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# MINNESOTA INDIAN AFFAIRS COUNCIL

# 2000 ANNUAL REPORT

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### RESOLUTION 72078

WHEREAS the term "Native American" is sometimes used in reference to American Indian people, and

WHEREAS any person born in the United States is a Native American and not necessarily an American Indian, and

WHEREAS many Indians believe it is inappropriate and offensive to refer to an American Indian as a Native American, and

WHEREAS the Constitution of the United States uses the term Indian in reference to tribes and tribal members,

NOW THEREFORE BE IT RESOLVED that the Minnesota Indian Affairs Intertribal Board hereby deplores the use of the term "Native American" when used in reference to American Indians, and

BE IT FURTHER RESOLVED that the Board officially requests Minnesota news media and agencies of government to refer to members of federally recognized tribes as "American Indians" or "Indians, and

BE IT FURTHER RESOLVED that the staff is directed to distribute copies of this resolution to the appropriate people.

July 20, 1978

The above resolution was adopted on a vote of ten for and none against at a meeting of the Minnesota Indian Affairs Intertribal Board at the State Government Center in Bemidji on July 20, 1978.

### SURVIVING IN THE 20TH CENTURY

A Snapshot of 1997 Native America

| "The utmost good faith shall   | always be observed | towards Indians:                        | their lands and | property shall |
|--------------------------------|--------------------|---|-----------------|----------------|
| never be taken from them witho | out their consent  | *************************************** | C               | ongress, 1978  |

"It is now time when you deal with an Indian tribe to deal with their tribal government in the same spirit that you deal with the governors and the states."...... Secretary of the Interior, Bruce Babbit

### "NOTE"

By all statistical measures, American Indians are among the poorest people in the country. They have some of the most pressing economic and social needs. Despite the historic trust agreement with the U.S. government, tribes must provide for their members' health, education, housing, and social welfare requirements.

- There are 2 million American Indians living in America today and 575 federally recognized tribes.
- ▶ 38 percent of Indians 6 to 11 years old live below the poverty level, more than twice the number of the average US citizen.
- ▶ 16 percent of Indian males and 13 percent of Indian females, 16 years and older are unemployed as compared to 6 percent for average Americans.
- The suicide rate for 15 to 24 year-old Indians is more than twice that of any other American or ethnic group.
- ▶ 45 percent of Indian mothers have their first child under the age of 20. This is more than double the rate for any other ethnic group.
- Indians die younger than any other segment of the population. 13 percent of Indian deaths are under the age of 25. This compares to 4 percent of the U.S. population.
- ▶ The alcoholism death rate for Indians ages 15-24 years old is more than 17 times the comparable rate for other Americans.
- ▶ Homicide is the second leading cause of death among Indians 14 years old and younger and the third leading cause of death for Indians 15-24 years old.

In the past decade, some tribes have begun to provide for their communities and build a better future for their children. Tribes are getting off welfare rolls and onto their own payrolls because of new tribal economic diversification.

However, the success of some tribes has generated new myths that tribes are getting rich from these new ventures, particularly gaming. Less than one-third of the federally recognized tribes have gaming operations. The fact is these tribes are using these revenues to pay for what the government has promised, yet never delivered.

There has been a frustrating series of efforts in the most recent sessions of Congress to strip tribes of their sovereign rights, impose new and unfair taxes, slash federal funding to health, education, and community service programs. Tribal governments now face unprecedented hostile legislative amendments that would take away sovereign immunity and mandate means testing for federal funding. This newest assault is occurring while other state or local governments are means-tested and are already guaranteed jurisdictional respect.

Tribes are banding together to establish a voice and presence in the nation's Capitol. Indian people and their tribal governments are sacrificing much needed resources to protect their Constitutional rights.

As a result of Constitutional provisions, treaty obligations, hundreds of federal statues, and dozens of legal decisions it has been established that American Indian tribes have a unique legal relationship with the United States government.

Tribal governments are now demanding that the 105th Congress and the Clinton administration fulfill their commitment to American Indian tribes by upholding the trust relationship. Indians are rejecting decades of failed federal Indian policies and programs and are clearing a path to a more secure future of self-sufficiency and self-determinations.

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# 2000 Annual Report

NOVEMBER 2000

# **Council Description and Background Information**

The Minnesota Indian Affairs Council (MIAC) was established in 1963 (MN Statutes Chapter 888, Sec. 2 (3:922)). MIAC is the official liaison between the State of Minnesota and the eleven Tribal Governments within the State. The Council provides a forum for and advises state government on issues of concern to urban Indian communities. The Council administers four programs designed to enhance economic opportunities and protect cultural resources for the State's American Indian constituencies. The MIAC plays a central role in the development of state legislation. It monitors programs that affect the State's American Indian population and tribal governments. Minnesota was the first state in the nation to establish an Indian Affairs agency that today still provides a model for other states to follow.

### Vision Statement

The Indian Affairs Council's vision is to strive for social, economic and political justice for all American Indian people living in the State of Minnesota, while embracing our traditional cultural and spiritual values.

### Mission

The mission of the Indian Affairs Council is to protect the sovereignty of the eleven Minnesota Tribes and ensure the well being of American Indian citizens throughout the State of Minnesota.

# Minnesota Indian Affairs Council -- At-Large Membership

The two at-large members on the MIAC Board of Directors represent America Indian tribal members that are not from a Minnesota-based tribe, but are residents of Minnesota. There are over twenty different Indian nations represented by residents living in Minnesota from out of state tribes. The issues that urban American Indians face everyday are similar to tribal issues, but these needs are generally addressed through community service programs. Unemployment, education, housing and health are just a few of the issues that are addressed by the Council's at-large members.

# Urban Indian Advisory Council

The Urban Indian Advisory Council (UIAC) is appointed by the MIAC Board of Directors and is an active subcommittee of the Indian Affairs Council. The purpose of the UIAC is to advise the Board on the unique problems and concerns of Minnesota Indians who reside in urban areas within the State. As subscribed by Minnesota Statute 3.933, Subdivision 8, the composition of the UIAC shall be five Indians enrolled in Minnesota-based tribes and at least one member shall reside in the vicinity of Minneapolis, St. Paul, and Duluth. The UIAC meets every other month in various urban areas.

# **Indian Affairs Council Members**

| Executive Board  |   |  |  |
|--|---|--|--|
| Chairman: Chairman Norman Deschampe Grand Portage Reservation P. O. Box 428 Grand Portage, MN 55605 phone: 218.475.2279 fax: 218.475.2284      | Vice Chairman: President Audrey Kohnen Prairie Island Mdewakanton Community 1158 Island Blvd Welch, MN 55089 phone: 651.385.2554 1.800.554.5473 fax: 651.388.1576 | Secretary: Loretta Gagnon, At-large member 1714 Montreal St. Paul, MN 55116 phone: 651.690.4870                                    |  |
| Treasurer: Chairman Bobby Whitefeather Red Lake Band of Chippewa Indian P. O. Box 550 Red Lake, MN 56671 phone: 218.679.3341 fax: 218.679.3378 | Member: Chairman Gary Donald Bois Forte Reservation P. O. Box 16 Nett Lake, MN 55772 phone: 218.757.3261 fax: 218.757.3312  | Member: Chairman Robert Peacock Fond du Lac Reservation 1720 Big Lake Road Cloquet, MN 55720 phone: 218.879.4593 fax: 218.879.4146 |  |
| Member: Chairman Eli Hunt Leech Lake Band of Ojibwe 6530 Hwy 2 N.W. Cass Lake, MN 56633 phone: 218.335.8200 fax: 218.335.8309                  | Member: Chief Executive Melanie Benjamin Mille Lacs Band of Ojibwe HCR 67, Box 194 Onamia, MN 56359 phone: 320.532.4181 fax: 320.532.5800                         | Member: Chairman Doyle Turner White Earth Reservation P. O. Box 418 White Earth, MN 56591 phone: 218.983.3285 fax: 218.983.3641    |  |
| Member: Chairman Roger Prescott Lower Sioux Community 89527 Res Hy 1 Morton, MN 56270 phone: 507.697.6185 fax: 507.637.4380                    | Member: Chairman Stanley Crooks, Sr. Shakopee-Mdewakanton Community 2330 Sioux Trail, NW Prior Lake, MN 55372 phone: 952.445.8900 fax: 952.233.4225               | Member: Chairman Dallas Ross Upper Sioux Community P. O. Box 147 Granite Falls, MN 56241 phone: 320.564.3853 fax: 320.564.2547     |  |
| At-Large Member: Harlan LaFontaine 1119 Sherburne Ave., St. Paul, MN 55104 phone: 651.724.6480 fax: 612.721.0435                               |   |  |  |

# **Urban Advisory Council**

| Chair:                   | Vice Chair:                      | Member:               |
|--------------------------|----------------------------------|-----------------------|
| David Glass              | Valerie Larsen                   | Roy James Roberts     |
| 800 Arlington Ave., W    | Rm 110-Public Service Center     | Citylights            |
| St. Paul, MN 55117       | 250 South 4th St.                | 92 St. Mary's Avenue  |
| phone: 651.488.2327      | Minneapolis, MN 55414            | Minneapolis, MN 55414 |
| 651.488.4927             | phone: 612.673.3028              | phone: 612.623.4546   |
| fax: 651.488.8383        | fax: 612.673.3737                | fax: 612.331.8368     |
| Member:                  | Member:                          |                       |
| Georgia Lickness         | George Himango                   |                       |
| 16410 So. 23rd St.       | 3705 No. 87th Ave. West          |                       |
| Lake St. Croix, MN 55043 | Proctor, MN 55810                |                       |
| phone: 651.736.6208      | <i>phone</i> : 218.624.0766 home | }                     |
| fax: 651.737.7678        | 218.723.4170 office              |                       |
|                          | fax: 218.723.4164                |                       |

# **Governor's Office**

### Diane Drewry:

General Counsel to Governor 130 State Capitol Bldg. 75 Constitution Ave. St. Paul, MN 55155 phone: 651.296.5796 fax: 651.296.2089

# **Ex-Officios** — Senate

 Senator Becky Lourey
 Senator Cal Larson

 G-9 Capitol
 153 State Office Bldg.

 130 State Capitol Bldg.
 100 Constitution Ave.

 75 Constitution Ave.
 St. Paul, MN 55155

 St. Paul, MN 55155
 phone: 651.296-5655

 phone: 651.296.0293
 fax: 651.296.9441

# **Ex-Officios** — House of Representatives

| Representative Karen Clark              | Representative Tom Hackbarth | Representative Larry Howes |
|---|------------------------------|----------------------------|
| 307 State Office Bldg.                  | 575 State Office Bldg.       | 431 State Office Bldg.     |
| 100 Constitution Ave.                   | 100 Constitution Ave.        | 100 Constitution Ave.      |
| St. Paul, MN 55155                      | St. Paul, MN 55155           | St. Paul, MN 55155         |
| phone: 651.296.0294                     | phone: 651.296-2439          | phone: 651.296.2451        |
| fax: 651,296,5517                       | fax: 651.296.3949            | fax: 651.296.3949          |
| , |                              |                            |

# **Commissioners**

| Sheryl Ramstad-Hvass Department of Corrections 1450 Energy Park Drive St. Paul, MN 55108 phone: 651.642.0282 fax: 651.642.0414                               | Katherine Hadley Minnesota Housing Finance 400 Sibley Street St. Paul, MN 55101 phone: 651.296.5738 fax: 651.296.8139                                | John Swift Iron Range Resources & Rehab. Board 1006 Hwy. 53 South P. O. Box 441 Eveleth, MN 55734 phone: 218.744.7400 fax: 218.744.7403                      |
|--|--|--|
| Jan Malcolm Department of Health P. O. Box 4882 Golden Rule Bldg. 85 East 7th Place, Suite 400 St. Paul, MN 55164-0882 phone: 651.296.8401 fax: 651.215.5801 | Gerald Carlson Trace & Economic Development 500 Metro Square 121 East 7th Place St. Paul, MN 55101 phone: 651.296.6424 fax: 651.296.4772             | Christine Jax Dept Children, Families & Learning 1500 Hwy. 36 W. Roseville, MN 55113-4266 phone: 651.582.8204 fax: 651.582.8724                              |
| Michael O'Keefe Department of Human Services 444 Lafayette Road St. Paul, MN 55155 phone: 651.296.2701 fax: 651.296.5868                                     | Brad Moore Assistant Commissioner Department of Natural Resources 500 Lafayette Road, Box 9 St. Paul, MN 55155 phone: 651.296.4994 fax: 651.296.4799 | Janeen Rosas Department of Human Rights Army Corp of Engineers Centre 190 East Fifth St., Suite 700 St. Paul, MN 55101 phone: 651.297.3436 fax: 651.296.9064 |

# Liaisons from State Agencies to Minnesota Indian Affairs Council

| Lou Fuller, Director Office of Minority Health Golden Rule Bldg., Suite 400 St. Paul, MN 55101 phone: 651.296.9799 fax: 651.215.5801 | Gary Gorman Department of Human Rights 500 Bremer Tower 7th & Minnesota St. St. Paul, MN 55101 phone: 651.296.5675 fax: 651.296.9064 | Evelyn Juliussen Minnesota Housing Finance Agency 400 Sibley St., #300 St. Paul, MN 55101 phone: 651.297.4060 fax: 651.296.8292 |
|--|--|---|
| Vern LaPlant Department of Human Services 444 Lafayette Road St. Paul, MN 55155-3815 phone: 651.296.4606 fax: 651.297.4040           | Jeff Davidman Department of Corrections 2nd Fl1450 Energy Park Dr. St. Paul, MN 55108 phone: 651.523.7122 fax: 651.632.5066          | Tim Glines Minnesota Historical Society 345 W. Kellogg Blvd. St. Paul, MN 55102 phone: 651.297.7913 fax: 651.296.1004           |
| Yvonne Novak Indian Education 1500 Hwy 36 W. Roseville, MN 55113-4266 phone: 651.582.8838 fax: 651.582.8879                          | Bruce Borgh Department of Economic Security 390 N. Robert St., 1st Floor St. Paul, MN 55101 phone: 651.296.1826 fax: 651.296.5745    |   |

# The Duties of the Minnesota Indian Affairs Council

- ► Clarify for the legislature and state agencies the nature of tribal governments and the relationship of tribal governments to the Indian people of Minnesota.
- ► Assist the Secretary of State in the election of at-large members of the Council.
- Make recommendations to members of the legislature on desired and needed legislation to benefit the State's American Indian communities. Communicate to members of the legislature when legislation has or will have an adverse effect on Indian communities.
- ► The Council is an effective conduit to the legislature for programs, proposals and projects submitted by tribal governments, organizations, committees, groups or individuals.
- ▶ Provide a continuing dialogue with members of the Tribal Governments.
- Assist in establishing American Indian advisory councils in cooperation with state agencies that deliver services to Indian communities.
- Assist state agencies in defining what organizations or individuals are eligible for delivery of their respective services.
- Assist in providing resources in the delivery of services to the statewide American Indian community.
- Acts as a liaison between local, state and national units of government in the delivery of services to the American Indian population of Minnesota in both rural and urban communities.
- Acts as a conduit for interaction between government bodies and elected tribal officials.
- Act as intermediary, when requested, between Indian interests and state agencies when questions, problems or conflicts exist or arise.
- Provide assistance to private and public programs in meeting the needs of American Indian citizens of Minnesota.
- ▶ Work in collaboration with state and local agencies to assist American Indian citizens with issues of discrimination and racial prejudice.

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# **Indian Affairs Council Staff**

# Bemidji Office — Headquarters

Joseph B. Day

Executive Director

Joe is an enrolled member of the Leech Lake Band of Chippewa and has served as the Executive Director of the Indian Affairs Council since November 1994. Prior service includes 3 years as the NE Regional Administrator for the Department of Natural Resources 1991-1994 and 9 years as liaison between the 11 tribal governments and the DNR to encourage collaborative resources management. He also served as Director of Administration for the Minnesota Chippewa Tribe for 6 years. Joe graduated from DeAnza College in Cupertino, California in the discipline of Industrial Technology-Quality Control.

### Jim Jones, Jr.

Cultural Resource Specialist

Jim is an enrolled Leech Lake Pillager Band Member. His work history includes the Natural Resource Conservation Service, US Forest Service, Minnesota Department of Natural Resources, Leech Lake Reservation, and other Minnesota Chippewa Tribes including the Red Lake Nation. Before coming to the Council, Jim was part owner and one of the general managers for the 100% Indian-owned and operated firm All Nations Cultural Resource Preservation.

Jim enjoys hunting, fishing, ricing and gathering natural foods. He is the proud father of three boys, William, Charles, and Baby Jim, along with four loving stepchildren. In his spare time he enjoys making pottery and working on his jewelry and has recently learned to make birch bark canoes. Jim and his family live in Bemidji, Minnesota.

### Laura Theroux

Indian Business Loan

Laura has twenty years of experience in providing management and technical assistance to Indianowned and minority firms in the State of Minnesota. A graduate of Northwest Technical College in 1979, Laura was selected "Outstanding Graduate of the Year in 1984. She holds a degree in accounting and began her career in the accounting office of the Minnesota Chippewa Tribe. Her tenure at the Tribe spanned 7 years and several promotions to BIA Credit Officer and Project Director of the Indian Business Development Center. Laura is co-founder of the Minnesota American Indian Chamber of Commerce, former past Vice-president and now Director Emeritus. She has also served on the State of Minnesota's Urban Initiative Board and Small Business Procurement Advisory Council looking out for the interests of Indian-owned businesses. Laura's family is from the Turtle Mountain Reservation in North Dakota. Her grandfather, James Simon Longie, also known as Chief Blackbird, was instrumental in Laura's decision to move to the "North Country" from Minneapolis after high school and to seek employment on the reservation.

### **Katherine Pemberton**

Economic Opportunity Specialist 3

A life-long resident on the Leech Lake Reservation, Kathy is an enrolled member of the White Earth Reservation. She has been on the staff of the Minnesota Indian Affairs Council for the past seventeen years providing information and technical assistance to the 11 reservation governments. Her prior experiences include the Minnesota Department of Economic Security as a community liaison representative managing an employment service sub-office at Leech Lake Reservation. Kathy also worked for the Leech Lake Reservation as a junior accountant and Bemidji State University as a talent search counselor.

### June Kendall

Office Administrative Specialist

June is an enrolled member of the Bois Forte Band of Chippewa. She spent much of her life in Maryland where she worked as a Proposal Support Specialist for a telecommunications firm in McLean, Virginia. She moved to Minnesota in 1993. Before joining the staff of the Indian Affairs Council, June worked as a temporary secretary at various companies in the Minneapolis area.

### Joe Shepherd

Agency Business Management/ Policy Analysis

Joe, a recent addition to the Indian Affairs Council staff, graduated from Michigan State University in 1977 with a B.S. Degree from the University's College of Agriculture and Natural Resources. His work experience includes sixteen years of service to the Leech Lake Band of Chippewa in their Natural Resource Management and Planning Divisions. Joe is a participant in the Blandin Foundation's Community Leadership Program from the City of Cass Lake.

