

MINUTES OF THE MEETING
SENATE STATE ADMINISTRATION COMMITTEE
February 19, 1977

The meeting was called to order by Senator Towe, Chairman, at 8:00 a.m. in the Governor's Reception Room in the Capitol Building. Committee members present were Senators Towe, Brown, Rasmussen, Jergeson, Blaylock and Senators Roskie, Devine and Story attending late.

The following bills were discussed: SB 228
SJR 35
SB 336
SB 253
SB 429
SJR 34

SENATE BILL 228

Senator Towe referred to a letter from Morris Brusett, Legislative Auditor (attached #1) and stated several department heads had been contacted and asked to appear and testify regarding alleged destruction of records during audit procedures. He then asked for statements from those people.

Jack Crosser, Director of the Department of Administration, submitted a written statement to the committee (attached #2).

Senator Towe asked Mr. Crosser if the Department of Administration could handle a total record retention program under the existing regulations rather than having to pass and implement SB 228.

Mr. Crosser replied they have the rules to do everything at present but enforcement is a problem unless it is statutory.

Senator Blaylock noted the letter from Mr. Brusett stated that records were sent to be stored during an audit in the Department of Administration and that the auditor had to pay \$1 a box to retrieve those records for the audit and asked why that had happened.

Mr. Crosser stated he frankly didn't know but assumed space was a problem and it was necessary to store the records so they wouldn't be destroyed.

Senator Blaylock asked if anyone asked the auditors if they needed the records. It didn't seem like such a problem just to ask.

Mr. Crosser replied, no, they should have come to him and asked, but the situation would definitely not happen again.

Ron Brown, Administrator of the Centralized Services Division of Social and Rehabilitation Services, responded on behalf of Patrick Melby, Director of SRS, who had been requested to appear before the Appropriations Committee. He stated the records were not available because the life of the tape they were stored on is five years and because of that they are immediately spun off into hard data. The

destroyed. The present policy is to store tapes for the full life of the tape and no further problem is anticipated.

Senator Towe inquired if the Department now anticipates being able to work with the auditor.

Mr. Brown replied yes, the record retention system is at present very cumbersome and it takes a great deal of time and effort to cope with it due to the large amount of material needed to be stored. He felt the bill would help in this respect and supported it.

Fred Barrett, Administrator, Employment Security Division, stated his Division had disposed of bank statements for a six month period from July 1, 1974, to December 31, 1974, after they had been reconciled to the Division records and stated they were not current year records (see attached #3). He stated there are 23 offices involved in their record retention system and as a result they have an immense amount to cope with. The present system is cumbersome and they feel the bill is a way out.

Senator Towe asked if the Division foresees any problem in working with the auditor in the future.

Mr. Barrett replied, "No, sir".

Norman Grosfield, Administrator of the Division of Worker's Compensation stated that during the January 1, 1970 - July 1, 1973 audit the auditors gave him a list of 14 files they were unable to locate out of 80,000 they audited for that period. Seven of those files were located in the Attorney General's office and seven have not been located. Mr. Grosfield stated he felt sure they were not destroyed and were in storage somewhere.

Senator Towe asked him how he felt about SB 228.

Mr. Grosfield stated he feels current procedures are adequate and there is really no need for the bill.

Sonny Omholt, State Auditor, presented written testimony to the committee (see attached #4).

Senator Towe asked him how he felt about the bill.

Mr. Omholt stated he had no feeling one way or the other.

John Northey, staff attorney for the Legislative Auditor, made a statement in which he said the letter from Mr. Brusett was not intended to be a criticism but rather served only to point out some problems that have been encountered. He feels the bill is necessary to handle some of the details involved with record retention during auditing. He further stated the computer tapes are most necessary to retain until paper audit procedures are complete. He noted that page 3, line 8, of the bill is the most critical portion of the bill. This is where

problems exist and with a retention schedule this situation would be corrected as well as the problem of storage of excess records. He further stated that subpoena power as it now exists is unclear as to who can subpoena whom and this bill would clarify that situation also. He felt the bill was not a major change but a very necessary one.

Ellen Feaver, from the Legislative Auditor's office, said the bank statements in question in the Employment Security Division were current year bank statements, not the previous year as Mr. Barrett had indicated.

Senator Towe asked Mr. Northey if record retention can't be handled by regulation and if the bill is really necessary.

Mr. Northey replied he feels it is necessary and the affirmative action in the bill is necessary.

SENATE JOINT RESOLUTION 35

Senator Graham, District 29, sponsor of the resolution, stated the resolution was signed by 34 members of the Senate and if he had had more time more would have signed it. The resolution is a product of Montanans Opposed to Discrimination. He stated he is not a member of that group as he represents both Indians and whites. He stated he feels there is nothing against Indians in the bill and he was going to be referring to the Crow Reservation as he had lived there for fifty years. The resolution is only intended to retain the federal and state jurisdiction over non-Indians on the reservation so they would not be included under the Indian law and order code.

He further stated the constitutional rights of non-Indians on the reservations are being violated by the Indian law and order code and noted that the constitution of the United States was established long before any treaty. He stated he stands on his record as a long time supporter of Indians in the legislature. He again stated the resolution changes nothing, just retains things the way they currently are. He asked Helen Peterson, Co-Chairman of the Indian Task Force to explain briefly to the committee the status of that group.

Helen Peterson, Co-Chairman of the Indian Task Force, explained the make up of the task force. She said there were meetings with various tribal task forces and suddenly one of the groups withdrew and then several more. The reason given for the withdrawals was there were certain subjects which the groups did not want to discuss which were mandated in the resolution establishing the task force. At the fourth meeting held in January of 1976, seven members were present, two by proxy, and after a day long discussion they voted to dissolve the task force on a 5-2 vote.

PROPOSERS

Mr. Doug Freeman, attorney from Hardin and attorney for the Northern Cheyenne and Crow Tribes, stated he had been the tribal attorney for several years and an assistant county attorney and had worked with tribal jurisdiction for several years. He presented the committee with a copy of the Crow Law and Order Code (see attached #5) which goes into all civil and criminal matters on the reservation. He stated there was no input to the code by any non-Indian. He further stated there was no right to bail or jury, no warrant and search and seizure procedures for any non-Indians in their law and order code and that the Indians specifically claim sovereign immunity for themselves. He noted that one reservation is split 50/50 in land ownership and 40/60 in population Indian/non-Indian. This law and order code would affect all the people and all the land. Under the implied consent section, anyone even traveling through the reservation would come under Indian jurisdiction by implied consent. He presented copies of petitions against the Crow Law and Order Code to the committee (see attached #6).

Lester Johnson from Browning stated he was not present to oppose the Indians in any way noting his grandsons are enrolled in Indian schools, but he wants his rights as a non-Indian retained.

F. L. Ingraham, attorney from Ronan and representing Montanans Opposed to Discrimination stated he is the city attorney for Ronan and special city attorney for Polson. He read an article from the Daily Missoulian (see attached #8), summer of 1975, which noted Indians have the power to tax land on the reservations and always have had that power. He stated there are 25,000 non-Indians and 20,000 Indians on reservations in Montana. The whites bought the land from the United States originally and the government then reimbursed the Indians. He stated if the Law and Order Code is allowed, non-Indians will be victims of the biggest land fraud ever perpetrated.

Bill Big Spring, Sr., stated he is a proud Indian and owns 56,000 acres of deeded land. The deed says he is white and he supports the bill as he is protecting his own land.

Senator Towe allowed all those who support the resolution to stand and state their names. He also reminded them to sign the visitor sheet if they rose in support of the resolution (see attached visitor sheet).

