

*North Dakota
Indian Affairs Commission*



~ 1949 - 1999 ~

*50 Years of Tribal/State Relations
Anniversary Report*

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EDWARD T. SCHAFER
GOVERNOR

STATE OF NORTH DAKOTA

OFFICE OF THE GOVERNOR
600 E Boulevard Ave Dept 101
BISMARCK NORTH DAKOTA 58505-0001
(701) 328-2200
FAX (701) 328-2205 TDD (701) 328-2887
E-MAIL: governor@state.nd.us

July 26, 1999

Colleagues and Friends:

1999 is an important year and milestone for State/Tribal relations. It is the 50th anniversary of the North Dakota Indian Affairs Commission. The primary role of the Commission has remained steadfast over the years – to create a better North Dakota through improved tribal and state relations and better understanding between Indian and non-Indian people.

The following report is a summary of the North Dakota Indian Affairs Commission that outlines the function, membership, key legislation and biennium highlights. A few history highlights include:

- There have been eight Governors who have chaired the Commission. Fred G. Aandahl was Governor when the Commission was established in 1949.
- Tribal representation was added to the makeup of the Commission in 1959.
- In 1963 funds were allocated for Indian education scholarships.
- Indian Affairs Commission office established in Bismarck in 1965.
- In 1967 the Executive Director of the Commission becomes a full-time State position. There have been eight Executive Directors.
- The first Commission meeting to be held on a reservation (Standing Rock) was held in 1973.
- In 1981 the Legislature established the Native American Alcohol & Drug Abuse Education fund for youth on the reservations.
- The first "State of the Relationship" address by an Indian leader was given to the State Legislature in 1985.

I hope all North Dakotans will join us in celebrating culture diversity through better understanding of our State's indigenous people. This history report shows us what we have accomplished and sets the foundation for a new era of State/Tribal relations.

North Dakota's Indian people remain a rich cultural resource who have endured and survived many oppressive federal policies. By educating ourselves about this history and the significant contributions made by Native people we can improve relationships and truly extend our wonderful North Dakota quality of life into Indian country.

Sincerely,

A handwritten signature in black ink that reads "Ed Schafer".

Edward T. Schafer
Governor

Executive Summary

Created by the North Dakota Legislature in 1949, the North Dakota Indian Affairs Commission (NDIAC) is one of the first such commissions established in the United States. Although the official function of the NDIAC has been modified over the years to reflect changes in federal and state policy, the main goal of the Commission has always been to create a better North Dakota through the improvement of tribal/state relations and better understanding between American Indian and non-Indian people.

In 1999, the NDIAC celebrates its fiftieth year of operation. Over the past fifty years, the Commission has seen federal, state and local policies shift and change and has adapted with those shifts. The Commission has tackled issues such as jurisdiction, assimilation, employment, economic development, education, welfare, discrimination, research, self-determination for tribes and, most recently, gaming.

The NDIAC has matured with the policies that have shaped the current relationship between American Indian tribes, states across the nation and the federal government. The Commission has encompassed the rhetoric of termination, assimilation, and relocation to self-determination for Indian tribes. To illustrate, it wasn't until 1959 and the roots of self-determination that the tribes within North Dakota acquired representation on the NDIAC. At that time, *H.B. 554* designated the tribal chairmen of each reservation as ex-officio members of the Commission.

The NDIAC has evolved as a vital link between the state and the tribal nations. The Commission continues to address tough issues and to serve as a facilitator for building a better North Dakota through cooperation, understanding and mutual respect.

This report is a review of the past 50 years of the NDIAC. The report is compiled by biennium, reviewing the function, membership, key legislation, and highlights of each two-year period. The report references more detailed legislative and biennium reports that have been archived with the State Library along with other reports the Commission has developed over the past 50 years.

The anniversary report is a general overview of North Dakota State/Tribal relations at the close of the 20th Century. It hopefully provides a foundation for improvement as we enter the new millennium.

Special acknowledgments go to Chadwick Kramer and Cheryl Long Feather who researched and wrote this report.

1949-1951 BIENNIUM

FUNCTION OF THE COMMISSION

State Law (S.L.) 1949, Ch. 324; Section 3

In order that the state may be prepared and have the factual information needed to deal effectively with Indian affairs, provide aid and protection for Indians as needed, prevent undue hardships, assist in the integration of Indian citizens into modern economy, and coordinate state, local and federal programs relating to Indian affairs, the commission shall have the power and it shall be its duty:

1. To study, consider, accumulate, compile and assemble information on any phase of Indian affairs;
2. To formulate and develop proposals for the benefit of Indians who may be in need of assistance in securing employment in agriculture, business or other usual occupations, on a self-supporting basis;
3. To cooperate with and secure the assistance of the federal government or any agencies thereof, in formulating any such program, and coordinate such program, as nearly as may be possible, with any program regarding Indian affairs adopted or planned by the federal government to the end that the state may secure the full benefit of such federal program;
4. To investigate relief needs of Indians in North Dakota and to prepare plans for the alleviation of such needs;
5. To confer with officials and agencies of other governmental units and congressional committees with regard to Indian needs and the coordination of state, local and federal programs in regard thereto.

**S.L. 1949, Ch. 324 remained unchanged until the passage of S.L. 1971, Ch. 507*

COMMISSION MEMBERS

S.L. 1949, Ch. 324

The thirty-first Legislative Assembly of the State of North Dakota created the North Dakota Indian Affairs Commission. The members of the commission consisted of the governor, commissioner of agriculture and labor, superintendent of public instruction, executive director of the public welfare board of North Dakota, state health officer and the chairmen of boards of county commissioners of Sioux, Mercer, McLean, McKenzie, Dunn, Rolette, Benson and Eddy counties.

- | | |
|---|---|
| ○ <i>Fred G. Aandahl / Norman Brunsdale</i>
Governor, State of North Dakota | ○ <i>Math Dahl</i>
Commissioner of Agriculture and Labor |
| ○ <i>John B. Hart</i>
Executive Director, NDIAC | ○ <i>G.B. Nordrum</i>
Superintendent of Public Instruction |
| ○ <i>Carlyle D. Onsrud, Secretary</i>
Executive Director of the Public Welfare Board, Bismarck | ○ <i>R.O. Saxvik, M.D.</i>
State Health Officer, Bismarck |

- *Joseph Wicks*
Sioux County Commissioner, Cannonball
- *Jacob Heihn*
Mercer County Commissioner, Beulah
- *Joseph J. Blonigen*
McLean County Commissioner, Douglas
- *A.J. Briar*
McKenzie County Commissioner

- *Math Baseflug*
Dunn County Commissioner, Richardton
- *A.C. Berg*
Benson County Commissioner, Maddock
- *G. Ray Heddens*
Rolette County Commissioner, Dunseith
- *William Gerdes*
Eddy County Commissioner, New Rockford

LEGISLATION

S.L. 1949, Ch. 324 (3/19/49)

SECTION 1.) There is hereby created a North Dakota Indian Affairs Commission which shall consist of the governor, the commissioner of agriculture and labor, the superintendent of public instruction, the executive director of the public welfare board, the state health officer, and the chairmen of boards of county commissioners of Sioux, Mercer, McLean, McKenzie, Dunn, Rollette, Benson and Eddy counties. The governor shall act as chairman of the commission and the commission shall select one of its members as secretary.

SECTION 2.) The commission may employ an executive director who shall not be a member of the commission and such other clerical, professional and technical personnel, as it deems necessary, and shall prescribe their duties and fix their compensation.

SECTION 6.) The commission, as soon as practicable, and not later than the first day of December, 1950, shall prepare and make public a report to the thirty-second legislative assembly setting forth the results of its study and its findings, conclusions, and recommendations. It may submit recommendations in the form of proposed legislation or resolutions and may publish such additional reports from time to time as it may deem necessary.

Excerpt from first biennium report of the North Dakota Indian Affairs Commission:

- Largely as a result of this crisis [winter of 1947-1948], and a subsequent crisis in 1948-1949, the North Dakota Legislature appropriated an additional one hundred thousand dollars for the welfare of Indians in case an emergency should arise again. The North Dakota Legislature also created the North Dakota Indian Affairs Commission and specified as one of its duties ‘to investigate relief needs of Indians in North Dakota and to prepare for the alleviation of such needs’.

HIGHLIGHTS OF THE BIENNIUM

- The legislature appropriated the sum of twenty thousand dollars (\$20,000) or so much thereof as the Commission should consider necessary for the purpose of carrying out the provisions of this law.
- According to the 1950 U.S. Census, the Native American population in ND in 1950 was 10,766, comprising 1.7% of the general population of 619,636.

- The organizational meeting of the NDIAC took place at the state capitol on August 6, 1949. The Commission members elected John Hart of Rolla, North Dakota as Executive Director as provided in the Act creating the NDIAC. The salary for Mr. Hart was set at \$4,500.00 per annum to be paid while he was on part-time status according to the evidence of time spent in the position submitted by Mr. Hart.
- From the time the Commission was organized (August 6, 1949) until the end of the 1949-1951 biennium, the Commission held seven meetings in the Governors' Conference Room of the state capitol. These meetings were held on August 6, 1949; October 15, 1949; November 29, 1949; August 19, 1950; October 25, 1950; November 25, 1950; and January 11, 1951.
- At the August 19, 1950 meeting, the newly appointed national Commissioner of Indian Affairs, Dillon S. Meyer, was the guest of the commission. A round table discussion was held at this meeting between the Commissioner of Indian Affairs and the various state and county officials directly involved and affected by Indian problems in North Dakota.
- At the October 25, 1950 meeting, the Commission had as their guests Senators William Langer and Milton R. Young and Congressman Usher L. Burdick. The various state and county officials directly involved with the subject of Indian Affairs had an opportunity to discuss their problems directly with the North Dakota congressional delegation.

Excerpts from the first biennium report of the North Dakota Indian Affairs Commission:

- The North Dakota Indian Affairs Commission believes that every move to improve the conditions of the Indians in this state must be based on two major conclusions. One is the conclusion that Indians should be assimilated into the general citizenry of the state by a process of association with non-Indians in their day-by-day business and social relationships. The second conclusion is that, although the welfare of Indians is properly accepted as the moral and financial responsibility of the federal government, administration of many of the present activities relating to Indians might well be transferred from the Indian Service to other agencies.
- In order to encourage a more moral evolutionary process of assimilation between Indians and non-Indians, the commission recommends specifically:
 1. That many of the present restrictions on Indians' real and personal property be removed especially where the owner does not personally live on or near such restricted real estate;
 2. That the federal government reimburse state and local political subdivisions for the loss of tax revenue resulting from federal restrictions on Indian land;
 3. That there be a new and more specific definition of "An Indian";

4. That in the field of employment, expanded effort should be given to finding permanent jobs for Indian families away from the reservations where association with non-Indians will be encouraged;
5. That Indians residing off the reservation be made eligible at local agencies for all benefits to which they would be entitled were they to remain on the reservation;
6. That the North Dakota State Department of Health should continue cooperative work, particularly in the field of preventative medicine. It is recommended that arrangements be made so that Indians may be admitted to public hospitals adjacent to reservations and may be permitted to choose their own physicians, the same as non-Indians of the same economic class.
7. That work with Indian farmers should be handled by existing agencies not connected with the Indian Service;
8. That education be a basic consideration in the solution of the Indian problem. Where at all practicable, local public schools should be used for the education of Indian children at the grade and high school levels. Compulsory school attendance needs early cooperative attention from all public bodies involved.
9. That criminal jurisdiction be transferred in its entirety to the state, with 100 percent reimbursement by the federal government to the state and its subdivisions for all costs involved. Taxpayers of counties and state should not be expected to pay the cost of law enforcement because of the element of tax exemption of Indian lands.
10. That the administration of Indian general assistance and all programs under the Social Security Act be transferred entirely to the Public Welfare Board, provided that the federal government furnishes the money required until such time as Indians have been fully assimilated and their property becomes taxable as other property is taxed.
11. That a North Dakota citizen be appointed to a position of influence in the Indian Bureau.

1951-1953 BIENNIUM

COMMISSION MEMBERS

- | | |
|---|---|
| <ul style="list-style-type: none"> ○ <i>Norman Brunsdale, Chairman</i>
Governor, State of North Dakota ○ <i>John B. Hart</i>
Executive Director, NDIAC ○ <i>Carlyle D. Onsrud, Secretary</i>
Executive Director of the Public Welfare Board, Bismarck ○ <i>Math Dahl</i>
Commissioner of Agriculture and Labor, Bismarck ○ <i>M.F. Peterson</i>
Superintendent of Public Instruction, Bismarck | <ul style="list-style-type: none"> ○ <i>R.O. Saxvik, M.D.</i>
State Health Officer, Bismarck ○ <i>Joseph Wicks</i>
Sioux County Commissioner, Cannonball ○ <i>Jacob Heihn</i>
Mercer County Commissioner, Beulah ○ <i>Joseph J. Blonigen</i>
McLean County Commissioner, Douglas ○ <i>Math Baseflug</i>
Dunn County Commissioner, Richardton ○ <i>A.C. Berg</i>
Benson County Commissioner, Maddock |
|---|---|

- *L.A. Powell*
McKenzie County Commissioner,
Alexander
- *Fritz Borgeson*
Eddy County Commissioner, Sheyenne

- *Clarence Bye*
Rolette County Commissioner, Dunseith

LEGISLATION

- ***Senate Concurrent Resolution "G"***

A concurrent resolution to memorialize Congress to equalize the burden of the cost of assistance to needy Indians.

WHEREAS, the welfare and rehabilitation of the Indians is an acknowledged federal responsibility; and

WHEREAS, in order to qualify for federal grants-in-aid, the state of North Dakota and the counties thereof are required to include Indians in provisions made for aid to needy children, aged, blind, disabled; and

WHEREAS, the proportion of needy Indians is much higher than is the case in the population as a whole; and

WHEREAS, in New Mexico and Arizona the federal government pays substantially the full cost of aid to Indians under the federal aid programs, thus recognizing the principle of equalization of unfair burdens placed on the states and localities by reason of the location of Indian reservations and the concentration of the Indian population therein; now, therefore,

BE IT RESOLVED BY THE SENATE OF THE STATE OF NORTH DAKOTA, THE HOUSE OF REPRESENTATIVES CONCURRING THEREIN,

that the Congress of the United States be respectfully and earnestly memorialized to assume the state and county share of the cost of all aid given under the social security programs to Indians living on reservations in this state; and that copies of this resolution be delivered to the Secretary of the Interior; the members of the Congressional delegation from North Dakota, and the President of the United States.

- The 1951 ND State Legislature again appropriated \$100,000 to the State Welfare Board for Indian General Assistance to be used in emergencies.

HIGHLIGHTS OF THE BIENNIUM

- During the 1951-1953 biennium, the NDIAC held six formal meetings in the state capitol, Bismarck, North Dakota. These meetings were held on July 20, 1951; November 24, 1951; February 1, 1952; August 25, 1952; November 21, 1952; and April 9, 1953.
- The meeting of the NDIAC, held on August 25, 1952, was devoted to a general discussion of the overall picture in the field of Indian affairs with Mr. Dillon Meyer,

the Commissioner of Indian Affairs present. Also present at this meeting was Senator Clyde Duffy, a member of the North Dakota Legislative Research Committee.

Excerpt from the NDIAC biennium report:

The report of the North Dakota Indian Affairs Commission, issued October 1, 1950, has set out its policy with the specific recommendations of the commission by which programs for the benefit of the Indian people can be judged. This policy encompasses the expectation that there will be, at some future date now unpredictable, a complete integration of the Indian people with the citizenry at large with equal rights and responsibilities.

It is the feeling of the commission that in the broad picture two methods can be used to bring about complete integration. One is revolutionary. It results in the complete abolishment of the Indian reservations and the segregated services given by the Bureau of Indian Affairs. The second is evolutionary. This must result in frank, above-the-table cooperation among the federal government, the Indian people, and all levels of state and county government. To have this there cannot be shifting of financial responsibility which will irritate the sensitive nerve going to the pocket book of the state and county taxpayers.

It is on the basis of an evolutionary approach that the North Dakota Indian Affairs Commission prepared its basic report. The last two years of the commission have been spent primarily in attempting to influence agency, area and national policy along the lines of recommendations presented by the commission. This can be called our action phase.

Conclusion of the NDIAC biennium report:

In reaching any conclusion it is necessary to recognize that certain facts exist; the desirability or undesirability of these facts is beside the point in establishing the premises upon which the conclusions are based. The Indian reservation system has been for many years and is now a fact affecting the social and financial structure of the count and state levels of government in the state of North Dakota. The operation of the Bureau of Indian Affairs has been and is now a fact affecting the social and financial structure of the state and local levels of government.

Social and economic problems, which are unique and influence the very existence of these levels of government, exist in counties with Indian reservations. The Bureau of Indian Affairs, by its every activity, service, and effort on behalf of the Indian people either on or off the reservation, influences, and in many instances, forces the state and local levels of government into a course of action which they would not necessarily follow if the Bureau of Indian Affairs did not operate within its political subdivisions.

It can be predicted, with a large degree of certainty, that the Bureau of Indian Affairs and the reservation system will not be abolished in the immediate future. It can also be predicted with a fair degree of certainty that the Bureau of Indian Affairs will continue attempting to shift to the state and local levels of government the financial responsibility now held by it under acts of Congress.

It is the thought of the Indian Affairs Commission that in protection of the financial interests of the taxpayers of North Dakota as well as the rights of the Indian people of this state it is desirable that some agency of state government keep constantly alert as to the changing problems, social and financial, affecting levels of government arising from the Indian reservations located within the boundaries of this state.

