

HOUSE JOINT RESOLUTION NO. 19

INTRODUCED BY ASAY, SEIFERT, WILLIAMS, HOWE,
THOFT, ELLERD, YARDLEY

IN THE HOUSE

February 5, 1983	Introduced and referred to Committee on Judiciary.
February 14, 1983	Committee recommend bill do pass. Report adopted. Bill printed and placed on members' desks.
February 16, 1983	Second reading, do pass.
February 18, 1983	Considered correctly engrossed.
February 19, 1983	Third reading, passed. Transmitted to Senate.

IN THE SENATE

February 21, 1983	Introduced and referred to Committee on State Administration.
March 16, 1983	Committee recommend bill be concurrent in as amended. Report adopted.
March 18, 1983	Second reading, concurrent in.
March 21, 1983	Third reading, concurrent in. Ayes, 39; Noes, 9.

IN THE HOUSE

March 21, 1983	Returned to House with amendments.
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March 31, 1983

Second reading, amendments
not concurred in.

On motion Conference
Committee requested and
appointed.

April 13, 1983

Conference Committee
reported.

April 14, 1983

Second reading, report
adopted.

April 15, 1983

Third reading, report
adopted.

April 20, 1983

Conference Committee
report adopted by
Senate.

Sent to enrolling.

Reported correctly
enrolled.

1 House JOINT RESOLUTION NO. 19
2 INTRODUCED BY Cheryl Seibert Williams House Cheryl
3 Seibert Williams
4 A JOINT RESOLUTION OF THE SENATE AND THE HOUSE OF
5 REPRESENTATIVES OF THE STATE OF MONTANA REQUESTING
6 ASSIGNMENT OF A SELECT COMMITTEE ON INDIAN AFFAIRS.

7
8 WHEREAS, there are seven Indian reservations and
9 numerous landless Indians in Montana; and

10 WHEREAS, the various tribes have treaties with the
11 United States that are subject to continual interpretation;
12 and

13 WHEREAS, extremely complex jurisdictional, social,
14 political, and philosophical questions arise in virtually
15 all subject areas, including law enforcement, pollution
16 control, natural resources, game management, health, social
17 services, education, and taxation, which in turn produce
18 tension and conflict in tribal/state and Indian/non-Indian
19 relations; and

20 WHEREAS, Congress, as the ultimate authority on
21 relations with the Indian tribes, has not been able to act
22 in a decisive manner to resolve these questions and is
23 unlikely to do so in the foreseeable future; and

24 WHEREAS, jurisdictional litigation on a case-by-case
25 basis is expensive to the state, tribes, and private

1 parties; and

2 WHEREAS, the jurisdictional, social, and philosophical
3 problems between Indians and non-Indians are historical and
4 cannot be expected to dissipate quickly; and

5 WHEREAS, the non-Indian people of Montana find it is to
6 their benefit to have a cooperative and communicative
7 liaison with the Indian people in Montana; and

8 WHEREAS, the Indian people in Montana have indicated it
9 is also to their benefit to have a legislative committee
10 with which to maintain such a cooperative and communicative
11 liaison.

12
13 NOW, THEREFORE, BE IT RESOLVED BY THE SENATE AND THE HOUSE
14 OF REPRESENTATIVES OF THE STATE OF MONTANA:

15 (1) That the President of the Senate and the Speaker of
16 the House appoint four members of the Senate and four
17 members of the House, equally bipartisan, to serve on a
18 select legislative committee on Indian affairs.

19 (2) That the committee, at its initial, organizational
20 meeting, decide specific topics of study to pursue.

21 (3) That the committee seek opinions of and
22 information from Indian tribes, Indian tribal organizations,
23 state agencies, local governments, non-Indians living on or
24 near Indian reservations, and other interested persons and
25 agencies to gain insight into Indian/non-Indian relations.

1 (4) That the committee hold hearings to promote better
2 understanding between the tribes and public agencies and to
3 improve the Indian peoples' knowledge of the structure of
4 state agencies and the legislative process.