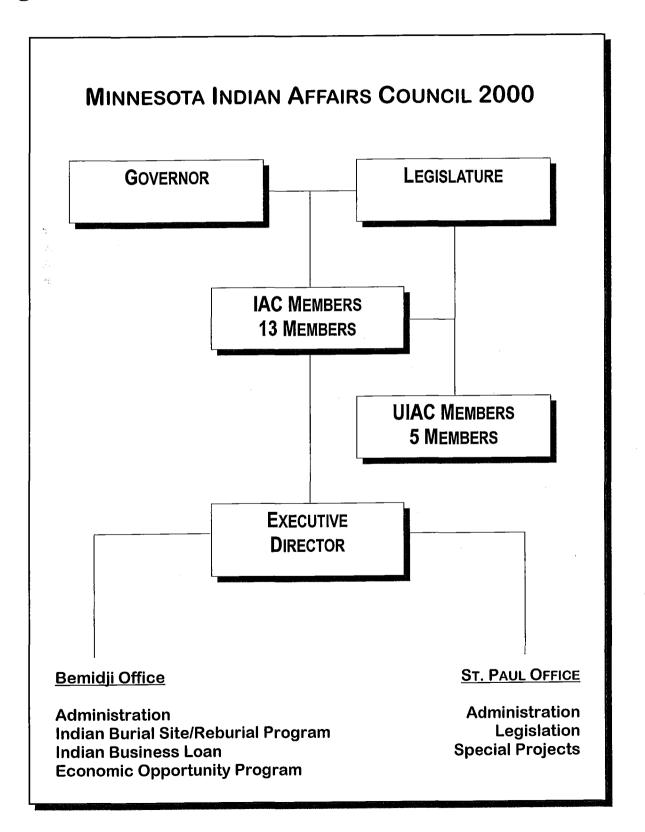
# St. Paul Office — Legislative Program

### **Sharon Romano**

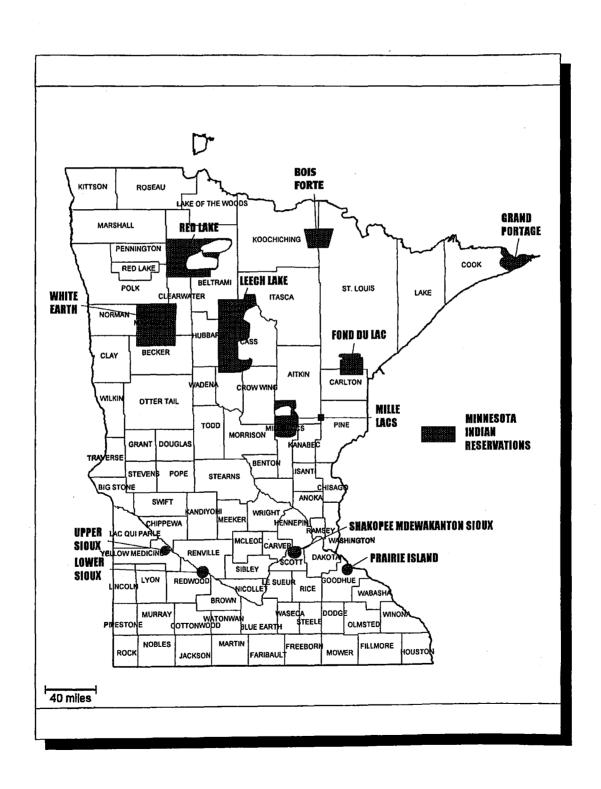
Staff Assistant

Sharon (Fairbanks) is an enrolled member of the White Earth Anishinabe Nation. She has been the Staff Assistant for MIAC since January 1995. Sharon's educational background includes an AA from Metropolitan Community College and a BA from Augsburg College in Human Relations and Communications. Before joining the staff of the MIAC she was employed at Anoka-Ramsey Community College as the Director of the Indian Services program and Multicultural Affairs office. She also worked for the Minnesota Chippewa Tribe .in the Minneapolis Branch office as a Career Education Specialist and Office Manager.

# **Organizational Chart**



# Map of Minnesota Indian Reservations (approximations)



# **Description of Minnesota Indian Reservations**

# Minnesota Chippewa Tribe (MCT)

The MCT Constitution governs over 35,000 enrolled members of the Bois Forte, Fond du Lac, Grand Portage, Leech Lake, White Earth reservations, and Mille Lacs Band. The governing body of the MCT is the Tribal Executive Committee (TEC), which is composed of the chairman and secretary-treasurer of each reservation, 12 members in all. From among this group, they elect a president, vice-president, secretary, and treasurer.

### **Elections**

The MCT Constitution and By-laws govern elections for the six reservations. The reservation governing body consists of a chairman, a secretary-treasurer elected at large, and one to three committeemen elected by district. Terms are for four years on a staggered basis with elections every two years. To be elected, an individual must be enrolled in the MCT, reside on the reservation of enrollment, and be 21 years or older. Voting is open to member's 18 years and older. Absentee voting is provided for in the constitution with voters designating the district where they last resided for 30 days or more. It requires a majority, greater than 50%, of the votes to win. This interpretation was accepted by the TEC in 1996 and resulted, for the first time in primary elections, to narrow the field to two candidates. Previously the TEC had ruled that "majority" had meant the one candidate receiving the most votes cast, even though less than 50%.

The Constitution can be revoked by an Act of Congress or amended or revoked by a majority vote of all MCT members at an election called for that purpose by the Secretary of the Interior, provided that at least 30% of those entitled to vote participate. Amendments take effect only if approved by the Secretary of

# Membership

When the tribal government began in 1936, an Enrollment Committee was established which worked through the Reservation Councils. The Committee prepared the list of who qualified for the annuity roll. This roll, as of April 14, 1941, is the basis of current MCT membership. Those who qualified were on the 1941 membership roll, children of those members born between 1941 and 1961 who applied for membership by 1962, and children of members born after 1961 with at least one-fourth MCT Indian Blood (which can be mixed ancestry from the different MCT reservations) who apply within a year after birth. They cannot be enrolled in another tribe and American 1 with at least one-fourth MCT Indian blood (which can be mixed ancestry from the different citizenship is required. While the Tribe defines membership, the governing body of each reservation determines its own enrollment, subject to the Tribe's ratification. Denial of membership can be appealed to the Secretary of the Interior. Adoptees that have placed outside of the Indian community can be enrolled without revealing family names.

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# **Bois Forte (Nett Lake)**

Bois Forte was the French name for the Indians living in the most impenetrable, fortress-like forest in the Rainy River watershed of Northern Minnesota. They were a part of the northern group of Ojibwe who moved inland from the Grand Portage area in the early fur-trading era going first to the mouth of the Vermilion River, then Rainy Lake, and Lake of the Woods. In 1824, there was mention of a permanent village on Lake Vermilion. Long after United States independence, the Bois Forte continued trading with the British and did not participate in the early United States treaties. In the 1854 Treaty, their first, an undefined reservation was set aside near Lake Vermilion while a

large portion of north central Minnesota remained in Indian hands. It was the 1866 Treaty

hands. It was the 1866 Treaty, designed to take control of the northern mineral lands, which took the remaining lands and established the reservation at Nett Lake and a township at Deer Creek. By Executive Order in 1881, a special reserve was created at Lake Vermilion. The reservations lands were allotted following the 1889 Nelson Act, however the government did not make a serious

attempt to get the Bois Forte Indians to move to White Earth. Many Bois Forte members share extended families with the Ojibwe in Canada.

The reservation is heavily forested with beautiful stands of pine, aspen, cedar, birch, ash, and other species of timber. It provides excellent wild life habitat. Four independent Indian logging firms do business on or near the reservation. Based on forest types, it is estimated that over 50% of the land is wetland. Nett Lake, covering 7,300 acres, is considered the largest wild rice producing lake in the United States. It is the reservation's most important lake. In 1987, a dam was built to help control the water level.

The Bois Forte Reservation includes three divisions. Around Nett Lake, 103,000 acres in St. Louis and Koochiching Counties, are the homesites to the majority of the population of Nett Lake,

Indian Point, and Sugar Bush. An area of some 1,000 acres on Lake Vermilion, located in St. Louis County, and 23,000 acres in Deer Creek Township, located in Itasca County, has no population. Nett Lake is 40 miles south of Canada.

The community of Nett Lake contains the tribal headquarters, a convenience store and filling station, and health clinic. The Nett Lake Education Center combines the elementary school, Head Start, day care, social services, and youth and community center. The elementary school is a state public school, authorized by special legislation. The high school students go to school in Orr.

The Indian community at Lake Vermilion has a family resource center, Ze Zha

Wus So, providing day care and Head Start services, family education programs and community services as well as an outpatient health clinic. Fortune Bay Casino & Resort is a high stakes casino that opened in 1986. The 118 room Fortune Bay Resort Hotel and Conference Center opened in 1996 and is home to Minnesota's largest working fireplace. To accommodate these facilities, major work

has been done to develop roads and install a new water and waste system.

The elected Bois Forte Tribal Council governs the Bois Forte Band, a member of the Minnesota Chippewa Tribe. The legal jurisdiction of the band Either the Tribe or the Federal Government enforces criminal law, while the Tribe and State adjudicate civil jurisdiction. In 1995, the Tribal Council under the Self-Governance law contracted with the BIA to administer their own programs. As a participant in the 1854 Treaty ceding the Arrowhead region of Minnesota, the Tribe retains hunting and fishing rights through that area. The 1854 Authority handles enforcing tribal codes for the area jointly with Grand Portage. The reservation provides some services for the International Falls Indian community, which include minimal health care with a doctor, and a commodity food distribution program.

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# Fond du Lac

Fond du Lac was named by the French for the Indian village at the end of Lake Superior, at the mouth of the St. Louis River. In 1665, a Dakota village was located there, according to Jesuit Missionaries. By 1767, Ojibwe were mentioned in the area with a permanent village reported in 1783 by Jean Baptiste Cadotte. Within ten years, it had become the NorthWest Fur Company district headquarters. When John Astor and the American Fur Company took over the British firm in 1816, they built a new fort and trading post about 20 miles up the St. Louis River, where the current Fond du Lac Reservation is located. In 1820, 375 people lived at the trading post, but by 1832 the trading center had moved inland to Sandy Lake, and the

population at Fond du Lac declined NAH.GAH-CHI-WA-NONG dramatically to 193 people.

Fond du Lac people were of the Southwestern Ojibwe that had lived on the southern shore of Lake around LaPoint, Superior Wisconsin. before moving into Minnesota. A part of the Lake Superior Band of Chippewa, the Fond du Lac Band was involved in all of the early treaties affecting lands in Minnesota and Wisconsin. At the time of the 1854 Treaty, its land was The reservation is located in St. Louis and Carlton counties, adjacent to the City of

Cloquet on the east, with Duluth 20 miles to the northeast.

The Fond du Lac Reservation Business Committee is the tribal governing body. The chairman and secretary-treasurer are elected at large. The three districts are Cloquet, where tribal headquarters are located, and the communities of Brookston and Sawyer. The reservation is a part of the Minnesota Chippewa Criminal and some civil jurisdiction on the reservation were transferred to the State of Minnesota under Federal Law (PL-280). Other civil jurisdiction remains with the Tribe. In 1997, the Tribe was engaged in negotiations with the Federal Government to assume control of BIA programs under the Self-Governance Conservation codes are enforced for the Law. reservation and the 1854 Treaty area, by tribal game wardens and courts. The Tribe is a participant in the 1837 Treaty case. The Tribe has its own automobile license plates. Fond du Lac negotiated the first general revenue bond issued to an Indian tribe for funds to expand their clinic. The Tribe charges a license tax on

major businesses located on the reservation.

A new building to house tribal government, community sports, and social activities was opened in 1997. There are also community centers at Sawyer and The Tribe purchased a resort on the Brookston. reservation with plans to develop a tribal recreation area. The Tribes natural resource management division has a building located in Cloquet. The human service and health clinic programs operate from Min-No-Ava-Win Health Clinic, which underwent major expansion in 1996. The health program is tribally-run and services are contracted from Indian Health Service. The Tribe also operates a similar Indian

> for American Indian Resources (CAIR). The Tribally run Fond du Lac Group Home for juveniles is located between Duluth and Cloquet. Sawyer is the location of Mash-Ka-Wisen, the nation's first Indian-owned and operated residential, primary treatment facility for chemical dependency.

health program in Duluth, through the Center

The reservation is divided among four Minnesota public schools districts. The Tribe has a Head Start program and operates the Ojibwe School, Transportation to the school is K-12.

provided for Duluth students. The unique Fond du Lac Tribal/Community College with a 150-bed dormitory is both a tribal college and a state community college.

The Fond du Lac Tribe operates two casinos. The Tribe and the City of Duluth cooperated in building and sharing in the profits of the Fond du Luth Casino. It is the only casino in Minnesota built on land originally not part of a reservation. A deserted block in downtown Duluth was purchased by the Tribe and placed into trust by the BIA. After the passage of the National Indian Gaming Act, the State was given a voice in this type of transaction. Fond du Luth Casino is on East Superior St., in Duluth. The Black Bear Casino located at the junction of Highway 210 and Interstate Highway 35. and offers food service, entertainment, and a gift shop. The adjacent 158 room Black Bear Hotel, opened September 1, 1995, has a swimming pool, childcare center, and meeting rooms and connects to the casino by a skywalk. The Black Bear Casino and Hotel make the Tribe the second largest employer in Carlton County.

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# **Grand Portage**

The Grand Portage Reservation, located in Cook County at the extreme northeastern tip of Minnesota, encompasses a historic fur trade site with spectacular northwoods Lake Superior shoreline. The reservation extends about 18 miles along the lakeshore and from nine miles to a quarter mile inland. The community of Grand Portage is the location of the tribal buildings and homesites. Grand Marais is the closest city, 36 miles to the southwest. Duluth is 150 miles to the south and Thunder Bay, Canada is 37 miles to the north.

The name Grand Portage comes from the ninemile portage necessary to bypass the cascading waters of the Pigeon River to get inland to

the lakes and rivers leading to the furrich areas of northern Minnesota. By the 1730's the Ojibwe, in their migration along the northern shore of Lake Superior, arrived at Grand Portage. The French record of fur trade over the portage began in 1731. The British took over in the 1760's and the North West Company built the post at Grand Portage by around 1785-87. Some 150 Ojibwe families lived in the

vicinity of the post. In 1803, the British

company moved to Canada, Fort William which is now known as Thunder Bay. The Indian community that provided services and trade at the Grand Portage continued working with the British in Canada. The population in America declined. In 1824, Schoolcraft reported 60 people. For a while in the 1830's the American Fur Co. used Indian people to operate a commercial fishing station at Grand Portage. It did not last long. To this day close ties continue with the Ojibwe in Canada since the border often splits extended families.

The Grand Portage Indians were members of the Lake Superior Band but were not participants in the early Ojibwe treaties with the United States. They protested being ignored in the 1842 Treaty when Isle Royale was ceded and they then received annuity rights. In the 1854 Treaty they ceded their lands in the Arrowhead region of Minnesota and accepted the Grand Portage reservation. During the allotment era, no serious attempt was made to relocate the people to White Earth.

The Grand Portage Tribal Council is the governing body of the reservation and is a member of the MCT. In 1996, it entered the Self-Governance Program by contracting to administer its own programs from the BIA. The State is responsible for criminal and some civil jurisdiction. The Tribe established its own court in September 1997. It collects its own sales tax. The Tribe, working with the local residents, the State, and the Environmental Protection Agency, established a Land Use Ordinance for the reservation that was approved in 1996. This ordinance designates areas of land use according to tribal priorities for wildlife

habitat, timber production, and protection of the resources for recreational purposes. A primitive area had been set aside in an eastern portion of the reservation in 1956. The hunting and fishing rights of tribal members in the ceded lands of the 1854 Treaty are regulated under the Tribal Code and enforced by the 1854 Authority.

The community at Grand Portage contains the tribal headquarters, a community store, and the Trading Post, as well as other tribal businesses.

The Gitchi Onigaming Community Center was built in 1994 that offers a wide variety of recreational activities, a swimming pool, a senior center, a teen center, a computer room, library, and powwow grounds. The center also provides services for day care and Head Start programs. A log school building has provided the elementary school in Grand Portage since the 1930's. In 1997 a new school for student's K-6th grade was opened and linked to the community center. As a state public school operating under special legislation, the new facility will be leased to the Cook County Public School system. The old school building, the only log school in Minnesota, will become a museum for the Tribe. The students go to junior and senior high school in Grand Marais. community has its own health clinic, ambulance service, and volunteer fire department.

# **Grand Portage (continued)**

The Grand Portage Development Corporation was established in 1971 to spur economic development on the reservation. Their most successful operation, is the Grand Portage Lodge and Casino, opened in 1975. It has provided an ever-increasing source of employment for band members and income for the Tribe. The hotel is located on the shore of Lake Superior, off Highway 61. It has 100 rooms and conference facilities, an indoor pool, and gift shop. The reservation has over 100 miles of hiking trails, a marina, and campgrounds. The casino opened in 1990 and expanded in mid-1990. Eighty percent of their customers come from Canada and is the largest employer in Cook County. The tribal sawmill and chipping mill employ about 20. Some of the Indian people work as loggers and commercial fishermen. Off-reservation employment is at Grand Marais and Thunder Bay, Canada.

The Grand Portage area has several other attractions for tourists. The Grand Portage National Monument, built on reservation land, features the reconstructed fur trade fort of the 1700's. The original portage trail to historic Fort Charlotte on the Pigeon River is operated by the National Monument. From the bay, ferries take visitors out to Isle Royale National Park 19 miles out in Lake Superior.

Grand Portage State Park located on the Pigeon River has made the great falls accessible to the public. It opened in 1995. In a unique relationship, the Nature Conservancy and private donations purchased 2.5 miles of land along the river. The State acquired the land, donated it to the Tribe, then the Tribe leased it back to the State to operate as a state park. The agreement provides that staff positions should be held by those with significant knowledge of Indian culture, preferable knowledge of the Grand Portage Band. (Laws of MN for 1989, Chap 359, Subd 27a, Sect 7-11).

The 300 year old Manito Geezhigaynce, a twisted cedar known as the little spirit cedar tree, is located on the north side of Hat Point on a stone ledge. This tree has great significance to many generations of Grand Portage Indians and boatmen on Lake Superior. The land with the tree was offered for sale in 1987. A group was formed and \$100,000 was raised to buy the land for the Tribe in 1990. To protect their heritage, the Grand Portage Indian community requires that to visit the tree, there must be a tribal guide. The Grand Portage Tribe is a sponsor of the John Beargrease Sled Dog race from Duluth to Grand Portage and back. It is in honor of John Beargrease, a Grand Portage member, who from 1887 to 1899 delivered the mail from Two Harbors to Grand Marais. Depending on the weather conditions, he would hike, come by boat and in the winter by dog sled.

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# Leech Lake

In the 1600's, the Dakota Indians had communities at Leech lake. The Ojibwe bands moved into the region during the mid-to-late 1700's. The first Ojibwe settlements were on small islands on Leech Lake. This area in north central Minnesota was the home of the Mississippi and Pillager Ojibwe bands. In 1847, treaties took sections on the southwest corner of their lands with the Mississippi and Pillager bands from the Menominee and Winnebago tribes that were to be moved from Wisconsin. The remaining land was ceded by treaty in 1855 that established the reservation. The 1864 Treaty expanded and consolidated the reservation in the area of the

three lakes. The intent at that time was to have the other Minnesota Ojibwe bands move to the Leech Lake area. By 1867, the plan was changed and White Earth Reservation was created to be the home of all Ojibwe people. The area of the Leech Lake Reservation was reduced by executive orders however, in 1873 and 1874 added land.

