North Dakota Indian Affairs Commission

600 East Blvd Avenue, J-Wing Coteau Room Bismarck ND June 24, 2024 10:00 am

Call to Order

Meeting was called to order at 10:25 am by Lt. Governor Tammy Miller

Opening prayer by Dr. Leander McDonald

Roll Call

Member	Present	Absent
Chairwoman Lonna Jackson-Street	XX	
Chairwoman Janet Alkire – Kendrick Eagle (designated by	XX	
Chairwoman Alkire)		
Chairman Mark Fox		XX
Chairman J. Garret Renville		XX
Chairman Jamie Azure - joined at 12:30 pm	XX	
Dr. Leander McDonald	XX	
Dr. Viola Slater	XX	
Erica Thunder		XX
Brad Hawk, Executive Director	XX	
Lt. Gov Tammy Miller	XX	
Governor Doug Burgum – joined meeting at 1:15 pm	XX	XX

Other Attendees

John Reiten, Policy Advisor, Governor's Office Anthony Bauer, Deputy Director, ND Indian Affairs Melinda Padilla Lynch, Economic and Workforce Development Specials, ND Indian Affairs Marietta Kemmet, Executive Assistant ND Indian Affairs

Approval of Agenda

Motion to approve agenda was made by Dr. Leander McDonald, 2nd by Dr. Viola Slater, approved as presented.

Approval of Minutes

Motion was made by Dr. Leander McDonald to approve minutes from February 28, 2024, meeting with suggested revisions, seconded by Dr. Viola Slater. Motion carried by voice vote.

Welcome and Opening Remarks

- Lt. Governor Tammy Miller: Welcomed attendees and expressed anticipation for the presentations and gratitude.
- **Brad Hawk, Executive Director**: Welcomed members and introduced new team member **Melinda Padilla Lynch**, who shared her background.

- o **Upcoming G2G Conference**: Outline of topics to be discussed.
- o Hall of Honor: Update on nominees and project status.

Updates from Leadership

- Anthony Bauer, Deputy Director: Provided updates on several key projects and issues:
 - o UND Reparations: Efforts related to reparations.
 - o Workforce Barriers in Tribal Areas: Identifying and addressing challenges.
 - o Hall of Honor: Status update.
 - o **Unemployment on Tribal Lands**: Discussion of challenges with accurate unemployment reporting.
 - o Legislative Bills Impacting Tribal Entities: Overview of relevant bills.
 - o Water Issues in Trenton: Addressing concerns in this area.
 - o Fraud in Treatment Area: Identified ongoing fraud problems.
 - o Gas Capturing: Efforts related to energy efficiency and resource capture.
 - o Missing Indigenous People: Updates on this important issue.
 - UTTC 50th Anniversary: The 50-year milestone for United Tribes Technical College.

New Business

- Project Tundra Presentation by Craig Bleth (VP, Project Development, Minnkota Power Cooperative):
 - Overview of **Project Tundra**: Development details, growth, challenges, and financing were shared.
 - PowerPoint Presentation: Detailed insights into the project's progress and development.

Workforce - Pat Bertagnolli, Executive Director, Job Service North Dakota

- Presentation Highlights:
 - Focused on workforce programs, strategic outreach, strengthening partnerships, and efforts to improve North Dakota's labor market.
 - o Key projects include the Student Ambassadors Program, tribal outreach, statewide labor market report for 2024, and advocating for students and the workforce.
 - o Chairman Fox raised concerns about the accuracy of unemployment data.

New Rule of Non-Indian Prosecution – Ladd Erickson, McLean County States Attorney

- Legal Update:
 - o Discussed the impact of the **McGirt v. Oklahoma** decision on jurisdiction for crimes involving non-Indians and Native Americans in Indian Country.
 - o Raised concerns about the potential for justice gaps due to jurisdictional complexities between Tribes and state/local authorities.

Tribal Leader Updates

1. Turtle Mountain Band of Chippewa (Chairman Jamie Azure)

- o **Community Development**: New childcare services, foster care facility, roundhouse cultural center, water park, trampoline park, and a new tech business.
- o **Concerns**: Water supply issues at Trenton and request for assistance with the IMB waiver for Medicare to exceed 16 beds.
- o **Youth Engagement**: Over 550 youth engaged in community initiatives.

2. Spirit Lake Tribe (Chairwoman Jackson-Street)

- Community Projects: Homeless shelter, \$7M fun center, renovations at Sioux Manufacturing, and a new education center at Cankdeska Cikana Community College.
- o **Housing**: Purchase of 38 homes with ARPA funds and plans to buy 38 more.
- Concerns: SNAP program issues, county tax problems, and recruitment of members by treatment centers without proper channels.

