

SPECIAL REPORT
OF THE
INDIAN AFFAIRS COUNCIL

March 1, 1984



State of Minnesota

INDIAN AFFAIRS COUNCIL

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March 1, 1984

The Honorable Gerald L. Willet
Chairman, Senate Finance Committee
and Members of the Committee

The Honorable James Rice
Chairman, House Appropriations Committee
and Members of the Committee

Legislators:

Laws of Minnesota 1983, Chapter 301, Sec. 38, requires the Indian Affairs Council to report to your committees by March 1 our accomplishments for the first six months of the biennium and the work program, including goals, objectives, timelines and structure for the final 18 months of the biennium.

It is my pleasure to submit the enclosed report for your study.

Sincerely,

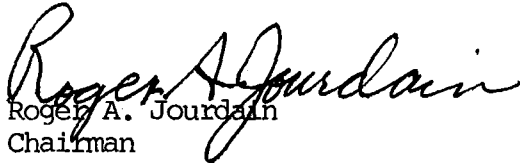

Roger A. Jourdain
Chairman

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INTRODUCTION

The Indian Affairs Council has been involved in a growing number of activities over the 20 years it has been in existence. For example, originally the agency was required by law to advise the Legislature of Indian interests in a limited number of areas, such as education, welfare, housing and unemployment.¹

But over the years, the agency's functions have been expanded. For example, by law we now are actively involved in the protection and preservation of Indian burial sites. Further, by executive order, we have had our initial involvement in administration of the Indian business development protection. And under agreements with other departments of state government, we are handling programs for Indian Economic Opportunity and Indian mental health. The state housing law also gives the agency's Urban Advisory Council an advisory role in determining which urban Indian organizations are selected to manage urban Indian housing programs administered by the State Housing Finance Agency.

The agency's duties were greatly expanded when the Legislature performed a major revision of M.S. 3.922 in 1976, and that role was confirmed when the 1983 Legislature acted on M.S. 3.922 as required by a sunset provision.

For example, since 1976, our relations with other state departments have been greatly expanded. We are required by law to become involved when tribal organizations or other Indian organizations be-

¹

See exhibit 1.

lieve they have been wronged or mistreated by a state department. The increasing relationship between state government and tribal governments in recent years has made this activity increasingly important.

For example, there is a specific Indian interest and Indian program in several state departments. There is the Indian education section in the State Department of Education; the Department of Public Welfare contains the Indian chemical dependency operation plus responsibility for the indigent Indian accounts and licensing authority over various Indian-operated facilities; Natural Resources has its relationship with the tribes in the areas of hunting, fishing and wild ricing; until August, the Department of Energy and Economic Development had responsibility for the Indian Business Development Program; the Historical Society and Transportation Department have roles in the protection of Indian burials; the Department of Economic Security has Indian interests in a number of areas including the Office of Economic Opportunity; Human Rights is specifically charged with protecting Indian civil rights, an activity which fell heavily upon our agency in recent years because of problems in the Human Rights Department; and the Revenue Department is heavily involved in Indian tax issues.

The increased involvement with other state agencies has resulted in expanded activities by our staff. For example, we are required to sit on a number of departmental advisory task forces and committees. There is a need for nearly daily, routine contact, with various Commis-

sioners, Deputies and Directors of programs in other agencies just to keep abreast of developments in the various Indian programs.

Also, there is a need for great flexibility in our relationships with other state agencies. We cannot determine when an issue of importance to Indian interests will occur. They can happen at any time, and some of them require immediate attention and require the reordering of priorities.

It also is important to remember the staff's relationship with the Council itself. The Council has the authority to direct and re-direct staff activities to various topics of interest, and, indeed, the Council does so frequently. For example, a significant amount of time was devoted in the last six months to the area of Indian education because of concerns expressed by our Council itself.

The point of this prologue is that the need for flexibility in the operation of the Indian Affairs Council is most significant and cannot be overemphasized. However, like all good managers we recognize the need for goals and timetables and we state those -- along with our accomplishments -- in this special report.

ACCOMPLISHMENTS

(July 1, to Dec. 31, 1983)

1. Indian Business Development. The Indian Business Loan Program and one staff person was transferred to the Indian Affairs Council from the Department of Energy and Economic Development on August 24, 1983. The switch was accomplished by Reorganization Order No. 129.² However, because of other responsibilities in DEED, the staffer was not able to spend full time on the Indian Business Loan Program until November. One of the main reasons we sought the transfer of the program was the fact that the staff person assigned to Indian business loans also had responsibilities for community development corporation and industrial revenue bonds. We argued that the Indian program deserved full-time attention and that it would receive the attention it required at our agency. Since the program came to Indian Affairs, three loans totaling \$33,895 were disbursed; 10 applications were sent to prospective borrowers; 63 inquiries from potential borrowers and other private interests were handled; eight inquiries from legislative offices and state agencies were responded to and visits to five reservations were made. The staff also has contacted the U.S. Department of Defense about the possibility of locating a facility to produce products for DOD on a Minnesota reservation. In addition, we are working with the Administration Department and the Indian Contractors Association on the state

² See Exhibit 2.

