

1999 SENATE HUMAN SERVICES

SB 2412

1999 SENATE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. SB2412

Senate Human Services Committee

Conference Committee

Hearing Date FEBRUARY 3, 1999

Tape Number	Side A	Side B	Meter #
1	X	X	
2/3/99 2		X	2,412
Committee Clerk Signature <i>Carol Salodziejchuk</i>			

Minutes:

The committee was called to order.

The hearing on SB2412.

SENATOR BERCIER, sponsor, introduced the bill. Emphasized tribal/state relationships.

(written testimony).

REPRESENTATIVE BOUCHER, sponsor, explained the bill with written testimony. The intent

is to draw attention to this issue. SENATOR THANE: What approach was made to the

Governor before the budget was made? REP. BOUCHER: Unfortunately, it was an

afterthought.

RICHARD LaFRAMBOIS, Chippewa Tribal Leader. (written testimony forthcoming)

The reservation is prepared to follow the lead of Government. We must get together - 25% of the

welfare problem on the Reservation. 850 families are on TANF. He asked for assistance from

agencies - get families back together. We need to get our young leaders with your young leaders.

Get together and work together. SENATOR DEMERS asked from whom he received the letter.

It was from Carol Olson.

DAVID MORIN, Tribal councilman from Turtle Mt. and Chairman for the Work First Initiative Committee, supports bill. (written testimony) He distributed the plan that is proposed.

SENATOR LEE: Would people be willing to move off the Reservation? Mr. MORIN answered that people don't have the education/skills that are necessary to hold jobs.

KENNETH DAVIS, Sup't for Bureau of Indian Affairs, Turtle Mountain Agency Office, supports bill with written testimony.

SHEILA TROTTIER, Vocational Education Director at Turtle Mountain Community College, supports bill (written testimony). SENATOR THANE asked if they have non-tribal members?

MS. TROTTIER replied yes, there are 58 non Tribal students. SENATOR THANE: Do you have equipment and facilities? MS. TROTTIER stated that they have a broad range of technical skills throughout the program.

DINAH BRELAND, Director of the Social Services Program, supports bill. (written testimony)

SENATOR DEMERS: Is the bill open to all members? Ms. BRELAND stated that the majority are Native Americans.

DR. VIOLA FONTAINE, Sup't of school in Belcourt, supports bill. Our school has 1800

students; 900 elementary, 400 middle school, 600 high school. Drop out rate is 70-90 students.

101 students graduated. There are after school programs to work with teachers. Day treatment

centers are available. We add to general funds; money for the project. ACT scores 17.5 average;

the state average is 21. We have 4 goals: 1. Improve communication between schools, parents,

communities, state, and Federal. 2. Reading on level of grade - grade 3 reading at grade 3 level. 3. Space - population continues to grow. 4. Educate the whole child - provide hope for future; attitude change. We need to teach them the value of work. We are doing things. The community is doing a lot to support families. Plan is in place - wide range of effort to work on plan.

LEO CUMMINS, Employment training, supports bill. We need to change the way we deliver services. Promote a system that meets the people needs and performance patterns. Case management in depth.

TAMI KJOS, TANF recipient, non tribal college student, supports bill. Everyone needs to pull together.

Neutral/ Opposition to SB2412.

KEVIN IVERSON, Dept of Human Services, opposes bill. (written testimony) SENATOR

THANE: What is the amount the dept has anticipated in going to the region? MR. IVERSON: It is based on the state wide budget that is projected with the case load through the 1999-01 biennium.

DeANN BERG, Asst manager of Employer and Applicant Services for Job Service, opposes the bill in written testimony.

FRAINE ZEIZLER, Deputy of economic development and finance, opposes the bill. From the department's point of view we are opposed for 2 reasons: 1. Development is our job. 2.

Stipulations on financing really presents some problems. We support the concept. The Turtle Mountain community has met the two requirements. 1. They are North Dakotans and 2. There is a commitment by the community to do something. The dept would like to begin and continue.

1. need to develop education. 2. Technical assistance. 3. Develop the research capabilities available to the Turtle Mt. Community. We can supply and help them with more information. 4. The plan calls for strategic planning. People are willing to help them. It is a vision and dream with proper planning. 5. Part of success requires marketing. Will share expertise. 6. We are willing to entertain and work with tribe to make plan flow. We must get involved with Tribal leadership and state working together. Ready to engage at their call.

MR. LAFRAMBOISE: Development not involved. We need to do a change. We have not mislead you. State depts have 0 involvement.

SENATOR DEMERS: Do you see any way this can be worked out; compromise? Mr.

IVERSON: There was a meeting - discussion that something needed to be done. This bill came out after meeting. We are opposed to the inflexibility of this plan.

The hearing was closed.

Discussion resumed on 2/3/99. KEVIN IVERSON discussed the bill and his reasons for recommending a do not pass, same as two years ago. He urged a study resolution. SENATOR DEMERS moved amendment. SENATOR MUTZENBERGER seconded it. Roll Call vote failed 2-3-1. SENATOR LEE moved DO NOT PASS. SENATOR KILZER seconded it. Roll call vote passed 3-2-1. SENATOR KILZER will carry the bill.

FISCAL NOTE

(Return original and 14 copies)

Bill / Resolution No.: SB 2412

Amendment to: _____

Requested by Legislative Council

Date of Request: 01/27/99

1. Please estimate the fiscal impact (in dollar amounts) of the above measure for state general or special funds, counties, cities, and school districts.

Narrative:

This bill provides for state agency participation in the work first demonstration project of the Turtle Mountain Band of Chippewa Indians. The Turtle Mountain Band of Chippewa Indians would receive a calculated ratio of the state's TANF Block Grant, TANF Maintenance of Effort, Child Care Mandatory and Discretionary Funds and Welfare to Work Grants. Using the calculated ratio \$21,638,682 would be allocated to the Turtle Mountain Band of Chippewa Indians for the 1999-2001 biennium which is an increase of \$10,643,432, of which \$4,437,977 is general funds, over the current level of estimated funding for the 1999-2001 biennium.

Job Service North Dakota's budget request includes the necessary federal funds to allocate the Welfare to Work grant. The Department of Human Services budget request as contained in SB 2012 does not include the approximately \$11 million, of which \$4,437,977 is general funds, needed to implement this bill.

The Department of Economic Development and Finance (ED&F) has operated a matching grant marketing program for economic development organizations. During the current biennium the maximum amount granted to support an organization's marketing effort is \$40,000. The general fund grant must be matched with an equal amount of city or county funds. The ED&F budget request does not include \$40,000 for the grant. The agency needs further clarification of the bill in order to determine any further fiscal impact.

2. State fiscal effect in dollar amounts:

	1997-1999 Biennium		1999-2001 Biennium		2001-2003 Biennium	
	General Fund	Special Funds	General Fund	Special Funds	General Fund	Special Funds
Revenues:						
Expenditures:	-0-		4,477,977	6,205,455	5,216,871	7,579,885

3. What, if any, is the effect of this measure on the appropriation for your agency or department:

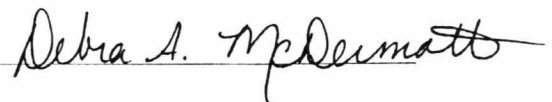
a. For rest of 1997-99 biennium:	-0-
b. For the 1999-01 biennium:	10,683,432
c. For the 2001-03 biennium:	12,796,756

4. County, City, and School District fiscal effect in dollar amounts:

	1997-1999 Biennium			1999-2001 Biennium			2001-2003 Biennium		
	Counties	Cities	School Districts	Counties	Cities	School Districts	Counties	Cities	School Districts
Revenues:				10,683,432			12,796,756		
Expenditures	-0-			Unknown			Unknown		

If additional space is needed, attach a supplemental sheet.

Signed



Typed Name

Debra A. McDermott

Date Prepared: February 3, 1999

Department

Human Services

Phone No.

