

HOUSE BILL NO. 54

INTRODUCED BY HANSON,
NISBET, GERVAIS, PINSONEAULT, GAGE, YELLOWTAIL, CODY, RUSSELL
BY REQUEST OF THE COMMITTEE ON INDIAN AFFAIRS

IN THE HOUSE

DECEMBER 30, 1988	INTRODUCED AND REFERRED TO COMMITTEE ON STATE ADMINISTRATION.
JANUARY 2, 1989	FIRST READING.
JANUARY 4, 1989	ON MOTION BY CHIEF SPONSOR, REPRESENTATIVES NISBET, GERVAIS, CODY, AND RUSSELL AND SENATORS PINSONEAULT, GAGE, AND YELLOWTAIL ADDED AS SPONSORS.
JANUARY 7, 1989	COMMITTEE RECOMMEND BILL DO PASS AS AMENDED. REPORT ADOPTED.
JANUARY 9, 1989	PRINTING REPORT.
JANUARY 10, 1989	SECOND READING, DO PASS. ON MOTION, TAKEN FROM ENGROSSING AND REREFERRED TO COMMITTEE ON APPROPRIATION:
MARCH 14, 1989	COMMITTEE RECOMMEND BILL DO PASS. REPORT ADOPTED.
MARCH 17, 1989	SECOND READING, DO PASS.
MARCH 18, 1989	ENGROSSING REPORT.
MARCH 20, 1989	THIRD READING, PASSED. AYES, 88; NOES, 8. TRANSMITTED TO SENATE.

IN THE SENATE

MARCH 21, 1989	INTRODUCED AND REFERRED TO COMMITTEE ON STATE ADMINISTRATION. FIRST READING.
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MARCH 29, 1989

COMMITTEE RECOMMEND BILL BE
CONCURRED IN. REPORT ADOPTED.

MARCH 31, 1989

SECOND READING, CONCURRED IN.

APRIL 3, 1989

THIRD READING, CONCURRED IN.
AYES, 50; NOES, 0.

RETURNED TO HOUSE.

IN THE HOUSE

APRIL 3, 1989

RECEIVED FROM SENATE.

SENT TO ENROLLING.

REPORTED CORRECTLY ENROLLED.

1 HOUSE BILL NO. 54
2 INTRODUCED BY HANSON
3 BY REQUEST OF THE COMMITTEE ON INDIAN AFFAIRS
4
5 A BILL FOR AN ACT ENTITLED: "AN ACT CREATING A LEGISLATIVE
6 COMMITTEE ON INDIAN AFFAIRS; PROVIDING FOR THE COMMITTEE'S
7 TERMINATION IN 1991; APPROPRIATING FUNDS FOR THE COMMITTEE;
8 AND PROVIDING AN IMMEDIATE EFFECTIVE DATE."
9
10 WHEREAS, the 1987 Montana Legislature, through adoption
11 of House Bill No. 20, provided for appointment of a
12 four-member, equally bipartisan Committee on Indian Affairs;
13 and
14 WHEREAS, House Bill No. 20 directed the Committee to
15 perform a variety of tasks, including holding hearings to
16 promote better understanding between the tribes and the
17 public agencies, acting as a liaison between the Indian
18 people and the Legislature, promoting amicable
19 Indian/non-Indian relations, and encouraging participation
20 of Indian people at its meetings; and
21 WHEREAS, the Legislature appropriated \$4,500 to the
22 Committee to fulfill the mandates of its enabling
23 legislation; and
24 WHEREAS, within this limited budget, the Committee held
25 four meetings and addressed such topics as

1 cross-deputization agreements and Indian students in
2 postsecondary education; and
3 WHEREAS, these meetings were well attended by both
4 tribal representatives and state agency personnel; and
5 WHEREAS, these meetings provided a forum for both
6 Indian and non-Indian people to discuss their concerns
7 before a legislative body; and
8 WHEREAS, the Committee succeeded in developing good
9 rapport with many tribal representatives; and
10 WHEREAS, the Indian people in Montana have indicated
11 support for appointment of a legislative committee to
12 continue the work of the 1987-88 Committee on Indian
13 Affairs; and
14 WHEREAS, it is in the interest of all Montanans that
15 Indian/non-Indian communications and relations be enhanced;
16 and
17 WHEREAS, appointment of a legislative committee on
18 Indian affairs would enhance Indian/non-Indian
19 communications, relations, and cooperation.
20
21 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:
22 **Section 1.** Definition. As used in [sections 1 through
23 9], "committee" means the committee on Indian affairs
24 created in [section 2].
25 **Section 2.** Committee on Indian affairs -- appointment



1 and composition. (1) There is a committee on Indian affairs.