Set-Aside Program and are assisting in the certification of Indian business owners at the request of the Administration Department. A year-end report shows that of the 10 loans which have been approved so far, only one is considered delinquent. This is a better collection program than was experienced when the program was housed at DEED.

2. Indian Burial Law. We had our first experience with the provisions of M.S. 307.08 which calls for the state to attempt to buy land which contains Indian burials in order to protect such burials from destruction. This occurred when it was discovered that land which the City of Red Wing sought to buy for development as an energy park contained several acres of identified Indian burials. Citing that provision, the City contacted Indian Affairs and asked that the state purchase that part of the land containing the burials. The Office of the Attorney General advised us to proceed with negotiations and we negotiated a purchase price of \$2,000 per acre for the land which is owned by the Lutheran Aid Association. Working with the Department of Finance, it was determined that the 1984 Legislature should be asked to appropriate the \$40,000 required for the purchase. We also determined that the site would be a proper depository for Indian burials which had been removed from the area before enactment of the strong protection provisions in M.S. 307.08. In addition to the Red Wing work, our staff worked with the State Archaeologist in investigation

of 28 burial sites in 1983, the majority of the cases handled in the second half of the year. One of the cases was at Gull Lake where a developer wants to build condominiums on land which contains Indian remains. He agreed to protect the burials during the construction and to guarantee their future protection by writing a covenant into the deed for the property which forbids future owners to disturb the burials.

3. Urban Involvement. Conducted several meetings of the Urban Advisory Council aimed at generating more input from the urban Indian communities. We planned for a series of public hearings in Minneapolis, St. Paul and Duluth to be held early in 1984 and again in late fall. These hearings will seek to learn the needs and goals of urban Indians so that they may be presented to the Legislature or other appropriate body. To aid in this effort, we also developed questionnaires to be distributed and collected at the hearings in order to determine the priorities of urban Indians. We also made regular visits to the Indian Centers in Minneapolis, St. Paul and Duluth and worked with the Urban Coalition and Urban Workshops to find ways to assist urban Indians in the areas such as employment and participation in the political process.

4. Education. Acting on complaints by Tribal Chairmen, the Council directed the staff to work with the administration of

Department of Education in reorganizing the Department's Indian Education Section and a transfer of the section itself from St. Paul to Bemidji. Staff had extensive contacts with the Department's administration and with the State Board of Education seeking to find an equitable settlement of the problems which included composition of the State Indian Scholarship Committee. As the year ended, it appeared that there was a possibility of settling some of the concerns expressed by Indian Affairs Council members.

5. Human Rights. Over the years there have been continuing complaints that the Human Rights Department is failing to serve the Indian population. A clear indication of the problem can be seen in comparing the number of complaints filed by Indian people with the Department with the number of contacts Indian people made with our agency regarding alleged human rights violations. The Department informs us they received eight complaints from Indians in 1983. Indian Affairs, meanwhile, heard from 18 people who felt their rights had been abused. Some of these contacts we referred to the state department and some we tried to mediate ourselves. Recognizing the problem, we were able to sponsor a Human Rights Workshop jointly with the Department. It was held in Grand Portage and its purpose was to bring in staff members from the reservations and give them some training in the field of human rights. These trained people then could return to the

reservations and inform residents that they were available to help them file human rights complaints. The workshop was successful, but attendance was less than spectacular because of the reluctance of some Tribal Chairmen to commit staff members because of past bad experiences with the Department. Additionally, a member of our staff chaired a Human Rights Department Task Force which was completing an 18-month study of police-community relations in the Twin Cities.

6. Job Development/ Opportunity Industrial Councils. We explored the possibility of bringing Opportunity Industrial Councils to the reservations. Discussions were initiated with the Commissioner of Economic Security and we had follow-up sessions with key personnel in the Department in order to acquire as much information as possible. The theory behind the plan was to establish OICs on various reservations in order to train reservation residents for jobs which could be developed on reservations. For instance, health care training in connection with the Red Lake Hospital; construction training at White Earth; and natural resources technicians at Leech Lake. We had discussions with existing OICs in the Twin Cities and came away with assurances of assistance if the plan for reservation OICs proves feasible.

7. Affirmative Action. Indian Affairs worked with the Department of Employee Relations to revise affirmative action guide-

lines in order to more accurately reflect the number of Indian people working in state government. There is a need for such revision because agencies of state (and local) governments have been carrying people as "Indian" solely on the person's claim for such status. Some people believe that if they can claim minority status they have a better chance of being hired so they check the Indian box on employment applications. As a result, we fear that minority employment statistics show a higher number of Indians than is really the case. In order to overcome this problem, we have suggested that people who claim to be Indian for employment purposes be required to produce evidence of tribal enrollment when asked.

8. Appointments of Indian People. In order to assure that a fair number of Indian people are appointed to various boards in state government as well as to key jobs in state agencies, we have generated a list of names of Indian people qualified to serve. We seek candidates in consultation with Indian Affairs Council members.