OPPOSERS

Urban Bear Don't Walk, representing the Montana Inter-Tribal Policy Board presented a written statement to the Committee on behalf of that group (see attached # 7). He responded to previous testimony stating he felt it was ridiculous to state that non-Indians are denied their rights to counsel, bail and jury, not to incriminate, etc., in the Law and Order Code. He noted the Law and Order Code

was basically patterned after the Bill of Rights.

He further commented on the Indian Task Force by stating that although some tribes did withdraw, others stayed and tried to establish a dialogue but had trouble keeping the County Commissioners with them. He noted it is hard to give input to the tribal councils if you are not a member of the tribe.

Earl Old Person, Chairman of the Blackfoot Tribe, thanked the committee for the opportunity to appear before the committee on behalf of himself and all the other Indians from other tribes and reservations who were in attendance at the hearing. He stated the Indians are a people who have a designated area known as a reservation which they are trying to develop by protecting and preserving their lands and rights and developing their resources. Perhaps they have not done it perfectly but they feel that many many times they are the victims. They are just as aware of being off the reservation as the non-Indians are when they are on the reservation.

He stated there are other areas where non-Indians and Indians can meet and discuss their problems and this should happen. Jumping to conclusions as is the case with the resolution causes problems. He stated he concurs with the statement presented by Mr. Bear Don't Walk which is an united statement by all the tribes of the state.

James Canan, Area Director of the Bureau of Indian Affairs in Billings, stated he endorsed the previous statements and opposes SJR 35. He noted he was speaking only for the Billings Office of the Bureau of Indian Affairs as there had not been time to get the new Administration to state a policy on it.

He stated the Indians are looking for mutual understanding and reconciliation in the area of relationships between Indians and non-Indians. He felt the resolution is the wrong answer to the wrong problem at the wrong time. The fault is that of the federal government and to some extent the state as they have not been prosecuting lesser crimes as they should re non-Indians on the reservations. There are many many instances of non-Indians committing crimes against Indians and/or their lands that have gone unpunished.

He felt there were several solutions to the problems: 1. the state of Montana should ask the United States government to beef up the United States Magistrates on the reservations and hire more Deputy U.S. Attorneys to cover the situations; 2. inquire if the Highway Patrol and local law enforcement people are doing their jobs as well as they should; and 3. reopen the dialogue between the Indians and the people of the state of Montana.

Philip Roy, attorney for the Blackfoot Tribe, stated the proponents did not cite even one case in support of the accusations against the law and order code and Congress has done nothing. He felt many agencies can be beefed up to help alleviate problems. This resolution is a rash move and the Indians will not stand by and watch it happen. They are trying very hard to develop their resources and reservations and shouldn't be blocked at every turn in that effort.

Frank Lame Bull, attorney representing the Fort Belknap Indian Community, stated non-Indians purchased Indian land in full awareness of the laws that existed. It is therefore in the interest of the tribes to protect their tribe's assets and rights. Non-Indians are protected by the 1968 Indian Civil Rights Act which was passed by Congress.

Senator Towe asked all further opponents of the resolution to stand and state their names, reminding them to sign the visitors sheet if they did so (see attached visitor sheets).

Senator Graham closed by saying this resolution does not change anything that exists today. There were many implied things in the testimony that was given. There are problems existent but the jurisdiction over non-Indians should remain with their own laws and courts and Indians can retain their own jurisdiction and laws over themselves. He stated he would be the first to support a new task force both at home and in the legislature.

There being no further time for proponents or opponents, Senator Towe called for questions from the committee.

Senator Towe asked Bill Morigeau about financial conditions on the Flathead Reservation. Mr. Morigeau stated there are now five banks on the reservation. The tribe operates a credit program and it has invested over \$7 million for them at present. There are also 14 real estate offices on the reservation.

Senator Brown asked Mr. Roy and Mr. Ingraham to respond to the 1968 Indian Civil Rights Act. Mr. Roy stated it was enacted for the protection of the Indians and non-Indians alike against arbitrary action. It does protect rights in criminal cases of non-Indians on reservations.

Mr. Ingraham commented that the Act has not yet been litigated and is in the same category as all other Indian laws.

Senator Roskie asked if any non-Indian could be represented in any way on an Indian Council. (response from several, no) He further asked that if the tribal juries, judges, etc., are all composed of tribal members is it really fair that non-Indians have to go before any of these judges or juries without any representation on them.

Phil Roy said Mr. Ingraham had missed the mark by about 180°. He stated that discrimination is a two-edged sword; there is definitely

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Minutes of the Meeting
February 19, 1977

discrimination against Indians. The codes are the Indians best protection. The Indian tribes are embryonic and are trying to develop their own potentials.

Mr. Ingraham responded by saying Congress has plenary control over reservations and this is reason enough to pass the resolution right now. Any law with ambiguity must be decided in favor of the Indian at present.

Senator Roskie asked if you appear before an Indian court do you have to have Indian counsel.

Senator Graham responded the counsel must be fluent in the Crow Indian language.

Senator Towe asked Mr. Bear Don't Walk to respond to the question.

Mr. Bear Don't Walk responded by saying it is not true. In fact, it is totally incorrect. You are entitled to your own counsel. Being a member of the Montana State Bar is the only necessary qualification.

Senator Towe read from the Crow Law and Order Code in which it is stated you will be assigned a tribal defender if you do not have any other counsel (that counsel you are entitled to).

Senator Roskie stated he fails to see where the resolution affects many of the things talked about in the hearing. He stated Mr. Canan's remarks, although valuable, were not those of the agency (Bureau of Indian Affairs) but rather were his own. Senator Roskie stated he made that statement in order to protect Mr. Canan.

Senator Towe stated he felt continuing dialogue between Indians and non-Indians should be incorporated into the resolution. He asked if continuing dialogue at the local level wouldn't be helpful in solving some of the jurisdictional problems.

Senator Graham stated he didn't know if it could be put in due to the scope of the title of the resolution but he would very much like for it to happen again.

Phil Roy stated he felt the resolution is unconstitutional and should be killed.

Earl Old Person stated that Indians are the minority of minorities. We should come together and talk over issues intelligently, he stated. If that doesn't work, then maybe resolutions such as these should be tried. Let's find out what is right, what is legal first, and then try to work things out together.

Senator Towe asked if the U.S. Magistrate and court system on the

It is working badly, he stated.

Senator Graham responded that Senator Towe has a point but doesn't feel it is as bad as it has been painted.

Senator Towe asked Mr. Ingraham the same question.

Mr. Ingraham responded that dialogue to eliminate abrasiveness would be most helpful if all parties fully cooperated. The state could not help in court and enforcement because it all has to be done in Washington D.C. by the Secretary of the Interior. The federal government doesn't enter into Flathead as the state took jurisdiction there in 1968 and also in Fort Belknap. The state has the powers and duties but has not assumed them.

Caleb Shields, representing the Fort Peck Tribes, stated the overall dialogue should be initiated before the passage of SJR 35. The tribe has the right to terminate leases and this probably would happen if the state forces jurisdiction, he stated.

Senator Towe explained that a House Joint Resolution is nothing more than a glorified letter to Congress which makes the intent of the legislature known to Congress but does not have the force of law.

Richard Reid, Poplar, stated the Pledge of Allegiance refers to one nation under God, indivisible. He said he is satisfied with that and doesn't want to divide the nation.

Phil Roy, representing the Blackfoot Tribe, stated the Indians are not separatists but rather are just using the attributes of sovereignty. They only want to retain federal Indian jurisdiction and not have the state interfere.

There being no further discussion and due to the time element, the hearing was closed and the hearing on Senate Bill 336 was opened.

SENATE BILL 336

Tom Harrison, representing the Police Protective Association, presented the bill for Senator Turnage, sponsor. He stated the bill will do the same thing for the metropolitan police law as the Sheriff's Retirement Act. He stated the attached amendments (attachment #9) take care of any fiscal problem. He reviewed the amendments with the committee.

