## SENATE JOINT RESOLUTION NO. 26

- 2/19 Introduced
- 2/20 Referred to Local Government
- 2/23 Hearing
- 2/23 Committee Report-Bill Do Pass 2/26 2nd Reading Pass
- 2/27 3rd Reading Do Not Pass 2/27 Resolution Killed

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1	Jonale JOINT RESOLUTION NO. 26
2	INTRODUCED BY AMP
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4	A JOINT RESOLUTION OF THE SENATE AND THE HOUSE OF
5	REPRESENTATIVES OF THE STATE OF MONTANA URGING THE UNITED
6	STATES CONGRESS TO ESTABLISH AN IMPACT AID PROGRAM SIMILAR
7	TO THE PAYMENT IN LIEU OF TAXES PROGRAM WHEREBY MONEY WOULD
8	BE APPROPRIATED TO LOCAL GOVERNMENTS ADJACENT TO INDIAN
9	RESERVATIONS FOR THE PROVISION OF SERVICES TO INDIANS AND
10	INDIAN TRIBES.
11	
12	WHEREAS, of the total acreage of the State of Montana
13	of 93,271,000 acres, approximately 9,566,000 acres are
14	contained within Indian reservations and approximately
15	5,755,800 acres of the reservation lands are trust land,
16	held by the federal government in trust for individual
17	Indians and Indian tribes; and
18	WHEREAS, under federal law, absent the consent of
19	Congress, the states and their political subdivisions may
20	not assess a real property tax on trust land owned by
21	individual Indians or Indian tribes; and
22	WHEREAS, neither the State of Montana nor its political
23	subdivisions may levy real property tax on trust land owned
24	by individual Indians or Indian tribes; and
25	WHEREAS, individual Indians, under federal and state

1	law, are citizens of the State of Montana and are therefore
2	entitled to receive local government services to the same
3	extent as are other Montana citizens; and
4	WHEREAS, local government services are funded, in
5	substantial part, by taxes levied upon real property; and
6	WHEREAS, local governments are spending funds to
7	provide services to persons many of whom, under federal law,
8	are not subject to tax; and
9	WHEREAS, Congress has established, in Public Law
10	97-258, a Payment in Lieu of Taxes (PILT) Program under
11	which the federal government makes annual payments to
12	certain local governments to offset the tax loss caused to
13	those local governments by the presence within their
14	boundaries of federal enclaves not subject to state and
15	local real property taxes; and
16	WHEREAS, PILT payments may be used by local governments
17	for any governmental purpose; and
18	WHEREAS, due to current economic conditions on Indian
19	reservations, many Indians now need more governmental
20	services than can be provided by local governments.
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22	NOW, THEREFORE, BE IT RESOLVED BY THE SENATE AND THE HOUSE
23	OF REPRESENTATIVES OF THE STATE OF MONTANA:



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That the Congress of the United States is most

earnestly requested to enact legislation establishing a

program whereby the federal government appropriates funds to 1 local governments adjacent to Indian reservations to offset 2 the loss of revenue to the local governments caused by the 3 exemption from taxation of trust property owned by 4 individual Indians and Indian tribes; and 5 BE IT FURTHER RESOLVED, that payments made under such 6 program be used by local governments to provide services to 7 individual Indians and Indian tribes; and 8 BE IT FURTHER RESOLVED, that the Secretary of State 9 send copies of this resolution to the presiding officers of 10 the legislature of every state in which Indian reservations 11 12 are located; and

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the Congress of the United States.

send copies of this resolution to the President of the

United States, Governor Ted Schwinden, and each member of

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BE IT FURTHER RESOLVED, that the Secretary of State

Montana Legistative Council

## APPROVED BY COMM. ON LOCAL GOVERNMENT

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WHEREAS, of the total acreage of the State of Montana of 93,271,000 acres, approximately 9,566,000 acres are contained within Indian reservations and approximately 5,755,800 acres of the reservation lands are trust land, held by the federal government in trust for individual Indians and Indian tribes; and

WHEREAS, under federal law, absent the consent of Congress, the states and their political subdivisions may not assess a real property tax on trust land owned by individual Indians or Indian tribes; and

WHEREAS, neither the State of Montana nor its political subdivisions may levy real property tax on trust land owned by individual Indians or Indian tribes; and

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law, are citizens of the State of Montana and are therefore entitled to receive local government services to the same extent as are other Montana citizens; and WHEREAS, local government services are funded, in substantial part, by taxes levied upon real property; and WHEREAS, local governments are spending funds to provide services to persons many of whom, under federal law, are not subject to tax; and WHEREAS, Congress has established, in Public Law 97-258, a Payment in Lieu of Taxes (PILT) Program under which the federal government makes annual payments to certain local governments to offset the tax loss caused to those local governments by the presence within their boundaries of federal enclaves not subject to state and local real property taxes; and WHEREAS, PILT payments may be used by local governments for any governmental purpose; and WHEREAS, due to current economic conditions on Indian reservations, many Indians now need more governmental services than can be provided by local governments.

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

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THIRD READING

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-End-