

1 HOUSE BILL NO. 479

2 INTRODUCED BY J. READ, B. KEENAN

3
4 A BILL FOR AN ACT ENTITLED: "AN ACT APPROPRIATING FUNDS TO THE DEPARTMENT OF JUSTICE
5 TO ASSUME PROVIDE MONEY TO LAKE COUNTY ~~TO OFFSET PAST COSTS AND COSTS IN THE~~
6 ~~BIENNIUM FOR LAW ENFORCEMENT ACTIVITIES ON THE FLATHEAD RESERVATION~~; PROVIDING AN
7 APPROPRIATION; AND PROVIDING AN EFFECTIVE DATE ~~AND A TERMINATION DATE.~~"

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9 ~~WHEREAS, THE STATE BELIEVES THAT THE RELATIONSHIP BETWEEN THE CSKT AND LAKE COUNTY HAS~~
10 ~~FACILITATED EFFECTIVE LAW ENFORCEMENT AND THE ADMINISTRATION OF JUSTICE BY SUBJECTING ALL PERSONS TO~~
11 ~~JURISDICTION OF THE STATE WHEN FELONIES OCCUR WITHIN THE EXTERIOR BOUNDARIES OF THE COUNTY; AND~~

12 ~~WHEREAS, THE STATE IS CONCERNED THAT THE POSITIVE ATTRIBUTES OF THE RELATIONSHIP COULD BE~~
13 ~~SIGNIFICANTLY HARMED IF EITHER THE STATE OR THE TRIBE DECIDE TO WITHDRAW FROM THEIR AGREEMENT; AND~~

14 ~~WHEREAS, ALTHOUGH THE STATE DOES NOT BELIEVE IT HAS AN OBLIGATION TO FUND LAW ENFORCEMENT~~
15 ~~SERVICES IN LAKE COUNTY, IT WISHES TO PRESERVE THE STATUS QUO BETWEEN THE EFFECTIVE DATE AND THE END OF~~
16 ~~THE BIENNIUM TO DETERMINE WHETHER THE TRIBE AND LAKE COUNTY WISH TO CONTINUE THE RELATIONSHIP WITH~~
17 ~~THEIR COLLECTIVE RESOURCES, BUT IN THE ABSENCE OF ONGOING APPROPRIATIONS IN FUTURE BIENNIUMS FROM THE~~
18 ~~STATE; AND~~

19 ~~WHEREAS, TO PRESERVE THE STATUS QUO, THE STATE IS PROVIDING AN APPROPRIATED AMOUNT FOR THE~~
20 ~~BIENNIUM TO LAKE COUNTY;~~

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

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24 (Refer to Introduced Bill)

25 Strike everything after the enacting clause and insert:

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27 NEW SECTION. Section 1. — Assumption of law enforcement activities. The department of justice
28 is authorized to enter into a memorandum of understanding or other binding contract with Lake County for Lake

Amendment - 2nd Reading-yellow - Requested by: Andrea Olsen - (S) Committee of Whole

- 2023

68th Legislature 2023

Drafter: Julianne Burkhardt, 406-444-4025

HB0479.003.001

1 ~~County to assume law enforcement activities on the Flathead Indian reservation.~~

2

3 NEW SECTION. Section 1. Appropriation. There is appropriated \$27,500,000 \$2.5 MILLION from the
4 general fund to the department of justice for EACH YEAR IN the biennium beginning July 1, 2023, to ~~reimburse~~
5 Lake County ~~for assuming law enforcement activities on the Flathead Indian reservation~~ to bring jail living
6 conditions within constitutional standards.

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8 NEW SECTION. Section 2. Effective date. [This act] is effective July 1, 2023.

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10 NEW SECTION. Section 3. Termination. [This act] terminates June 30, 2028.

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- END -