Larry Nachtsheim, Public Employees Retirement System, appeared just as an information person. He stated the bill had been redrafted because there was too much in the bill and it was reworked to make it easier to handle and modeled it on SB 204.

There being no questions or further discussion, the hearing was closed.

The committee then met in Executive Session.

SENATE BILL 336.

Senator Story moved to adopt the amendments presented by Mr. Harrison on behalf of Senator Turnage (see attached committee report). THE MOTION CARRIED WITH SENATORS TOWE, BROWN, STORY, AND RASMUSSEN PRESENT. Senator Towe stated he would inform the other committee members of the action on the bill for their concurrence.

Senator Story moved Senate Bill 336 Do Pass As Amended. THE MOTION CARRIED WITH SENATORS TOWE, BROWN, STORY AND RASMUSSEN PRESENT. Senator Towe stated he would inform the other committee members of the action on the bill for their concurrence.

SENATE BILL 253

Senator Story moved Senate Bill 253 Do Not Pass. THE MOTION CARRIED WITH SENATORS TOWE, BROWN, STORY, AND RASMUSSEN PRESENT. Senator Towe stated he would inform the other committee members of the action on the bill for their concurrence.

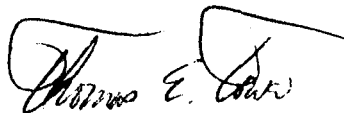
SENATE BILL 429

Senator Story moved Senate Bill 429 Do Not Pass. THE MOTION CARRIED WITH SENATORS TOWE, BROWN, STORY, AND RASMUSSEN PRESENT. Senator Towe stated he would inform the other committee members of the action on the bill for their concurrence.

SENATE JOINT RESOLUTION 34

Senator Rasmussen moved Senate Joint Resolution 34 Do Pass. THE MOTION CARRIED WITH SENATORS TOWE, BROWN, STORY, AND RASMUSSEN PRESENT. Senator Towe stated he would inform the other committee members of the action on the bill for their concurrence.

There being no further business, the meeting adjourned to reconvene Monday, February 21, 1977, at 11:00 a.m. in Room 410 of the Capitol Building.



Chairman

State Administration COMMITTEE

Date 2/19/77

[illegible]

SB 228
336

SENATE STATE ADMINISTRATION COMMITTEE

BILL SB 35

VISITORS' REGISTER

DATE 3/19/77

NAME	REPRESENTING	BILL #	(check one)	
			SUPPORT	OPPOSE
Alan Zimmerman	MT. Assn. of Co.	SB 35	<input checked="" type="checkbox"/>	
Richard B. Bradford			<input checked="" type="checkbox"/>	
Walter C. Pittman			<input checked="" type="checkbox"/>	
Daniel H. Crenar			<input checked="" type="checkbox"/>	
Louise Crenar			<input checked="" type="checkbox"/>	
Ed Wahl			<input checked="" type="checkbox"/>	
Douglas Mac Carter			<input checked="" type="checkbox"/>	
DELWYN GAGE	SCHOOL DIST. #15		<input checked="" type="checkbox"/>	
Chet Sampson				
Lester R. Johnson	Self		<input checked="" type="checkbox"/>	
Kenneth D. Swan	Self		<input checked="" type="checkbox"/>	
Willie B. Jackson	POPLAR		<input checked="" type="checkbox"/>	
Richard J. [unclear]	POPLAR		<input checked="" type="checkbox"/>	
Ed C. [unclear]	Webb Point		<input checked="" type="checkbox"/>	
Dallas O. Connor	Poplar	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	
Harold J. Sage	Poplar	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	
Bud Lien	Poplar	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	
W. H. McDaniel	Moine Mt 59824	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	
Jay W. Creston	Ronan, mt. 59864	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	
W. E. [unclear]	Tolson, mt. 59860	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	
W. E. [unclear]	Ronan, mt. 59860			
Joseph C. [unclear]			<input checked="" type="checkbox"/>	
John W. [unclear]	Leg. Auditor	SB 228	<input checked="" type="checkbox"/>	
E. V. "Sonny" Ambolt	State Auditor	SB 228	<input checked="" type="checkbox"/>	

SENATE

COMMITTEE

BILL

VISITORS' REGISTER

DATE

4/10/35

NAME	REPRESENTING	BILL #	(check one)	
			SUPPORT	OPPOS
Kimbach	State Auditor	228	—	
Monroe H. Goffard	Dir of Workers' Comp	228		
James Violette	Self	SJR 35	✓	
Dr. Emie Grindon	Survival of American Indian Association	SJR 35		✓
Lloyd W. Hilton	Self	SJR 35	✓	
Chester W. Hilton	Self	SJR 35	✓	
Glady Violette	Self	SJR 35	✓	
Gertrude M. Hilton	Self	SJR 35	✓	
Edith M. Hilton	Self	SJR 35	✓	
Bret H. Rupe	Self	SJR 35	✓	
William T. Howell	"	SJR 35	✓	
Marna Balfour	Self	SJR 35	—	
Kathryn Richeit	Self	SJR 35	✓	
Alma Faust	Self	SJR 35	✓	
L. May Stipe	Self	SJR 35	✓	
Ann Darden	Self	SJR 35	—	
Shirley Allen	Self	SJR 35	✓	
L. W. Allen	Self	SJR 35	✓	
Ernest Truett	Self	SJR 35	✓	
Leona C. Stipe	Self	SJR 35	✓	
Elyseeth Preston	Self	SJR 35	✓	
Betty Preston	Self	SJR 35	✓	
Ann Darden	Self	SJR 35	—	
Frances Ann Jones	Crow Executive Comm.	SJR 35		✓

SENATE

COMMITTEE

BILL

VISITORS' REGISTER

DATE

NAME	REPRESENTING	BILL #	(check one)	
			SUPPORT	OPPOSE
Margaret Burr Dault Walk	self	SJR35		✓
Bud H. Hays	P. MS 410	SJR35		✓
Edythe Mc Cleary	self	SJR35	✓	
Margaret Kuchel	self	SJR35	✓	
Kathy Mc Cleary	self	SJR35	✓	
J. D. Mc Cleary	self	SJR35	✓	
Lynne C. Rockwell	self	SJR35	✓	
Lynne Yvette Graham	self	SJR35	✓	
Paul D. Corio	self	SJR35	✓	
Elaine A. Blum	self	SJR35	✓	
Tom H. Blum	self	SJR35	✓	
Kathy Spiller		SJR35	✓	
Glenn Spiller	Self M.O.D.	SJR35	✓	
Jane E. Hargrett	self	SJR35	✓	
John J. Cox	self	SJR35	✓	
Marilyn Hargrett	self	SJR35	✓	
Frances Blum	self	SJR35	✓	
Robert H. Blum	self	SJR35	✓	
James F. Stone	Ft. Peck Tribes	SJR35		✓
Ray Spiller	Northern Cheyenne Tribes	"		✓
ONKAB SHIELDS	FT. PECK TRIBES	SJR35		✓
Roseanne Tucker				
Ronald B. Spiller	self	SJR35		✓

SENATE _____ COMMITTEE _____

BILL _____

VISITORS' REGISTER

DATE _____

NAME	REPRESENTING	BILL #	(check one)	
			SUPPORT	OPPOSE
Elit Herrault	Charlo		✓	
Jay B. Coy	self		✓	
Monroe Evans	self		✓	
R.C. Keyser	self		✓	
L.W. Rockwell	M.O.D.		✓	
Harrison Wright			✓	
Thurmond Peterson	Self			
Lynson Baker	Blackfoot			✓
PHILIP ROY	BLACKFEET			✓
John C. COCHRANE	M.O.D. - Flathead		✓	
Lucy Cochran	Flathead Indians	SVR 35	✓	
Wm F. Big Spring Sr.	East Glacier Park		✓	
Josephine Wright	Polson	SVR 35	✓	
Delbert Palmer	Charlo		✓	
Woodmont	Charlo		✓	

STATE OF MONTANA

Office of the Legislative Auditor

STATE CAPITOL
HELENA, MONTANA 59601
406/449-3122



MORRIS L. BRUSETT
LEGISLATIVE AUDITOR

/

February 17, 1977

DEPUTY LEGISLATIVE AUDITORS:

JOSEPH J. CALNAN
ADMINISTRATION AND
PROGRAM AUDITS

ELLEN FEAVER
FINANCIAL COMPLIANCE AND
CONTRACTED AUDITS

STAFF LEGAL COUNSEL
JOHN W. NORTHEY

Senator Thomas Towe, Chairman
State Administration Committee
State Senate
Helena, Montana 59601

Dear Senator Towe:

Pursuant to your request, we are providing information concerning records retention problems we have encountered during our routine audits of various state agencies.

