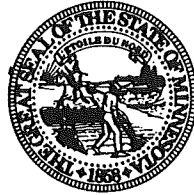


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State of Minnesota

INDIAN AFFAIRS COUNCIL

127 University Avenue
St. Paul, Minnesota 55155
Phone: (612) 296-3611

1819 Bemidji Avenue
Bemidji, Minnesota 56601
Phone: (218) 755-3825

ANNUAL REPORT
ENDING JULY 31, 1989



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November 15, 1989

Honorable Governor Rudolf Perpich
State of Minnesota
St. Paul, Minnesota
55155

Dear Governor:

The Minnesota Indian Affairs Council proudly submits its 1989 annual report as required by Minnesota Statute 3.922, Subdivision 9.

This year represented a number of "firsts" for the state and tribal governments. The state and tribal compact negotiations and the tribal contract school aid package represent clear examples of these efforts. The impact of this legislation will be felt within the state but reaches out nationally as a model for state and tribal relationships.

We have been very fortunate to have the leadership of the tribal units of government working collectively with the state leadership to better the lives of our Indian constituents. We continue to be a model for state and tribal relationships which recognize the unique political status of Indian tribes within the state and uphold the rights of Indian people on a sovereign basis.

It is in deed an honor to represent our state agency in presenting our annual report to you as Governor, the Secretary of State, Chief Clerk of the House of Representatives, and the Legislative Reference Library. Copies of the report are available to state agencies, tribal governments, institutions of higher learning, and other interested parties upon request.

Respectively submitted:


Roger Head
Executive Director

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MEMBERSHIP OF THE MINNESOTA INDIAN AFFAIRS COUNCIL

Darrell "Chip" Wadena, White Earth	Chairman
Leonard Prescott, Shakopee-Mdewankanton	Vice Chairman
Robert "Sonny" Peacock, Fond du Lac	Secretary
Loretta Gagnon, At-large	Treasurer
Eugene Boshay, Bois Forte	
Daniel Brown, Leech Lake	
James Hendrickson, Grand Portage	
David Larson Jr., Lower Sioux	
Dean Blue, Upper Sioux	
Delbert Cavanaugh, At-large	

MEMBERSHIP OF THE URBAN INDIAN ADVISORY COUNCIL

Roy James Roberts, Minneapolis	Vice Chairman
Valerie Sheehan, Minneapolis	Secretary
Nancy Stanaway, St. Paul	
Nancy Glenn, St. Paul	
Mary Ann Walt, Duluth	

EX-OFFICIO MEMBERS

DESIGNEE

Senator Florian Chmielewski, Sturgeon Lake
 Senator Gary DeCramer, Ghent
 Senator Cal Larson, Fergus Falls

Rudolf Perpich, Governor

COMMISSIONERS:

Orville Pung, Department of Corrections.....	Shirley Flekke
Ruth Randall, Department of Education.....	David Beaulieu
Joe Samargia, Department of Jobs and Training.....	Don Mohawk
Sister Mary Madonna Ashton, Department of Health..	Lorene Wedeking
Ann Wynia, Department of Human Services.....	Sharon Day Fran Felix
James Solem, Housing Finance Agency.....	Donna Fairbanks
Joseph Alexander, Department of Nat'l Resources...	Joseph Day
Jack Deluca, Iron Range Resources and Rehabilitation.....	Brian Hiti
Stephen Cooper, Department of Human Rights.....	Gary Gorman

BACKGROUND

In 1963 the Minnesota Indian Affairs Council was created by the State Legislature to act as the official liaison between state and tribal governments. However, prior to this enactment, the issue of Indian affairs was addressed in an act of Congress known as the Northwest Ordinance of 1787. For the purposes of creating a territory and its structure for government, Article III specifically addresses the relationship between the territorial government and Indians.

"The utmost good faith shall always be observed towards the Indians; their land and property shall never be taken from them without their consent; and in their property, rights, and liberty they never shall be invaded or disturbed, unless in just and lawful wars authorized by Congress; but laws founded in justice and humanity shall from time to time, be made, for preventing wrongs being done to them, and for preserving peace and friendship with them."