2 (2) The committee consists of two members of the
3 senate, appointed by the committee on committees on a
4 bipartisan basis, and two members of the house of
5 representatives, appointed by the speaker of the house on a
6 bipartisan basis.

7 (3) Appointments must be made before final adjournment
8 of a regular session.

9 **Section 3. Term of office.** Appointments to the
10 committee are for 2 years. A member of the committee serves
11 until his term of office as a legislator is ended or his
12 successor is appointed, whichever occurs first.

13 **Section 4. Vacancies.** (1) A vacancy occurring during a
14 legislative session must be filled in the same manner as the
15 original appointment.

16 (2) A vacancy occurring when the legislature is not in
17 session must be filled by the selection of a member from the
18 appropriate house and political party by the remaining
19 members of the committee.

20 (3) An appointment to the committee under this section
21 is for the unexpired term of the original member.

22 **Section 5. Officers.** The committee shall select one of
23 its members as chairman and may elect other officers it
24 considers necessary.

25 **Section 6. Meetings and compensation.** (1) The

1 committee shall meet as often as the chairman considers
2 necessary during and between legislative sessions.

3 (2) Committee members are entitled to receive
4 compensation and expenses as provided in 5-2-302.

5 **Section 7. Staff assistance.** The legislative council
6 shall provide staff assistance to the committee. The
7 legislative council has the same authority of investigation
8 and examination and the same authority to hold hearings on
9 behalf of the committee as it has for other committees under
10 5-11-106 and 5-11-107.

11 **Section 8. Duties of the committee.** The committee
12 shall:

13 (1) seek opinions of and information from Indian
14 tribes, Indian tribal organizations, state agencies, local
15 governments, non-Indians living on or near Indian
16 reservations, and other interested persons and agencies in
17 order to gain insight into Indian/non-Indian relations;

18 (2) hold hearings both on and off reservations to
19 promote better understanding between tribes and public
20 agencies and to improve both the Indian people's knowledge
21 of the structure of state agencies and the legislative
22 process and the non-Indian people's knowledge of tribal
23 government and institutions;

24 (3) encourage and foster participation of Indian
25 people at its meetings;

1 (4) act as a liaison between the Indian people and the
2 legislature;

3 (5) encourage tribal-state and tribal-local government
4 cooperation and otherwise promote amicable Indian/non-Indian
5 relations;

6 (6) cooperate with the commissioner of higher
7 education in a study of Indian students in Montana schools;
8 and

9 (7) report its activities, findings, recommendations,
10 and any proposed legislation to the 52nd legislature.

11 **Section 9. Termination date.** The committee terminates
12 on the date the 52nd legislature convenes in regular session
13 in 1991.

14 **Section 10. Appropriation.** There is appropriated for
15 the biennium ending June 30, 1991, \$6,000 from the general
16 fund to the legislative council for use by the committee on
17 Indian affairs.

18 **Section 11. Effective date.** [This act] is effective on
19 passage and approval.

-End-

APPROVED BY COMMITTEE
ON STATE ADMINISTRATION

HOUSE BILL NO. 54

INTRODUCED BY HANSON,

NISBET, GERVAIS, PINSONEAULT, GAGE, YELLOWTAIL, CODY, RUSSELL

BY REQUEST OF THE COMMITTEE ON INDIAN AFFAIRS

A BILL FOR AN ACT ENTITLED: "AN ACT CREATING A STATUTORY
LEGISLATIVE COMMITTEE ON INDIAN AFFAIRS; ~~PROVIDING FOR THE~~
~~COMMITTEE'S TERMINATION IN 1991~~; APPROPRIATING FUNDS FOR THE
COMMITTEE; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE."