1953-1955 BIENNIUM

COMMISSION MEMBERS

- | | |
|---|--|
| <ul style="list-style-type: none"> ○ <i>Norman Brunsdale, Chairman</i>
Governor, State of North Dakota ○ <i>John B. Hart</i>
Executive Director, NDIAC ○ <i>Carlyle D. Onsrud, Secretary</i>
Executive Director of the Public Welfare Board, Bismarck ○ <i>Math Dahl</i>
Commissioner of Agriculture and Labor, Bismarck ○ <i>M.F. Peterson</i>
Superintendent of Public Instruction ○ <i>R.O. Saxvik, M.D.</i>
State Health Officer, Bismarck ○ <i>Joseph Wicks</i>
Sioux County Commissioner, Cannonball | <ul style="list-style-type: none"> ○ <i>Jacob Heihn</i>
Mercer County Commissioner, Beulah ○ <i>Joseph J. Blonigen</i>
McLean County Commissioner, Douglas ○ <i>Math Baseflug</i>
Dunn County Commissioner, Richardton ○ <i>A.C. Berg</i>
Benson County Commissioner, Maddock ○ <i>A.J. Briar</i>
McKenzie County Commissioner, Cartwright ○ <i>Fritz Borgeson</i>
Eddy County Commissioner, Sheyenne ○ <i>Clarence Bye</i>
Rolette County Commissioner, Dunseith |
|---|--|

LEGISLATION

Excerpts from the NDIAC Biennium Report:

- In 1953, Congress passed *Public Law 280* permitting states to assume criminal and civil jurisdiction on Indian reservations. The ruling of the Attorney General of this State is the State of North Dakota does not have the authority to assume criminal or civil jurisdiction over Indian reservations in the State of North Dakota until such time as our state constitution is amended. This constitutional question is now before the State Supreme Court; it is hoped the law in this regard will be established before the legislative assembly adjourns in 1955.

- U. S. Congress passed *Senate Bill 303* transferring the responsibility for the *health needs of Indians from the Bureau of Indian Affairs to the Public Health Service*. This was approved by the North Dakota Indian Affairs Commission. The Commission spent considerable effort and money promoting this particular transfer. It is hoped that the Public Health Service will approach the problems of the health needs of Indians from the point of view of people, as distinguished from real estate, in that they will not limit their services to Indian people who continue to reside on the reservation and thereby anchor Indian people to the reservation by such premiums.
- U. S. Congress *repealed the Federal Indian liquor law*, which is of considerable psychological importance. The repeal of the State Indian liquor law is in an area of political controversy; therefore, the Indian Affairs Commission passes this question without recommendation.

HIGHLIGHTS OF THE BIENNIUM

Excerpts from the NDIAC Biennium Report:

- 1953-1954: The filling of the Garrison Dam Reservoir on the Missouri River resulted in Fort Berthold's significant losses of land and natural resources – 186,000 acres of timber and bottom lands which had provided a natural economy.
- Following the efforts of the Employment Service to develop an Indian employment program, the Commission spent considerable time and effort advancing the theory of affirmatively encouraging industrial development adjacent to the Indian reservation as a means of creating employment opportunity for those Indian people who did not desire to be uprooted from reservation culture and life, but who did need economic help. This was somewhat along the line of “if the mountain will not come to Mohammed, Mohammed will go to the mountain.”

In line with this effort, the Commission cooperated by doing the legwork in the establishment of the Turtle Mountain Ordnance Plant near the Turtle Mountain Indian Reservation. Today, this plant employs approximately 150 people, of whom approximately eighty percent are persons of Indian descent.

- The Indian Service now has an active branch known as the *Indian Relocation Service*. This branch supplies financial assistance to Indian families moving from the reservation communities to special relocation centers located in Minneapolis, Chicago, Denver, Los Angeles, and a few other points. The Relocation Branch is assisting in relieving surplus populations in crowded areas where there is little, if any, economic future.

Some years ago, the North Dakota Employment Service, a federally financed state agency, started an aggressive affirmative special program of employing Indian people away from the reservation. This program has met with considerable success, particularly as to the Turtle Mountain Indians being employed by the contractors holding contracts for the construction of Garrison Dam. Since the start of this

program, many of the Indian families have been employed in the western part of the state where the economy of the state is rapidly expanding due to oil exploration and production. The employment of Indians away from the reservations by the North Dakota Employment Service is one of, if not the most, successful special programs for the employment of Indian people in any state in the Union. They have established a pattern which appears to the North Dakota Indian Affairs Commission as being as close to a permanent solution as any single activity currently observed.

1955-1957 BIENNIUM

COMMISSION MEMBERS

S.L. 1955, Ch. 314

The membership of the NDIAC expanded to include the director of the North Dakota State Employment and the chairman of the Mountrail County Commission. The number of commission members was now fifteen.

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| <ul style="list-style-type: none"> ○ <i>Norman Brunsdale / John E. Davis</i>
Governor, State of North Dakota ○ <i>John B. Hart</i>
Executive Director, NDIAC ○ <i>Carlyle D. Onsrud, Secretary</i>
Executive Director of the Public Welfare Board, Bismarck ○ <i>Math Dahl</i>
Commissioner of Agriculture and Labor, Bismarck ○ <i>M.F. Peterson</i>
Superintendent of Public Instruction, Bismarck ○ <i>Jerome H. Svore</i>
State Health Officer, Bismarck ○ <i>Carl F. Fryhling</i>
Director, North Dakota State Employment Services, Bismarck ○ <i>Joseph J. Blonigen</i>
McLean County Commissioner, Douglas | <ul style="list-style-type: none"> ○ <i>Math Baseflug</i>
Dunn County Commissioner, Richardton ○ <i>A. C. Berg</i>
Benson County Commissioner, Maddock ○ <i>Fritz Borgeson</i>
Eddy County Commissioner, Sheyenne ○ <i>Clarence Bye</i>
Rolette County Commissioner, Dunseith ○ <i>Emil Degerness</i>
McKenzie County Commissioner, Watford City ○ <i>R. B. Luger</i>
Sioux County Commissioner, Fort Yates ○ <i>Leonard Loewen</i>
Mercer County Commissioner, Hazen ○ <i>L. G. Larson</i>
Mountrail County Commissioner, New Town |
|---|---|

LEGISLATION

- ***Indian Affairs Commission Membership expands*** – *S.L. 1955, Ch. 314*
The members of the commission consist of the governor, commissioner of agriculture and labor, superintendent of public instruction, executive director of the public welfare board of North Dakota, state health officer, the director of the North Dakota state employment service and the chairmen of boards of county commissioners of Sioux, Mercer, McLean, McKenzie, Dunn, Rolette, Benson, Mountrail, and Eddy counties. The governor shall act as chairman of the commission and the commission shall select one of its members as secretary.

- ***Four Bears Memorial Bridge – S.L. 1955, HCR C***
HCR C urged that the new bridge be renamed the “Four Bears Memorial Bridge.”

WHEREAS, a new bridge is being constructed over the Missouri River at Sanish, North Dakota, the need for which was brought about as a result of the construction of the Garrison Dam project, and

WHEREAS, the “Four Bears Memorial Bridge” formerly crossing the Missouri River at Elbowoods, north Dakota, was torn down and the steel therein salvaged for use in the new bridge at Sanish, North Dakota, and

WHEREAS, the Water Busters Clan, of the Three Affiliated Tribes of the Fort Berthold Indian Reservation, desire to have the name, “Four Bears Memorial Bridge”, preserved and retained by so designating and naming the new bridge at Sanish, North Dakota;

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

That the new bridge across the Missouri River at Sanish, North Dakota, be named and designated as the “Four Bears Memorial Bridge”.

Filed February 1, 1955.”

Excerpt from the NDIAC Biennium Report:

The Legislative Assembly in 1955, by resolution, directed the Commission to devote a greater part of its efforts to encourage industries to locate adjacent to Indian reservations. In the process of carrying out this directive, the Commission spent considerable time, money, and effort in securing the support of other Indian states. With the cooperation of these other states, this encouragement resulted in the government’s affirmatively adopting an industrial development program in its effort to partially solve the economic problems of our economically depressed reservation areas.

The advantage of Indian peoples being able to live in their ancestral homeland while, at the same time, being able to provide, by their own labor, the necessities of life for themselves and their families, is obvious. This type of assistance eliminates many of the disadvantages found in regular welfare programs or in unearned income types of programs. It results in the growth of human dignity, self-respect, and self-confidence. It results in those being employed being put on an economically equal basis with the non-Indian people of the community. Where the employment is on a non-segregated basis, it encourages Indian people to associate with non-Indian people in their day-by-day work relations, which in turn, in an evolutionary manner erodes those antagonistic racial feelings which, in some cases, exist between individuals of different economic or social groups.

HIGHLIGHTS OF THE BIENNIUM

Excerpts from the Biennium Report:

- During the summer of 1956, the Commission did the legwork for the establishment of a boat factory at New Town, North Dakota, located at the northerly edge of the Fort Berthold Reservation. During 1956, this boat factory employed seven people, of who five were persons of Indian descent. Although the employment was small this year, there is no reason not to believe this plant may employ up to 25 persons during the year 1957.
- It is the recommendation of the Commission that the state legislature, the various agencies of state government, and the political subdivisions continue to move with extreme caution in attempting to assume any of the federal obligations of giving governmental services to Indian people. Although the danger of the government's shifting its responsibilities for Indian people to the states is now not as great as formerly, there is still congressionally sanctioned administrative effort in this direction. Such shifting of responsibility could result in the expenditure of large sums of state money without the Indian people's receiving correspondingly increased benefits.
- The commission recommends that the State Superintendent of Public Instruction be given statutory authority to negotiate a contract on behalf of the state and the local school districts with the Department of the Interior providing for the education of Indian children in public schools and, providing further, that such contracts call for the payment of the Department of the Interior of the per pupil cost of education of such Indian children in the public schools of this state.
- It is the recommendation of the Commission that if the state legislature should adopt an affirmative program of encouraging industrial development in North Dakota, that a special provision in such law provide that such industrial development commission have the specific authority and responsibility to affirmatively encourage the development of industries adjacent to Indian reservations in cooperation with the North Dakota Indian Affairs Commission and all federal agencies which offer any assistance toward such objective.
- It is the recommendation of the Commission that the legislature create the position of Director of Federal Educational Activity in the State Department of Public Instruction, and that the Director, under the supervision of the Superintendent of Public Instruction, be given the authority to investigate, make plans for, and advise local political subdivisions on the financial relation of the federal government and the responsibility of the federal government for educational activities, including the education of Indian children in the public schools. In order to keep this office completely independent of federal influence, it is recommended that the entire cost of operating the Office of Director of Federal Education Activity be provided for by the legislature.

1957-1959 BIENNIUM

COMMISSION MEMBERS

- | | |
|---|---|
| <ul style="list-style-type: none">○ <i>John E. Davis, Chairman</i>
Governor, State of North Dakota○ <i>John B. Hart</i>
Executive Director, NDIAC○ <i>Carlyle D. Onsrud, Secretary</i>
Executive Director of the Public Welfare Board, Bismarck○ <i>Math Dahl</i>
Commissioner of Agriculture and Labor, Bismarck○ <i>M. F. Peterson</i>
Superintendent of Public Instruction, Bismarck○ <i>Willis Van Heuvelen</i>
State Health Officer, Bismarck○ <i>Carl F. Fryhling</i>
Director, North Dakota State Employment Service, Bismarck○ <i>R. O. Everson</i>
McLean County Commissioner, Washburn | <ul style="list-style-type: none">○ <i>Math Baseflug</i>
Dunn County Commissioner, Richardton○ <i>A. C. Berg</i>
Benson County Commissioner, Maddock○ <i>Emil Degerness</i>
McKenzie County Commissioner, Watford City○ <i>Fritz Borgeson</i>
Eddy County Commissioner, Sheyenne○ <i>Leo Jeanotte</i>
Rolette County Commissioner, Rolla○ <i>R. B. Luger</i>
Sioux County Commissioner, Fort Yates○ <i>Leonard Loewen</i>
Mercer County Commissioner, Hazen○ <i>L. G. Larson</i>
Mountrail County Commissioner, New Town |
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LEGISLATION

- In 1957, Congress passed the *Indian Health Facilities Act* providing the Indian Health Service with the authority to fund construction of hospitals for the benefit of Indian tribal patients.

Excerpt from the NDIAC Biennium Report:

Law Enforcement

At the June primary, 1958, the North Dakota voters approved a constitutional amendment authorizing the state legislature, on such terms and conditions as it should designate, to assume law enforcement functions on North Dakota Indian reservations within the limits provided by Public Law 280.

The Indian people need as adequate law enforcement services as do non-Indian people. Separate law enforcement officials and court systems based on difference in race are inherently unequal. Equality by law should not imply inequality because of race.

The Indian people are uncertain as to the desirability of transferring criminal and civil jurisdiction to the state. This is evidenced by a resolution, passed by the National Congress of American Indians, providing “that Public Law 280 (83rd Congress) be modified to provide that the assumption by states of jurisdiction in criminal and civil

actions in Indian reservations, be brought about only after negotiation between a state and an Indian tribe, and only to the extent from time to time agreed upon by the Indian tribe.

A word of caution is recommended before the state legislature assumes Indian criminal jurisdiction in North Dakota. Before assuming criminal and civil jurisdiction the state should insist that reimbursement arrangements be made with the Department of the Interior and approved by Congress. It is recommended such transfer not be completed until formally approved by the board of county commissioners of the county to be affected. It is recommended the transfer be effective when the Indian people as distinguished from the tribal council, consent thereto.

During the past five years much improvement has taken place in the area of law enforcement on the North Dakota Indian reservations. The Indian people are thankful for this improvement, but there is need for still greater improvement, especially in the areas of childcare, establishment of paternity, and parental support. Effective law enforcement gives respect for law. Respect for law is the essence of good citizenship.

HIGHLIGHTS OF THE BIENNIUM

Excerpt from the NDIAC Biennium Report:

Education

During the last two years, in performance of its responsibility to finance education services for Indian children during the transitional period, the government has emphasized three approaches – student grants and loans for higher education, vocational training, and construction of physical facilities for primary and secondary education.

Promising high school graduates are eligible for student grants and loans to attend state and private universities and colleges. This program is geared to assist the average and above-average Indian student. Under this program some high school graduates are attending North Dakota universities and colleges.

The Commission believes this loan program should be expanded to include more children. It should also include emphasis on nurses' training being made available, for all Indian girls with high school education at existing nurses' training schools adjacent to our reservation areas.

The government's Indian vocational training program has been extended to a limited number of North Dakota Indians. This program is primarily for the benefit of those who, during their youth, did not have adequate opportunity for education. Unfortunately, it is emphasized as an auxiliary to the Indian relocation program and, consequently, is of little benefit to those who, by natural desire, prefer to remain on their reservations.

Recommendations

It is the recommendation of the Commission that the state legislature, the various agencies of state government, and the political subdivisions continue to move with extreme caution in attempting to assume any of the Federal obligations of giving governmental services to Indian people. Although the danger of the government's shifting its responsibilities for Indian people to the states is now not as great as formerly, there is still congressionally sanctioned administrative effort in this direction. Such shifting of responsibility could result in the expenditure of large sums of state money without the Indian people's receiving correspondingly increased benefits. Any change in the concept of responsibility between the federal and state government should, under our Federal and state constitutions, be done by the legislative branches, not by the executive branches, of such levels of government.

It is the recommendation of the North Dakota Indian Affairs Commission that the state legislature seriously study the possibility of amending our basic State Aid to Dependent Children Act requiring that recipients reside in an area subject to the general criminal and civil jurisdiction of the courts of the State of North Dakota.

It is the recommendation of the Commission that the Legislature appropriate monies for the position of Federal state Education Director in the State Department of Public Instruction, and that the Director, under the supervision of the Superintendent of Public Instruction, make plans for and advise local political subdivisions on the financial relation of the Federal government and the responsibility of the Federal government for educational activities, including the education of Indian children in the public schools.

In order to keep this office completely independent of Federal influence, it is recommended the entire cost of operating this office be provided by the state legislature.

1959-1961 BIENNIUM

COMMISSION MEMBERS

S.L. 1959, Ch. 370

The Chairmen of the Standing Rock, Fort Berthold, Fort Totten and Turtle Mountain reservations became members of the NDIAC. The number of Commission members was now nineteen.

