

SENATE BILL NO. 342

INTRODUCED BY WINDY BOY, HANSEN

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A BILL FOR AN ACT ENTITLED: "AN ACT ESTABLISHING THE MONTANA INDIAN LANGUAGE PRESERVATION PILOT PROGRAM; PROVIDING A PROGRAM DESCRIPTION; PROVIDING AN APPROPRIATION; PROVIDING RULEMAKING AUTHORITY; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE AND A TERMINATION DATE."

WHEREAS, Montana is committed in its educational goals to the preservation of American Indian cultural integrity; and

WHEREAS, language in the form of spoken, written, or sign language is foundational to cultural integrity; and

WHEREAS, Montana tribal languages are in a time of crisis through the loss of native speakers, writers, and signers; and

WHEREAS, the tribes and the state have resources, such as the tribal colleges, councils, and historic preservation offices and the state universities, historical society, and library, to preserve and protect Montana tribal languages for this and future generations.

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

(Refer to Tan Bill)

Strike everything after the enacting clause and insert:

NEW SECTION. **Section 1. Montana Indian language preservation pilot program.** (1) There is a Montana Indian language pilot preservation program. The program is established to support efforts of Montana tribes to preserve Indian languages in the form of spoken, written, or sign language and to assist in the preservation and curricular goals of Indian education for all pursuant to Article X, section 1(2), of the Montana constitution and Title 20, chapter 1, part 5.

(2) (a) The state-tribal economic development commission established in 90-1-131 shall administer the program and, in collaboration with the Montana historical society, Montana public television organizations, the state director of Indian affairs, and each tribal government located on the seven Montana reservations and the

1 Little Shell Chippewa tribe, shall adopt program rules by July 31, 2013.

2 (b) The program rules must address performance and output standards, distribution of funds, accounting
3 of funds, and use of funds.

4 (c) The performance and output standards must include:

5 (i) development of audio and visual recordings;

6 (ii) creation of dictionaries and other reference materials, including audio, visual, electronic, or written
7 dictionaries; and

8 (iii) creation and publication of curricula, which may include electronic curricula.

9 (d) The performance and output standards may include:

10 (i) language classes;

11 (ii) language immersion camps;

12 (iii) storytelling; and

13 (iv) publication of literature.

14 ~~————(3) The state tribal economic development commission shall distribute any funding appropriated for this~~
15 ~~purpose through a competitive grant award process. The commission shall submit a request for grant applications~~
16 ~~to each tribal government located on the seven Montana reservations and to the Little Shell Chippewa tribe. Each~~
17 ~~tribal government that submits an eligible application must receive a grant of up to one-eighth of the total funding~~
18 ~~appropriated for this purpose.~~

19 ~~————(4) (a) To be eligible for a grant, a grant application must meet the following specifications:~~

20 ~~————(i) The application must describe how the proposed project will meet the performance and output~~
21 ~~standards adopted under subsection (2) by September 15, 2014.~~

22 ~~————(ii) The application must define quarterly benchmarks that represent intermediate steps toward achieving~~
23 ~~the required performance and output standards. Each grant awarded will be disbursed by the commission in~~
24 ~~quarterly installments. Second and subsequent disbursements may not be released until the related quarterly~~
25 ~~benchmarks have been met.~~

26 ~~(b) The commission may disburse funds ahead of the proposed disbursement schedule for projects that~~
27 ~~have attained the established performance and output benchmarks.~~

28 ~~————(c) Grants awarded under this section may not be used to pay for salaries.~~

29 ~~(5)(3)~~ By September 15, 2014, at least two copies of any tangible goods produced under this section,
30 including but not limited to audio or visual recordings, literature, dictionaries, or other publications, must be

1 submitted to the Montana historical society for the benefit of related language preservation efforts and for
2 preservation and archival purposes.

3 ~~(6)~~(4) Tribal governments receiving program funds shall form local program advisory boards. Members
4 of a local program advisory board may include but are not limited to representatives from any of the entities listed
5 in subsection ~~(8)~~ (6). Each local program advisory board shall work with college tribal language instructors and
6 individuals who evaluate applicants for licensure as a class 7 American Indian language and culture specialist
7 to develop and adopt measurable and specific outcome requirements for their respective language preservation
8 programs.

9 ~~(7)~~(5) (a) Each local program advisory board shall provide reports on expenditures of grant funds,
10 ~~attainment of quarterly benchmarks, and overall program progress, AND OTHER CRITERIA DETERMINED BY THE~~
11 STATE-TRIBAL ECONOMIC DEVELOPMENT COMMISSION PURSUANT TO SUBSECTION (2)(A) to the state-tribal relations
12 committee at each meeting during the interim.

13 (b) The state-tribal relations committee shall report any findings, comments, or recommendations
14 regarding each local program and the Montana Indian language preservation pilot program to the 64th legislature.

15 ~~(8)~~(6) Tribal governments are encouraged to maximize the impact of grant funds by forming partnerships
16 among state and tribal entities and leveraging existing resources for the preservation of Indian languages and
17 the education of all Montanans in a way that honors the cultural integrity of American Indians. Suggested partner
18 entities include but are not limited to:

- 19 (a) the governor's office of Indian affairs;
20 (b) school districts located on reservations;
21 (c) tribal colleges;
22 (d) tribal historic preservation offices;
23 (e) tribal language and cultural programs;
24 (f) units of the Montana university system;
25 (g) the Montana historical society;
26 (h) the office of public instruction;
27 (i) Montana public television organizations;
28 (j) school districts not located on reservations; and
29 (k) the Montana state library.

30 ~~(9)~~(7) State entities that operate film and video studios and equipment shall cooperate with each local

1 tribal preservation program in the production of materials for preservation and archival purposes.

2 ~~(+0)(8)~~ Any cultural and intellectual property rights from program efforts belong to the tribe. Use of the
3 cultural and intellectual property may be negotiated between the tribe and other partnering entities.

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5 **NEW SECTION. Section 2. Appropriation.** There is appropriated from the state general fund to the
6 state-tribal economic development commission \$1 million in each year of the biennium beginning July 1, 2013,
7 for the purposes described in [section 1]. Any remaining funds that are unencumbered as of June 30, 2015, must
8 revert to the general fund.

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10 **NEW SECTION. Section 3. Notification to tribal governments.** The secretary of state shall send a
11 copy of [this act] to each tribal government located on the seven Montana reservations and to the Little Shell
12 Chippewa tribe.

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14 **NEW SECTION. Section 4. Codification instruction.** [Section 1] is intended to be codified as an
15 integral part of Title 20, chapter 9, and the provisions of Title 20, chapter 9, apply to [section 1].

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17 **COORDINATION SECTION. SECTION 5. COORDINATION INSTRUCTION.** IF BOTH HOUSE BILL NO. 2 AND [THIS
18 ACT] ARE PASSED AND APPROVED AND IF HOUSE BILL NO. 2 CONTAINS AN APPROPRIATION FOR NATIVE LANGUAGE
19 PRESERVATION, THEN [SECTION 2 OF THIS ACT] IS VOID.

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21 **NEW SECTION. Section 6. Effective date.** [This act] is effective on passage and approval.

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23 **NEW SECTION. Section 7. Termination.** [This act] terminates June 30, 2015.

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