

MINUTES

MONTANA SENATE 54th LEGISLATURE - REGULAR SESSION

CONFERENCE COMMITTEE ON SENATE JOINT RESOLUTION 8

Call to Order: By **CHAIRMAN CASEY EMERSON**, on April 8, 1995, at 9:30 a.m.

ROLL CALL

Members Present:

Sen. C.A. "Casey" Emerson, Chairman (R)
Rep. Richard D. Simpkins, Co-Chairman (R)
Sen. Loren Jenkins (R)
Sen. Fred R. Van Valkenburg (D)
Rep. Jack Wells (R)
Rep. George Heavy Runner (D)

Members Excused: none

Members Absent: none

Staff Present: Connie Erickson, Legislative Council Staff
Tina Price, Secretary

Discussion:

REP. RICHARD SIMPKINS, HD 49, Great Falls, handed out **EXHIBITS 1 & 2**, copies of SJR 11 and the 1975 HJR 57.

SEN. CASEY EMERSON, SD 14, Bozeman, explained when the House of Representatives amended SJR 8 to be just for this year he had been perfectly willing to accept the amendment but **SEN. FRED VANVALKENBURG** had objected. **SEN. VANVALKENBURG** felt the day to honor American Indian women should be on an ongoing basis. **SEN. EMERSON** stated he wanted to be sure, at the very least, the one day of 1995 be officially designated; any days in future years would be great. He explained the plans to unveil the statue of Sacajawea in Bozeman were all made and therefore the people in Bozeman really needed to have the day this year designated. **SEN. EMERSON** agreed with **SEN. VANVALKENBURG** that the day should be designated for every year not just the current year; the planners of the day in Bozeman wanted to make honoring the Indian women a big yearly event.

REP. WELLS, HD 27, Bozeman referred to **EXHIBIT 2** which provided for an annual Native American Day every year in September. He wanted to see the celebration for the current year go along as planned. In successive years the contributions of the American Indian women could be honored on Native American Day.

SEN. LOREN JENKINS, SD 45, Big Sandy, asked if it would be possible to recognize the day this year and in future years just incorporate it into Native American Day.

SEN. EMERSON replied when he had spoken to the leaders of the celebration in Bozeman he had not been aware of the Native American Day. He was sure it would work out to celebrate both days together in future years.

SEN. JENKINS suggested the committee keep the House amendments, providing for one day in the current year, and amend the bill to change the day for successive years to coincide with the Native American Day.

SEN. FRED VAN VALKENBURG, SD 32, Missoula, stated the understood purpose of SJR 8 was to give special recognition to Indian women. He asserted that purpose was not accomplished by putting the Indian Women on the Native American Day. The Indian women are already honored on that day because they are Indians. In order to accomplish special recognition for Indian women there ought to be a separate day to do that. This does not involve giving anyone a paid holiday; honoring Indian women with their own day designated in May was no big deal.

REP. GEORGE HEAVY RUNNER, HD 85, Browning, stated he would have liked to have had a Free Conference Committee on SJR 8. The Resolution should be amended to strike American Indian Women and insert Sacajawea. He declared the Indians on the reservations were not concerned with a state designation; they honor Sacajawea anyway. If the intent was really to honor the contributions of American Indian Women then at the least the women being honored should be Montanans; Sacajawea is not. He insisted that if the state was going to honor Indian women then it should be done in a way that gets the women the respect they truly deserve. The whole emphasis seemed to be around the Statue of Sacajawea in Bozeman. The tribes do certain things and the Indians do not feel they need the state's stamp of approval to honor anybody. He stated he would go along with whatever the committee decided. This resolution was not something the Indians would hold dear to for eternity.

REP. SIMPKINS agreed with some of REP. HEAVYRUNNER'S points. He referred to **EXHIBIT 2**, SJR 11, and explained it did not address specifically Native American Women but addressed the state's responsibilities for cultural education. Many other states have a Native American Day. He suggested rather than set up a permanent day, the committee should wait to get the results of the study provided for in SJR 11. The results of the study would clarify what needed to be done to improve and enhance the Native American Culture education system that the state has obligations for in the Constitution. He favored leaving the resolution providing for just one day. **REP. SIMPKINS** stated SJR 11 had been approved and was enrolled with the Secretary of State. He reported questioning the Office of Public Instruction, (OPI),

about the issue of cultural education and the person in charge of that area at OPI had, in his opinion, no idea what was happening with Native American Culture Education in the state's school systems.

SEN. EMERSON suggested the committee add one more year to provide for the celebration until the results of SJR 11 could be acted upon.

REP. SIMPKINS stated he was in favor of leaving the resolution with just one year allowing official designation for the presentation of the statue.

Motion: **REP. SIMPKINS MADE THE MOTION THAT THE SENATE ACCEDE TO THE HOUSE AMENDMENTS.**

Discussion: **SEN. VAN VALKENBURG** stated he wanted to be sure the people in Bozeman received official recognition for the day this year to unveil the statue.

SEN. EMERSON agreed the most important thing was to designate the day for the current year.