3. Standing Rock Sioux Tribe (Kendrick Eagle)

- Key Projects: Land acquisition for an airport, greenhouse with solar energy, and Smile Network dental services.
- Other Updates: Growing number of BIA officers on the reservation, and the 50th anniversary of the International Indian Treaty Council celebrated at the Grand River Casino.

4. Mandan Hidatsa Arikara Nation (Chairman Mark Fox)

- Economic Development: Gas capture, hydrogen development, new dialysis and veteran centers, family fun center, tourism enhancements, and new hotel construction.
- o **Concerns**: Issues with the tax status of trust land revenues and disqualification of applicants seeking assistance.

5. Sisseton Wahpeton Oyate

o No representative present for an update.

At-Large Commission Member Updates

1. Dr. Leander McDonald:

- o **Tribal Leader Summit**: Encouraged participation in the upcoming summit.
- o **Tribal Education**: Discussed challenges with data access for Tribal Colleges.

2. Dr. Viola Slater:

- Water Issues: Raised concerns about water supply problems in Trenton, with the
 City of Williston potentially terminating service to residents.
- o **Rural Education**: Highlighted the success of Rural Education Associations and efforts supporting Native schools.

3. Eric Thunder:

o Not in attendance, no report.

4. Sarah Jones:

o **Great North Innocence Project**: Reported on the organization's work in providing free legal services for wrongfully convicted individuals in North

Dakota, South Dakota, and Minnesota. Since 2001, 11 people have been released due to wrongful convictions.



Tribal and State Relations Committee May 29, 2024

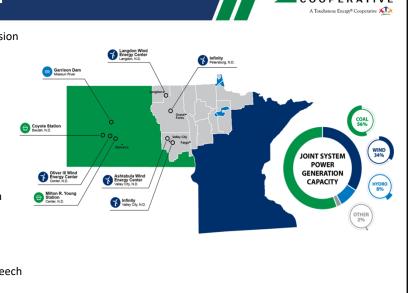


A Touchstone Energy® Cooperative

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About Minnkota Minnkota Power Not-for-profit generating and transmission cooperative Infinity Petersburg, N.D. Headquartered in Grand Forks, ND

- 11 member cooperatives
- 160.000 consumer accounts
- 400 employees
- 3,350 miles of transmission line, 260 substations
- About 42% of resource capacity is from renewable resources
- Serves all or parts of four Reservations
 - ND Spirit Lake Reservation
 - MN Red Lake, White Earth, and Leech Lake Reservations



Project Tundra

- Initiative to build one of the world's largest carbon capture facilities in North Dakota
- Opportunity to significantly decarbonize power supply while retaining a reliable, resilient power plant
- Capture facility
 - 2.5x scale-up from largest facility using coal
- Storage
 - Permits in place for the two largest CO₂ storage facilities in the United States





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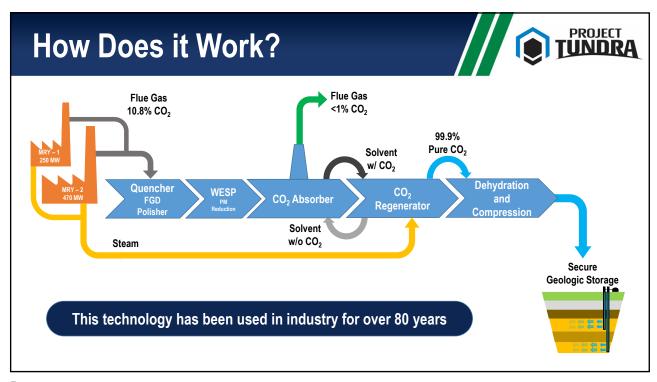
Project Tundra Drivers

- Carbon regulations
 - A factor in utility planning 2015's Clean Power Plan
 - · Latest Final GHG Rule issued in April, 2024
- Carbon-managed future
 - Public policy, e.g. Minnesota 100% standard
 - Societal expectations for reducing carbon
 - · Consumer interest in carbon-free energy
- Minnkota reasons
 - Manage MPC exposure to volatility in the electric market
 - · Enable system and grid reliability
 - Preserve dispatchable options while the energy transition takes place
 - Decarbonization

EPA: New pollution limits proposed for US coal, gas power plants reflect 'urgency' of climate crisis

Gov. Walz signs bill mandating 100% carbon-free energy by 2040

More companies want to be "carbon neutral." What does that mean?