WHEREAS, the 1987 Montana Legislature, through adoption
of House Bill No. 20, provided for appointment of a
four-member, equally bipartisan Committee on Indian Affairs;
and

WHEREAS, House Bill No. 20 directed the Committee to
perform a variety of tasks, including holding hearings to
promote better understanding between the tribes and the
public agencies, acting as a liaison between the Indian
people and the Legislature, promoting amicable
Indian/non-Indian relations, and encouraging participation
of Indian people at its meetings; and

WHEREAS, the Legislature appropriated \$4,500 to the
Committee to fulfill the mandates of its enabling
legislation; and

WHEREAS, within this limited budget, the Committee held

four meetings and addressed such topics as
cross-deputization agreements and Indian students in
postsecondary education; and

WHEREAS, these meetings were well attended by both
tribal representatives and state agency personnel; and

WHEREAS, these meetings provided a forum for both
Indian and non-Indian people to discuss their concerns
before a legislative body; and

WHEREAS, the Committee succeeded in developing good
rapport with many tribal representatives; and

WHEREAS, the Indian people in Montana have indicated
support for appointment of a legislative committee to
continue the work of the 1987-88 Committee on Indian
Affairs; and

WHEREAS, it is in the interest of all Montanans that
Indian/non-Indian communications and relations be enhanced;
and

WHEREAS, appointment of a STATUTORY legislative
committee on Indian affairs would enhance Indian/non-Indian
communications, relations, and cooperation.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

NEW SECTION. Section 1. Definition. As used in
[sections 1 through 9], "committee" means the committee on
Indian affairs created in [section 2].

NEW SECTION. Section 2. Committee on Indian affairs

--appointment and composition. (1) There is a committee on Indian affairs.

(2) The committee consists of two members of the senate, appointed by the committee on committees on a bipartisan basis, and two members of the house of representatives, appointed by the speaker of the house on a bipartisan basis.

(3) Appointments must be made before final adjournment of a regular session.

NEW SECTION. Section 3. Term of office. Appointments

to the committee are for 2 years. A member of the committee serves until his term of office as a legislator is ended or his successor is appointed, whichever occurs first.

NEW SECTION. Section 4. Vacancies. (1) A vacancy

occurring during a legislative session must be filled in the same manner as the original appointment.

(2) A vacancy occurring when the legislature is not in session must be filled by the selection of a member from the appropriate house and political party by the remaining members of the committee.

(3) An appointment to the committee under this section is for the unexpired term of the original member.

NEW SECTION. Section 5. Officers. The committee shall

select one of its members as chairman and may elect other

officers it considers necessary.

NEW SECTION. Section 6. Meetings and compensation.

(1) The committee shall meet as often as the chairman considers necessary during and between legislative sessions.

(2) Committee members are entitled to receive compensation and expenses as provided in 5-2-302.

NEW SECTION. Section 7. Staff assistance. The

legislative council shall provide staff assistance to the committee. The legislative council has the same authority of investigation and examination and the same authority to hold hearings on behalf of the committee as it has for other committees under 5-11-106 and 5-11-107.

NEW SECTION. Section 8. Duties of the committee. The

committee shall:

(1) seek opinions of and information from Indian tribes, Indian tribal organizations, state agencies, local governments, non-Indians living on or near Indian reservations, and other interested persons and agencies in order to gain insight into Indian/non-Indian relations;

(2) hold hearings both on and off reservations to promote better understanding between tribes and public agencies and to improve both the Indian people's knowledge of the structure of state agencies and the legislative process and the non-Indian people's knowledge of tribal government and institutions;

1 (3) encourage and foster participation of Indian
2 people at its meetings;

3 (4) act as a liaison between the Indian people and the
4 legislature;

5 (5) encourage tribal-state and tribal-local government
6 cooperation and otherwise promote amicable Indian/non-Indian
7 relations;

8 (6) cooperate with the commissioner of higher
9 education in a study of Indian students in Montana schools;
10 and

11 (7) report its activities, findings, recommendations,
12 and any proposed legislation to the 52nd legislature.

13 ~~NEW SECTION. Section 9. Termination date. The~~
14 ~~committee terminates on the date the 52nd legislature~~
15 ~~convenes in regular session in 1991.~~

16 NEW SECTION. Section 9. Appropriation. There is
17 appropriated for the biennium ending June 30, 1991, \$6,000
18 from the general fund to the legislative council for use by
19 the committee on Indian affairs.