328-3695

Date: 2/3/99
 Roll Call Vote #: 1

1999 SENATE STANDING COMMITTEE ROLL CALL VOTES
BILL/RESOLUTION NO. SB 2412

Senate HUMAN SERVICES COMMITTEE Committee

- Subcommittee on _____
 or
 Conference Committee

Legislative Council Amendment Number _____

Action Taken Amendment - failed

Motion Made By Sen DeMers Seconded By Sen Mutzenberger

Senators	Yes	No	Senators	Yes	No
Senator Thane		✓			
Senator Kilzer		✓			
Senator Fischer					
Senator Lee		✓			
Senator DeMers	✓				
Senator Mutzenberger	✓				

Total 2 (yes) 3 (no)

Absent 1

Floor Assignment _____

If the vote is on an amendment, briefly indicate intent:

Date: 2/3/99
Roll Call Vote #: 2

1999 SENATE STANDING COMMITTEE ROLL CALL VOTES
BILL/RESOLUTION NO. SB 2412

Senate HUMAN SERVICES COMMITTEE Committee

Subcommittee on _____
or
 Conference Committee

Legislative Council Amendment Number _____

Action Taken Do Not Pass

Motion Made By Sen Lee Seconded By Sen Kilzer

Senators	Yes	No	Senators	Yes	No
Senator Thane	✓				
Senator Kilzer	✓				
Senator Fischer					
Senator Lee	✓				
Senator DeMers		✓			
Senator Mutzenberger		✓			

Total 3 (yes) 2 (no)

Absent 1

Floor Assignment Sen Kilzer

If the vote is on an amendment, briefly indicate intent:

REPORT OF STANDING COMMITTEE (410)
February 9, 1999 3:00 p.m.

Module No: SR-26-2377
Carrier: Kilzer
Insert LC: . Title: .

REPORT OF STANDING COMMITTEE

SB 2412: Human Services Committee (Sen. Thane, Chairman) recommends DO NOT PASS (3 YEAS, 2 NAYS, 1 ABSENT AND NOT VOTING). SB 2412 was placed on the Eleventh order on the calendar.

1999 TESTIMONY

SB 2412

gm. Ymin

GOVERNOR SCHAFER PREVENTED A CRISIS
WHEN HE STOPPED THE TANF CLOCK

“SB 2412” PUTS PEOPLE TO WORK

THE TURTLE MOUNTAIN WORK FIRST INITIATIVE
a 10 year partnership to reduce poverty

Goals for Rolette County

- Reduce TANF caseload to state-wide average
- Reduce unemployment to state-wide average
- Reduce school drop-out rate to state-wide average

Program

- Business Recruitment, Incentives and Infrastructure to create 300+ jobs/year
- A Workforce Development Council, 250 community service and 230 training positions/year
- Enhanced Employee Assistance Programs for 2000 families in school, training or working

Initiative Supporters

- Turtle Mountain Band of Chippewa Indians
- Rolette County
- Belcourt School District
- Bureau of Indian Affairs
- Indian Health Services
- Turtle Mountain Community College
- Rolette County Economic Development Committee

RESOLUTION NUMBER **TMBC1233-12-98** OF THE DULY ELECTED AND CERTIFIED GOVERNING BODY OF
THE TURTLE MOUNTAIN BAND OF CHIPPEWA INDIANS

- WHEREAS, the Turtle Mountain Band of Chippewa Indians, hereinafter referred to as the Tribe is an unincorporated Band of Indians acting under a revised Constitution and By-laws approved by the Secretary of the Interior on June 16, 1959, and amendments thereto approved April 16, 1962, April 3, 1975, October 25, 1990, November 3, 1992, and February 3, 1995; and
- WHEREAS, Article IX (a) Section 1 of the Turtle Mountain Constitution and Bylaws empowers the Tribal Council with the authority to represent the Band and to negotiate with the Federal, State and local governments and with private persons; and
- WHEREAS, the Tribe has the authority and responsibility under its constitution and By-laws for the health, safety and economic welfare of its enrolled members; and
- WHEREAS, the Personal Responsibility and Work Opportunity Reconciliation Act passed by Congress in 1996 created the Temporary Assistance to Needy Families Program (TANF) and eliminated the Aid to Families with Dependent Children (AFDC); and
- WHEREAS, TANF includes 5-year lifetime limits on benefits and establishes a new "work first" policy, eliminating financial support for the children of individuals pursuing higher education; and
- WHEREAS, there are approximately 2000 tribal families dependent upon TANF for a major portion of their family's financial survival and there is 57% unemployment among tribal members, according to the BIA Labor Force report for 1997; and
- WHEREAS, tribal members were 25% of North Dakota's 1998 statewide TANF caseload; and
- WHEREAS, there are not enough jobs in Rolette County as an alternative to TANF; and
- WHEREAS, the Congress also recognized the unique situations of Native Americans living on reservations and allowed for tribes to apply in the Secretary of Health and Human Services to administer the TANF; and
- WHEREAS, the Tribe responded in 1997 by conducting a Feasibility Study to investigate the situation, with the assistance of the Bureau of Indian Affairs; and
- WHEREAS, the Tribe became convinced that the TANF crisis was real and, in August, 1998, requested local agencies participate in a planning committee to devise a plan for addressing it; and
- WHEREAS, the Tribe secured a grant from the Otto Bremer Foundation to offer training and consultants to assist the local planning committee; and
- WHEREAS, over 75 persons participated in numerous training sessions on issues related to the looming TANF crisis and 12 local professionals participated in program planning meetings; and
- WHEREAS, the local planning committee found a great deal of support among TANF recipients and the general public for Rolette County and the State continuing to administer the TANF family benefits; and
- WHEREAS, the local planning committee found that although tribal members are 25% of North Dakota's TANF caseload, only 18% of North Dakota's TANF block grant, 5% North Dakota's Welfare to Work block grant and none of

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TMA/Admin

the State's TANF Maintenance of Effort is being spent to assist tribal members; and

WHEREAS, the local planning committee found that 3500-5000 jobs and various policies, resources and training programs, if implemented in Rolette County in the next ten years could avoid the TANF crisis; and

WHEREAS, the local planning committee found that Congress recognized the enormity of the potential TANF crisis on Indian reservations, far from existing jobs and economic growth, and allowed a state to waive the 60-month lifetime limit persons living on Indian reservations with over 50% unemployment; and

WHEREAS, the local planning committee found that North Dakota has not taken this option to "stop the clock;" now

THEREFORE BE IT RESOLVED that the Tribal Council immediately inform Governor Ed Schafer that the Turtle Mountain Band of Chippewa is not interested in administering the TANF program and commends Rolette County and the State of North Dakota for the quality of service extended to eligible tribal members; and

BE IT FURTHER RESOLVED that the Tribal Council of the Turtle Mountain Band of Chippewa request Governor Ed Schafer intervene in the administration of the TANF program and "stop the clock" for tribal members receiving TANF and living on an Indian reservation with over 50% unemployment; and

BE IT FURTHER RESOLVED that the Tribal Council seek out the partnerships with the various agencies identified in the local planning committees recommendations as outlined in attached plan; and

BE IT FURTHER RESOLVED that the Tribal Council request a meeting with the Department of Human Services, Job Service North Dakota, the Department of Economic Development and Finance and legislative leaders to discuss the TANF crisis looming over the Turtle Mountains and seek their support in the 1999 Legislature for legislation which will implement the committee's recommendations; and

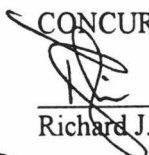
BE IT FURTHER RESOLVED that the Tribal Council hire sufficient staff to secure Turtle Mountains fair share of North Dakota's federal block grants in the next biennium.

CERTIFICATION

I, the undersigned Tribal Secretary of the Turtle Mountain Band of Chippewa Indians, do hereby certify that the Tribal Council is composed of nine (9) members of whom nine (9) constituting a quorum were present at a meeting duly called, convened, and held on the **23rd day of December, 1998**, that the foregoing resolution was adopted by an affirmative vote of eight (8) in favor; with the Chairman not voting.


Joleen Peltier, Tribal Secretary

CONCURRED:


Richard J. LaFromboise, Tribal Chairman

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JAN 13 '99

TMA/ Admin

TURTLE MOUNTAIN WORK FIRST
INITIATIVE
to reduce poverty

December 23, 1998

Councilman David "Sandy" Morin, Chairman
Turtle Mountain Work First Initiative Planning Committee
Turtle Mountain Band of Chippewa Indians
Belcourt, North Dakota

Research and consultation provided by Kari Conrad & Associates
Minot, North Dakota

Funded by a grant from the Otto Bremer Foundation

TURTLE MOUNTAIN WORK FIRST INITIATIVE

PLANNING COMMITTEE

Councilman David "Sandy" Morin, Chairman

Alex Albert, Job Service North Dakota

J. Lyman Bercier, Uniband

Dinah Breland, Bureau of Indian Affairs

Brenda Davis, Bureau of Indian Affairs

Ken Davis, Bureau of Indian Affairs

Dr. Viola LaFontaine, Belcourt School District

Betty Keegan, Rolette County Social Services

Cleo Monette, Indian Health Services - Human Services

Jennifer Ramey, Headstart

Joe Parisien, Turtle Mountain Tribal Government

Sheila Trottier, Turtle Mountain Community College

KARI CONRAD & ASSOCIATES

Kari Conrad, LCSW, CSWM, Lead Consultant

Wayne Anderson

Ed Gorman, America Works Partnership

Jane Hull, M Ed, LAC, LPC

Dave Meiers, Meiers Management Associates

Lee Peterson

Jim Reiley, Community Intervention, Inc.