PESERVATION Located along US Highway 2, the reservation is southeast of Bemidji with Walker just outside on the southwest corner. Cass Lake is the largest community within the reservation. Eleven communities make up the reservation. In addition to Cass Lake, there are Ball Club, Bena, Inger, Onigum, Mission, Pennington, Smokey Point, Sugar Point, Oak Point, and Squaw Lake. Oak Point had previously been known as Squaw Point but was renamed in 1995. The reservation is split among four counties, Cass, Itasca, Beltrami, and Hubbard and is divided among seven Minnesota school districts.

Drained by the headwaters of the Mississippi River, the area is generally swampy. With some 40 wild rice producing lakes, it has the largest natural wild rice production of any of the State's reservations. The land is mostly second growth timber. The Leech Lake Tribe holds the smallest percentage of its reservation of any of the state's

tribes. County, state, and federal governments owned well over half of the original land. Of the 677,099 original acres, 212,000 acres are surface area of the three big lakes. Of the remaining 465,000 acres, other levels of government own 332,804 acres. The National Chippewa Forest has the largest portion of the land. Seventy-five percent of the National Forest is within the reservation.

The Leech Lake Tribal Council is the governing body with their offices in Cass Lake and is a member of the MCT. In the early 1990's, the Tribe contracted with the BIA to operate programs under self-governance procedures as one of the second

groups of ten tribes allowed into the pilot project. The State is responsible for criminal and some civil jurisdiction over Indians on the reservation.

The Leech Lake Tribe issues its

own automobile license plates.

The smaller communities have facilities for community events and services such as medical clinics and programs for elders. The people have organized their own community councils to give a political voice to their concerns. Health services are provided at the IHS hospital and clinic

in Cass Lake and clinics in the other communities. If care that is more extensive is needed, the hospitals in neighboring cities are used. The Tribe operates a halfway house and an ambulance service, however, fire protection is from neighboring communities. In 1995, the Tribe began a burial insurance program for all enrolled members.

Education and programs for children are provided by two tribally run childcare facilities, Head Start programs in seven communities and the kindergarten through twelfth grade Bug-O-Nay-Ge-Shig tribal school. The Tribe sponsors and provides funding for the Leech Lake Tribal College that began in 1990. The college is located in Cass Lake and offers AA degrees with credits transferable to Bemidji State University and other higher education institutions.

# Leech Lake (continued)

In the first major hunting, fishing, and wild rice rights cases in Minnesota, the Tribe confirmed that it had the right to control these activities on the reservation. The State pays the Tribe for its restraint in using the reservation's resources. In addition, the State conservation officers are deputized by the Tribe to enforce tribal natural resource codes.

The Tribe operates two gaming enterprises. The Palace Bingo & Casino in Cass Lake and Northern Lights Gaming Emporium four miles south of Walker. The Palace has a restaurant and offers many events. In 1996, the Palace Hotel, with 80 rooms and indoor pool, was built adjacent to the casino. The casinos have made the Tribe the largest employer in Cass County.

For many years, the Tribe has operated the Chewa-ka-e-gon complex comprising of a service station,

the Che-We restaurant, a convenience store, and a gift shop. A nearby retail center, built by the Tribe, houses Indian-run business and provides incubator services until they are successful enough to go out on their own. Included in this service is a pizza parlor, Dairy Queen, a barber shop, and a tribally-run office supply store. An embroidery business was successful enough to move out on it's own in 1995. A motel, restaurant, and marina were purchased by the Tribe and are now being run under a lease agreement as Shingobee Inn. The Tribe also has an Indian-run archaeology firm, the Leech Lake Archaeological Company. Battle Point, located on the east shore of Leech Lake, is the site of the last battle fought between American Indians and the US Army which took place in 1898.

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LACS

# Mille Lacs

To the Anishinabe or Chippewa who lived along its southwestern shores, Lake Mille Lacs and the surrounding land has a special significance. This part of Minnesota – where the seasons of the year bring cycles of great beauty to the Lake and the land – has been the setting of their history for more than two centuries. For miles in every direction, there is hardly a place untouched by some large or small event from their past. While the Mille Lacs Lake region is now a famed fishing and resort area, to the Anishinabe or Chippewa, it is a place where the past touches the present and connects their life with the people who came before and left a rich tribal heritage.

While they no longer live as their ancestors did, they are a people who have kept the tribal heritage at the core of their life. Their present life is a blend of their own culture and the culture of the larger society that surrounds them. Today, they are a people well known for their understanding and use of tribal knowledge, customs, beliefs, and practices that gave meaning to the life of their ancestors and gives meaning as well to their own.

The ancestors of all these people were members of Anishinabe or Chippewa bands who made their homes in Minnesota in the 18th century. At that time, each band or group carried on its own political, economic, and cultural life, although close ties existed between those living in the same general area.

In the 19th century, when white settlement and development of Minnesota threatened existence, the Anishinabe leaders in the Mille Lacs region were pressured to cede their lands to the United States government and relocate on lands to other parts of the State. Some Band leaders decided to move while others refused to leave the places where their people had lived for generations. By the early 20th century, federal Indian officials referred to these groups as the Non-Removal Mille Lacs Chippewa Band. This distinguished them from Band members who had resettled earlier on White Earth and other Chippewa reservations in the State.

The Non-Removal Mille Lacs Band members are the descendants of people who simply loved their

homelands too much to leave them behind. Through their self-reliance and courage and persistence of their leaders, they survived harsh treatment at the hands of white developers and settlers who transformed their forest lands into lumbering towns, dairy farms, and later, recreational fishing and tourist centers. They also regained a tiny portion of their homelands, which now collectively makes up the Mille Lacs Reservation.

In one way or another, nearly everything about the present day life of the Mille Lacs people – their cultural life, the tiny land base on which they are building a new future for their people, their relations with outsiders and state and government officials - has been influenced by

the past. An understanding of their history is

essential to any understanding of their present life and provides a portrait of a people who stood against the currents of American history unfolding in the State of Minnesota and won a measure of justice for themselves and the generations following in their footsteps.

The Mille Lacs Reservation is located in east central Minnesota. The tribal headquarters is near Onamia, Minnesota. The reservation was established by the 1855 Treaty. The

OJIBWE Tribe owns approximately 16,000 acres of land located within four townships on the south end of Mille Lacs Lake. Additional communities exist in Aitkin and Pine counties and three islands. The reservation has a community center, schools, clinic, museum, casino/hotel complex and Government Center. The Band includes 2,906 enrolled members. Of those, 1,094 are age 21 or younger. Between the ages of 22 and 54 there are 1,540 and 272 are Tribal Elders age 55 and older.

> The purpose of the tribal government of the Mille Lacs Band is to promote the general welfare of its citizens by establishing duties, responsibilities and procedures for the conduct of domestic and external affairs. For many years, the Band operated under a single agency form of government known as Reservation Business Committee (RBC). However, the Band determined that a separation of power, similar to that employed by the United States federal government, would be a more effective and responsible way to run the reservation.

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Earth

### White Earth

The White Earth Reservation, in northwestern Minnesota, is named for the white clay at White Earth Village. Never the historic homeland of any Ojibwe group, it became a reservation in 1867 in a treaty with the Mississippi Band of Oiibwe. It was to be the home of all of the Ojibwe in the state. The reservation was the size of a full county, 36 townships square, although divided among the three state counties of Mahnomen, Clearwater, and Becker. The land is typical of central Minnesota. Indian communities include White Earth, Pine Point/ Ponsford, Navtahwaush, Elbow Lake, Beaulieu, Rice Lake, and Ebro. Other villages were built along the railroad track running south to north in the western part of the reservation, Callaway, Ogema, Waubun, and Mahnomen.

With the 1867 Treaty, great pressure was put on the bands to get them to move. Mississippi Band members from Gull Lake were ' the first group to come and settle around White Earth Village in 1868. The 1920 census reflected those who had settled in White Earth: 4856 were from the Mississippi Band including 1,308 from Mille Lacs, the Pillager Bands had 1,218, Pembina Band 472, and 113 had come from Fond du Lac of the Superior Band.

The different bands tended to settle in different areas of the reservation. Mille Lacs Lake members moved to the northeastern part of the reservation, around Naytahwaush and Beaulieau. Pillager Band members settled around Pine Point in the southeast. After 1873, Pembina Band members from the Red River Valley moved into a township on the western side of the reservation. A community of half-breeds, with a greater interest in taking up European ways, concentrated in the Village of White Earth where the government agency was located. These various groups of Indians, with their different backgrounds and cultures, continue to add a diversity of interests to the reservation today.

The Dawes Act of 1887, Nelson Act of 1889 along with the subsequent Rice Commission negotiations and the two Clapp Amendments, 1904 and 1906, enabled the rapid division of the

reservation into individually held parcels, allowing individuals to sell their lands and with many schemes to defraud. The timber was sold and cut and much of the land quickly passed into non-Indian ownership. In the decades since, there were several commissions and court actions to find out what happened.

Four townships in the northeast corner also diminished the White Earth Reservation by the Nelson Act. The implications for hunting and fishing rights have had several court challenges. For the loss of the four townships, the agreement was to allow White Earth to trap and rice within the

Tamarac National Wildlife Refuge. Tribal land holdings were increased by over 28,000 acres of sub-marginal land, acquired by the federal government during the depression, and transferred to White

Earth by 1975. The White Earth Land Settlement Act (WELSA) required transferring 10,000 acres of state/county held land to the Tribe that occurred in the 1990's. White Earth has relatively very little allotted land still remaining in trust, reflecting the destructive land-grabbing history of the reservation. Enrolled members, however, hold significant amounts of privately owned fee s, 33,250 acres in 1995. These are lands that

lands, 33,250 acres in 1995. These are lands that pay property taxes, and equal about one-half of the reservation's trust property.

The White Earth Tribal Council is the governing body and the Tribe is a member of the MCT. White Earth Village is the location of the tribal headquarters, the IHS clinic, (which underwent a five-fold expansion in 1995), the Circle of Life K-12 tribal school, and a senior's housing project and center. Because of the widely scattered settlement pattern on the reservation, government services, social programs, Head Start and day care are provided at four other centers, Nay-tah-waush, Pine Point, Rice Lake, and Elbow Lake. There is an additional Head Start at Waubun and health stations at Nay-tah-waush and Ponsford. Hospitals are in communities off the reservation and in Mahnomen, where the Tribe helped with funding equipment.

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# White Earth (continued)

The White Earth Reservation is in an area of especially severe continuous unemployment. The Tribe's Shooting Star Casino and Hotel in Mahnomen has been a successful operation and is the largest employer in Mahnomen County. The land had not been in trust, and with the legal confusion about the federal government's ability to accept more trust land, the casino has continued to pay property taxes. There is a 224-room hotel with swimming pool, arcade, entertainment, and a full range of food service options. There is also a RV park. A great deal of investment in infrastructure has been required, resulting in expanded water and waste treatment facilities, telephone systems, and highway development.

Seven Minnesota public school districts serve Indian children: Bagley, Detroit Lakes, Fosston, Mahnomen, Park Rapids, Waubun, and Nay-tahwaush. The White Earth Community Service Center serves as a recreational building, swimming pool and gymnasium, built as a part of the Nay-tah-waush High School. The center is operated by the Tribe and on tribal land that has been leased to the school district. The Pine Point School, K-8, is a part of the State system, that was allowed to become an Indian experimental school in 1969. Under special legislation, the Tribe administers it. Criminal and some civil jurisdiction of Indians is provided by the state. The Tribe has a conservation court and is working to develop its own criminal code and enforcement system with police and court enforcement.

As a community development project, the Manitok Mall was built as a part of the casino complex. It has shops and day care facilities for those coming to the casino. The Tribe also owns and operates the Ojibwe Building Supplies and Forest Products in Waubun, retailing wood products and also serving as a reservation job-training center. There are also two other tribally owned businesses and they are the White Earth Garment Manufacturing Co. and the Manitok Wild Rice.

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### Red Lake

During the French period of the fur trade, the Dakota had a major village at Red Lake. It was around 1796 that the Ojibwe settled along with the British North West Co. and a fur trading post established in 1806.

The Red Lake Band, through treaties and agreements in 1863 (amended 1864), 1889, 1892, 1904, and 1905 gave up land but never ceded the main reservation surrounding Lower Red Lake and a portion of Upper Red Lake. This unceded land is spoken of as the "diminished" reservation and "aboriginal" land. It is 407,730 acres. In addition, there are 229,300 acres of surface water area on both the lakes.

Tribal leadership during the late 1800's and early 1900's skillfully resisted allotment legislation and held the land intact for the Tribe as a whole. Today the Tribe's Independence Day, July 6th is in honor of the courage of their chiefs in resisting allotment during the negotiations of the 1889 Nelson Act. Only one other tribe in the United States also resisted allotment, the Warm Springs Tribe in Oregon. When land that had been ceded but not sold was

returned after 1934, this restored land amounted to 156,696 acres. It included 70% of the Northwest Angle of Minnesota, as well as lands scattered between the reservation and the Canadian border. The total land area controlled by the Tribe, 564,426 acres, is about the size of Rhode Island. The land is located in nine different counties. The Tribe has jurisdiction to regulate hunting and fishing on the original, diminished lands, and the ceded lands that were returned. The remainder of the ceded areas, not held by the Tribe, is under state jurisdiction.

The tribal government has full sovereignty over the reservation, subject only to federal legislation specifically intended to deal with Red Lake, which makes it a "closed" reservation. The Tribe has the right to limit who can visit or live on the reservation. It has never been subject to State law. The Red Lake tribe withdrew in 1918 from the General Council for the Chippewa, intended to bring all Ojibwe into one

tribal structure, and continued to maintain its own identity separate from the MCT. There are many legal and program differences between Red Lake and the other state reservations. The Tribe has its own constitution providing for elected officials representing the four reservation areas and a participating council of hereditary chiefs. While the federal government is responsible for major criminal matters, as specified in federal law, the Tribe has jurisdiction in all other criminal matters. Its court has full jurisdiction over civil and family court matters. In 1997, the Tribe began administering its own programs under a Self-Governance Contract

with the BIA. The police became a tribal responsibility at that time.

The reservation is located in northwestern Minnesota. It completely surrounds Lower Red Lake, the State's largest lake, and includes a major portion of Upper Red Lake, the State's fourth largest lake. Bemidji, the closest city, is 35 miles to the south. Thief River Falls is over 70 miles west. The land is slightly rolling and heavily wooded, with 337,000 acres of commercial forestland under management. There are

lakes, swamps, peat bogs, and prairies, with some land on the western side suitable for farming. The main population areas are in Beltrami and Clearwater counties.

The four reservation communities are the villages of Red Lake, Redby, Ponemah, and Little Rock. Red Lake Village is the location of the tribal headquarters, newly built in 1996. The tribal court, the BIA Agency office, Red Lake School, (K-12th grades, operates as a regular state public school) are located in the village of Red Lake. Other facilities located in the village are a modern IHS hospital, the Jourdain/Perpich Extended Care Facility for the elderly, a center for activities and nutritional program for the elderly. Other community buildings include the Humanities Building that houses the Head Start program, a swimming pool and other recreational and group facilities. The main powwow grounds are in the village.

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# Red Lake (continued)

Redby, also on the south shore of Lower Red Lake, is further east. During the logging era, Redby was the city at the end of the railroad line. A small amount of Indian land went into private ownership there at that time. Fourteen property tax payers remain. Redby has a community center and is the site of Red Lake Forest Products, the tribal sawmill, and the Red Lake Fisheries Association processing plant. The fish hatchery and tree nursery are located in the community as are an adolescent group home and a chemical dependency treatment facility.

Ponemah, near the end of the peninsula separating Upper and Lower Red Lakes, is the home of very traditional members. It has a community center, an elementary school, Head Start, a health clinic, programming for elders, and powwow grounds, which were built in 1994.

The Little Rock area is to the west of Red Lake. It has a community center and an Indian-owned store. The reservation staffs an ambulance service, a fire department, and sanitation service. It is the first reservation in Minnesota to build an archives-library program to preserve tribal records and historical material.

Employment on the reservation is very limited, resulting in high unemployment rates. Expanding the economic base has high priority. Governmental services provide employment. Timber management, operating a tree nursery for replanting, and logging provide some employment. The Tribe operates a sawmill, producing lumber. Red Lake Fisheries Association, Inc., a cooperative begun in 1929, has about 300 fishermen-members, with up to 500 catching fish during the season. They process the fish and fillet them for sale either fresh or flash-

frozen. A farm was purchased on the southwest corner of the reservation in 1994 and the Tribe has continued with its paddy rice operation. A pilot project to grow cranberries was started in 1997. Gravel is also sold commercially.

The reservation has its own ambulance service, fire department a, and sanitation service. Solid waste disposal is done at a recycling, incineration facility, SWIScorp, in Thief River Falls. The Tribe has a 20% ownership of the operation. Red Lake Builders, tribally-owned, does reservation building, road construction, and other construction work off the reservation. In 1987, the Tribal Red Lake Retail Center was built in Red Lake village. It offers needed services. Indian-owned stores sell groceries gasoline, auto parts and repair, hardware, a take-out food shop, laundromat, and video store. There is also a retail center at Ponemah with groceries and gasoline.

The Tribe has three casino operations, built on trust land funded and managed by the Tribe. There is a modest operation in the Humanities Building in the village of Red Lake. River Road Casino, located seven miles south of Thief River Falls just off Highway 59, has 13,000 sq. ft of gaming, 10 blackjack tables, 279 slots. Lake of the Woods Bingo & Casino are at Warroad with 16,000 sq. ft of gaming, 10 blackjack tables, 270 slots other video games and bingo. Each provides food service. The Tribe purchased and operates the Lake of the Woods Motel, a 60-room facility with a restaurant, bait shop, and a launch service adjacent to the casino. Because of the limited housing available in the area, the Tribe has purchased two apartment buildings for employees

# The Dakota Communities

A few Dakota did not leave following the 1862 war. Most had fled or were taken as prisoners and were living on reservations in Nebraska (Santee), South Dakota (Flandreau, Sisseton), North Dakota (Devils Lake), Montana (Fort Peck), or escaped to Canada.

By the 1880's, a few Mdewakanton Dakota Indians had returned to their homelands. A special census in 1883 counted 237 scattered throughout southern Minnesota at 14 different locations. By the mid-1880's the federal government was being urged to do something to provide homes for these people, primarily Mdewakanton Dakota. A federal law was passed in 1885 to provide some money for the purchase of land for those who had been in the State by October 1, 1883. More money was appropriated in 1885. In 1888 the date of residency in Minnesota was raised to May 20, 1886 (25 Stat 228), and additional money was made available in 1889 and 1890. Most of the current trust land was added under the IRA in the 1930's

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COMMU

# **Lower Sioux**

The Lower Sioux Indian Community is located on the south side of the Minnesota River at the site of the U. S. Indian Agency and the Bishop Whipple Mission, a part of the original reservation established in the 1851 Treaty. It is in Redwood County, two miles south of Morton and six miles east of Redwood Falls. Across the river is the Birch Coulee battle site of the 1862 Sioux War. The Community, for purposes of determining membership and qualifying for some services, has a service area 10 miles beyond the actual trust lands.

In the 1883 census, six families

In the 1883 census, six families were reported at Redwood. Good Thunder came from Flandreau, South Dakota and in 1884 purchased 80 acres at the Lower Sioux community. Charles Lawrence bought the adjacent 80 acres. Within a few years a little colony joining them including a few other Dakotas who had been able to survive in Minnesota, protected by Alexander Fairbault. A 1936 census report 20 Mdewakanton families, 18 3 families from Flandreau, South Dakota, and one Sisseton, South Dakota, family.

The land is primarily rich agricultural land in the river flood plain and the wooded bluffs behind.