This relationship between territories and tribes did not supercede the power of Congress "To regulate commerce with foreign nations, and among the several states, and with Indian tribes;" as defined in Section 8 of the United States Constitution. This included the ability to enter into treaties with Indian tribes, an act which was not available to state governments.

In the early 1800's, the area known as Minnesota was occupied by the Dakota and Ojibwe. Between 1805 and 1849 when Minnesota became a territory, treaties were signed with the Dakota and Ojibwe to obtain major land cessions and to maintain peace between the two tribes. The governor of the new territory was specifically paid \$1,500 as the governor and another \$1,000 to act as the superintendent of Indian affairs. However, this stewardship did not protect the Dakota and Ojibwe from the further cession of land. The promises of annuities, education, farm equipment, and food for Indian families were not honored.

In 1862, the Dakota went to battle over these broken promises. Faced with crowded conditions and starvation, the Dakota retaliated. The severity of the battle left a scar on the state leaving 1,400 dead and the hanging of 38 Dakota in Mankato. Congress reacted by abolishing its treaties with the Dakota and forcing their removal from the state.

In 1887, Congress passed the General Allotment Act or Dawes Act. This act was an effort to assimilate Indians into white society through farming and ranching. To do so, Congress divided the communal tribal land into parcels for each tribal member and sold surplus parcels to whites. In 1889, Minnesota passed its own Nelson Act to provide for the allotment of Minnesota's reservations. However, the Rice Commission tried unsuccessfully to get the Ojibwe bands to move to White Earth. Fortunately for the tribes, the individual allottees chose to remain and thereby preserved their reservations.

The Clapp Act of 1906, which affected the White Earth Reservation, greatly reduced the restrictions on the transfer of Indian land so that the farmers and lumber interests would not have to wait 25 years as provided in the the General Allotment Act.

This became a time of definition for Indians as "mixed bloods" verses "full bloods". Adult "mixed bloods" could sell their allotments on the premise that mixed bloods were competent to handle their own affairs as opposed to "full bloods" lacking this ability.

Accounts of fraud, and improper conduct in the rapid transfer of land leave yet another blemish on Minnesota's history in the treatment of Indians. This treatment was reflected nationally until the allotment system was finally abolished by Congress in 1934, ten years after Indians were extended United States Citizenship.

Following the disasterous allotment period, a time of Indian Reorganization took place between 1934-1953. This federal policy favored the rehabilitation of the economic status of tribes, restoration of tribal lands, and becoming federally chartered corporations that would manage their own affairs. In 1936, this federal policy of reorganization saw the incorporation and adoption of the constitution of the Minnesota Chippewa Tribe. The Minnesota Chippewa Tribe is the umbrella organization for Bois Forte, Fond du Lac, Grand Portage, Leech Lake, Mille Lacs and White Earth reservations.

In 1937, the State of Minnesota enacted a consumer product labeling law with regard to imitation Indian made goods. The law specifically identifies Indian made goods as those made by persons who are at least one quarter Indian blood, or who are listed on the the rolls of the Bureau of Indian Affairs as Indians. Those products which do not meet this criteria must be labeled as imitations of the genuine product.

In 1939, the State legislature recognized the need to conserve the wild rice crops of Minnesota. It was clearly identified as a " vital factor to the sustenance and the continued existence of the Indian race of Minnesota." The law further recognized that the trust responsibility granted to Indians included the exclusive right to harvest wild rice crops upon all public waters within the boundaries of White Earth, Leech Lake, Nett Lake, Vermillion, Grand Portage, Fond du Lac, and Mille Lacs reservations. The state clearly took a positive step forward in the recognition of tribal trust authority and the state's obligation "to discharge in part a moral obligation to these Indians of Minnesota by strictly regulating the wild rice harvest on all public waters....". This step would represent the casting for future legislative efforts affecting Indians in the State of Minnesota.