20 NEW SECTION. Section 10. Effective date. [This act]
21 is effective on passage and approval.

-End-

HOUSE BILL NO. 54

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NISBET, GERVAIS, PINSONEAULT, GAGE, YELLOWTAIL, CODY, RUSSELL

BY REQUEST OF THE COMMITTEE ON INDIAN AFFAIRS

A BILL FOR AN ACT ENTITLED: "AN ACT CREATING A STATUTORY LEGISLATIVE COMMITTEE ON INDIAN AFFAIRS; PROVIDING FOR THE COMMITTEE'S TERMINATION IN 1991; APPROPRIATING FUNDS FOR THE COMMITTEE; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE."

WHEREAS, the 1987 Montana Legislature, through adoption of House Bill No. 20, provided for appointment of a four-member, equally bipartisan Committee on Indian Affairs; and

WHEREAS, House Bill No. 20 directed the Committee to perform a variety of tasks, including holding hearings to promote better understanding between the tribes and the public agencies, acting as a liaison between the Indian people and the Legislature, promoting amicable Indian/non-Indian relations, and encouraging participation of Indian people at its meetings; and

WHEREAS, the Legislature appropriated \$4,500 to the Committee to fulfill the mandates of its enabling legislation; and

WHEREAS, within this limited budget, the Committee held

four meetings and addressed such topics as cross-deputization agreements and Indian students in postsecondary education; and

WHEREAS, these meetings were well attended by both tribal representatives and state agency personnel; and

WHEREAS, these meetings provided a forum for both Indian and non-Indian people to discuss their concerns before a legislative body; and

WHEREAS, the Committee succeeded in developing good rapport with many tribal representatives; and

WHEREAS, the Indian people in Montana have indicated support for appointment of a legislative committee to continue the work of the 1987-88 Committee on Indian Affairs; and

WHEREAS, it is in the interest of all Montanans that Indian/non-Indian communications and relations be enhanced; and

WHEREAS, appointment of a STATUTORY legislative committee on Indian affairs would enhance Indian/non-Indian communications, relations, and cooperation.

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 2 --appointment and composition. (1) There is a committee on
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 5 senate, appointed by the committee on committees on a
 6 bipartisan basis, and two members of the house of
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 10 of a regular session.

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 12 to the committee are for 2 years. A member of the committee
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 25 select one of its members as chairman and may elect other

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11 (7) report its activities, findings, recommendations,
12 and any proposed legislation to the 52nd legislature.

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21 is effective on passage and approval.

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18 from the general fund to the legislative council for use by
19 the committee on Indian affairs.

20 NEW SECTION. Section 10. Effective date. [This act]
21 is effective on passage and approval.

-End-

GOVERNOR'S AMENDMENT
TO HOUSE BILL 54
(REFERENCE COPY)
April 14, 1989

1. Page 5, line 17.
Strike: "\$6,000"
Insert: "\$4,500"

-END-

HB 54
Revised



State of Montana
Office of the Governor
Helena, Montana 59620
406-444-3111

STAN STEPHENS
GOVERNOR

April 13, 1989

The Honorable John Vincent
Speaker of the House
State Capitol
Helena, MT 59620

The Honorable Jack Galt
President of the Senate
State Capitol
Helena, MT 59620

Dear Representative Vincent and Senator Galt:

In accordance with the power vested in me as Governor by the Constitution and laws of the State of Montana, I hereby make the following line-item veto to House Bill 54, "AN ACT CREATING A STATUTORY LEGISLATIVE COMMITTEE ON INDIAN AFFAIRS; APPROPRIATING FUNDS FOR THE COMMITTEE; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE."

I endorse and accept the need to continue the legislative Committee on Indian Affairs as a means to further promote the general interests of the state of Montana and Montana Indian tribes.

I am, however, exercising a line-item veto on the appropriations provisions of this bill. I am reducing the appropriations for the biennium ending June 30, 1991, from \$6,000 from the general fund to \$4,500. This amount is consistent with the legislative appropriation to the committee in 1987.

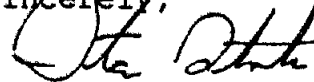
By line item veto, increased government spending is denied but at the same time the Committee on Indian Affairs may continue to meet and promote the interests of the state.

The Honorable John Vincent
The Honorable Jack Galt
April 13, 1989
Page Two

Reference the enrolled copy of House Bill 54, page 4,
Section 9. Appropriations.

I line-item veto the general fund monies appropriated for
the biennium ending June 30, 1991 from \$6,000 and reduce the
amount to \$4,500.

Sincerely,

A handwritten signature in dark ink, appearing to read "Stan Stephens", written in a cursive style.

STAN STEPHENS
Governor