
AGENCY OVERVIEW

316 INDIAN AFFAIRS COMMISSION

Date: 12/14/2006

Time: 14:11:04

STATUTORY AUTHORITY

North Dakota Century Code Chapter 54-36-03 to 54-36-09.

AGENCY DESCRIPTION

The North Dakota Indian Affairs Commission is the liaison between the executive branch and the tribes in North Dakota. Duties include mediation service with the Tribes and State and working with other state agencies regarding proper protocol in working with Indian people and Tribal governments.

AGENCY MISSION

NDIAC MISSION STATEMENT

(excerpts from ND Century Code 54-36)

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

To investigate any phase of Indian affairs and to assemble and make available the facts needed by tribal, state, and federal agencies to work effectively together.

To assist tribal, state, and federal agencies in developing programs whereby Indian citizens may achieve more adequate standards of living.

To assist tribal groups in developing increasingly effective institutions of self-government.

To work for greater understanding and improved relationships between Indians and non-Indians.

To seek increased participation by Indian citizens in local and state affairs.

To confer with and coordinate officials and agencies of other governmental units and congressional committees with regard to Indian needs and goals.

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

AGENCY PERFORMANCE MEASURES

PERFORMANCE MEASURES

The agency-level performance measurements are designed to be a reflection of the results of the agencies activities. The statutory authority and legislatively authorized activities of the North Dakota Indian Affairs Commission identify authorized duties and are listed below. The Governor, as Chief Executive Officer for the State, has established pillars for the cabinet, and thus the NDIAC Agency. Those goals are:

- 1) Excellence in Education- fundamental ways to reform public education.
- 2) Economic Development – to generate a better standard of living for all North Dakotans.
- 3) Agriculture- supporting a vigorous and diversified farming and ranching industry.
- 4) Energy Production – support energy production as a key industry in North Dakota.
- 5) Technology – support technology as a means to eliminate the distance barrier for North Dakota and create new opportunities for people.

NDIAC 2005-2007 PERFORMANCE MEASURES BASED ON AUTHORIZED AND DESIRED GOALS:

The performance of the agency is premised upon the Goals (pillars) of the Governor and those priority issues articulated by Tribal leaders. The agency measures its progress through an ongoing process. Formative evaluation of projects are conducted through monthly staff-liaison meetings with the Governor's staff-liaison designee. Summative evaluation of projects are reported to the Governor and the ND tribal leaders through written annual and biannual reports and through quarterly Commission meetings and are based upon the work the agency is requested to do, and projects upon which work is focused, i.e. Preparation for First Nations Day, specific requests made in Commission meetings, (Coordinate meetings for Tribal Governments around Housing Initiatives, Commission membership on Help America Vote Act from the ND Secretary of States Office, etc.

MAJOR ACCOMPLISHMENTS

1. Completed a two-year study on the needs of American Indian Elders and Disabled through a grant from the ND Department of Human Services.
2. Served as a primary organizer for the implementation of the First Nations Day Celebration, legislation passed by the 58th ND Legislative Assembly authorizing a new section to Chapter 1-03 of the N.D. C.C. creating First Nations Day to honor the indigenous peoples of the State of North Dakota.
3. Developed in-conjunction with the ND Department of Tourism the completion of 3 television spots featuring the ND Native peoples as a part of the 2004 and 2006 Lewis and Clark Bicentennial Signature Events in North Dakota.
4. Facilitated in the implementation of legislation passed in the 2005-2007 legislative assembly creating an Indian Business Development Office in the North Dakota Department of Commerce.
5. Serves as reviewer to the ND Division of Independent Study on the North Dakota 8th Grade History Textbook, *North Dakota: A Living Legacy* Textbook.
6. Worked with the ND Department of Health in health disparities to secure funds to create an Office of Special Populations currently funded by the U.S. Department of Health and Human Services, Centers for Medicaid and Medicare Services.

FUTURE CRITICAL ISSUES

COSTS TO CONTINUE

A request of \$5,780 are to continue the 4% salary increases in the 2nd year of 2007-09 biennium.