Susan Thompson, LCSW

Dr. Ralph Woehle, LCSW

PURPOSE

The Turtle Mountain Work First Initiative is being proposed to the Tribal Council of the Turtle Mountain Band of Chippewa Indians as a 10-year comprehensive, multifaceted effort to reduce poverty and promote an economically sustainable community. It builds upon the Tribe's traditions and the successes of existing tribal, county, regional, state and federal programs. It envisions a socio-economic infrastructure which can attract private sector jobs and nurture a reliable workforce. With strong partnerships between the Tribe and the State of North Dakota, Rolette County government, the federal government and the private sector and the investment of sufficient financial and technical resources, it anticipates decreasing dependence upon government cash grant programs among Tribal members to a level comparable to other parts of North Dakota.

BACKGROUND

The Turtle Mountain Band of Chippewa Indians has been engaged for more than a year in a series of activities leading to the proposed Turtle Mountain Work First Initiative. The discussions began with concern about the difference between the decreasing numbers of families receiving Temporary Assistance to Needy Families (TANF) in North Dakota, statewide, and the continued maintenance of large caseloads in Rolette County, among the Turtle Mountain Chippewa. The North Dakota Department of Human Services was getting results, elsewhere, from the welfare reform changes and its TEEM program: a case management service model designed to better coordinate existing human services so that individuals and families can move into the job market.

Between 1994 and 1998, the AFDC/TANF caseload in North Dakota decreased by 40.4%, while in Rolette County it went down by only 8.6%. 98% of

the clientele is tribal members. In 1998 the average monthly number of TANF families in Rolette County is 825. This is comparable to the 831 families in North Dakota's three largest counties, combined: Cass (321), Grand Forks (226) and Burleigh (342). Throughout 1998, Rolette County's monthly average has been approximately 25% of the State's total.

The obvious difference between Rolette County and the rest of North Dakota is the lack of jobs in Rolette County. Unlike other North Dakota communities of its size, The Bureau of Indian Affairs' most current estimate (1995) is that approximately 3650 of 6200 working age tribal members (59%) are presently unemployed in Rolette County. This includes those receiving TANF. Local agencies estimate that 2000 families are economically dependent upon TANF, even though, at any one time, there may only be approximately 825 families on the caseload. The 2000 families are on TANF for a period of time; they get a job and get off; but, then, they return. The number of jobs they have available to them do not lead to economic stability, and they are unable or unwilling to go elsewhere. To further illustrate: 75 families per month apply to Rolette County for TANF assistance, and this number has been constant for many years.

In this situation TANF's 60-month lifetime limit on benefits and the "work first" focus rather than train or educate first makes full implementation of TANF, in 2002, as ominous as a dangerous storm threatening the Tribe. The lifetime limits cannot be met, because there are simply not enough jobs or community service positions to accommodate the numbers of working-age residents. The requirement to "work first" without access to extensive education and training programs makes it risky, at best, to move to another town or state to find a job. When these 2000 families begin to reach the end of their 5-year lifetime limit in 2002, their only source of help will be the Bureau of Indian Affairs; and these funds are limited and already severely stretched.

What is needed is a long-term, multifaceted economic development effort to build protection from this TANF storm, and welfare reform, itself, may offer the Tribe a blueprint for building both temporary and long-term shelter. If the Tribal Council is willing to engage the issue, form partnerships with the State of North Dakota and others, and champion policies and programs which are likely to solve local problems, the Council may be able to use the flexibility in the block grants to weather the looming TANF storm.

All of the block grants are established within the context of devolution. Devolution means that local people know better how to solve local problems, and they should have the responsibility for doing so. Within this context, the block grants are chunks of money annually provided by the federal government to the State of North Dakota to decrease welfare dependence and increase economic self sufficiency. The only expectation is that the State solve its problem. The State is no longer obligated to have only one state program and provide it to everyone similarly situated. In other words: the federal government does not require the State to provide in Dickinson what it provides in Belcourt. What it does in Belcourt does not have to be done in Fargo. The unique dimensions of a unique situation may be best addressed by a unique combination of services or approaches. What the federal government expects is that its funds achieve results.

By proposing to Governor Ed Schafer and the North Dakota Legislature a locally supported plan for reducing poverty and, as a result, reducing dependence upon government grants, the Tribal Council may be able to instigate a very positive change on behalf of tribal members. It is within the power of the State to respond positively, without spending any additional state funds. It may also be in its best interest to do so. Thus: the Turtle Mountain Work First Initiative.

The Tribe has been assisted in this effort, first, by a grant from the Bureau of Indian Affairs and, now, by one from the Otto Bremer Foundation.

INTRODUCTION TO THE PLAN

In August, 1998, economic development and human service agencies serving tribal members were asked by the Tribal Council to participate in a Turtle Mountain Work First Initiative Planning Committee. The Committee has been chaired by Tribal Councilman David "Sandy" Morin. Its task has been to formulate recommendations for the Tribal Council regarding welfare reform: decreasing the dependence of tribal members on TANF. The following Plan is a result of the countless donated hours of frank, pragmatic conversation between individuals from tribal, federal, state and county agencies.

The first option considered by the Committee is tribal administration of TANF, as allowed but not required by the United States Congress. The Committee does not recommend that the Tribal Council apply for the administration of TANF.

The Committee instead recommends that the Tribal Council ask the State of North Dakota to "stop the 60-month clock for TANF recipients" and, then, participate with the Tribe in an aggressive 10-year economic development program of job creation, community and workforce development, and training and job retention to achieve the TANF goals: reducing long-term dependence upon TANF.

The law allows the State to "stop the clock" for TANF recipients living on an Indian reservation with more than 50% unemployment, and the Committee believes the seriousness of the situation justifies it. This can also allow enough time for the State and the Tribe to get results from their economic development efforts. By providing TANF recipients and those in jeopardy of being TANF recipients with the services outlined in the Plan and funded so that, at a minimum, block grant spending in Rolette County is at a rate comparable to the percentage Rolette County represents in the State's caseload, the Committee believes that the rate of TANF dependency among tribal members can be brought down to a level comparable to other parts of North Dakota.

WORK FIRST INITIATIVE PLAN

JOB CREATION

The Planning Committee recommends that the Turtle Mountain Band of Chippewa Indians generate a minimum of 300 new, privately owned primary sector jobs each year for 10 years. Primary sector is defined as manufacturing, information processing and tourism.

1. It recommends that the Tribal Council and the State of North Dakota each invest \$300,000 per year into a joint contract with a private firm or organization to professionally market the economic potential of the area and recruit the new industries. Bids would be sought from tribal, local and out-of-town, for-profit and not-for-profit firms.
2. It recommends that the Tribal Council create a Turtle Mountain Business Incentive Fund for new, primary sector business incentives (\$5,000-\$7,500/job) to be distributed only by resolution of the Council at the monthly open meeting. The incentives would be leveraged with funds from other sources whenever possible and necessary.

COMMUNITY DEVELOPMENT

The Planning Committee recommends that the Turtle Mountain Band of Chippewa Indians promote the construction of a well maintained, modern soci-economic infrastructure conducive to growing and attracting financially strong and socially responsible businesses in Rolette County.