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|---|---|
| ○ <i>John E. Davis, Chairman</i>
Governor, State of North Dakota | ○ <i>Math Dahl</i>
Commissioner of Agriculture and Labor,
Bismarck |
| ○ <i>Edward A. Milligan</i>
Executive Director, NDIAC | ○ <i>M.F. Peterson</i>
Superintendent of Public Instruction,
Bismarck |
| ○ <i>Carlyle D. Onsrud</i>
Executive Director of the Public Welfare
Board, Bismarck | |

- | | |
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| <ul style="list-style-type: none"> ○ <i>Willis Van Heuvelen</i>
State Health Officer, Bismarck ○ <i>Carl Fryhling</i>
Director, ND State Employment Services ○ <i>Robert Fox</i>
Fort Berthold Chairman, New Town ○ <i>James McLean / Clayton Brown Otter / A. J. Agard</i>
Standing Rock Chairman, Fort Yates ○ <i>Louis F. LaFountain</i>
Turtle Mountain Chairman, Belcourt ○ <i>Lewis Goodhouse</i>
Fort Totten Chairman, Fort Totten ○ <i>A. C. Berg</i>
Benson County Commissioner, Maddock ○ <i>L. A. Powell</i>
McKenzie County Commissioner, Watford City | <ul style="list-style-type: none"> ○ <i>Leo Jeanotte</i>
Rolette County Commissioner, Rolla ○ <i>Otto Bauer</i>
McLean County Commissioner, Butte ○ <i>R. B. Luger</i>
Sioux County Commissioner, Fort Yates ○ <i>Math Baseflug / John Stone (for Math Baseflug)</i>
Dunn County Commissioner, Richardton ○ <i>Leonard Loewen</i>
Mercer County Commissioner, Hazen ○ <i>Fritz Borgeson</i> (Last listed on 1/21/58)
Eddy County Commissioner, Sheyenne ○ <i>L. G. Larson</i> (Last listed on 6/17/59)
Mountrail County Commissioner,
New Town |
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LEGISLATION

- ***NDIAC Membership to Include Tribal Representation*** – *S.L. 1959, Ch. 370*
The North Dakota Indian Affairs Commission shall consist of the governor, the commissioner of agriculture and labor, the superintendent of public instruction, the executive director of the public welfare board, the state health officer, the director of the North Dakota state employment services, and the chairmen of the boards of county commissioners of Sioux, Mercer, McLean, McKenzie, Dunn, Rolette, Benson, Mountrail and Eddy counties. *In addition, the tribal chairmen of the Standing Rock, Fort Berthold, Fort Totten and Turtle Mountain Indian reservations shall serve on the commission.* The governor shall act as chairman of the commission and the commission shall select one of its members as secretary.
- In 1959, Congress passed the *Indian Sanitation Facilities and Services Act*, expanding duties of the Indian Health Service to ensure health requirements were being met, including: safe and sanitary drinking water, sewer systems, drainage and waste facilities, and access to water and sewer systems for Indian homes.

HIGHLIGHTS OF THE BIENNIUM

- Through *HB 554*, the composition of the NDIAC membership was changed in 1959 to *include representation by Indian tribes*, specifically authorizing the tribal chairmen from the Standing Rock, Fort Berthold, Fort Totten and Turtle Mountain Indian reservations as ex-officio members.
- According to the 1960 U.S. Census, the Native American population in ND in 1960 was 11,736, comprising 1.9% of the general population of 632,446.
- Edward A. Milligan replaced John B. Hart as the Executive Director of the NDIAC in October of 1960.

1961-1963 BIENNIUM

COMMISSION MEMBERS

- | | |
|--|---|
| <ul style="list-style-type: none">○ <i>William L. Guy, Chairman</i>
Governor, State of North Dakota○ <i>Edward A. Milligan / Hans Walker, Jr.</i>
Executive Director, NDIAC○ <i>Carlyle D. Onsrud</i>
Executive Director of the Public Welfare Board, Bismarck○ <i>Math Dahl</i>
Commissioner of Agriculture and Labor, Bismarck○ <i>James R. Amos</i>
State Health Officer, Bismarck○ <i>Carl Fryhling</i>
Director, ND State Employment Services○ <i>Robert Fox</i>
Fort Berthold Chairman, New Town○ <i>A. J. Agard / Thomas Blackhoop (for A. J. Agard)</i>
Standing Rock Chairman, Fort Yates○ <i>Louis F. LaFountain</i>
Turtle Mountain Chairman, Belcourt○ <i>Lewis Goodhouse</i>
Fort Totten Chairman, Fort Totten | <ul style="list-style-type: none">○ <i>R. B. Luger</i>
Sioux County Commissioner, Fort Yates○ <i>A.C. Berg</i>
Benson County Commissioner, Maddock○ <i>Leo Jeanotte</i>
Rolette County Commissioner, Rolla○ <i>Math Baseflug</i>
Dunn County Commissioner, Richardton○ <i>Arthur Klaudt</i>
Mercer County Commissioner, Hazen○ <i>Otto Bauer</i>
McLean County Commissioner, Butte <p>(Unable to verify the following members: no minutes were found for NDIAC between 2/21/62-1/8/65)</p> <ul style="list-style-type: none">○ <i>L. A. Powell</i>
McKenzie County Commissioner, Watford City○ <i>Fritz Borgeson</i>
Eddy County Commissioner, Sheyenne○ <i>L. G. Larson</i>
Mountrail County Commissioner, New Town |
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LEGISLATION

- ***Indian Affairs Commission Membership Changes – S.L. 1961, Ch. 332***
With the passage of *HB 552*, the Governor was authorized to appoint a representative to act on his behalf on the commission. In addition, the Superintendent of Public Instruction, though no longer by statute assigned to the commission, would confer with members upon request on educational issues involving Indians.

HIGHLIGHTS OF THE BIENNIUM

- NDIAC meetings were held January 13, 1961, September 26, 1961, and February 21, 1962.
- Hans Walker, Jr., an attorney and member of the Three Affiliated Tribes, replaced Edward A. Milligan as Executive Director of NDIAC on February 1, 1962. Hans Walker, Jr. became the first Indian Executive Director of the NDIAC.

1963-1965 BIENNIUM

COMMISSION MEMBERS

- | | |
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| <ul style="list-style-type: none">○ <i>William L. Guy, Chairman</i>
Governor, State of North Dakota○ <i>Hans Walker, Jr. / Austin Engel</i>
Executive Director, NDIAC○ <i>Leslie O. Ovre / Gottfried J. Kuhn (for Leslie O. Ovre)</i>
Executive Director of the Public Welfare Board, Bismarck○ <i>Dr. James R. Amos</i>
State Health Officer, Bismarck○ <i>Carl Fryhling</i>
Director, North Dakota State Employment Services○ <i>Arne Dahl</i>
Commissioner of Agriculture and Labor, Bismarck○ <i>Robert Fox</i>
Fort Berthold Chairman, New Town○ <i>A. J. Agard</i>
Standing Rock Chairman, Fort Yates○ <i>Louis F. LaFountain / Reginald J. Brien</i>
Turtle Mountain Chairman, Belcourt | <ul style="list-style-type: none">○ <i>Lewis Goodhouse</i>
Fort Totten Chairman, Fort Totten○ <i>R. B. Luger / Ole A. Olson</i>
Sioux County Commissioner○ <i>A.C. Berg</i>
Benson County Commissioner, Maddock○ <i>Leo Jeanotte</i>
Rolette County Commissioner, Rolla○ <i>George B. Ferebee</i>
Dunn County Commissioner○ <i>Albert Bauman</i>
Mercer County Commissioner○ <i>Otto Bauer</i>
McLean County Commissioner, Butte○ <i>E. M. Degerness</i>
McKenzie County Commissioner○ <i>Bert Anderson</i>
Eddy County Commissioner○ <i>Harry Olaf</i>
Mountrail County Commissioner, New Town |
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LEGISLATION

- *S.L. 1963, Ch. 178 (03/14/63) – HB 624*
“INDIAN SCHOLARSHIPS – AN ACT To provide scholarships in any institution of higher learning within North Dakota for North Dakota residents of Indian blood and providing qualifications therefor, and making an appropriation.”
 - Established a State Board for Indian Scholarships consisting of the director of Indian education of the department of public instruction, the executive director of the state Indian Affairs Commission, and the commissioner of higher education.
 - Duties of the Board were
 1. “Award scholarship grants as provided in this Act;”
 2. “Make necessary rules and regulations and establish standards, requirements, and procedures for the administration of this Act;”
 3. “Encourage persons of Indian blood to attend and be graduated from any institution of higher learning within North Dakota, and to make application for scholarships.”
 - Initially, the Board was directed to administer fourteen scholarships each year for North Dakota residents “of at least one-fourth degree of Indian blood” to attend any institution of higher learning within North Dakota.

- The amount of each scholarship was \$450 per year and renewal of the award was contingent upon the student maintaining a minimum grade average of 'C'. Unused scholarships were to be accumulated and be awarded in the succeeding fiscal year under the provisions of the Act.
- "Factors to be considered in the award of these scholarships shall be the candidate's health, character, financial need, and probable and continuing success as a student."

HIGHLIGHTS OF THE BIENNIUM

- *S.L. 1963, Ch. 178* established the North Dakota Indian Scholarships program. The Executive Director of the NDIAC was appointed to the State Board for Indian Scholarships. The initial appropriation was \$12,600 to be awarded to 14 students.
- NDIAC meetings were held on January 8, 1965, April 28, 1965, and June 23, 1965.
- Rev. Austin Engel was elected Executive Director of the NDIAC at the January 8, 1965 meeting. Other nominees were Nathan Little Soldier, Mary Louise Defender, and Dave Garcia.

Excerpts from NDIAC minutes of the biennium 1963–1965:

- *January 8, 1965:*
The next item on the agenda concerned the Foundation of North American Indian Culture. This foundation recently formed in Bismarck, North Dakota, has recently received several offers to move to another location. Some large privately endowed foundations are interested in this newly formed North Dakota foundation, but apparently prefer it transferred to a school of higher learning. It was the consensus of the Commission that the Foundation remain in North Dakota if suitable arrangements can be made.
- *April 28, 1965:*
American Indian Crafts Cooperative: The first item on the agenda to be considered was a report by Mr. Robert Moses, North Dakota Indian Foundation, in regard to the American Indian Crafts Cooperative, which organization was formed primarily to help promote the establishment of a market for Indian handi-craft. The Indian marketing cooperative will have its headquarters in Mandan and it is planned to hire an Indian person as its manager. In addition, Mr. Moses reported that contacts have been made with national and international markets and that a request has been received for products to be sold at the Indian craft pavilion at the New York World's Fair. An order has also been received from Finland for beaded necklaces. Mr. Moses said that contacts have been made with the North Dakota travel Bureau, and it is planned to have booths at fairs within the state. He said that any support and help that the Indian Affairs Commission can give to the Cooperative would strengthen its position a great deal.

NDIAC Roles and Responsibilities: Mr. Guy stated that the Indian Affairs Commission was created primarily for the Indian people and wherever there is a conflict between the viewpoint of state government and the Indians, the Executive Director's responsibility is to represent the viewpoint of the Indian people. Mr. Guy stated further that in his opinion it is Mr. Engel's job to inquire into the complaints that have been registered in order to visualize these things from the Indian's point of view so that he can come to the county, state, or this Commission to present their concern.

1965-1967 BIENNIUM

COMMISSION MEMBERS

- | | |
|--|---|
| <ul style="list-style-type: none"> ○ <i>William L. Guy, Chairman</i>
Governor, State of North Dakota ○ <i>Rev. Austin Engel</i>
Executive Director, NDIAC ○ <i>Robert Fox</i>
Fort Berthold Chairman, New Town ○ <i>A. J. Agard</i>
Standing Rock Chairman, Fort Yates ○ <i>Reginald J. Brien</i>
Turtle Mountain Chairman, Belcourt ○ <i>Lewis Goodhouse</i>
Fort Totten Chairman, Fort Totten ○ <i>Leslie O. Ovre</i>
Executive Director, Public Welfare Board ○ <i>Dr. James Amos</i>
State Health Officer ○ <i>Carl F. Fryhling</i>
Director, ND State Employment Service ○ <i>Arne Dahl</i>
Commissioner, Department of Agriculture | <ul style="list-style-type: none"> ○ <i>Bert L. Anderson</i>
Eddy County Commissioner ○ <i>A.C. Berg</i>
Benson County Commissioner ○ <i>George Ferebee</i>
Dunn County Commissioner ○ <i>Harry Olaf</i>
Mountrail County Commissioner ○ <i>Albert Bauman / Edward Schulz (for Albert Bauman)</i>
Mercer County Commissioner ○ <i>O.A. Olson</i>
Sioux County Commissioner ○ <i>Leo Jeanotte</i>
Rolette County Commissioner ○ <i>E.M. Degerness</i>
McKenzie County Commissioner ○ <i>Otto Bauer</i>
McLean County Commissioner |
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LEGISLATION

- The ND Legislature had convened in January 1965, but no budget for the Commission had been submitted for inclusion in the Governor's Budget. Thus the first highlight was to get a budget for the next biennium submitted and to persuade Legislators to approve it. This was accomplished, continuing the same half-time position for the Executive Director into the next biennium. The Commission received an appropriation of \$15,000.
- Governor Guy included a full-time Executive Director for the Commission in his budget submitted to the 1967 Legislature. However, the Senate Appropriations Committee at first denied the request. By working together, tribal leaders, county commissioners, and others persuaded the 1967 Legislature to approve the request.

HIGHLIGHTS OF THE BIENNIUM

- The NDIAC elected Austin G. Engel of Parshall, North Dakota, as its new Executive Director on January 9, 1965. It had been and continued to be a half-time position. Thus, the Commission's office was located wherever the Executive Director worked and lived. Engel was then serving as a Special Worker for the United Church of Christ on the Ft. Berthold Indian Reservation, with an office in his home at Parshall.

Prior to Engel's election, the office had been located at Rolla, N.D. with John Hart as Executive Director, at Bottineau, N.D. with Edward Milligan as Executive Director, and at New Town, N.D. with Hans Walker, Jr. as Executive Director.

- In August 1965, the office was moved to Bismarck when Engel's other half-time employment became Administrator of Missions in North Dakota for the United Church of Christ and he moved to Bismarck.
- The Executive Director was invited by tribal leaders to begin attending the informal meetings they were holding at each reservation to continue their united opposition to the state assuming civil jurisdiction on the four Indian reservations located in North Dakota. After attending his first meeting, at Belcourt, the Executive Director offered to take minutes of the meetings. The Tribal Chairmen accepted this offer, and he began providing them with the minutes of their previous meeting, thus giving them continuity in their deliberations.

1967-1969 BIENNIUM

COMMISSION MEMBERS

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| ○ <i>William L. Guy, Chairman</i>
Governor, State of North Dakota | ○ <i>Dr. James Amos</i>
State Health Officer |
| ○ <i>Rev. Austin Engel</i>
Executive Director, NDIAC | ○ <i>Carl F. Fryhling / Ralph Lange</i>
Director, ND State Employment Service |
| ○ <i>Lewis Goodhouse</i>
Devils Lake Sioux Tribe | ○ <i>Arne Dahl</i>
Commissioner, Department of Agriculture |
| ○ <i>A. J. Agard / Theodore Jamerson & Alvina Greybear (for A. J. Agard)</i>
Standing Rock Chairman, Fort Yates | ○ <i>Bert L. Anderson</i>
Eddy County Commissioner |
| ○ <i>August Little Soldier</i>
Three Affiliated Tribes | ○ <i>Andrew Berg</i>
Benson County Commissioner |
| ○ <i>Reginald J. Brien / Mary Cornelius / Peter Marcellais</i>
Turtle Mountain Band of Chippewa | ○ <i>George Ferebee</i>
Dunn County Commissioner |
| ○ <i>Leslie O. Ovre / T. N. Tangedahl (for Leslie O. Ovre)</i>
Executive Director, Public Welfare Board | ○ <i>Harry Olaf</i>
Mountrail County Commissioner |
| | ○ <i>Albert Bauman</i>
Mercer County Commissioner |

- *Ole A. Olson*
Sioux County Commissioner
- *Leo Jeanotte*
Rolette County Commissioner

- *E.M. Degerness*
McKenzie County Commissioner
- *Otto Bauer*
McLean County Commissioner

LEGISLATION

- ***Extraordinary expenses of law enforcement*** – *S.L. 1967, Ch. 59*
Appropriated \$20,000 “for the purpose of meeting the extraordinary expenses of counties in law enforcement arising by reason of the location of Indian reservations in such counties.”
- ***Indian Scholarships*** – *S.L. 1967, Ch. 153*
Amended the *Indian Scholarships Act*, reducing the number of scholarships from fourteen down to five. However, the amount of the scholarships increased from \$450 to \$1260 – maintaining the biennial appropriation of \$12,600.

Excerpt from the American Indian Law Deskbook:

- In 1968 Congress enacted the *Indian Civil Rights Act (ICRA)*. The *ICRA* imposes upon tribes certain Bill of Rights protections that generally govern federal and state action but are inapplicable to Indian tribes when exercising their inherent powers.

HIGHLIGHTS OF THE BIENNIUM

Excerpts from N.D. Indian Affairs Commission Quarterly Report No.1 – Jul. Aug. Sep. '67

- A FULL-TIME EXECUTIVE DIRECTOR of N.D. Indian Affairs Commission (NDIAC) began work July 1 '67, for first time since NDIAC established by 1949 ND Legislature. Mr. Austin Engel has been serving as Ex. Dir. On half-time basis since Jan. '65 and accepted offer of full-time employment made by NDIAC at its March '67 meeting. 1967 ND Legislature appropriated \$30,000 for the biennium to make full-time position possible.
- QUARTERLY REPORTS are hereby initiated by vote of the NDIAC at its March '67 meeting. Purpose of these reports is to keep all concerned informed on developing relationships between ND tribal councils and the ND State government and its political subdivisions.
- THE AMERICAN INDIAN CRAFTS COOPERATIVE completed a second summer of craft sales at the State Capitol with good cooperation from Board Administration and janitorial staff. Sales were down from first summer because the sales table had to be on the top floor and was open only half days. All selling was done by Indian students.

