### SENATE BILL NO. 24

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# INTRODUCED BY TOWE, ASAY

# BY REQUEST OF THE SELECT COMMITTEE ON INDIAN AFFAIRS

### IN THE SENATE

January 7, 1985	Introduced and referred to Committee on Judiciary.					
January 11, 1985	Committee recommend bill do pass. Report adopted.					
January 12, 1985	Bill printed and placed on members' desks.					
January 14, 1985	Second reading, do pass.					
January 15, 1985	Considered correctly engrossed.					
January 16, 1985	Third reading, passed. Ayes, 48; Noes, 0.					
	Transmitted to House.					
IN TH	IN THE HOUSE					
January 18, 1985	Introduced and referred to Committee on State Administration.					
March 7, 1985	Committee recommend bill be concurred in. Report adopted.					
March 9, 1985	Second reading, concurred in.					
March 11, 1985	Third reading, concurred in.					
	Returned to Senate.					

## IN THE SENATE

March 12, 1985

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Received from House. Sent to enrolling. Reported correctly enrolled.

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2	INTRODUCED BY TOWE, ASAY
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4	
5	A BILL FOR AN ACT ENTITLED: "AN ACT TO CLARIFY LIMITATIONS
6	ON PERMISSIBLE SUBJECT MATTER OF STATE-TRIBAL COOPERATIVE
7	AGREEMENTS; AMENDING SECTION 18-11-110, MCA."
8	
9	BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:
10	Section 1. Section 18-11-110, MCA, is amended to read:
11	"18-11-110. Specific limitations on agreements.
12	Nothing in this chapter may be construed to authorize an
13	agreement that:
14	(1) enlarges-or-diminishes-the-jurisdiction-over-civil
15	or-criminal-matters-that-maybeexercisedbyeitherthe
16	stateofMontana-or-tribal-governments-located-in-Montana;
17	is not permitted by federal law. However, the parties are
18	encouraged to deal with substantive matters and enforcement
19	matters that can be mutually agreed upon, but no such
20	agreement may be considered to affect the underlying
21	jurisdictional authority of any party unless expressly
22	authorized by congress.
23	(2) authorizes a public agency or tribal government,
24	either separately or pursuant to agreement, to expand or
25	diminish the jurisdiction presently exercised by the

Montana Legislative Council

1 government of the United States to make criminal laws for or 2 enforce criminal laws in Indian country; or

3 (3) authorizes a public agency or tribal government to 4 enter into an agreement except as authorized by their own 5 organizational documents or enabling laws; -or

6 (4)--provides----for----the----alienation----financial

7 encumbrance,-or-taxation-of-any-real-or--personal--property, 8 including--water--rights7--belonging--to--any--Indian-or-any 9 Indian-tribe;-band;-or-community-that-is-held--in--trust--by 10 the--United--States--or--is-subject-to-a-restriction-against 11 alienation-imposed-by-the-United-States."

-End-

-2- INTRODUCED BILL SB24

49th Legislature

#### LC 0025/01

#### APPORIVED BY COMMITTEE On Judiciary

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23	(2) authorizes a public agency or tribal government,

24 either separately or pursuant to agreement, to expand or 25 diminish the jurisdiction presently exercised by the

Montana Legislative Council

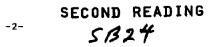
LC 0025/01

1	government of the United States to make criminal laws for or
2	enforce criminal laws in Indian country; or
3	(3) authorizes a public agency or tribal government to
4	enter into an agreement except as authorized by their own
5	organizational documents or enabling laws <del>;~or</del>
6	<pre>(4)providesforthealienation;financial</pre>
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8	includingwaterrightsbelongingtoanyIndian-or-any
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-End-

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-2-

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(2) authorizes a public agency or tribal government, 23 either separately or pursuant to agreement, to expand or 24 diminish the jurisdiction presently exercised by the 25

Moncana Legislative Council

THIRD READING SB 24

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SB 0024/02

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-End-

### REFERENCE BILL

-2-

SB 24