1. It recommends that the Tribal Council request the United State Department of Agriculture work with representatives of the Tribe to establish a Resource and Conservation District to:
 - a. Focus planning and grant-writing activities on the development of community amenities necessary for private businesses to flourish. Primary focus would be given to:

- * privately reimbursable medical care
- * moderately priced privately owned family housing
- * wide variety of cultural and recreational activities
- * well-coordinated continuum of mental health and addiction services
- * state-of-the-art elementary and secondary school facilities

- b. Organize a “rapid response community development team” from tribal, Turtle Mountain Community College, regional and community agencies economic/community development staff. The team would be ready to quickly prepare community resources packages tailored to the needs of particular businesses being recruited to the Turtle Mountains.
2. It recommends that the Tribe sponsor the development of a government office complex to house federal, state and county agencies serving Tribal members and provide space for meetings with agencies which may not have local staff but who could routinely visit Turtle Mountains.
3. It recommends that the Tribal Council in conjunction with the Center for Innovation at the Turtle Mountain Community College work with the Business Development Center of the US Small Business Administration and the North Dakota Economic Development and Finance Department to organize four business incubators within the county to offer local entrepreneurs:
 - a. short-term, low-cost rental space and business services.
 - b. mentoring to tribal members interested in starting child care, retail and home-based manufacturing businesses.
 - c. a national marketing program to assist tribal crafters and artisans, modeled after Pride of Dakota.
4. It recommends that the Tribal Council request the assistance of the North Dakota Congressional Delegation and Governor Ed Schafer to establish methods for compiling statistical information which reflects life on the Turtle Mountain Reservation and are acceptable to all parties (the Tribe, the US and the North Dakota government agencies). Of special concern the various methods for determining unemployment and homeless rates.
5. It is recommended that the Tribal Council establish universal access to child care and transportation as a priority and seek funding to achieve this end.

6. It is recommended that the Tribal Council establish a 250-member Turtle Mountain Betterment Corps as part of its economic development program and seek funding related to job creation and workforce development to achieve this end. The Corps could be managed by the Tribe, Job Service ND, another agency, or a new non-profit for this purpose.

The Corps would seek out beautification, recreational and historical projects for which local sponsors cannot secure full funding or privately owned service vendors are not available. The Corpsmen and Corpwomen would be tribal members recruited from the ranks of the unemployed and underemployed, with preference to Tribal members at risk of being TANF recipients. Along with minimum wages, they would receive career development services.

WORKFORCE DEVELOPMENT

The Planning Committee recommends that the Turtle Mountain Band of Chippewa Indians promote the creation of a local workforce development infrastructure which is coordinated with its job creation effort, able to prepare reliable, adaptable employees, and in 10 years can lower Rolette County's unemployment and school drop-out rates to a level comparable to the state-wide average.

1. It is recommended that the Tribal Council encourage the State of North Dakota to establish a Rolette County Workforce Development Council of private and tribal businesses representatives, business professionals and secondary and post-secondary educators to:
 - a. Promote innovative approaches to workforce development.
 - b. Promote the Tribe's 100% high school graduation/GED campaign.
 - c. Encourage partnerships between community education, workforce development and human service agencies and governmental units.
 - d. Seek specific partnership agreement with existing federal, state, tribal, school district and community college vocational training programs.
2. It is recommended that the Tribal Council request North Dakota Job Service to open a One Stop Workforce Development Shop in Belcourt to assist tribal members with career planning and job and training referrals.

3. It is recommended that the Tribal Council assist education and workforce development agencies secure sufficient funding so that:
 - a. 50 work ready tribal members per year can enroll at the Turtle Mountain Community College in job specific training situations, using the previously successful Co-op education model.
 - b. 120 tribal high school students per year can enroll in work-study program.
 - c. 75 tribal members per year can enroll in construction related apprenticeship programs, organized as a joint venture between the Turtle Mountain Community College and America Works Partnership, Inc.
 - d. 30 tribal members per year can enroll in a welfare-to-work transition program at the Turtle Mountain Community College, similar to the Phoenix program.
 - e. 75 tribal members per year can be employed part-time in a community sponsored job shop doing piece work.

TRAINING AND JOB RETENTION SERVICES

The Planning Committee recommends that the Turtle Mountain Band of Chippewa promote long term job retention for all Tribal members, whether TANF recipients or not, by securing local access to affordable employee assistance programs at training or work sites. Employee assistance programs are promoted by business leaders and private insurance companies, because they effectively deliver human services when personal and family problems block successful work performance.

1. It is recommended that the Tribal Council recruit employee assistance program contractors to locally provide the following employee assistance benefit package.
 - a. training and technical assistance programs for participating employers and their work supervisors about ways of preventing personal and family problems from interfering with an employee's performance and making referrals to human service professionals, if problems do arise.

- b. regular training for human service professionals and elementary and secondary educators in the community about blockers to long term, successful employment.
- c. an extensive curriculum of family and child management courses.
- d. timely access for employees to human service screenings, referrals, case management and short-term treatment provided by well trained, culturally sensitive professionals to address problems associated with teenage pregnancies, social adjustment, mental health and addiction issues.
- e. “enhanced” services, for employed tribal members who are TANF recipient families or at risk of being TANF recipients:
 - * unlimited duration of services
 - * assistance with family transportation and child care issues.
 - * mentoring programs to provide positive role models and support systems to children and adults in the family.

If an existing package does not provide these services, it is recommended that the Council encourage them to do so. It will also encourage existing and new businesses to purchase this package for all employees.

2. It is recommended that the Tribal Council and the North Dakota Job Service contract with an insurance company to offer enhanced employee assistance program benefits to tribal members receiving TANF or at risk of receiving TANF and their families while they are participating in education and training programs, if they are not otherwise covered. The premiums would be paid as part of the NEW/JOBS and the welfare-to-work programs.

INITIATIVE BUDGET AND FUNDING

The proposed annual budget estimates the amount of funds necessary to implement the Work First Initiative and identifies potential sources: Tribal funds, the Tribe's existing welfare reform related block grants, the State's general funds, and the State's Block Grants from the federal government.

Because the Committee is not recommending the Tribe administer the TANF program, the plan does not contemplate requesting the transfer of federal funds to the Tribe from funds for which the state is accountable. The Committee is, rather, recommending the State make expenditures through existing agencies, to the extent permitted by federal law.

The Committee supports committing Tribal funds for business recruitment and job creation. These funds may come from existing tribal source, grants and loans to which the Tribe has access and gaming proceeds. The proposed Initiative budget likewise proposes that the State commit a similar amount from the general fund for business recruitment. These could very logically come from the North Dakota Economic Development and Finance agency's funds already dedicated to recruiting businesses to reservations.

The Committee also supports the Legislative appropriation of State general funds to Rolette County for TANF administrative costs, as is being proposed by the North Dakota Association of Counties. Without these funds, the burden on Rolette County property taxpayers would be too great.

Lastly, the Committee maintains that it is not only possible for the State of North Dakota to dedicate specific amounts or percentages of State and Federal block grant resources to the proposed Work First Initiative, but it is in the best interest of the State program to do so. The depth of poverty, the rate of unemployment and underemployment, and the disproportionate size of the TANF caseload at Turtle Mountain is unquestionably serious and unique in North Dakota. If the federally prescribed work participation rates are to be met or exceeded by the

State, in the future, so as to avoid incurring fiscal penalties, a cooperative effort as envisioned in the Plan is necessary.

A fiscal cornerstone of the recommended Plan is a proportional allocation by the State of specific federal block grant funds to the Initiative. This allocation approximates Turtle Mountain's percentage of the state-wide TANF caseload. If, for example, 25% of the State's TANF caseload is in Rolette County, one-quarter of the TANF Block Grant, the Welfare-to-Work Block Grant, and the Child Care and Development Block Grant funds would be dedicated to those parts of the Initiative that qualify for funding under federal law and the respective block grant plans. This approach targets the resources to the clientele who are most in need and in a jurisdiction that is clearly willing to work cooperatively with the state and county agencies, proactively addressing its dependence on government assistance.

Prior to the passage of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996, many federally assisted programs, including AFDC, had "state-wideness" requirements. Under the new law, the requirement is that the State "[c]onduct a program, designed to serve all political subdivisions in the State (not necessarily in a uniform manner), that provides assistance to needy families with (or expecting) children and provides parents with job preparation, work, and support services to enable them to leave the program and become self-sufficient." This is interpreted by the Committee and its consultants to mean that the State may, in its TANF Plan, tailor its services consistent with the proposed Initiative. By incorporating the local ideas, the State's TANF Plan would then be addressing the unique needs of TANF recipients residing in Rolette County and on or near the Turtle Mountain Reservation, consistent with the federal requirement that Indians be provided with equitable access to assistance.