9. Indian Child Welfare Act. In 1978 Congress passed the Indian Child Welfare Act in order to involve tribes in the court and welfare processes which affect Indian families. Courts and the welfare system tended to remove Indian children from their families on the basis of biased opinions that Indian families did not

adequately care for their children. The federal law provided some relief, but Indian social workers and others involved with Indian children felt it was falling short. In order to get a closer look at the situation, the Executive Director called a meeting of persons who work with Indian families in the court and welfare systems. That meeting indicated that more had to be done and a series of meetings were held throughout the state with the express intention of developing a State Indian Child Welfare Law. The work of this committee was endorsed by the Indian Affairs Council and drafts of proposed legislation were being readied as the year ended. One significant aspect of this effort has been the outstanding demonstration of cooperation between reservation residents and urban Indians involved in child welfare.

10. Brochure/Public Relations. We conducted our ongoing public relations function which included the distribution of press releases and speeches by staff members to various organizations. We also produced the copy which will be used for a brochure on Indian Affairs and the Minnesota Indian. It will be printed when we can find funding for the project.

11. Indigent Indian Account. We have initiated discussions with the administration of the Department of Public Welfare regarding the handling of Indigent Indian accounts. Money has

been appropriated into these accounts to assist counties with Indian welfare needs. We have found great concern in the Indian community about the lack of Indian input in the distribution of these funds, and our discussions with the Department are aimed at eliminating this problem.

12. Bingo. The unique status of Minnesota Indian reservations permitted the development of a bingo industry which holds the promise of financial independence for reservation residents. Launching the bingo operations meant heavy involvement of our agency in discussions with various state agencies which were seeking a certain measure of control over Indian bingo. It was our duty to explain the unique status of the reservation government which permitted them to operate without outside regulation.

13. Fundraising Meetings. We met with various private funding organizations for purposes of exploring a way to raise the \$20,900 we must produce for the second year of the biennium. However, those discussions were limited because the same law which would have us raise the additional money also places in question our survival for the second year of the biennium. Laws of Minnesota 1983, Chap. 301, Sec. 38, says that the appropriation for the second year is available only with approval of the Governor. Nevertheless we did work on the fundraising aspect and appear ready to move as soon as our fate is determined.

14. Housing. After handling numerous complaints about the administration of the Indian Housing Program in Minneapolis by the Minneapolis Community Development Agency, the Urban Advisory Council unanimously requested an audit of the situation by the State Auditor or the Legislative Auditor. Staff brought the issue to the two audit agencies and it was determined that the State Auditors had jurisdiction and it agreed to audit MCDA's handling of the Minneapolis Urban Indian Housing Program. The audit is expected to be completed at any time.

15. Chemical Dependency. We worked closely with the Chemical Dependency Programs Division of the Department of Public Welfare to find additional funding for Indian CD Programs. In addition, we were directly involved with the Director of the Board of Mash-Ka-Wisen, the Indian owned, state-aided Treatment Facility on the Fond du Lac Reservation, in developing funds from state, federal and private sources.

16. The Census and Revenue Sharing. We worked with the Office of the State Demographer to correct the situation which caused severe cutbacks of revenue sharing dollars to the reservations. Back in 1981, we learned that allocations for the allotment year beginning October, 1981 would be substantially less than the amounts anticipated. For example, the Federal Office of Revenue Sharing estimated that Mille Lacs Reservation would get \$23,747. But when

final allocations were made, the reservation government was informed that it would not receive \$23,747. On top of that, they were advised that they owed the Federal Government \$13,189 to cover reimbursement for previous years. Other reservations suffered similar cutbacks. Problems were caused by four factors including a change in ORS policy which held that Indians who lived in cities within the boundaries of the reservation could not be counted as part of reservation populations. (All of Prairie Island and the Shakopee Reservations are within the borders of the city.) ORS did not count as reservation population, Indians living on individually owned or leased land within reservations. Additionally, we do not believe the 1980 Indian census was accurate. We notified the reservations of the situation and urged them to fight the action and we supported the position of the State Demographer and its protest. We learned last fall as a result of those efforts, revenue sharing dollars to the reservations were increased. Mille Lacs will get \$11,410 instead of owing \$13,189. Other totals were adjusted upward. Minnesota was the only state to challenge the Office of Revenue Sharing.

GOALS, OBJECTIVES, TIMELINES AND STRUCTURE

July 1, 1984 - June 30, 1985

(The following is organized into areas of major activity with individual goals, objectives and timelines for each.)

1. Indian Business Loan Program. As mentioned earlier under accomplishments, this program was on a back burner when it was administered by the Department of Energy and Economic Development. The Community Development Corporation and Industrial Revenue Bond program activities of the staff person assigned to Indian business development took priority. But with the program now housed at the Indian Affairs Council and the staff person reassigned to our agency, Indian business development will receive the attention it deserves. Staff will work with the six reservations which do not have a business loan plan developed and we hope to have individual plans submitted and approved before the end of calendar year 1984. The agency also will plan, promote and participate in the fourth annual Indian Business Development Conference which will be held in April and staff will follow up on inquiries and development possibilities generated by the Conference. This activity will be repeated in 1985 and we hope to have at least one significant economic program result before the end of the current biennium. Staff also will be involved with business development projects and related committees which will benefit

the Indian community both on and off reservations. This activity is performed by the business development specialist under supervision of the Executive Director. It currently is housed in St. Paul but probably will be transferred to Bemidji sometime this year.