5

Tundra - Advancing the Technology

- Unique two-unit optionality
 - Improves overall utilization of the carbon capture plant
- Achieve high CO₂ capture efficiency > 95%
- Provide key lessons learned
 - Knowledge transfer to future projects, through an innovative and large-scale demonstration



On-Site Storage Injection



- Pipeline and Injection Well Pad are adjacent to the power plant and well within Minnkota's property line
- Class VI permit and MRV plan are both approved
 - · Ready for construction
- Capacity to store 100 million metric tons of CO₂
 - Up to three Class VI CO₂ injection wells
 - · Stacked Storage in
 - o Broom Creek Fm (5,000 ft)
 - o Deadwood Fm (9,000 ft)
- Monitoring wells to be installed in uppermost aquifer and deep subsurface
- CO₂ flowline 0.25 miles, 24-inch O.D.

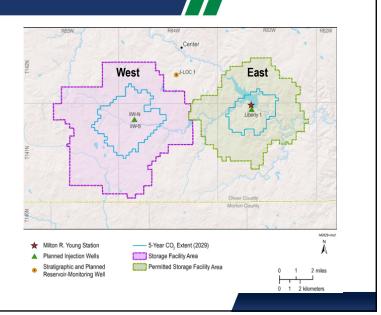


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CO₂ Storage Facilities

- Project has permitted the two largest fully permitted CO2 storage facilities in the United States
- East Site 97% Landowner consent
 - Total about 19,000 acres
 - Broom Creek and Deadwood
- West Site 81% Landowner consent
 - Total about 29,000 acres
 - · Broom Creek
- A combined capacity to store 222 million metric tons of CO2 over 20 years





Project Development Team

- Owners
 - Minnkota project host and potential investor
 - TC Energy -commercialization lead and potential investor
 - Sargent & Lundy Owner's Engineer
 - Mastec Industrial Construction Advisor
- Consortium
 - Mitsubishi Heavy Industries CCS technology provider
 - Kiewit lead project constructor

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Project Tundra Financing



- Returns are primarily through federal45Q tax credits
 - Incentive for emerging and beneficial technologies
 - \$85 per ton of CO₂ permanently stored

Reliability and Volatility Challenges

- Leading grid operators and regulators warn of immediate and serious electric reliability challenges
- Key issue retirement of dispatchable resources without adequate replacement
- Market volatility increasing significantly
- Tundra provides a path forward

NERC raises North American power system reliability flags as demand could outstrip supply