The community was built on the hillside and uplands. It centers around the tribal offices, a new community center, Tipi Maka Duta (the Lower Sioux Trading Post), and St. Cornelia Episcopal Church built in 1889 and now on the National Register of Historic sites. St. Cornelia's is built on land donated by Good Thunder. It has been the recent site of reburials of Kaota people whose remains had been held by museums and universities. The Minnesota Historical society has an interpretive center in the area, explaining the 1862 battles.

The Lower Sioux Community Council is elected and operates under an IRA constitution. The State exercises criminal and some civil jurisdiction on the reservation. The tribal court was organized in 1993. It deals with civil cases including contract law and workers' compensation cases as well as tribal

governance matters. Social programs and community health services are administered by the Tribe, funded by various governmental programs and the Tribe. Tribally funded health insurance policies cover the medical costs for resident members as well as tribal and casino employees. Redwood Falls and Wilmar hospitals are used.

Redwood Falls is the public school for the community Indian children. In response to parental concern about their children's education,

an Indian-focused charter school was formed at Morton. The Tribe provides financial help to any member wishing to get further education beyond high school.

Until the mid-1980's the Tribe had very limited funds and there were hardly opportunities for employment on the reservation. Government programs, operated by the Tribe, were the major source of employment. Since 1972 the Tribe has been manufacturing hand thrown, hand painted, traditional Dakota pottery. This still continues and is sold at Tipi Maka Duta, the Lower Sioux Trading Post along with other gift items. The Tribe generates additional revenue from leasing a gravel pit.

A major bingo facility, Jackpot Junction opened in 1984. Building on this, it was expanded to a casino on the signing of the State compact in 1989. The Tribe then went to court to force another state compact allowing blackjack. A management firm and later a consulting firm were used to start operations and then the Tribe took over. Jackpot Junction casino has 57 blackjack tables, 1,200 slots and other video games, offers a variety of food services and has nightly entertainment. A gas station and convenience store built in 1991 are adjacent to the casino. The Tribe owns the nearby Dakota Inn Motel with 122 rooms and swimming pool, an RV park, and a six-story hotel with convention center was built in 1996.

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# **Prairie Island**

The Prairie Island Indian Community is located on Prairie Island, which is formed where the Vermillion River joins the Mississippi. It is about 14 miles from Red Wing Minnesota with Welch Minnesota mailing address. The land is low-lying and about half of the community property is in a flood plain. The island is shared with Northern States Power Company's nuclear electric generating plant and the US Army Corps of Engineers' US Lock and Dam No.3.

Long before the Europeans came, the island was important to the Dakota people. In 1695, Pierre Charles LeSueur established a fort on Prairie Island. After the disruption of 1862, several Mdewakanton Dakota families gradually returned. In the 1883 census, only two families were reported at Red Wing. Under the land purchase laws of the 1880's-1890's, and again under the IRA, land was acquired for the community.

The Prairie Island Community Council is a member-elected government. The State has responsibility for criminal and some civil The Prairie Island Mdewakanton iurisdiction. Dakota Tribal Court was established in 1994. It rules on tribal law and sovereignty issues and exercises broad civil jurisdiction including children's cases and wage garnishments. The City of Red Wing, without tribal consent, incorporated Prairie Island in their city. This enabled them to collect taxes from the NSP facility.

Treasure Island Resort and Casino is the tribal casino. It was expanded to 153,000 sq. ft in 1993 and a 250-room hotel and convention center, costing \$20 million, opened in 1996. The casino is designed as a tropical paradise with warm humid breezes and

a forty-foot wall waterfall. It provides 60 blackjack tables, 1,500 slots, a variety of eating options, live entertainment, a RV park, a 137 slip marina to accommodate visitors arriving by the Mississippi River, and sightseeing and dinner cruises on their river boat. Treasure Island had begun as a bingo operation in 1984. The original investor and management company was bought out and a subsequent management firm contract was terminated. Since 1990, the Tribe has managed the casino itself.

Casino profits have been reinvested in the expansion and have been used for roads and water and sewer systems. A community center, built for \$6.5 million, provides a meeting area, kindergarten, licensed day care and facilities for tribal government. Students attend schools in the Red Wing School District. The Tribe's educational programs include advanced financial support for education. Programming and congregate dining for elders is at the casino. A health clinic funded by the Tribe and IHS bring Mayo Clinic family physicians to the reservation two and half days a week. Tribally paid health insurance provides coverage to tribal members as well as casino employees. The nearest hospital is at Red Wing.

Living next to an atomic energy power plant that has needed to find storage for radioactive wastes has been very difficult for the Indian community. The Tribe needs more land, as members are anxious to return to their homeland to find employment. The presence of the nuclear fuel has made many members fearful and families with young children are not willing to move to the reservation because of possible health effects from radiation exposure.

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# **Shakopee Mdewakanton**

The Shakopee-Prior Lake area was historically home to Mdewakanton Dakota. After the removal in 1862-63, families gradually returned in the 1880's. In the 1883 census, there were 11families, (47 individuals) at Shakopee. Under the land purchase laws of the 1880's-1890's, land was acquired for community members. In 1936 when the Dakota communities were forming IRA approved government, the Shakopee Mdewakanton group was considered too small to form a separate government and was included in the Lower Sioux. No land

was added at that time. In 1960, the BIA counted ten Indians. In 1967, there

were 4-5 families.

Although the 258 acres of land in trust consisted of undeveloped, rolling farming lands, the location was close to the Twin Cities, 25 miles from downtown Minneapolis, provided desirable home sites for people. In 1969 the community organized as separate government with nine members voting on the new constitution. Shakopee Mdewakanton Sioux community is in Scott County, just south of Shakopee on Highway 833. In 1972, the City of Prior Lake incorporated the reservation into that city. When the city attempted to deny services and voting rights to the Indian

residents (because they did not pay property taxes),

the Tribe took them to court. The court ruling, upheld by the US Supreme Court, was that this was illegal.

The governing structure of this community is unique. All members over 18 constitute the tribal council. They in turn select a business council to run the reservations affairs. By the 1970's, tribal leaders began taking advantage of the community's power to govern their own lands. Early enterprises included providing tree burning services, which were not allowed in Minneapolis and selling cigarettes

without paying state taxes. In October 1982 Little Six Bingo Palace, offering big bucks bingo, was Gaming became an opened. unbelievably successful business. Following federal legislation clarifying legal issues and the state-tribal compacts that followed, the complex known as Mystic Lake was developed. It is the second most financially successful Indian casino operation in the United States with over 18,000 customers every The casino originally dav. involved outside investment and management, but since 1985 it has been tribally owned and operated. The Tribe has delegated all financial operations to Little Six, Inc. which

noperates the casino and manages other

investments for the Tribe.

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# **Upper Sioux**

This land we call Pejuhutazizi Kapi (the place where they dig for yellow medicine) has been the homeland of the Dakota Oyate (Nation), for thousands of years. They have always occupied this area bordering the Minnesota River Valley, with the exception of a short period of time in the late 1800's following the U.S./Dakota Conflict of 1862. At that time, the Dakota were exterminated, forcibly removed to reservations located elsewhere, or voluntarily fled to avoid harm.

Many Dakota died during those difficult years. Some of those who survived the forced removal defied the state and federal governments by not remaining on the assigned reservations located outside of Minnesota, but rather chose to return to their ancient homelands in the

Minnesota River Valley.

In 1938, 746 acres of original Dakota lands in Minnesota were returned to the people, and the Upper Sioux Indian Community came into existence. Provisions for governing the Upper Sioux Community were adopted, and a Board of Trustees was elected to carry out the responsibilities identified in these Provisions. In 1995, the provisions were modified and the governing document is now called the Constitution of the Upper Sioux Community.

Since its formal designation as an Indian community, Upper Sioux has struggled with poverty, substandard housing, inadequate health care, and the subtleties of racism. Tribal leaders continually strive to improve the standard of living and the quality of life on the reservation. The population was small, and Upper Sioux's share of program monies from the federal government was minimal, yet elected tribal leaders still managed to provide "bare-bones" programs in housing, health care, and education. Through the 1970's and 80's, conditions improved very little, despite many vocal supporters, both

Indian and non-Indian, and the struggle for survival continued on the small tract of land along the Minnesota River.

By the late 1980's, the legal standing of tribes as sovereign nations had been acknowledged in the highest federal courts. In 1990, following these court decisions, the Upper Sioux Community did as many other tribes had done-- exercised their rights as a sovereign nation to capitalize on a financial opportunity by building and opening Firefly Creek Casino.

In the years since, this business has helped to revitalize and energize the Upper Sioux Community,

allowing them an opportunity to obtain economic independence. They are finding ways to preserve their dignity, our culture and our traditions, free from the burden of meeting basic survival needs.

The Reservation tribal headquarters is located five miles • south of Granite Minnesota, on the Minnesota River in Yellow Medicine The Upper County. Sioux community came into being about the same time as the other Minnesota Sioux communities. Land purchases amounting to 746 acres were

Minnesota Sioux communities. Land purchases amounting to 746 acres were made in 1938, but the Upper Sioux Community did s an Indian not complete organization under the Indian with poverty, Reorganization Act.

The Bureau of Indian Affairs set up a Board of Trustees to advise the agency superintendent on the use of rehabilitation funds. This group operates under a document entitled The Constitution of the Upper Sioux Community. The governing body is known as the Upper Sioux Community Board of Trustees, consisting of five members elected to four year staggered terms who represent the community when negotiating with federal, state, and local governments.

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# **Demographics**

The State of Minnesota has the twelfth largest American Indian population in the country. According to the 1990 census, the Minnesota American Indian population totaled 49,909. This data shows a 36.6% percent increase since 1980.

Approximately one-third of Minnesota's American Indian population live in the central cities of Minneapolis and St. Paul with 15% living in the Twin Cities suburbs. The reservations census count indicated that 12,402 American Indians are living on reservations. This represents a 25% increase from the 1980 census for American Indians residing on the reservations.

The Bureau of Indian Affairs (BIA) most current Labor Force report (1997) shows an increase in all reservation populations. (NOTE: The 1995 report was not available at time of printing.)

# American Indian Population on Reservations: 1990, 1993, 1997

| Reservation          | 1990*         | 1993** | 1997** |
|----------------------|---------------|--------|--------|
| Bois Forte           | 346           | 1,926  | 2,430  |
| Fond du Lac          | 1,106         | 2,922  | 4,741  |
| Grand Portage        | 207           | 330    | 518    |
| Leech Lake           | 3,390         | 5,771  | 8,669  |
| Lower Sioux          | 225           | 266    | 564    |
| Mille Lacs           | 428           | 1,151  | 1,825  |
| Prairie Island       | 56            | 176    | 280    |
| Red Lake             | 3,602         | 5,087  | 7,974  |
| Shakopee-Mdewakanton | 153           | 230    | 602    |
| Upper Sioux          | 43            | 169    | 383    |
| White Earth          | 2,759         | 4,395  | 6,491  |
| TOTAL                | <u>12,315</u> | 22,423 | 34,477 |

\* Source:

U.S. Census

\*\* Source:

**BIA Labor Force Reports** 

# Counties with American Indian Population of 1,000 or more

| County    | 1980   | 1990          | 1999 Estimates |
|-----------|--------|---------------|----------------|
| Hennepin  | 10,479 | 14,912        | 15,237         |
| Beltrami  | 3,917  | 5,641         | 6,954          |
| Ramsey    | 2,993  | 4,509         | 4,233          |
| St. Louis | 2,815  | 3,582         | 3,853          |
| Cass      | 1,895  | 2,373         | 3,137          |
| Anoka     | 1,112  | 1,865         | 2,432          |
| Carlton   | 818    | 1,297         | 1,560          |
| Mahnomen  | 1,003  | 1,193         | 1,284          |
| TOTAL     | 25,032 | <u>35,372</u> | <u>38,690</u>  |

Source: Population Estimates Program, Population Division. US Census Bureau, Washington, DC

# **United States Resident Population Census**

# Total American Indians and Alaskan Natives

| Year       | Total     |
|------------|-----------|
| 1980       | 1,420,000 |
| 1990       | 2,065,000 |
| 1991       | 2,107,000 |
| 1992       | 2,142,000 |
| 1993       | 2,177,000 |
| 1994       | 2,210,000 |
| 1995       | 2,226,000 |
| Projected* |           |
| 2000       | 2,380,000 |
| 2005       | 2,543,000 |
| 2010       | 2,719,000 |
| 2015       | 2,904,000 |
| 2020       | 3,090,000 |
| 2025       | 3,278,000 |
| 2050       | 4,346,000 |

<sup>\*1995</sup> Statistical Abstract of the United States, based on "Middle Series Projections"

# Statistics from the Department of Human Services on American Indians

1995 Census (estimate) 60,000 American Indians Statewide 27,000 American Indians under age 18

#### Child Welfare

1996 Total Minnesota Out-of-Home Placements

- 17,508

1996 Total American Indian Out-of-Home Placements

- 1.995

(This total represents 1 out of every 14 American Indian youth are in Out-of-Home Placement)

1996 Total Minnesota Children Waiting for Adoption

- 17,508

1996 Total American Indian Waiting for Adoption-

- 242

#### Minnesota Family Investment Program (MFIP)

November 1998 Total Minnesota Cases

- 46,013

November 1998 American Indian Cases

- 4,170

(Note: April 1999 data demonstrates that in 19 counties that share lands with Indian Reservations, 2,373 of 8,169 MFIP cases were American Indians. This represents approximately 30% of caseload in these counties.)

#### Health Care

#### Medical Assistance (MA)

Jan-Dec 1998 Total MA Recipients

- 373,223

Jan-Dec 1998 Total American Indians Receiving MA

- 21,032 (6%)

(14,851 tied with MFIP and an additional 6,000 are non-MFIP, Disabled or Elderly)

(Note: 21,032 represents approximately 30% of total American Indian people in Minnesota dependent on Medical Assistance. It should also be understood that for all medical assistance services provided through an Indian Health Service Facility of a Tribal Health Facility, the federal financial participation is 100%)

#### General Assistance (GA)

Jan-Dec 1998 Total GA Recipients

- 28,380

Jan-Dec 1998 Total American Indians Receiving GA

1,822

#### MnCare

Jan-Dec 1998 Total MnCare Recipients

- 104,000

Jan-Dec 1998 Total American Indians Receiving MnCare

719

#### Chemical Dependency (CD) \_\_\_\_\_

7/1/98 – 6/30/99 Total CD Treatment Placements

46,013

7/1/98 – 6/30/99 Total American Indian CD Treatment Placements -

4,170

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"Profiles of Change: Communities of Color in the Twin Cities area" report of 1993 by the Urban Coalition, found that communities of color have nearly doubled in the Twin Cities Metropolitan area from 1980 to 1990, with an increasing share of this population residing in suburban communities. In addition, Minnesota State Planning report "A Plan of Action State of Diversity" published in 1993 indicate that people of color represent 6.3% of the state's total population. It is estimated that by the year 2020, 25 percent (25%) of the state's population will be people of color. American Indian concentrations in non-metropolitan areas constitute the largest proportion of minorities in northern Minnesota.

#### **Policy Issues**

Through treaties, agreements and court decisions, American Indian tribes have retained the power to make their own laws governing internal matters and enforce them in their own courts. These powers are the same general powers that the federal and state government use to regulate their internal affairs.

This government-to-government relationship is recognized by the state when entering into agreements with tribal governments. Minnesota Statute Section 16B.06, subdivision 6 provides the following:

"Not withstanding any other law, the state may not require an Indian tribe or band to deny their sovereignty as a requirement or condition of a contract with the state or an agency of the state."

American Indians are entitled to the same benefits and privileges of other citizens. Therefore, this relationship between the tribal governments and state government has created a partnership, though contracts and agreements, to develop, and deliver programs that address the needs of American Indians throughout the state.

The "trust" responsibility between the United States government and Indian tribes was created through treaties and agreements in which land was surrendered in exchange for the permanent protection of remaining lands/reservations and its tribal members.

Congress has unlimited authority to regulate Indian affairs and in so doing, has passed thousands of laws which strengthen and protect the rights of the American Indians. This trust responsibility is based on the unique political status of American Indians as provided by the Constitution of the United States under the Commerce and Treaty clauses. Only Congress has the authority to formulate the federal government's Indian policies and programs to various federal agencies. The protection of the laws and rights of American Indian people is a primary objective of the Minnesota Indian Affairs Council.

#### **Families**

American Indian mothers in their teens, represented 49% of all American Indian pregnancies. In the Metropolitan area, less than one in five American Indian children live in two parent families. American Indian children represent 12 to 15% of all out of home placements.

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### **Poverty**

In 1990, 12% of all children living in the state of Minnesota lived in poverty. Of American Indian children, 55% live in poverty compared to the 50% of African American children, 31.7% of Asian/Pacific children, and 25.6% of Hispanic children. Most American Indians in Minnesota have less than half the income of white households with 43.7% of the American Indians living in poverty.

The U.S. Census data also indicates that Minnesota's Indian people are worse off than other minorities living elsewhere in the nation. The median income of Indians in Minnesota is \$16,983 compared to \$34,466 for white residents. The employment rate for Indians is 49.3% versus 73.3% for whites. High school graduation rates stand at 68.2% for Indians, 82.8% for whites. These divergent statistics prompted the Minneapolis Star-Tribune to report in their July 24, 1992 issue that "... by the measures of poverty, income, employment and education, American Indians lagged behind every other racial group living in the state".

Historically, Indian tribes have maintained a direct relationship with the federal government due to their unique legal and political status. Until the early 1970's the federal government controlled and managed tribal resources and affairs. Tribal efforts to improve conditions for American Indian communities resulted in the passage of the Indian Self-Determination and Education Assistance Act of 1972 (P.L. 92-638). This initiative and the changes in federal Indian policy it produced have greatly enhanced the scope and abilities of tribal governing bodies to control their own destinies.

Current development in federal domestic fiscal policies is increasing this disparity. The denial of tribal communities of the funding they need to overcome the centuries of deprivation, poverty, and neglect, has left them the poorest of the poor. The future progress in alleviating poverty; meeting the health and educational requirements; and fulfilling the economic needs of the American Indian people will depend upon state funding of these programs.

#### Education

Over the years, comparison of the school drop out rates for the entire state indicate that American Indians annual drop out rate averages 11-15% compared to 3.0% for all groups. Statistics indicate that American Indians and African Americans have the highest annual drop out rate in Minnesota, although enrollment increased in all racial and ethnic groups in Metropolitan area schools. The percentage of students entering colleges and universities in 1988-90 indicated that American Indians were .8% of the total enrollment in all collegiate institutions in the state.

## **Employment**

The 1990 state unemployment rate was 4.8% compared to the United States unemployment rate of 5.5%. The unemployment for American Indian males is at 22% and 16% for females. In 1980, the percentage of American Indians living below the poverty line was 30.1% compared to 8.9% for whites, 26.6% for African Americans, 25.6% for Asians, and 18.2% for Hispanics.

The State of Minnesota employs more than 39,000 people and approximately 5% of that number represent African Americans, American Indians, Asian Pacific Islanders, and the Hispanic populations.