Excerpts from Austin Engel's notes to Cynthia A. Mala (February 1999):

- As a full-time State employee, the Executive Director was able to secure space in the State Capitol Building for an office. At first, it was temporary space in the House majority leader's office behind the House Chamber. From there, it was moved to space in the N.D. Insurance Commissioner's office. It was finally moved to the top floor of the Capitol building where staff and visitors could enjoy the spectacular view of Bismarck and the Missouri River, until it was moved to the new office wing of the Capitol in 1981.
- In response to overtures from the N.D. Economic Development Commission, the United Tribes incorporated themselves as the United Tribes of North Dakota Development Corporation. The purpose of incorporating was to apply to the U.S. Department of Commerce for an economic grant. The Corporation received a sizeable grant to establish a central planner at Bismarck and planners on each of the four Reservations. The Executive Director was heavily involved in securing this grant. The Executive Director was also included as a voting member of the Corporation's Board of Directors until February 1971 when both the Legislature and Tribal leaders questioned the State's involvement in tribal matters and the use of State resources for a private corporation. The United Tribes employed Dallas Brien of Belcourt to be the central planner at Bismarck.
- When the Job Corps suddenly closed its program at Ft. Lincoln south of Bismarck in early 1968, Tribal leaders immediately began efforts to secure Ft. Lincoln for a training center for Indian Families. There were two other such centers in the U.S. at the time. The Commission's Executive Director coordinated the support of Bismarck leaders, the Governor, State agencies, and North Dakota's two U.S. Senators to have Ft. Lincoln placed in control of the United Tribes and to secure a 1.1 million dollar appropriation from Congress for the first year of operation. Delegations visited the centers at Roswell, NM and Madera, CA, and then assisted in writing the program.

THE COMMISSION ADOPTED A SIX-YEAR PLAN FOR ITS WORK, WITH FIVE GOALS:

1. More adequate standards of living.
 - By bringing industry to reservation areas.
 - By encouraging the employment of Indian people in N.D. away from the reservation areas.
2. Increasingly effective institutions of self-government.
 - Technical assistance in training tribal council members.
 - Technical assistance in developing strong administration.
3. Improved relationships.
 - By encouraging informal and formal conversations between Indian and non-Indian leaders.
 - By providing accurate information to all concerned.

4. Greater Understanding.

Through improved teaching of Indian units in the public schools.
Through developing and offering adult courses on Indian affairs.
More publicity on positive achievements.

5. Increased participation in state affairs by Indian citizens.

Becoming full members of local and state appointed boards and commissions.
Running for public office.

• RESOLUTION OF THE NORTH DAKOTA INDIAN AFFAIRS COMMISSION REGARDING THE RELATIONSHIPS BETWEEN TRIBAL COUNCILS IN NORTH DAKOTA AND THE STATE OF NORTH DAKOTA

WHEREAS, there exist areas of disagreement and misunderstanding among North Dakotans regarding the intermediate and ultimate goals to be achieved in relationships between Indian and non-Indian communities, and

WHEREAS, in the final analysis, Indian people themselves must establish and achieve their goals, and

WHEREAS, there is a deep desire among Indian people to retain their individual and tribal identity and to exercise the greatest possible control of their own affairs, and

WHEREAS, our technological society is becoming evermore complex and interdependent, making it necessary for all groups to work together in many basic areas of life, and

WHEREAS, tribal councils in North Dakota are and will be increasingly involved in new relationships with federal, state, and local government, and are proving themselves capable of planning and administering programs which significantly advance and promote the well-being of their own communities,

NOW THEREFORE BE IT RESOLVED BY THE NORTH DAKOTA INDIAN AFFAIRS COMMISSION, MEETING AT BISMARCK, ND ON MARCH 30, 1967:

THAT, this Commission does hereby express its policy to cooperate fully with tribal councils in North Dakota and does hereby urge all agencies of the State and its political subdivisions to give all possible encouragement and assistance to tribal councils in developing to the fullest their political, economic, judicial, artistic, and social resources, and

THAT, in all activities and relationships between the State, its political subdivisions, tribal councils and federal agencies, every effort be made to inform the tribal councils of matters under consideration and to seek their cooperation and consent.

Signed: William L. Guy (Governor of North Dakota) and Austin Engel (Executive Director, North Dakota Indian Affairs Commission)

1969-1971 BIENNIUM

COMMISSION MEMBERS

S.L. 1969, Ch. 450

The Director of Indian Education from the North Dakota Department of Public Instruction was added to the NDIAC bringing the number of members to nineteen.

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| ○ <i>William L. Guy, Chairman</i>
Governor, State of North Dakota | ○ <i>Arne Dahl</i>
Commissioner, Department of Agriculture |
| ○ <i>Rev. Austin Engel</i>
Executive Director, NDIAC | ○ <i>Bert L. Anderson</i>
Eddy County Commissioner |
| ○ <i>Lewis Goodhouse</i>
Devils Lake Sioux Tribe | ○ <i>Andrew Berg</i>
Benson County Commissioner |
| ○ <i>Douglas Skye / Melvin White Eagle</i>
Standing Rock Chairman | ○ <i>George B. Ferebee</i>
Dunn County Commissioner |
| ○ <i>Nathan Little Soldier (Vice Chairman) / Ralph Wells, Jr. (Chairman)</i>
Three Affiliated Tribes | ○ <i>Harry Olaf</i>
Mountrail County Commissioner |
| ○ <i>Roy J. LaFountain</i>
Turtle Mountain Band of Chippewa | ○ <i>Albert Bauman</i>
Mercer County Commissioner |
| ○ <i>Dan LeRoy</i>
Director of Indian Education, Department of Public Instruction | ○ <i>Calvin Hepper</i>
Sioux County Commissioner |
| ○ <i>Leslie O. Ovre / T. N. Tangedahl (for Leslie O. Ovre)</i>
Executive Director, Public Welfare Board | ○ <i>Leo Jeanotte</i>
Rolette County Commissioner |
| ○ <i>Dr. James Amos</i>
State Health Officer | ○ <i>E.M. Degerness / Telford Anderson</i>
McKenzie County Commissioner |
| ○ <i>Ralph R. Lange</i>
Director, ND State Employment Service | ○ <i>Sam C. Jennings</i>
McLean County Commissioner |

LEGISLATION

- ***College Scholarships for Indians*** – *S.L. 1969, Ch. 187*
The Executive Director of the NDIAC shall serve as secretary of the board for Indian scholarships. Also, the number of scholarships was increased to ten.
- ***Indian Affairs Commission Membership Expands*** – *S.L. 1969, Ch. 450*
The NDIAC shall consist of the governor, the commissioner of agriculture, the executive director of the public welfare board, the state health officer, the director of the ND state employment service, the director of Indian education in the ND department of public instruction, and the chairmen of the boards of county commissioners of Sioux, Mercer, McLean, McKenzie, Dunn, Rolette, Benson, Mountrail and Eddy counties, and the tribal chairmen of the Standing Rock, Fort Berthold, Fort Totten, and Turtle Mountain Indian reservations. Also, the Commission can consult with the Director of the Business and Industrial Development Department regarding Indian participation in business and industry concerns.

- ***State Relations with Tribal Councils*** – *S.L. 1969, SCR 25*
With passage of *SCR 25*, the legislature expressed state policy of full cooperation with the tribal councils in developing their political, economic, judicial, artistic, social and cultural resources.

HIGHLIGHTS OF THE BIENNIUM

- At its December 15th, 1970 meeting, the Commission considered and approved proposed changes in the Statute authorizing the Commission and setting forth its powers and duties. The change reflects the 180-degree shift in policy by both Federal and State governments toward development of Indian communities and tribal governments, and away from termination and assimilation into the majority culture. The proposed change was adopted by the 1971 ND State Legislature. Changes in the makeup of the NDIAC were also proposed and adopted by the 1971 ND Legislature.
- According to the 1970 U.S. Census, the Native American population in ND in 1970 was 14,369, comprising 2.3% of the general population of 617,761.
- With financial support from the United Tribes, Earl Azure began serving as an intern working with the Executive Director.
- Austin Engel and Earl Azure attended the annual meeting of the Governors Interstate Indian Council (GIIC) in Michigan, where Austin Engel was elected Chairman of the GIIC, and the GIIC accepted North Dakota's invitation to hold its 25th annual meeting at Bismarck.

1971-1973 BIENNIUM

FUNCTION OF THE COMMISSION

S.L. 1971, ch. 507, section 2

The commission shall have power to assist and to mobilize the support of state and federal agencies in assisting Indian individuals and groups in North Dakota, especially the four tribal councils, as they seek to develop their own goals, project plans for achieving those goals, and implement those plans. The Commission's duties shall be:

1. To 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 tribal, state and federal agencies in developing programs whereby Indian citizens may achieve more adequate standards of living;
3. To assist tribal groups in developing increasingly effective institutions of self-government;

4. To work for greater understanding and improved relationships between Indians and non-Indians;
5. To seek increased participation by Indian citizens in local and state affairs;
6. *To confer with and coordinate officials and agencies of other governmental units and congressional committees with regard to Indian needs and goals.*

*Function #6 was added by *S.L. 1971, Ch. 507* during the 1971 legislative session.

COMMISSION MEMBERS

S.L. 1971, Ch. 507

Section 1 of S.L. 1971, Ch. 507 added new members and removed others from the NDIAC. Added as members were: a representative of the North Dakota county commissioners association who lives on or adjacent to an Indian reservation, a representative of the league of North Dakota cities, and two members at large who shall be at least one-fourth degree Indian blood and appointed by the governor. Removed from the Commission were: the commissioner of agriculture, the director of Indian education in the ND department of public instruction, and the chairmen of the boards of Sioux, Mercer, McLean, McKenzie, Dunn, Rolette, Benson, Mountrail, and Eddy counties. The number of Commission members was now twelve.

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| <ul style="list-style-type: none"> ○ <i>William L. Guy / Arthur A. Link</i>
Governor, State of North Dakota ○ <i>Rev. Austin Engel / Earl Azure (Turtle Mountain Band of Chippewa)</i>
Executive Director, NDIAC ○ <i>Lewis Goodhouse / Julius Rainbow (for Lewis Goodhouse)</i>
Spirit Lake Tribe ○ <i>Melvin White Eagle / Alvina Greybear (for Melvin White Eagle)</i>
Standing Rock Sioux Nation ○ <i>Nathan Little Soldier / Myra Snow</i>
Three Affiliated Tribes ○ <i>Mary Cornelius (representing Gregory LaVallie, Chairman) / Vern Vallie</i>
Turtle Mountain Band of Chippewa ○ <i>Frank Annette</i>
Director of Indian Programs, Research Center, NDSU, Fargo | <ul style="list-style-type: none"> ○ <i>Kenneth Davis</i>
Project Director, UND Student Special Services, Grand Forks ○ <i>Leslie O. Ovre / T. N. Tangedahl</i>
Executive Director, Social Service Board ○ <i>Dr. James Amos</i>
State Health Officer ○ <i>Martin Gronvold</i>
Executive Director, Employment Security Bureau ○ <i>George B. Ferebee</i>
Representative of ND County Commissioners Association, Dunn County ○ <i>Hjalmer L. Holt / Arnie Boyum / Bill Kunz</i>
League of North Dakota Cities |
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LEGISLATION

- ***State Board of Indian Scholarships Membership*** – *S.L. 1971, Ch. 204*
State Board of Indian Scholarships membership was expanded to include an Indian appointed by the governor. Also, maximum amount of each scholarship was raised to \$1500.

- ***Indian Development Fund Created – S.L. 1971, Ch. 506***

This Act created the Indian Development Fund, placed it under the supervision of the North Dakota Business and Industrial Development Department, and made an appropriation of \$10,000.

The stated purpose was “that the Indian people of North Dakota need the assistance of their state to take full advantage of the opportunities they have to improve their economic well-being. It is further declared that increased economic strength and stability among the Indian people of North Dakota are clearly in the best interests of the entire state. Therefore, the Indian development fund is created to provide Indian communities with matching funds for federal economic expansion programs as may be required by the various agencies of the United States government, and thus provide additional opportunities for the Indian people of North Dakota to take full advantage of such programs.”

- ***Indian Affairs Commission Membership Changes – S.L. 1971, Ch. 507***

The North Dakota Indian Affairs Commission shall consist of the governor, the executive director of the social service board of North Dakota (public welfare board 1949-1971), the state health officer, the director of the North Dakota employment security bureau, the tribal chairmen of the Standing Rock, Fort Berthold, Fort Totten, and Turtle Mountain Indian reservations, a representative of the North Dakota county commissioners association who lives adjacent to an Indian reservation, a representative of the league of North Dakota cities, and two members at large who shall be one-fourth Indian blood and appointed by the governor. The governor or his representative shall select one of its members as secretary.

The commission shall have power to mobilize support of state and federal agencies in assisting Indian individuals as they work toward achieving their own goals. Duties include investigating any phase of Indian affairs, assisting tribal, state and federal agencies to develop programs to help Indians achieve better living standards, assisting tribal groups in developing effective self-government and working for improved relationships between Indians and non-Indians.

HIGHLIGHTS OF THE BIENNIUM

- The Indian Development Fund was established with an initial appropriation of \$10,000. Applications for funds were to the director of the North Dakota business and industrial development department, who also approved or denied the requests.
- At the August 4, 1971 NDIAC meeting, Austin Engel resigned as Executive Director, effective August 15, 1971.
- Earl Azure, who had been an intern since June 1971, was elected by the Commission to replace Austin Engel on a 90 days probationary period. At the November 23, 1971 meeting, the Commission elected Earl Azure, a member of the Turtle Mountain Band of Chippewa, into the Executive Director position on a permanent basis.

- The Governors’ Interstate Indian Council (GIIC) held it’s 25th annual meeting in Bismarck in September 1972 with the NDIAC and United Tribes jointly hosting the event. Austin Engel, as retiring Chairman of GIIC, worked closely with Earl Azure in hosting this important gathering. The United Tribes convened a national gathering of Tribal Chairmen at the same time in Bismarck to make their voices felt in GIIC deliberations.
- On May 4th, 1973, the first ever meeting of the NDIAC on a North Dakota Indian Reservation was held at Ft. Yates on the Standing Rock Reservation. Governor Link stated “He hoped the practice would continue for future meetings so that functions of state government could be made readily available to the different communities.”
- Other NDIAC meetings were held in Bismarck on August 4, 1971, November 23, 1971, February 15, 1972, July 12, 1972, and December 20, 1972.

1973-1975 BIENNIUM

COMMISSION MEMBERS

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| <ul style="list-style-type: none"> ○ <i>Arthur A. Link, Chairman</i>
Governor, State of North Dakota ○ <i>Earl Azure (Turtle Mountain) / Juanita Helphrey (Three Affiliated)</i>
Executive Director, NDIAC ○ <i>Carl McKay</i>
Devils Lake Sioux Tribal Council, Fort Totten ○ <i>Melvin White Eagle / Alvina Greybear (for Melvin White Eagle)</i>
Standing Rock Sioux Nation ○ <i>Vincent Malnourie / Rose Crow Flies High</i>
Three Affiliated Tribes ○ <i>Gregory Davis (representing James Henry, Chairman who did not attend)</i>
Turtle Mountain Band of Chippewa ○ <i>Kenneth Davis</i>
Project Director, UND Student Special Services, Grand Forks | <ul style="list-style-type: none"> ○ <i>Florence Fluegel</i>
Student Coordinator for Concentrated Approach Program, NDSU, Fargo ○ <i>T. N. Tangedahl</i>
Executive Director, Social Service Board ○ <i>Dr. James Amos</i>
State Health Officer ○ <i>Martin Gronvold</i>
Executive Director, Employment Security Bureau ○ <i>George B. Ferebee</i>
Representative of ND County Commissioners Association, Dunn County ○ <i>Bill Kunz</i>
League of North Dakota Cities |
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LEGISLATION

- ***Indian Affairs Commission Appropriation*** – *S.L. 1973, Ch. 24*
During the 1973 legislative session, two new program components were added under the NDIAC appropriation in *SB 2003* – \$10,000 for the Indian Development Fund and \$45,000 for the North Dakota Indian Scholarship program.

- ***Indian Scholarships Maximum Award Increased*** – *S.L. 1973, Ch. 174*
HB 1388 increased the maximum amount of funds a student could receive under the Indian Scholarships program – “not to exceed five hundred dollars per quarter for three quarters, or seven hundred fifty dollars per semester for two semesters.” This increase in the scholarship appropriation accompanied some changes to the program. The specification as to the number of awards was removed. Also, the previous provision for unused funds to be awarded as additional scholarships in the succeeding fiscal year was repealed.
- ***Taxation Jurisdiction Study*** – *S.L. 1973, HCR 3090*
This concurrent resolution directed the Legislative Council to conduct a study of the questions of taxation and jurisdiction as it pertained to Indians and non-Indians on reservations in North Dakota.
- ***Urge Federal Funding of AFDC and Medical Assistance*** – *S.L. 1973, SCR 4029*
This concurrent resolution urged Congress to assume full responsibility for funding and administering the Aid to Families with Dependent Children Program and the Medical Assistance Program on federal Indian reservations.

HIGHLIGHTS OF THE BIENNIUM

- In 1974, Congress passed the *Indian Finance Act*.
- Trenton Indian Service Area was established as a political subdivision of the Turtle Mountain Band of Chippewa.
- In July 1973, Earl Azure accompanied representatives of the State Tax Department to the reservations for community meetings relating to the new tax guidelines after a ruling by the ND Supreme Court that the State cannot collect income, sales, and business privilege taxes from Indians on the Standing Rock Reservation. Byron Dorgan, State Tax Commissioner, had stated that this affected all reservations in North Dakota.
- NDIAC meetings were held in New Town on October 2, 1973, and in Bismarck on February 27, 1973, July 22, 1974, December 23, 1974, and January 22, 1975.
- The January 22, 1975 meeting of the Commission was to elect an applicant to the position of Executive Director of the NDIAC. The three nominees were Juanita Helphrey, Don Hart, and Betty Laverdure. Juanita Helphrey was selected by ballot to be offered the position. Mrs. Helphrey assumed her duties on March 1, 1975.