MISO Warns 'Immediate and Serious' Challenges Are Threatening Reliability

Oldest Texas electricity co-op goes bust after getting hit with \$2 billion bill



STRENGTHEN & IMPACT TRIBAL PARTNERSHIPS

Job Service North Dakota Patrick Bertagnolli, Executive Director June 24, 2024

NEVER LOSE SIGHT OF THE FUNDAMENTALS: An Example



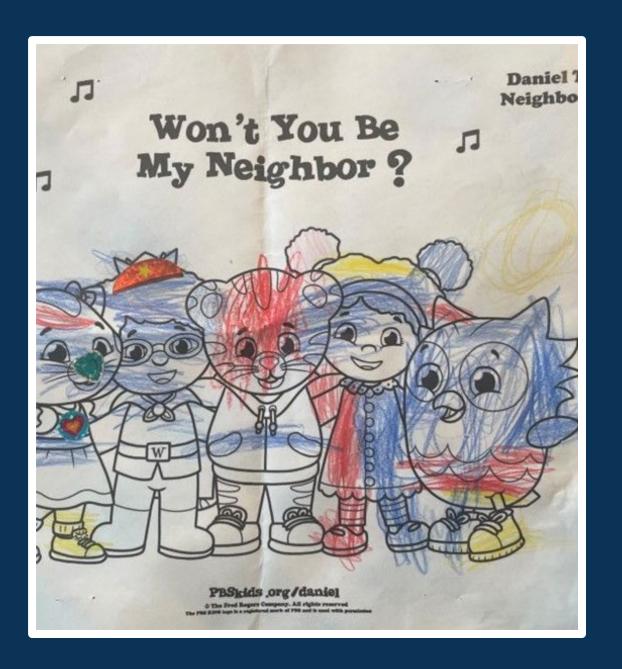


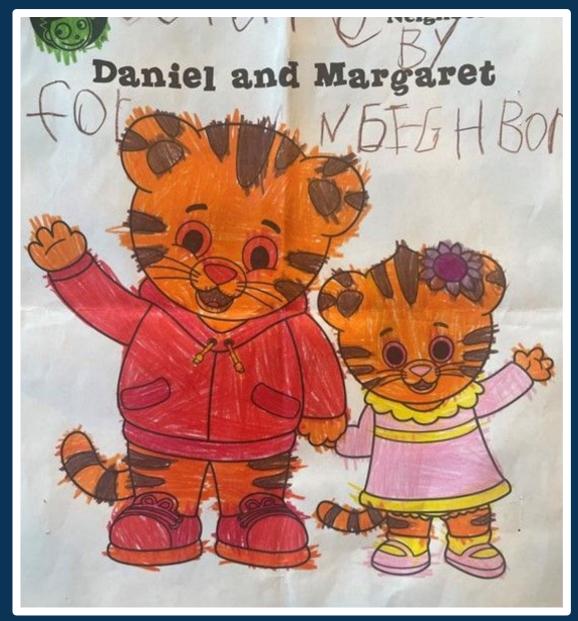
Vince Lombardi is carried off the field by his players after defeating the New York Giants 37-0 to win the 1961 NFL Championship. (Image Source: Green Bay Press-Gazette Archive)

"This is a football."

In his best-selling book, When Pride Still Mattered: A Life Of Vince Lombardi, author David Maraniss explains what happened when Lombardi walked into training camp in the summer of 1961.

He took nothing for granted. He began a tradition of starting from scratch, assuming that the players were blank slates who carried over no knowledge from the year before... He began with the most elemental statement of all. "Gentlemen," he said, holding a pigskin in his right hand, "this is a football."





STATEWIDE LABOR MARKET MAY 2024



OPEN JOBS

- 14,767 Open Jobs
- 2% lower than May of last year
- 10.7% lower than prior month
- Healthcare is #1 in Open Jobs

EDUCATION

- 48.9% Require HS Diploma or no formal education
- 39.8% Require Bachelor's or Higher

TRAINING

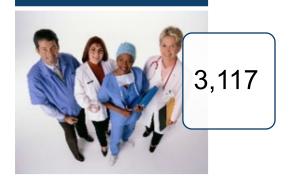
- 49.8% Require No Training
- 27.6% Require Short-Term OJT

WAGES

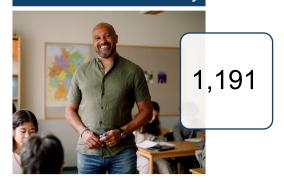
- 44.3% Pay \$30+/Hour
- 35.4% Pay \$20+/Hour
- \$35.11 is Typical Average Wage

TOP 5 OCCUPATIONAL GROUPS

Healthcare



Educational and Library



Sales and Related



Transportation



Management

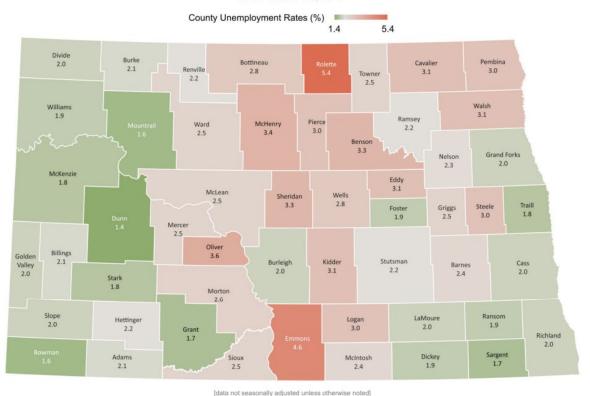


LABOR MARKET INFORMATION



NORTH DAKOTA APRIL LABOR MARKET

NORTH DAKOTA COUNTY UNEMPLOYMENT APRIL 2024



Unemployment Rate: 2% North Dakota vs.

3.9% Nationwide

Labor Force Participation Rate: 69% North Dakota vs.

62.7% Nationwide

Source: Labor Market Information Center, Job Service North Dakota, Local Area Unemployment Statistics

ALIGNING OUR COMMUNITIES, SCHOOLS, AND INDUSTRY



Develop Community
Partnerships

Help with Workforce Integration

Impact Recruiting and Retention









COMMUNITY OBSTACLES In Search of Solutions





Comments to Reflect Upon...

"Pat, I know you can't hire students right out of High School for Truck driving or Mechanic positions, but they are careers in our community and our students need to know about them."