**TURTLE MOUNTAIN WORK FIRST INITIATIVE
to reduce poverty**

PROPOSED ANNUAL BUDGET BY FUNDING SOURCE

PROGRAM	TOTAL	Tribal Commitments	Tribal Block Grants	TANF Block Grant	Child Care Block Grant	Welfare to Work Block Grant	State M.O.E.	State Funds	BUDGET NOTES
Business recruitment	\$600,000	\$300,000						\$300,000	joint contract with private firm 300 - 500 jobs 250 recipients (25 supervisors + expenses) 75 recipients (7 staff + expenses)
Business incentives	\$2,200,000	\$2,200,000							
Community Betterment Corp	\$592,000			\$320,000		\$180,000	\$92,000		
Piece-work shop	\$177,000					\$177,000			
Transportation development	\$680,000			\$380,000			\$300,000		testing innovative approaches testing innovative approaches
Child care development	\$756,638			\$562,238		\$44,400	\$400,000		
Rolette Job Service	\$366,000			\$159,000		\$207,000			employment and work coordination career planning 50 students @ \$5,000/recipient 120 students @ \$2260/student + admin 2,000 families @ \$95.00/family 66 recipients @ \$5,000/student
1 Stop Career Center	\$220,000			\$220,000					
Coop Job-Education	\$250,000					\$250,000			
Work-study (high school)	\$342,000					\$309,000	\$33,000		
Enhanced Employee Assistance	\$189,988		\$107,388			\$82,600			
Welfare Transition	\$334,000		\$334,000						
TANF Family grants	\$3,800,000			\$3,800,000					1998 spending 1,050 children @ \$40/wk/child 15% of family grant total
Child care payments	\$2,100,000		\$336,238	\$589,800	\$1,175,000				
county TANF administration state TANF administration	\$570,000	-----Legislation to pay for these costs is being prepared and may warrant further review and support.-----							
				\$570,000					
Total Proposed Budget	\$13,177,626	\$2,500,000	\$777,626	\$6,600,000	\$1,175,000	\$1,000,000	\$825,000	\$300,000	Block grants allocations are based upon Tribal members being 25% of the State TANF caseload.
Present funding	\$6,973,626		\$777,626	\$4,814,000	\$1,175,000	\$207,000			
Additional funding	\$6,204,000	\$2,500,000		\$1,786,000		\$793,000	\$825,000	\$300,000	

ATTACHMENTS

(provided upon request)

- A. USDA Resource and Conservation Districts (recently made available to tribes)
- B. Co-op Educational Model
- C. One Stop Workforce Development/Career Centers
- D. Business Incubators
- E. Employee Assistance Programs and a sample contract
- F. Blockers to employability
- G. Mentoring programs associated with welfare reform

**TESTIMONY BEFORE THE
SENATE HUMAN SERVICES COMMITTEE
ON S. B. #2412**



**TEMPORARY ASSISTANCE FOR
NEEDY FAMILIES (TANF) PROGRAM
OFFICE OF ECONOMIC ASSISTANCE
FEBRUARY 3, 1999**

**TESTIMONY ON S.B. 2412
BEFORE THE SENATE
HUMAN SERVICES COMMITTEE
FEBRUARY 3, 1999**

TURTLE MOUNTAIN "WORK FIRST" PROPOSAL

Chairman Thane and members of the Senate Human Services Committee, for the record, my name is Kevin Iverson, Director of the Training, Education, Employment and Management (TEEM) Division for the Department of Human Services. This testimony is in opposition to Senate Bill 2412 which would require state agency participation in the work first demonstration project of the Turtle Mountain Band of Chippewa Indians.

The Department's position on this bill must be prefaced by the fact that we are not opposed to efforts which would improve the economic conditions within Rolette County and, in turn, help to decrease the number of families who rely on welfare benefits in order to survive. While the overall number of welfare cases has decreased in recent years, the percentage of the caseload that is Native American has increased to approximately 55% of the total statewide caseload. Other factors, such as a high unemployment rate and the incidence of teen pregnancies, also point to the critical nature of the problems within reservation counties.

The concern over S. B. 2412 lies with the restrictions this bill would place upon state agencies in providing services to the citizens of Rolette County as well as across the state. In addition, there seems to be an inaccurate understanding of the programs upon which the proposal seems to be based. I would like to present four key areas to the committee for consideration on this bill and hope that you will agree with the Department that creating a statute in this fashion would cause more problems than

it would solve.

I. Application of TANF caseload ratio to total block grant

The first area of consideration is the claim for an allocation of several funding sources based on the number of families receiving assistance under the Temporary Assistance for Needy Families (TANF) program. The ratio proposed is appropriate for the TANF grants paid to clients. However, applying the ratio to the entire TANF block grant as proposed in Section 3 of the bill does not take into account those areas beyond the grant payments that are covered with TANF funds. Those areas are primarily ones which relate to statewide operation or programs related to TANF. For example, a portion of the TANF block grant is used for Emergency Assistance for foster care cases. This program provides case management services to children placed in foster care. TANF funds are also used to cover administrative costs and related computer system operation.

If a percentage of the entire TANF block grant were allocated to Rolette County, every other county should be given the same consideration. Assigning a portion of the TANF block grant to each county across the state would limit funding for programs currently supported by grant funds as well as create problems in terms of statewide administration and would reduce the flexibility to deal with specific issues that may occur within a region or county during a period of time. As an example, if a portion of the TANF block grant were assigned to a region that suffered a major disaster, the needs of that region could be dramatically affected but the amount of funds available to assist the needy citizens of the area would be limited by the prescribed allocation.

Under the current structure, the Department of Human Services and the county social service offices provide assistance to individual families based on need. If a family meets the eligibility requirements, benefits are provided. Should the family

move to another county, benefits are still available based on the needs of the household.

II. Application of TANF caseload ratio to other programs

A second consideration is the use of the TANF caseload ratio to determine the allocation of other block grants or program funds. The main flaw is the ratio of cases in Rolette County for these programs may be more or less than the TANF caseload. For example, Section 5 of S. B. 2412 uses the TANF caseload ratio for the allocation of Child Care Development funds but data from the Department's payment records shows that Rolette County accounts for approximately 11% of the child care reimbursement statewide. The primary reason is the low number of JOBS participants in the area (approximately 16% of statewide total) resulting in less need for child care services. Additionally, the largest portion of the child care reimbursement goes to families who are not on TANF but working and still eligible for child care assistance (approximately 71% of the total child care assistance families are not on TANF).

As with the TANF block grant, there are federal requirements attached to the Child Care Development Fund. One of the requirements is that a portion of the funds be "earmarked" for the specific purpose of improving and providing services to infants, toddlers and school-age children. This federal requirement was not considered in the drafting of the bill. Also not considered as part of S. B. 2412 is the fact that states may transfer a portion of the TANF block grant to the Child Care Development Fund and the Social Services Block Grant. The Department has, in fact, proposed to transfer \$2,000,000 of federal TANF funds to the Child Care Development Fund in the 1999-2001 biennium in order to cover the projected need. The passage of S. B. 2412 would hinder the ability of the Department to make such transfers which are necessary to effectively fund and manage the programs.

The Welfare-to-Work (WtW) grant includes TANF recipients but requires more specific eligibility criteria for the majority of the expenditures. Because WtW has different criteria for eligibility, it is possible the percentage of the block grant spent in Rolette County could be greater or less than expressed in S. B. 2412.

III. Use of federal funds for purposes not specified in law

The third consideration is the basis of the work first initiative as proposed by the Turtle Mountain tribe. Again, the Department considers any reasonable effort to assist needy individuals in Rolette County as part of the overall solution and will work to expand and enhance the services offered in the region as well as statewide. Some of the components offered as part of the proposal are already included in the current state plan but improvement could be realized using these suggestions as well as others.

The concern is that some activities proposed could not be funded as identified in the plan. For example, the proposal calls for using TANF funds to pay a wage to individuals who are at risk of requiring TANF assistance. This type of activity is prohibited unless the state chooses to amend the state TANF plan and expand eligibility to the group specified. This, in turn, would cause an increase in the caseload for other programs, such as Medicaid or Food Stamps, which are tied to the TANF program in North Dakota.

IV. Fiscal impact of S. B. 2412

The projected fiscal impact of S. B. 2412 is approximately \$11 million for the 1999-2001 biennium. The impact was calculated on the basis of the amount of federal and state funds required if the bill were to become law and the amount projected to be expended in Rolette County under the Department's biennial budget request. Again, the Department has projected an increase in expenditures for the region but the amount called for under the proposal would seriously affect the state's ability to deal

with present and future needs for Rolette County and the rest of the state.

