

STATE-TRIBAL RELATIONS COMMITTEE
Proposed Work Plan for the 2003 - 04 Interim

Amended and Adopted on August 27, 2003

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INTRODUCTION

This document is a proposed interim work plan for the State-Tribal Relations Committee. It will guide the Committee in planning its work for the next 12 months. A final work plan will be adopted by the Committee at its first meeting on August 27, 2003. However, the work plan is flexible, and the Committee may make changes as necessary throughout the interim.

The work plan is divided into five sections:

- ▼ Introduction
- ▼ Interim Study Assignment
- ▼ Statutory Duties
- ▼ Other Issues for Review and Analysis
- ▼ Committee Budget and Meeting Schedule

INTERIM STUDY ASSIGNMENT

As a result of the poll of legislators regarding interim studies, the Legislative Council assigned House Joint Resolution No. 8 (HJR 8) to the Committee. HJR 8 requests "an appropriate interim committee to gather information relating to the dropout rates, graduation rates, and at-risk factors among American Indian students in Montana's public schools and to develop a strategic state plan to reduce the dropout rate among all students". A study plan was adopted at the August meeting.

STATUTORY DUTIES

The statutory duties of the Committee are different from the statutory duties of other interim committees. The Committee has no administrative rule review, agency monitoring, program evaluation, or draft legislation review duties. However, the Committee does have the following duties, as listed in 5-5-229, MCA:

- (1) act as a liaison with tribal governments;
- (2) encourage state-tribal and local government-tribal cooperation;
- (3) conduct interim studies as assigned; and
- (4) report its activities, findings, recommendations, and any proposed legislation.

In the past, the Committee has fulfilled its statutory duties by visiting at least two Indian reservations during an interim and by meeting with various state agency officials to discuss issues brought to the attention of the Committee by tribal leaders and Committee members. For this interim, staff is currently working on arranging a Committee visit to the Fort Belknap Reservation, tentatively scheduled for September 29-30, 2003. A second reservation visit for the spring will be scheduled later in the interim.

OTHER ISSUES FOR REVIEW AND ANALYSIS

House Bill No. 608

House Bill No. 608 (HB 608) was passed by the 2003 Legislature as one way of implementing the government-to-government relationship between the Montana Indian tribes and the State of Montana. HB 608 sets out guiding principles to be used by state agencies in formulating or implementing policies or administrative rules that have direct tribal implications. HB 608 also requires the Department of Justice and a trainer selected by the tribal governments to provide training to state agency managers and key employees who have regular contact with tribes. The training must cover the legal status of tribes, the legal rights of tribal members, and social, economic, and cultural issues of concern to tribes. Each state agency will also be required to submit an annual report to the Governor and each tribal government on the activities of the agency relating to tribal governments and tribal populations.

The Committee will monitor the implementation of HB 608 and offer assistance to state agencies if requested.

House Bill No. 2 Provisions

There are two provisions in House Bill No. 2 (HB 2) that specifically pertain to tribal governments. The Governor's Office of Economic Opportunity is required to develop a memorandum of understanding with Montana's tribal governments to outline strategies for communications and collaborative efforts that can be implemented to help strengthen the economic development opportunities for Montana's tribal communities.

The Department of Labor and Industry is required to collaborate with the Bureau of Indian Affairs (BIA) and appropriate Montana tribal governments to provide access to and disseminate BIA and tribal labor market information through the Department. The Department was appropriated \$1,000 to include the tribal information either on the Department's website or in other public documents published by the Department.

The Committee will monitor the work of the Office of Economic Opportunity and the Department of Labor and Industry to ensure that the provisions of HB 2 are being implemented.

Tribal Issues

One of the benefits of Committee visits to reservations is the identification of issues by tribal officials that they would like the Committee to address. When the Committee visits the Fort Belknap Reservation in September and a second reservation in the spring, the Committee will compile a list of tribal concerns and then address those concerns with the appropriate state agencies.

Committee Member Issues

The following issues have been identified by Committee members for inclusion in the work plan:

- (1) Departments of Corrections and Justice:
 - ▼ Hold a meeting at a Department of Corrections site.
 - ▼ Ask for a progress report on correctional issues, including a data profile of American Indian inmates.
 - ▼ Request a report from the Board of Pardons and Parole on American Indian inmates.
 - ▼ Determine if federal Indian inmates are being incarcerated at the Shelby facility.
 - ▼ Ask the Department of Justice for a report on the implementation of the racial profiling legislation passed by the 2003 Legislature.

- (2) Develop recommendations for legislation to help provide state support to tribal

colleges for nonbeneficiary students.

- (3) Develop a list of resources within the state that are available to tribal governments.
- (4) Prepare a report that identifies all of the funding (federal, state, special revenue) that has been provided to tribal governments in the most recent biennium for which statistics are available -- for example, tobacco prevention, reading programs, economic development, natural resources, Workforce Investment Act, etc.
 - ▼ Identify state programs that use tribal statistics in their applications for funding from the federal government.
- (5) Update *The Tribal Nations of Montana* and make it available to all legislators.
- (6) Department of Public Health and Human Services (DPHHS):
 - ▼ What are the impacts to the tribes from the public assistance benefit reduction made in August 2003?
 - ▼ What is the total amount of all DPHHS funds that are expended in tribal communities?
- (8) Report on the implementation of 20-1-501, MCA ("Indian Education for All") by Montana's educational agencies and institutions.
- (9) Hold at least one public hearing on American Indian issues in Montana.

Establishing Priorities

The Committee's major priorities this interim are to fulfill its statutory duties and to conduct the interim study requested in HJR 8. Beyond that, the Committee will have to carefully select other issues for review and analysis because the Committee will not have the time or the staff resources to accomplish everything listed in this section.

COMMITTEE BUDGET AND MEETING SCHEDULE

The Committee has been allocated \$21,500 for the interim. This will cover legislative salaries

and expenses as well as other operational costs, such as printing and postage. This budget will allow the Committee to hold six meetings during the interim, two of which may be 2-day meetings and one an organizational meeting following the 2005 legislative session. The budget assumes 100% participation by all Committee members and makes certain assumptions about travel costs and overnight lodging. The Committee historically holds two 2-day meetings an interim when it visits the reservations.

Staff is proposing that the Committee meet six times during the interim with a 2-day meeting in September and a 2-day meeting in May of 2004. The proposed schedule is as follows:

- ▼ Wednesday, August 27, 2003
- ▼ Monday and Tuesday, September 29-30, 2003 (visit to Fort Belknap Reservation)
- ▼ Friday, December 5, 2003
- ▼ Friday, March 5, 2004
- ▼ late May 2004 (reservation visit)
- ▼ Friday, July 30, 2004

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