

DRAFT WORK PLAN

2025-2026



State-Tribal Relations Committee
Prepared by Casey Pallister
August 2025

COMMITTEE INFORMATION

COMMITTEE MEMBERS

Interim committee members are appointed in accordance with 5-5-211, MCA, and the bipartisan composition of the committee is established in 5-5-229, MCA.

Senator	District & County	Phone	Email
Sen. Josh Kassmier	SD 13, Choteau County	(406) 781-5386	josh.kassmier@legmt.gov
Sen. Gayle Lammers	SD 21, Big Horn County	(406) 679-0020	gayle.lammers@legmt.gov
Sen. Susan Webber	SD 8, Glacier County	(406) 450-1894	susan.webber@legmt.gov
Sen. Jonathan Windy Boy	SD 16, Hill County	(406) 945-1805	jonathan.windyboy@legmt.gov

Representative	District & County	Phone	Email
Rep. Lyn Bennett	HD 4, Flathead County	(406) 890-4468	lyn.bennett@legmt.gov
Rep. Shelly Fyant	HD 91, Lake County	(406) 546-5633	shelly.fyant@legmt.gov
Rep. Terry Nelson	HD 87, Ravalli County	(406) 360-2941	terry.nelson@legmt.gov
Rep. Tyson Running Wolf	HD 16, Glacier County	(406) 845-2115	tyson.runningwolf@legmt.gov
Rep. Jade Sooktis	HD 41, Rosebud County		jade.sooktis@legmt.gov
Rep. Curtis Schomer	HD 48, Yellowstone County	(406) 672-9846	curtis.schomer@legmt.gov

COMMITTEE STAFF

The Legislative Services Division provides impartial, nonpartisan support to the Montana State Legislature, including committee staffing, administrative management, and legal and policy research.

Staff	Role	Phone	Email
Casey Pallister	Committee Research Analyst	(406) 444-3067	casey.pallister@legmt.gov
Maddie Krezowski	Committee Attorney	(406) 444-6857	madelyn.krezowski@legmt.gov
Maddelyn Black	Committee Secretary	(406) 444-3594	maddelyn.black@legmt.gov

HISTORY OF THE STATE-TRIBAL RELATIONS COMMITTEE (STRC)

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.

DRAFT MEETING SCHEDULE

In fulfilling its duties as a liaison with tribal governments, the STRC has visited two to four tribal governments in past interims. However, the committee visited all reservations and the Little Shell in Great Falls during the 2021-2022 and 2023-2024 interims. Current budgets anticipate the STRC continuing the past rotation system (two trips of two days each).

Decisions about where and when to visit a particular site are up to the committee but also subject to coordination with the respective tribal government. **Please note that Zoom is not available for meetings outside of Helena.**

[Note: This draft meeting schedule is subject to final approval of the STRC]

Mon. August 25, 2025	Meet in Helena. Organize the committee and prioritize the interim work plan. Zoom available.
Th/Fri October 23-24, 2025	Meet at CSKT and Blackfeet in joint session with tribal governments, adopt a final work plan, and receive first installments of interim research.
Mon. December 15, 2025	Meet in Helena. Continue to receive installments of interim research. Zoom available.
Th/Fri March 5-6, 2026	Meet in Helena. Continue through steps of the work plan. Zoom available.
Th/Fri May 14-15, 2026	Meet at Rocky Boy and Fort Belknap in joint session with tribal governments. Continue through steps of the work plan.
Mon. July 13, 2026	Meet in Helena. Decisions on draft recommendations, any proposed legislation, and draft report contents should be made. Zoom available.
Fri. August 28, 2026	Meet in Helena. Final approval of recommendations, reports, and any proposed legislation. Select bill sponsors. Zoom available.

Committee interim work must be completed September 15, 2026.

COMMITTEE WORK PLAN

USE OF COMMITTEE STAFF

Legislative Council’s rules require that the committee adopt a work plan by the conclusion of its second regular meeting. When the committee adds a topic to its approved work plan, it directs its research analyst to prioritize work related to that topic. The committee has .75 FTE of its research analyst’s staff time dedicated to all of its work, including planning and arranging travel meetings.

The research analyst’s work to respond to a research request not included in the work plan may not exceed 16 hours, unless excess work is approved by the presiding officer and vice-presiding officer.

THE WORK PLAN

The draft work plan helps the STRC plan its interim and establish work priorities. When finalized, the work plan will provide guidance to the members, staff, and the public on how the committee will conduct its business throughout the interim. It will serve as a blueprint that allows the committee to complete its work prior to the September 15, 2026 deadline.

This draft work plan will assist the STRC in allotting the committee’s budget for staff time and money. During the legislative interim, the committee may focus on one or more study topics, while also visiting with tribal governments to learn about tribal issues of concern. Unlike most other interim committees, the STRC does not monitor executive agencies. For the 2025-2026 interim, the STRC does not have any assigned legislative studies.