2. Indian Burial Law. Before the end of the current fiscal year, we hope to have accomplished the purchase of the land containing the Indian burials in the City of Red Wing. With ownership of the land in state hands and its dedication for use as a depository for previously displaced Indian burials from the southern region of the state, we plan to go on the most concentrated reburial program in Minnesota history. Over the years, literally hundreds of Indian remains have found their way onto shelves and into basements of universities and museums throughout Minnesota. It will be our intention to reclaim those remains and re-inter them in the general areas from which they were removed. Our first opportunity will be at Red Wing. However, we hope to add five more sites in various areas of the state for reburial purposes. We currently are studying relatively new federal legislation which provides tax incentives to private owners who agree to perpetually preserve burial sites. This may be a technique by which we can acquire locations for future reburials. Our activities under M.S. 307.08 have increased significantly in recent years and

we expect that there will be substantial demands for our services in the investigation and determination of Indian burials over the next 18 months as the agency's role becomes more known to local governments. For instance, there are at least 10 known Indian burial sites which will require immediate attention with the 1984 spring break-up. It is our intention to vigorously protect Indian burials throughout the state and to work closely with the existing law, paying particular attention to any need to revise the law in 1985 to make it even more workable. The burial protection function is essentially performed by the Indian Affairs Representative out of the Bemidji office under the supervision of the Executive Director, although services by the St. Paul staff are required from time to time.

3. Indian Population. We intend to work closely with the Office of the State Demographer to protect Indian interests in the area of revenue-sharing and such other situations where an accurate count of Indians in the state will benefit the statewide Indian community. We remain unsatisfied with the 1980 census and are convinced that it does not accurately reflect the number of Indians in the state. The Office of the State Demographer is aware of our concern and we will continue to meet with that office over the next 18 months to see if adjustments can be made in population updates as prepared by the Demographer. We also hope to work with personnel from the U.S. Census Bureau to de-

velop techniques which will assure a more accurate census in 1990. This will be a continuing activity, but we hope to have a commitment from the Bureau by the end of this biennium that our input will be seriously considered. This will be a function of the St. Paul staff.

4. Indian Child Welfare Act. The 1984 session of the Legislature, we hope, will pass a law along the lines proposed by the statewide committee developed and supported by our agency. When this is accomplished, we plan to sponsor Child Welfare Conferences in the Twin Cities and Duluth before the end of 1984 to make sure that all agencies involved in the Act are aware of the law. We also intend to present the 1985 Legislature with statewide statistics on Indian child placements so that legislators have some idea of how the law is working. Both our Bemidji and St. Paul offices will be involved in planning and hosting the conferences and the development of statistics.

5. Opportunities Industrial Council Programs. As noted earlier, we have had discussions on the possibility of establishing Opportunities Industrial Councils on the reservations to enhance training for Indian people for jobs currently available on reservations. Before the end of the biennium, we would like to establish at least one OIC on a reservation and have a program working to train people. We have discussed the possibility with

some Tribal Chairmen who have expressed a willingness to study the program more closely and it will be our responsibility to gather all the needed information and provide all the technical assistance possible so that they can make an informed decision as quickly as possible. We believe that OIC programs could contribute significantly to much needed economic development on the reservations. This is a function of both offices.

6. Fund Raising. We are most anxious to pursue \$20,900 in private funding for the next fiscal year. We will have a proposal ready within two weeks of time when the Governor acts on our second year funding as required by Laws of Minnesota 1983, Chap. 301, Sec. 38. The proposal will be for money to develop community profiles of all the reservations to be used to secure economic development projects. We hope to have profiles completed by the spring of 1985 and we will work closely with reservation employees in making contacts with businesses which might be interested in locating facilities on reservations and using some of the unique advantages which would be available to them. We also intend to explore the possibility of using a loaned executive from one of the major Twin Cities corporations for this project in the belief that a contribution of this nature would satisfy the law. This loaned executive would work out of both the St. Paul and Bemidji offices under the direction of the Executive Director and with the cooperation of the staffer assigned

to the Indian Business Development Program.

7. Urban Involvement. We will hold public hearings for urban Indian residents in St. Paul, Minneapolis and Duluth early in 1984 and again in late 1984. The purpose of the hearings is two-fold: 1) to give greater visibility to the Urban Advisory Council, assuring urban Indians that the agency is interested in them, and 2) to determine the legislative needs and concerns of Indians living in urban areas. Results of the late 1984 hearings will be made available to the 1985 Legislature by the Urban Advisory Council either in the Annual Report or in a special report. Depending on the availability of funds, we hope to have monthly meetings of the five-member Council during the 18 month period. We also need to fill the terms of three members of the UAC by appointment of the Indian Affairs Council. Working with the Urban Concerns Workshop, our staff also intends to co-sponsor candidate forums and voter participation workshops before the primary and general elections of this year. We also will propose that the agency sponsor jointly with the Urban Concerns Workshops sessions designed to increase involvement in the political process for Indian people. Activities of the Urban Advisory Council are the responsibility of the St. Paul office which also will prepare brochures introducing members of the UAC and handle distribution of such printed material throughout the Twin Cities and Duluth Indian communities.

