

HOUSE BILL NO. 609

INTRODUCED BY WINDY BOY, BALLANTYNE, BECKER, BERGREN, BIXBY, CALLAHAN, P. CLARK, CYR, DICKENSON, DOWELL, FRANKLIN, FRITZ, GILLAN, HANSEN, HEDGES, JACOBSON, JAYNE, JENT, JUNEAU, LAMBERT, LASLOVICH, MUSGROVE, NEWMAN, PEASE, RASER, ROUSH, SMITH, SMALL-EASTMAN, WANZENRIED, WEISS

A BILL FOR AN ACT ENTITLED: "AN ACT HONORING THE SACRIFICE, PATRIOTISM, AND LONG TRADITION OF MILITARY PARTICIPATION BY MONTANA'S AMERICAN INDIAN CITIZENS BY REQUIRING SPECIFIC RECOGNITION OF MONTANA'S PAST, PRESENT, AND FUTURE AMERICAN INDIAN WAR VETERANS IN THE CONSTRUCTION OF THE AMERICAN INDIAN MONUMENT AND TRIBAL FLAG CIRCLE; AMENDING SECTION 22-2-601, MCA; AND PROVIDING AN IMMEDIATE A CONTINGENT EFFECTIVE DATE."

WHEREAS, American Indians have participated with distinction in United States military actions for more than 200 years and, according to the United States Department of Defense, as an ethnic group, have the highest record of service per capita; and

WHEREAS, prior to being granted official United States citizenship in 1924, American Indians voluntarily participated in the War of 1812, fought as auxiliary troops for both the North and South in the Civil War, served as Indian scouts for the United States Army in the late 1880s, rode with Teddy Roosevelt after being recruited to become members of the Rough Riders during the Spanish-American War in 1898, accompanied General John J. Pershing's expedition in pursuit of Pancho Villa in 1916, and volunteered in numbers exceeding 12,000 to fight in World War I; and

WHEREAS, it is estimated by the United States Department of Defense that more than 44,000 American Indians, out of a total population of 350,000, served with distinction in World War II between 1941 and 1945; and

WHEREAS, more than 42,000 American Indians, 90% of whom were volunteers, fought in Vietnam and saw combat duty in Grenada, Panama, Somalia, and the Persian Gulf; and

WHEREAS, according to the 2002 United States census, 12% of Montana's total population of American Indians are military veterans who have served with distinction in every military campaign, with many receiving the Purple Heart, the Silver Star, and other campaign and commendation medals for their valor; and

WHEREAS, A TRIBUTE TO AMERICAN INDIANS FROM THROUGHOUT MONTANA WOULD HIGHLIGHT THE CONTRIBUTIONS OF INDIVIDUAL SOLDIERS, INCLUDING A GREAT-GRANDSON OF SALISH CHIEF CHARLO, PRIVATE FIRST CLASS LOUIS CHARLES CHARLO, WHO DIED ON IWO JIMA AFTER BEING ONE OF THE ORIGINAL MARINES TO PLANT A FLAG

ON MOUNT SURIBACHI, WHICH ACTION LATER WAS MEMORIALIZED AND SERVES AS THE BASIS FOR THE IWO JIMA U.S. MARINE CORPS MEMORIAL IN ARLINGTON, VIRGINIA; AND

WHEREAS, it is fitting that the Legislature honor the sacrifice, patriotism, and long tradition of military participation by its American Indian citizens by specifically recognizing past, present, and future American Indian veterans in the construction of the American Indian monument and Montana tribal flag circle.

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

Section 1. Section 22-2-601, MCA, is amended to read:

"22-2-601. American Indian monument and tribal flag circle -- competition for design. (1) The state of Montana shall erect on the grounds of the capitol complex a monument to American Indians and a Montana tribal flag circle in recognition of American Indians' contributions to this state and nation, including specific recognition of the contributions and sacrifices made by Montana's past, present, and future American Indian war veterans.

(2) The Montana arts council shall advertise and conduct a competition among all Montanans for a design for the monument and flag circle."

NEW SECTION. **Section 2. Notification to tribal governments.** The secretary of state shall send a copy of [this act] to each tribal government located on the seven Montana reservations and to the Little Shell band of Chippewa.

NEW SECTION. **Section 3. Effective date.** [This act] is effective on ~~passage and approval~~ THE DATE THAT THE STATE TREASURER CERTIFIES TO THE GOVERNOR THAT SUFFICIENT PRIVATE FUNDS HAVE BEEN RECEIVED TO FINANCE THE CONSTRUCTION OF THE MONUMENT AND TRIBAL FLAG CIRCLE. THE STATE TREASURER SHALL PROVIDE A COPY OF THE CERTIFICATION TO THE CODE COMMISSIONER.

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