REQUEST SUMMARY

316 INDIAN AFFAIRS COMMISSION

Biennium: 2007-2009

Bill#: HB1005

Date: 12/14/2006

Time: 14:11:04

Description	Expenditures 2003-2005 Biennium	Present Budget 2005-2007	Budget Request Change	Requested Budget 2007-2009 Biennium	Optional Budget Request
BY MAJOR PROGRAM					
INDIAN AFFAIRS ADMINISTRATION	413,837	407,297	-9,220	398,077	167,780
TOTAL MAJOR PROGRAMS	413,837	407,297	-9,220	398,077	167,780
BY LINE ITEM					
SALARIES AND WAGES	313,729	343,402	5,780	349,182	123,280
OPERATING EXPENSES	100,108	63,895	-15,000	48,895	44,500
TOTAL LINE ITEMS	413,837	407,297	-9,220	398,077	167,780
BY FUNDING SOURCE					
GENERAL FUND	351,071	387,297	5,780	393,077	167,780
FEDERAL FUNDS	62,766	20,000	-15,000	5,000	0
SPECIAL FUNDS	0	0	0	0	0
TOTAL FUNDING SOURCE	413,837	407,297	-9,220	398,077	167,780
TOTAL FTE	3.00	3.00	.00	3.00	1.00

REQUEST DETAIL

Date: 12/14/2006

316 INDIAN AFFAIRS COMMISSION

Bill#: HB1005

Time: 14:11:04

Biennium: 2007-2009

Description	Expenditures 2003-2005 Biennium	Present Budget 2005-2007	Budget Request Change	Requested Budget 2007-2009 Biennium	Optional Budget Request
SALARIES AND WAGES					
SALARIES - PERMANENT	237,975	252,259	5,135	257,394	73,752
SALARIES - OTHER	0	0	0	0	15,400
TEMPORARY SALARIES	0	7,500	-184	7,316	7,200
FRINGE BENEFITS	75,754	83,643	829	84,472	26,928
SALARY INCREASE	0	0	0	0	0
BENEFIT INCREASE	0	0	0	0	0
TOTAL	313,729	343,402	5,780	349,182	123,280
SALARIES AND WAGES					
GENERAL FUND	313,729	343,402	5,780	349,182	123,280
FEDERAL FUNDS	0	0	0	0	0
SPECIAL FUNDS	0	0	0	0	0
TOTAL	313,729	343,402	5,780	349,182	123,280
OPERATING EXPENSES					
TRAVEL	13,737	12,000	0	12,000	34,000
SUPPLIES - IT SOFTWARE	432	0	0	0	1,500
SUPPLY/MATERIAL-PROFESSIONAL	826	576	0	576	0
OFFICE SUPPLIES	3,133	7,800	0	7,800	0
POSTAGE	562	1,000	0	1,000	0
PRINTING	1,168	3,500	0	3,500	0
IT EQUIP UNDER \$5,000	1,594	2,000	0	2,000	1,300
OFFICE EQUIP & FURN SUPPLIES	2,257	2,864	0	2,864	1,000
INSURANCE	1,778	1,500	0	1,500	0
RENTALS/LEASES - BLDG/LAND	630	630	0	630	0
IT - DATA PROCESSING	2,690	4,500	0	4,500	948
IT-COMMUNICATIONS	3,286	3,025	0	3,025	1,402
PROFESSIONAL DEVELOPMENT	3,113	1,000	0	1,000	1,850
OPERATING FEES AND SERVICES	2,136	3,500	0	3,500	2,500
FEES - PROFESSIONAL SERVICES	62,766	20,000	-15,000	5,000	0
TOTAL	100,108	63,895	-15,000	48,895	44,500
OPERATING EXPENSES					
GENERAL FUND	37,342	43,895	0	43,895	44,500
FEDERAL FUNDS	62,766	20,000	-15,000	5,000	0
SPECIAL FUNDS	0	0	0	0	0
TOTAL	100,108	63,895	-15,000	48,895	44,500

REQUEST DETAIL

Date: 12/14/2006

316 INDIAN AFFAIRS COMMISSION

Bill#: HB1005

Time: 14:11:04

Biennium: 2007-2009

Description	Expenditures 2003-2005 Biennium	Present Budget 2005-2007	Budget Request Change	Requested Budget 2007-2009 Biennium	Optional Budget Request
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FUNDING SOURCES

GENERAL FUND	351,071	387,297	5,780	393,077	167,780
FEDERAL FUNDS	62,766	20,000	-15,000	5,000	0
SPECIAL FUNDS	0	0	0	0	0
TOTAL FUNDING SOURCES	413,837	407,297	-9,220	398,077	167,780