During the 1950's, Congress withdrew its support of the Indian Reorganization Act and began a policy of "termination". This meant the termination of federal benefits and services to Indian tribes and the forced dissolution of their reservations. Over one hundred tribes were ordered to distribute their assets to its members and dissolve itself from the governments which were chartered under the Indian Reorganization Act of 1934. Further action involved the passage of the Public Law 280 which gave designated states, such as Minnesota, the full criminal and civil jurisdiction over Indian reservations. This did not include the jurisdiction over taxation or use of trust property and maintained treaty rights and traditional hunting and fishing granted to the tribes.

The problem with the passage of Public Law 280 was that its passage did not include the consultation or approval of the tribes. This action by the Congress was seen as the final solution to the condition or blight of Indian people. As reported in House Concurrent Resolution 108 in 1953, the freeing of Indians from federal control was an end to federal programs, federal relationships, and the final assimilation of Indian people.

As the state's Indian leaders voiced their objections to the passage of Public Law 280, the state of Minnesota was also trying to define its relationship with the tribes. In 1956, The Governor's Human Rights Commission held its first "Statewide Conference on Indian Affairs". The question to be addressed by both tribal and state leaders was "What level of government has the basic responsibility for providing service to Indian citizens?"

Tribal leaders have and continued to clarify for state policy makers, the unique political status of Indians. The state must acknowledge this status, as well as its responsibility to all its citizens.

The results of the first conference produced a number of recommendations which acknowledged the basis for a number legislative initiatives evident today in the State of Minnesota. Those recommendations included:

- 1) Economic Development on Reservations
- 2) Employment Opportunities
- 3) Education Services
- 4) Health Care Services
- 5) Safe Housing
- 6) Protection of Resources

Education became a particular focus at this first statewide conference. The consensus of the participants upheld the following standard for education services...

"...that educational opportunities, both general and vocational, meet the highest standard for the state and nation be available for Indian children, youth, and adults, so the Minnesota's Indian population will be able to compete on equal terms in meeting the problems and challenges of contemporary civilization".

As a result of the conference, the state was willing to make a further commitment to the education of Indians. In 1936, the state contracted to take over the the provision of public education through the passage of the Johnson O'Malley Act. After twenty years, the state made a further commitment to provide grant scholarships for Indians attending specialized education in colleges, business, technical, or vocational schools. Minnesota was the first state in the nation to pass legislation addressing the issue of Indian education. The Indian scholarship grants continued to grow and by 1959, the state passed the creation of the Indian scholarship committee to oversee the Indian education grants.

The federal termination policy activated both the tribes and state officials to continue to address the needs of Indians in the state. The creation of the Indian Affairs Council in 1963 represented the first legislative initiative to focus on these concerns and assist in coordinating public and private programs for Indians throughout the state, and make legislative recommendations which would further the development of Indian tribes and its members.

MINNESOTA INDIAN AFFAIRS COUNCIL:

The Minnesota Indian Affairs Council membership consists of one representative from each of the eleven tribes in the state. Representatives are selected by each reservation's governing body. The Council also provides for two voting members who represent tribal members living in Minnesota but who are enrolled in federally recognized tribes outside the state.

Ex-officio members include the governor, three representatives from the House and three representatives from the Senate as well as commissioners from the following state departments:

Education
Human Services
Natural Resources
Human Rights
Trade and Economic Development
Corrections
Minnesota Housing Finance Agency
Iron Range Resources and Rehabilitation
Health

The voting members may designate in writing a member at large to be represented on the Council as can the non voting ex officio members. The terms of the members are four years and cease if a member is not re-elected to office.

In addition to the voting members, the Council also has an Urban Indian Advisory Council to advise the full Council on the concerns of the urban Indian population in the state. There are five members that are appointed to serve in four terms. Two representatives are from Minneapolis, two are from St. Paul, and one is from Duluth.