# Average Unemployment Rates for Minnesota Reservations

| Reservation          | Unemployed as % of Labor<br>Force | Employed, but Below Poverty<br>Guidelines |
|----------------------|-----------------------------------|---|
| Bois Forte           | 42%                               | 32%                                       |
| Fond du Lac          | 20%                               | 0%  |
| Grand Portage        | 35%                               | NR  |
| Leech Lake           | 26%                               | 70%                                       |
| Mille Lacs           | 20%                               | 13%                                       |
| White Earth          | 20%                               | 10%                                       |
| Red Lake             | 62%                               | 49%                                       |
| Lower Sioux          | 67%                               | 38%                                       |
| Prairie Island       | 37%                               | 10%                                       |
| Shakopee Mdewakanton | 4%                                | 0%  |
| Upper Sioux          | 67%                               | 0%  |

Source: 1997 BIA Labor Force Reports

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## **Chemical Dependency**

Chemical dependency is not only an on-going concern of the Minnesota Indian Affairs Council, but the nation as a whole, as all fifty states has passed DWI laws. The Chemical Dependency Program Division of the State of Minnesota works cooperatively with the MIAC to provide programming funds to treat chemically dependent American Indian patients.

#### Violence

According to 1990 statistics, American Indians between the ages of 1 and 4 years are four times as likely to die from accidents than whites. Between the ages of 5 and 14, they are 2.3 times more likely to die from accidents than whites. Between the ages of 15 and 24 they are 8 times more likely to die from homicide than whites. In 1990, American Indians died at the rate of 46 per 100,000 residents, compared to 1.7 deaths per 100,000 for whites. Hospital and police records indicate that the above numbers will increase, as more health organizations become aware of their reporting responsibility when violence is involved.

#### Crime

Latest studies conducted by various organizations and state agencies reveal that American Indians in Minnesota are 10 times more likely than white Minnesotans to be in prison. Approximately 99% of all offenses committed by Indian offenders were done while under the influence of alcohol and/or drugs.

### **Other Issues**

The Indian Affairs Council continues to advocate for American Indian people on issues of concern that affect our communities both urban and rural. Human rights, discrimination and on-going racism are a continuous concern. Targeted health issues including services for the elderly, homelessness, HIV/AIDS information and prevention, teenage pregnancy, smoking cessation, violence, alcohol and drug abuse.

MINNESOTA INDIAN AFFAIRS COUNCIL

# Specific Programs

## **Cultural Resource Program**

The Minnesota Indian Affairs Council and the State Archaeologist have a legal responsibility to monitor and enforce laws that protect American Indian human remains and associated burial items. Cemetery sites are protected under the "Private Cemeteries Act" (M.S.307.08).

The responsibilities under the law include rescue, identification, and reburial of human remains. The Indian Affairs Council reviews archaeological license applications to conduct fieldwork to determine if cemetery sites are within a project area.

### Minnesota Native American Reburial Project (MNARP)

MNARP began in fiscal year 1991. Special legislative funding was issued to the Minnesota Indian Affairs Council. The purpose of the project was four-fold:

- ♦ To identify American Indian human remains currently residing in the collections of various institutions in the state.
- ◆ To create an inventory and database of all available information (reports, notes, references sites, etc.) regarding American Indian human remains and associated burial items previously exhumed in the state.
- Identify individuals and prepare the human remains and burial items for reburial.
- Arrange reburial ceremonies.

Throughout history, Minnesota has been a travel route for a numerous Indian tribes passing through or settling here for short or long periods. The Indian Affairs Council has initiated a very comprehensive program for reburial of human remains of American Indian people that have been unearthed in the past. Some of these remains have been stored in various institutions throughout the state. The first objective was the development of an inventory of the remains to properly establish tribal identification. Priorities for reburial were established as well as securing the various burial sites. The intent of the reburials is to address issues of identification in the most expeditious manner so the remains are reinterred as soon as possible to their appropriate locations.

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## Native American Graves Protection and Repatriation Act (NAGPRA)

Federal law "Native American Graves Protection and Repatriation Act" (NAGPRA), public law 101.601, helps to enforce the Indian Affairs Councils responsibilities to protect Minnesota Indian burial sites and return Indian human remains and burial goods to their rightful tribal affiliations. The purpose of this federal law is to return certain object to tribes, which should never have left those tribes. The four (4) categories covered in this act are.

- Human remains and associated grave goods
- ♦ Unassociated funerary objects
- Sacred objects that could be used by traditional religious practitioners
- ♦ Objects of cultural patrimony (i.e., medicine drums, etc.).

Because of the Federal Law (NAGPRA), Minnesota's large-scale reburial of American Indian remains has currently been halted to focus efforts toward completing the required federal inventory of all human remains currently held by the Minnesota Indian Affairs Council and contacting probable descendant populations. MIAC submitted a proposal to the U.S. Department of the Interior, National Park Service, for \$72,000 to complete the responsibilities mandated by NAGPRA. The grant was awarded and the funds were received by the MIAC in November 1996 to complete inventory of the remains of an estimated 1,100 individuals.

The NAGPRA inventory/data base has been completed and determination of cultural affiliation has been made when possible. The last step of the process is public notification. Tribes, individuals, tribal organizations or institutions may request remains. The Indian Affairs Council has consulted with the eleven tribes in Minnesota, as well as sixteen other tribes outside of Minnesota. We have received requests to repatriate from the Dakota communities and in May 1998, the IAC returned the remains of 338 individuals for reburial.

In January 1988 the Indian Affairs Council testified in front of the NAGPRA Review Committee in Washington DC. Chairman Dallas Ross testified before the committee and requested that the Minnesota Indian Affairs Council be allowed to repatriate the culturally unaffiliated remains. This collection represents approximately 1,400 people and remains. MIAC is waiting for authorization from the National Park Service to return these remains to the rightful tribes.

Two sites where human remains were accidentally unearthed were returned to the Dakota community. A gravel mining operation in Cass County uncovered the remains of five individuals that were rescued and reburied. In the City of Bloomington, in a corporate construction site, the remains of eleven individuals were encountered and reburied on site.

The primary focus of the Minnesota Indian Affairs Council Cultural Resource Program is to inform and educate the public about the law; the proper handling and protection of American Indian remains; and the procedures to follow when sites are accidentally uncovered or discovered.

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## **Indian Business Loan Program**

Legislation establishing the Indian Business Loan program provides Minnesota-based Indians with a percentage of the financial resources needed to start or expand a business enterprise in Minnesota. Funds are derived from the \$.40 an acre taxation of severed mineral interests held by individuals, corporations or organizations in Minnesota. Twenty percent (20%) of the tax, or \$.08 per acre, is remitted by the counties and deposited with the State Treasurer's office in a special revolving loan fund designated as the "Indian Business Loan Account," and administered by the Indian Affairs Council. Approval or rejection of most loan applications is the responsibility of the Tribal Council where the applicant is enrolled.

When an eligible Indian applies for a business loan, the application is forwarded to the Indian Affairs Council for review of appropriate documentation. This includes signed copies of two years' filed tax returns of the applicants and of the existing business, revenue and expense projections, cash flow statements and a good business plan which must show a reasonable chance for success. The application is then sent to the appropriate tribal council. If the loan is approved, the application is returned to the Indian Affairs Council for completion of the loan process. Most reservations will fund up to 25% of the total project cost and applicants must have at least 5-20% equity to inject into the project. Other financing must be approved and in place before funds are disbursed.

The law requires that a reasonable portion of the funds allocated to each reservation under this program be reserved for businesses located off the reservation. Each Tribal Council decides how much of its available funds will be used for this purpose.

Regular duties of the loan officer include the following activities/responsibilities:

- Providing technical assistance to applicants and other business-related personnel in the completion of loan applications and evaluating and monitoring their business loans;
- Reviewing and interpreting financial information relative to loan viability and guarantors as indicated by contracts with Tribal Councils and in accordance with MN §116J.64;
- Ensuring all applications for business loans are prepared and completed according to applicable law and agency policy and with the Tribal Council's loan plan;
- Ensuring that all legal documents pertaining to the loan agreements are prepared in the proper format and filed with the proper agencies;
- Maintaining a portfolio on all relevant financial information and correspondence records in accordance with MN §116J.64 and Agency policy;
- Preparing summaries of loan transactions and payments and submitting them to Director and Board of the Indian Affairs Council;
- Maintaining records of delinquent loan accounts and implementing procedures to keep loans in current status;
- Being familiar with state, federal, local, and out state loan programs and procedures;
- Maintaining all loan transactions in accordance with established financial procedures and methods;
- Working with appropriate personnel and Tribal Councils to ensure compliance with provisions of approved loans/contracts;

Arranging meetings and site visits with clients and providing technical and management assistance, when requested, to organizations, clients and public/private sector.

In fiscal year 2000, the mineral tax collected and deposited into the Indian Business Loan account totaled \$160,118.33. Back interest earned and collected from the State Treasury deposited to our account in FY 2000 totaled \$326,512.20. Loan payments returned to the revolving loan fund totaled \$54,447.72.

The first Indian business loan was approved in June of 1981. To date, 95 loans have been made totaling \$2,216,985.50 to Indian businesses in the state. These monies have a wide-ranging impact in terms of the types and number of businesses that are assisted, both on and off the reservation.

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## **Indian Economic Opportunity Program**

The Indian Affairs Council maintains an annual interagency agreement and funding grant for the Indian Economic Opportunity Program through the Department of Children, Families and Learning. This program provides information and technical assistance to Indian Reservations in Minnesota.

A Community Services Block Grant provides federal monies each year from the Department of Children, Families and Learning to the Minnesota Indian Affairs Council for this position. This grant provides funds for the Economic Opportunity Program Specialist to provide information and technical assistance for a wide range of programs and activities that impact causes of poverty in reservation communities. The interagency agreement enhances the Council's relationship with tribal governments to promote understanding of programs, identify problems, and recommend solutions to ensure the objectives of the respective programs are accomplished.

Contracts and allocations for various programs are awarded to the eleven reservation tribal governments, based on the 1990 census count. Base funding is also provided to each reservation grantee. In most instances, grant awards do not begin to meet the needs of most reservations. For this reason, coordination of grant planning among Community Service administered grants is essential. Grants include Community Services Block Grant (CSBG), Minnesota Economic Opportunity Grant (MEOG), Emergency Shelter Grant Program (ESGP) and Rural Housing and Stability Program (RHASP).

The Reservation Tribal Council grantee is required to submit a work plan/budget, prioritized goals and objectives based on the most recent community needs assessment and a coordination plan describing collaborative efforts with area service providers on how it will impact the low income people and assist in progressing toward self-sufficiency. Each grantee is responsible for providing a range of services and activities consistent with goals and objectives of the Community Service Block Grant. Economic Opportunity Programs follow federal regulations, instructions and policy performance standards. State agencies develop plans and monitor the programs in the most efficient and accountable manner.

## Goals and Objectives of the Indian Economic Opportunity Program

Each reservation's government determines which program activity must be accomplished to meet the needs of low-income residents. Coordination of grant planning is essential, as is the mobilization of supplemental resources. Site visits to monitor contractstatus of current contracts are required to verify that each grantee is progressing successfully.

During the past year, several changes have been made in the EOG grant application. These changes include the development of mission statements, needs assessments, agency goals and strategies, measurable results, a coordination plan, and a collaboration and evaluation process as how it will affect future planning. The Department of Children, Families and Learning office will continue working to support efforts to enhance information and communication among all grantees.

Continuation of this program is dependent on federal funds and support from the Department of Children, Families and Learning.

#### Activities

This is the 17th year the Community Services Block Grant has funded the position of Economic Opportunity Specialist. This employee maintains office hours at the Indian Affairs Council's office in Bemidji as well as at the Department of Children, Families and Learning in St. Paul.

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The Economic Opportunity Program Specialist reviews grantee files, progress reports, client and audit reports, and ensures that cash requests and Financial Status Reports are submitted in a timely manner. Also assurance contract files are monitored to ensure that base documents are on file for continued grantee eligibility, contract compliance and training of new staff. Telephone contact on a regular basis assists grantees in providing updated relevant material needed for continued activity.

### Special Projects

While participating in a number of separate programs as part of its overall mission, the Indian Affairs Council has come to be recognized, and utilized, as a storehouse and clearinghouse for information and projects as they relate to Indians in Minnesota. As a database for information regarding Indians, the IAC is called upon to participate and/or initiate a variety of activities and programs for the overall benefit of Indians in the state, which often fall into a 'special projects' category. These projects are often funded for no more than one year. They are considered short term in duration and therefore are not housed within the umbrella of the Indian Affairs Council. The Indian Affairs Council is also called upon to enter into interagency agreements with other state agencies in order to develop activities or programs that will benefit the Indian community.

Other state agencies and legislators often initiate these "Special Projects." The Indian Affairs Council acts as an incubator for these special projects. It provides administration and financial services, thereby making it possible for smaller projects to begin establishing identities of their own. The Indian Affairs Council is thus able to implement programs based on their merits as a group or organization. Examples of these activities are:

1. <u>Study Of Minnesota Criminal Justice</u>: In fiscal year 1996 the Minnesota Planning Office transferred \$9,000 to the Indian Affairs Council to perform a statewide crime and justice survey and to analyze and evaluate the results as they relate to the attitudes of the American Indian community.

This study was done parallel to similar community survey efforts performed by the other three Minnesota Minority Councils. The primary objective was to gather information from focus groups concerning American Indian attitudes about crime and justice from and for the benefit of the Indian communities. The major tasks were to:

- Develop strategy to contact Indian community leaders/service providers and individuals
- Recruit Indian leaders in three urban sites and one reservation site
- Develop focus group strategy
- Provide operational services for the focus group
- Analyze focus group results
- Develop report and evaluate process
- 2. A \$15,000 Federal subgrant was negotiated and received from the Department of Human Services. This funding was to develop a long-range comprehensive plan for the delivery of chemical health services for American Indian youth and families in Minnesota by holding a series of meetings in the various Indian communities throughout the state.

The committees developed and facilitated a process for planning, established policies and procedures, and made recommendations regarding long term planning. Eight meetings were convened and many chemical health issues identified. Recommendations were made regarding prevention, treatment, women's issues, health care reform, and the cultural relevancy to American Indian people.

# Indian Affairs Council — FY 2000 Budget and Expenditures

| INDIAN AFFAIRS COUNCIL   | L  |  |   |
|--|--|--|---|
| Item   |  | Budget   | Expenditures  |
| General Operations   | D  | 204.000  | 200.224   |
|  | Personnel Operations/Travel  | 284,808<br>170,192   | 280,224<br>115,344  |
|  | Sub-Total  | 455,000  | 395,568   |
| Indian Affairs Board   |  | •  | ŕ   |
|  | Board Compensation   | 3,595  | 3,410   |
|  | Travel/Mtg   | 6,405  | 6,155   |
|  | Sub-Total  | $1\overline{0,000}$  | 9,565   |
| Cultural Resources   |  |  |   |
|  | Operations/Travel  | 86,000   | 47,217  |
| Tota   | al Direct Appropriations   | 551,000  | 452,350   |
| Concret Dovernmen  |  |  |   |
| SPECIAL REVENUE  |  |  | <u> </u>  |
| SPECIAL REVENUE<br>Indian Business Loan F  | UND  |  |   |
| INDIAN BUSINESS LOAN F   | UND  | Budget   | Expenditures  |
| INDIAN BUSINESS LOAN F<br>Item<br>Loans  | UND .  | 1,723,331  | 112,325   |
| INDIAN BUSINESS LOAN F<br>Item<br>Loans  | UND  |  |   |
| INDIAN BUSINESS LOAN F Item Loans Operations   | otal Business Loan Fund<br>1 – FY 2001 – 1,613,533)                    | 1,723,331  | 112,325   |
| INDIAN BUSINESS LOAN F  Item  Loans Operations  To  (Balance Forward   | otal Business Loan Fund<br>I – FY 2001 – 1,613,533)                    | 1,723,331<br>50,000  | 112,325<br>47,473   |
| INDIAN BUSINESS LOAN F  Item  Loans Operations  To  (Balance Forward   | otal Business Loan Fund<br>I – FY 2001 – 1,613,533)                    | 1,723,331<br>50,000<br>1,773,331   | 112,325<br>47,473<br>159,798  |
| INDIAN BUSINESS LOAN F  Item  Loans Operations  To  (Balance Forward  INDIAN ECONOMIC OPPOR  | otal Business Loan Fund<br>I – FY 2001 – 1,613,533)                    | 1,723,331<br>50,000  | 112,325<br>47,473<br>159,798  |
| INDIAN BUSINESS LOAN F  Item  Loans Operations  To  (Balance Forward  INDIAN ECONOMIC OPPOR  Item  Salary/Travel                       | otal Business Loan Fund<br>I – FY 2001 – 1,613,533)                    | 1,723,331<br>50,000<br>1,773,331<br>Budget                               | 112,325<br><u>47,473</u><br>159,798<br><i>Expenditures</i>            |
| INDIAN BUSINESS LOAN F  Item Loans Operations  To (Balance Forward INDIAN ECONOMIC OPPOR  Item Salary/Travel  CONNECTIVITY GRANT       | otal Business Loan Fund<br>I – FY 2001 – 1,613,533)                    | 1,723,331<br>50,000<br>1,773,331<br>Budget<br>60,000                     | 112,325<br><u>47,473</u><br>159,798<br><i>Expenditures</i><br>60,000  |
| INDIAN BUSINESS LOAN F  Item  Loans Operations  (Balance Forward  INDIAN ECONOMIC OPPOR  Item  Salary/Travel  CONNECTIVITY GRANT  Item | otal Business Loan Fund<br>I – FY 2001 – 1,613,533)                    | 1,723,331<br>50,000<br>1,773,331<br>Budget                               | 112,325<br><u>47,473</u><br>159,798<br><i>Expenditures</i><br>60,000  |
| INDIAN BUSINESS LOAN F  Item  Loans Operations  (Balance Forward  INDIAN ECONOMIC OPPOR  Item  Salary/Travel  CONNECTIVITY GRANT  Item | otal Business Loan Fund<br>I – FY 2001 – 1,613,533)                    | 1,723,331<br>50,000<br>1,773,331<br>Budget<br>60,000                     | 112,325<br><u>47,473</u><br>159,798<br><i>Expenditures</i><br>60,000  |
| INDIAN BUSINESS LOAN F Item Loans Operations   | otal Business Loan Fund<br>1 – FY 2001 – 1,613,533)<br>RTUNITY PROGRAM | 1,723,331<br>50,000<br>1,773,331<br>Budget<br>60,000<br>Budget<br>23,150 | 47,473<br>159,798<br>Expenditures<br>60,000<br>Expenditures<br>23,150 |

2002-

-2003 Biennial Budget

| Agency: Indian Affairs Council                  |                   |                   |                     | FY 2002 |                   | FY 2003 |                   | Biennial Change<br>2002-03 Gov/2000-01 |         |
|---|-------------------|-------------------|---------------------|---------|-------------------|---------|-------------------|--|---------|
| Agency Summary (Dollars in Thousands)           | Actual<br>FY 1999 | Actual<br>FY 2000 | Budgeted<br>FY 2001 | Base    | Agency<br>Request | Base    | Agency<br>Request | Dollars                                | Percent |
| Expenditures by Program: INDIAN AFFAIRS COUNCIL | 771               | 701               | 2,360               | 918     | 918               | 936     | 936               | (1,207)                                | (39.4%) |
| Total Expenditures                              | 771               | 701               | 2,360               | 918     | 918               | 936     | 936               | (1,207)                                | (39.4%) |

| Financing by Fund:        |     |     |       |     |     |     |     |
|---------------------------|-----|-----|-------|-----|-----|-----|-----|
| Direct Appropriations:    |     |     |       |     | ľ   |     |     |
| GENERAL                   | 635 | 453 | 665   | 584 | 584 | 602 | 602 |
| Statutory Appropriations: |     |     |       |     |     |     |     |
| GENERAL                   | 3   | 0   | 0     | 0   | 0   | 274 | 274 |
| MISC SPECIAL REVENUE      | 5   | 159 | 1,624 | 274 | 274 | 60  | 60  |
| FEDERAL                   | 128 | 89  | 69    | 60  | 60  | 0   | 0   |
| GIFT                      | 0   | 0   | 2     | 0   | 0   |     |     |
| Total Expenditures        | 771 | 701 | 2,360 | 918 | 918 | 936 | 936 |

| FTE by Employment Type:    |     |     |     |     |     |     |     |
|----------------------------|-----|-----|-----|-----|-----|-----|-----|
| FULL TIME                  | 5.0 | 6.1 | 8.0 | 8.0 | 8.0 | 8.0 | 8.0 |
| PART-TIME/SEASON, LABOR    | 0.0 | 1.0 | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 |
| Total Full-Time Equivalent | 5.0 | 7.1 | 8.0 | 8.0 | 8.0 | 8.0 | 8.0 |

# 2000 MINNESOTA LEGISLATIVE SESSION

Legislation Affecting American Indian and Tribal Government

**Table of Contents:** 

**Bill Status:** 

\*\*\* Denotes; Bill signed by Governor.