1. During our fiscal year 1975-76 audit of the Department of Administration, we were in the process of performing our detailed audit tests when the department transferred all claim documents for fiscal year 1975-76 to the records retention center. We then had to request that these records be retrieved from storage, which cost the agency \$1 for each box.
2. In our current audit of the Department of Social and Rehabilitation Services, we found that computer tapes used to generate the monthly payments to recipients of Aid to Families with Dependent Children and payments to foster homes were not retained for an adequate period of time. Because of this, these basic accounting records, which supported approximately \$13 million in disbursements, were not available for our audit. We were required to spend many audit hours performing manually audit tests which should have been performed using the computer.
3. During our last financial audit of the Employment Security Division, we found that the agency had destroyed current year bank statements. We wasted many hours trying to reconstruct these statements or obtain copies of them from the bank involved.
4. In our current audit of the State Treasurer's office we found that the agency was destroying current general ledgers. We found it difficult and time consuming to obtain copies of these essential reports.

d b

NAME: Jack Brown DATE: 2/19/77

DATE: 3/19/77

ADDRESS: Dept. of Administration

PHONE: _____

REPRESENTING WHOM? _____

APPEARING ON WHICH PROPOSAL: SB 228

DO YOU: SUPPORT? _____ AMEND? _____ OPPOSE? _____

COMMENTS: _____

PLEASE LEAVE ANY PREPARED STATEMENTS WITH THE COMMITTEE SECRETARY

Ron Brown

3/19/77

Centralized Services, IRS

SB 228

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NAME: Fred Barrett DATE: 2/19/77

ADDRESS: Employment Security Division

PHONE: _____

REPRESENTING WHOM? _____

APPEARING ON WHICH PROPOSAL: SB 238

DO YOU: SUPPORT? _____ AMEND? _____ OPPOSE? _____

COMMENTS: _____

2/19/77

Walker's Compensation

(continued)

.....

5B 228

.....

NAME: Sonny Ambalt DATE: 2/19/77

ADDRESS: State Auditor

PHONE: _____

REPRESENTING WHOM? _____

APPEARING ON WHICH PROPOSAL: SB238

DO YOU: SUPPORT? _____ AMEND? _____ OPPOSE? _____

COMMENTS: _____

PLEASE LEAVE ANY PREPARED STATEMENTS WITH THE COMMITTEE SECRETARY.

NAME: John Martney DATE: 3/19/72

ADDRESS: Legislative Auditor

PHONE: _____

REPRESENTING WHOM? _____

APPEARING ON WHICH PROPOSAL: SB 228

DO YOU: SUPPORT? _____ AMEND? _____ OPPOSE? _____

COMMENTS: _____

PLEASE LEAVE ANY PREPARED STATEMENTS WITH THE COMMITTEE SECRETARY.

NAME: Allen Glover DATE: _____

ADDRESS: Legislative Records Office

PHONE: 9-3122

REPRESENTING WHOM? Legislative Committee

APPEARING ON WHICH PROPOSAL: SB 228

DO YOU: SUPPORT? ✓ AMEND? OPPOSE?

COMMENTS: _____

This image shows a single sheet of white paper with horizontal ruling lines. The lines are evenly spaced and run across the width of the page. There is no handwriting or other markings on the paper.

NAME: Senator Carroll E. Hansen DATE: Feb 19, 1977

ADDRESS: Lodge & Grass Depot

PHONE: 639-2619

REPRESENTING WHOM? _____

APPEARING ON WHICH PROPOSAL: 1, 2, 11 25

DO YOU: SUPPORT? ✓ AMEND? _____ OPPOSE? _____

COMMENTS: _____

NAME: Helen M. Peterson DATE: 2/19/77

ADDRESS: _____

PHONE: _____

REPRESENTING WHOM? _____

APPEARING ON WHICH PROPOSAL: SJR 35

DO YOU: SUPPORT? _____ AMEND? _____ OPPOSE? _____

COMMENTS: at request of Sen. Graham to
testify on Indian Task Force

PLEASE LEAVE ANY PREPARED STATEMENTS WITH THE COMMITTEE SECRETARY.

NAME: Joe G. F. K. G. M. M. V. DATE: _____

ADDRESS: Box 353 HARDIN, MONTANA

PHONE: 665-1412

REPRESENTING WHOM? See

APPEARING ON WHICH PROPOSAL: SJR-35

DO YOU: SUPPORT? Yes AMEND? _____ OPPOSE? _____

COMMENTS: _____

#5

Original

FINAL DRAFT

BY ..

COMMITTEE

CROW LAW AND ORDER CODE

PREAMBLE

BY ITS INHERENT POWER AS A SOVEREIGN NATION, BY ITS RIGHTS RESERVED IN THE TREATIES OF FT. LARAMIE OF 1851 AND 1868 AND PURSUANT TO ITS FURTHER CONSTITUTIONAL AUTHORITY AND DUTY TO PROTECT AND PROMOTE THE PUBLIC HEALTH, SAFETY, MORALS AND GENERAL WELFARE OF ITS PEOPLE, THE CROW TRIBE OF INDIANS HEREBY ADOPTS THE CROW LAW AND ORDER CODE FOR THE CROW INDIAN RESERVATION TO PROVIDE THE MACHINERY OF LAW ENFORCEMENT AND ADMINISTRATION OF JUSTICE FOR THE CROW TRIBE OF INDIANS.

IF ANY SECTION, CHAPTER OR TITLE OF THIS CODE OR ITS APPLICATION TO ANY PERSON OR CIRCUMSTANCE IS HELD INVALID, THE REMAINDER OF THIS CODE OR THE APPLICATION OF THE SECTION, CHAPTER OR TITLE TO OTHER PERSONS OR CIRCUMSTANCES IS NOT AFFECTED.

ANY PROVISIONS OF ANY LAWS, ORDINANCES OR RESOLUTIONS OF THE CROW TRIBE OF INDIANS NOT INCONSISTENT WITH THIS CODE, ADOPTED BEFORE OR AFTER THE ADOPTION OF THIS CODE SHALL NOT BE AFFECTED OR INVALIDATED BY THE CODE AND ARE TO BE ENFORCED PURSUANT TO THE PROVISIONS OF THIS CODE AS APPROPRIATE AND LAWFUL.