One of the most critical needs in Rolette County is in the area of employment opportunities. If employment opportunities are available, the TANF block grant and other welfare funds can help individuals as they prepare for work but the federal law did not intend the TANF block grant to be used for economic development. No matter how much is spent on training and workforce preparation, if a sufficient employment base is not established, the effort would be unsuccessful unless the recipients were willing to move to a region with better employment opportunities.

Mr. Chairman, this concludes the formal portion of my testimony. The Department asks this committee to consider the information provided and recommend "Do Not Pass" on S. B. 2412. If there are any questions from the committee members, I will try to answer those at this time. Thank you.

Hoghouse

Proposed amendments to SB 2412

Strike out all that follows "A BILL for an Act to" and insert the following:

provide authority for state agency participation in demonstration projects with any federally recognized Indian tribe in North Dakota for the purpose of providing coordinated social and economic development services.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

SECTION 1.

Consultative

1. The department of human services, any county social service board, job service North Dakota, the department of economic development and finance, and any other state agency determined appropriate may, upon the request of any federally recognized Indian tribe in North Dakota, participate in, and enter into an consultative agreement establishing, a ~~demonstration establishing~~; a demonstration project with the tribe making the request to provide for the coordinated delivery of services, including economic development, within the service area of the appropriate county social service board or within the service area of the tribe.
2. In order to establish the demonstration project described in Section 1, the department of human services is authorized to seek from appropriate federal officials authorization to establish one or more demonstration projects involving one or more federally recognized Indian tribes in North Dakota that will combine the benefits provided under the state's aid to families with dependent children, temporary assistance for needy families, fuel assistance, and food stamp programs, pursuant to title IV-AA of the Social Security Act, as enacted before August 22, 1996 [42 U.S.C. 601 et seq.], title IV-A of the Social Security Act, as enacted August 22, 1996 [42 U.S.C. 601 et seq.], the low income home energy assistance program [42 U.S.C. 8621-8629], and the Food Stamp Act [7 U.S.C. 2011-2027].
3. The goal of each demonstration project entered into as described in subsection 1 and 2 is to reduce poverty and develop economically sustainable communities within the service area of the appropriate county social service boards or within the service area of the tribe.

4. Subject to the approval of the legislative council, the department of human services may terminate any waiver secured under subsection 2, or the demonstration project described in subsections 1, 2 and 3, if necessary or desirable for the statewide implementation of the training, education, employment, and management program, or otherwise.
5. The training, education, employment and management program established under this section must provide for uniform and consistent treatment of income and assets in determining eligibility; provide for the creation of a uniform method of budgeting and computing benefits, a consistent certification period for the receipt of benefits, and uniform reporting requirements; provide the necessary child care to allow a participant to meet educational and employment goals; and provide for universal employment and training to assist individuals in becoming self-sufficient. The training, education, employment, and management program may be administered notwithstanding the requirements of section 50-01.2-03, section 50-03-07, subsections 17 and 19 of section 50-06-05.1, chapter 50-09 and section 50-11.1-11.1, relating to the administration of the temporary assistance for needy families, fuel assistance, and food stamp programs. The training education, employment, and management program may require any participant to cooperate with child support enforcement efforts.
6. Any state participating in such an agreement and demonstration project described in subsection 1, 2 and 3 shall allocate such resources to the demonstration project, ^{and funds} as are available and necessary for the success of the project, shall to the maximum extent possible under all applicable laws and regulations, be flexible in the allocation of funds as are available.
7. Any demonstration project entered into under this section may be used to fulfill the requirements of section 50-06.01-08.

team

no underlines

8. Report to LC on progress of Demo progress annually

Chairman Thane and members of the Senate Human Services Committee, I am Senator Dennis Bercier from Belcourt and Prime Sponsor of SB 2412, a bill to ensure state agency participation in the Turtle Mountain Work First Initiative.

This bill has a history. It is the next step in a local effort begun more than a year ago to reduce welfare dependence among members of the Turtle Mountain Band of Chippewa Indians. With the new time-limited TANF program, Congress offered tribes the option to administer their own welfare programs, in lieu of the State. In October 1997, the Tribal Council of the Turtle Mountain Chippewa Indians decided to look into the situation. What they found was a crisis looming on the horizon.

With 59% unemployment, there were almost 900 families receiving benefits and no significant increase in jobs or training being proposed before 2001, the end of the 60 month time-limit. What was recommended to them, in February, 1998, was: a Turtle Mountain Work First Initiative and a dedication of federal funds comparable to Turtle Mountain's share of the TANF caseload. Over 200 copies of this report and these recommendations were distributed to state and federal legislators and human service agencies by the Tribal Council. And, in June, 1998, with a letter of support from both Governor Schafer and Senator Nelson, the Tribal Council requested and received a planning grant from the Otto Bremer Foundation to investigate what types of services and activities were necessary to achieve the goals of both the Tribe and the TANF program, as stated by the Congress: reduce poverty and welfare dependency.

With the assistance of this grant and staff from the Department of Human Services and Job Service, local people have become experts on the ramifications of welfare dependence, and they have devised a plan for addressing it.

We are here today to ask the Legislature to commit state agencies to participate in the implementation of this plan at a level comparable to the local level of dependence upon welfare. Consistent with the new world of block grants --- this bill has the legislature establishing the

goals and a formula for committing the funds. It leaves the program details and the administration of the programs with the executive agencies. (It should be noted that nowhere is there any suggestion that the Tribe administer TANF or receive any funds from the state.) Thus:

Section 1.1. Establishes the goals of reducing Rolette County's TANF dependence, unemployment and school dropout rates to a level comparable to that throughout North Dakota.

Section 1.2. Describes the Initiative as a 10 year multifaceted program focused on attracting new private sector jobs and nurturing a reliable work force.

Section 1.3. Provides a mechanism (agreements) for ensuring that agencies work together for the next two years towards achieving the goals.

Section 2 through 7. Determines that the department of human services, job services and department economic development and finance will financially participate in the Initiative.

In 1994, the base year for all federal TANF calculations, Rolette County and the Turtle Mountain Chippewa Indians had approximately 16% of the AFDC caseload and received approximately 16% of the AFDC funds. But those were the days of entitlements.

Today, there are 850 TANF recipients in Rolette County who are Turtle Mountain Chippewa Indians. They are approximately 25% of the TANF caseload, yet, with the administrative flexibility of the block grants they receive approximately 18% of the TANF block grant and 5% of the Welfare-to-Work block grant. This has caused local people to wonder whether they are receiving "their fair share". They have the "problem" (welfare dependence) and they need the funds to solve it.

January 11, 1999 Governor Ed Schafer stopped the TANF clock, as requested by the Turtle Mountain Tribal Council. The Congress allowed him to do this on Indian Reservations, when the unemployment reaches 50% or greater. Governor Schafer's letter to the Tribe made it retroactive to July, 1997. The challenge is now: CREATION OF PRIVATE SECTOR JOBS AND A RELIABLE WORKFORCE. This is the mission of the Turtle Mountain Work First Initiative as described in SB 2412. I urge you to listen carefully to the local people who are following me and give them a DO PASS.

TESTIMONY FOR SB 2412
Prepared by Representative Merle Boucher
Wednesday - February 3, 1999

Chairman Thane and members of the Senate Human Services Committee, for the record I am Representative Merle Boucher, from District 9, which is Rolette County.

Rolette County and the Turtle Mountain Reservation is one of but four counties across the state of North Dakota that has experienced significant population growth during the decade of the nineties. During the decade the population of our area has grown by over ten percent. Our current population is estimated to be about 15,000 people of which over half are 18 years old and younger. Our school systems have over 4,000 children, which indicates continued growth on its future.

People and growth are certainly nice things to have, however, this situation is not without numerous problems. One of our consistent problems is the number of people we have on our public assistance programs. The impact of the "welfare reform" initiatives adds to our concerns.

What we are trying to develop through the initiatives of SB 2412 are the appropriate and necessary relationships between state, tribal and county government that will help our area move ahead. To accomplish what is necessary, and to meet our own aspirations, to properly implement the welfare reform initiatives in an affective manner, a number of things need to be done. We need to develop a menu of initiatives from assistance, training, child care programs to intense economic development efforts.

Chairman Thane and Senate Human Services Committee members I ask that you give serious consideration to give SB 2412 a DUE PASS.