This is a function of the St. Paul office.

8. Human Rights. We recognize that reduction of the backlog will be the primary goal in any reorganization of the Human Rights Department. However, the Council and staff feels strongly that there is a need for branches in Duluth and Bemidji to handle Indian human rights complaints. Based on the success of the Human Rights Workshop discussed earlier in the section on accomplishments, we feel strongly that there is a need for additional workshops of this nature. We will propose early on in the new administration of the department the scheduling of Indian human rights workshops in the areas of Duluth, Bemidji and the Twin Cities. We expect that these will be funded by the department which historically has overlooked Indian human rights, and we further expect that establishment of branch offices in the north will not lessen the need for such gatherings. We will work with the department in planning the sessions, developing a curriculum and will be entirely responsible for inviting participants. At least two of the proposed workshops should be held by the end of this calendar year and the third should be held within the first three months of 1985. Responsibility for this function rests with the Executive Director with the aid of the Staff Assistant.

9. Bingo. The spectacular success of Indian reservation bingo operations in Minnesota, among other things, has re-emphasized

the unique relationship of tribal governments to state and local governments. It is this unique status which makes possible the bingo operations which hold up the hope of economic independence for reservation residents for the first time in history. And it is this unique status which this agency is called upon to explain and protect to various state agencies and local governments as the success of the bingo operations becomes more apparent. As we have provided services as requested when current bingo operations were being developed, we expect additional demands as the current installations flourish and as new ones may be considered. The success of Indian bingo has resulted in an entirely new form of racism aimed at Indians. Whereas the Indian was once held up for ridicule by the vicious stereotype of a poor, lazy, jobless and drunken creature, he now finds himself an object of contempt because of the perception that he receives "easy money" as a result of tribal bingo operations. In fact, we are concerned that efforts to control or shut down tribal bingo operations are inspired by this kind of racist thinking rather than on the erroneous assumption that Indian bingo hurts non-Indian bingo operators. This agency will work closely with reservation officials to make sure that the success of Indian bingo is accurately publicized. The common good resulting from the bingo operations, such as the paved roads and medical-dental clinic at the Shakopee-Mdewakanton Reservation need to be made known to the public. Any decreased dependence

on government made possible by bingo operations also is a story which must be told to the public. The Staff Assistant will be charged with responsibility for working with reservation bingo to make sure that this vital public relations function is performed throughout the remainder of the biennium.

10. Minnesota Indian Brochure and Public Relations. Copy has been prepared for a new brochure on the Indian Affairs agency and Indians of Minnesota. We hope to publish this material with part of the \$20,900 in state funds which will be available when we gain matching private contributions. The brochure will be available to schools, libraries and others with an interest and should be helpful in making the public aware of Minnesota Indians, their governments and history. In addition, we will continue our public relations campaign throughout the biennium. This includes preparation and distribution of press releases and speeches by various staff members to schools and service groups as well as appearances on radio and television by the staff. The program is the responsibility of the Staff Assistant with the approval of the Executive Director.

11. Housing. The Indian home loan programs made possible by state appropriations represent exemplary uses of state tax money. The programs are immensely successful; however, we feel that members of the Legislature are not kept familiar enough with the

housing activities. Therefore, we are proposing to work with the housing authorities of the various tribes to make available quarterly reports on significant housing developments such as new starts and collections. Such reports would be made available to members of the housing committees in both bodies as well as the Housing Finance Agency. We believe such statistics will be vital in the effort to secure additional state funding for Indian home loan programs. This will be an activity of both the Bemidji and St. Paul offices.

12. Indian Chemical Dependency. We will continue to work with the Indian Desk in the Chemical Dependency Programs Division of the Department of Public Welfare to develop a strong case demonstrating the need for substantial state funding for Indian Chemical Dependency Programs. We also will give special attention to the plight of the successful Mash-Ka-Wisen Treatment Center in its struggle to remain open in the face of dwindling state support. Lack of support from individual counties has contributed to funding problems at the Treatment Center and we will explore strategies to gain support from the counties. Another practice which has had an impact on the Center comes from health insurance carriers who refuse to send their members to Mash-Ka-Wisen. It has been proven conclusively that Indian alcoholics are best treated by Indian programs. Yet some insurance companies insist that all their members, including Indians, be sent to a specified center (non-Indian) in the metropolitan area. This, we

maintain, is a waste of time and money for Indian victims of alcoholism or other drug abuse. One of those carriers is a health maintenance organization with contracts with the state and other units of government which employ Indian people. We plan to contact the Department of Employee Relations and the Insurance Division to determine if those carriers can be required by contract to provide coverage for Indian members who choose to go to Mash-Ka-Wisen. Work with the CD Indian Desk and Mash-Ka-Wisen's Board of Directors and Management is an on-going task handled by the Staff Assistant in St. Paul.

13. Indigent Indian Accounts. The Legislature currently provides funding to the counties to reimburse them for Indian welfare programs. The so-called indigent Indian accounts are administered by the Department of Public Welfare. In recent years, there has been increased complaints from the tribes and Indian welfare organizations in the Twin Cities and Duluth about the lack of Indian input into determination of how the Indian money is distributed to the counties. In fact, a report by the Humphrey Institute indicated that the accounts were not being used for the purposes for which they were established in some areas. As a result of long negotiations with DPW administration, we hope to have rules in place by the end of the current calendar year which will assure substantial Indian input into the determination of distribution of the indigent Indian accounts. This is an activity of the Executive Director.