Panel: Jurisdiction - Indians and Indian Country
7th Annual Northwest Tribal Judges Conference
Riverton, Wyoming - October 25, 1967

1. Indian Tribal Courts exercise jurisdiction over 400,000 to 500,000 enrolled Indians in matters arising on Indian Reservations.
2. The measure of the Tribal Court's jurisdiction is variously covered in:
 - (a) 25 C.F.R. Secs. 11.1 to 11.306; or
 - (b) Tribal Law and Order Codes; and
 - (c) Treaties; e.g., Cherokee Treaty cited in Talton v. Mayes, 163 U.S. 376;
 - (d) Statutory limitations; e.g. Ten Major Crimes Act, 18 U.S.C. 1153; See Glover v. U.S., 219 F. Supp. 19.
3. The most troublesome questions of jurisdiction are:
 - (a) What persons are covered by the L.&O. Code?
 - (1) Jurisdiction over nonenrolled Indians living on reservation may be affected by limitations in Tribal Constitutions;
 - (2) non-Indians:
 - (a) unaffected by criminal jurisdiction; but
 - (b) may be required to use Tribal Court where civil transaction arose on Indian Reservation. Williams v. Lee, 358 U.S. 217.
 - (b) Are Tribal Courts limited to actions set out in L.&O. Codes?
 - (1) e.g. mandamus; writs of executions; termination of parental rights?
 - (2) Tribal Courts may have inherent rights. In Iron Crow v. Oglala Sioux Tribe, 231 F.2d 89, 96, the court said, "Tribal courts have inherent jurisdiction over all matters not taken over by federal government."
 - (3) But BIA tends to view that the L.&O. Code must specify the actions which the Tribal Court may take; otherwise the court cannot take the action. This is consonant with Williams v. Lee, 358 U.S. 217, 222, which indicates that where a Tribal L.&O. Code offered a forum for reservation transactions, this forum had to be used; the implication being that if the L.&O. code did not specify relief, it was not available and recourse could be had to the State Court.

#6

PETITION

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NAME

ADDRESS

James Laught

Myrtle Laught

Alan Stimpson

Bess Labrey

Bennett Shick

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Arden Hammond

Big Horn, Mont.

NAME

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Lawrence Kern

Hardin Mont.

Lynn A. Mott

Hardin, Mont.

John B. Redding

Seniester Mont.

L. A. Lehman

Hardin Mont.

Carole Kittelmann

Rt. 1 - Huntley, Mt.

Bob Kittelmann

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Frank J. Newhold

Hardin, Mont.

Sandra J. Peabody

Busby, Mont.

Tom J. J.

Big Horn, Mont.

Beit L. Hammond

Big Horn, Mont.

R. Stuart Throver

Hysham, Mont.

Carl B. Hume

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NAME

ADDRESS

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Lorraine Hamilton
Jean M. Bond
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Hardin, Montana
Hardin MT
523 N. Chatman
Hardin, MT

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AUG 3 1976

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Brushy Mt
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Brushy Mt
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Brushy Montana
Brushy Montana
Wolf, Wyoming

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NAME

ADDRESS

Henry H. Gipe	Big Horn, Mont.
Leo H. Harmon	Hardin, Mont.
Lynn M. Torke	Crow Agency, Mont.
John E. Torke	Crow Agency, Montana
Mrs. John E. Torke	Crow Agency, Montana
John B. Martin	Quinn, Mont.
Mrs. R. Hartung	Crow Agency, Mont.
Robert W. Hartung	Crow Agency, Mont.

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Edna C. P. P.	Box 190 Hardin, Mont.
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Francis N. Lyette	606 N. Div. Hardin, Mont.
Elmer Heath	626 West 2ND ST. Hardin, Mt.

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NAME

ADDRESS

<u>Ed. Montana</u>	<u>Hardin Montana</u>
<u>Clifford Ludrick</u>	<u>Hardin Montana</u>
<u>Ed. Schoen</u>	<u>Hardin Montana</u>
<u>Regis E. Adams</u>	<u>Hardin Montana</u>
<u>Fred Lewis</u>	<u>Wyo.</u>
<u>R. L. Groschart</u>	<u>Sheridan, Wyo.</u>
<u>Doris B. Ford</u>	<u>BILLINGS, MT.</u>
<u>Calvin C. Cook</u>	<u>Billings MT.</u>

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Dan Schmitt	Box 1924 Billings
Virgil D Magnus	Rt 1 Pry Creek Huntley Mont
C. L. Roberts	Huntley, Mont.
Bertie E. Roberts	Huntley, Mont.

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<u>Anna M. Kiser</u>	<u>Rt 1 Box 79 Harding MT.</u>
<u>Carl Thorngren</u>	<u>Harding Mont.</u>
<u>Edith Thorngren</u>	<u>Harding Mont.</u>
<u>Leo F. Kleffner</u>	<u>Harding Mont.</u>
<u>Clifford T. Powell</u>	<u>1532 Lynn Hill</u>
<u>Anna Metcalfe</u>	<u>Lodge Grass</u>
<u>Ralph Metcalfe</u>	<u>Lodge Grass</u>
<u>Richard R. Raskin</u>	<u>Harding Mont.</u>
<u>Mrs. Lela Raskin</u>	<u>Lodge Grass Mont.</u>

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Helen Jensen	Rt. 1 Hardin Mont.
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Linda J. Smith	Lodge Grass, Mt.

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<u>Blair W. Lockman</u>	<u>Lodge Grass MT.</u>
<u>Andi M. Cox</u>	<u>Hardin Mont.</u>
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<u>A. D. N. h. am</u>	<u>" "</u>

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Marion Decker
St. Robert

Ralph M. Hults

George Cunningham

Marion Cunningham

Gladys Freeman

Charles
Hunt

Lodge Snows Mountain

Hardin, Mont.

Hardin, Mont.

Hardin, Mont.

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Lee Helvey

David Helvey

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John Steele

Barrie A. Steele

Helen L. Vankubert

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Mrs. Mary L. Wilson

Wm. J. Wilson

Scott J. Wilson

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Helvey Ranch

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Mr. N. Choteau, HARDIN

Mont. 59016

Hards, Mont.

Judge J. S. Mont.

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Robert W Hartung	Crow Agency MT
Richard T. Hart	Crow Agency, Ind
Melvin A. Cook	5227 Chautauq Hardin
John B. Cook	
Dot Muehling	Hardin Montana
Marilyn Muehling	" "
Harmon L. Mason	Crow Agency Mont
Archie L. Gove & Waf	Hardin Mont
Edward Baker	Hardin
W. B. P. P.	Hardin

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<u>NAME</u>	<u>ADDRESS</u>
Richard A. Fox	401 N. Crawford, Hardin, MT
Murray J. Kern	Hardin Montana
Bill Updegraff	Hardin mont
Robert Lader (Betty)	Hardin Mont
LeRoy Schanman	Star Rt. Hardin
Carol Schanman	" "
Paul Koch	Star Rt. Hardin Mont
Kathryn Koch	Star Rt. Hardin Mont
Gary Updegraff	Star Route Hardin

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NAME

ADDRESS

John Meltinger Jr.
Esther Meltinger
Eagle Miller
Sam Denny
Gustav F. Maach
Leona Greenwalt
Maureen Whiting
Sam D. Keller

Hardin
Hardin
Rodge Grass
Garryowen
St. Xavier Mont
Hardin, Mont
Hardin, Mt.

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NAME

ADDRESS

Ed & Della	Butte, Mont.
Andy Fritschler	Still Haven, Mont.
Norby Weibert	Larryover, Mont.
Hazel Weibert	Larryover, Mont.
John Liden	Hardin, Mont.
Dorothy Rudis	Hardin, Mont.
Thelma G. Grafton	Hardin, Mont.
RR Grafton	Hardin, Mont.
Mr. Charles Helweg	Burby, Mont. 59016
Charles Helweg	" "

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Joseph W. Hodgson
Leona Hodgson
Wileen S. S. Jr.
Elaine Arndt
Carlyle Arndt
Perwyn Louay
Bill Hilmes
J. Duwin Phelps
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Tom ...
... ..

PETITION

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- 5) The adoption of the proposed code will totally isolate and eliminate the right of the non-Indian to participate in a government which purports to regulate his person and property.