SENATE Bill 2412

CHAIRMAN THANE AND COMMITTEE MEMBERS

My NAME IS DAVID MORIN, I'm A TRIBAL COUNCILMAN FROM TURTLE MT. I'm ALSO THE CHAIRMAN FOR THE WORK FIRST INITIATIVE COMMITTEE, AND I'm HERE TODAY TO TESTIFY IN SUPPORT OF SENATE BILL 2412.

MTG. WITH LIEUTENANT GOVERNOR, CHAIRMAN LATROMBOIS AND MYSELF.

SHE WAS VERY EXCITED ABOUT WELFARE. A LAW THAT WOULD REDUCE WELFARE ROLLS AND PUT MORE PEOPLE IN THE WORK PLACE.

SHE SEEMED TO THINK THAT IF WE STOPPED PEOPLES MONTHLY CHECK THAT THEY WOULD SIMPLY GO ~~OUT~~ OUT AND GET A JOB AND BECOME A GOOD PRODUCTIVE CITIZEN. AND FOR THE MOST PART I AGREED WITH HER.

BEFORE I COULD TELL HER ABOUT THIS CERTAIN GROUP OF PEOPLE THAT MAKE UP ABOUT 50% OF THE ~~WELFARE~~ WELFARE CASE^{LOAD} SHE WAS CALLED TO THE SENATE FLOOR. BUT I WANTED TO TELL HER ABOUT THESE FAMILIES THAT HAVE BEEN ON WELFARE FOR 3 AND 4 GENERATIONS.

THESE ARE FAMILIES THAT IN MOST CASES ARE POORLY EDUCATED, HAVE NO JOB SKILLS WHATSOEVER, HAVE LOW SELFESTEEM AND IN MANY

CASES HAVE drug AND Alcohol problems.
NOW, TO simply STOP The monthly welfare check
AND expect These people to go OUT AND get A
JOB IS ~~being~~ UNREALISTIC, ITS being down
right INHUMANE.

IF bill become law These ARE The families
THAT will be Targeted.

Job TRAINING, WORK experience, TRANSPORTATION,
CHILD CARE, drug & Alcohol COUNSELING, school Retention

Tribal Councils Commitment,

TO no longer follow in The foot steps of The
Fed Govt AND previous Councils with The
idea THAT handouts ARE The way TO help
people.

The ONLY way TO help people is by get-
ting Them A job OR TRAINING them for A job.

Job Creation - \$300,000 per year for business
recruitment, \$2,200,000 per year for business
incentives.

STATE & Tribe TO PARTNER UP IN A JOINT
effort.

Chairman Thane and Members of the State of North Dakota
Senate Human Services Committee

Good morning. My name is Kenneth W. Davis and I am the Superintendent for the Bureau of Indian Affairs Turtle Mountain Agency Office located at Belcourt. I was born and raised on the Turtle Mountain Indian Reservation and am an enrolled member of the Turtle Mountain Band of Chippewa Indians.

I am here today to speak in support of SB 2412, a BILL for an Act to provide for state agency participation in the work first initiative demonstration project of the Turtle Mountain Band of Chippewa Indians and respectfully ask for your support in passage of the BILL.

I am a member of the Turtle Mountain Work First Initiative Planning Committee. We were organized last summer by the Turtle Mountain Tribal Council with the purpose to develop a plan that would reduce poverty on the Turtle Mountain Indian Reservation and get tribal members off welfare. During the course of our numerous meetings since last summer, we have had the opportunity to have attend our sessions representatives from the State Department of Human Services, North Dakota Job Service, Rolette County Social Services, and many local agencies and organizations. On August 31, 1998, we accompanied the Turtle Mountain Tribal Chairman and assisted him in a presentation to the North Dakota Legislative Council Welfare Reform Committee. On another occasion, I had the pleasure of attending a discussion with the Governor's legal staff.

I have been assigned to explain to your Committee the Job Creation and Community Development components of the plan. The Tribe is committed to generating a minimum of 300 primary section jobs each year for the next ten years. Primary is defined as manufacturing, information processing and tourism. The Tribe and State of North Dakota would each invest \$300,000 per year into a joint contract with a private firm to professionally market the economic potential of the area and to recruit new industries. The Tribe would create a Business Incentive Fund, \$5,000 to \$7,500 per job, and these funds would be leveraged with funds from other sources whenever possible.

The Tribe recognizes that it is essential that overall reservation community development changes need to happen to attract businesses to Rolette County. Primary focus will be to establish a Resource and Conservation District to

secure grants to provide certain amenities necessary for private businesses to flourish. These amenities are described in the plan. A "rapid response community development team" will be organized to tailor community resource packages to particular businesses being recruited.

The Tribe plans to work with SBA and ND Economic Development and Finance Department to organize four business incubators to offer local entrepreneurs local cost rental and business services, mentoring, and a national marketing program, modeled after Pride of Dakota.

The Tribe plans to establish a 250 member Betterment Corp. The Corp would seek out beautification, recreational and historical projects. The Corp members would be recruited from the ranks of the unemployed. Along with minimum wages, the Corp members would receive on the job training and career development services.

In closing, I always tell people of how proud I am of the work ethic history of my Tribe. I tell them how much we have valued education. I strongly believe in "Work First" and support the BILL presented to you so that the Turtle Mountain Chippewa people will have opportunities to get off welfare and live decent, productive lives. Thank you for your time today.

February 3, 1999

**Testimony on SB 2412
By Sheila Trottier, Vocational Education Director
Turtle Mountain Community College
Belcourt, North Dakota
Before the Health and Human Services Committee**

Greetings, Chairman Thane and members of the Health and Human Services Committee.

My name is Sheila Trottier, Vocational Education Director at Turtle Mountain Community College in Rolette County. I am here to speak in support of Senate Bill 2412 to provide for state agency participation in the Work First demonstration project of the Turtle Mountain Band of Chippewa Indians. Having served as a member of the Planning Committee of the Turtle Mountain Work First Initiative since its inception, I can confidently state that this Initiative offers substantial benefits to the State and region. My fellow Committee members and myself have carefully planned a multifaceted effort to reduce poverty and promote an economically sustainable community in the Rolette County area. I am here to lend support enactment of that plan through SB 2412.

First, let me tell you a little bit more about Turtle Mountain Community College. I direct the vocational education strand of TMCC, which has for years developed training curricula to meet the changing job market in our area. We establish training sequences to respond to the demands of the marketplace for skilled individuals. We design the courses, hire the instructors, enroll the students, train them and help them obtain employment where their new skills can be used. As employment demands change, we terminate training sequences and develop new ones. As TMCC is a small institution, we are able to respond quickly to rapidly changing marketplace needs for trained employees.

Over time, we have developed a comprehensive approach to meeting community needs by providing a combination of academic and vocational opportunities, which allows students to shift their focus as the marketplace demands (and their aspirations) change.

Turtle Mountain Community College was founded in 1972 and now serves 546 full and part-time students. We are fully accredited by North Central Association of Schools and Colleges. We offer 13 two-year academic programs in our Associate of Arts degree strand, as well as 15 in our Associate of Science strand. Moreover, on the vocational side, we offer 13 Associate of Applied Science programs, as well as 16 Vocational Certificate programs and two Diploma programs. We provide Job Readiness and customized training to help individuals learn about the world of work and obtain the training they specifically need to find a job. We assist tribal members with career planning, as well as job and training referrals. We offer a successful Co-op Education Program. The Vocational Department is proud to report that each year we send out trained graduates with skills that match employers' needs. We know that, because those employers serve on our advisory committees and they hire our graduates. We listen when they ask us to re-shape our training in response to workforce demands. Also, each year we have satisfied graduates who tell us about their job successes. Through our efforts, we also see the economic dynamism that is taking place in Rolette County as the population grows (unlike nearly every other county in the State) and new businesses flourish. We are part of these economic solutions to the still-formidable problems we face.

Senate Bill 2412 will allow us to continue this good work. Specifically, it calls for the creation of a local workforce development infrastructure coordinated with a job

creation effort. We are all aware that training is useless if the jobs are not there for the training the individuals receive. The Turtle Mountain Work First Initiative insures against that eventuality. In ten years, through the Initiative we would expect to lower Rolette County's unemployment and school dropout rates to a level comparable to the statewide average. Turtle Mountain Community College's Vocational Department will continue to be a major player in this effort.