H.F. 2504 Abolishment of Indian Affairs Council, 02-01-00 First Reading, referred to Governmental Operations & Veterans Affairs Policy.

NO: Bill died.

Page 1

\*\*\*S.F. 173 Red Lakes conservation code –taking of wild animals-49<sup>th</sup> Parallel. Signed by Governor April 14<sup>th</sup>, 2000. Chapter 406.

Page 2.

H.F. 2382 Recognizing Sandy Lake Band..04-12-99 First reading, referred to Governmental Operations & Veterans Affairs Policy. 03-02-2000 Second Reading.

NO: Bill does not pass

Page 2

H.F. 2483 Requiring the pollution control agency to terminate Mille Lacs water resources agreement. 02-23-00 Recalled and referred to Local Government & Metropolitan Affairs.

NO: Bill died

Page 2

H. F. 2485 Prohibiting Tribes from making campaign contributions from casino revenues. 02-01-00 First reading, referred to Government Operations & Veterans Affairs Policy.

NO: Bill died

Page 3.

H. F. 2578 Improvements of a capitol nature at Fond du Lac Tribal & Community College. 02-01-00 First reading, referred to Higher Education Finance.

**YES** 

Page 3.

H. F 2699 Health and Human Services Omnibus Bill 03-27-00. Senate accedes. 05-09-00 In-Conference.

YES

Page 3.

\*\*\*H. F. 2757 Relating to energy, biomass. Signed by Governor April 24<sup>th</sup>, 2000. Chapter 443.

YES

Page 4.

H. F. 2831 Transitional housing for Native American women leaving incarceration. 02-03-00 First reading, referred to Crime Prevention. NO:Bill does not pass

Page 4.

H. F. 2926 Relating to the urban Indian housing program. 02-03-00. First reading, referred to Jobs & Economic Development Policy. NO: Bill died

Page 4.

\*\*\*S. F. 2615 Relating to public health, leaving an unharmed newborn at a hospital with a hospital employee. Signed by Governor April 18th, 2000. Chapter 421.

Page 5.

\*\*\*S. F. 3005 Relating to health and human services; establishing Tribal licensing agency access to criminal history data. Signed by Governor April 18th, 2000. Chapter 327.

Page 6.

H. F. 3146 Relating to housing; providing for a shelter charge on some tribally owned property 03-08-00 Re-referred to Taxes. YES Included in Omnibus Tax Bill. Page 7.

H. F. 3157 Relating to retirement; providing pension coverage for certain tribal police officers. 02-10-00 First reading, referred to Governmental Operations & Veterans Affairs Policy.

YES

Page 7.

H. F. 3194 Relating to education; postponing the deadline to initiate construction of the American Indian history center and museum. 02-10-00 First reading, referred to Higher Education Finance.

YES

Page 9.

\*\*\*S.F. 3338 Relating to crime prevention; defining the terms flee and peace officer for the crime of fleeing a peace officer in a motor vehicle; establishing an annual insurance cap for tribal police departments. Signed by Governor April 14th, 2000. Chapter 4ll.

Page 9.

H.F. 3553 Relating to domestic abuse; changing references in the statutes from battered women to domestic abuse or domestic victims. 03-13-00. Referred to judiciary Finance. Approved 04-26-00. Page 13.

H. F. 3800. Relating to education; Omnibus education bill. 03-21-00. Third reading, 04-03-00. Senate accedes.

IN-CONFERENCE 05-09-00.

Page 13.

YES

H.F. 3970..Relating to higher education; American Indian History center and museum. 03-01-00 First reading, referred to Higher Education Finance.

Page 14.

S.F. 4078 Relating to capitol improvements; Bonding bill. 03-30-00 Senate accedes.

05-09-00.. CONFEREES sign-off.

Page 15.

**YES** 

H.F. 4127 Relating to financing state and local government; providing a sales tax rebate; changes to the 1999 sales tax rebate. Omnibus taxes bill. 04-03-00. Senate accedes.

05-09-00.. IN-CONFERENCE.

Page 15.

NO

H.F. 3599 Relating to human services; distribution of child support payments; Adding allowable use of money appropriated for MFIP and TANF block grants. 02-28-00. Committee report, pass as amended, re-referred to Health & Human Services Finance.

YES Included in Omnibus Human Services Bill.

Page 16.

H.F. 3128 relating to human services. 03-01-2000. Committee report, pass as amended, re-refer to Health & Human Services.

NO: Bill does not pass

Page 18.

\*\*\*H.F. 3331 Relating to crime prevention; creating the position of sexual assault prevention and interagency task force. Signed by Governor April 13<sup>th</sup>, 2000 Chapter 368.

YES

Page 18.

H.F. 3286 relating to education; amending state graduation requirements; amending graduation rules. 03-27-00 House conferees.

YES

Page 19.

H.F. 2667 Relating to state government; requiring a plan to retain and recruit minority employees. 03-06-00. Second reading.

NO: Bill does not pass

Page 19.

|  | , |  |  |
|--|---|--|--|
|  |   |  |  |
|  |   |  |  |

#### H.F No. 2504, as introduced: 81st Legislative Session (1999-2000) Posted on Dec 15, 1999

| 1.1 | A bill for an act                                     |
|-----|---|
| 1.2 | relating to state government; appropriating money for |
| 1.3 | private nonprofit groups to perform functions on      |
| 1.4 | behalf of communities of color; providing for         |
| 1.5 | expiration of certain councils; amending Minnesota    |
| 1.6 | Statutes 1998,  |

1.21 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA: 1.22 ARTICLE 1 1.23 GRANT TO PRIVATE NONPROFIT ORGANIZATIONS 1.24 Section 1. [GRANTS.] 1.25 (a) The commissioner of administration must award one-time 1.26 grants to one or more private, nonprofit organizations to 1.27 perform functions on behalf of the following communities: 1.28 Indian Minnesotans, Chicano/Latino Minnesotans, Black 1.29 Minnesotans, and Asian-Pacific Minnesotans. The commissioner 1.30 must consult with the Indian Affairs council, the council on 1.31 affairs of Chicano/Latino people, the council on Black 1.32 Minnesotans, and the council on Asian-Pacific Minnesotans before 1.33 awarding the grants. 2.1 (b) The functions to be performed on behalf of each 2.2 community are: 2.3 (1) advise the governor and the legislature on the nature 2.4 of issues confronting people in the community; 2.5 (2) advise the governor and the legislature of 2.6 administrative and legislative changes necessary to ensure that 2.7 people in each community have access to benefits and services 2.8 provided to people in this state: 2.9 (3) recommend to the governor and the legislature any 2.10 revisions in the state's affirmative action program and other 2.11 steps that are necessary to eliminate underutilization of people 2.12 in the community in the state's work force; 2.13 (4) recommend to the governor and the legislature 2.14 legislation to improve the economic and social conditions of 2.15 people in the community in the state; 2.16 (5) serve as a conduit to state government for 2.17 organizations in the community; 2.18 (6) serve as a referral agency to assist people in the 2.19 community to secure access to state agencies and programs; 2.20 (7) serve as a liaison with the federal government, local 2.21 government units, and private organizations on matters relating 2.22 to the community; 2.23 (8) perform or contract for the performance of studies 2.24 designed to suggest solutions to the problems of people in the 2.25 community in the areas of education, employment, human rights, 2.26 health, housing, social welfare, and other related areas; 2.27 (9) implement programs designed to solve the problems of 2.28 people in the community; 2.29 (10) publicize the accomplishments of people of the 2.30 community and their contributions to the state; and 2.31 (11) review data provided by the commissioner of human 2.32 services under Minnesota Statutes, section 260C.215, subdivision 2.33 5, and make recommendations regarding out-of-home placement of 2.34 children of the community. 2.35 (c) The private, nonprofit groups receiving grants must 2.36 begin to perform these functions on July 1, 2001. 3.1 (d) The Indian Affairs council, the council on affairs of 3.2 Chicano/Latino people, the council on Black Minnesotans, and the 3.3 council on Asian-Pacific Minnesotans must give all records 3.4 retained by the councils to the appropriate group selected under 3.5 paragraph (a). 3.6 Sec. 2.

02-01-00 First reading, referred to Governmental Operations & Veterans Affairs Policy.

#### S.F No. 173, 3rd Engrossment: 81st Legislative Session (1999-2000) Posted on Apr 6, 2000 A bill for an act 1.2 relating to natural resources; allowing the possession 1.3 of wild animals taken under the Red Lake Band's conservation code on Red Lake Reservation lands north 1.4 of the 49th parallel; amending Minnesota Statutes 1.5 1998, section 97A.505, by adding a subdivision. 1.6 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA: 1.7 1.8 Section 1. Minnesota Statutes 1998, section 97A.505, is 1.9 amended by adding a subdivision to read: 1.10 [WILD ANIMALS TAKEN ON RED LAKE RESERVATION Subd. 3b. LANDS WITHIN THE NORTHWEST ANGLE.] Wild animals taken and tagged 1.11 in accordance with the Red Lake Band's conservation code on the 1.12 Red Lake Reservation lands in Minnesota north of the 49th 1.13 parallel shall be considered lawfully taken and possessed under

Signed by Governor April 14<sup>th</sup>, 2000. Chapter 406.

#### H.F No. 2382, as introduced: 81st Legislative Session (1999-2000) Posted on Apr 9, 1999 A bill for an act

1.2 relating to Indians; recognizing the Sandy Lake Band 1.3 of Mississippi Chippewa as a state recognized Indian 1.4 tribe.

1.5 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

1.6 Section 1. [POPULAR NAME.]

This act may be cited as the "Sandy Lake Band of 1.7

1.8 Mississippi Chippewa Indians Act."

1.9 Sec. 2. [DEFINITIONS.]

For purposes of this act, the term "band" means the Sandy 1.10

Lake Band of Mississippi Chippewa Indians. 1.11

1.11

4-12-99 First Reading, referred to Governmental Operations & Veterans Affairs Policy. 03-02-2000 Second reading.

#### H.F No. 2483, as introduced: 81st Legislative Session (1999-2000) Posted on Oct 15, 1999

```
A bill for an act
1.1
1.2
                relating to the environment; requiring the pollution
1.3
                control agency to terminate the Mille Lacs water
1.4
                resources agreement.
1.5
      BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:
         Section 1. [TERMINATION OF WATER RESOURCES AGREEMENT.]
1.6
         The pollution control agency must terminate the Memorandum
1.7
      of Understanding among the Minnesota Pollution Control Agency,
1.8
      the Mille Lacs Band Department of Natural Resources and
1.9
     Environment, and the United States Environmental Protection
1.10
     Agency for Implementation of the Underground Injection Control
1.11
      Program by serving a notice of termination on the parties to the
1.12
```

1.13 agreement no later than 30 days following final enactment of

this act. 1.14

#### 02-23-00 Recalled and Referred to Local Government & Metropolitan Affairs.

#### A bill for an act relating to campaign finance; prohibiting tribes from 1.2 making certain contributions; amending Minnesota 1.3 1.4 Statutes 1999 Supplement, section 10A.15, by adding a subdivision. 1.5 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA: 1.6 Section 1. Minnesota Statutes 1999 Supplement, section 1.7 1.8 10A.15, is amended by adding a subdivision to read: Subd. 6. [DERIVED FROM CASINOS.] An Indian tribe or a 1.9 1.10 political committee or political fund established by an Indian tribe must not make a contribution to a candidate from funds 1.11 derived from the tribe's operation of a casino. 1.12 02-01-0 First reading, referred to Government Operations \* Veterans Affairs Policy. H.F No. 2578, as introduced: 81st Legislative Session (1999-2000) Posted on Dec 15, 1999 A bill for an act 1.2 relating to capital improvements; authorizing spending 1.3 to acquire and to better public land and buildings and 1.4 other public improvements of a capital nature at the 1.5 Fond Du Lac Tribal and Community College; 1.6 appropriating money. 1.7 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA: 1.8 Section 1. [APPROPRIATION; FOND DU LAC TRIBAL AND 1.9 COMMUNITY COLLEGE.] 1.10 (a) \$7,340,000 is appropriated from the bond proceeds fund 1.11 to the board of trustees of the Minnesota state colleges and 1.12 universities to remodel and construct library, classroom, lab, 1.13 office, and recreational space at Fond Du Lac Tribal and 1.14 Community College. This appropriation is available if matched by at least \$3,000,000 from nonstate sources. 1.15 1.16 (b) To provide the money appropriated by this act from the bond proceeds fund, the commissioner of finance, on request of 1.17 the governor, shall sell and issue bonds of the state in an 1.18 1.19 amount up to \$7,340,000 in the manner, on the terms, and with 1.20 the effect prescribed by Minnesota Statutes, sections 16A.631 to

H.F No. 2485, as introduced: 81st Legislative Session (1999-2000) Posted on Oct 15, 1999

02-01-0 First reading, referred to Higher Education Finance.

[EFFECTIVE DATE.]

1.21

1.22

1.24

4 to 7.

Sec. 2.

# H.F No. 2699, 4th Engrossment: 81st Legislative Session (1999-2000) Posted on Mar 21, 2000 1.1 A bill for an act 1.2 relating to public administration; appropriating money 1.3 for health and human services, agriculture, environment and natural resources, criminal justice, state government, and economic development;

16A.675, and by the Minnesota Constitution, article XI, sections

Section 1 is effective the day after its final enactment.

| 1.6 | establishing and modifying certain programs; providing |
|-----|--|
| 1.7 | for regulation of certain activities and practices;    |
| 1.8 | providing for accounts, assessments, and fees;         |
| 1.9 | providing penalties;                                   |

03-27-0 Senate accedes. Omnibus Health & Human Services.

# H.F No. 2757, 2nd Engrossment: 81st Legislative Session (1999-2000) Posted on Apr 17, 2000

| 1.1 | A bill for an act                                    |
|-----|--|
| 1.2 | relating to energy; regulating a state mandate       |
| 1.3 | requiring certain electric energy to be generated by |
| 1.4 | using biomass as a fuel; amending Minnesota Statutes |
| 1.5 | 1998, section 216B.2424, subdivisions 3, 5, and by   |
| 1.6 | adding subdivisions.                                 |

Signed by Governor – April 24th, 2000. Chapter 443.

#### H.F No. 2831, as introduced: 81st Legislative Session (1999-2000) Posted on Feb 3, 2000

```
1.1
                             A bill for an act
1.2
                relating to crime prevention; requiring the
1.3
                commissioner of corrections to develop a plan for
1.4
                services and transitional housing for native American
1.5
                women leaving incarceration; requiring a report.
      BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:
1.6
1.7
         Section 1. [NATIVE AMERICAN WOMEN REENTRY PROGRAM.]
         Subdivision 1. [PLAN FOR PROGRAM.] The commissioner of
1.8
1.9
      corrections shall develop a plan to implement a culturally
      specific reentry program to provide transitional housing and
1.10
      other services to native American women leaving the Minnesota
1.11
1.12
      correctional facility-Shakopee. To develop the plan, the
1.13
      commissioner shall collaborate with the Minnesota housing
1.14
      finance agency on transitional housing issues and shall
      collaborate with Minnesota State University at Mankato for a
1.15
1.16
      needs assessment.
```

02-03-0 First Reading, referred to Crime Prevention.

#### H.F No. 2926, as introduced: 81st Legislative Session (1999-2000) Posted on Feb 3, 2000

```
1.1
                             A bill for an act
1.2
                relating to housing; regulating the urban Indian
1.3
                housing program; amending Minnesota Statutes 1998,
1.4
                section 462A.07, subdivision 15.
1.5
      BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:
1.6
         Section 1. Minnesota Statutes 1998, section 462A.07,
1.7
      subdivision 15, is amended to read:
1.8
         Subd. 15. [URBAN INDIAN HOUSING PROGRAM.] It may engage in
1.9
      housing programs for low and moderate income American Indians
      residing in the metropolitan area defined in section 473.121,
1.10
      subdivision 2, cities with a population greater than 50,000
1.11
     persons, and cities with an American Indian population greater
1.12
```

- 1.13 than 1,000 persons. The programs shall demonstrate innovative
- 1.14 methods of providing housing for urban Indians; may involve the
- 1.15 construction, purchase, and rehabilitation of residential
- 1.16 housing, may provide transitional housing and supportive
- 1.17 housing services; may rehabilitate rental histories;

#### 02-03-0 First Reading, referred to Jobs & Economic Development Policy.

#### S.F No. 2615, 4th Engrossment: 81st Legislative Session (1999-2000) Posted on Apr 13, 2000 A bill for an act 1.2 relating to public health; child protection; providing 1.3 procedures for leaving an unharmed newborn at a 1.4 hospital with a hospital employee; providing for 1.5 certain reporting; providing immunity from liability for hospitals and their personnel for receiving a 1.6 1.7 newborn; modifying certain social service agency 1.8 duties; providing immunity from prosecution for 1.9 leaving an unharmed newborn at a hospital; proposing 1.10 coding for new law in Minnesota Statutes, chapters 1.11 145; 260C; and 609. BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA: 1.12 Section 1. [145.902] [SAFE PLACE FOR NEWBORNS; HOSPITAL 1.13 DUTIES AND IMMUNITY FROM LIABILITY.] 1.14 1.15 Subdivision 1. [GENERAL.] (a) A hospital licensed under sections 144.50 to 144.56 shall receive a newborn left with a 1.16 hospital employee on the hospital premises, provided that: 1.17 1.18 (1) the newborn was born within 72 hours of being left at the hospital, as determined within a reasonable degree of 1.19 1.20 medical certainty; and (2) the newborn is left in an unharmed condition. 1.21 1.22 (b) The hospital must not inquire as to the identity of the 1.23 mother or the person leaving the newborn or call the police, 1.24 provided the newborn is unharmed when presented to the hospital. The hospital may ask the mother or the person leaving the 1.25 newborn about the medical history of the mother or newborn but 1.26 1.27 the mother or the person leaving the newborn is not required to provide any information. The hospital may provide the mother or 1.28 the person leaving the newborn with information about how to 2.1 2.2 contact relevant social service agencies. 2.3 Subd. 2. [REPORTING.] Within 24 hours of receiving a 2.4 newborn under this section, the hospital must inform the local 2.5 welfare agency that a newborn has been left at the hospital, but 2.6 must not do so before the mother or the person leaving the newborn leaves the hospital. 2.7 2.8 Subd. 3. [IMMUNITY.] (a) A hospital with responsibility 2.9 for performing duties under this section, and any employee, 2.10 doctor, or other medical professional working at the hospital, 2.11 are immune from any criminal liability that otherwise might 2.12 result from their actions, if they are acting in good faith in 2.13 receiving a newborn, and are immune from any civil liability that otherwise might result from merely receiving a newborn. 2.14 (b) A hospital performing duties under this section, or an 2.15

employee, doctor, or other medical professional working at the

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2.17
      hospital who is a mandated reporter under section 626.556, is
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      immune from any criminal or civil liability that otherwise might
2.19
      result from the failure to make a report under that section if
      the person is acting in good faith in complying with this
2.20
2.21
      section.
2.22
         Sec. 2.
                  [260C.217] [SAFE PLACE FOR NEWBORNS.]
2.23
         Subdivision 1. [DUTY TO ATTEMPT REUNIFICATION, DUTY TO
2.24
      SEARCH FOR RELATIVES, AND PREFERENCES NOT APPLICABLE.] A local
2.25
      social service agency taking custody of a child after discharge
2.26
      from a hospital that received a child under section 145.902 is
2.27
      not required to attempt to reunify the child with the child's
2.28
                Additionally, the agency is not required to search for
2.29
      relatives of the child as a placement or permanency option under
      section 260C.212, subdivision 5, or to implement other placement
2.30
2.31
      requirements that give a preference to relatives if the agency
      does not have information as to the identity of the child, the
2.32
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      child's mother, or the child's father.
         Subd. 2. [STATUS OF CHILD.] For purposes of proceedings
2.34
      under this chapter and adoption proceedings, a newborn left at a
2.35
      hospital under section 145.902 is considered an abandoned child.
2.36
         Sec. 3. [609.3785] [UNHARMED NEWBORNS LEFT AT HOSPITALS;
3.1
3.2
      AVOIDANCE OF PROSECUTION.]
3.3
         A person may leave a newborn with a hospital employee at a
3.4
      hospital in this state without being subjected to prosecution
      for that act, provided that:
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3.6
         (1) the newborn was born within 72 hours of being left at
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      the hospital, as determined within a reasonable degree of
      medical certainty;
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3.9
         (2) the newborn is left in an unharmed condition; and
3.10
         (3) in cases where the person leaving the newborn is not
      the newborn's mother, the person has the mother's approval to do
3.11
3.12
3.13
                  [EFFECTIVE DATE.]
         Sec. 4.
3.14
         This act is effective the day following final enactment.
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Signed by Governor April 18th, 2000. Chapter 421.