NAME

ADDRESS

Agnesa Belmont
Rick Gingo
Dale Roberts
Georgette Bell
John Lockman
William J. Lockman
Richard H. King
Bob Harlin
Rick Warner

St. Xavier, MT.
Garden Mont.
Hardin Mont
Garden, MT
Harden Mont
Harden Mont
Gardner Mont.
Garden, Mont.
St. Xavier, Mont.

PETITION

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NAME

ADDRESS

Roy Valdez Sr.

St. Xavier Mont.

Roy Valdez Jr.

St. Xavier Mont.

Bruce O'Brien

St. Xavier Mont.

Robert J. Cunningham

St. Xavier Mont.

Charles J. J. J.

St. Xavier Mont.

Ray A. Ballou

Fort Smith, Mont.

Thomas Sylvester

Fort Smith, Mont.

Mrs. Thomas Sylvester

Fort Smith Mont.

Joe Johnson 10:00

St. Xavier Mont.

PETITION

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NAME

ADDRESS

Ervin Ellis

St Xavier Mont

Richard Zeller

St. Xavier Mont

Greg C. Greenwalt

St. Xavier Mont

Doug Greenwalt

St. Xavier Mont

Richard Zeller

St. Xavier, Mont.

James R. Zeller

St. Xavier, Mont.

Jim Esby

St. Xavier, Mont

Ken Schneider

St. Xavier Mont

James Schneider

St. Xavier Mont

100-443889-1

THE UNDERSIGNED, being interested in the enforcement of law, both civil and criminal, on the Crow Indian Reservation, having knowledge of the proposed New Law and Order Code, adopted by the Crow Tribe on January 31, 1976, do hereby oppose the proposed code in its present form for the following reasons:

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NAME

ADDRESS

NAME

Francis H. W. 4
Henry R. W. 4
Hazen C. W. 4
James W. 4
Philip J. 4
James Scott
Benson R. 4
Monte W. 4
Mary Scott
Stanley Scott
John B. Stevens
Edward T. 4

ADDRESS

A R 232 Box 30 Wolf Point Mont.
S.R. 232 Box 30 Wolf Point Mont.
S.R. 232 Box 30 Wolf Point Mont.
S.R. 232 Box 30 Wolf Point, Mont.
A R 232 Box 10 Wolf Point Mt
S.R. 233 Box 10 Wolf Point, Mont.
Ellensburg Wash.
Ellensburg Wn.
S.R. 233 Box 10 Wolf Point, Mont.
S.R. 232 Wolf Point - Mont.
S.B. 237 Box 531 Wolf Point Mont
Box 192 Vaughn, ID.

PETITION

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NAME

ADDRESS

Laurel & Young,
Harry Young
John Michael
Anderson Michael
Audrey McCarthy
Mary Jo Reavis
J. J. Ferguson Jr.
Marlyn M. Ferguson
H. H. & L. L.

Bushy Mount
Killy Bente
Buckley Mountain
Buckley Mountain
Killy St Buckley Mt
Decker Mt 59025
Decker Mountain
Hwy Rte Bushy Mount
Buckley Rte, Buckley Mt
Buckley Rte Buckley Mt.

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ADDRESS

Lizzy Cochran
John Cochran
James Johnston
Wells Johnston
Samuel E. Hallgren
Carl E. Hallgren
William Young
Jennie B. Long
Wm. H. Roberts
J. A. Anderson
Don E. Howell

Big Horn Montana
 1000 ft
 Big Horn Mont
 1100 ft
 1100 ft Big Horn Mont
 1211 ft Big Horn Mont 137
 1400 ft Big Horn Mont
 1600 ft Big Horn Mont
 Big Horn Mont
 1700 ft Big Horn Mont
 1800 ft Big Horn Mont
 1900 ft Big Horn Mont
 2000 ft Big Horn Mont

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ADDRESS

BZ #1 B x 90 Chaslo MT
BZ 1 B x 70 (Red) MT
Pr. B / 92 Chaslo MT
Box 70 (Chaslo) MT
H.E. B x 100 St. Ignace MT
B.F. Box 101 St. Ignace MT
St. Ignace Montana
" " "
Box 959 R. Benson, Mont.
— — — — — 58160
BZ 1 B x 100 R. Benson

PETITION

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NAME

ADDRESS

George W. Rockwell
F.W. Rockwell

St Ignace, Mont.
St. Ignace, Mont.

Agnes C. Rockwell

St. Ignace, Mont.

Vernon W. Wadsworth

St. Ignace, Mont.

Le Band Wadsworth

St. Ignace

Scott Wadsworth

St. Ignace

William Wadsworth

St. Ignace

John L. Peterson

St. Ignace

Jack D. Meach

St. Ignace, Mont.

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NAME

ADDRESS

<u>Maanta Walker</u>	<u>515 N 3rd Hardin</u>
<u>Ruth Holbert</u>	<u>703 W 3rd Hardin</u>
<u>Kathryn Blankenship</u>	<u>850 1/2 2nd St. Hardin</u>
<u>Lemuel Haug</u>	<u>704 West 1st Hardin</u>
<u>Rick A. Salas</u>	<u>515 West 8th Hardin</u>
<u>By [unclear]</u>	
<u>Boots [unclear]</u>	<u>Star Rte. Hardin</u>
<u>Alice Howard</u>	<u>706 S. 1</u>
<u>Michael G. Butler</u>	<u>728 [unclear] St. Hardin</u>
<u>[unclear]</u>	<u>222 W 2nd Hardin</u>

PETITION

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NAME

ADDRESS

A. E. Holland

PETITION

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NAME _____

ADDRESS

[illegible]

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ADDRESS

Thomas M. Blawie
Josephine J. Blawie
Norman Sammler
Neal B. Bocknick
Jack S. Marrs
Kurt A. Kuri
Colores Swallowing
Willette Bocknick
Albus Swallowing
Hedrick

Roman Mont.
Charles Mont.
Palson, Mont.
Charles, Mont.
Charles Mont.
Charles, Mont.
Charles, Mont.
Charles Mont.

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NAME

ADDRESS

Wynne M. Ford
Ernest Balm
Gustav I. Balm
John D. Ruben
John Matheny
Guy M. Mayo
Richard Bidater
William R. Young
Mrs. Conal M. Chellars

228 Ave. 2 Billings, Mt.
Billings, Montana
Billings, Montana
Billings, Montana
Billings, Montana
Billings, Montana
BILLINGS, MONT.
Billings, Mont
Billings, Montana

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NAME

ADDRESS

Howard Cunningham	6015 Howard Ave
Alan Mehl	719 HOWELL, MISSOULA
Kayanne Mehl	719 Howell, Missoula
David S. King	655 O'Malley Dr
Thomas Mehl	2219 Howell
B. A. Mehl	711 N. 30th
John Mehl	316 1/2 1st St W
Reginald L. Huson	2424 Astor, Billings, MT
John M. DeWain	624 1/2 Wyoming Ave, Billings, MT

P E T I T I O N

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NAME

ADDRESS

Vladimir Vukobratović

Box 31 Perma, Montana 59851

Jan 17 1912

Virginia Graves

Edwin Smith

William E. Brewer

[illegible]

W. P. Brewster

David West

Edward H. Young

Hypercalcaemia

Axon, Flint

Karen M. Wood

Japan, Int.

M. Muddiman

12/10/1918

Primer - H. H. Bennett

Stephen Hunt

M₁₂ Male Ashcroft

Iditarod, Montana.

NAME: Leslie B Johnson DATE: _____

ADDRESS: # 365 B running Mount 59412

PHONE: 732 - 4621

REPRESENTING WHOM? Myself

APPEARING ON WHICH PROPOSAL: STR 34

DO YOU: SUPPORT? X AMEND? _____ OPPOSE? _____

COMMENTS: Jurisdiction by my elected official

NAME: F. Lloyd TUBERHAM DATE: 2/19/17

ADDRESS: ROMAN, Mont.