CHANGE PACKAGE SUMMARY
316 INDIAN AFFAIRS COMMISSION
Biennium: 2007-2009

Bill#: HB1005

Date: 12/14/2006

Time: 14:11:04

Description	FTE	General Fund	Federal Funds	Special Funds	Total Funds
AGENCY BUDGET CHANGES					
Cost To Continue	.00	5,780	0	0	5,780
4 Reduce Federal Grant	.00	0	-15,000	0	-15,000
Agency Total	.00	5,780	-15,000	0	-9,220
OPTIONAL REQUEST					
1 IT Equipment, Telephone, Data Processing	.00	1,000	0	0	1,000
3 Cell phone / mobile communications	.00	2,500	0	0	2,500
4 IT - Software Upgrades	.00	1,000	0	0	1,000
6 Priority 1: Administrative Changes	.00	15,400	0	0	15,400
7 Priority 2: Request for FTE	1.00	99,960	0	0	99,960
8 Priority 3: Request for PTE	.00	7,920	0	0	7,920
9 Priority 4: Increase in operating budget	.00	10,000	0	0	10,000
10 Priority 5: Operating - Indian Education Coord.	.00	30,000	0	0	30,000
Optional Total	1.00	167,780	0	0	167,780

BUDGET CHANGES NARRATIVE
316 INDIAN AFFAIRS COMMISSION

Date: 12/14/2006

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Change Group: A	Change Type: A	Change No: 4	Priority: 5
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Reduce Federal Grant -

\$85,000 was awarded to ND Indian Affairs Commission for the Real Choices Project under DHS Contract Number #510-05534 during the 2003-05 biennium.

The grant was not completely expended in the 2003-05 biennium and \$20,000 was carried over to the 2005-2007 biennium for the purpose of providing the contracting services.

Change Group: A	Change Type: A	Change No: 100	Priority:
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OMB Operating Expense Increase -

Executive Recommendation to increase operating by \$12,000 for IT data processing and communications increases and motor pool increases.

Change Group: A	Change Type: A	Change No: 101	Priority:
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OMB Indian Education Position -

Executive Recommendation to fund a new position, Indian Education Coordinator, in the Indian Affairs Commission Office.

Change Group: A	Change Type: A	Change No: 102	Priority:
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OMB Temporary Intern Position -

Executive Recommendation to provide \$8,000 for an Intern position to assist the office with special projects.

Change Group: O	Change Type: A	Change No: 1	Priority: 1
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IT Equipment, Telephone, Data Processing - \$2000 Optional Request - \$300 for equipment and \$700 for phone and port charges

IT EQUIPMENT:

According to the IT replacement cycle the NDIAC is scheduled to replace one laptop and one printer in the 2007-09 biennium.

The agency was allocated \$2,000 in operating revenue to replace its IT equipment in the 'IT Equipment under \$5,000' line item for the 2005-07 biennium.

It is projected that to replace these two pieces of equipment it will cost approximately \$2,300.

TELEPHONE & DATA PROCESSING:

The increase in rates that ITD will charge state agencies for the 2007-09 biennium will result in a projected \$700 increase for the NDIAC to operate with the same number of phones and ports .

Change Group: O	Change Type: A	Change No: 2	Priority: 3
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Reduce Federal Grant -

\$85,000 was awarded to ND Indian Affairs Commission for the Real Choices Project under DHS Contract Number #510-05534 during the 2003-05 biennium.

The grant was not completely expended in the 2003-05 biennium and \$20,000 was carried over to the 2005-2007 biennium for the purpose of providing the contracting services.

Change Group: O	Change Type: A	Change No: 3	Priority: 2
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Cell phone / mobile communications - \$2,500

\$2,500 - Purchase Blackberry equipment and service for NDIAC Executive Director to increase ability to communicate (voice and email) with the office and with the public while on travel.

Change Group: O	Change Type: A	Change No: 4	Priority: 4
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IT - Software Upgrades -

The NDIAC has not previously included a line for 'Supplies - IT Software'. It will be necessary with the upcoming Microsoft Operating System upgrade to purchase new licenses this software.

Change Group: O	Change Type: A	Change No: 6	Priority: 6
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Priority 1: Administrative Changes - \$14,000 - Request for an increase of funds to accommodate changes in the staffing levels of the Agency.

Optional Package 1: Request for an increase of funds to accommodate changes in the staffing levels of the Agency.

\$7,000/yr

Priority 1: Administrative Changes:

Through the operations of the Office of the North Dakota Indian Affairs Commission in the 03-05 and the 05-07 biennia it has become evident that staffing changes are needed.

The Director is in the process of reclassification of staff members to better address the management needs of the office, and to better address the functions either relegated to the agency or as requested of consumers. Greater demands have been placed on the staff to multi-task functions. The current position of the Research Analyst, whose functions include maintenance of the offices' information technology, maintenance of the agencies' website, and legislative monitoring, has over the past two biennia, assumed a greater number of the networking functions unable to be filled by the Director. With increased workloads, it is evident the staffing is too limited to accommodate attendance at multiple scheduled meetings within any given day. It is becoming more prevalent that three and sometimes four meetings overlap within one given day. The frequency of this situation is becoming more consistent as agencies continue to make requests of the office.

