

SENATE BILL NO. 233

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A BILL FOR AN ACT ENTITLED: "AN ACT ENHANCING LEGISLATIVE UNDERSTANDING OF STATE-TRIBAL RELATIONS; REQUIRING THE LEGISLATIVE SERVICES DIVISION TO WORK COLLABORATIVELY TO PROVIDE INFORMATION AND TRAINING OPPORTUNITIES TO LEGISLATORS; AMENDING SECTIONS 2-15-143 AND 5-11-112, MCA; AND PROVIDING AN EFFECTIVE DATE."

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

NEW SECTION. **Section 1. State-tribal relations training.** (1) In collaboration with the state director of Indian affairs and the state-tribal relations committee, the legislative services division shall make readily available to all legislators information and training on Indian law, the history of federal Indian policy, the legal rights of tribal members, and social, economic, and cultural issues of concern to tribes.

- (2) The information and training under subsection (1) must include:
  - (a) regularly updated tribal relations handbooks provided to legislators;
  - (b) information and notifications regarding training offered by the governor's office pursuant to 2-15-143;
  - (c) links to Indian education for all resources provided by the office of public instruction under Title 20, chapter 1, part 5, including any courses required to be taken by certified school personnel under standards adopted by the board of public education; and
  - (d) any other resources determined valuable by the division.

**Section 2.** Section 2-15-143, MCA, is amended to read:

**"2-15-143. Training and consultation.** (1) At least once a year, the governor's office and a trainer



1 selected by the tribal governments shall provide training in Helena or a site mutually agreed upon to state  
 2 agency managers and key employees who have regular communication with tribes on the legal status of tribes,  
 3 the legal rights of tribal members, and social, economic, and cultural issues of concern to tribes. Pursuant to  
 4 [section 1], the state director of Indian affairs shall collaborate with the legislative services division to ensure  
 5 that legislators are aware of and invited to participate in this training.

6 (2) At least annually, the governor shall convene in Helena a working meeting with representatives  
 7 of state agencies and tribal officials, including tribal presiding officers, to discuss:

8 (a) tribal concerns with rules and policies that directly impact tribal government and tribal  
 9 populations;

10 (b) other issues of concern to either the state or the tribes; and

11 (c) potential solutions to the concerns.

12 (3) By August 15 of each year, each state agency shall submit to the governor a report for the prior  
 13 fiscal year describing the activities of the state agency relating to tribal government and tribal populations. The  
 14 report must include:

15 (a) any rule or policy changes that the state agency adopted because of discussions under  
 16 subsection (2)(a);

17 (b) the process that the state agency has established to identify the activities of the state agency  
 18 that affect tribes;

19 (c) the efforts of the state agency to promote communication and the government-to-government  
 20 relationship between the state agency and the tribes; and

21 (d) the efforts of the state agency to ensure tribal consultation and the use of American Indian data  
 22 in the development and implementation of agency programs that directly affect tribes.

23 (4) By ~~September~~ October 15 of each year, the governor shall provide to each tribal government a  
 24 report with an overview of all state and tribal activities for the prior fiscal year, including a description of the  
 25 training required under subsection (1). It is the intent of the legislature that this report be prepared within  
 26 existing levels of funding."

27

28 **Section 3.** Section 5-11-112, MCA, is amended to read:

- 1           **"5-11-112. Functional organization and responsibilities.** (1) The legislative council may establish a  
2 functional organization within the legislative services division in order to effectively and efficiently carry out all of  
3 the responsibilities delegated to the division by law or legislative rule. The responsibilities of the legislative  
4 services division include the following:
- 5           (a)     document services:
    - 6           (i)     bill drafting and preparation for introduction;
    - 7           (ii)    engrossing and enrolling;
    - 8           (iii)  distribution of legislative bills and information;
    - 9           (iv)    coordination of legislative printing; and
    - 10          (v)    publication of legislative records;
  - 11          (b)     research and reference services:
    - 12          (i)     general and specialized legislative research; and
    - 13          (ii)    legislative reference and information;
  - 14          (c)     legal services:
    - 15          (i)     legal review of draft bills;
    - 16          (ii)    legal counseling on legislative matters;
    - 17          (iii)  legal support for consolidated entities; and
    - 18          (iv)    support for the functions of the code commissioner provided in 1-11-201;
  - 19          (d)     committee services:
    - 20          (i)     research, legal, and administrative staff support for consolidated committees as assigned,  
21 including support for interim committees organized under Title 5, chapter 5, part 2; and
    - 22          (ii)    research and legal support for legislative standing and select committees;
  - 23          (e)     broadcasting services, in accordance with Title 5, chapter 11, part 11;
  - 24          (f)     management and business services:
    - 25          (i)     financial records;
    - 26          (ii)    claims and payrolls;
    - 27          (iii)  coordination of procurement of printing, supplies, and equipment; and
    - 28          (iv)    maintenance of property inventories;

- 1 (g) personnel and administrative services:
- 2 (i) rules for classification and pay; and
- 3 (ii) personnel and administrative policies; ~~and~~
- 4 (h) information technology services:
- 5 (i) legislative branch network support services;
- 6 (ii) application support and development;
- 7 (iii) communications support and coordination; and
- 8 (iv) information technology planning; and
- 9 (i) training for legislators, including state-tribal relations training pursuant to [section 1].

10 (2) The responsibilities of the legislative services division must be fulfilled collaboratively with  
 11 consolidated entities whenever the efficient operation of the legislative branch is served."  
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13 **NEW SECTION. Section 4. Notification to tribal governments.** The secretary of state shall send a  
 14 copy of [this act] to each federally recognized tribal government in Montana.  
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16 **NEW SECTION. Section 5. Codification instruction.** [Section 1] is intended to be codified as an  
 17 integral part of Title 5, chapter 11, part 1, and the provisions of Title 5, chapter 11, part 1, apply to [section 1].  
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19 **NEW SECTION. Section 6. Effective date.** [This act] is effective July 1, 2023.  
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