-Justin Johnsrud Head Football Coach, AG Teacher, Watford City, North Dakota Native

IN PURSUIT OF COMMUNITY ALIGNMENT





Strengthening Relationships Industry Meetings with School



Getting to Know our Future Workforce Strengthening Relationships with Students

THE BIRTH OF OUR STUDENT AMBASSADOR PROGRAM











Hi,

This is Emma, I am a student-athlete here at Watford City High School. I was at the student council meeting the other day and didn't get a chance to talk to you after our meeting.

I wanted to say, I am very excited about the ambassador program and what you and others are trying to accomplish! I think getting all the people moving here more involved in our community will be good in multiple ways.

I've always wondered what I as a student and athlete could do to help, thank you and whoever else has come up with this wonderful idea, and for involving us high school students!

Anyway, I am very interested and thrilled to see how this will turn out!

Sincerely, Emma

AMBASSADORS WORKFORCE PRESENTATIONS

















MENTAL HEALTH





MENTAL HEALTH AWARENESS – CALL TO ACTION! I want to recognize Watford City Police Chief Shawn Doble and his SRO's for partnering with our student ambassadors, school staff (Amy Polivka, Rachel Meuchel, Jenna Bauer), and Mirada Samuelson-Figaro, with the McKenzie County Community Coalition. Chief Doble spoke about intensified topics due to the pandemic – suicide, depression, and fear. Chief Doble led a frank discussion with our ambassadors and members of the student council and he requested their assistance and leadership to help make a difference in the lives of others by being a positive influence. Our young leaders quickly engaged and provided incredible conversation and feedback. Strategies are being implemented to include sources of strength, best practices, and policies. I'm very proud of our community for having "collaborative spirit" and for endorsing the well-being of all residents. As a community – we are beyond grateful and proud of our young leaders for choosing to make a difference! #InThisTogetherND











McKenzie County Community Coalition
SADD – Students Against Destructive Decisions

Little Buddy Program







SUMMIT ON BEHAVIORAL HEALTH 2023 Youth Influencer







FILL THE STANDS: Promoting an Active Lifestyle





















INSPIRING OUR YOUTH







A Culture that Connects Us – We simply call it Home









CELEBRATING CULTURE Inspired by Student Ambassadors



















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STUDENT LEADERSHIP Education Summit













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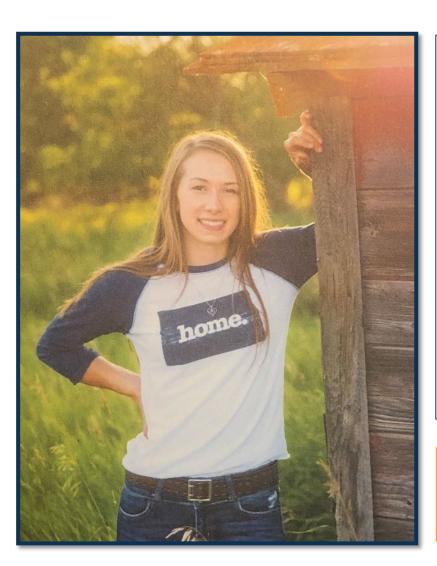
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STRATEGIC VISION









BE CURIOUS RIDE FOR YOUR BRAND - EXAMPLE











JOB SERVICE NORTH DAKOTA



WORKFORCE SERVICES

UNEMPLOYMENT INSURANCE

LABOR MARKET INFORMATION

- Serve our Communities
- Remove Barriers to Employment
- Connect Employers and Job Seekers

- UI Benefit Payments
- Tax Rates
- Trust Fund

- Labor and Economic Data
- Education and Insights for Informed Decision Making

IMPACTING NORTH DAKOTA'S WORKFORCE JobsND.com

WORKFORCE PROGRAMS

Employment ~ Reemployment ~ Training ~ Upskilling



WHO WE SERVE:

- Employers
- Veterans
- In-School Youth
- Out-of-School Youth
- Adults
- Dislocated Workers
- Ex-Offenders
- New Americans
- TANF Recipients
- SNAP Recipients
- Parents owing child support
- Unemployment Recipients











PROGRAM HIGHLIGHTS

WIOA

- 193 Youth
- 477 Adults
- 9 Dislocated Workers

Veterans

• 522

WOTC

• 14,204 Applications

H2A Visa Program

- 1,115 Applications
- 69,212 Miles
- 1,560 Inspections
- 3,646 Workers

STRENGTHENING PARTNERSHIPS





MEET YOUR TEAMS





Bismarck Workforce Center



Minot Workforce Center



Devils Lake Workforce Center



Wahpeton Workforce Center

TRIBAL OUTREACH





Served by Devils Lake Workforce Center

- Meet regularly with school counselors from Devils Lake, Minnewaukan, Turtle Mountain and Spirit Lake areas
 - Provide employment and training information
 - Offer to present to the schools
- Assisting Spirit Lake Nation and Turtle Mountain with posting open tribal positions on jobsnd.com