14. Office of Economic Opportunity. In September of 1982, the Minnesota Department of Economic Security entered into an Interagency Agreement with the Minnesota Indian Affairs Council that provided funding for the position of an Economic Opportunity Program Specialist II. This report is a summary of the activities of the program activities during the first two quarters of state fiscal year 1984. The programs administered through the Office of Economic Opportunity include the federal Community Services Block Grant, the Minnesota Economic Opportunity Grant, Energy Crisis Intervention Program (ECIP), Emergency Food and Shelter Programs which are funded by Federal Emergency Management Agency with the funds transferred to the Community Services Block Grant from the Low-income Home Energy Assistance Block Grant. This is the second year the Community Services Block Grant has funded the position of an Economic Opportunity Program Specialist II. The activities include desk monitoring, telephone contact with reservation grantees and on-site visits. As of mid-year, the activities have included regular review of grantee files and records for each reservation for all grants, assessment of progress reports, client reports and determination that grantees are invoicing on a timely basis. The Economic Opportunity Program Specialist regularly assists reservation grantees through telephone contact to provide technical assistance and update any relevant material needed for continued contract activity. At least five reservations are contacted each week. Telephone contact provides the opportunity to alert

the reservation governments to the availability of new economic opportunity grant programs such as the new Community Development Energy Conservation and Employment Program. Site visits have proven to be an essential method of assessing local efforts to increase productivity and self-sufficiency in providing service to people in need. The purpose is to provide technical assistance for existing projects and review the status of current contracts.

Goals and Objectives

Each reservation government has presented unique well planned pre-grant applications on individual grants. They have determined what essential program activity must be accomplished to meet the required needs of their low-income residents. The Council believes the work done by the Economic Opportunity Program Specialist has been of benefit in seeing that these programs get off the ground and are seen to a successful completion. An eighteen month plan for this project is dependent on continued federal appropriation and renewed support from the Department of Economic Security. The major goal of this project is to secure an adequate base funding amount for reservations sufficient to ameliorate the causes of poverty and to deal with its effects. The attempt to achieve this goal through legislative means will continue to be an objective during the upcoming sessions of the Minnesota Legislature.

15. Mental Health. We will continue to work with the Department of Public Welfare's Mental Health Division and the Advisory Committee on Indian Mental Health as they seek to serve this here-to-fore unmet need. Staff works closely with the Mental Health Division in monitoring programs funded by the Indian set-aside from federal mental health funds allocated to Minnesota. We will attend all meetings of the Indian Mental Health Committee, and make sure that reservation and urban programs are notified when proposals are requested for the next go-around of mental health funding. We will work very closely with staff of the Mental Health Division to make sure that Council members are kept up-to-date on activities in this field. This activity is performed by the Staff Assistant in St. Paul under the direction of the Executive Director.

INDIAN AFFAIRS COMMISSION

3.922 INDIAN AFFAIRS COMMISSION.

Subd. 6. Duties: The commission shall have as its primary duty to acquire information in the fields of employment and housing, civil rights, education, health and welfare, and law and order so that:

a) Through its reports and recommendations adequate legislation may be enacted when it is required;

b) Plans and programs may be worked out with Indian people who need assistance in finding employment, acquiring education, improving housing, getting medical care, developing natural resources and generally in becoming self-sufficient.

Further duties of the commission shall be:

a) To provide information for and direction to a program designed to assist our Indian citizens to assume all the rights, privileges, and duties of full citizenship;

b) To coordinate and cooperate with the many governmental and private agencies providing services to Indian people on the local, state, and national level;

c) To help implement the findings of various private and governmental studies dealing with Indian needs in Minnesota.

INDIAN AFFAIRS COUNCIL

3.922 INDIAN AFFAIRS COUNCIL.

Subd. 6. Duties. The primary duties of the council shall be to:

1) clarify for the legislature and state agencies the nature of tribal governments to the Indian people of Minnesota;

2) assist the secretary of state in establishing an election of at-large members of the council;

3) make recommendations to members of the legislature on desired and needed legislation for the benefit of the statewide Indian community and communicate to the members of the legislature when legislation has or will have an adverse effect on the statewide Indian community;

4) provide, through the elected apparatus of the council, an effective conduit for programs, proposals and projects to the legislature submitted by tribal governments, organizations, committees, groups or individuals;

5) provide a continuing dialogue with members of the appropriate tribal governments in order to improve their knowledge of the legislative process, state agencies and governmental due process;

6) assist in establishing Indian advisory councils in cooperation with state agencies delivering services to the Indian community;

7) assist state agencies in defining what groups, organizations, committees, councils or individuals are eligible for delivery of their respective services;

8) assist in providing resources, tribal and other, in the delivery of services to the statewide Indian community;

9) act as a liaison between local, state and national units of government in the delivery of services to the Indian population of Minnesota;

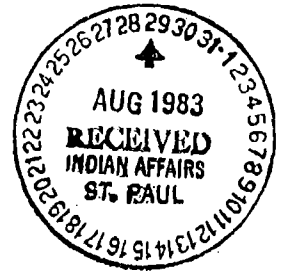
10) assist state agencies in the implementation and updating of studies of services delivered to the Indian community;

11) provide, for the benefit of all levels of state government, a continuing liaison between those governmental bodies and duly elected tribal governments and officials;

12) interact with private organizations involved with Indian concerns in the development and implementation of programs designed to assist Indian people, insofar as they affect state agencies and departments; and

13) act as an intermediary, when requested and if necessary between Indian interests and state agencies and departments when questions, problems or conflicts exist or arise.

