assembly of North Dakota and is known on the records of that body as House Bill No. 1059.

House Vote:      Yeas    88      Nays    0      Absent    6

Senate Vote:    Yeas    46      Nays    0      Absent    1

\_\_\_\_\_  
Chief Clerk of the House

Received by the Governor at \_\_\_\_\_ M. on \_\_\_\_\_, 2009.

Approved at \_\_\_\_\_ M. on \_\_\_\_\_, 2009.

\_\_\_\_\_  
Governor

Filed in this office this \_\_\_\_\_ day of \_\_\_\_\_, 2009,  
at \_\_\_\_\_ o'clock \_\_\_\_\_ M.

\_\_\_\_\_  
Secretary of State