Spirit Lake Nation



Turtle Mountain Band of Chippewa

- Spirit Lake Nation attended our spring job fair
- Started monthly outreach in January 2024 in Fort Totten for the Spirit Lake Nation
- Monthly Veteran outreach to Spirit Lake Nation with Tribal Veteran Service Officer

- Monthly outreach to Turtle Mountain area
 - Meet at the Rolla city hall/public library
- ND Native Veteran Stand Down in Belcourt

TRIBAL OUTREACH







Three Affiliated - MHA Nation

- JSND Employee serves on quarterly NHS CTE Advisory Board
- Provide employment and training information to youth at New Town High School
- Attended NHS Community College Fair
 - 100 Juniors and Seniors from Mandaree, New Town, and White Shield
- Quarterly outreach to NHS Community College
- Connected with Tribal Veteran Service Officers

TRIBAL OUTREACH







Standing Rock Sioux Tribe

- Career Fairs
 - Co-hosted Capital Career Fair with UTTC
 - Sitting Bull Career Fair
 - Standing Rock Career Fair
- Monthly outreach to Fort Yates providing employment and training information
- Quarterly employment related workshops at Fort Yates
- Veteran outreach with Tribal Veterans Service Officer
- Outreach at the Native American Development Center in Burleigh County
- Work with individuals at the Good Road Recovery Center
- Provide college and career readiness workshops for Native American HS Students (Monarch Project)
- Standing Rock High School
 - Work with Standing Rock TRIO program students
 - Provide Employment and Training information
- T-4 at Parshall High School w/Standing Rock Students
- Working with Standing Rock High School, Sitting Bull College, and Vocational Rehabilitation to better coordinate services
- In-Person unemployment services at Standing Rock Head Start

BEING THE CHANGE CHANGES LIVES











ADVOCATING FOR INDUSTRY AND OUR YOUTH



COLLABORATION
AND
PARTNERSHIP
WITH
BE MORE
COLORFUL



- Virtual Reality Platform
- Focusing on In-Demand Jobs
- Significant Opportunities for the Evolution of Career and Technical Education



















2022 Virtual Apprenticeship Expo







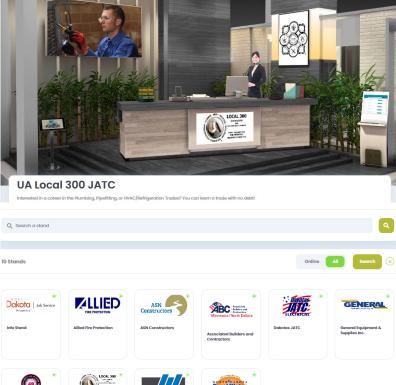












WORK AS ONE

2023 STATEWIDE VIRTUAL APPRENTICESHIP EXPO

In Partnership with DPI & CTE

ADVOCATING FOR STUDENTS

T4 - Tools, Trades, Torque, & Technology











T4 – Parshall 2022

T4 – Bottineau 2024

ADVOCATING FOR STUDENTS

Joining Their Journey!















ADVOCATE FOR YOUR COMMUNITY

DECA, FBLA, SkillsUSA, FCCLA, HOSA, FFA, TSA























Career & Technical Education Momentum

A Sea of Opportunity!

ALIGNING WITH PARTNERS WORK AS ONE



Virtual Job Fair – February 8, 2023

445 Jobseekers, representing 29 States and 14 Countries! **PEOPLE ARE SHOPPING NORTH DAKOTA!**











GAINING MOMENTUM



Virtual Job Fair January 18, 2024

1,308 Job Seekers registered representing 23 States and 21 Countries!









"The platform is very cool. I have never used anything like it before." -Kaitlyn Donovan, Sanford Health.

"It's been great, much busier than I anticipated so well worth the time." -Nicole Smestad, American Crystal Sugar "Things are very steady. I think we have a few really strong candidates. Some good leads at the very least. " -Eric Rasmussen, Bobcat

"It's nice to see a virtual platform for a job fair."

