

**FIRST ENGROSSMENT
with House Amendments**

**ENGROSSED SENATE CONCURRENT
RESOLUTION NO. 4036**

Introduced by

Senators Bercier, T. Mathern, Mutzenberger, Thane, Thompson

Representative Boucher

1 A concurrent resolution directing the Legislative Council to study the operation of the temporary
2 assistance for needy families program in North Dakota as it relates to the relationship between
3 the state and the federally recognized Indian tribes in the state.

4 **WHEREAS**, the Personal Responsibility and Work Opportunity Reconciliation Act of
5 1996 provides the state of North Dakota with an annual temporary assistance for needy
6 families block grant to assist needy families so that children may be cared for in their own
7 homes or in the homes of relatives; and

8 **WHEREAS**, the temporary assistance for needy families block grant allows states some
9 flexibility in the design of the program; and

10 **WHEREAS**, the temporary assistance for needy families block grant requires recipients
11 of assistance to meet certain work requirements and limits the number of months an adult may
12 receive such assistance; and

13 **WHEREAS**, an increasing percent of the recipients of assistance under the temporary
14 assistance for needy families block grant in North Dakota are members of a federally
15 recognized Indian tribe; and

16 **WHEREAS**, a large portion of these individuals resides on Indian reservations within
17 the state; and

18 **WHEREAS**, the Indian reservations are located in the rural areas of the state and are
19 economically depressed with an unemployment rate approaching sixty percent according to the
20 Bureau of Indian Affairs; and

21 **WHEREAS**, while federal law requires states to disregard the months of assistance
22 received by an adult while living on an Indian reservation with at least fifty percent
23 unemployment, a conflict has arisen as to the method to be used to determine unemployment
24 rate statistics; and

1 **WHEREAS**, the effective coordination and cooperation between the state, tribes, and
2 local governments are critical to the success of welfare, job and workforce training, and
3 economic development programs;

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

6 That the Legislative Council study the operation of the temporary assistance for needy
7 families program in North Dakota as it relates to the relationship between the state and the
8 federally recognized Indian tribes in the state; and

9 **BE IT FURTHER RESOLVED**, that the Legislative Council, in conducting its study,
10 evaluate the impact of the temporary assistance for needy families program on the federally
11 recognized Indian tribes within the state; and

12 **BE IT FURTHER RESOLVED**, that the Legislative Council, in conducting its study,
13 evaluate the use of the Bureau of Indian Affairs unemployment rate statistics to determine if
14 adults within an Indian reservation are exempt from the state's lifetime limit under the temporary
15 assistance for needy families program and evaluate and consider other methods of determining
16 the unemployment rate specifically as it applies to those areas; and

17 **BE IT FURTHER RESOLVED**, that the Legislative Council review the process through
18 which the Department of Human Services receives input from local governments and the
19 federally recognized Indian tribes within the state; and

20 **BE IT FURTHER RESOLVED**, that the Legislative Council study how state-sponsored
21 economic development, job training, and workforce training programs can be coordinated
22 between the state and federally recognized Indian tribes within the state; and

23 **BE IT FURTHER RESOLVED**, that the Legislative Council consider the impact of tribal
24 sovereignty on economic development and the implementation of the temporary assistance for
25 needy families program in areas under the jurisdiction of federally recognized Indian tribes
26 within the state; and

27 **BE IT FURTHER RESOLVED**, that the Legislative Council, in conducting its study,
28 request input from members of the federally recognized Indian tribes within the state and from
29 officials of the government of those tribes, especially tribal officials involved with human
30 services and economic development programs; and

- 1 **BE IT FURTHER RESOLVED**, that the Legislative Council report its findings and
- 2 recommendations, together with any legislation required to implement the recommendations, to
- 3 the Fifty-seventh Legislative Assembly.