Excerpt from American Indian Policy Review Commission Report (1977)

- Title III of the Comprehensive Employment and Training Act (CETA) of 1973 provides grants for comprehensive manpower programs and services for the benefit of unemployed, underemployed and economically disadvantaged Indians.

1975-1977 BIENNIUM

COMMISSION MEMBERS

S.L. 1975, Ch. 483

S.L. 1975, Ch. 483 added to the membership of the NDIAC one representative of each reservation appointed by the tribal council; three members at large who are at least one-fourth Indian blood appointed by the governor; and a representative of each house of the legislative assembly who shall be chosen on a bipartisan basis by the presiding officer of each house. The number of NDIAC members was now nineteen.

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| ○ <i>Arthur A. Link, Chairman</i>
Governor, State of North Dakota | ○ <i>Dr. Jonathan Weisbuch</i>
State Health Officer |
| ○ <i>Juanita Helphrey (Three Affiliated Tribes)</i>
Executive Director, NDIAC | ○ <i>Martin Gronvold / Therman Kaldahl</i>
Director, Employment Security Bureau |
| ○ <i>Carl McKay / Jessie Bear (for Carl McKay)</i>
Devils Lake Sioux Tribe Chairman | ○ <i>T.N. Tangedahl</i>
Executive Director, Social Service Board of North Dakota |
| ○ <i>Frank Myrick</i>
Devils Lake Sioux Tribe Representative | ○ <i>Bill Kunz</i>
League of North Dakota Cities |
| ○ <i>Pat McLaughlin / Frank Bravebull (for Pat McLaughlin)</i>
Standing Rock Sioux Tribe Chairman | ○ <i>George Ferebee</i>
ND County Commissioners Association |
| ○ <i>Ambrose Dog Eagle</i>
Standing Rock Sioux Tribe Representative | ○ <i>John Maher</i>
State Senator |
| ○ <i>Rose Crow Flies High / Larry Rush (for Rose Crow Flies High)</i>
Three Affiliated Tribes Chairman | ○ <i>Art Raymond / Alice Olson</i>
State House of Representatives |
| ○ <i>Austin Gillette / Harley Goodbear (for Austin Gillette)</i>
Three Affiliated Tribes Representative | ○ <i>Elizabeth Hallmark</i>
Dakota Association of Native Americans |
| ○ <i>James Henry</i>
Turtle Mountain Band of Chippewa Chairman | ○ <i>Anton Moran</i>
Trenton Indian Services, Williston |
| ○ <i>Roland Davis</i>
Turtle Mountain Band of Chippewa Representative | ○ <i>Alberta White Calfe</i>
Youth Representative, Fargo |

LEGISLATION

- ***Indian Affairs Commission Appropriation*** – *S.L. 1975, Ch. 3, Subdivision 1*
HB 1003 increased the biennial appropriation for the NDIAC. The Indian Development fund increased to \$20,000 and the Indian Scholarships fund increased to \$75,000.
- ***Indian Development Fund*** – *S.L. 1975, Ch. 480*
HB 1130 assigned administration of Indian Development Fund to the NDIAC. *HB 1130* also amended sections of the Century Code relating to the administration, purpose, project eligibility, and application process for Indian Development funds.

Applications for funds were now to the Executive Director of the NDIAC. The Commission was now to approve or deny the requests.

- ***Indian Affairs Commission Membership Expands*** – *S.L. 1975, Ch. 483*
SB 2437 expanded the membership of the NDIAC from twelve to nineteen members. Membership now included the governor; executive director of the social service board of North Dakota; state health officer; director of the North Dakota employment security bureau; the tribal chairmen or their designees; one other representative of each reservation appointed by the tribal council; representative of the ND county commissioners' association who lives on or adjacent to a reservation; a representative of the league of North Dakota cities; three members at large who shall be at least one-fourth degree Indian blood appointed by the governor; and a representative of each house of the legislative assembly who shall be chosen on a bipartisan basis by the presiding officer of each house.
- ***Death of Last Known Full-Blooded Mandan*** – *S.L. 1975, HCR 3020*
This concurrent resolution stated that the members of the Forty-fourth Legislative Assembly officially expressed their sorrow at the death of Mrs. Mattie Grinnell, the last known full-blooded Mandan Indian. The resolution also encouraged surviving persons, who speak the Mandan language and who hold the Mandan traditions and legends, to preserve the language and customs for posterity.

HIGHLIGHTS OF THE BIENNIUM

- Appropriation for the Indian Scholarship program increased to \$75,000 and the Indian Development Fund increased to \$20,000.
- Meetings of the NDIAC took place at Fort Totten on May 13, 1976; at New Town on September 22, 1976; and at Bismarck on August 8, 1975 and February 9, 1977.
- In 1975, Congress passed P.L. 93-638 - *Indian Self-Determination and Education Assistance Act*.
- In 1976, the *Indian Health Care Improvement Act* was landmark legislation that elevated and invigorated Indian health care improvement measures to a higher level within Indian communities and within the federal government.

Excerpt from the North Dakota Blue Book (1995)

- In 1975, the *Indian Self-Determination and Educational Assistance Act* was passed. This legislation greatly enhanced the tribes' ability to manage their affairs through 638 contracting provisions which allowed tribes to contract from the federal government and to provide those services formerly administered by the Bureau of Indian Affairs (BIA) and Indian Health Service. It also allowed tribes to contract BIA-operated schools and added a new requirement for Indian involvement in public school programs.

1977-1979 BIENNIUM

COMMISSION MEMBERS

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| <ul style="list-style-type: none">○ <i>Arthur A. Link, Chairman</i>
Governor, State of North Dakota○ <i>Juanita Helphrey (Three Affiliated Tribes)</i>
Executive Director, NDIAC○ <i>Carl McKay (did not attend 1977-1979)</i>
Devils Lake Sioux Tribe Chairman○ <i>Frank Myrick</i>
Devils Lake Sioux Tribe Representative○ <i>Pat McLaughlin / (Harry Swift Horse & Ambrose Runninghawk for Pat McLaughlin)</i>
Standing Rock Sioux Tribe Chairman○ <i>Frank Bravebull</i>
Standing Rock Sioux Tribe Representative○ <i>Rose Crow Flies High / Tillie Walker (neither attended 1977-1979)</i>
Three Affiliated Tribes Chairperson○ <i>Austin Gillette</i>
Three Affiliated Tribes Representative○ <i>James Henry / Wayne Keplin (Ron Trottier for Wayne Keplin)</i>
Turtle Mountain Band of Chippewa Chairman○ <i>Roland Davis / Louis Laducer (for Roland Davis)</i>
Turtle Mountain Band of Chippewa Representative | <ul style="list-style-type: none">○ <i>Dr. Jonathan Weisbuch</i>
State Health Officer○ <i>Therman Kaldahl / (Herald Neimeir & Mike Diesz for Therman Kaldahl)</i>
Director, Employment Security Bureau○ <i>Thor N. Tangedahl</i>
Executive Director, Social Service Board of North Dakota○ <i>Bill Kunz / Bob Reinarts</i>
League of North Dakota Cities○ <i>George Ferebee</i>
ND County Commissioners Association○ <i>John Maher / Francis Barth</i>
State Senator○ <i>Alice Olson / Ted Lang</i>
State House of Representatives○ <i>Harriet Skye</i>
Dakota Association of Native Americans, Bismarck○ <i>Anton Moran</i>
Trenton Indian Services, Williston○ <i>Harley Good Bear / Max James (for Harley Good Bear)</i>
Youth Representative, New Town |
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LEGISLATION

- ***Indian Affairs Commission Appropriation*** – *S.L. 1977, Ch. 26, Subdivision 1*
SB 2003 increased the biennial appropriation for the NDIAC. The Indian Development fund increased to \$25,000 and the Indian Scholarships program increased to \$85,000.
- ***Indian Curriculum*** – *S.L. 1977, Ch. 160*
HB 1557 was an act to implement an Indian education curriculum in elementary and secondary schools within then existing minimum curriculum requirements. *HB 1557* was passed by the House and Senate only after the bill was amended of its appropriation.
- ***Indian Scholarship Payments*** – *S.L. 1977, Ch. 186*
Through *HB 1553* the maximum dollar amount of fully funded scholarships was raised from \$1500 per year to \$2000 per year.

- ***Indian Scholarship Law Amendment*** – S.L. 1977, Ch. 187
SB 2243 allowed the NDIAC to issue additional scholarships using money refunded for students who drop out or receive other money. Previously, the law stipulated that these types of refunds were to be returned to the general fund. However, scholarship money not awarded by the end of the biennium was still to be cancelled.
- ***Teachers Indian Education Requirement Resolution*** – S.L. 1977, HCR 3041
HCR 3041 urged the Office of Public Instruction to adopt a minimum requirement of Indian studies in teacher preparation courses, for certification in North Dakota.
- ***Older American Indians Resolution*** – S.L. 1977, HCR 3044
HCR 3044 urged more adequate programs for Indian senior citizens.
- ***Motor Vehicle Tax Study Resolution*** – S.L. 1977, SCR 4046
At the request of the NDIAC, SCR 4046 was a resolution concerned with studying the distribution of county motor vehicle tax money for reservation county roads.
- ***Indian Policy Resolution*** – S.L. 1977, SCR 4048
SCR 4048 cited the existence of certain conditions of mutual concern confronting the reservation and non-reservation residents of North Dakota, and urged the Congress and the President of the United States to exercise responsibility and authority in resolving them.

Excerpt from the North Dakota Blue Book (1995)

- *The Education Amendments Act of 1978 (P.L. 561)* allowed for greater community control of Indian schools. It allowed for the development of Tribal Education Departments that would be responsible for developing tribal education codes as it relates to tribal cultural heritage and language. Another act in the area of Indian higher education was passed called the *Tribally Controlled Community College Assistance Act (P.L. 471)*. It provided for the establishment of tribal colleges by Indian tribes and has been one of the most successful tools for tribal economic development and individual self-sufficiency. Through this act, tribal colleges receive a certain amount for institutional expenses for every Indian that attends that college. Preliminary studies have shown that Indian students who first attend a tribal college have better retention rates after they transfer to mainstream public and private educational institutions.

HIGHLIGHTS OF THE BIENNIUM

- The *American Indian Religious Freedom Act* and the *Indian Child Welfare Act* were both passed by Congress in 1978.
- Appropriation for the Indian Scholarship program increased to \$85,000 and the Indian Development Fund increased to \$25,000.

Excerpt from NDIAC Biennium Report:

During this biennium, the NDIAC surveyed the counties in the state to determine the extent of Indian representation on boards and/or committees at the county levels of government. Questionnaires were mailed to the auditor's office of each county in November of 1977. As of January 16, 1978, NDIAC had received responses from 42 of the state's 53 counties. The remaining counties were then contacted by telephone.

The 1970 Census reports Indian population in 50 of North Dakota's 53 counties. Of the 50 counties in which Indian citizens reside, only 5 counties indicate Indian representation on boards and/or committees. In addition, 3 counties responded by saying "unknown" when asked if there is Indian representation on boards and/or committees.

Counties with Indian representation:

- **Dunn* (Social service board, two school boards)
- **Ramsey* (North Central Planning Council, Law Enforcement Advisory Council, County Extension Service, Junior College Board)
- **Rolette* (County commission, county welfare board, area redevelopment commission, city board/township board/school district)
- **Sioux* (Fort Yates school board, Solen school board, Fort Yates city council, Social Services board)
- McKenzie* (social services board)
- **county located on or adjacent to Indian reservation*

Counties Reporting Unknown: Grand Forks, Pembina, & Richland

The NDIAC recommends to counties that they take a more active role to encourage Indian participation on boards and/or committees at the county levels of government. NDIAC believes that increased Indian representation would yield greater understanding and improved relationships between Indians and non-Indians.

In addition, Indian representatives on boards and committees could assist county agencies in developing programs whereby Indian citizens may achieve a more adequate standard of living.

1979-1981 Biennium

COMMISSION MEMBERS

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| <ul style="list-style-type: none">○ <i>Arthur A. Link / Allen I. Olson</i>
Governor, State of North Dakota○ <i>Juanita Helphrey (Three Affiliated Tribes)</i>
Executive Director, NDIAC | <ul style="list-style-type: none">○ <i>Pat McLaughlin / Frank Lawrence</i>
Standing Rock Sioux Tribe Chairman○ <i>Carl McKay</i>
Devils Lake Sioux Tribe Chairman |
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| <ul style="list-style-type: none"> ○ <i>Frank Myrick / Dan Dubois (for Frank Myrick)</i>
Devils Lake Sioux Tribe Representative ○ <i>Lillian White Temple</i>
Standing Rock Sioux Tribe Representative ○ <i>August Little Soldier / Tillie Walker / Austin Gillette</i>
Three Affiliated Tribes Chairperson ○ <i>Austin Gillette / Myra Snow (for Tillie Walker)</i>
Three Affiliated Tribes Representative ○ <i>Ella LaRocque (for Wayne Keplin) / James Henry/ Rosie Davis (for James Henry)</i>
Turtle Mountain Band of Chippewa Chairperson ○ <i>Ray Parisien / Collin Belgarde (for Ray Parisien)</i>
Turtle Mountain Band of Chippewa Representative ○ <i>Dave Cunningham (for Gene Christianson)</i>
State Health Department, Bismarck | <ul style="list-style-type: none"> ○ <i>Therman Kaldahl / Keith Engbrecht / Shirley Peterson</i>
Director, Employment Security Bureau ○ <i>Thor N. Tangedahl / Wayne Anderson / Marvin Mutzenberger</i>
Executive Director, Social Service Board of North Dakota ○ <i>Robert Reinarts / Daryl Kramer</i>
League of North Dakota Cities ○ <i>Albert Sickler</i>
ND County Commissioners Association ○ <i>Francis Barth / Floyd Stromme</i>
State Senator ○ <i>Ted Lang</i>
State House of Representatives, Sterling ○ <i>Harriet Skye / Connie Fox (for Harriet Skye)</i>
Dakota Association of Native Americans, Bismarck ○ <i>Anton Moran</i>
Trenton Indian Services, Williston ○ <i>Debra Hosie / Lewis Gwin</i>
Youth Representative |
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LEGISLATION

- ***Indian Affairs Commission Appropriation*** – S.L. 1979, Ch. 12
HB 1013 increased the biennial appropriation for the NDIAC. The Indian Development fund decreased to \$10,000 and the Indian Scholarships program remained at \$85,000.
- ***Indian Development Fund Use*** – S.L. 1979, Ch. 555
HB 1116 amended sections of the North Dakota Century Code relating to the administration and the stated purpose of the Indian Development Fund.
- ***Paying and Receiving Station Location*** – S.L. 1979, Ch. 124
HB 1118 authorized paying and receiving stations to be established in unincorporated townsites located within Indian reservations; and declared an emergency.
- ***Discrimination in Employment Practices Prohibited*** – S.L. 1979, Ch. 382
HB 1360 established the policy of North Dakota as one which prohibits discrimination because of race, color, religion, sex, or national origin in all employment practices.
- ***Indian Tribal and State Government Relationship Study*** – S.L. 1979, HCR 3035
HCR 3035 directed the Legislative Council to study the relationship between American Indian tribal governments and the North Dakota State government. The previous study occurred during the 1961-1963 interim.

- **Indian Student Scholarships – S.L. 1979, Ch. 270**
SB 2094 amended various sections of the North Dakota Century Code relating to scholarships for Indian students, providing for the inclusion of state vocational education institutions for scholarships.

HIGHLIGHTS OF THE BIENNIUM

- According to the 1980 U.S. Census, the Native American population in ND in 1980 was 21,680, comprising 3.3% of the general population of 653,000.
- Commission meetings were held in New Town on August 10, 1979; Fort Totten on November 28, 1979; Bismarck on March 13, 1980; Cannonball on June 17, 1980; Belcourt on November 14, 1980; Bismarck on January 14, 1981; and Grand Forks on April 8, 1981.
- The NDIAC held workshops, addressing Indian Legislation concerns, on all ND reservations and on several ND College campuses.
- The NDIAC also held several afternoon workshops on ‘minority relations’ with the Law Enforcement Training center.
- The NDIAC began a Legislative Intern program. The temporary ‘legislative coordinator’ position, filled by Clark Johnson, was instrumental in securing significant increases in funding for the Indian Development Fund and the Indian Scholarship program for the 1981-1983 biennium.

