67th Legislature LC 1536

1	JOINT RESOLUTION NO
2	INTRODUCED BY
3	(Primary Sponsor)
4	A JOINT RESOLUTION OF THE SENATE AND THE HOUSE OF REPRESENTATIVES OF THE STATE OF
5	MONTANA REQUESTING AN INTERIM STUDY OF SATELLITE AND ALTERNATIVE ELECTION OFFICES
6	AND PLACES OF DEPOSIT ON INDIAN RESERVATIONS IN MONTANA.
7	
8	WHEREAS, in the 2019-2020 interim, the Legislature tasked the State-Tribal Relations Committee with
9	studying barriers to voting for American Indians in Montana; and
10	WHEREAS, that study included review of the distances between tribal communities and county election
11	offices, which vary from 18 to 176 miles round trip with an average of 85 miles; and
12	WHEREAS, those distances improved on three reservations—Fort Belknap, Crow, and Northern
13	Cheyenne—after the settlement in Wandering Medicine v. McCulloch resulted in establishment of satellite
14	offices in Crow Agency, Busby, Fort Belknap, Hays, Lodgepole, and Lame Deer in 2015; and
15	WHEREAS, other counties not involved in the litigation offer satellite offices in Box Elder, Browning,
16	Heart Butte, Elmo, Poplar, and Frazer; and
17	WHEREAS, despite these efforts there remains a lack of equitable access to and information about
18	election services for tribal members living on reservations, and there is a lack of consistency and effort between
19	county jurisdictions to provide satellite or alternative election offices; and
20	WHEREAS, effective communications between counties and tribal governments and a lack of county
21	staffing and funding resources remain challenges for operation of satellite or alternative election offices.
22	
23	NOW, THEREFORE, BE IT RESOLVED BY THE SENATE AND THE HOUSE OF REPRESENTATIVES OF
24	THE STATE OF MONTANA:
25	That the Legislative Council be requested to designate an appropriate interim committee or statutory
26	committee, pursuant to 5-5-217, MCA, or direct sufficient staff resources to:
27	(1) review the history and litigation of the voting rights of American Indians in Montana;
28	(2) review satellite or alternative election office locations, hours of operation, and use by tribal and



- 1 - LC 1536

67th Legislature LC 1536

nontribal members in each election since the settlement in Wandering Medicine v. McCulloch;

(3) analyze what is an adequate number of satellite or alternative election offices and places of deposit for ballots on each Indian reservation based on distances of reservation communities and census-designated places from county election offices and to ensure compliance with the federal Voting Rights Act;

- (4) review the staffing, equipment, and funding needs of each county in providing the adequate number of satellite or alternative election offices and places of deposit;
- (5) review potential alternative funding sources to assist in the establishment and operation of these locations;
- (6) analyze the potential to use election judges and other trained community-based volunteers to help staff these locations;
- (7) assess the education, outreach, and training needed to increase state and federal election volunteerism on Indian reservations;
- (8) assess the challenges for effective communications and relationships between counties and tribal governments regarding the counties' responsibility to provide adequate satellite or alternative election offices and places of deposit on Indian reservations; and
- (9) identify processes and procedures to improve communications and relationships between counties and tribal governments regarding election-related matters using the guiding principles provided in section 2-15-142, MCA, required of state agencies for formulating or implementing policies or administrative rules that have direct tribal implications.

BE IT FURTHER RESOLVED, that in conducting this study, the input and perspectives of various stakeholders be sought throughout, particularly from each of the eight federally recognized tribes in Montana and the counties in which each Indian reservation exists.

BE IT FURTHER RESOLVED, that the study consider other recommendations to ensure American Indians in Montana have an equal opportunity to participate in the elections process.

BE IT FURTHER RESOLVED, that if the study is assigned to staff, any findings or conclusions be presented to and reviewed by an appropriate committee designated by the Legislative Council.

BE IT FURTHER RESOLVED, that all aspects of the study, including presentation and review requirements, be concluded prior to September 15, 2022.



- 2 - LC 1536

67th Legislature LC 1536

1 BE IT FURTHER RESOLVED, that the final results of the study, including any findings, conclusions,

- 2 comments, recommendations, or proposed legislation, be reported to the 68th Legislature.
- 3 BE IT FURTHER RESOLVED, that a copy of this resolution be sent to each of the eight federally
- 4 recognized tribal governments in Montana.

5 - END -



- 3 - LC 1536