PHONE: 876-0600

REPRESENTING WHOM? M.O.D.

APPEARING ON WHICH PROPOSAL: Resolution for State Juris

DO YOU: SUPPORT? X AMEND? OPPOSE?

COMMENTS: Full Support.

Dr. R. C. Keyser

W. B. Bowers M.O.D.

Bob Carver

Lucy Cochrane Flathead Tubing, Inc.

NAME: William F. Byrd - Jr. DATE: _____

ADDRESS: Post Office Box 1000

PHONE: 226-7281

REPRESENTING WHOM? myself

APPEARING ON WHICH PROPOSAL: 5/11/55

DO YOU: SUPPORT? YES AMEND? _____ OPPOSE? _____

COMMENTS: _____

#7
NAME: Unbrd. Ben Doni Walk DATE: 2/19/77

ADDRESS: 1730 Ave C

PHONE: 259-9503

REPRESENTING WHOM? Mont. Inter-Tribal Policy Board

APPEARING ON WHICH PROPOSAL: Joint Res. # 35

DO YOU: SUPPORT? _____ AMEND? _____ OPPOSE? X

COMMENTS: _____

NAME: Earl Old Person DATE: 2/19/77

ADDRESS: Box 486, Browning, Montana

PHONE: 338-7511

REPRESENTING WHOM? Montana Inter-Tribal Billing

APPEARING ON WHICH PROPOSAL: Re 35

DO YOU: SUPPORT? _____ AMEND? _____ OPPOSE? _____

COMMENTS: _____

NAME: JAMES F. CANAN

DATE: Feb 19

ADDRESS: 1810 IRIS LANE, BILCINGS

PHONE: 657-6315 or 252-4880

REPRESENTING WHOM? BUREAU OF INDIAN AFFAIRS

APPEARING ON WHICH PROPOSAL: 55R, 35

SUPPORT?

AMEND? ✓

OPPOSE? ✓

COMMENTS: _____

NAME: Philip E. Roy DATE: Feb. 19, 1977

ADDRESS: Box 849 BROWNING, MT. 59417

PHONE: 338-2491

REPRESENTING WHOM? BLACKFEET

APPEARING ON WHICH PROPOSAL: SR 35

DO YOU: SUPPORT? AMEND? ✓ OPPOSE? ✓

COMMENTS: Resolution needs legal
analysis + must not violate
case precedent. Needs
Indian Input.

NAME: FRANCIS X. LARUE BULL DATE: 18 Feb. 77

ADDRESS: P.O. BOX 38 FORT BELKNAP AGENCY
HAILEM, MONT. 59526

PHONE: 353-2391

REPRESENTING WHOM? FORT BELKNAP INDIAN COMMUNITY

APPEARING ON WHICH PROPOSAL: SENAT JOINT RESOLUTION #35

DO YOU: SUPPORT? _____ AMEND? _____ OPPOSE? ☒

COMMENTS: FURTHER RESEARCH SHOULD BE

DONE INTO THIS MATTER, AND THERE

SHOULD BE MORE INDIAN INPUT.

NAME:

DATE:

2-19-77

ADDRESS:

E. SHORE, Polson Mont. 5860

PHONE:

887 - 2579

REPRESENTING WHOM?

my self

APPEARING ON WHICH PROPOSAL:

DO YOU:

SUPPORT?

AMEND?

OPPOSE?

COMMENTS:

NAME: Richard T. Reed DATE: Feb 20.

ADDRESS: Box 992 Poplar, Mt

PHONE: 768. 3696

REPRESENTING WHOM? MOA 4th Cpt.

APPEARING ON WHICH PROPOSAL: SJR 35

DO YOU: SUPPORT? ☒ AMEND? ☐ OPPOSE? ☐

COMMENTS: _____

NAME: Margaret R. Bear Dent Mack DATE: 2-18-77

ADDRESS: 1130 Ave C

PHONE: 259-9500

NUMBER OF 1
REPRESENTING WHOM? Constitutional Rights Foundation

APPEARING ON WHICH PROPOSAL: SJR 35

DO YOU: SUPPORT? AMEND? OPPOSE? ☒

COMMENTS: Has Mr Graham asked
his Jordanian constituents for
input on this Bill?
If so, whom?

NAME: Thomas E. Pabb DATE: Feb. 19 '77

DATE: Feb. 19 '77

ADDRESS: Rt. 2 Hot Springs, MT. 59845

PHONE: 741-3566

REPRESENTING WHOM? Montana Inter-Tribal Policy Board
Box 8315

APPEARING ON WHICH PROPOSAL: Sheet S. 35

SUPPORT? _____

AMEND?

OPPOSE? X

COMMENTS: _____

NAME:

DATE :

ADDRESS:

PHONE:

REPRESENT'ING WHOM?

APPEARING ON WHICH PROPOSAL:

DO YOU:

SUPPORT?

AMEND?

OPPOSE?

COMMENTS:

COMMENTS: _____

NAME: T. W. Kockswold DATE: _____

ADDRESS: Box 1674 St Ignace MT

PHONE: ~~5-9866~~ 644-2383

REPRESENTING WHOM? Montana Opposing Discriminator

APPEARING ON WHICH PROPOSAL: Resolution of State Jurisdiction

DO YOU: SUPPORT? AMEND? OPPOSE?

COMMENTS: _____

NAME: DALE SKAALUP DATE: 2/19/77

ADDRESS: BIG SANDY, MT.

PHONE: 386-2299

REPRESENTING WHOM? QUATEMAN CTY COMMS - MATCO

APPEARING ON WHICH PROPOSAL: SJR-35

DO YOU: SUPPORT? ☒ AMEND? ☐ OPPOSE? ☐

COMMENTS: _____

1- ONE-LAW NEEDED FOR ONE
PEOPLE

2- PROTECT THOSE AND GIVE
EQUAL RITES OF NON-INDIAN
MEMBERS ON RESERVATION LANDS

SENATE COMMITTEE STATE ADMINISTRATION

Date 2/19/77 Senate Bill No. 336 Time

NAME	YES	NO
Senator Tom Towe, Chairman	X	
Senator Pete Story, Vice Chairman	X	
Senator Bob Brown	X	
Senator Tom Rasmussen	X	
Senator George Roskie		
Senator John Devine		
Senator Greg Jergeson		
Senator Chet Blaylock		

Bill Robinson
Secretary

Thomas B. Dine
Chairman

Motion: by Senator Story to adopt amendments
presented by Mr. Harrison to Senate
Bill 336.

(include enough information on motion--put with yellow copy of committee report.)

#9

Suggested Amendments - S.B. 336

Page 1, line 12 - Delete Section 1

Add

Section 1. Discontinued service as a police officer withdrawal of contributions.

(1) If a police officer is discontinued from service for reasons other than temporary suspension due to disciplinary action, death, disability or retirement, he may withdraw his member contributions upon filing written application with the board.

Page 1, line 23 - Delete Section 2, subsection (1)

Add

Section 2. Reinstatement of service - redeposit of contributions. (1) A police officer may reinstate credits for service previously refunded under section (1) by applying within 1 year after his return to his former status as a police officer.

Page 2, line 15 - Delete subsection (3) in its entirety

Page 2, line 19 - Delete subsection (4)

Add

(3) The amount to be paid by the police officer shall consist of the amount refunded plus the interest that would have accumulated in the account had the refund not taken place.

Page 3, line 5 - Renumber subsection "(5)" as "(4)"

Page 3, line 7 - Delete, after the word "interest" "at the rate the fund is currently earning"

Page 3, line 10 - Delete Section 3 in its entirety

Add the following:

"Section 3. Election to qualify previous military service. (1) A member with 15 years or more of service may at any time prior to his retirement make a written election with the board to qualify all or any portion of his active service in the armed forces of the United States for the purpose of calculating retirement benefits, up to a maximum of 5 years if he is not otherwise eligible to receive credit. To qualify this service he must contribute to the account the actuarial cost of granting the service to be determined by the board based on his compensation and normal contribution rate as of his 16th year and as many succeeding years as are required to qualify this service with interest from the date he becomes eligible for this benefit to the date he contributes. He may not qualify more of his military service than he has service in excess of 15 years.