5 (5) That the committee encourage and foster
6 participation of Indian people at its meetings.

7 (6) That the committee act as an available liaison
8 between the Indian people and the Legislature.

9 (7) That the committee encourage tribal/state and
10 tribal/local government cooperation and otherwise promote
11 amicable Indian/non-Indian relations.

12 (8) That the committee keep informed of cooperative
13 agreements being negotiated and entered into through the
14 mechanism provided for in Title 18, chapter 11, MCA, or
15 otherwise.

16 (9) That the Legislative Council provide staff to
17 assist the committee.

18 (10) That the committee report its activities,
19 findings, and recommendations and any proposed legislation
20 to the 49th Legislature.

-End-

STATE OF MONTANA

REQUEST NO. 352-83

FISCAL NOTE

Form BD-15

In compliance with a written request received February 7, , 19 83 , there is hereby submitted a Fiscal Note for House Joint Resolution 19 pursuant to Title 5, Chapter 4, Part 2 of the Montana Code Annotated (MCA).
Background information used in developing this Fiscal Note is available from the Office of Budget and Program Planning, to members of the Legislature upon request.

DESCRIPTION OF PROPOSED LEGISLATION:

House Joint Resolution 19 proposes to reestablish the select legislative committee on Indian affairs.

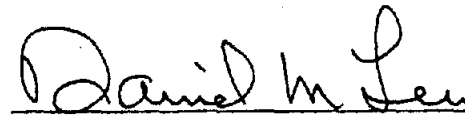
ASSUMPTIONS:

- 1) The committee will need to have the potential to meet as often as required to pursue topics within its jurisdiction.

FISCAL IMPACT:

The maximum impact would be \$12,000 for the biennium depending on the level of committee activity.

FISCAL NOTE 12:J/1



BUDGET DIRECTOR

Office of Budget and Program Planning

Date: 2-9-83

STATE OF MONTANA

REQUEST NO. 529-83

FISCAL NOTE

Form BD-15

In compliance with a written request received March 25, 19 83, there is hereby submitted a Fiscal Note for House Joint Resolution 19 pursuant to Title 5, Chapter 4, Part 2 of the Montana Code Annotated (MCA).
Amended
Background information used in developing this Fiscal Note is available from the Office of Budget and Program Planning, to members of the Legislature upon request.

DESCRIPTION OF PROPOSED LEGISLATION:

House Joint Resolution 19, amended, proposes to reestablish the select legislative committee on Indian affairs.

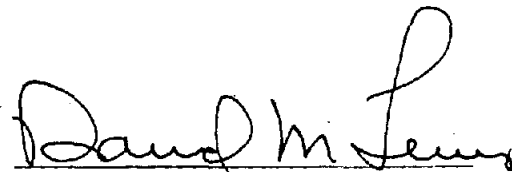
ASSUMPTIONS:

- 1) The committee will need to have the potential to meet as often as required to pursue topics within its jurisdiction.
- 2) If Senate Bill 451 is enacted, the duties of this committee will be transferred to the Legislative Managemtn Committee and the select committee dissolved.

FISCAL IMPACT:

The maximum impact would be \$12,000 for the biennium depending on the level of committee activity.

FISCAL NOTE 12:J/2



BUDGET DIRECTOR

Office of Budget and Program Planning

Date: 3-26-83

Approved by Committee
on Judiciary

1 House JOINT RESOLUTION NO. 19
2 INTRODUCED BY Sen. Sert Williams House Left
3 Ellen Vandrey
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8 WHEREAS, there are seven Indian reservations and
9 numerous landless Indians in Montana; and
10 WHEREAS, the various tribes have treaties with the
11 United States that are subject to continual interpretation;
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13 WHEREAS, extremely complex jurisdictional, social,
14 political, and philosophical questions arise in virtually
15 all subject areas, including law enforcement, pollution
16 control, natural resources, game management, health, social
17 services, education, and taxation, which in turn produce
18 tension and conflict in tribal/state and Indian/non-Indian
19 relations; and
20 WHEREAS, Congress, as the ultimate authority on
21 relations with the Indian tribes, has not been able to act
22 in a decisive manner to resolve these questions and is
23 unlikely to do so in the foreseeable future; and
24 WHEREAS, jurisdictional litigation on a case-by-case
25 basis is expensive to the state, tribes, and private