1981-1983 BIENNIUM

COMMISSION MEMBERS

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| <ul style="list-style-type: none"> ○ <i>Allen I. Olson</i>
Governor, State of North Dakota ○ <i>Juanita Helphrey (Three Affiliated Tribes)</i>
Executive Director, NDIAC ○ <i>Carl McKay / Paul Little (for Carl McKay)</i>
Fort Totten Chairman ○ <i>Frank Myrick</i>
Fort Totten Representative ○ <i>Frank Lawrence / Charles Murphy (for Pat McLaughlin)</i>
Standing Rock Chairperson ○ <i>Lillian White Temple / Melvin White Eagle / Elaine Brave Bull</i>
Standing Rock Representative | <ul style="list-style-type: none"> ○ <i>Austin Gillette</i>
Three Affiliated Tribes Chairperson ○ <i>Tillie Walker/ Dennis Huber / Matt Mason / Hugh Baker / Alyce Spotted Bear</i>
Three Affiliated Tribes Representative ○ <i>James Henry / Richard LaFromboise</i>
Turtle Mountain Band of Chippewa Chairperson ○ <i>Ray Parisien / Collin Belgarde / Ron Peltier</i>
Turtle Mountain Band of Chippewa Representative ○ <i>Bertha Gipp / Dave Cunningham / Dr. M.A.K. Lommen</i>
State Health Department, Bismarck |
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| <ul style="list-style-type: none"> ○ <i>Shirley Peterson / James Schneider (for Shirley Peterson)</i>
Director of Job Service North Dakota ○ <i>Thor N. Tangedahl</i>
Executive Director, Social Service Board of North Dakota ○ <i>Thor Tangedahl / Tom Dahle / Wayne Anderson</i>
Department of Social Services ○ <i>Mayor H.C. Wessman</i>
League of North Dakota Cities ○ <i>Claire Paulson</i>
ND County Commissioners Association | <ul style="list-style-type: none"> ○ <i>Floyd Stromme / Dean Meyer</i>
State Senator ○ <i>Ted Lang / Donna Nalewaja</i>
State House of Representatives ○ <i>Harriet Skye / Connie Fox (for Harriet Skye)</i>
Dakota Association of Native Americans, Bismarck ○ <i>Anton Moran</i>
Trenton Indian Services, Williston ○ <i>Lewis Gwin</i>
Youth Representative |
|--|---|

LEGISLATION

- ***Indian Affairs Commission Appropriation – S.L. 1981, Ch. 60***
SB 2013 increased the biennial appropriation for the NDIAC. The Indian Development fund increased to \$50,000 and the Indian Scholarships program increased to \$145,000.
- ***State Policy Against Discrimination – S.L. 1981, Ch. 163***
HB 1399 was an act to declare a state policy against discrimination on the basis of race, color, religion, national origin, or sex. However, this legislation did not include an enforcement clause.
- ***Indian Affairs Commission Membership Changes – S.L. 1981, Ch. 528, Section 19***
HB 1443 replaced the Director of the Employment Security Bureau with the Director of Job Service North Dakota. The Indian Affairs Commission retained the right to call upon the director of the economic development commission for consultation upon business and industrial matters involved in the operation of the commission.
- ***Teacher Certification Criteria – S.L. 1981, Ch. 187***
Strongly opposed by the Indian Affairs Commission and the Superintendent of Public Instruction, *HB 1514* provided an exemption, (for those educators having graduated prior to September 1, 1980), from requirements to earn any college credits in Native American or other multicultural courses in order to receive certification or recertification.
- ***Native American Alcohol and Drug Abuse Education Fund – S.L. 1981, Ch. 45***
House Representatives G. Pomeroy, Reiten, Riehl and Senators Barth and Tennesos sponsored *HB 1605*, which was passed in recognition of the high incidence of drug and alcohol abuse on the reservations and established the Native American Alcohol and Drug Abuse Education Fund. Funds were made available to the four N.D. reservations, based on census figures, by applying through the Indian Affairs Commission. This bill appropriated \$383,836 for the 1981-1983 biennium. During this biennium, the NDIAC provided documentation to the state treasurer who appropriated the funds annually.

- ***Direct Funding of Indian Services*** – S.L. 1981, Ch. 679
HCR 3007 urged Congress to provide for direct funding of services to Indian reservations in North Dakota.
- ***Benefits to Enrolled Members of Indian Tribes*** – S.L. 1981, Ch. 680
HCR 3008 urged Congress to extend the benefits conferred upon enrolled members of recognized Indian tribes to those individuals regardless of whether or not they reside on the reservation and to sufficiently increase funding for these benefits so that all enrolled members may receive adequate services and benefits.
- ***Fort Totten Historic Site Designation*** – S.L. 1981, Ch. 717
HCR 3056 urged the National Park Service to include Fort Totten as a national historic site.
- ***American Indian History Materials Distribution*** – S.L. 1981, Ch. 795
SCR 4084 directed the Superintendent of Public Instruction to distribute approved materials on American Indian history.

HIGHLIGHTS OF THE BIENNIUM

- Commission meetings were held in Fort Yates July 31, 1981; and in Bismarck November 12, 1981, March 9, 1982, August 16, 1982 and April 26, 1983.
- The Indian Development Fund appropriation increased to \$50,000. Also, funding for the Indian Scholarship Program increased significantly to \$145,000.
- Governor Olson appointed the Native American Alcohol and Drug Abuse Education Fund Committee which established the criteria for the program. The committee is comprised of the Indian Affairs Commission, University of North Dakota's Indian Development Program, and the State Alcohol and Drug Abuse Program. The appropriated \$383,836 for the program was divided among the four N.D. reservations as follows: Turtle Mountain - \$138,000; Fort Berthold - \$88,000; Standing Rock - \$80,000; and Fort Totten - \$78,000.
- National Congress of American Indians was held in Bismarck in September 1982. Governor Olson addressed the group on opening day. The NCIA is the largest and oldest organization of Indian tribes in the nation.
- The NDIAC office moved from 18th floor to the new Judicial Wing.
- The NDIAC assisted Fort Berthold in obtaining the Densmore Mandan-Hidatsa wax cylinders (recordings) from the State Historical Society and having them copied by the Library of Congress. The cylinders contain old songs and stories, many of which had been forgotten.

1983-1985 BIENNIUM

COMMISSION MEMBERS

- | | |
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| <ul style="list-style-type: none">○ <i>Allen I. Olson / George A. Sinner</i>
Governor, State of North Dakota○ <i>Juanita Helphrey (Three Affiliated Tribes)</i>
Executive Director, NDIAC○ <i>Charles Murphy</i>
Standing Rock Chairperson○ <i>Elaine Brave Bull / Elliot Rhoades</i>
Standing Rock Representative○ <i>Richard LaFromboise</i>
Turtle Mountain Band of Chippewa
Chairperson○ <i>Ron Peltier / Fred Monette</i>
Turtle Mountain Band of Chippewa
Representative○ <i>Alyce Spotted Bear</i>
Three Affiliated Tribes Chairperson○ <i>Dennis Huber</i>
Three Affiliated Tribes Representative○ <i>Elmer White, Sr.</i>
Fort Totten Chairperson○ <i>Gertrude Cavanaugh / Frank Myrick</i>
Fort Totten Representative | <ul style="list-style-type: none">○ <i>Joe Renville / Carl Renville</i>
Trenton Indian Service○ <i>James Schneider / Adrian Crowfeather /
Jean Thomas / Michael Diesz</i>
Job Service○ <i>John Graham / Wayne Anderson (for John
Graham)</i>
Social/Human Services○ <i>Dr. M.A.K. Lommen / Dr. Robert Wentz</i>
State Health Officer○ <i>Claire Paulson / Simon Dillman</i>
ND County Commissioners Association○ <i>Mayor H.C. Wessman</i>
League of Cities○ <i>Dean Meyer</i>
State Senator○ <i>Donna Nalewaja</i>
State Representative○ <i>Lewis Gwin / Daniel McCowan</i>
Youth Representative○ <i>Harriet Skye / Art Raymond</i>
Member at Large – Off Reservation |
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LEGISLATION

- ***Indian Affairs Commission Appropriation*** – *S.L. 1983, Ch. 13*
HB 1120, which gave another two years funding for the Alcohol and Drug Abuse Education Program, was amended into the NDIAC appropriation bill, *HB 1113*. This amendment assigned responsibility of administrating the funds to the Indian Affairs Commission. It also reduced the amount of the appropriation, for the Alcohol and Drug Abuse Education Program, from \$383,000 in the 1981-83 biennium to \$300,000 for the 1983-85 biennium (after an attempt to reduce it to \$100,000 failed in the Senate).
- ***Public Agency and Indian Tribe Agreements*** – *S.L. 1983, Ch. 568*
SB 2146 authorized public agencies of North Dakota and Indian tribes to enter into mutual agreements to perform any administrative service, activity, or undertaking as authorized by law and to resolve any disputes.
- ***Human Rights Act*** – *S.L. 1983, Ch. 173*
HB 1440 declared a state policy against discrimination on the basis of race, color, religion, sex, national origin, age, the presence of any mental or physical disability, or status with respect to marriage or public assistance. This legislation also acted to prevent and eliminate discrimination in employment relations, public accommodations, public services, and credit transactions.

- ***Indian–Non-Indian Concerns – S.L. 1983, Ch. 4029***
SCR 4029 cited the existence of certain conditions of mutual concern confronting the reservation and non-reservation residents of North Dakota and memorialized Congress and the President to exercise responsibility and authority in resolving them.

Excerpt from the NDIAC Legislative Report:

SCR 4029 was a very controversial resolution directing the Congress of the United States and the President of the US and subordinates to fulfill their respective responsibilities in providing leadership in the solution of problems resulting from Congress redefining the Fort Berthold Indian Reservation in 1972. The resolution was submitted by non-Indian residents with no input from the Indian people who are residing within or near the reservation. The resolution slipped through the Senate but by the time it reached the House, many people had become concerned about the effects of this piece of legislation. The House narrowly defeated it but it was brought back for reconsideration the next week and was adopted. On the day that this resolution was adopted, more than 250 Indian people were present to witness the final arguments and the final vote.

HIGHLIGHTS OF THE BIENNIUM

- Commission meetings were held in Bismarck on September 12, 1983, December 9, 1983, April 16, 1984, July 24, 1984, December 12, 1984, February 19, 1985, and May 20, 1985.
- Responsibility for administration of the Native American Alcohol and Drug Abuse Education Program was assigned to the Indian Affairs Commission and the appropriation was included under the Commission budget.
- The Indian Scholarship appropriation was increased from \$145,000 to \$175,000.
- Executive Director Juanita Helphrey was elected President of the Governor’s Interstate Indian Council (GIIC) in 1983 and reelected in 1984.
- The GIIC 39th Annual meeting was held in Bismarck in September 1984.

1985-1987 BIENNIUM

COMMISSION MEMBERS

- | | | |
|--|--|---|
| <ul style="list-style-type: none"> ○ <i>George A. Sinner</i>
Governor, State of North Dakota ○ <i>Juanita Helphrey (Three Affiliated Tribes)</i>
Executive Director, NDIAC ○ <i>Charles Murphy / Earl Silk (for Charles Murphy)</i>
Standing Rock Chairperson | | <ul style="list-style-type: none"> ○ <i>Elliot Rhoades</i>
Standing Rock Representative ○ <i>Richard LaFromboise</i>
Turtle Mountain Band of Chippewa
Chairperson |
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| <ul style="list-style-type: none"> ○ <i>Fred Monette</i>
Turtle Mountain Band of Chippewa
Representative ○ <i>Alyce Spotted Bear / Ed Lone Fight / Ed Hall (for Ed Lone Fight)</i>
Three Affiliated Chairperson ○ <i>Dennis Huber / John Charging / Hugh Baker / Edmund White Bear (for Hugh Baker)</i>
Three Affiliated Representative ○ <i>Carl McKay / Mike McDonald (for Carl McKay)</i>
Fort Totten Chairperson ○ <i>Stanley Cavanaugh</i>
Fort Totten Representative ○ <i>Carl Renville</i>
Trenton Indian Service ○ <i>Michael Diesz / Harold Neameyer (for Michael Diesz)</i>
Director of Job Service North Dakota | <ul style="list-style-type: none"> ○ <i>John Graham / Wayne Anderson (for John Graham)</i>
Executive Director Department of Human Services ○ <i>Dr. Robert Wentz / Bertha Gipp (for Dr. Wentz)</i>
State Health Officer ○ <i>Simon Dillman</i>
ND County Commissioners Association ○ <i>Mayor H.C. Wessman / Mayor Haakenson (for Mayor Wessman)</i>
League of North Dakota Cities ○ <i>Dean Meyer / Donna Nalewaja</i>
State Senator ○ <i>Donna Nalewaja</i>
State Representative ○ <i>Daniel McCowan / Les LaFountain</i>
Youth Representative ○ <i>Art Raymond</i>
Member at Large – Off Reservation |
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LEGISLATION

- ***Appropriation for the Indian Affairs Commission*** – S.L. 1985, Ch. 53
SB 2011 was passed with a cut of \$8500 from Operating Expenses, however the Indian Development Fund and the Indian Scholarship Program remained unchanged. Also, \$35,000 of the \$83,000 lost in the 1983-85 biennium, was recovered for the Alcohol and Drug Abuse Education Program.
- ***Children’s Trust Fund*** – S.L. 1985, Ch. 539
SB 2371 established a children’s trust fund as a special fund in the state treasury for the purpose of funding activities that aid in the prevention of child abuse and neglect.
- ***Knife River Indian Village Historic Site*** – S.L. 1985, Ch. 828
SCR 4035 urged the Secretary of the Interior, the director of the National Park Service, and the regional director of the National Park Service to take all steps necessary to secure funding for the development of the Knife River Indian Villages National Historic Site.
- ***Fort Berthold Reservation Study*** – S.L. 1985, Ch. 841
SCR 4051 directed the Legislative Council, with the assistance of citizen advisers, to study issues of concern to the state and persons living within the boundaries of the Fort Berthold Reservation.
- ***Indian Reservation Jurisdiction Study*** – S.L. 1985, Ch. 861
SCR 4075 directed the Legislative Council to study the issue of state courts’ jurisdiction over civil cases that arise within the exterior boundaries of Indian reservations, and to urge a concurrent study by the Congress of the United States.

HIGHLIGHTS OF THE BIENNIUM

- On January 8th, 1985 the first “*STATE OF THE RELATIONSHIP MESSAGE - A TRIBAL PERSPECTIVE*” was provided to both the House and Senate Assemblies by Russell Hawkins, Chairman of the Sisseton-Wahpeton Sioux Tribe and President of the United Tribes Educational Technical Center Board of Directors.
- NDIAC co-sponsored, with the newly formed ND Indian Arts Council and Miss Indian America Pageant Board, an art exhibit and craft show the first week of September 1986 to coincide with United Tribes Powwow. The craft show was organized to give North Dakota people a forum to exhibit their art, promote their crafts, and have a potential to market their product. This craft show had the support of the Governor, the Economic Development Commission, the Job Services of ND, the ND Arts Council and the ND Humanities Council, with the hope that it would lead to economic and employment possibilities.
- Executive Committee of the NDIAC was formed at September 1985 Commission meeting. The Executive Committee was created to save money and do the work of the Commission between meetings.
- Commission meetings were held in Bismarck on September 12, 1985, March 5, 1986, October 23, 1986, January 7, 1987, and April 7, 1987.

1987-1989 BIENNIUM

COMMISSION MEMBERS

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|---|--|
| ○ <i>George A. Sinner / Lt. Governor Lloyd Omdahl (for George Sinner)</i>
Governor, State of North Dakota | ○ <i>Stanley Cavanaugh</i>
Fort Totten Council Member |
| ○ <i>Juanita Helphrey (Three Affiliated Tribes)</i>
Executive Director, NDIAC | ○ <i>Nick Spaeth / Sarah Vogel (for Nick Spaeth)</i>
Attorney General |
| ○ <i>Charles Murphy</i>
Standing Rock Chairperson | ○ <i>Walt Moran / Henry LaDue (for Walt Moran)</i>
Trenton Indian Service |
| ○ <i>Elliot Rhoades</i>
Standing Rock Representative | ○ <i>Mike Diesz / (Harold Neameyer & Adrian Crowfeather for Harold Neameyer)</i>
Job Service |
| ○ <i>Richard LaFromboise / Twila Martin-Kekahbah</i>
Turtle Mountain Chairperson | ○ <i>John Graham / Wayne Anderson (for John Graham)</i>
Executive Director Department of Human Services |
| ○ <i>Fred Monette / Don Morin (for Fred Monette)</i>
Turtle Mountain Representative | ○ <i>Dr. Robert Wentz / Bertha Gipp (for Dr. Wentz)</i>
State Health Officer |
| ○ <i>Ed Lone Fight / Ed Hall (for Ed Lone Fight)</i>
Three Affiliated Chairperson | ○ <i>Simon Dillman</i>
Sioux County Commissioner |
| ○ <i>Edmund White Bear / Elgin Crows Breast / Jim Mossett / Titus Hall</i>
Three Affiliated Representative | ○ <i>Mayor H.C. Wessman / Mayor Marlan Haakenson</i>
League of North Dakota Cities |
| ○ <i>Carl McKay / Ila Lohnes (for Carl McKay)</i>
Fort Totten Chairperson | |

- *Allen Richard*
State Senator
- *Clarence Martin*
State Representative

- *Art Raymond*
Member at Large – UND
- *Daryl Azure (did not attend)*
Youth Representative

LEGISLATION

- ***Indian Affairs Commission Appropriation*** – *S.L. 1987, Ch. 7*
HB 1007 made an appropriation for defraying the expenses of the NDIAC. However, the appropriation for the Indian Development Fund was eliminated.
- ***Reporting of Funds for Reservation Services*** – *S.L. 1987, Ch. 763*
HB 1040 stated that those executive and administrative officers and departments, who are required to submit biennial reports, shall include in their reports a detailed statement of all sources and expenditures of public funds for state services that benefit Indians residing on Indian reservations in this state. Governor Sinner vetoed the bill on the basis that there is no need to place additional paperwork upon state agencies when personnel reductions are being considered.
- ***Children’s Services Coordinating Committee*** – *S.L. 1987, Ch. 185*
SB 2039 established a Children’s Services Coordinating Committee to develop a plan for a coordinated delivery of services to children and adolescents. The executive director of the NDIAC was assigned to this committee.
- ***Indian Affairs Commission Membership*** – *S.L. 1987, Ch. 643*
SB 2046 added the Attorney General to the members of NDIAC increasing the total number of Commission members to 20. Attorney General Spaeth appointed Sarah Vogel to represent his office. This bill also stated that the Commission may call upon the director of the economic development commission for consultation upon business and industrial matters involved in the operation of the NDIAC.
- ***Reciprocal Recognition of Judgements*** – *S.L. 1987, Ch. 186*
SB 2048 provided for the reciprocal recognition of certain judgements, decrees, and orders. This was an agreement between the state courts and the Fort Berthold tribal court.
- ***State/Tribal Agreements*** – *S.L. 1987, Ch. 645*
SB 2049 enacted three new sections to chapter 54-40.2 of the 1985 supplement to the ND Century Code. These new sections related to agreements between state agencies and Indian tribes and holding public meetings concerning such agreements.
- ***Attorney General’s Reservation Investigations*** – *S.L. 1987, Ch. 627*
SB 2047 enacted a new section to chapter 54-12 of the ND Century Code relating to investigations, by the attorney general, of any complaint alleging the deprivation of any constitutional, civil, or legal right of individuals residing on an Indian reservation. This investigation will take place upon the written request of the state’s attorney of the county of residence of the aggrieved individual. Expenses incurred are to be paid by the county in which the investigation was requested.