We support the establishment of a Rolette County Workforce Development Council of private and tribal business representatives, business professionals, as well as educators from both the secondary and postsecondary sectors. The College will continue to promote innovative approaches to workforce development by formulating specific partnership agreements with federal, state, tribal and local entities.

Through SB 2412 we can realize these goals. We urge you to support enactment of this Bill into law.

Thank you.

**Turtle Mountain Band of Chippewa
Work First Initiative
Job Retention Service**

*Testimony of Dinah Breland
Director of Social Services
For the Bureau of Indian Affairs
Turtle Mountain Agency at Belcourt
On SB 2412
February 3, 1999*

Good Morning Chairman Thane, Committee members, distinguished guests and visitors. My name is Dinah Breland, I am the Director of the Social Services Program for the Bureau of Indian Affairs, Turtle Mountain Agency at Belcourt. I am here today to provide testimony and support on behalf of Senate Bill No. 2412.

The Turtle Mountain Band of Chippewa has initiated a broad-based planning process, which enables workers and employers to access and obtain, career development services and long-term employment.

The Turtle Mountain Work First Initiative is an effort to reduce poverty and concurrently promote economic stability. The work First Initiative proposes to:

- meet employer needs for quality workers
- offer quality job opportunities
- integrate services for employers and job seekers
- help those who need a job obtain a job, and
- provide local leadership and direction

Finding a job is a difficult task, but keeping a job is the principle challenge. Through the Work First Initiative, Job Retention Services, the Tribe will define and develop

job retention and advancement strategies, for those individuals who are actively participating in the transition from dependency to work.

The Turtle Mountain Band of Chippewa will provide the clients access to the information and services they need to manage their own careers, to know what opportunities are available, how to find and secure gainful employment, and identify skills that will enhance their capabilities.

A transitional service program will be developed that will address the unique needs of those in transition to work from school, a previous work environment, or a non-working situation. The program will identify long-range goals and then work to develop the skills needed to obtain those goals.

The Turtle Mountain Band of Chippewa will promote long-term job retention for all tribal members, by securing local access to an affordable on-site Employee Assistance Program. The program will provide specific services to the Work First Participants in assisting those individuals in all areas of their lives necessary to retain and maintain successful employment.

Through the combined efforts of all involved in the Work First Initiative, the Turtle Mountain Band of Chippewa will build a community that supports each of its members, has access to jobs and economic activity, decent and affordable housing, accessible healthcare, affordable child care, and access to valuable educational resources.

Jobs are the fundamental building blocks for a community; barriers which limit an individual's access to a job need to be eliminated. By working together, the Tribe,

State, other resources can build a community where individuals, families and businesses can grow.

I would like to thank you for your positive consideration for this bill. If I can provide additional information, I would be more than willing to do so. Thank you once again.

TESTIMONY ON S.B. 2412
BEFORE THE SENATE
HUMAN SERVICES COMMITTEE
FEBRUARY 3, 1999

TURTLE MOUNTAIN WORK FIRST PROPOSAL

Chairman Thane and members of the Senate Human Services Committee, for the record, my name is DeAnn Berg, Assistant Manager of Employer and Applicant Services for Job Service North Dakota. This testimony is in opposition to Senate Bill 2412 which would require state agency participation in the work first demonstration project of the Turtle Mountain Band of Chippewa Indians.

Job Service North Dakota supports the goal to reduce poverty and develop an economically sustainable community in the Turtle Mountains. However, there are concerns about the program requirements established by this bill and the work first proposal that I would like to present to the committee for consideration. As the administrator of the Welfare to Work Program (WtW), our concerns will be explained as they relate to WtW.

- The first area of consideration is the allocation of funds to Rolette County based on a ratio applied to the total grant amount. The WtW law and regulations identify roles and responsibilities that must be carried out at the state level. Overall administration, oversight and monitoring, technical assistance, worker protection, grievance processes and reporting are required state level responsibilities.

Allocation of funds to Rolette County based on a ratio to the total grant amount, rather than on the amount available for client services, would result in the remainder of the state bearing all the cost of statewide activities.

- Another area of consideration is that not all of the proposed activities are allowed under the WtW Program, mainly economic and community development. While WtW activities can enhance economic and community development, the funds must be applied directly to participants to improve their ability to achieve self-sufficiency.

An added concern is that the individuals they are proposing to serve in some activities include the unemployed and underemployed, with preference to Tribal members at risk of being TANF recipients. By law, WtW funds must be expended to assist TANF recipients, exhaustees, and certain non-custodial parents of TANF recipients who have characteristics associated with long-term welfare dependence. Not all TANF recipients are eligible for WtW.

- The WtW grant allows and encourages program coordination with many organizations in the community. With all funds allocated to Rolette County dedicated to work first activities, opportunities to work with other organizations in the community may be limited. Not all individual participant needs will be met by the work first proposal.
- Finally, I would like to note the current estimated ratio of TANF recipients in Rolette County as a percentage of statewide TANF recipients is 25%. Of the WtW funds

budgeted in the current program year, excluding funds directed at statewide activities, 27% have been allocated to the Rolla customer service office for providing direct client services to Rolette County, based on estimated caseload. The allocation process is as flexible as the caseload allowing funds to be shifted to accommodate areas of demand.

Mr. Chairman, this concludes the formal portion of my testimony. Job Service North Dakota asks this committee to consider the information provided and vote "Do Not Pass" on S.B. 2412. If there are any questions from the committee members, I will try to answer those at this time. Thank you.

House
new amendment
Don Fischer

Proposed amendments to SB 2412

Strike out all that follows "A BILL for an Act to" and insert the following:

provide authority for state agency participation in demonstration projects with any federally recognized Indian tribe in North Dakota for the purpose of providing coordinated social and economic development services.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

SECTION 1.

1. The department of human services, any county social service board, job service North Dakota, the department of economic development and finance, and any other state agency determined appropriate may, upon the request of any federally recognized Indian tribe in North Dakota, participate in, and enter into a consultative agreement establishing, a demonstration project with the tribe making the request to provide for the coordinated delivery of services, including economic development, within the service area of the appropriate county social service board or within the service area of the tribe.
2. In order to establish the demonstration project described in Section 1, the department of human services is authorized to seek from appropriate federal officials authorization to establish one or more demonstration projects involving one or more federally recognized Indian tribes in North Dakota that will combine the benefits provided under the state's aid to families with dependent children, temporary assistance for needy families, fuel assistance, and food stamp programs, pursuant to title IV-AA of the Social Security Act, as enacted before August 22, 1996 [42 U.S.C. 601 et seq.], title IV-A of the Social Security Act, as enacted August 22, 1996 [42 U.S.C. 601 et seq.], the low income home energy assistance program [42 U.S.C. 8621-8629], and the Food Stamp Act [7 U.S.C. 2011-2027].
3. The goal of each demonstration project entered into as described in subsection 1 and 2 is to reduce poverty and develop economically sustainable communities within the service area of the appropriate county social service boards or within the service area of the tribe.

4. Subject to the approval of the legislative council, the department of human services may terminate any waiver secured under subsection 2, or the demonstration project described in subsections 1, 2 and 3, if necessary or desirable for the statewide implementation of the training, education, employment, and management program, or otherwise.
5. The training, education, employment and management program established under this section must provide for uniform and consistent treatment of income and assets in determining eligibility; provide for the creation of a uniform method of budgeting and computing benefits, a consistent certification period for the receipt of benefits, and uniform reporting requirements; provide the necessary child care to allow a participant to meet educational and employment goals; and provide for universal employment and training to assist individuals in becoming self-sufficient. The training, education, employment, and management program may be administered notwithstanding the requirements of section 50-01.2-03, section 50-03-07, subsections 17 and 19 of section 50-06-05.1, chapter 50-09 and section 50-11.1-11.1, relating to the administration of the temporary assistance for needy families, fuel assistance, and food stamp programs. The training education, employment, and management program may require any participant to cooperate with child support enforcement efforts.
6. Any state participating in such an agreement and demonstration project described in subsection 1, 2 and 3 shall allocate such resources to the demonstration project. Funds shall also be made available and necessary for the success of the project. The department shall to the maximum extent possible under all applicable laws and regulations, be flexible in the allocation of funds as are available.
7. Any demonstration project entered into under this section may be used to fulfill the requirements of section 50-06.01-08.
8. The Appropriate legislative council interim committee shall receive an annual report of the working relationship and progress.