The Minnesota Indian Affairs Council maintains two offices. The Bemidji office is centrally located to serve the Ojibwe reservations. The agency's service programs which operate out of Bemidji include the Indian Burial and Equal Opportunity Program. The St. Paul office serves the Dakota reservations, urban Indian community, and the legislature. The St. Paul office is responsible for the planning and administration of the program functions. Legislative agendas, special program initiatives, and the Indian Business Loan Program are also operated from the St. Paul office.

The legislative agendas and special program initiatives represent a significant portion of the the activities of the Council. Each year new legislative initiatives are identified for the Council to support. The identification process begins at the ending of the session with the various Council and Urban Indian Advisory Council meetings. The legislative initiatives are submitted in August to the State Planning Agency for review and approval. The Council assists in facilitating the collaboration of initiatives between the tribal governments, urban Indian population, and the various state departments.

This past legislative session, the Council followed thirty seven bills and companionship bills affecting Indians throughout the state. The laws that were passed represent the effectiveness of state and tribal governments working together to address the needs of Indian people throughout the state. It also reinforces the government to government relationship of tribes and the state.

SUMMARY OF 1989 LEGISLATIVE SESSION

EDUCATION:

Chapter 124 School Finance

124.86 State Revenue for American Indian Schools
Tribal Equalization

Authorizes Indian controlled tribal contract schools to receive state school aid to supplement the money for Indian education programs provided by the federal government. A formula of \$1,500 per pupil or a total allocation not to exceed \$200,000 annually has been appropriated for this effort.

Chapter 128B Pine Point Experimental School

Authorizes the continuation of the Pine Point Experimental School until July 1, 1991. Also calls for the state auditor to conduct an audit of the school finances for fiscal years 1989 and 1990. The department of education will conduct a management and program evaluation of the school and report it's findings to the legislature by January 1, 1991.

Appropriations for Indian Education Programs

Chapter 124.48	American Indian Scholarships	\$ 1,582,000
Chapter 124.481	American Indian Post Secondary Preparation Grants	\$ 857,000
Chapter 126.48	American Indian Language and Culture Education Programs	\$ 590,000
Chapter 329 Article 3 Subd. 11	American Indian Education (Johnson O'Malley)	\$ 176,000
Chapter 329 Article 3 Sec.22	Grants for Indian Teachers	
	Duluth	\$ 70,000
	Red Lake	\$ 40,000
	White Earth	\$ 40,000

Human Services:

Chapter 254.145 Inhalant Abuse Demonstration Project

This project will be located in a community that has been shown to be at great risk for inhalant abuse, and shall include assessment, education and case management components.

1st year	\$ 100,000
2nd year	\$ 75,000

Chapter 254.B09 Indian Reservation Allocation of Chemical Dependency Fund

The Consolidated Chemical Dependency Fund allows for 12% of the fund to be distributed to the Indian chemical dependency programs both on and off the reservation.

Fifty percent of the American Indian chemical dependency account must be allocated to the federally recognized tribes who have entered into agreements with the commissioner for chemical dependency services.

1st year	\$ 1,956,000
2nd year	\$ 2,892,000

**Chapter 256.736 Employment and Training Programs
Subdivision 18 Program operations by Indian Tribes**

The commissioner may enter into agreements with federally recognized tribes in the state to provide employment and training programs under this section. The commissioner may also enter into agreements with a consortium of Indian tribes to provide this service provided the governing body of the Indian tribes agrees to these consortium agreements. The geographical service area of the tribes is not to exceed the counties within the border of the reservation. The commissioner may reallocate county case management and employment and training block grant money from the counties in the Indian tribes service area to the Indian tribe. Indian tribal members receiving AFDC benefits will be referred to the Indian tribes operating the services under this agreement. The tribes will bill the commissioner for services and the commissioner will bill the United States Department of Health and Human Services for reimbursement. Federal receipts are appropriated to the commissioner to be provided to the tribes that submitted their intent to participate in providing these services.

Chapter 256.F.08 Grants for Placement Prevention and Family Reunification: American Indian and Minority Children

Local social service agencies may apply for specialized grant programs to develop American Indian and minority children placement prevention and family reunification programs.

