

HOUSE BILL NO. 559

INTRODUCED BY G. KIPP, J. WINDY BOY

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4 A BILL FOR AN ACT ENTITLED: "AN ACT REVISING THE MONTANA INDIAN LANGUAGE PRESERVATION
5 PROGRAM; ALLOWING TRIBAL GOVERNMENTS OR THEIR DESIGNEES TO ADMINISTER LOCAL
6 PROGRAMS; REMOVING THE REQUIREMENT FOR LOCAL PROGRAM ADVISORY BOARDS; REQUIRING
7 THE LOCAL PROGRAMS TO REPORT TO THE STATE-TRIBAL ECONOMIC DEVELOPMENT COMMISSION;
8 REQUIRING THE COMMISSION TO REPORT TO THE LEGISLATURE; PROVIDING AN APPROPRIATION;
9 AMENDING SECTION 7, CHAPTER 410, LAWS OF 2013; AND PROVIDING AN IMMEDIATE EFFECTIVE
10 DATE AND A TERMINATION DATE."

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

14 WHEREAS, language is the conveyor of culture and is fundamental to cultural integrity and identity; and

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

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

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

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23 **Section 1.** Section 20-9-537, MCA, is amended to read:

24 **"20-9-537. (Temporary) Montana Indian language preservation pilot program.** (1) There is a
25 Montana Indian language ~~pilot~~ preservation program. The program is established to support efforts of Montana
26 tribes to preserve and perpetuate Indian languages in the form of spoken, written, or sign language and to assist
27 in the preservation and curricular goals of Indian education for all pursuant to Article X, section 1(2), of the
28 Montana constitution and Title 20, chapter 1, part 5.

29 (2) (a) The state-tribal economic development commission established in 90-1-131 shall administer the
30 program and, in collaboration with the Montana historical society, ~~Montana public television organizations~~; the

1 state director of Indian affairs, and each tribal government located on the seven Montana reservations and the
 2 Little Shell Chippewa tribe, shall ~~adopt program rules by July 31, 2013~~ create program guidelines.

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

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

6 (i) development of audio and visual recordings;

7 (ii) creation of ~~dictionaries and other~~ reference materials, including which may be in audio, visual,
 8 electronic, or written ~~dictionaries~~ format; and

9 (iii) creation and publication of curricula, which may include electronic curricula; and

10 (iv) development and maintenance of a long-term language preservation strategic plan.

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

12 (i) language classes;

13 (ii) language immersion camps;

14 (iii) storytelling; ~~and~~

15 (iv) publication of literature; and

16 (v) language programs, workshops, seminars, camps, and other presentations in formal or informal
 17 settings.

18 (3) By ~~September 15, 2014, at least two copies of~~ December 15, 2016, any tangible goods produced
 19 under this section, ~~including but not limited to audio or visual recordings, literature, dictionaries, or other~~
 20 ~~publications~~, must be submitted to the Montana historical society for the benefit of related language preservation
 21 efforts and for preservation and archival purposes.

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

28 (5) (a) Each ~~local program advisory board~~ tribal government or designee shall provide reports on
 29 expenditures of grant funds, overall program progress, and other criteria ~~determined by the state tribal economic~~
 30 ~~development commission~~ required under the guidelines established pursuant to subsection (2)(a) to the

1 ~~state-tribal relations committee at each meeting during the interim~~ state-tribal economic development commission.

2 (b) The ~~state-tribal relations committee~~ state-tribal economic development commission shall report any
3 findings, comments, or recommendations regarding each local program and the Montana Indian language
4 preservation ~~pilot~~ program to the 64th legislature as provided in 5-11-210.

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

- 9 (a) the governor's office of Indian affairs;
- 10 (b) school districts located on reservations;
- 11 (c) tribal colleges;
- 12 (d) tribal historic preservation offices;
- 13 (e) tribal language and cultural programs;
- 14 (f) units of the Montana university system;
- 15 (g) the Montana historical society;
- 16 (h) the office of public instruction;
- 17 (i) Montana public television organizations;
- 18 (j) school districts not located on reservations; and
- 19 (k) the Montana state library.

20 (7) State entities that operate film and video studios and equipment shall cooperate with each local tribal
21 preservation program in the production of materials for preservation and archival purposes.

22 (8) Any cultural and intellectual property rights from program efforts belong to the tribe. Use of the
23 cultural and intellectual property may be negotiated between the tribe and other partnering entities. (Terminates
24 June 30, 2015--~~sec. 7, Ch. 410, L. 2013~~ 2017.)"

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26 **NEW SECTION. Section 2. Appropriation.** There is appropriated \$750,000 from the state general fund
27 to the state-tribal economic development commission in each year of the biennium beginning July 1, 2015, for
28 the purposes described in 20-9-537. Any remaining funds that are unencumbered as of June 30, 2017, must
29 revert to the general fund.

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