STATE OF MINNESOTA
DEPARTMENT OF ADMINISTRATION
REORGANIZATION ORDER NO. 129



Pursuant to the Minnesota Statutes, 1982, Section 16.125, the following reorganization order is made with the prior approval of the Governor.

In order to improve the efficiency and in order that the state may benefit from an integrated program to increase the development opportunities of the state, the following grant-making programs will be transferred from the State Planning Agency to the Department of Energy and Economic Development. The grants include federal and state grant programs currently managed by the State Planning Agency.

Federal Community Development Block Grant Program
Housing and Community Development Act, 107 Grant
Minnesota Jail Resource Center Grants
Land and Water Conservation Grants
Juvenile Justice and Delinquency Prevention Act Grant

State

Youth Intervention Program Grants
LCMR Park and Recreation Grants

The authority to receive and administer the Small Cities Community Development Block Grant programs authorized by the Congress under the Housing and Community Development Act of 1974, as amended, is transferred from the State Planning Agency to the Department of Energy and Economic Development.

For the grants and programs specified in this reorganization order, the authority to accept and disburse grants and other aids from the federal government and from other public or private sources, and to utilize monies so received for the employment of consultants and other temporary personnel to assist in the supervision or performance of work supported by money other than state appropriated money, and to enter into contracts with agencies of the federal government, units of local government or combinations thereof is transferred from the State Planning Agency to the Department of Energy and Economic Development.

These grants are made for improvement or development projects in various locales in the state and are based on the need in that area. This transfer will enhance the ability of the Department of Energy and Economic Development (DEED) to provide support to communities in those areas of the state where other grants and loan programs designed to stimulate development are being administered by DEED.

Consistent with this transfer of authority, the following positions and their incumbents are transferred from the State Planning Agency to the Department of Energy and Economic Development with all accrued benefits:

<u>Position No.</u>	<u>Incumbent</u>	<u>Classification</u>
073620-S	Robert Benner	Asst. Comm. - Planning
591170-S	Bonnie Burt	Office Services Supv. II
944900-S	Jennifer Eisentrager	Student Worker
085960-F	Kathy Holmes	Accounting Tech.
073570-S	Leland (Sam) Newman	Planning Director - Local-Urban Government
592290-S	Michael McMahon	Research Director
073170-S	Jeffrey Hanson (LCMR)	Planning & Grants Admin.
093290-S	Louis Jambois (LCMR)	Grants Program Coord.
073150-S	Richard Maloney (LCMR)	Auditor Sr.
157630-S	Patti Dotzler	Executive I
079690-S	Denise Beigbeder	Research Analyst Spec.
385630-S	Tom Gast	Audit Director
087050-S	Judyann Plante	Management Analyst, Sr.
086980-S	Diane Macioch	EDP Operator Tech. II
073060-S	Pauline Petroske	Clerk Typist 4
173440-F	Edie Lancaster	Planner, Sr. Community
173450-F	Kathy Johnson	Planner, Sr. Community
173610-F	Joseph Engles	Planner, Sr. Community
073450-F	William Atkins	Comm. Dev. Spec. 3
073510-F	Michael Auger (LAC)	Comm. Dev. Spec. 3
385480-F	Floyd Rice (LAC)	Auditor, Principal
592720-F	Stephen Gustafson	Research Analyst Int.
385690-F	Gerald Ascher	Planner, Principal State
385650-F	Thomas Reid (LAC)	Planner, Principal State
592240-S	Gail Ammann	Clerk Typist 4
073030-S	Vacant	Word Processing Operator 2

The complement of the Minnesota State Planning Agency as provided by Laws 1983, Chapter 289, is decreased by 25 positions; the complement of the Department of Energy and Economic Development as provided by Laws 1983, Chapter 289 is increased by 25 positions.

Under prior law, the Commissioner of Energy, Planning and Development or the Commissioner's designee, served on a number of state boards and commissions. The following assignments are made to specify whether the Director of the State Planning Agency or the Commissioner of the Department of Energy and Economic Development shall serve on those boards or commissions.