-Adam Beyer, Bottineau Public School District







In-Person Job Fairs

- 1,550 Employers
- 5,032 Job Seekers

Outreach

16,890 Individual Contacts made

In-House Hiring Events

- 135 Events
- 488 Job Seekers

Walk-In Traffic

• 31,968 Individuals served

Calls to Workforce Centers

 29,010 Calls outside of direct case management

Website Engagement

- 4.9M Page Views
- 188,839 Users
- 71.3% New Users

WORKFORCE CENTER STATS

2023

Enhancing the Experience through Education, Collaboration, and Services



EDUCATING OUR
EMPLOYERS
MILITARY
AND
SCHOOLS



GROW HORIZONS BIPOC Careers in Ag & Innovation









































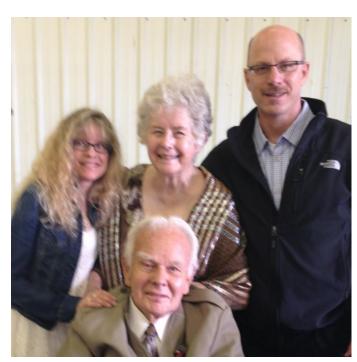




SHARING MY WHY Passion & Purpose









THEIR SUPPORT & ENCOURAGEMENT A LIFE LESSON THAT HELPED ME AND, IN THE END,...



MY FAMILY



Our Son Brandon (Civil Engineer) & his family



Our Daughter Brittany (Business Owner/Mom) & her family



Our Son Brady (Medical School) CNA on school breaks



My wife Eva (Accounting) & I (together 39 years) with Grandkids



My wife Eva & I with Kiya (Activity Director)



"Sweetie" adopted 3/12/2024 from Furry Friends Rockin Rescue

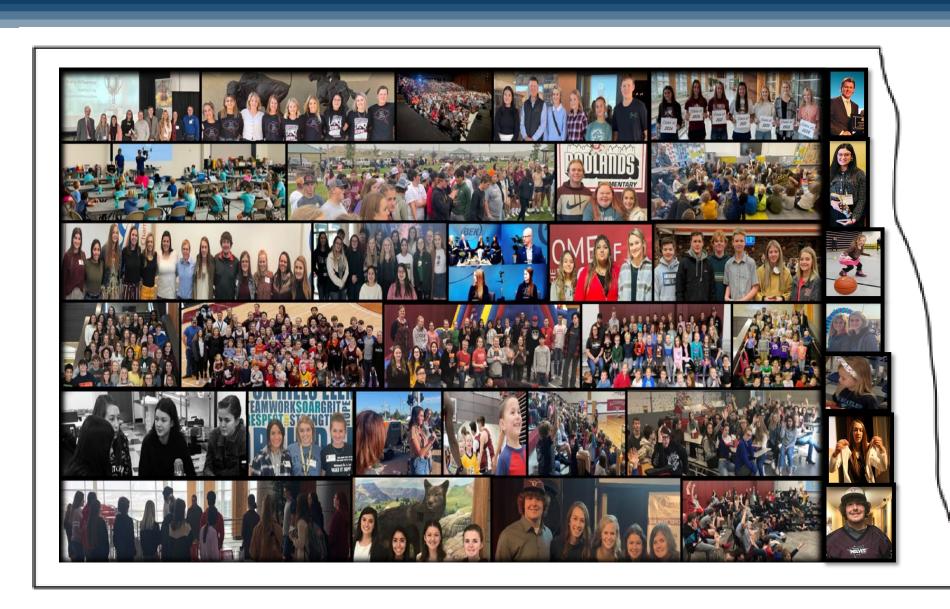
NEVER LOSE SIGHT OF THE FUNDAMENTALS: The Answer





THIS IS HOME





To my North Dakota Indian Affairs Commission Friends and Neighbors...



Patrick Bertagnolli, SHRM-SCP
Executive Director
Job Service North Dakota
Contact: patbertagnolli@nd.gov
M. 701-214-8015

Emergencies, Arrest, Temporary Detention, Hot Pursuit

Emergency calls for service will result in a response by the closest available peace officer, until an agency with primary responsibility assumes the lead investigative role. Additional resources may be dispatched as necessary by the primary or assisting agency to ensure control and mitigation of the emergency event. If a peace officer or agency has knowledge of an incident requiring a police response, but not within an officer's primary jurisdiction, that officer or agency shall refer that incident to the agency with primary jurisdiction. After notification, the officer may handle the incident if the primary agency affirms that it is not available and requests assistance.