(2) If a member has retired from active duty in the armed forces of the United States with a normal service retirement benefits, he may not qualify his military service under subsection (1). However, a member who is serving or has served in the military reserves with the expectation of receiving a military service pension may qualify his active military service under subsection (1) if his active duty in the armed forces of the United States is not more than 25% of the total of all his years of military service, including reserve and active duty time."

Page 3, line 21 - Delete Section 4 in its entirety

SENATE COMMITTEE STATE ADMINISTRATION

Date 2/19/77 Senate Bill No. 336 Time

NAME	YES	NO
Senator Tom Towe, Chairman	X	
Senator Pete Story, Vice Chairman	X	
Senator Bob Brown	X	
Senator Tom Rasmussen	X	
Senator George Roskie		
Senator John Devine		
Senator Greg Jergeson		
Senator Chet Blaylock		

Gill Robinson
Secretary

Dennis E. Dine
Chairman

Motion: by Senator Story SB 336 As
Pass As Amended.

(include enough information on motion—put with yellow copy of committee report.)

STANDING COMMITTEE REPORT

.....February 22..... 19 77.....

MR. President.....

We, your committee on.....State Administration.....

having had under consideration.....Senate..... Bill No. 336.....

Respectfully report as follows: That.....Senate..... Bill No. 336,.....
introduced bill, be amended as follows:

1. Amend page 1, section 1, lines 12 through 19.

Following: line 11

Strike: section 1 in its entirety

Insert: "Section 1. Discontinued service as a police officer - withdrawal of contributions. (1) If a police officer is discontinued from service for reasons other than temporary suspension due to disciplinary action, death, disability or retirement, he may withdraw his member contributions upon filing written application with the board."

2. Amend page 1, section 2, lines 24 through line 9 on page 2.

Following: "contributions."

Strike: lines 24 through line 9 on page 2 in their entirety

Insert: "(1) A police officer may reinstate credits for service previously refunded under section 1 by applying within 1 year after his return to his former status as a police officer."

XXXXXX

3. Amend page 2, section 2, lines 15 through line 5 on page 3.

Following: line 14

Strike: lines 15 through line 5 on page 3 in their entirety

Insert: "(3) The amount to be paid by the police officer shall consist of the amount refunded plus the interest that would have accumulated in the account had the refund not taken place."

Renumber: subsequent subsection

4. Amend page 3, section 2, lines 7 and 8.

Following: "interest"

Strike: "at the rate the fund is currently earning"

5. Amend page 3, section 3, lines 10 through line 20.

Following: line 9

Strike: section 3 in its entirety

Insert: "Section 3. Election to qualify previous military service. (1)

A member with 15 years or more of service may at any time prior to his retirement make a written election with the board to qualify all or any portion of his active service in the armed forces of the United States for the purpose of calculating retirement benefits, up to a maximum of 5 years if he is not otherwise eligible to receive credit. To qualify this service he must contribute to the account the actuarial cost of granting the service to be determined by the board based on his compensation and normal contribution rate as of his 16th year and as many succeeding years as are required to qualify this service with interest from the date he becomes eligible for this benefit to the date he contributes. He may not qualify more of his military service than he has service in excess of 15 years.

(2) If a member has retired from active duty in the armed forces of the United States with normal service retirement benefits, he may not qualify his military service under subsection (1). However, a member who is serving or has served in the military reserves with the expectation of receiving a military service pension may qualify his active military service under subsection (1) if his active duty in the armed forces of the United States is not more than 25% of the total of all his years of military service, including reserve and active duty time."

6. Amend page 3, section 4, lines 21 through line 7 on page 4.

Following: line 20

Strike: section 4 in its entirety

AND AS SO AMENDED, DO PASS


Chairman

PR

SENATE COMMITTEE STATE ADMINISTRATION

Date 2/19/77 Senate Bill No. 253 Time _____

NAME	YES	NO
Senator Tom Towe, Chairman	X	
Senator Pete Story, Vice Chairman	X	
Senator Bob Brown	X	
Senator Tom Rasmussen	X	
Senator George Roskie		
Senator John Devine		
Senator Greg Jergeson		
Senator Chet Blaylock		

Jill Robyans
Secretary

Thomas E. Dene
Chairman

Motion: by Senator Story that SB 253 do
not pass

(include enough information on motion--put with yellow copy of committee report.)

STANDING COMMITTEE REPORT

February 19 19 77

MR. President

We, your committee on State Administration

having had under consideration Senate Bill No. 253

Respectfully report as follows: That Senate Bill No. 253

~~DO NOT PASS~~ DO NOT PASS

J. A.

SENATE COMMITTEE STATE ADMINISTRATION

Date 2/19/77 Senate Bill No. 429 Time _____

NAME	YES	NO
Senator Tom Towe, Chairman	X	
Senator Pete Story, Vice Chairman	X	
Senator Bob Brown	X	
Senator Tom Rasmussen	X	
Senator George Roskie		
Senator John Devine		
Senator Greg Jergeson		
Senator Chet Blaylock		

Jill Rahyans
Secretary

Thomas E. Towe
Chairman

Motion: by Senator Story that Senate Bill
429 Do Not Pass

(include enough information on motion--put with yellow copy of committee report.)

STANDING COMMITTEE REPORT

.....February 19..... 19 77.....

MR.President.....

We, your committee onState Administration.....

having had under considerationSenate..... Bill No. 429.....

Respectfully report as follows: That.....Senate..... Bill No. 429.....

DO PASS

P.A.

SENATE COMMITTEE STATE ADMINISTRATION

Date 2/19/77 Senate Joint Resolution Bill No. 34 Time _____

NAME	YES	NO
Senator Tom Towe, Chairman	X	
Senator Pete Story, Vice Chairman	X	
Senator Bob Brown	X	
Senator Tom Rasmussen	X	
Senator George Roskie		
Senator John Devine		
Senator Greg Jergeson		
Senator Chet Blaylock		

Gill Roberts
Secretary

Thomas E. Towe
Chairman

Motion: by Senator Rasmussen that
STR 34 DO Pass

(include enough information on motion—put with yellow copy of committee report.)

STANDING COMMITTEE REPORT

.....February 19..... 1977.....

MR. President.....

We, your committee on State Administration.....

having had under consideration Senate Joint Resolution..... Bill No. 34.....

Respectfully report as follows: That Senate Joint Resolution..... Bill No. 34.....

~~XXXXXX~~

BE ADOPTED

PA.

SENATE COMMITTEE STATE ADMINISTRATION

Date 2/19/77 Senate Joint Resolution Bill No. 34 Time _____

NAME	YES	NO
Senator Tom Towe, Chairman	X	
Senator Pete Story, Vice Chairman	X	
Senator Bob Brown	X	
Senator Tom Rasmussen	X	
Senator George Roskie		
Senator John Devine		
Senator Greg Jergeson		
Senator Chet Blaylock		

Gill Robyano
Secretary

Thomas E. Towe
Chairman

Motion: by Senator Rasmussen that
STR # DO Pass

(include enough information on motion--put with yellow copy of committee report.)

STANDING COMMITTEE REPORT

.....February 19.....1977.....

MR. President.....

We, your committee on State Administration.....

having had under consideration Senate Joint Resolution..... Bill No. 34.....

Respectfully report as follows: That.....Senate Joint Resolution..... Bill No. 34.....

~~DO PASS~~

BE ADOPTED

PA.