

1 HOUSE BILL NO. 37

2 INTRODUCED BY J. WINDY BOY

3 BY REQUEST OF THE STATE-TRIBAL RELATIONS COMMITTEE

4
5 A BILL FOR AN ACT ENTITLED: "AN ACT REVISING THE MONTANA INDIAN LANGUAGE PRESERVATION
6 PROGRAM; EXTENDING THE PROGRAM; ALLOWING FOR PRESERVATION OF SUNG LANGUAGE;
7 ALLOWING STATE FUNDS TO BE USED AS MATCHING FUNDS; PROVIDING AN APPROPRIATION;
8 AMENDING SECTION 20-9-537, MCA, SECTION 7, CHAPTER 410, LAWS OF 2013, SECTION 3, CHAPTER
9 426, LAWS OF 2015, AND SECTION 7, CHAPTER 426, LAWS OF 2015; AND PROVIDING AN IMMEDIATE
10 EFFECTIVE DATE AND A TERMINATION DATE."
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12 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

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

15 **"20-9-537. (Temporary) Montana Indian language preservation program.** (1) There is a Montana
16 Indian language preservation program. The program is established to support efforts of Montana tribes to
17 preserve and perpetuate Indian languages in the form of spoken, written, sung, or ~~sign~~ signed language and to
18 assist in the preservation and curricular goals of Indian education for all pursuant to Article X, section 1(2), of the
19 Montana constitution and Title 20, chapter 1, part 5.

20 (2) (a) The state-tribal economic development commission established in 90-1-131 shall administer the
21 program and, in collaboration with the Montana historical society, the state director of Indian affairs, and each
22 tribal government located on the seven Montana reservations and the Little Shell Chippewa tribe, shall create
23 program guidelines.

24 (b) The program guidelines must address performance and output standards, distribution of funds,
25 accounting of funds, and use of funds.

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

27 (i) development of audio and visual recordings;

28 (ii) creation of reference materials, which may be in audio, visual, electronic, or written format;

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

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

- 1 (d) The performance and output standards may include:
- 2 (i) language classes;
- 3 (ii) language immersion camps;
- 4 (iii) storytelling;
- 5 (iv) publication of literature; and
- 6 (v) language programs, workshops, seminars, camps, and other presentations in formal or informal
- 7 settings.
- 8 (3) ~~By December 15, 2016, any~~ Any tangible goods produced under this section must be submitted within
- 9 1 year of production to the Montana historical society for the benefit of related language preservation efforts and
- 10 for preservation and archival purposes.
- 11 (4) Tribal governments or their designees receiving program funds may form local program advisory
- 12 boards. Members of a local program advisory board may include but are not limited to representatives from any
- 13 of the entities listed in subsection (6).
- 14 (5) (a) Each tribal government or designee shall provide reports on expenditures of grant funds, overall
- 15 program progress, and other criteria required under the guidelines established pursuant to subsection (2)(a) to
- 16 the state-tribal economic development commission.
- 17 (b) The state-tribal economic development commission shall report any findings, comments, or
- 18 recommendations regarding each local program and the Montana Indian language preservation program to the
- 19 legislature as provided in 5-11-210.
- 20 (6) Tribal governments and their designees are encouraged to maximize the impact of grant funds by
- 21 forming partnerships among state and tribal entities and leveraging existing resources for the preservation of
- 22 Indian languages and the education of all Montanans in a way that honors the cultural integrity of American
- 23 Indians. Suggested partner entities include but are not limited to:
- 24 (a) the governor's office of Indian affairs;
- 25 (b) school districts located on reservations;
- 26 (c) tribal colleges;
- 27 (d) tribal historic preservation offices;
- 28 (e) tribal language and cultural programs;
- 29 (f) units of the Montana university system;
- 30 (g) the Montana historical society;

- 1 (h) the office of public instruction;
- 2 (i) Montana public television organizations;
- 3 (j) school districts not located on reservations; and
- 4 (k) the Montana state library.
- 5 (7) State entities that operate film and video studios and equipment shall cooperate with each local tribal
- 6 preservation program in the production of materials for preservation and archival purposes.

7 (8) Any cultural and intellectual property rights from program efforts belong to the tribe. Use of the

8 cultural and intellectual property may be negotiated between the tribe and other partnering entities.

9 (9) A TRIBE MAY USE PAYMENTS RECEIVED PURSUANT TO THIS SECTION AS MATCHING FUNDS FOR FEDERAL OR

10 PRIVATE FUND SOURCES TO ACCOMPLISH THE PURPOSES OF THIS SECTION. (Terminates June 30, 2017--sec. 3, Ch.

11 426, L. 2015.)"

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13 **Section 2.** Section 7, Chapter 410, Laws of 2013, is amended to read:

14 "**Section 7. Termination.** [This act] terminates June 30, ~~2015~~ 2019."

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16 **Section 3.** Section 3, Chapter 426, Laws of 2015, is amended to read:

17 "**Section 3.** Section 7, Chapter 410, Laws of 2013, is amended to read:

18 "**Section 7. Termination.** [This act] terminates June 30, ~~2015~~ 2017 2019."

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20 **Section 4.** Section 7, Chapter 426, Laws of 2015, is amended to read:

21 "**Section 7. Termination.** [This act] terminates June 30, ~~2017~~ 2019."

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23 NEW SECTION. SECTION 5. APPROPRIATION. THERE IS APPROPRIATED \$1 FROM THE STATE GENERAL FUND

24 TO THE STATE-TRIBAL ECONOMIC DEVELOPMENT COMMISSION FOR THE BIENNIUM BEGINNING JULY 1, 2017, FOR THE

25 PURPOSES DESCRIBED IN 20-9-537. ANY REMAINING FUNDS THAT ARE UNENCUMBERED AS OF JUNE 30, 2019, MUST

26 REVERT TO THE GENERAL FUND.

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28 NEW SECTION. Section 6. Notification to tribal governments. The secretary of state shall send a

29 copy of [this act] to each tribal government located on the seven Montana reservations and to the Little Shell

30 Chippewa tribe.

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2 NEW SECTION. **Section 7. Effective date.** [This act] is effective on passage and approval.

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4 NEW SECTION. **Section 8. Termination.** [Section 1] terminates June 30, 2019.

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