

1 \_\_\_\_\_ BILL NO. \_\_\_\_\_

2 INTRODUCED BY \_\_\_\_\_  
3 (Primary Sponsor)

4 A BILL FOR AN ACT ENTITLED: "AN ACT REQUIRING RURAL ELECTRIC AND TELEPHONE  
5 COOPERATIVES TO CONSULT WITH TRIBAL GOVERNMENTS, ADHERE TO THE FEDERAL  
6 PROTECTION OF HISTORIC PROPERTIES, AND MEET THE REQUIREMENTS OF MONTANA'S HUMAN  
7 SKELETAL REMAINS AND BURIAL SITE PROTECTION ACT; AND PROVIDING AN IMMEDIATE  
8 EFFECTIVE DATE."

9  
10 WHEREAS, the Legislature recognizes the right of tribes to self-government; and

11 WHEREAS, the Legislature supports tribal sovereignty and self-determination; and

12 WHEREAS, the Legislature recognizes the fundamental principle and integrity of the government-to-  
13 government relationship between rural cooperatives and the Indian Nations of Montana; and

14 WHEREAS, the Legislature supports strengthening communications and building collaborative  
15 relationships that will benefit both the Indian Nations and the State of Montana.

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17 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

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19 NEW SECTION. **Section 1. Tribal participation.** (1) If a cooperative as defined in 35-18-102  
20 operates within the exterior boundaries of a Montana Indian reservation, the board of trustees shall consult with  
21 tribal governments within the reservation served.

22 (2) Consultation must:

23 (a) include tribal approval of undertakings on tribal lands that may impact historic properties on tribal  
24 lands in accordance with 36 CFR, part 800, subpart B;

25 (b) be conducted in a manner that is respectful of tribal sovereignty; and

26 (c) recognize government-to-government relationships.

27 (3) All cooperatives as defined in 35-18-102 shall provide for discovery, reporting, and field review  
28 requirements in accordance with Title 22, chapter 3, part 8, when conducting ground-disturbing activity in the

1 state.

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3 NEW SECTION. Section 2. Notification to tribal governments. The secretary of state shall send a  
4 copy of [this act] to each federally recognized tribal government in Montana.

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6 NEW SECTION. Section 3. Codification instruction. [Section 1] is intended to be codified as an  
7 integral part of Title 35, chapter 18, and the provisions of Title 35, chapter 18, apply to [section 1].

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9 NEW SECTION. Section 4. Effective date. [This act] is effective on passage and approval.

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