



**STATE-TRIBAL RELATIONS IC
JUNE 28, 2011
EXHIBIT 3**

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**State-Tribal Relations Committee
62nd Montana Legislature**

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INTEROFFICE MEMORANDUM

To: Committee Members

From: Dan Whyte, Legislative Attorney

Re: Montana 's 62nd Legislature's Tribal-Related Legislation

Date: June 28, 1011

Below is a summary of bills of interest to the State-Tribal Relations Interim Committee. This summary includes legislation that was enacted as well as pertinent bills that were introduced but died in the process. This list is not exhaustive and does not address every bill that may have an impact on the tribes, the reservations, or the members of the tribes.

Bills Signed into Law

House Bill 24 -- Allows an appropriator of water to apply for a change in an appropriation right for the purpose of aquifer recharge or mitigation.

House Bill 49 -- Authorizes the sale of bonds to fund water-related projects within the exterior boundaries of the Blackfeet Reservation. The Legislature authorized the Board of Examiners to issue and sell general obligation bonds not exceeding \$16 million to pay the state's water-related costs for infrastructure projects on the Blackfeet Reservation. The bonds may be issued only if the Tribe, the Legislature, and Congress have ratified a water rights compact. Some of the money is appropriated for the Four Horns Project and Birch Creek water use.

House Bill 79 -- Creates a statutory appropriation for interest and income for the Blackfeet Tribe Water Rights Compact Mitigation Account.

House Bill 95 -- Specifically exempts from the Montana Human Rights Act's discriminatory practices provisions for businesses on or near an Indian reservation with respect to contracts under which preferential treatment may be given to an individual based on the individual's status as an Indian living on or near the reservation.

House Bill 279 -- An act providing disaster and emergency services to federally recognized Indian tribes in Montana. The bill allows for expenditures to tribal governments for flood-related

damages, temporary housing for disaster victims, community disaster loans, and debris and wreckage removal.

House Bill 281 -- Revises statutes related to guardians ad litem. This bill includes a requirement that each judicial district appoint a local guardian ad litem committee and that the members of the committee must be representatives of the socioeconomic, racial, and ethnic groups of the area, including if the child whose care is under review is an Indian child, a person, preferably an Indian person, who is knowledgeable about Indian cultural and family matters and who is appointed only for and during that review.

House Bill 618 -- Establishes property tax exemptions for property owned by federally recognized Indian tribes where the property is used by essential government services. Essential government services include tribal government administration, fire, police, public health, education, recreation, sewer, water, pollution control, public transit, and public parks and recreational facilities.

Senate Bill 156 -- Allows tribal family assistance plans to use a portion of Assistance to Needy Families Maintenance of Effort funds for monthly cash benefits payments or for supportive services costs allowed under the Montana state plan for Temporary Assistance of Needy Families program.

Senate Bill 229 -- A separate legal entity created and authorized under the State-Tribal Agreements Act that manages or operates an irrigation project may contract with the public employees' retirement board to become a contracting employer in the public employees' retirement system.

Senate Bill 283 -- Allowing real property to be moved from one county to another for reasons of public safety. Public safety services includes law enforcement, firefighting, or emergency medical services. A petition for moving real property is required and adjoining counties must enter into an interlocal agreement with respect to boundaries.

Senate Joint Resolution 30 -- An interim study of ways to reduce childhood trauma and its long term effects on children.

Introduced but Died in the Process

House Bill 318 -- Requiring approval of county commissioners before authorization of transplant or relocation of wild bison.

House Bill 423 -- Authorizing blackjack tables to fund social services.

House Bill 603 -- Creates and provides for the administration of public charter schools.

Senate Bill 141 -- Address bullying in schools.

Senate Bill 144 -- Revise laws governing translocation of bison and prohibiting free-roaming bison

Senate Bill 196 -- Address bullying in the workplace.

Senate Bill 349 -- A bill to repeal the statute establishing English as the official and primary language of Montana.

Senate Bill 386 -- Providing for the creation of charter schools.

Unintroduced Legislation

LC0474 -- A resolution in support of the United Nations declaration on rights of indigenous people.

LC0829 -- Repeal of English as the official and primary language of Montana.

LC1358 -- Create Montana Indian Child Welfare Act.

LC1526 -- Generally revise laws relating to the State-Tribal Cooperative agreements Act and PERS.

LC1716 -- Study resolution on returning BLM land within reservation to tribes.

LC1830 -- Tribal governments to receive the same federal emergency status alerts as local governments.

LC1991 -- Revise gaming laws to allow agreements between the Department of Justice and a tribal government for Class III gaming.

LC2127 -- Provide for a Montana Indian Child Welfare Act.

LC2140 -- Generally revise property tax exemptions for equity between tribal governments and others.