



PROPOSED FINAL WORK PLAN FOR THE 2023-2024 INTERIM



STATE-TRIBAL RELATIONS
COMMITTEE (STRC)

FOR DISCUSSION/ADOPTION

ON OCTOBER 5, 2023

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STRC WORK PLAN 2023-2024

HISTORY OF THE STATE-TRIBAL RELATIONS COMMITTEE

5-5-229, MCA, establishes the STRC and tasks it with the following responsibilities:

- (1) acting as a liaison with tribal governments;
- (2) encouraging state-tribal and local government-tribal cooperation;
- (3) conducting interim studies as assigned; and
- (4) proving recommendations and a report, if one is written, for studies completed by the committee.

Perhaps the most important responsibility of the STRC is to act as a liaison between the state and the eight tribal governments in Montana. This responsibility has been part and parcel of the work of the Committee since its inception in 1977 as the Committee on Indian Legal Jurisdiction. That Committee was charged with meeting with the various Indian tribes to identify common bonds between Indians and non-Indians and to propose legislation for the mutual benefit of both groups.

The Committee's major recommendation to the 1979 Legislature was the creation of a select committee on Indian affairs to be followed by a permanent committee if the 1981 Legislature felt the select committee proved valuable in improving Indian/non-Indian relations.

The 1979 Legislature accepted the recommendation and created the Select Committee on Indian Affairs. However, although subsequent Legislatures recognized the importance of the Committee's work, there was a reluctance to create a permanent committee.

Finally, in 1989, the Committee on Indian Affairs was established as a permanent, statutory committee. In 1999, the Legislature passed Senate Bill No. 11 (SB 11) that reorganized the interim committee structure by consolidating committees and establishing permanent interim committees with membership drawn from specific session standing committees. SB 11 eliminated the Committee on Indian Affairs and folded its responsibilities into the newly created Law, Justice, and Indian Affairs Interim Committee (LJIAC).

The LJIAC was selected to serve as the forum for state-tribal relations because many of the issues affecting state-tribal relations would most likely be addressed by the House and Senate Judiciary Committees. The membership of the LJIAC was drawn from these committees.

At the same time, the Coordinator of Indian Affairs (a position created by the Legislature in 1951 and appointed by the governor) was circulating a proposal to create a Commission on Indian Affairs that would be attached to the Executive Branch. This proposal eventually became a study resolution assigned to the LJIAC.

At the end of the 1999-2000 interim, after months of study, the LJIAC recommended that because of a lack of general support for the idea, the proposal for a Commission on Indian Affairs be tabled. In its place, the LJIAC

recommended to the Legislative Council and the 57th Legislature that a separate State-Tribal Relations Committee be created that would assume the LJIAC's state-tribal liaison responsibilities.

The STRC, as we know it today, was established during the 2001 legislative session with the passage of Senate Bill No. 10.

INTRODUCTION

This is the proposed final work plan for the State-Tribal Relations Committee for the 2023-2024 interim. It will serve as a blueprint that allows the committee to complete its work prior to the September 15, 2024 deadline.

Based on the decisions made at the July 19, 2023 STRC meeting, the committee will explore different topics while also visiting with tribal governments to learn about tribal issues of concern. Proposed travel meetings are listed at the end of this plan.

WORK PLAN TOPICS

I. HJ 1: Study on Missing Youth

Background: [This study](#) examines the problem of missing youth (persons under 18 years of age) in Montana, which has been an ongoing concern in recent legislative sessions.

The study resolution asks how the state of Montana can reduce the number of missing youth and increase the chances of quickly locating those individuals by:

- Studying the issue in collaboration with relevant state government agencies, youth organizations, tribal governments, the court system, and other stakeholders;
- Collecting information about missing youth cases and reasons why youth are reported missing;
- Examining data from the Youth Risk Behavior Survey;
- Analyzing data from specific subgroups of missing youth, including indigenous youth, youth in foster care, and youth who go missing more than once;
- Examining how other states and jurisdictions have attempted to reduce the number of missing youth and the amount of time for missing youth to be located, including whether those approaches could be applicable for Montana.

Committee resources allocated: 30%

II. Law Enforcement Degree Program

Background: This study examines the creation of a Law Enforcement bachelor's degree recognized by the Montana University System, Office of Commissioner of Higher Education, Montana Department of Justice, and Bureau of Indian Affairs Law Enforcement Services. The degree would award college credits for experience and training and require additional specialized training for tribal officers. The study would likely involve working with other legislative committees and staff (Law & Justice; Education). At its July 2023 meeting, the STRC opted to create a subcommittee to further examine the issue.

Committee resources allocated: 30%

III. Legislator Training in Indian Law and State-Tribal Relations

Background: In 1995, the Montana Legislative Council's Committee on Indian Affairs (the precursor to STRC) published *Tribal Nations in Montana: A Handbook for Legislators*. In 2016, STRC staff worked with staff and students from the University of Montana's Margery Hunter Brown Indian Law Clinic to revise and update the handbook. Following the 2020 census, the handbook requires further edits. At its July 2023 meeting, STRC members discussed whether an additional, condensed educational pamphlet could be created for legislators. They also expressed interest in exploring legislator training requirements and implementation in relation to Indian law and state-tribal relations.

Committee resources allocated: 10%

MEETING AGENDA ITEMS

Meeting agenda items require minimal staff time to facilitate and do not count toward the FTE available to the STRC's study topics for the interim. At its July 2023 meeting, the STRC asked to receive information on the following topics.

- 1) Compare and contrast housing starts on reservations in Montana
- 2) Monitor PL-280 controversies in Montana
- 3) Overviews and comparisons of ICWA and MICWA
- 4) Tribal representation on the Montana Broadband Advisory Committee
- 5) Law enforcement jurisdiction in Indian Country

DRAFT MEETING SCHEDULE

This draft meeting schedule reflects the STRC decision to visit each tribal government during the interim. **Please note that Zoom is not available for meetings outside of Helena.**

July 19, 2023	Meeting in Helena. Organize the committee and prioritize the interim work plan.
October 5-6, 2023	Meeting at Great Falls (Little Shell) & Rocky Boy's Reservation. Adopt a final work plan.
January 11, 2024	Meeting in Helena/Zoom.
April 4-5, 2024	Proposed meeting at the Fort Belknap and Fort Peck Reservations.
June 6-7, 2024	Proposed meeting at the Northern Cheyenne and Crow Reservations.
August 8-9, 2024	Proposed meeting at the CSKT and Flathead Reservations.
September 6, 2024	Meeting in Helena/Zoom. Final approval of recommendations, reports, and any proposed legislation. Select bill sponsors.

Committee interim work must be completed September 15, 2024.