REP. HEAVYRUNNER alleged honoring the contributions of American Indian women for one year would look crazy. He agreed the study would help to begin developing a base of just where the state is at on Indian cultural education.

REP SIMPKINS contended the designation for the day was too specific; what about men and children. The state should not determine who gets honored; the tribes should decide the designation.

Vote: The motion **CARRIED UNANIMOUSLY.**

ADJOURNMENT

Adjournment: CHAIRMAN EMERSON adjourned the meeting at 9:47 a.m.


CHAIRMAN CASEY EMERSON, Chairman


TINA PRICE, Secretary

CE/tp

Conference Committee
on SJR 8
Report No. 1, April 8, 1995

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Mr. President and Mr. Speaker:

We, your Conference Committee on SJR 8, met April 8, 1995, and considered:

House Committee on State Administration amendments to third reading copy, dated March 20, 1995.

We recommend that the amendments considered above to SJR 8 be acceded to the by Senate.

And that this Conference Committee report be adopted.

For the Senate:

Emerson

Emerson
Chair

Jenkins

Jenkins

Van Valkenburg

Van Valkenburg

Amd. Coord.

Go
Sec. of Senate

For the House:

Simpkins

Simpkins
Chair

Wells

Wells

Heavy Runner

ADOPT

REJECT

810952CC.SPV



HOUSE STANDING COMMITTEE REPORT

March 20, 1995

Page 1 of 1

Mr. Speaker: We, the committee on State Administration report that Senate Joint Resolution 8 (third reading copy -- blue) be concurred in as amended.

Signed: *Dick Simpkins*
Dick Simpkins, Chair

Carried by: Rep. Simpkins

And, that such amendments read:

1. Title, line 5.
Strike: "EACH YEAR"
Insert: "1995"
2. Page 1, line 28.
Strike: "each year"
Insert: "1995"

-END-

SJ 8

Committee Vote:

Yes 13. No 2

HOUSE

SENATE JOINT RESOLUTION NO. 8

INTRODUCED BY EMERSON, WELLS, JENKINS, BAER, KEATING, COLE, MARSHALL

A JOINT RESOLUTION OF THE SENATE AND THE HOUSE OF REPRESENTATIVES OF THE STATE OF MONTANA REQUESTING THAT THE SECOND ~~SATURDAY~~ SUNDAY OF MAY OF ~~EACH YEAR~~ 1995 BE DESIGNATED AS A DAY TO RECOGNIZE AND HONOR THE CONTRIBUTIONS OF AMERICAN INDIAN WOMEN.

WHEREAS, historical journals have recorded the efforts of Sacajawea, a young Shoshoni Indian, who with a newborn son and her husband Charbonneau, endured many hardships and dangers in acting as a guide and interpreter for Lewis and Clark on their expedition into uncharted territory;

WHEREAS, Sacajawea, on the return journey from the West Coast, camped with Clark in the current Bozeman area during Clark's exploration of the Yellowstone River;

WHEREAS, American Indian women continue to be healers, teachers, and positive role models for the younger generations of American Indian youth; and

WHEREAS, American Indian women throughout history have worked to preserve their unique tribal cultures, languages, and customs and their families; and

WHEREAS, Montana has many examples of American Indian women who, like Sacajawea, have demonstrated strength and courage, and have emerged as leaders in their culture, guardians of their heritage, and productive members of society; and

WHEREAS, a life-sized statue of Sacajawea, created by Montana sculptor, Pat Mathiesen, will be erected in Bozeman to honor Sacajawea and all American Indian women; and

WHEREAS, the continuing legacy of Sacajawea as seen in the lives of Montana's American Indian women should be acknowledged and honored.

NOW, THEREFORE, BE IT RESOLVED BY THE SENATE AND THE HOUSE OF REPRESENTATIVES OF THE STATE OF MONTANA:

(1) That the Governor be requested to designate the second ~~Saturday~~ SUNDAY in May of ~~each year~~ 1995 as a day to honor and recognize the contributions of Sacajawea and American Indian women in Montana.

(2) That copies of this resolution be sent by the Secretary of State to the Tribal Chairperson of each of TRIBE OR TRIBES LOCATED ON the seven Montana reservations and to the Tribal Chairperson of the Little Shell Tribe.

-END-

SENATE JOINT RESOLUTION NO. 11

INTRODUCED BY BROOKE, STANG, HEAVY RUNNER, WELDON, HARDING, TUSS, STOVALL, GAGE

A JOINT RESOLUTION OF THE SENATE AND THE HOUSE OF REPRESENTATIVES OF THE STATE OF MONTANA REQUESTING THE COMMITTEE ON INDIAN AFFAIRS TO STUDY PUBLIC SCHOOLS' COMPLIANCE WITH ARTICLE X, SECTION 1, SUBSECTION (2), OF THE MONTANA CONSTITUTION, THE ROLE OF AMERICAN INDIAN STUDIES IN HIGHER EDUCATION, AND THE LEVEL OF KNOWLEDGE OF THE GENERAL PUBLIC REGARDING AMERICAN INDIAN ISSUES; AND REQUIRING A REPORT TO THE 55TH LEGISLATURE.

