

HOUSE BILL 78

Introduced by Hanson, M., et al.

1/05	Introduced
1/06	Referred to State Administration
1/06	Fiscal Note Requested
1/11	Hearing
1/11	Fiscal Note Received
1/12	Fiscal Note Printed
1/26	Tabled in Committee

HOUSE BILL NO. 78

INTRODUCED BY Rep. Hanson  
BY REQUEST OF THE COMMITTEE ON INDIAN AFFAIRS

A BILL FOR AN ACT ENTITLED: "AN ACT CREATING THE OFFICE OF  
STATE COORDINATOR OF RESERVATION COUNTY AFFAIRS; AND  
PROVIDING AN EFFECTIVE DATE."

WHEREAS, the State of Montana encompasses seven Indian  
reservations within the boundaries of 17 counties; and

WHEREAS, great problems of economic and social  
significance presently exist in reservation counties, and no  
suitable progress has been made to solve these problems  
because reservation counties and those attempting to find  
solutions to the problems have never been able to present a  
coordinated and united effort; and

WHEREAS, within Indian reservations, there are sizeable  
numbers of non-Indians and extensive non-Indian ownership of  
property, both of which are severely affected by agencies of  
the federal and tribal governments; and

WHEREAS, substantial conflict exists with regard to  
jurisdiction in such areas as taxation, law enforcement,  
wildlife management, water rights, education, and health;  
and

WHEREAS, it is hereby declared that it is the

legislative policy of this state that the best interests of  
the reservation counties will be served by the establishment  
of a program designed to develop policy and positions  
representative of Montana's reservation counties.

THEREFORE, it is the intent of the Legislature:

(1) that the Office of State Coordinator of  
Reservation County Affairs be established so that the  
problems of the reservation counties of Montana may be  
approached and reconciled from a state level in cooperation  
with the United States government;

(2) that the Coordinator of Reservation County Affairs  
shall assess the problems of all reservation counties and  
those who seek ways and means of communicating their  
opinions and needs to agencies of responsibility, and that  
the Coordinator shall actively assist them in organizing  
their efforts; and

(3) that the Coordinator shall act as representative  
and spokesman for the reservation counties and organized  
bodies of people concerned with reservation matters whenever  
his assistance is required.

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

NEW SECTION. Section 1. Office of state coordinator  
of reservation county affairs. (1) There is an office of  
state coordinator of reservation county affairs. The office

1 is allocated to the department of commerce for  
2 administrative purposes only, as prescribed in 2-15-121.

3 (2) The governor shall appoint the coordinator from a  
4 list of five qualified applicants agreed upon by the Montana  
5 reservation counties association. The coordinator shall  
6 serve at the pleasure of the governor.

7 NEW SECTION. Section 2. Duties and assistance. (1) It  
8 is the duty of the state coordinator of reservation county  
9 affairs to carry out legislative policy pertaining to  
10 reservation counties.

11 (2) The coordinator shall:

12 (a) acquaint himself with problems confronting the  
13 reservation counties of Montana, advise the legislative and  
14 executive branches of the state of problems, and make  
15 recommendations for solving such problems;

16 (b) serve the Montana delegation in congress as an  
17 adviser and intermediary in the field of reservation county  
18 affairs; and

19 (c) act as a spokesman for representative reservation  
20 organizations and groups, public and private, whenever his  
21 support is solicited.

22 NEW SECTION. Section 3. Extension of authority. Any  
23 existing authority to make rules on the subject of the  
24 provisions of [this act] is extended to the provisions of  
25 [this act].

1 NEW SECTION. Section 4. Codification instruction. (1)

2 [Section 1] is intended to be codified as an integral part  
3 of Title 2, chapter 15, part 18, and the provisions of Title  
4 2, chapter 15, part 18, apply to [section 1].

5 (2) [Section 2] is intended to be codified as an  
6 integral part of Title 90, chapter 11, and the provisions of  
7 Title 90, chapter 11, apply to [section 2].

8 NEW SECTION. Section 5. Effective date. [This act] is  
9 effective July 1, 1989.

-End-

## STATE OF MONTANA - FISCAL NOTE

Form BD-15

In compliance with a written request, there is hereby submitted a Fiscal Note for HB078, as introduced.

DESCRIPTION OF PROPOSED LEGISLATION:

An act creating the office of State Coordinator of Reservation County Affairs; and providing an effective date.

ASSUMPTIONS:

1. This office will represent non-Indians residing on the seven Indian reservations while the Coordinator of Indian Affairs will continue to represent the Indian population.
2. The budget for the Coordinator of Reservation County Affairs will be similar to that requested by the Coordinator of Indian Affairs.
3. Two FTE will be associated with the office.  
Coordinator - Grade 18  
Administrative Assistant - Grade 12

FISCAL IMPACT:

	Current	FY90 Proposed		Current	FY91 Proposed	
<u>Expenditures:</u>	<u>Law</u>	<u>Law</u>	<u>Difference</u>	<u>Law</u>	<u>Law</u>	<u>Difference</u>
Personal Services	\$ -0-	\$ 60,072	\$ 60,072	\$ -0-	\$ 60,072	\$ 60,072
Operating Expenses	-0-	40,378	40,378	-0-	39,975	39,975
Equipment	-0-	7,000	7,000	-0-	-0-	-0-
TOTALS	\$ -0-	\$107,450	\$ 107,450	\$ -0-	\$100,047	\$ 100,047
<u>Funding:</u>						
General Fund	\$ -0-	\$107,450	\$ 107,450	\$ -0-	\$100,047	\$ 100,047



1/11/89

RAY SHACKLEFORD, BUDGET DIRECTOR DATE  
OFFICE OF BUDGET AND PROGRAM PLANNING

MARIAN W. HANSON, PRIMARY SPONSOR DATE

Fiscal Note for HB078, as introduced

**HB 78**