- ***Indian Development Fund Renamed*** – S.L. 1987, Ch. 640
SB 2313 renamed the Indian Development Fund, the *Gordon Aamooh Indian Development Fund*. However, the appropriation for this fund was not approved.
- ***Payment in Lieu of Taxes*** – S.L. 1987, Ch. 792
HCR 3003 urged Congress to enact legislation requiring the federal government to make full payment in lieu of real property taxes on all land withdrawn, held in trust, or purchased for federal purposes to replace real property tax revenue foregone by local governments.
- ***Presidential Indian Study Commission*** – S.L. 1987, Ch. 793
HCR 3004 urged the President of the United States to establish a presidential commission to study the impact of federal Indian policies on non-Indians living or working on or near Indian reservations in the United States.
- ***Native American Day*** – S.L. 1987, Ch. 821
HCR 3043 designated April 5, 1989 as “Native American Day” to honor the indigenous people of the land that became the state of North Dakota.
- ***Water Impoundment Recommendations*** – S.L. 1987, Ch. 870
SCR 4004 urged Congress to implement the recommendations of the Garrison Unit Joint Tribal Advisory Committee concerning the effects of the impoundment of waters under the Pick-Sloan Missouri Basin program on the Fort Berthold and Standing Rock Indian Reservations.

Excerpt from the North Dakota Blue Book (1995):

- The *Indian Education Amendments* of 1988 called for the development of a comprehensive federal policy for the education of Indian children.

HIGHLIGHTS OF THE BIENNIUM

- In 1988, Congress passed both the *Indian Gaming Regulatory Act* and the *Self-Governance Demonstration Project*.
- Commission meetings were held in Bismarck on July 14, 1987, Belcourt on November 24, 1987, Bismarck on February 18, 1988, and in New Town on June 10, 1988.

Excerpts from the NDIAC Quarterly Reports:

- We were very sorry that the Legislature did not see fit to fund our Indian Development Fund, which had been renamed the Gordon A. Aamooh Indian Development Fund by this same Legislature in honor of one of its founders, a Legislator who foresaw the needs of Indian people and who, along with a few other people, created this fund back in 1971.

- Fort Berthold’s Tribal Business Council worked especially hard on getting reciprocal recognition of certain state and tribal court judgements, decrees, and orders. This new code will set precedence for other tribal courts to work with state programs and agencies on court agreements in certain child welfare cases, divorces, etc.

1989-1991 BIENNIUM

COMMISSION MEMBERS

- | | |
|--|--|
| <ul style="list-style-type: none"> ○ <i>George A. Sinner / Lt. Governor Lloyd Omdahl (for Governor Sinner)</i>
Governor, State of North Dakota ○ <i>Juanita Helphrey (Three Affiliated Tribes)</i>
Executive Director, NDIAC ○ <i>Charles Murphy (did not attend)</i>
Standing Rock Chairperson ○ <i>Aljoe Agard (did not attend)</i>
Standing Rock Representative ○ <i>Twila Martin-Kekahbah / Barb Poitra (for Twila Martin-Kekahbah)</i>
Turtle Mountain Chairperson ○ <i>Fred Monette</i>
Turtle Mountain Representative ○ <i>Ed Lone Fight (did not attend)</i>
Three Affiliated Chairperson ○ <i>Titus Hall</i>
Three Affiliated Representative ○ <i>Elmer White & Peggy Cavanaugh (for Carl McKay)</i>
Fort Totten Chairperson ○ <i>Dan Dubois</i>
Fort Totten Council Member ○ <i>Everette Enno</i>
Trenton Indian Service Area | <ul style="list-style-type: none"> ○ <i>Charles Carvell (for Nick Spaeth)</i>
Attorney General ○ <i>Harold Neameyer (for Michael Diesz)</i>
Job Service ○ <i>John Graham / John Allen (for John Graham)</i>
Executive Director Department of Human Services ○ <i>Dr. Robert Wentz / Bertha Gipp (for Dr. Wentz)</i>
State Health Officer ○ <i>Simon Dillman</i>
ND County Commissioners Association ○ <i>Mayor Marlan Haakenson</i>
North Dakota League of Cities ○ <i>Allen Richard (did not attend)</i>
State Senator ○ <i>Clarence Martin (did not attend)</i>
State Representative ○ <i>Art Raymond</i>
Member at Large – UND ○ <i>Daryl Azure (did not attend)</i>
Youth Representative |
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LEGISLATION

- ***Children’s Services Coordinating Committee*** – *S.L. 1989, Ch. 681*
HB 1077 established the Children’s Services Coordinating Committee and provided a continuing appropriation. The executive director of the NDIAC remained a member of this committee.
- ***State and Tribal Court Judgements*** – *S.L. 1989, Ch. 381*
HB 1270 provided for the continuation of *S.L. 1987, Ch. 186* which had expired June 30, 1989. This act provides for the reciprocal recognition of certain state court and Fort Berthold tribal court judgements, decrees, and orders. The cases covered are those involving the dissolution of marriage, distribution of property upon divorce, child custody, adoption, adult abuse protection order, and an adjudication of the

delinquency, dependency, or neglect of Indian children. The tribal court judgement, decree, or order must be rendered by a judge who is a graduate of an accredited law school and holds a current valid license to practice law in at least one state.

- ***Burial Place and Cultural Resource Protection*** – *S.L. 1989, Ch. 307*
HB 1584 amended and reenacted sections of the ND Century Code relating to the unlawful opening of places of burial and the protection of cultural resources. The bill also repealed section 55-03-05 of the ND Century Code relating to the unrestricted exploration for and excavation of cultural resources by a landowner.
- ***Indian Affairs Commission Appropriation*** – *S.L. 1989, Ch. 36*
SB 2007 appropriated \$693,423 for the 1987-1989 biennium. The Youth Alcohol and Drug Abuse Education fund increased \$16,000, to \$316,000.
- ***Advisory Commission on Intergovernmental Relations*** – *S.L. 1989, Ch. 654*
SB 2067 was an act to establish a state advisory commission on intergovernmental relations.
- ***Missouri River Bridge Urged*** – *S.L. 1989, Ch. 816*
HCR 3025 urged Congress to provide funds to the appropriate agency to construct a bridge over the Missouri River in the vicinity of Fort Yates and Emmons County, North Dakota.
- ***American Indian and Alaska Native Youth Day*** – *S.L. 1989, Ch. 828*
HCR 3041 designated the fourth Wednesday of each September through the year 2000 to be American Indian and Alaska Native Youth Day and urging the communities of North Dakota to support and participate in appropriate activities.
- ***Tribal Vehicle Licensing Study*** – *S.L. 1989, Ch. 865*
HCR 3088 directed the Legislative Council to study the feasibility and desirability of entering into reciprocal agreements with Indian tribes concerning the registration of motor vehicles.
- ***Indian Health Care Funding Urged*** – *S.L. 1989, Ch. 878*
SCR 4018 urged Congress to increase appropriations for Indian health care.
- ***Tribal Court Commitments Study*** – *S.L. 1989, Ch. 918*
SCR 4067 directed the Legislative Council to study the feasibility and desirability of authorizing tribal courts to involuntary commitments to state-operated facilities in accordance with the state's mental health commitment laws.
- ***Four Bears Bridge Urged*** – *S.L. 1989, Ch. 922*
SCR 4071 urged Congress to provide funds to replace Four Bears Bridge west of New Town, North Dakota.

Excerpts from NDIAC Quarterly Reports:

- First and foremost, our Commission budget “sailed through” with very little opposition, and it actually increased approximately \$16,000 over last year which was built into the Youth Alcohol and Drug Abuse Education Program. We did lose a part-time office position however, so there always is a trade-off of some kind. We are excited that the Legislators whole-heartedly supported our budget and continue to support the work of our agency.
- A very significant piece of legislature did pass, one that may have an impact throughout ‘Indian Country’ and that was *HB 1584*. This Indian skeletal remains bill strengthens protection and strengthens protections and strengthens criminal action of the historic and prehistoric skeletal remains. Kip Quale, Legal Advisor for the Three Affiliated Tribes at Fort Berthold, and Pemina Yellow Bird, Indian member of the State Historical Board, drafted and lobbied this bill. It caused a great deal of emotion and created sides, including the opposition which we expected from the scientific community and even the staff of the State Historical Society. The reason we feel it will impact the nation is that it is now the strongest law in the United States and does set precedent to what others are and might be doing in the future.
- Other bills include the passage of Fort Berthold’s Legislation for renewing their agreement with the state on reciprocal recognition of certain state and tribal court judgements, decrees, and orders (*HB 1270*). It was actually a bill from the last biennium that has been continued because of its success. We had asked other tribes to join, but for their own reasons they decided not to.

HIGHLIGHTS OF THE BIENNIUM

- According to the 1990 U.S. Census, the Native American population in ND in 1990 was 25,917, comprising 4.1% of the general population of 638,000.
- Commission meetings were held in Bismarck on November 20, 1989, June 12, 1990, and on November 26, 1990.
- The members of the Indian Reinterment Committee gained the cooperation of the State Historical Board to ensure the return and reburial of 125 boxes of skeletal remains.
- A smaller Executive Committee was created to meet between meetings of the full Commission in an attempt to decrease travel expenses to the program.
- North Dakota Indian Affairs Commission Executive Director, Juanita Helphrey, resigned effective January 1, 1991. She held the position for sixteen years.

1991-1993 BIENNIUM

FUNCTION OF THE COMMISSION

The North Dakota Indian Affairs Commission shall have the power to 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 seek to develop their own goals, project plans for achieving those goals and implement those plans. The commission's duties are:

1. To 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 tribal, state and federal agencies in developing programs whereby Indian citizens may achieve more adequate standards of living.
3. To assist tribal groups in developing increasingly effective institutions of self-government.
4. To work for greater understanding and improved relationships between Indians and non-Indians.
5. To seek increased participation by Indian citizens in local and state affairs.
6. To confer with and coordinate officials and agencies of other governmental units and congressional committees with regard to Indian needs and goals.
7. *To 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 by an affected tribe.*

*Function #7 was added by *S.L. 1991, Ch. 602* during the 1991 legislative session.

COMMISSION MEMBERS

S.L. 1991, Ch. 602

The membership of the NDIAC was downsized from a nineteen-member body to a nine-member Commission. The Commission was now comprised of the Governor of North Dakota, who serves as chair of the NDIAC; the four tribal chairmen of the Turtle Mountain, Standing Rock, Fort Berthold and Devil's Lake reservations, who serve in an ex-officio capacity; and four at-large members, who are appointed by the Governor.

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| ○ <i>George A. Sinner / Edward T. Schafer</i>
Governor, State of North Dakota | ○ <i>Twila Martin-Kekahbah / Richard LaFromboise</i>
Turtle Mountain Chairperson |
| ○ <i>Deborah A. Painte</i>
Executive Director, NDIAC | ○ <i>Everette Enno</i>
Trenton Indian Service Area |
| ○ <i>Wilbur Wilkinson</i>
Three Affiliated Tribes Chairperson | ○ <i>Bertha Gipp</i>
At-large appointee |
| ○ <i>Peter Belgarde / Jeanette Herald (for Peter Belgarde)</i>
Fort Totten Chairperson | ○ <i>Austin Engel</i>
At-large appointee |
| ○ <i>Aljoe Agard</i>
Standing Rock Vice-Chairperson | ○ <i>Gladys Ray</i>
At-large appointee |

LEGISLATION

- ***Indian Affairs Commission Appropriation*** – *S.L. 1991, Ch. 7*
HB 1007 provided an appropriation for defraying the expenses of the NDIAC.
- ***Educational Agencies and Institutions*** – *S.L. 1991, Ch. 30*
Section 18 of *SB 2003* appropriated \$50,000 to be used for developing, testing, and implementing a Native American curriculum.
- ***Indian Affairs Commission Membership*** – *S.L. 1991, Ch. 602*
SB 2205, Section 2, downsized the NDIAC to nine members. *Section 3* of *SB 2205* stated “The governor, after consultation with the members of the commission, shall appoint an executive director of the Indian affairs commission who must serve at the pleasure of the governor.” Also, the appropriation for the Indian Scholarship Program was assigned to the North Dakota Department of Higher Education.
- ***Public/Tribal Agreements*** – *S.L. 1991, Ch. 606*
SB 2239 amended and reenacted sections of the North Dakota Century Code relating to agreements between public agencies and Indian tribes.
- ***Northwest Area Water Supply Project*** – *S.L. 1991, Ch. 704*
SB 2357 was an act to provide for the creation of the northwest area water supply advisory committee and to authorize the state water commission to develop and construct a northwest area water supply project. This legislation was proposed to address the unsafe drinking water conditions found in many areas in northwestern North Dakota. The nine-man committee was to include one representative from the Three Affiliated Tribes. The NDIAC, in Section 54-40.2-05.1, was mandated to make findings concerning the utility and effectiveness of approved agreements relating to this project that involves tribe and state.
- ***Tribal Misdemeanor Jurisdiction Urged*** – *S.L. 1991, Ch. 862*
SCR 4058 urged Congress to enact legislation giving Indian tribes criminal misdemeanor jurisdiction over all Indians on reservations and to review the Indian Civil Rights Act to ensure that the constitutional rights of all Indians are protected.

Excerpt from the North Dakota Blue Book (1995):

- Another piece of recent federal legislation is the *Native American Language Act* of 1992, which provides federal assistance in assuring survival and continuing vitality of native languages.

HIGHLIGHTS OF THE BIENNIUM

- Commission meetings were held in Bismarck on July 31, November 26, 1991, and February 24, 1993. Meetings were also held in Fort Totten on January 17, 1992 and in Fort Yates on November 9, 1992.

- In October of 1991, Governor George A. Sinner appointed Deborah A. Painte as the new Executive Director of the NDIAC.
- In 1991, The Indian Business Development Fund was resurrected and transferred to the newly restructured Economic Development and Finance agency for reservation economic development.

Excerpts from NDIAC Quarterly Reports:

- The smaller size of the Commission has resulted in successful meeting quorums for the last year with attendance by both the tribal and state officials. A key contributing factor has been the chairmanship of the Commission by the Governor. Another factor contributing to successful meetings, has been the administrative practice of rotating the location of each quarterly meeting to each of the reservations in North Dakota. The underlying premise being respect for the government to government relationship as well as providing an opportunity for the Governor and other state officials to visit the reservations at least once a year.
- The program administration of the Native American Indian Scholarship program was transferred to the ND University System, and the former acting coordinator/scholarship officer FTE of the NDIAC was reassigned to that agency.
- The NDIAC was instrumental in developing statewide network for Indian women to address a myriad of socio-cultural economic issues through the ND Chapter of the North American Indian Women's Association.
- Successful in securing and coordinating a \$50,000 Center for Substance Abuse Conference grant, "Strengthening the Circle through Indian Youth Wellness" to augment Native American Youth Alcohol & Drug Education programs on the four reservations for substance abuse prevention and education activities for Indian youth." The conference was held in April 1993 with over 250 Indian youth and adult volunteers in attendance at the University of North Dakota.
- The NDIAC organized & coordinated a statewide celebration of the national quinqucentenary observance, 'Unity of the People, a Celebration of Native Indian Lifeways' to promote cross-cultural understanding of ND Indian people.
- The NDIAC organized a statewide forum for Indian concerns relating to alcohol & substance abuse among ND Indian population and licensure requirements of addiction counselors.
- Successful in securing \$4,000 Arts Midwest grant to produce hour long documentary to document evolution and significance of traditional Plains Indian dance expression and symbolism to promote cross-cultural understanding.
- Executive Director elected to the National Governors' Indian Interstate Council Board of Directors which addresses items of mutual national concern between Indian tribes and state governments.

