



State-Tribal Relations Interim Committee

67th Montana Legislature

SENATE MEMBERS

BOB BROWN
MIKE FOX
JASON SMALL – Vice Chair
SUSAN WEBBER

HOUSE MEMBERS

CASEY KNUDSEN
JOE READ
TYSON RUNNING WOLF - Chair
LOLA SHELDON-GALLOWAY
FRANK SMITH
SHARON STEWART PEREGOY

COMMITTEE STAFF

PAD MCCracken, Lead Staff
LAURA SANKEY KEIP, Staff Attorney
DANIEL COLLINS, Secretary

TO: State-Tribal Relations Committee
FROM: Pad McCracken, Committee Staff
RE: One-time-only (OTO) appropriations, termination dates, and other statutory issues
DATE: September 29, 2021

At your July 2021 meeting you requested a list of programs impacting Indian Country that are funded with one-time-only appropriations (OTOs) rather than ongoing appropriations. The significance of this distinction is that OTOs will require legislative action via a decision package to be *included* in the budget while generally ongoing appropriations take action to be *removed* from the budget. Funding for the Indian Language Immersion Program validates your concern. Consider this memo a first draft in compiling the table on page two as there may be programs I missed.

Additionally, this examination of program funding led me to include a list of statutes with termination dates or other issues the committee may wish to examine further.

Termination dates

[37-2-317](#) and [318](#) related to community health aides terminate September 30, 2023, as do changes to 53-6-101; [HB 599](#) (2019, Windy Boy)

[HB 98](#) (2021; Stewart Perego for STRC) extended the termination dates for the Missing Indigenous Persons Task Force and the Looping in Native Communities Network Grant Program to June 30, 2023.

Other issues

[90-1-132](#), [90-1-135](#), and [90-11-102](#) all mention the hiring, funding, and roles for two positions that have perhaps never been filled: a tribal business center coordinator and a federal grants coordinator. If these positions are unnecessary, the committee could consider removing the mention of them from statute.

I believe Director of Indian Affairs Misty Kuhl will be bringing to your attention some issues related to the decennial report required in [90-1-105](#) on the economic contributions and impacts of Indian reservations in Montana.

Indian Country Programs

One-Time-Only (OTO) Appropriations

	2022-2023 Biennium	2020-2021 Biennium	2018-2019 Biennium	2016-2017 Biennium	2014-2015 Biennium
Indian Country Economic Development (ICED) administered by STED at Dept of Commerce	\$873,054/year GF	\$875,000/year GF	\$800,000/year SSR	\$800,000/year GF	\$800,000/year GF
Montana Indian Language Preservation Program (MILPP; transferred to OPI from Commerce in 2021)	\$750,000/year GF	\$750,000/year GF	\$375,000/year GF	\$750,000/year GF	\$1,000,000/year GF
Montana Digital Academy (MTDA) Indian Language Course Development	\$80,000/biennium GF	-	-	-	-
Tribal colleges HiSET	\$175,000/year GF	\$175,000/year GF	-	-	-
Grow Your Own	\$250,000/year GF	-	-	-	-

Ongoing Appropriations

	2022-2023 Biennium	2020-2021 Biennium	2018-2019 Biennium	2016-2017 Biennium	2014-2015 Biennium
Indian Language Immersion Program (Cultural Integrity Commitment Act; OPI)	\$96,970/year GF	\$47,590 in FY 20 \$48,470 in FY 21 GF	Not funded	\$45,000/biennium GF OTO	
Tribal Tourism (SB 309; 2017; utilizes bed tax) administered by STED (Commerce)	Within OTBD's SSR authority (revenue typically about \$160,000/year)	Within OTBD's SSR authority (revenue typically about \$160,000/year)	\$110,000 in FY 2018 \$120,000 in FY 2019 SSR	-	-
Tribal colleges for nonbeneficiary students	\$837, 875/year GF	\$837, 875/year GF	\$837, 875/year GF	\$842,085/year GF + \$161,378/year GF (OTO)	\$842,085/year GF + \$184,442/year GF (OTO)