

## 2017 Legislative Summary Related to State-Tribal Relations

The 2017 Legislature enacted a number of bills related to state-tribal relations. This summary provides an overview of major legislation and budget provisions of House Bill 2 in the following areas:

STRC Responsibilities	Economic Development	Infrastructure
Crimes	Education	Local Government
Culture	Fish and Wildlife	Taxes
	Health and Human Services	Water

### STRC Responsibilities

HB 118 requires the Department of Public Health and Human Services (DPHHS) to report regularly to the appropriate interim committees on the use of its suicide prevention appropriations.

SB 309 requires the State-Tribal Economic Development Commission to report on its activities to the State-Tribal Relations Committee.

### Crimes

SB 310 allows the Confederated Salish and Kootenai Tribes to reclaim jurisdiction over felony crimes committed by or against Indians on the Flathead Reservation.

### Culture

HJ 5 is a resolution recognizing the 138th anniversary of the Fort Robinson Breakout and commending participants in the annual Fort Robinson Memorial Breakout Run.

SB 319 prohibits state agencies or local governments from preventing individuals from wearing traditional tribal regalia or objects of cultural

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\*Indicates a bill requested by the 2015-2016 State-Tribal Relations Committee.

significance at public events held or sponsored by the agency or government, including but not limited to award or graduation ceremonies and public meetings.

## Economic Development

HB 2 appropriates \$1.6 million in general fund money this biennium to the Indian Country Economic Development (ICED) Program, which awards grants to tribal governments to support business enterprises that produce positive economic benefits for the tribes.

SB 309 revises economic development laws related to Indian Country by adding a tribal member from the private sector to the Tourism Advisory Council, revising council duties to include oversight of distribution of funds to the State-Tribal Economic Development Commission on behalf of Indian tourism regions, and dedicating 0.5% of the lodging tax for activities in those regions. The bill defines Indian tourism regions as areas recognized as being historically associated with the seven federally recognized reservations in Montana and the Little Shell Chippewa Tribe.

## Education

HB 37\* revises the Montana Indian Language Preservation Program (MILPP), extending the program's sunset to June 30, 2019, preserving sung language, revising submission requirements for tangible goods, allowing funding to be used as matching funds for federal or private funding sources, and appropriating \$1 million to the program for the biennium.

HB 113\* allows school districts receiving payments for Indian language immersion programs to use those funds as matching funds for federal or private funding sources.

HB 185 creates the Montana Promise grant program to provide up to \$2 million in grants each fiscal year, subject to appropriation by the Legislature, to qualifying resident students enrolled at least half-time in a community or tribal college and taking courses that lead to the ability to transfer to another postsecondary institution, an associate degree, or a professional credential.

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SB 6\* removes redundant language from the tribal college reimbursement statute (20-25-428, MCA).

## Fish and Wildlife

HB 108 allocates two wild buffalo licenses to each of seven tribes in Montana to harvest wild buffalo for traditional purposes. The tribal governments may designate the tribal members to receive the licenses. The licenses must be given at no charge.

HB 622 revises laws related to invasive species, establishing an Invasive Species Council to which a member of each tribal government in Montana is appointed. The purpose of the council is to advise the governor on a science-based, comprehensive program to identify, prevent, eliminate, reduce, and mitigate invasive species in Montana and to coordinate with public and private partners to develop and implement statewide invasive species strategic plans.

The bill also establishes an Upper Columbia Conservation Commission to which a representative of the CSKT is appointed. The purpose of the commission is to protect the aquatic environment in tributaries to the Columbia River from the threat of aquatic invasive species.

The bill also establishes an Upper Columbia pilot program, administered by the Flathead Basin Commission, to enhance protections against aquatic invasive species in the Flathead Basin.

## Health and Human Services

HR 3 and SR 57 are resolutions urging the United States Congress to retain permanent reauthorization of the Indian Health Care Improvement Act when making changes to or repealing the Patient Protection and Affordable Care Act.

HB 118 revises the state suicide prevention program to include providing grants to tribes, tribal and urban health organizations, local governments, schools, health care providers, professional associations, and other nonprofit and community organizations for development or expansion of evidence-based suicide prevention programs.

The bill appropriates \$500,000 for this biennium from the tobacco settlement to the DPHHS for suicide prevention grants.

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The bill also appropriates \$250,000 from the health and Medicaid initiatives account to DPHHS to assist state and tribal efforts to implement the action steps in the Montana native youth suicide reduction plan published in January 2017 and another \$250,000 for DPHHS to provide grants for school-based suicide prevention activities.

The bill requires DPHHS to report regularly to the appropriate interim committees on the use of the appropriations.

### Infrastructure

HB 6 provides \$125,000 to the Crow Tribe for wastewater collection system improvements, \$125,000 to Poplar for wastewater system improvements, \$125,000 to Hot Springs for water system improvements, and \$125,000 to the Fort Peck Tribes for irrigation rehabilitation.

### Local Government

HB 422 allows the attorney general to review complaints of misconduct by a local government public officer and allows the withholding of certain payments if a local government fails to meet certain deadlines for financial reporting, budgeting, and fixing of tax levies or fails to remit any amounts collected on behalf of or owed to the state or another taxing jurisdiction.

### Taxes

HB 473 increases the gas tax from 27 cents per gallon to 31.5 cents in FY 2018 and 2019, 32 cents in FY 2020 and 2021, 32.5 cents in FY 2022, and 33 cents in FY 2023 and thereafter. As a result, the per capita revenue share distributed to tribes pursuant to agreements with the state will also increase proportionally.

### Water

SB 287 transfers \$14 million from the Blackfeet Tribe water rights compact infrastructure account to the Blackfeet Tribe water rights compact mitigation account and requires the funds to be spent pursuant to the Birch Creek agreement.

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