1993-1995 BIENNIUM

COMMISSION MEMBERS

- | | |
|--|---|
| <ul style="list-style-type: none">○ <i>Edward T. Schafer, Chairman</i>
Governor, State of North Dakota○ <i>Deborah A. Painte (Three Affiliated Tribes)</i>
Executive Director, NDIAC○ <i>Wilbur Wilkinson / Russell Mason</i>
Three Affiliated Tribes○ <i>Richard LaFromboise/Jim Baker (for Richard LaFromboise)/Twila Martin-Kekahbah</i>
Turtle Mountain Band of Chippewa○ <i>Peter Belgarde</i>
Devil's Lake Sioux Tribe | <ul style="list-style-type: none">○ <i>Jesse Taken Alive / Tom Kuntz (for Jesse Taken Alive)</i>
Standing Rock Sioux Tribe○ <i>Everette Enno</i>
Trenton Indian Service Area○ <i>Bertha Gipp</i>
At-large appointee○ <i>Kathy Keiser</i>
At-large appointee○ <i>Gladys Ray</i>
At-large appointee |
|--|---|

LEGISLATION

- ***Indian Affairs Commission Appropriation*** – *S.L. 1993, Ch. 28*
SB 2007 provided an appropriation for defraying the expenses of the Indian Affairs Commission.
- ***Motor Vehicles Registered by Tribes*** – *S.L. 1993, Ch. 521*
HB 1323 created and enacted section 54-27-19.2 of the ND Century Code, relating to the reporting of the number of motor vehicles registered under tribal authority on an Indian reservation for the purpose of calculating each count's share of highway tax distribution fund.
- ***Fort Berthold Reservation Bridges*** – *S.L. 1993, Ch. 679*
HCR 3025 urged Congress to replace Four Bears Bridge on the Fort Berthold Indian Reservation and to build two bridges to connect the Fort Berthold communities of Twin Buttes, White Shield, and Mandaree.
- ***Tribal Land Transfer Study*** – *S.L. 1993, Ch. 681*
HCR 3028 directed the Legislative Council to study whether the state of North Dakota may be eligible to receive lands transferred pursuant to the Three Affiliated Tribes and Standing Rock Sioux Tribe Equitable Compensation Act.
- ***Indian Law Center Support*** – *S.L. 1993, Ch. 685*
HCR 3033 commended the University of North Dakota School of Law for its interest in and efforts to establish a center for the study of American Indian Law. Also, this resolution urged the North Dakota Congressional Delegation to lend its support and assistance for the center.

HIGHLIGHTS OF THE COMMISSION

- Deborah Painte was officially re-appointed Executive Director of the North Dakota Indian Affairs Commission by Governor Edward T. Schafer.
- The last NDIAC meeting to take place on a reservation was held in Trenton on July 13, 1993. Commission meetings were held in Bismarck on December 3, 1993, July 28, 1994, December 21, 1994, and April 26, 1995.
- Organized the formation of the ND Advisory Council on Indian Tourism, with the central coordination functions being handled by the NDIAC administrative office to promote Indian tourism development on the reservation and to serve in an advisory capacity to the state tourism agency.

1995-1997 BIENNIUM

COMMISSION MEMBERS

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|---|--|
| ○ <i>Edward T. Schafer, Chairman</i>
Governor, state of North Dakota | ○ <i>Jesse Taken Alive</i>
Standing Rock Nation |
| ○ <i>Deborah A. Painte (Three Affiliated Tribes)</i>
Executive Director, NDIAC | ○ <i>Everette Enno</i>
Trenton Indian Service Area |
| ○ <i>Ed Hall / Russell Mason</i>
Three Affiliated Tribes | ○ <i>Bertha Gipp / David Brien</i>
At-large appointee |
| ○ <i>Melvin Lenore / Rapheal DeCoteau</i>
Turtle Mountain Band of Chippewa | ○ <i>Kathy Keiser</i>
At-large appointee |
| ○ <i>Carl Walking Eagle / Myra Pearson</i>
Spirit Lake Tribe | ○ <i>Gladys Ray</i>
At-large appointee |

LEGISLATION

- ***Indian Affairs Commission Appropriation*** – *S.L. 1995, Ch. 7*
HB 1007 provided an appropriation for defraying the expenses of the Indian Affairs Commission. The appropriation for the Native American Alcohol and Drug Abuse Education Program was reduced to \$150,000. *HB 1007* also required each reservation to provide matching funds in order to receive their share of this appropriation.
- ***American Indian Language and Culture Teacher Certification*** – *S.L. 1995, Ch.186*
SB 2491 created and enacted new sections to the North Dakota Century Code relating to the provision of teaching services by persons certified as instructors in the areas of North Dakota Indian languages and culture.
- ***Tribal/Department of Transportation Agreements*** – *S.L. 1995, Ch. 259*
HB 1342 authorized the director of Department of Transportation to enter into agreements with tribal governments for the purpose of construction and maintenance of highways, streets, roads, and bridges; with each agreement not to exceed twenty-five thousand dollars.

- ***Gordon Aamoth Indian Development Fund Eliminated*** – S.L. 1995, Ch. 516
SB 2139 eliminated the Gordon Aamoth Indian Development Fund. This legislation was introduced at the request of the Governor.
- ***Tribal/State Gaming Compacts*** – S.L. 1995, Ch. 631
SB 2067 was an act to provide for recognition of tribal-state gaming compacts, to create an open records exception for tribal gaming financial information submitted to a state agency, and to provide for approval of amendments to tribal-state gaming compacts. This bill was vetoed by the governor on the grounds that it could damage tribal-state relations and would create a substantial risk of litigation over this issue.
- ***Tribal/State Gaming Compact Study*** – S.L. 1995, Ch. 684
SCR 4012 directed the Legislative Council to study the feasibility and desirability of legislation governing the future negotiation, amendment, and renewal of tribal-state gaming compacts.
- ***Indian Casino Gaming Issues Addressed*** – S.L. 1995, Ch. 704
SCR 4043 urged the North Dakota Congressional Delegation to address issues related to the federal Indian Gaming Regulatory Act of 1988, including the positive and negative impacts of Indian gaming on the state and tribes.
- The Welfare reform act, “*Personal Responsibility and Work Opportunity Reconciliation Act*” P.L. 104-193, was passed by Congress in 1996 in which the *Temporary Assistance for Needy Families Block Grant* (TANF) replaced the Aid to Families with Dependent Children program. Under this new law, tribes may opt to administer the new TANF program themselves, whereas the AFDC funds were administered by the states.

HIGHLIGHTS OF THE BIENNIUM

- Devil’s Lake Sioux Tribe members voted in a special election to change the tribe’s name to ‘Spirit Lake Tribe’. The press release stated: “For the members of the tribe it has always been considered wrong to refer to the lake as ‘Devil’s Lake’ as it was the ‘wasicu’ that misinterpreted the Dakotah terminology and called the lake ‘Devil’s Lake’.”
- The NDIAC and the five Tribal councils co-sponsored the North Dakota Native American Juvenile Justice Summit in Mandan on April 2-4, 1996.
- Commission meetings were held in Bismarck on November 27, 1995, September 30, 1996, and on May 29, 1997.
- The ‘Year of the People Accord’ between the Standing Rock Nation and the State of North Dakota was signed by Jesse Taken Alive Chairman of the Standing Rock Nation and by Governor Edward T. Schafer on January 31st, 1996. The Accord lays the foundation for two governments working together. The Accord is also an example of Governor Schafer’s initiative to establish government-to-government relationships between the State and the Indian Tribes in North Dakota.

YEAR OF THE PEOPLE ACCORD BETWEEN THE STANDING ROCK NATION AND THE STATE OF NORTH DAKOTA

I. PREAMBLE AND GUIDING PRINCIPLES

This ACCORD is executed between the Standing Rock Nation of the Standing Rock Reservation and the State of North Dakota, in order to better achieve mutual goals through an improved relationship between their respective governments. This ACCORD provides a framework for that government-to-government relationship.

II. PARTIES

This ACCORD seeks to enhance and refine, through agreement and understanding, the relationship between the State of North Dakota and the Standing Rock Nation of the Standing Rock Reservation. The Government of the Standing Rock Nation has an independent relationship with other Tribes, the State, and the Federal Government.

The parties recognize that the State of North Dakota is governed in part by independent elected officials. Therefore, although, this ACCORD has been initiated by the Standing Rock Nation and the Governor, agencies directed by independently elected officials are encouraged to respect and abide by these guiding principles.

III. PURPOSES AND OBJECTIVES

This ACCORD illustrates the commitment by the parties to the government-to-government relationship. This relationship recognizes the sovereign status of the parties, enhances and improves communications between them, and facilitates the resolution of issues.

This ACCORD is intended to build confidence among the parties in the government-to-government relationship, and is intended to identify issues and formulate solutions between the parties.

It also commits the parties to the tasks that will translate the relationship into more efficient, improved and beneficial services to Indian and non-Indian people of our state. This ACCORD under N.D.C.C. § 54-40.2 and the Standing Rock Sioux Tribe Constitution Article IV, Section 1A encourages specific agreement among the parties herein.

IV. IMPLEMENTATION PROCESS AND RESPONSIBILITIES

While this ACCORD addresses the relationship between the parties, its ultimate purpose is to improve the services delivered to the citizens of North Dakota which includes members of the Standing Rock Sioux Tribe. The parties shall establish goals for improved services and identify the obstacles to the achievement of those goals.

The State of North Dakota is organized into a variety of separate departments under its governor, other independently elected officials, and variety of boards and commissions. Standing Rock Sioux Tribe, on the other hand, is a unique government organization with different management and decision-making structures.

Each party will initiate a procedure by which the government-to-government policy will be implemented, will establish a documented plan of accountability, and may establish more detailed implementation procedures in subsequent agreements between tribes and a particular agency.

Each party also recognizes that a system of accountability within its organization is critical to successful implementation of the relationship. Therefore, the parties will direct their staff to communicate within the spirit of this ACCORD with the entity which has the authority and responsibility to deal with the particular issue of concern.

As a component of the ACCORD, the parties will review and evaluate at an annual meeting of the North Dakota Indian Affairs Commission, the implementation of the government-to-government relationship. A management report will be issued summarizing this evaluation and will include joint strategies and specific agreements to outline tasks, overcome obstacles, and achieve specific goals.

V. SOVEREIGNTY AND DISCLAIMERS

Each of the parties recognizes the sovereignty of the other. In executing this ACCORD, no party waives any rights, including treaty rights, immunities, including sovereign immunities, or jurisdiction. This ACCORD neither diminishes nor expands rights or protections afforded other persons or entities under state or federal law. Through this ACCORD, the parties seek to strengthen their collective ability to successfully resolve issues of mutual concern.

Therefore, inherent in their relationship is the right of each of the parties to elevate an issue of importance to any decision-making authority of another party, including, where appropriate, the party's executive office.

The parties have executed this ACCORD on the date set forth below, and agree to be duly bound by its terms:
Dated this 31st day of January, 1996

Signed by: **Edward T. Schafer**, Governor State of North Dakota

Signed by: **Jesse Taken Alive**, Tribal Chairman Standing Rock Sioux Tribe

1997-1999 BIENNIUM

FUNCTION OF THE COMMISSION

*Mission of the North Dakota Indian Affairs Commission
(Per North Dakota Century Code 54-36)*

Powers and duties. The Indian Affairs Commission shall have the power to assist and mobilize the support of state and federal agencies in assisting Indian individuals and groups in North Dakota, especially the five tribal councils (Three Affiliated Tribes, Turtle Mountain Band of Chippewa, Spirit Lake Nation, Standing Rock Nation and Trenton Indian Service Area), as they seek to develop their own goals, project plans for achieving those goals, and implement those plans. The commission's duties are:

1. To 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 tribal, state and federal agencies in developing programs whereby Indian citizens may achieve more adequate standards of living.
3. To assist tribal groups in developing increasingly effective institutions of self-government.
4. To work for greater understanding and improved relationships between Indians and non-Indians.
5. To seek increased participation by Indian citizens in local and state affairs.
6. To confer with and coordinate officials and agencies of other governmental units and congressional committees with regard to Indian needs and goals.
7. To encourage and propose agreements and accords between federal state and local agencies and the tribal governments, and, pursuant to ND Century Code Chapter 54-40.2, to assist in monitoring and negotiating agreements and accords when asked by an affected tribe.

The NDIAC is the liaison between the executive branch and the tribes in North Dakota. Duties include mediation services with the tribes and state and working with other state agencies regarding proper protocol in working with Indian people and tribal governments.

COMMISSION MEMBERS

- | | |
|---|---|
| ○ <i>Edward T. Schafer, Chairman</i>
Governor, state of North Dakota | ○ <i>Raphael DeCoteau / Richard LaFromboise</i>
Turtle Mountain Band of Chippewa |
| ○ <i>Cynthia Mala (Spirit Lake Nation)</i>
Executive Director, NDIAC | ○ <i>Everette Enno</i>
Trenton Indian Service Area |
| ○ <i>Russel "Bud" Mason / Tex Hall</i>
Three Affiliated Tribes | ○ <i>Gladys Ray</i>
Governor Appointee |
| ○ <i>Myra Pearson</i>
Spirit Lake Nation | ○ <i>David Brien</i>
Governor Appointee |
| ○ <i>Charles Murphy</i>
Standing Rock Nation | ○ <i>Kathy Keiser</i>
Governor Appointee |

LEGISLATION

- ***Indian Affairs Commission Appropriation – S.L. 1997, Ch. 34***
SB 2005 made an appropriation for defraying the expenses of NDIAC. The appropriation for the Native American Youth Alcohol and Drug Abuse Education Program was increased to \$200,000. However, the funding was now to be appropriated from the Children’s Services Coordinating Committee, whereas it previously had come from general funds. The appropriation for the Alcohol and Drug Abuse Education Program continued to require matching funds from each program.
- ***Indian Scholarship Eligibility – S.L. 1997, Ch. 186***
HB 1315 amended sections 15-63-02, 03, and 04 of the North Dakota Century Code, relating to eligibility criteria for scholarships awarded by the state board for Indian scholarships. To be eligible for the award one must be a member of a federally recognized Indian tribe, be attending an institution of higher learning within the state, demonstrate financial need, and show probable and continuing success as a student.
- ***Tribal Extradition Proceedings – S.L. 1997, Ch. 280***
SB 2112 was an act providing for extradition proceedings regarding those subject to tribal arrest warrants. The bill passed as an emergency measure. Sections of this bill address definitions of ‘Tribe’ and ‘Tribal arrest warrant’; Arrest with or without warrant; Court Appearance; and Order to transfer Custody.
- ***Tribal Lands Oil Tax Exemption – S.L. 1997, Ch. 504***
SB 2371 created and enacted a new subsection to section 57-51.1-03 of the North Dakota Century Code establishing an exemption for oil production on tribal lands from any taxes for a period of sixty months.
- ***Bank Security for Tribal Deposits – S.L. 1997, Ch. 83***
SB 2146 was an act to create and enact a new section to chapter 6-03 of the North Dakota Century Code, relating to the power of a state-chartered bank to pledge securities for the repayment of deposits by federally recognized Indian tribes.
- ***Tribal-State Gaming Compact Approval – S.L. 1997, Ch. 470***
SB 2399 renewed tribal-state gaming compacts and an open records exception for tribal gaming financial information submitted to a state agency.
- ***Native American Long-Term Care Study – S.L. 1997, Ch. 580***
HCR 3005 directed the Legislative Council to study Native American long-term care needs and access to appropriate services.
- ***Four Bears Bridge Funding Urged – S.L. 1997, Ch. 586***
HCR 3015 urged Congress to provide funds to replace the Four Bears Bridge on the Fort Berthold Reservation.
- ***Welfare Reform Tribal Relations Study – S.L. 1997, Ch. 633***
SCR 4030 directed the Legislative Council to study the issues of welfare reform as they relate to the relationship between the state and the federally recognized Indian tribes within the state.

- ***North American Indigenous Games Congratulated*** – S.L. 1997, Ch. 637
SCR 4035 congratulated the North American Indigenous Games TEAM North Dakota for successfully securing the bid to host the 1999 North American Indigenous Games in Fargo, North Dakota, to be held July 28 through August 27, 1999.
- ***Juvenile Crime Disposition Study*** – S.L. 1997, Ch. 654
SCR 4053 directed the Legislative Council to study the prevention of and dispositional alternatives to juvenile crime with a focus on services offered to American Indian children. This resolution was in response to the 1992 statistics that whereas American Indian comprise seven percent of children in North Dakota, they represent 28 percent of children in juvenile detention and 36 percent of admissions to the Youth Correctional Center.

HIGHLIGHTS OF THE BIENNIUM

- Cynthia A. Mala was appointed by Governor Schafer as the new Executive Director of the North Dakota Indian Affairs Commission, effective January 19, 1998.
- In August 1998, the NDIAC hosted Surgeon General, Dr. David Satcher as keynote speaker for National Indian Conference on Aging (NICOA) held in Bismarck.
- Year of the People Accord between the Turtle Mountain Band of Chippewa and the State of North Dakota signed by Raphael DeCoteau Chairman of the Turtle Mountain Band of Chippewa and by Governor Edward T. Schafer on September 4th, 1998. Turtle Mountain became the second tribe in North Dakota to enter into such an Accord with the State of North Dakota (Standing Rock was the first in January 1996.)
- Co-Sponsored the University of North Dakota's Writer's Conference in March 1999, which featured Indian writers and filmmakers. Each reservation had student representation at the conference.
- Coordinated participation of Indian Students from all North Dakota reservations at the Governor's Youth Summit in Minot in April 1999.
- Honored Indian Elders at the State Capitol, in conjunction with the Governor's declaration of May 1999 being the "Older Americans Month". Also, compiled and distributed a document containing biographies and pictures of elders over 80 years of age from all five Indian communities.
- Celebrated 50th Anniversary of the North Dakota Indian Affairs Commission in March 1999, with traditional lunch program for State Legislature.
- According to the 1998 U.S. Census Update, the Native American population in ND in 1998 was 29,529, comprising 4.6% of the general population of 640,883.
- Commission meetings were held in Bismarck on December 11, 1997, May 14, 1998, August 12, 1998, and on December 14, 1998.

NORTH DAKOTA INDIAN AFFAIRS COMMISSION BUDGET HISTORY

BIENNIUM	F.T.E.'s & Salaries	Operating Expenses & Equipment	Indian Scholarship Program	NAADAEP Grant	Indian Development Fund	TOTAL
(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	<i>Transferred</i>	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	<i>Terminated</i>	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 - for 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