It is vital to remember that the capacity of any interim committee is finite and limited by the committee’s budget and meeting time, as well as staff workload. As the committee discusses additional topics, the guiding principle will be the need to communicate clearly what topics are priorities and to what degree the committee wishes to explore these topics. Realistically, the committee can cover a few topics at great depth or a number of topics in a more cursory manner; it is not realistic to tackle many topics deeply.

REQUIRED REPORTS

Unless otherwise directed in statute, written reports to the legislature, including reports to specific interim committees, are biennial reports and need to be submitted by September 1 of the year preceding a legislative session. Reports that are statutorily required to be submitted to the STRC are:

Report	Entity	Deadline	Statute
Missing & Murdered Indigenous Persons Advisory Council	DOJ	July 1, 2026	44-2-411
Missing Persons Response Team Training Grant Program	DOJ	July 1, 2026	44-2-416

Indian Language Preservation Program	OPI	Sept. 1, 2026	20-9-537
Indian Education for All (annual report; NEW; SB 181)	OPI	Sept 1, 2025	20-1-503
State-Tribal Economic Development Commission Biennial Report	COMM	Sept 1, 2026	90-1-302
State-Tribal Economic Development Commission Reports	COMM	Regularly	90-11-1
Office of Budget & Program Planning (annual report, NEW, SB 303)	GOV	Dec. 1, 2025	SB 303

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. The STRC may choose to receive overviews and updates on topics or issues, keeping in mind that some options may be allocated more or less meeting time than others depending on members' interest, available meeting time, complexity of the issue, and any emerging issues that the STRC chooses to respond to during the interim.

PRIMARY TOPIC: STATE-TRIBAL CONSULTATION

BACKGROUND

With the passage of [2-15-142, MCA](#) and [2-15-143, MCA](#) in 2003, the legislature established guiding principles for state agencies that interacted with tribes--that they "should consider" five principles in relation to the formulation or implementation of policies or rules that had direct tribal implications. A 2013 amendment replaced "should consider" with "shall document its consideration of." The principles have remained on the books as guidelines but not mandates.

During the 2023-2024 interim, the STRC carried out basic research on state-tribal consultation in relation to what the current laws are in Montana and also how Montana's approach compares to the federal government standards and the practices of other states. [That report is located on the 2023-2024 STRC webpage](#). Since 2000, every president has issued executive orders requiring federal executive agencies to create detailed and uniform tribal consultation policies, to designate personnel to carry out consultation practices, to record and report on consultations, and to develop staff trainings. However, those executive orders are not applicable to states, which can choose their own paths. Still, a number of states, such as Washington (29 federally recognized tribes) and Minnesota (11 federally recognized tribes), have followed suit in requiring written policies, liaisons, and trainings.

Committee research on Montana showed that while some state executive agencies had a contact person or tribal liaison, most did not. Only a few produced written policies for consultation.

During the 2025 session, [SB 379](#) (Sen. Webber) sought to establish required consultation processes for state agencies. It asked each of the sixteen umbrella agencies to designate an employee to serve as a tribal liaison and to create one consultation policy applicable to all tribes (though more could be created if desired). The liaison, who

could be an existing employee, would develop policies for collaboration, serve as a contact point for tribes, and coordinate training for employees as needed. The first fiscal note for the bill was approximately \$250,000 and the second was nearly \$1.25 million. Almost all of that funding was directed toward the hiring of one or more employees by agencies, though the bill did not require additional hirings. SB 379 passed the Senate State Administration Committee, Second Reading on the Senate Floor (twice), and the Senate Finance and Claims Committee. It died in process in the House.

The journey of SB 379 was useful in revealing a number of areas worthy of further exploration. First, greater research is needed into what Montana tribal governments want and need in terms of state agency consultation. It is also imperative to research what each agency needs, as those vary greatly. The costs associated with SB 379 also require specific investigation. Finally, it would be useful to listen to and learn from individuals in other states who have successfully implemented consultation policies that balance the wants and needs of tribes and agencies in their government-to-government relationships.

STATE-TRIBAL CONSULTATION STUDY OPTIONS

The following is one approach to research on state-tribal consultation in Montana. If done in its entirety it would require approximately .3 to .5 FTE.

- A) Presentations or panel discussions with individuals directly involved in consultation in Montana or in other states.
- B) Staff interviews with tribal governments: history of consultation, needs, wants, concerns.
- C) Staff interviews with state agencies: history of consultation, needs, wants, costs, concerns.
- D) Analysis of agency costs required to carry out: 1) creation of consultation policies; 2) liaison responsibilities.
- E) Deeper research, including interviews, on the creation and implementation (successes and challenges) of state-tribal consultation in other states.
- F) A final report revealing findings and analysis of (A) through (E) in part or in total.
- G) Committee-sponsored legislation based on the report in (F)