<u>NAME OF BOARD</u>	<u>WHO SERVES</u>
Housing Finance Agency Board	Commissioner of DEED
Environmental Quality Board	DEED (Note: an Assistant Director of SPA chairs the Board)
Rural Development Council Executive Committee	Both agency heads (Note: this is an Executive Order agency)
Technical Advisory Committee of WMB	SPA Director

S = State Funds
F = Federal Funds

The following functions were also the responsibility of the Department of Energy, Planning and Development and are herewith assigned as follows:

- a. Cooperation with CAAPB on plan for Capitol area.
(required by Section 1.50 (g))-State Planning Agency (SPA)
- b. Study topographic survey needs of state (Sec. 84.54)-SPA
- c. Local park trail grant program coordination with bicycle route planning (Sec. 85.016 and 160.265)-DEED
- d. Cooperation on various other planning programs with DNR, LCMR, WMB, Historical Society, Health Department, DOT, Revenue, Regional Planning Agencies, Metro Council-SPA
- e. Health Systems Agency Functions-SPA
- f. Human Services Board Functions-SPA
- g. Redevelopment area approval authority-DEED
- h. Regional, Housing Programs-SPA

The Governor's Rural Development Council established by Executive Order 83-7 March 4, 1983, is herewith transferred from the State Planning Agency to the Department of Energy and Economic Development. The purpose of the Council is to identify important rural issues and to support projects that will assist in resolving those issues and to provide the best possible services to the people in rural Minnesota.

The following positions and incumbents with all accrued benefits and at their current salary levels are transferred from the State Planning Agency to the Department of Energy and Economic Development. The special revolving fund complement of the State Planning Agency is decreased by 4 positions and the special revolving fund complement of the Department of Energy and Economic Development is increased by 4 positions:

<u>Position No.</u>	<u>Incumbent</u>	<u>Classification</u>
Vacant	Vacant	Executive Director
167340	Jane Stevenson	Planner Principal State
167330	Glynnis Jones	Planner Principal State
086990 75/FTE	Donna Anderson	Clerk Typist II

The Indian Business Loan Program is herewith transferred from DEED to the Minnesota Indian Affairs Intertribal Board. The transfer is made to increase the effectiveness of the program in providing financial support and assistance to emerging Indian-owned business ventures. The transfer will encourage a closer working relationship between the lending authority and the recipients of the loans.

The following position and incumbent with all accrued benefits and at the current salary level is transferred from DEED to the Indian Affairs Intertribal Board. The legislative complement of DEED is decreased by 1 position and the complement of the Indian Affairs Intertribal Board is increased by 1 classified position.

<u>Position No.</u>	<u>Incumbent</u>	<u>Classification</u>
030190	Charlotte M. Rice	Loan & Contract Officer

The State of Minnesota finds that it has management challenges in financial, resource management, public investment, transportation and other major issue areas requiring resolutions that are similar to those confronting other states. It would appear to be reasonable to attempt to pool our resources, where appropriate, to improve our efforts to find the most acceptable solutions to these challenges. To assist in this effort one position and the incumbent with all accrued benefits is transferred from the Governor's Office to the State Planning Agency. The legislative complement of the Governor's Office is decreased by 1 position and the legislative complement of the State Planning Agency is increased by 1 position.

<u>Position No.</u>	<u>Incumbent</u>	<u>Classification</u>
076520-S	Michele Jimenez	Professional

To improve the effectiveness of the Minnesota Energy-Biomass Research program one position will be transferred from the Department of Natural Resources to DEED.

The legislative complement of the Department of Natural Resources will be decreased by 1 position and legislative complement of DEED will be increased by 1 position.

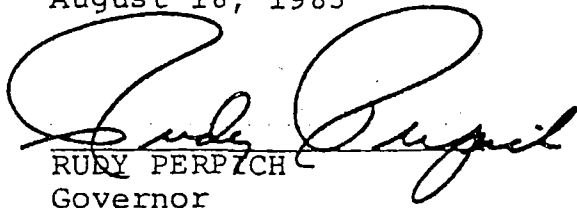
Any grant agreements or other contractual arrangements relating to the transferred programs shall be amended to reflect the change in responsible state agency.

Necessary equipment, furnishings and supplies shall be appropriately transferred.

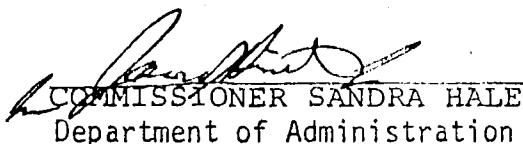
The Commissioner of Finance shall make the necessary financial determinations in accordance with Minnesota Statutes, 1982, Section 16.125, Subd. 3.

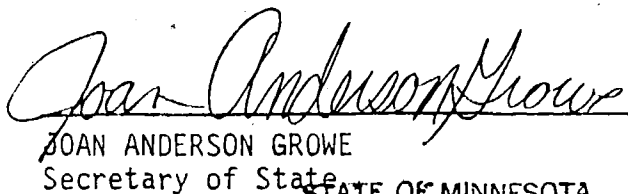
The effective date of this Order is August 24, 1983. The Order is herewith filed with the Secretary of State and shall remain in effect until amended or repealed.

APPROVED
August 18, 1983

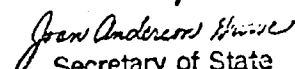

RUDY PERPICH
Governor

FILED ACCORDING TO LAW:


COMMISSIONER SANDRA HALE
Department of Administration


JOAN ANDERSON GROWE
Secretary of State

STATE OF MINNESOTA
DEPARTMENT OF STATE
FILED
AUG 24 1983


Secretary of State