In order to better manage this situation, the position of Research Analyst will be reclassified to an Assistant Director Position, and the position of Administrative Assistant III will be reclassified to Office Manager.

In order to support these changes, the currently mandated 100 percent budget will not accommodate these changes for the 2007-2009 biennium.

Change Group: O	Change Type: A	Change No: 7	Priority: 7
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Priority 2: Request for FTE - \$76,000 - Request for 1 FTE for Indian Education Coordinator

A portion of the Optional package will include a request for additional operating funds to support the implementation of the Strategic Plan as articulated by the ND Indian Affairs Commission. Additional funds will be request to increase the number of staff within the agency to include a director of Indian Education and an intern to work with the agency.

Director of Indian Education:

The *No Child Left Behind* Legislation has identified an increasing number of North Dakota schools who are being identified as “In need of Improvement”. Within its first year, (2003-2004) the list of schools in need of improvement within its very first year, 14 of 17 schools were schools with significant enrollments of American Indian children, tribal, Bureau of Indian Affairs, and public schools. Since that time, most of those schools have remained on the schools in need of improvement, until the 2005-2006 school year, those schools are now approaching sanctions. No significant interventions have been forthcoming from the state education agency whose primary responsibility it is to assist these schools as is consistent with the intent of the *No Child Left Behind Act*.

The purpose of this request is to offer a programmatic solution and support by providing a state response to the 14 schools through collaborative partnerships with several national, federal, tribal, regional and state agencies.

Priority 2: Request for 1 FTE – Indian Education Coordinator \$38,000/yr

A coordinator of Indian Education is needed to offer focused coordination among agencies and organizations, including the North Dakota Department of Public Instruction and the Governors Office, secure resources and coordinate the data collection necessary to identify deficiencies within school districts and structure needed strategies to make improvements. Progress will be defined through advances made within pilot school districts as reported to the North Dakota Indian Affairs Commission.

If in agreement with the Governor’s Office, the individual will be a staff member of the NDIAC Commission. As needed, the individual can serve in an adjunct capacity to an Indian Education Advisory Council as proposed by the State Superintendent in 2004 to the North Dakota Department of Public Instruction.

A job description of the position and the duties of the individual will be defined within the NDIAC.

Change Group: O	Change Type: A	Change No: 8	Priority: 8
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Priority 3: Request for PTE - \$7,500 - Request for 1 Temp, PTE – Intern

A portion of the Optional package will include a request for additional operating funds to support the implementation of the Strategic Plan as articulated by the ND Indian Affairs Commission. Additional funds will be request to increase the number of staff within the agency to include a director of Indian Education and an intern to work with the agency.

NDIAC Intern

The NDIAC will be requesting the employment of a part-time equivalent intern on a temporary basis, preferably a college student who is willing and interested in the work of the Commission. The individual will assist in coordination and scheduling on behalf of the director. The individual will work directly with the director on needed coordination.

Priority 3: Request for 1 Temp, PTE – Intern

\$7,500

The NDIAC is requesting an intern to work in the Office of the Executive Director of the North Dakota Indian Affairs Commission. The internship will be a learning experience that will fundamentally provide a situation in which an individual can learn and experience the practical side of the Commission’s work, as well as a provide an support base for scheduling and managing the multiple functions as required by the agency.

NDIAC will with the Department of Human Resources Management to determine eligibility and requirements of the program.

Budget Request for Intern:

\$7,500

Proposed wage: \$10/hr. X 4-hours/day/90 days/semester = \$3,600

Internship will be for 1 year of a biennium.

Change Group: O	Change Type: A	Change No: 9	Priority: 9
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Priority 4: Increase in operating budget - \$10,000 - Increase in the NDIAC Operating Budget

Priority 4: Increase in the NDIAC Operating Budget

\$10,000

As a part of the agencies’ Strategic Plan, additional funds in the operating budget will be required to implement the proposed outreach to tribal communities, hosting events where policy-makers, state-agencies, and legislators and tribal officials can meet to address the multiple issues confronting state and tribal governments.

Purpose of the request is to build the capacity for greater partnerships, and opportunities for dialogue germane to the state and the tribal nations.

The current operating budget had limited funds available to support the functions as proposed by the NDIAC 2006 – 2008 Strategic Plan.

Change Group: O	Change Type: A	Change No: 10	Priority: 10
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Priority 5: Operating - Indian Education Coor. - \$30,000 - Establish operating budget for Indian Education Coordinator.

\$30,000 to establish operating expenses budget for the position of Indian Education Coordinator.