A peace officer without personal jurisdiction to detain or arrest an individual because the individual is an Indian or non-Indian respectively, is authorized under this Agreement to temporarily detain or arrest the individual and hold the individual until a peace officer with personal jurisdiction takes custody of the individual. If a peace officer uses these powers they should immediately contact the agency that has personal jurisdiction over the individual and follow the directives that agency gives for resolution of the arrest or detention. If the individual flees or resists the arrest or detention, a peace officer may use whatever reasonable force is necessary to obtain control over the individual while waiting for a peace officer with personal jurisdiction to arrive on scene.

A peace officer with personal jurisdiction over an Indian or non-Indian respectively, may communicate to a peace officer without personal jurisdiction directives to detain or arrest an individual until such time as a peace officer with personal jurisdiction can assume the custody of the individual. Such communication conveys a mutual aid request and temporary police powers.

A peace officer in "hot" or "fresh" pursuit may continue onto or off the reservation in active pursuit of an individual who is fleeing to avoid arrest, detection, citation, or to destroy evidence. If the individual is stopped or apprehended after a hot pursuit the peace officer that initiated the pursuit may take custody of the individual, and any evidence of their crime, and transport them off the reservation or back onto the reservation respectively. The parties to this agreement will cooperate with each other to resolve hot pursuit situations as safely as possible, and agree to not dispute jurisdictional issues during the events.

Use of Force

All powers, rights, and limitations conferred by law upon a peace officer to use force, including deadly force, are not reduced or expanded under this Agreement. Under this Agreement, any peace officer is authorized to use necessary force to quell an active shooter or other imminent threat to themselves or others, and to protect property from harm or destruction, if there is no time or means to contact the law enforcement agency that would have primary investigative jurisdiction if an emergency did not exist.

EMERGENCY MENTAL HEALTH CASE HANDLING AGREEMENT

Calls for service to drug, alcohol, or mental health emergencies require the parties to apportion responses according to the safest and most expedient way to address the emergency. The parties to this agreement will work together in all aspects of these emergencies.

Security of the scene and securing the afflicted person to prevent alarm and harm is the top priority for each party to this agreement. If the afflicted person is an Indian, tribal law enforcement shall have the primary duty of security at the scene, in an ambulance, at the hospital, and for transport to and from court or treatment facility ordered by the court. If the afflicted person is a non-Indian, the county will have these same duties and responsibilities. However, nothing in this agreement limits any agency from initially securing the scene or afflicted person if the agency with primary jurisdiction is not as readily available at the time of the emergency call.

The county agrees to handle all emergency involuntary commitment legal proceedings, including those involving Indians if requested to do so by tribal law enforcement. The county duties include the filing of petitions in state court for commitments, appearances in state court on behalf of the petitioner, and the payment of defense costs for attorneys appointed to assist the afflicted person.

<u>Jurisdiction</u>

This Agreement incorporates the personal jurisdiction requirements for Indian Country found in federal law. Those requirements are depicted in this outline:

Offender	Victim	Jurisdictions
Non-Indian	Non-Indian	State jurisdiction is exclusive of federal and tribal jurisdiction.
Non-Indian	Indian	Federal jurisdiction under 18 U.S.C § 1152 is exclusive of state and tribal Jurisdiction.
Indian	Non-Indian	If listed in 18 U.S.C. § 1153, there is federal jurisdiction, exclusive of the state, but probably not of the tribe. If the listed offense is not otherwise defined and punished by federal law applicable in the special maritime and territorial jurisdiction of the United States, state law is assimilated. If not listed in 18 U.S.C. § 1153, there is federal jurisdiction, exclusive of the state, but not of the tribe under 18 U.S.C. § 1152. If the offense is not defined and punished by a statute applicable within the special maritime and territorial jurisdiction of the United States, state law is assimilated under 18 U.S.C. § 13.
Indian	Indian	If the offense is listed in 18 U.S.C § 1153, there is federal jurisdiction, exclusive of the state, but probably not of the tribe. If the listed offense is not otherwise defined and punished by federal law applicable in the special maritime and territorial jurisdiction of the United States, state law in assimilated. See section 1153(b). If not listed 18 U.S.C § 1153, tribal jurisdiction is exclusive.
Non-Indian	Victimless	State jurisdiction is exclusive, although federal jurisdiction may attach if an impact on individual Indian or tribal interest is clear.
Indian	Victimless	There may be both federal and tribal jurisdiction. Under the Indian Gaming Regulatory Act, all state gaming laws, regulatory as well as criminal, are assimilated into federal law and exclusive jurisdiction is vested in the United States.