Chapter 257.071 Children in Foster Homes; Placement; Review

The commissioner shall revise the rule setting standards for family and group family foster care to include as a condition of licensure, foster care providers attend training on the importance of protecting cultural heritage. Such training shall include Public Law 95-608, The Indian Child Welfare Act, and the Minnesota Indian Family Preservation Act. The commissioner shall also examine requirements that discriminate against single parent, minority, or low income families who may be able to provide foster care reflecting the values of their own respective cultures.

Chapter 257.354 Child Placement Proceedings Subdivision 4 Effect of tribal court placement orders

Orders of a tribal court concerning the placement of any child under the Minnesota Indian Family Preservation Act Chapters 257.35-257.357 shall have the same force and effect as orders of the court of this state.

JOBS AND TRAINING;

Chapter 268.881 Indian Tribe Plans

The commissioner, in consultation with the commissioner of human services, shall review and comment on plans submitted by tribes to provide services under employment and training. The plans must be submitted by April 15 for the state fiscal year ending June 30, 1990.

SALES TAXES, CIGARETTES AND TOBACCO:

297.041 Sales to Indian Tribes

Wholesalers of cigarettes and tobacco may make sales to Indian tribes without paying tax. Unstamped stock must be kept separate from stamped stock and while making deliveries to a tribal organizations. Invoices must be made in duplicate. Failure to comply means revocation of permission to keep unstamped stock.

Indian tribal organizations may keep the unstamped stock for sale to members of the tribe that is offering the cigarettes or tobacco for sale.

LIQUOR TAXATION:

Chapter 297C.045 Sales to Indian Tribes

The language for taxation of liquor to an Indian tribal organization is the same language for sale and taxation of cigarettes and tobacco.

HOUSING FINANCE AGENCY:

Chapter 462A.07 Additional Powers and Duties of the Agency
Subdivision 14 Indian housing program

This section authorizes the agency to engage in low and moderate income housing for American Indians, developed and administered separately or in combination with the Minnesota Chippewa Tribe, Red Lake Band of Chippewa Indians, and the Sioux communities as determined by such tribe, band or community.

It may also engage in housing for American Indians who intend to reside on the reservation and who are not persons of low or moderate income. Loans available for this housing program shall not exceed an amount equal to 25 percent of the total dollar amount of all loans made by that lender during the lender's fiscal year at the time of loan application.

Chapter 462A.21 Housing Development Revolving Loan Fund
Subd. 3b. Capacity building grants

Indian tribes and Indian organizations are eligible to apply for grants to expand their capacity to provide affordable housing and housing related services. Priority for funding of applications will be given to those serving low income people, and demonstrate a commitment of local resources.

Subd.4c.

A revolving loan fund may be established to make eligible loans to American Indians and may pay the costs and expenses necessary and incidental to the development and operation of such programs pursuant to subdivision 4b and section 462A.07 subdivision 14.

462C.13 City Indian Housing Authority

A city may establish an Indian housing authority as provided in the Code of Federal Regulations, title 24, part 905. The Indian housing authority will have all the necessary legal powers to carry out housing projects for low and moderate income American Indians.

LEGISLATURE:

Chapter 3.9221 Indian Tribes; Compacts to be Negotiated

The governor or the governor's designee shall negotiate in good faith a tribal state compact in regulating the conduct of class III gambling with those tribes requesting negotiations.

PARI MUTUEL HORSE RACING:

Chapter 240.13 Pari-Mutuel Betting
Subd. 9 Transmission to Indian lands; pooling of bets

A licensed racetrack may with the approval of the horseperson's organization representing the majority of horsepersons racing the breed involved, transmit telecasts of races to sites on Indian lands of tribes who are conducting pari-mutuel betting authorized by the tribal state compacts.