#### S.F No. 3005, 3rd Engrossment: 81st Legislative Session (1999-2000) Posted on Mar 29, 2000

| 1.1 | A bill for an act                                     |
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| 1.2 | relating to health and human services; establishing   |
| 1.3 | the right to seek licensure for excluded adult foster |
| 1.4 | care providers; changing requirements to background   |
| 1.5 | studies for licensed programs; establishing tribal    |
| 1.6 | licensing agency access to criminal history data;     |
| 1.7 | clarifying tort liability licensing exception for     |
| 1.8 | county agencies; amending Minnesota Statutes 1998,    |

12.4 (l) The commissioner may not disqualify an individual 12.5 subject to a study under this section because that person has, 12.6 or has had, a mental illness as defined in section 245.462, 12.7 subdivision 20. 12.8 (m) An individual subject to disqualification under this 12.9 subdivision has the applicable rights in subdivision 3a, 3b, or 12.10 3c. 12.11 (n) For the purposes of background studies completed by 12.12 tribal organizations performing licensing activities otherwise 12.13 required of the commissioner under this chapter, after obtaining 12.14

consent from the background study subject, tribal licensing 12.15 agencies shall have access to criminal history data in the same 12.16 manner as county licensing agencies and private licensing 12.17 agencies under this chapter.

Signed by Governor April 5<sup>th</sup>, 2000. Chapter 327.

#### H.F No. 3146, 1st Engrossment: 81st Legislative Session (1999-2000) Posted on Mar 8, 2000

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A bill for an act
                relating to housing; providing for a shelter charge on
1.2
                some tribally owned property; amending Minnesota
1.3
                Statutes 1998, section 469.040, by adding a
1.4
1.5
                subdivision.
     BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:
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1.7
         Section 1. Minnesota Statutes 1998, section 469.040, is
1.8
     amended by adding a subdivision to read:
         Subd. 5. [DESIGNATED HOUSING CORPORATION.] Property
1.9
1.10
     located within the exterior boundaries of the White Earth Indian
     reservation that is owned by the tribe's designated housing
1.11
     entity as defined in United States Code, title 25, section
1.12
1.13 4103(21), and that is a housing project or a housing development
     project, as defined in section 469.002, subdivisions 13 and 15,
1.14
      is exempt from all real and personal property taxes of the city,
1.15
     the county, the state, or any political subdivision thereof, but
1.16
1.17
     the property is subject to subdivision 3. A copy of those
1.18 portions of the annual reports submitted on behalf of the
1.19 housing entity to the Secretary of the United States Department
1.20 of Housing and Urban Development for the project that contain
1.21 information sufficient to determine the amount due under
1.22
     subdivision 3 satisfies the reporting requirements of
     subdivision 3 for the project.
1.23
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#### 03-08-0 Re-referred to taxes.

#### H.F No. 3157, as introduced: 81st Legislative Session (1999-2000) Posted on Feb 10, 2000

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A bill for an act
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                relating to retirement; providing pension coverage for
                certain tribal police officers; amending Minnesota
1.3
                Statutes 1998, section 353.64, by adding a subdivision.
1.4
      BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:
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         Section 1. Minnesota Statutes 1998, section 353.64, is
      amended by adding a subdivision to read:
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1.8
         Subd. 11. [PENSION COVERAGE FOR CERTAIN TRIBAL POLICE
1.9
      OFFICERS EXERCISING STATE ARREST POWERS.] The governing body of
1.10
      a tribal police department which is exercising state arrest
      powers under section 626.90, 626.91, 626.92, or 626.93 may
1.11
      request by resolution to the executive director that its police
1.12
1.13 officers become members of the public employees police and fire
1.14
      retirement plan. The executive director of the association must
1.15
      approve the request for retirement plan membership by a tribal
1.16
      police department that is covered by a ruling made by the
1.17
      Internal Revenue Service that the police department is an agency
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1.18 or instrumentality of the state of Minnesota for purposes of 1.19 enforcing state law and that contributions made to a retirement 1.20 plan on behalf of employees of the tribal police department are 1.21 contributions to a governmental plan within the meaning of 1.22 section 414(d) of the federal Internal Revenue Code. 1.23 With approval of the executive director, the head of the 1.24 police department or designee must immediately report for 1.25 membership in the police and fire fund a person who is employed 2.1 as a full-time or part-time police officer in a position that 2.2 meets the conditions in sections 353.01, subdivision 2a, and 2.3 353.64, subdivisions 1 and 2. The police department head or 2.4 designee must deduct the employee contributions from the salary 2.5 of each eligible police officer as required by section 353.65, 2.6 subdivision 2, and make the employer contributions required by 2.7 section 353.65, subdivision 3. The head of the police 2.8 department must meet the reporting requirements in section 2.9 353.65, subdivision 4. 2.10 A member may receive retroactive membership in the public employees police and fire fund for service as a tribal police 2.11 2.12 officer rendered before the effective date of enrollment of the 2.13 tribal police department employee in the police and fire fund, provided the employee and the police department did not make 2.14 contributions into a qualified tax-deferred retirement plan for 2.15 2.16 that employment period. The request for retroactive coverage must be in writing and filed with the association within 60 days 2.17 of when police and fire fund membership commenced. The employee 2.18 2.19 salary deductions and employer contributions for the retroactive 2.20 period must be based on the police and fire pension plan rates in effect when the service was rendered and applied to the 2.21 2.22 salary amount that was earned and paid to the police officer. 2.23 The employer must pay interest on both the employee deductions 2.24 and employer contributions due for retroactive membership at the 2.25 annual compound rate of 8.5 percent per year, expressed monthly.

#### 02-10-00 First Reading referred to Governmental Operations & Veterans Affairs Policy.

#### H.F No. 3194, as introduced: 81st Legislative Session (1999-2000) Posted on Feb 10, 2000

A bill for an act 1.1 1.2 relating to education; postponing the deadline to 1.3 initiate construction of the American Indian history 1.4 center and museum; amending Laws 1994, chapter 643, 1.5 section 19, subdivision 9, as amended. BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA: 1.6 1.7 Section 1. Laws 1994, chapter 643, section 19, subdivision 1.8 9, as amended by Laws 1995, chapter 224, section 124, and Laws 1.9 1997, chapter 183, article 3, section 30, is amended to read: 1.10 Subd. 9. Museum and Center for 1,100,000 1.11 American Indian History 1.12 This appropriation is for the board of 1.13 trustees of the Minnesota state 1.14 colleges and universities to plan, 1.15 design, and construct a museum and center for American Indian history and

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policy. The facility shall be located
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     at Bemidji State University. This
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     appropriation is available dollar for
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     dollar to the extent matched by
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     nonstate money, provided that a minimum
1.22
     of $500,000 must be raised from
1.23
     nonstate money. If more than
1.24
     $1,100,000 is raised from nonstate
1.25
     money, the money may be used to expand
1.26
     the project. Initiation of the project
1.27
     must begin prior to June 30, 2001
     2002. The board of trustees of the
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1.29
     Minnesota state colleges and
1.30
     universities is not required to pay any
1.31
     debt service for this appropriation.
1.32
         Sec. 2. [EFFECTIVE DATE.]
1.33
         This act is effective the day following final enactment.
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#### 02-10-0 First Reading, referred to Higher Education Finance.

#### S.F No. 3338, 1st Engrossment: 81st Legislative Session (1999-2000) Posted on Apr 4, 2000 A bill for an act 1.1 1.2 relating to crime prevention; defining the terms flee 1.3 and peace officer for the crime of fleeing a peace 1.4 officer in a motor vehicle; establishing an annual 1.5 insurance cap for tribal police departments; amending Minnesota Statutes 1998, sections 609.487, 1.6 subdivisions 1 and 2; 626.90, subdivision 2; 626.91, 1.7 1.8 subdivision 2; and 626.92, subdivision 2; Minnesota Statutes 1999 Supplement, section 626.93, subdivisions 1.9 1.10 1 and 2. BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA: 1.11 1.12 Section 1. Minnesota Statutes 1998, section 609.487, subdivision 1, is amended to read: 1.13 Subdivision 1. [FLEE; DEFINITION.] For purposes of this 1.14 section, the term "flee" means to increase speed, extinguish 1.15 1.16 motor vehicle headlights or taillights, refuse to stop the 1.17 vehicle, or to use other means with intent to attempt to elude a 1.18 peace officer following a signal given by any peace officer to 1.19 the driver of a motor vehicle. 1.20 Sec. 2. Minnesota Statutes 1998, section 609.487, 1.21 subdivision 2, is amended to read: 1.22 Subd. 2. [PEACE OFFICER; DEFINITION.] For purposes of this 1.23 section, "peace officer" means: 1.24 (1) an employee of a political subdivision or state law 1.25 enforcement agency who is licensed by the Minnesota board of 1.26 peace officer standards and training, charged with the prevention and detection of crime and the enforcement of the 1.27 1.28 general criminal laws of the state and who has the full power of 2.1 arrest, and shall also include the Minnesota state patrol and 2.2 Minnesota conservation officers; or 2.3 (2) an employee of a law enforcement agency of a federally recognized tribe, as defined in United States Code, title 25, 2.4

2.5 section 450b(e), who is licensed by the Minnesota board of peace
 2.6 officer standards and training; or

- (3) a member of a duly organized state, county, or municipal law enforcement unit of another state charged with the duty to prevent and detect crime and generally enforce criminal laws, and granted full powers of arrest.
- 2.11 Sec. 3. Minnesota Statutes 1998, section 626.90, 2.12 subdivision 2, is amended to read:

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- 2.13 Subd. 2. [LAW ENFORCEMENT AGENCY.] (a) The band has the 2.14 powers of a law enforcement agency, as defined in section 2.15 626.84, subdivision 1, paragraph (h), if all of the requirements 2.16 of clauses (1) to (4) are met:
  - (1) the band agrees to be subject to liability for its torts and those of its officers, employees, and agents acting within the scope of their employment or duties arising out of a law enforcement agency function conferred by this section, to the same extent as a municipality under chapter 466, and the band further agrees, notwithstanding section 16C.05, subdivision 7, to waive its sovereign immunity for purposes of claims of this liability;
  - (2) the band files with the board of peace officer standards and training a bond or certificate of insurance for liability coverage for with the maximum single occurrence amounts set forth in section 466.04 and an annual cap for all occurrences within a year of three times the single occurrence amount;
  - (3) the band files with the board of peace officer standards and training a certificate of insurance for liability of its law enforcement officers, employees, and agents for lawsuits under the United States Constitution; and
  - (4) the band agrees to be subject to section 13.82 and any other laws of the state relating to data practices of law enforcement agencies.
  - (b) The band shall enter into mutual aid/cooperative agreements with the Mille Lacs county sheriff under section 471.59 to define and regulate the provision of law enforcement services under this section. The agreements must define the trust property involved in the joint powers agreement.
  - (c) The band shall have concurrent jurisdictional authority under this section with the Mille Lacs county sheriff's department only if the requirements of paragraph (a) are met and under the following circumstances:
  - (1) over all persons in the geographical boundaries of the property held by the United States in trust for the Mille Lacs band or the Minnesota Chippewa tribe;
  - (2) over all Minnesota Chippewa tribal members within the boundaries of the Treaty of February 22, 1855, 10 Stat. 1165, in Mille Lacs county, Minnesota; and
- 3.17 (3) concurrent jurisdiction over any person who commits or 3.18 attempts to commit a crime in the presence of an appointed band 3.19 peace officer within the boundaries of the Treaty of February 3.20 22, 1855, 10 Stat. 1165, in Mille Lacs county, Minnesota.
- 3.21 Sec. 4. Minnesota Statutes 1998, section 626.91, 3.22 subdivision 2, is amended to read:
- 3.23 Subd. 2. [LAW ENFORCEMENT AGENCY.] (a) The community has 3.24 the powers of a law enforcement agency, as defined in section 3.25 626.84, subdivision 1, paragraph (h), if all of the requirements

of clauses (1) to (4) are met:

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- (1) the community agrees to be subject to liability for its torts and those of its officers, employees, and agents acting within the scope of their employment or duties arising out of the law enforcement agency powers conferred by this section to the same extent as a municipality under chapter 466, and the community further agrees, notwithstanding section 16C.05, subdivision 7, to waive its sovereign immunity with respect to claims arising from this liability;
- (2) the community files with the board of peace officer standards and training a bond or certificate of insurance for liability coverage for with the maximum single occurrence amounts set forth in section 466.04 and an annual cap for all occurrences within a year of three times the single occurrence amount;
- (3) the community files with the board of peace officer standards and training a certificate of insurance for liability of its law enforcement officers, employees, and agents for lawsuits under the United States Constitution; and
- (4) the community agrees to be subject to section 13.82 and any other laws of the state relating to data practices of law enforcement agencies.
- (b) The community shall enter into an agreement under section 471.59 with the Redwood county sheriff to define and regulate the provision of law enforcement services under this section and to provide for mutual aid and cooperation. The agreement must identify and describe the trust property involved in the agreement. For purposes of entering into this agreement, the community shall be considered a "governmental unit" as that term is defined in section 471.59, subdivision 1.
- Sec. 5. Minnesota Statutes 1998, section 626.92, subdivision 2, is amended to read:
- Subd. 2. [LAW ENFORCEMENT AGENCY.] (a) The band has the powers of a law enforcement agency, as defined in section 626.84, subdivision 1, paragraph (h), if all of the requirements of clauses (1) to (4) and paragraph (b) are met:
- (1) the band agrees to be subject to liability for its torts and those of its officers, employees, and agents acting within the scope of their employment or duties arising out of the law enforcement agency powers conferred by this section to the same extent as a municipality under chapter 466, and the band further agrees, notwithstanding section 16B.06 16C.05, subdivision 67, to waive its sovereign immunity for purposes of claims arising out of this liability;
- (2) the band files with the board of peace officer standards and training a bond or certificate of insurance for liability coverage for with the maximum single occurrence amounts set forth in section 466.04 and an annual cap for all occurrences within a year of three times the single occurrence amount or establishes that liability coverage exists under the Federal Torts Claims Act, United States Code, title 28, section 1346(b), et al., as extended to the band pursuant to the Indian Self-Determination and Education Assistance Act of 1975, United States Code, title 25, section 450f(c);
- 5.8 (3) the band files with the board of peace officer
  5.9 standards and training a certificate of insurance for liability
  5.10 of its law enforcement officers, employees, and agents for

5.11 lawsuits under the United States Constitution or establishes 5.12 that liability coverage exists under the Federal Torts Claims 5.13 Act, United States Code, title 28, section 1346(b) et al., as 5.14 extended to the band pursuant to the Indian Self-Determination 5.15 and Education Assistance Act of 1975, United States Code, title 5.16 25, section 450F(c); and

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- (4) the band agrees to be subject to section 13.82 and any other laws of the state relating to data practices of law enforcement agencies.
- (b) By July 1, 1998, the band shall enter into written mutual aid or cooperative agreements with the Carlton county sheriff, the St. Louis county sheriff, and the city of Cloquet under section 471.59 to define and regulate the provision of law enforcement services under this section. The agreements must define the following:
- (1) the trust property involved in the joint powers agreement;
  - (2) the responsibilities of the county sheriffs;
  - (3) the responsibilities of the county attorneys; and
- (4) the responsibilities of the city of Cloquet city attorney and police department.

Sec. 6. Minnesota Statutes 1999 Supplement, section 626.93, subdivision 1, is amended to read:

Subdivision 1. [DEFINITION.] As used in this section, "tribe" means a federally recognized Indian tribe, as defined in United States Code, title 25, section 450b(e), located within the state of Minnesota, but does not include a tribe, band, or community described in section 626.90, 626.91, or 626.92, or the Mille Lacs Band of Chippewa Indians for purposes of exercising law enforcement authority in Mille Lacs county only under section 626.90. Tribe includes the Mille Lacs Band of Chippewa Indians for purposes of exercising law enforcement authority on Mille Lacs Band of Chippewa Indians reservation lands which lie outside of Mille Lacs county.

Sec. 7. Minnesota Statutes 1999 Supplement, section 626.93, subdivision 2, is amended to read:

- Subd. 2. [TRIBAL LAW ENFORCEMENT AGENCY REQUIREMENTS.] A tribe may exercise authority under subdivision 3 only if it satisfies the following requirements:
- (1) the tribe agrees to be subject to liability for its torts and those of its officers, employees, and agents acting within the scope of their employment or duties arising out of a law enforcement agency function conferred by section 626.84, subdivision 1, paragraph (h), to the same extent as a municipality under chapter 466, and the tribe further agrees, notwithstanding section 16C.05, subdivision 7, to waive its sovereign immunity with respect to claims arising from this liability;
- (2) the tribe files with the board of peace officer standards and training a bond or certificate of insurance for liability coverage for with the maximum single occurrence amounts set forth in section 466.04 and an annual cap for all occurrences within a year of three times the single occurrence amount;
- 6.29 (3) the tribe files with the board of peace officer
  6.30 standards and training a certificate of insurance for liability
  6.31 of its law enforcement officers, employees, and agents for

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lawsuits under the United States Constitution; and
6.32
6.33
         (4) if the tribe's governing body has authorized its peace
6.34
     officers to enforce criminal laws within the boundaries of the
6.35
     tribe's reservation, the tribe agrees to be subject to section
6.36
     13.82 and any other laws of the state relating to data practices
7.1
      of law enforcement agencies.
7.2
         Sec. 8.
                 [EFFECTIVE DATE.]
7.3
         Sections 1 and 2 are effective August 1, 2000, and apply to
      acts committed on or after that date. Sections 3 to 7 are
7.4
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      effective the day following final enactment.
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Signed by Governor April 14<sup>th</sup>, 2000. Chapter Number 411.