WHEREAS, American Indians are the largest minority group in Montana; and

WHEREAS, American Indians compose 6% of the state's population, 10% of the K-8 public school population, and 7% of the public high school population; and

WHEREAS, American Indians accounted for 84% of the state's population growth between 1980 and 1990; and

WHEREAS, the American Indian population is expected to continue to increase in size; and

WHEREAS, Article X, section 1, of the Montana Constitution guarantees equality of educational opportunity to each person in the state; and

WHEREAS, Article X, section 1, further recognizes the distinct and unique cultural heritage of American Indians and expresses the state's commitment to preserving that cultural integrity; and

WHEREAS, sections 20-4-211 through 20-4-214, MCA, encourage school districts to provide the means by which school personnel can gain an understanding of and appreciation for American Indians; and

WHEREAS, American Indian history, culture, and contemporary issues are not required topics of study in Montana's public schools; and

WHEREAS, there is a disproportionate number of American Indian high school ~~dropouts and credit deficient students in~~ STUDENTS WHO DROP OUT OF SCHOOL OR WHO HAVE INSUFFICIENT CREDITS TO GRADUATE WITHIN 4 YEARS FROM Montana's public schools; and

WHEREAS, Montana has seven tribal colleges located on its seven Indian reservations with curricula that include tribal studies.

1 NOW, THEREFORE, BE IT RESOLVED BY THE SENATE AND THE HOUSE OF REPRESENTATIVES OF THE
2 STATE OF MONTANA:

3 That the Committee on Indian Affairs be requested to study:

4 (1) the degree to which Montana's public schools are in compliance with Article X, section 1,
5 subsection (2), of the Montana Constitution;

6 (2) the role of American Indian studies in the overall curriculum of the Montana University System
7 and other institutions of higher learning in the state, with special attention to the teacher education
8 curriculum; and

9 (3) the level of knowledge of the general public about historical and contemporary American Indian
10 issues.

11 BE IT FURTHER RESOLVED, that recommendations be made on how best to address the
12 deficiencies if the study determines that:

13 (1) the public schools are not in compliance;

14 (2) American Indian studies are not an integral part of the university curriculum; or

15 (3) general knowledge about American Indian issues is lacking.

16 BE IT FURTHER RESOLVED, that the study be conducted in consultation with the Montana Indian
17 Education Association, the Montana Tribal Chairmen's Association, the Montana Advisory Council for Indian
18 Education, the Office of Public Instruction, THE BOARD OF PUBLIC EDUCATION, THE UNITS OF THE
19 MONTANA UNIVERSITY SYSTEM THROUGH THE COMMISSIONER OF HIGHER EDUCATION, the Indian
20 Impact Aid Schools Association, and the American Indian Higher Education Consortium.

21 BE IT FURTHER RESOLVED, that the Committee report its findings, conclusions, and
22 recommendations to the 55th Legislature.

23 -END-

HOUSE JOINT RESOLUTION NO. 57

A JOINT RESOLUTION OF THE SENATE AND THE HOUSE OF REPRESENTATIVES OF THE STATE OF MONTANA DESIGNATING THE FOURTH FRIDAY IN SEPTEMBER OF EVERY YEAR AS "NATIVE AMERICAN INDIAN DAY" IN THE STATE OF MONTANA AND INVITING THE PEOPLE OF THE STATE OF MONTANA TO OBSERVE THAT DAY WITH APPROPRIATE CEREMONIES AND ACTIVITIES.

WHEREAS, Article X, section 2, of the Constitution of Montana recognizes the distinct and unique cultural heritage of the American Indians and is committed in its educational goals to the preservation of their cultural integrity; and

WHEREAS, the knowledge of this important history and culture is gradually being lost to citizens of the state of Montana to the detriment of native Americans and all citizens of the state of Montana; and

WHEREAS, the history and culture of native American Indians is an integral part of the folklore and history of the nation and the state of Montana; and

WHEREAS, the legislature recognizes that all Montanans have an invaluable opportunity for cultural enrichment through contact with the folkways and philosophy of native Americans; and

WHEREAS, we live in a time of increasing awareness of the importance of our natural environment, it is important that we not lose the native Americans' respect for, and ability to live in harmony with, the forces of nature; and

WHEREAS, there is a general lack of understanding of the unique psychological background of native American Indians which can be understood only by sharing the views and beliefs of native American Indians; and

WHEREAS, the state of Montana contains the fourth largest Indian population of the several states of the United States.

NOW, THEREFORE, BE IT RESOLVED BY THE SENATE AND THE HOUSE OF REPRESENTATIVES OF THE STATE OF MONTANA:

(1) That the Governor of Montana be encouraged to designate each year the fourth Friday in September as "Native American Indian Day";

(2) That the people of Montana be encouraged to participate in appropriate ceremonies and activities;

(3) That the Secretary of State send copies of this resolution to the Governor, to each County Clerk of the state of Montana for posting in a public place, and to each newspaper published in the state, for publication therein.

Approved March 25, 1975.