

1 HOUSE BILL NO. 163

2 INTRODUCED BY T. RUNNING WOLF

3 BY REQUEST OF THE STATE-TRIBAL RELATIONS COMMITTEE

4
 5 A BILL FOR AN ACT ENTITLED: "AN ACT EXTENDING TERMINATION OF THE MISSING INDIGENOUS
 6 PERSONS TASK FORCE AND THE GRANT PROGRAM THE TASK FORCE ADMINISTERS; ADDING A
 7 REPRESENTATIVE FROM THE OFFICE OF PUBLIC INSTRUCTION TO THE TASK FORCE; AUTHORIZING
 8 THE TASK FORCE TO MAKE RECOMMENDATIONS TO FEDERAL, STATE, AND LOCAL AGENCIES;
 9 PROVIDING AN APPROPRIATION; AMENDING SECTION 44-2-411, MCA; AMENDING SECTION 8,
 10 CHAPTER 373, LAWS OF 2019, SECTION 3, CHAPTER 243, LAWS OF 2021, AND SECTION 2, CHAPTER
 11 268, LAWS OF 2021; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE."

12
 13 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

14
 15 **Section 1.** Section 44-2-411, MCA, is amended to read:

16 **"44-2-411. (Temporary) Missing indigenous persons task force -- membership -- duties --**
 17 **reporting.** (1) There is a missing indigenous persons task force. The task force is allocated to the department
 18 of justice for staffing services and administrative purposes only.

19 (2) Task force members, including the presiding officer, must be appointed by the attorney general
 20 or a designee of the attorney general. The task force membership must include but is not limited to:

- 21 (a) an employee of the department of justice who has expertise in the subject of missing persons;
 22 (b) a representative from each federally recognized Indian tribe in Montana;
 23 (c) a member from the Montana highway patrol; ~~and~~
 24 (d) a representative from the attorney general's office; and
 25 (e) a representative from the office of public instruction.

26 (3) While respecting the government-to-government relationship between the state and each tribe,
 27 the primary duties of the task force are to:

- 28 (a) identify jurisdictional barriers between federal, state, local, and tribal law enforcement and

1 community agencies;

2 (b) work to identify causes that contribute to missing and murdered indigenous persons and make
3 recommendations to federally recognized tribes in the state to reduce cases of missing and murdered
4 indigenous persons; ~~and~~

5 (c) work to identify strategies to improve interagency communication, cooperation, and
6 collaboration to remove jurisdictional barriers and increase reporting and investigation of missing indigenous
7 persons; and

8 (d) administer the looping in native communities network grant program provided for in 44-2-412.

9 (4) A vacancy on the task force must be filled in the manner of the original appointment.

10 (5) By July 1 prior to each regular legislative session, the task force shall, in accordance with 5-11-
11 210, prepare a written report of findings and recommendations for submission to the state-tribal relations
12 committee provided for in 5-5-229. The report must include the following information:

13 (a) the number of unique individuals reported to the missing and murdered indigenous persons
14 database;

15 (b) the number of unique individuals recovered as a result of the missing and murdered indigenous
16 persons database;

17 (c) the number of unique individuals recovered as a result of the looping in native communities
18 network grant program;

19 (d) the number of unique individuals searched for and recovered as a result of missing persons
20 response teams;

21 (e) the number of missing persons entries into the missing and murdered indigenous persons
22 database by year;

23 (f) an analysis by year of the characteristics of missing indigenous persons, including but not
24 limited to age, gender, child protective services involvement status, foster case status, duration of time missing,
25 and estimated related cause;

26 (g) the number of actively missing indigenous persons by year;

27 (h) a description and the results of any noncompetitive grant awardee activities;

28 (i) a description of the activities and progress related to improving interagency communication,

1 cooperation, and collaboration and removing interjurisdictional barriers; and

2 (j) any other information the task force members find relevant to the task force's mission.

3 (6) In addition to the recommendations to federally recognized tribes in the state required under
 4 subsection (3)(b), the task force may make recommendations to federal, state, and local agencies in carrying
 5 out the task force's duties. (Terminates June 30, ~~2023~~ ~~2025~~ 2033--sec. 3, Ch. 243, L. 2021, sec. 2, Ch. 268,
 6 L.2021.)"

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8 **Section 2.** Section 8, Chapter 373, Laws of 2019, is amended to read:

9 "**Section 8. Termination.** [This act] terminates June 30, ~~2024~~ ~~2025~~ 2033."

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11 **Section 3.** Section 3, Chapter 243, Laws of 2021, is amended to read:

12 "**Section 3.** Section 8, Chapter 373, Laws of 2019, is amended to read:

13 "**Section 8. Termination.** [This act] terminates June 30, ~~2024~~ ~~2023~~ ~~2025~~ 2033."

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15 **Section 4.** Section 2, Chapter 268, Laws of 2021, is amended to read:

16 "**Section 2.** Section 8, Chapter 373, Laws of 2019, is amended to read:

17 "**Section 8. Termination.** ~~[This act] terminates~~ (1) [Section 1] terminates June 30, ~~2023~~ ~~2025~~ 2033.
 18 (2) [Sections 2 and 3] terminate June 30, ~~2024~~ ~~2025~~ 2033."

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20 NEW SECTION. Section 5. Transfer of funds. By July 15, 2023, the state treasurer shall transfer
 21 ~~\$50,000~~ \$5,000 from the state general fund to the looping in native communities network state special revenue
 22 account established in 44-2-413.

23

24 NEW SECTION. Section 6. Appropriation. (1) There is appropriated ~~\$50,000~~ \$5,000 from the
 25 looping in native communities network state special revenue account established in 44-2-413 to the missing
 26 indigenous persons task force established in 44-2-411 for the biennium beginning July 1, 2023, for the
 27 purposes of providing matching funds to tribal agencies to implement the looping in native communities network
 28 grant program established in 44-2-412. Any funds that are unencumbered by June 30, 2025, must revert to the

1 general fund.

2 (2) There is appropriated \$205,162 from the state general fund to the department of justice for the
3 biennium beginning July 1, 2023, for the purposes of filling 1.0 FTE to coordinate and manage the
4 administration of the missing persons indigenous task force in 44-2-411 and perform duties related to other
5 missing persons programs at the department.

6 (3) THE LEGISLATURE INTENDS THAT THE APPROPRIATIONS IN SUBSECTIONS (1) AND (2) BE CONSIDERED
7 PART OF THE ONGOING BASE FOR THE NEXT LEGISLATIVE SESSION.

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9 NEW SECTION. Section 7. Notification to tribal governments. The secretary of state shall send a
10 copy of [this act] to each federally recognized tribal government in Montana.

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12 NEW SECTION. Section 8. Effective date. [This act] is effective on passage and approval.

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