DEPARTMENT OF TRADE AND ECONOMIC OPPORTUNITY:

Chapter 116J.64 Loans to Indians

Twenty percent of the tax revenue received by the county auditor from severed mineral rights taxes shall be available to the Indian business loan program. The program is administered by the Indian Affairs Council.

An Indian desiring a loan for business makes application to the Council. The Council will review the application for appropriate documentation and then forward the application to the tribal council of the applicant for approval. If a tribe has not submitted an approved plan to participate in the loan program, the Indian Affairs Council can directly administer the loan for those members of that tribe.

A reasonable amount of loan funds must be made available for businesses off the reservation.

FRUITS AND VEGETABLES:

Chapter 30.49 Wild Rice Labeling

The labeling and packaging of wild rice shall distinguish between natural lake and river-harvested wild rice from public waters and cultivated or paddy grown rice.

A wild rice label that implies that the wild rice is harvested or processed by Indians is misbranded unless the package contains only 100% natural or river wild rice harvested by Indians.

Wild rice containing a portion of wild rice that is cultivated and offered for wholesale or retail in this state must be plainly and conspicuously labeled as "paddy grown" or "cultivated".

Sale of cultivated wild rice for international commerce is exempt from this labeling.

Failure to comply with these labeling standards is punishable by law, and guilty of a misdemeanor.

SUMMARY OF 1989 PROGRAM ACTIVITIES

The Indian Affairs Council is responsible for the direct programming of Indian business loans, Indian burials, and Indian economic opportunity programs. This year the Council also had an interagency agreement with the Minnesota Department of Health for AIDS prevention activities. The Indian Affairs Council also interfaces with the Minnesota Housing Finance Agency on the Urban Indian Housing Program, and the Department of Education, Indian Education Section on approval of statewide plans for Indian education and making recommendations on appointees for various Indian education committees.

Indian Business Loan Program:

The Indian Business Loan Program was authorized in 1973 and provides Minnesota based Indians with the opportunity to establish and expand business enterprises both on and off the reservation.

Funds for this program are collected from Severed Mineral Rights taxes that are collected by the counties each year. The total amount collected has averaged approximately \$89,000 per year. This dollar amount is then made available to the 11 reservations throughout state based upon population distributions.

Changes were passed during the last legislative session which allows the Indian Affairs Council to directly administer the loan program for those reservations which have elected not to participate in the program. Thereby, members from those tribes are eligible to apply directly to the Council for such loans.

The loan procedure includes an application with a projected business and financial plan. The application is reviewed for completeness and then forwarded to the appropriate tribe for approval or rejection. If approved, the loan will be funded up to 25% of the total project cost. Applicants must demonstrate 5-20% equity in the project. Other financing must be approved and in place before funds will be dispersed from this program. In the case of a tribe not participating in the program, the Indian Affairs Council will approve or reject the submitted application.

During 1989, 21 loan applications were recieved for a total of \$352,849. Twelve loans have been approved by the respective tribal councils and one is pending approval. Seven applications have not been accepted for lack of other financing, incomplete documentation, or very high risk factors such as existing debts.

In total, \$235,683 has been approved this past year for the Indian Business Loan Program.

Indian Burials:

According to Minnesota Statute 307.08, Private Cemeteries-Indian Burials, the State of Minnesota is responsible for protection of unmarked or unidentified burial grounds in the state. The responsibility includes the costs of authentication, identification, marking, and rescue of those remains. If the burial sites are determined to be Indian, as determined by the state archeologist, efforts must be made by the Indian Affairs Council and the state archeologist to determine their tribal identity. If tribal identity can be determined, the remains will be turned over to tribal leaders for reburial. If tribal identity can not be determined, as such, the Indian Affairs Council will make recommendations for the appropriate procedures for reburial.

Any attempts to relocate an Indian burial ground must be approved by the Indian Affairs Council. The state must make every effort to protect the burial grounds rather than move them. This may involve the actual purchase of nonpublic lands, or in the case of removal, the state must pay for such costs.