#### H.F No. 3553, 1st Engrossment: 81st Legislative Session (1999-2000) Posted on Mar 13, 2000

| 1.1  | A bill for an act                                      |
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| 1.2  | relating to domestic abuse; establishing guidelines    |
| 1.3  | for the administration of per diem payments to         |
| 1.4  | designated shelter facilities that provide shelter and |
| 1.5  | services to victims of domestic abuse; requiring the   |
| 1.6  | director of the Minnesota center for crime victim      |
| 1.7  | services to administer the per diem program; changing  |
| 1.8  | references in the statutes from battered women to      |
| 1.9  | domestic abuse or domestic victims as appropriate;     |
| 1.10 | appropriating money; amending Minnesota Statutes 1998, |
|      |  |

- .17 Sec. 3. Minnesota Statutes 1999 Supplement, section 2.18 15.059, subdivision 5a, is amended to read: 2.19 Subd. 5a. [LATER EXPIRATION.] Notwithstanding subdivision 2.20 5, the advisory councils and committees listed in this 2.21 subdivision do not expire June 30, 1997. These groups expire 2.22 June 30, 2001, unless the law creating the group or this 2.23 subdivision specifies an earlier expiration date.
- 3.36 Indian scholarship committee, created in section 124D.84, 4.1 subdivision 2; 4.2 American Indian education committees, created in section 4.3 124D.80;
- 4.36 American Indian advisory council, created in section 5.1 254A.035;
- 5.14 American Indian child welfare advisory council, created in 5.15 section 260.835;
- 03-13-00 Re-referred to Judiciary Finance.

#### H.F No. 3800, 4th Engrossment: 81st Legislative Session (1999-2000) Posted on Mar 22, 2000

| 1.1  | A bill for an act                                      |
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| 1.2  | relating to education; providing for family and early  |
| 1.3  | childhood education; making changes to adult basic     |
| 1.4  | education programs; modifying child care licensing and |
| 1.5  | inservice training requirements; transferring energy   |
| 1.6  | assistance programs; changing eligibility for          |
| 1.7  | individual development accounts; changing requirements |
| 1.8  | for child care assistance; providing for kindergarten  |
| 1.9  | through grade 12 general education, special programs,  |
| 1.10 | employment and transitions, facilities and technology, |

1.11 educational excellence and other policy, nutrition, fund transfers, libraries, and technical, conforming, 1.12 1.13 and clarifying amendments; providing for higher 1.14 education; modifying salary and compensation 1.15 procedures for the chancellor and other personnel of 1.16 the Minnesota state colleges and universities; 1.17 requiring board of regents and board of trustees to 1.18 maintain certain data to be eligible for capital 1.19 funding; modifying and making technical changes for 1.20 state designer selection board, student residency, and 1.21 child care grant provisions; increasing aggregate 1.22 principal amount of revenue bonds issued by board of 1.23 trustees; requiring a study and report; modifying 1.24 state graduation requirements; providing for the North 1.25 Star Standard alternative to the profile of learning; 1.26 requiring board of trustees to plan and coordinate 1.27 programs with certain intermediate school districts 1.28 and to provide relief to campuses experiencing 1.29 increased health care costs; transferring certain 1.30 programs from the higher education services office to 1.31 the department of children, families, and learning; 1.32 appropriating money to Minnesota state colleges and 1.33 universities to fund increased enrollment; 1.34 appropriating money; amending Minnesota Statutes 1998,

03-21-00 Third reading, 04-03-00 Senate accedes. Omnibus Education Bill.

#### H.F No. 3970, as introduced: 81st Legislative Session (1999-2000) Posted on Mar 1, 2000

| 1.1  | A bill for an act                                     |                      |
|------|---|----------------------|
| 1.2  | relating to higher education; Minnesota sta           | te colleges          |
| 1.3  | and universities; extending the deadline to           | initiate             |
| 1.4  | construction of the American Indian history           | center and           |
| 1.5  | museum; appropriating money; amending Laws            | 1994,                |
| 1.6  | chapter 643, section 19, subdivision 9, as            | amended.             |
| 1.7  | BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINN | IESOTA:              |
| 1.8  | Section 1. Laws 1994, chapter 643, section 19, su     | bdivision            |
| 1.9  | 9, as amended by Laws 1995, chapter 224, section 124, | and Laws             |
| 1.10 | 1997, chapter 183, article 3, section 30, is amended  | to read:             |
| 1.11 | Subd. 9. Museum and Center for                        |                      |
| 1.12 | American Indian History                               | <del>1,100,000</del> |
| 1.13 |   | 1,600,000            |
| 1.14 | This appropriation is for the board of                |                      |
| 1.15 | trustees of the Minnesota state                       |                      |
| 1.16 | colleges and universities to plan,                    |                      |
| 1.17 | design, and construct a museum and                    |                      |
| 1.18 | center for American Indian history and                |                      |
| 1.19 | policy. The facility shall be located                 |                      |
| 1.20 | at Bemidji State University. <del>This</del>          |                      |
| 1.21 | appropriation is available dollar for                 |                      |
| 1.22 | dollar to the extent-matched by                       | •                    |
| 1.23 | nonstate money, provided that a minimum               |                      |
| 1.24 | of \$500,000 must be raised from                      |                      |
| 1.25 | nonstate money: If more than                          |                      |
| 1.26 | \$1,100,000 is raised from nonstate                   |                      |

- 1.27 money, the money may be used to expand
  1.28 the project. Initiation of the project
  1.29 must begin prior to June 30, 2001
  1.30 2002. The board of trustees of the
  1.31 Minnesota state colleges and
  1.32 universities is not required to pay any
  1.33 debt service for this appropriation.
  1.34 Sec. 2. [BOND SALE AUTHORIZATION.]
- 1.35 The bond sale authorization in Laws 1994, chapter 643, 03-01-00 First reading, referred to Higher Education Finance.

#### S.F No. 4078, 3rd Engrossment: 81st Legislative Session (1999-2000) Posted on Mar 24, 2000 A bill for an act 1.1 1.2 relating to capital improvements; authorizing spending to acquire and to better public land and buildings and 1.3 other public improvements of a capital nature with 1.4 certain conditions and directions; establishing the 1.5 1.6 Red River State Recreation Area and the Mill Towns Trail; establishing a working group on effects of 1.7 1.8 increased activity in the DM&E railroad corridor; 1.9 providing for certain surcharge forgiveness for a time 1.10 for Gillette Children's Hospital, with certain 1.11 conditions; authorizing the sale of state bonds; appropriating money; amending Minnesota Statutes 1998, 1.12 section 31, subdivision 1, is increased by \$500,000. 1.36 Sec. 3. 2.1 [CANCELLATION.] 2.2 The \$1,700,000 appropriation in Laws 1998, chapter 404, section 22, for the Battle Point Cultural Education Center is 2.3 2.4 canceled. The bond sale authorization in Laws 1998, chapter 404, section 27, subdivision 1, is reduced by \$1,700,000. 2.5 Sec. 4. [EFFECTIVE DATE.] 2.6 This act is effective the day following final enactment. 2.7 03-30-00 Senate accedes. Bonding bill.

# H.F No. 4127, 2nd Engrossment: 81st Legislative Session (1999-2000) Posted on Mar 27, 2000

| 1.1  | A bill for an act                                      |
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| 1.2  | relating to financing state and local government;      |
| 1.3  | providing a sales tax rebate; extending the time to    |
| 1.4  | qualify for and making certain other changes to the    |
| 1.5  | 1999 sales tax rebate; providing agricultural          |
| 1.6  | assistance; reducing individual income tax rates;      |
| 1.7  | making changes to income, franchise, withholding,      |
| 1.8  | sales and use, property, motor vehicle sales and       |
| 1.9  | registration, mortgage registry, health care provider, |
| 1.10 | motor fuels, cigarette and tobacco, liquor, insurance  |

1.11 premiums, lawful gambling, taconite production, solid 1.12 waste, estate, and special taxes; changing and 1.13 allowing tax credits, subtractions, and exemptions; conforming with changes in federal income tax 1.14 1.15 provisions; providing for allocation and apportionment 1.16 of income; changing property tax valuation, 1.17 assessment, levy, classification, homestead, credit, 1.18 aid, exemption, deferral, review, appeal, abatement, 1.19 and distribution provisions; extending levy limits and 1.20 changing levy authority; authorizing certain light rail transit spending if approved by the voters; 1.21 reducing rates of health care provider taxes; reducing 1.22 1.23 rates on lawful gambling and solid waste management 1.24 taxes; changing tax increment financing provisions; 1.25 providing special authority for certain political 1.26 subdivisions; changing and clarifying tax administration, collection, enforcement, interest, and 1.27 1.28 penalty provisions; changing revenue recapture 1.29 provisions; freezing the taconite production tax; 1.30 regulating state and local business subsidies; 1.31 modifying certain aids to local units of government; 1.32 recodifying sales and use taxes; recodifying insurance 1.33 tax laws; establishing a legislative budget office; 1.34 validating corporations established by political 1.35 subdivisions and regulating their financing; changing 1.36 county reporting requirements; providing certain 1.37 duties and powers to the commissioner of revenue, the 1.38 state auditor, and to the attorney general; defining terms; classifying data; requiring studies; providing 1.39 1.40 for the transfer of excess surplus in the workers' 1.41 compensation assigned risk plan; appropriating money; 1.42 amending Minnesota Statutes 1998,

04-03-0 Senate accedes. Omnibus bill taxes.

#### H.F No. 3599, 1st Engrossment: 81st Legislative Session (1999-2000) Posted on Feb 28, 2000

| 1.1  | A bill for an act                                      |
|------|--|
| 1.2  | relating to human services; providing for the          |
| 1.3  | distribution of child support and maintenance received |
| 1.4  | by the state; adding allowable use of money            |
| 1.5  | appropriated for MFIP and TANF block grants;           |
| 1.6  | appropriating money for MFIP employment services       |
| 1.7  | program for local interventions for family employment; |
| 1.8  | reimbursing the federal government for federal share   |
| 1.9  | of child support recoveries passed through to          |
| 1.10 | custodial parents, child care and development fund;    |
| 1.11 | transferring funds to the housing development fund;    |
| 1.12 | amending Minnesota Statutes 1998,                      |

3.35 Subd. 86. [UNEARNED INCOME.] "Unearned income" means 3.36 income received by a person that does not meet the definition of 4.1 earned income. Unearned income includes income from a contract 4.2 for deed, interest, dividends, reemployment compensation, 4.3 disability insurance payments, veterans benefits, pension 4.4 payments, return on capital investment, insurance payments or 4.5 settlements, severance payments, child support and maintenance 4.6

<u>payments</u>, and payments for illness or disability whether the 4.7 premium payments are made in whole or in part by an employer or 4.8 participant. 4.9 Sec. 7. Minnesota Statutes 1999 Supplement, section 4.10 256J.21, subdivision 2, is amended to read: 4.11 Subd. 2. [INCOME EXCLUSIONS.] (a) The following must be 4.12 excluded in determining a family's available income:

.16 (41) American Indian tribal land settlements excluded under 7.17 Public Law Numbers 98-123, 98-124, and 99-377 to the Mississippi 7.18 Band Chippewa Indians of White Earth, Leech Lake, and Mille Lacs 7.19 reservations and payments to members of the White Earth Band, 7.20 under United States Code, title 25, chapter 9, section 331, and 7.21 chapter 16, section 1407; 11.21 Sec. 12. Minnesota Statutes 1998, section 256J.50, 11.22 subdivision 7, is amended to read: 11.23 Subd. 7. [LOCAL SERVICE UNIT PLAN.] (a) Each local or 11.24 county service unit shall prepare and submit a plan as specified 11.25 in section 268.88. 12.1 (4) anticipated program outcomes including the anticipated 12.2 impact the intervention efforts will have on performance 12.3 measures under section 256J,751 and on reducing the number of 12.4 MFIP participants expected to reach their 60-month time limit. 12.5 Each plan must demonstrate how the county or tribe is 12.6 working within its organization and with other organizations in 12.7 the community to serve hard to employ populations, including how 12.8 organizations in the community were engaged in planning for use 12.9 of these funds and whether multicounty or regional strategies 12.10 are being implemented as part of this plan. 12.16 Subd. 3a. [LOCAL INTERVENTIONS FOR FAMILY EMPLOYMENT.] (a) 12.17 Of the local intervention for family employment funds 12.18 appropriated under section 14, paragraph (b), 80 percent shall 12.19 be allocated to counties and tribes based on the average 12.20 proportion of the MFIP caseload that has received MFIP 12.21 assistance for 24 of the last 36 months, as sampled on March 31, 12.22 June 30, September 30, and December 31 of the previous calendar 12.23 year, less the number of child only cases and cases where all 12.24 the caregivers are age 60 or over. Two-parent cases, with the 12.25 exception of those with a caregiver age 60 or over, will be 12.26 multiplied by a factor of two. 12.27 (b) Counties or tribes must have an approved local service 12.28 unit plan under section 256J.50, subdivision 7, paragraph (b), 12.29 in order to expend funds under this section. The commissioner 12.30 may approve funding for a county or tribe at less than the 12.31 amount allocated under paragraph (a) based on plan review, or at 12.32 more than allocated under paragraph (a) based on paragraph (c). 12.33 (c) Of the local intervention for family employment funds 12.34 appropriated under section 14, paragraph (b), 20 percent shall 12.35 be retained by the commissioner and awarded to counties or 12.36 tribes whose local service unit plans under section 256J.50, 13.1 subdivision 7, paragraph (b), demonstrate additional need based 13.2 on their identification of hard to employ families, strong 13.3 anticipated outcomes for families and an effective plan for 13.4 monitoring performance, or, use of a multicounty or regional 13.5 approach to serve hard to employ families. 13.6 (d) If a county or tribe does not submit a local service 13.7 unit plan under section 256J.50, subdivision 7, paragraph (b), 13.8 or if the plan is not approved or is not approved at the full 13.9 amount allocated to the county or tribe under paragraph (a), 13.10 remaining funds under paragraph (a) may be used by the 13.11 commissioner to contract with other public, private, or 13.12 nonprofit entities in the county or region to deliver services 13.13 that meet the purposes of section 14, paragraph (b). 13.14 (e) Counties and tribes must submit semiannual progress 13.15 reports detailing program outcomes. 13.16 (f) Intervention fund money may not be expended on TANF 13.17 assistance as defined in the Code of Federal Regulations, title 13.18 45, section 260.31.

02-28-0 Committee report, pass as amended, re-referred to Health & Human Services Finance.

#### H.F No. 3128, 1st Engrossment: 81st Legislative Session (1999-2000) Posted on Mar 1, 2000

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1.1 A bill for an act
1.2 relating to human services; adding TANF initiatives to
1.3 promote self-sufficiency and oversight of TANF
1.4 maintenance of effort; appropriating money; amending
1.5 Minnesota Statutes 1998,
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32.13 (g) enter into contractual agreements with federally 32.14 recognized Indian tribes with a reservation in Minnesota to the 32.15 extent necessary for the tribe to operate a federally approved 32.16 family assistance program or any other program under the 32.17 supervision of the commissioner. The commissioner shall consult 32.18 with the affected county or counties in the contractual 32.19 agreement negotiations, if the county or counties wish to be 32.20 included, in order to avoid the duplication of county and tribal 32.21 assistance program services. The commissioner may establish 32.22 necessary accounts for the purposes of receiving and disbursing 32.23 funds as necessary for the operation of the programs.

03-01-2000 committee report, pass as amended, re-refer to Health & Human Services.

# H.F No. 3331, 2nd Engrossment: 81st Legislative Session (1999-2000) Posted on Mar 13, 2000

| 1.1  | A bill for an act  |
|------|--|
| 1.2  | relating to crime prevention; creating the position of           |
| 1.3  | director of domestic violence and sexual assault                 |
| 1.4  | prevention and an interagency task force on domestic             |
| 1.5  | violence and sexual assault prevention; specifying the           |
| 1.6  | powers, duties, and organization of the director and             |
| 1.7  | task force; amending Minnesota Statutes 1998, sections           |
| 1.8  | 611A.25, by adding a subdivision; and 611A.34,                   |
| 1.9  | subdivision 3; proposing coding for new law in                   |
| 1.10 | Minnesota Statutes, chapter 611A.                                |
| 1.11 | BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:      |
| 1.12 | Section 1. [611A.201] [DIRECTOR OF PREVENTION OF DOMESTIC        |
| 1.13 | VIOLENCE AND SEXUAL ASSAULT.]                                    |
| 1.14 | Subdivision 1. [APPOINTMENT OF DIRECTOR.] The executive          |
| 1.15 | director of the center for crime victim services shall appoint a |
| 1.16 | person to serve as director of domestic violence and sexual      |
| 1.17 | assault prevention in the center. The director must have         |
| 1.18 | experience in domestic violence and sexual assault prevention    |
| 1.19 | issues. The director serves at the executive director's          |
| 1.20 | pleasure in the unclassified service. The executive director     |
| 1.21 | may appoint, supervise, discipline, and discharge employees to   |
| 1.22 | assist the director in carrying out the director's               |
| 1.23 | responsibilities under this section.                             |

Signed by Governor April 13th, 2000 Chapter 368.

| 9°L 140° | 3286, 2nd Engrossment: 31st Legislative Session (1999-2000) Posted on Mar 16, 200 |
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| 1.1      | A bill for an act   |
| 1.2      | relating to education; amending state graduation                                  |
| 1.3      | requirements; amending graduation rules; amending                                 |
| 1.4      | Minnesota Statutes 1998, sections 120A.41; and                                    |
| 1.5      | 120B.03, subdivision 2, and by adding subdivisions;                               |
| 1.6      | Minnesota Statutes 1999   |
| 03-27-20 | 000 House conferees.  |
|          | 2667, as introduced: 81st Legislative Session (1999-2000) Posted on Jan 14, 2000  |
| 1.1      | A bill for an act   |
| 1.2      | relating to state government; requiring a plan to                                 |
| 1.3      | recruit and retain minority employees in state                                    |
| 1.4      | government.   |
| 1.5      | BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:                       |
| 1.6      | Section 1. [RECRUITMENT AND RETENTION PLAN.]                                      |
| 1.7      | The commissioner of employee relations must develop and                           |
| 1.8      | implement a plan to recruit and retain minority employees in                      |
| 1.9      | state government. As part of the recruitment plan, the                            |
| 1.10     | commissioner must build connections with minority centers and                     |
| 1.11     | with entities that work with minority persons looking for jobs                    |
| 1.12     | or training. As part of the retention plan, the commissioner                      |
| 1.13     | must work with minority state employees and minority former                       |
| 1.14     | state employees: (1) to find out what barriers they encountered                   |
| 1.15     | in seeking state employment; (2) to find out what problems these                  |
| 1.16     | employees have encountered in their work; and (3) to develop a                    |
| 1.17     | program to improve retention rates of minority employees. The                     |
| 1.18     | commissioner must report the plan to the legislature by January                   |
| 1 10     | 15 0001   |

03-06-2000 Second reading.