1 parties; and
2 WHEREAS, the jurisdictional, social, and philosophical
3 problems between Indians and non-Indians are historical and
4 cannot be expected to dissipate quickly; and
5 WHEREAS, the non-Indian people of Montana find it is to
6 their benefit to have a cooperative and communicative
7 liaison with the Indian people in Montana; and
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4 state agencies and the legislative process.

5 (5) That the committee encourage and foster
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7 (6) That the committee act as an available liaison
8 between the Indian people and the Legislature.

9 (7) That the committee encourage tribal/state and
10 tribal/local government cooperation and otherwise promote
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12 (8) That the committee keep informed of cooperative
13 agreements being negotiated and entered into through the
14 mechanism provided for in Title 18, chapter 11, MCA, or
15 otherwise.

16 (9) That the Legislative Council provide staff to
17 assist the committee.

18 (10) That the committee report its activities,
19 findings, and recommendations and any proposed legislation
20 to the 49th Legislature.

-End-

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 3 Clay Seibert Williams
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March 16, 1983

SENATE STANDING COMMITTEE REPORT
(State Administration)

That House Joint Resolution No. 19 be amended as follows:

1. Page 3.

Following: line 20

Insert: "BE IT FURTHER RESOLVED, that if Senate Bill 451 is approved and signed by the governor, that the duties of the select legislative committee on Indian affairs be transferred on October 1, 1983, to the legislative management committee created in Senate Bill 451, and the select legislative committee on Indian affairs be dissolved.

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2 INTRODUCED BY ASAY, SEIFERT, WILLIAMS,

3 HOWE, THOFT, ELLERD, YARDLEY

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20 findings, and recommendations and any proposed legislation
21 to the 49th Legislature.

22 BE IT FURTHER RESOLVED, THAT IF SENATE BILL 451 IS
23 APPROVED AND SIGNED BY THE GOVERNOR, THAT THE DUTIES OF THE
24 SELECT LEGISLATIVE COMMITTEE ON INDIAN AFFAIRS BE
25 TRANSFERRED ON OCTOBER 1, 1983, TO THE LEGISLATIVE

1 MANAGEMENT COMMITTEE CREATED IN SENATE BILL 451, AND THE
2 SELECT LEGISLATIVE COMMITTEE ON INDIAN AFFAIRS BE DISSOLVED.

-End-

April 12, 1983

..... 19

CONFERENCE COMMITTEE ON
AMENDMENTS TO HJR 19
(Report No. 1)

Mr. Speaker:

We, your conference committee of amendments to HJR 19, met and considered Senate State Administration Committee amendments to the third reading copy (blue). We recommend as follows:

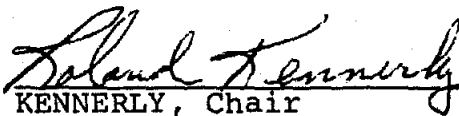
That the Senate recede from Senate State Administration Committee amendment number 1;

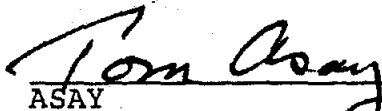
That this Conference Committee report on HJR 19 be adopted.

CLERICAL INSTRUCTIONS FOR REFERENCE COPY (SALMON)

Strike Senate Judiciary Committee amendment number 1.


FOR THE HOUSE



KENNERLY, Chair



ASAY


HOWE

FOR THE SENATE


MARBUT, Chair


GRAHAM


HAMMOND