The Indian Affairs Council and the state archeologist work cooperatively with the departments of natural resources, transportation, U.S. Forest Service, Corp of Engineers, Bureau of Indian Affairs, and state and local agencies whose activities may affect Indian burial grounds. This cooperation is particularly critical when there are requests for development areas, or highway construction projects.

The Indian Burial Program oversees approximately 150 reburials annually. The number of burial sites in need of attention range from 20-30 per year. The annual budget is \$25,000. This year, the Indian Affairs Council has requested \$350,000 to address the recent release of 3,500 Indian remains from the University of Minnesota, Hamline University, and the Minnesota Historical Society. Originally, a ten year plan was considered for the examination and reburial of these Indian remains, however, given the crucial significance to the proper reburial of the remains held by Indian people throughout the state, the Indian Affairs Council is requesting that the project be complete within a two year time period.

Indian Economic Opportunity Programs:

The Indian Affairs Council has had an interagency agreement with the Department of Jobs and Training for eight years to provide funding for an Economic Opportunity Specialist II. The specialist is to provide information and technical assistance on the available programs offered through the department. These programs include:

Community Service Block Grants-Basic
Community Service Block Grant-Supplement
Minnesota Economic Opportunity Grant
Head Start Program
Emergency Community Service Homeless Grant
DOE Weatherization
DOT/T&A
EAP Weatherization Conservation Program
Energy Assistance Program
Emergency Food Assistance Program

The specialist works with each of the eleven reservations that have entered into contracts to provide services under each of these programs. This involves site visits which examine how the programs are functioning, monitoring of contracts for compliance, and a chance to review any particular issues that the tribes would like to address. When not making quarterly site visits, the specialists insures that proper procedures for reporting, invoicing, and that internal audits are taking place. Requests for technical assistance include review of reporting requirements, proper completion of forms, assistance with work plans and budgets, training of new staff, and development of monitoring instruments.

AIDS Prevention Activities:

The Minnesota Indian Affairs Council and the Minnesota Department of Health entered into an interagency agreement for AIDS prevention activities throughout the state. An AIDS Liaison was assigned to assist in educational presentations at several reservations. Community education presentations were made at White Earth, Fond du Lac, and Lower Sioux Reservations. The staff also assisted in a statewide training of AIDS educators from the various reservations throughout the state. The AIDS liaison has been assigned to specifically assist in the continued organizational development of the statewide Minnesota American Indian AIDS Task Force to further the prevention and intervention of AIDS in the Indian community.

The Indian Affairs Council, through the interagency agreement helped to support the funding of the second statewide AIDS conference in the Indian community, and the funding of an educational video. The video addresses the issue of homophobia in the Indian community. The ability to discuss issues of homophobia are critical in the education of AIDS risk reduction activities in our communities.

ACTIVITIES FOR 1990:

The following represents the Minnesota Indian Affairs Council's plan for next years legislative agenda and program activities.

LEGISLATIVE AGENDA FOR 1990

The Minnesota Indian Affairs Council has submitted a legislative agenda for the 1990 session. This agenda reflects a continuance from previous legislative initiatives.

Indian Burials:

The Indian Affairs Council has requested \$350,000 in additional funding for the Indian burial program to address the backlog of 3,500 Indian remains. Currently, the Indian Affairs Council receives \$25,000 annually to provide for 150 burials. However, the recent release of Indian remains from the University of Minnesota, Historical Society, and Hamline University has increased the figure to 3,500. Tribal leaders wish to have this process of reburial to take place as soon as possible. The Indian Affairs Council, in conjunction with the State Archeologist, will be responsible for overseeing the entire examination and reburial of the identifiable remains.

Urban Indian Advisory Council:

The Indian Affairs Council is requesting a change in the state statute to include the Chairperson of the Urban Indian Advisory Council as a voting member on the full Council. This will increase the Urban Indian Advisory Council's role from advisory, to one of representation on the full Council.

