

HOUSE BILL NO. 105
INTRODUCED BY J. WINDY BOY
BY REQUEST OF THE STATE-TRIBAL RELATIONS COMMITTEE

A BILL FOR AN ACT ENTITLED: "AN ACT REVISING LAWS ON TRAINING OF STATE AGENCY MANAGERS AND STATE EMPLOYEES ON TRIBAL ISSUES AND CONCERNS; REQUIRING TRAINING TO BE PROVIDED BY THE GOVERNOR'S OFFICE; AMENDING SECTION 2-15-143, MCA; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE."

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

Section 1. Section 2-15-143, MCA, is amended to read:

"2-15-143. Training and consultation. (1) At least once a year, the ~~department of justice~~ governor's office and a trainer selected by the tribal governments shall provide training ~~in Helena or a site mutually agreed upon~~ to state agency managers and key employees who have regular communication with tribes on the legal status of tribes, the legal rights of tribal members, and social, economic, and cultural issues of concern to tribes.

(2) At least annually, the governor ~~may~~ shall convene ~~in Helena a full-day~~, working meeting ~~at which the governor, with~~ representatives of state agencies; and tribal officials, including ~~chiefs and~~ tribal presiding officers, ~~shall to discuss~~:

(a) ~~review the tribal concerns with rules and~~ policies that directly impact tribal government and tribal populations ~~that are proposed for adoption by the state agencies and recommend changes to the policies; and~~

(b) ~~discuss other~~ issues of concern to either the state ~~and or~~ the tribes ~~and formulate solutions; and~~

(c) potential solutions to the concerns.

(3) By ~~December~~ August 15 of each year, ~~a~~ each state agency shall submit to the governor a report for the prior fiscal year describing to the governor and to each tribal government on the activities of the state agency relating to tribal government and tribal populations. The report must include:

(a) any rule or policy changes that the state agency adopted because of discussions under subsection (2)(a);

~~(b) the name of the individual within the state agency who is responsible for implementing the policy;~~

~~(c)~~(b) the process that the state agency has established to identify the programs activities of the state agency that affect tribes;

~~(d)~~(c) the efforts of the state agency to promote communication and the government-to-government relationship between the state agency and the tribes; and

~~(e)~~(d) the efforts of the state agency to ensure tribal consultation and the use of American Indian data in the development and implementation of agency programs that directly affect tribes; ~~and~~

~~———(f) a joint description by tribal program staff and state staff of the training required under subsection (1).~~

(4) By September 15 of each year, the governor shall provide to each tribal government a report with an overview of all state and tribal activities for the prior fiscal year, including a description of the training required under subsection (1)."

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.

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