Indian Business Loan Program:

Changes in last years program gave the Indian Affairs Council the authority to directly administer the Indian business loan program for those reservations which chose not to submit a plan to operate the program directly. In response to those changes, the Indian Affairs Council is requesting \$50,000 to administer the overall program in conjunction with those tribes which have submitted plans as well as for the direct administration for those tribes which chose not to participate. This request represents a full time person to administer the overall program.

Indian Housing: Off Reservation Initiative

\$125,000 is available for a demonstration program to make off reservation loans in combination with bond proceeds from the Minnesota Housing Finance Agency. The law is restrictive in accomplishing the intent of the off reservation housing initiative. The Minnesota Indian Affairs Council is recommending a change in the existing language to read "to make in combination with bond funds and or other mortgage financing that is available". This language change will provide the latitude to use other financing methods to operate this program.

Tribal School Equalization Act:

This act was passed during the last legislative session and allows an appropriation of \$200,000 for tribal contract schools to carry out provisions of the statute. A recommended change in the formula for determining the level of support would be based on the "average daily membership during the school year" verses current language which uses the week of the fall school count. This change would represent an increase in the allocation formula and the financial support available to the tribal contract schools.

Indian Scholarship Program:

The purpose of the scholarship program is to provide for the unmet financial needs of Indian students. The current appropriation provides for 50% of the unmet need for current students and does not address the increase of 400 other eligible Indian students. The Indian Affairs Council is requesting an increase of \$750,000 for the scholarship program to meet the unmet financial of those eligible Indian students.

Indian Education Section: Department of Education

The Indian Education Section within the Department of Education is responsible for the total management and implementation of new programs throughout the state. The case management of the Indian scholarship program has double in the last seven years, and the new legislative initiatives have placed extra duties and responsibilities on the staff. Three positions are being requested with an increase of \$130,000 for the Indian Education Section to adequately address the management of the Indian education programs.

PROGRAM INITIATIVES FOR 1990

The Indian Affairs Council will continue its official relationship with the various departments throughout the state which are responsible for planning and implementing programs affecting Indian people throughout the state.

Special initiatives for the Indian Affairs Council will include a variety of activities. The following highlights several of those identified activities.

1990 Census

The Indian Affairs Council will continue its collaboration with the Metropolitan Council, Indian organizations, and tribal governments to encourage the best turn out for the 1990 census. The Council's role is supportive and has been identified as one of the resources in the community to provide information on the the 1990 Census.

Women of Color Chemical Dependency Conference

The Indian Affairs Council in conjunction with the three other minority councils, has been selected to plan, organize, and present the third annual women of color chemical dependency conference in the fall of 1990. This will involve representation each of the communities of color in the planning of the conference activities.

Implementation of Indian Education Statewide Plan

The Minneapolis and Duluth school districts have not developed their plans for Indian education in the district. The Indian Affairs Council, in conjunction with the Indian Education Section of the Department of Education will work with the Indian parent committees from those districts to assist in the development and implementation of those of those plans.

Teen Pregnancy Initiative

The State Planning Agency has requested that the Indian Affairs Council assist in the development of a teen pregnancy prevention proposal. If funded, there will be at least one program funded which will address the issue of teen pregnancy in the Indian community.

AIDS Prevention in the Indian Community

The Indian Affairs Council will continue its support and direct involvement in AIDS prevention activities in the state. This past year, the Council was a cosponsor of the second statewide conference on AIDS in the Indian community. The Council will continue its AIDS liaison for information on services available to the community as well as resources locally and nationally.

Indian Child Welfare-Out of Home Placement

The Indian Affairs Council will provide recommendations to the commissioner of human services and the legislature by February 1, 1990 and November 1, 1990 on the status of out of home placement of Indian children in the state.

Review Commissions

Several requests have been made to the Indian Affairs Council to convene special commissions made up of state representatives and members from the Indian community to review and make comment. One commission is requested to look at the use of cocaine in the Indian community throughout the state. The second commission is to review the report made by the State Planning Agency in 1984 on "State/Indian Government Relations" and make revisions in the report. Revisions and recommendations will be submitted to the Council by August 1990 in time for the next legislative planning year.