



In 2012, Montana Budget & Policy Center launched a collaborative project to improve access to information on how budget and policy decisions impact Montana's Native Americans. State and federal budgets both play a significant role in relieving poverty and building economic opportunity in Indian Country and have a significant impact on the lives of American Indians living both on and off reservations in Montana. Most recently, the 2013 Legislature considered a number of bills that held direct implications for American Indians in our state.

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Medicaid Expansion

Bill Numbers: HB 458*, HB 590*, HB 623*, SB 393*, SB 395*

Outcome: All Medicaid expansion bills died in committee.

Montana has the opportunity to expand Medicaid eligibility to people living under 138% of the Federal Poverty Level, enabling nearly 20,000 American Indians to receive health care coverage. This includes parents, people with disabilities, the elderly, college students, and childless adults. These changes to the Medicaid program could provide an influx of new federal dollars to Indian Health Service facilities, helping to address funding shortages and improve access to quality health care. Nationally, Montana ranks highest in number of uninsured American Indians (40%) and ranks second lowest in number of American Indians with private insurance (28%). For more information read MBPC's report, "Medicaid Expansion: A Good Deal for Indian Country." <http://www.montanabudget.org/reports/medicaid-expansion-good-deal-indian-country>.

Indian Country Economic Development (ICED) Program

Bill Number: HB 2*

Outcome: Restored ICED Funding

Early in the session, the Joint Appropriations Subcommittee on General Government passed a motion to cut ICED program spending in half, reducing funding to \$400,000 per year. Following moving testimony by members of the Montana American Indian Legislative Caucus, the Governor's Office of Indian Affairs, the State-Tribal Economic Development Commission, and tribal leaders, the decision was reversed. The committee restored ICED funding to \$800,000 per year, amounting to a total of \$1.6 million for the biennium. Unfortunately, this funding was designated as "one-time-only," and an effort to make the funding on-going failed.¹ To learn more about the value of this funding to tribal communities, please read our report, "Montana's Commitment to Economic Development in Indian Country." <http://www.montanabudget.org/sites/default/files/reports/ICED%20Program%20Factsheet%20FINAL.pdf>.

Tribal College Assistance Program

Bill Number: HB 2*

Outcome: Increased funding to tribal colleges for the 2014-1015 fiscal years

The Tribal College Assistance Program provides funding to the seven tribal colleges on Montana's reservations to support a portion of the costs of educating non-Native American students. Between 2010 and 2012, Montana's tribal colleges experienced a 24% increase in non-Indian student enrollment.² The legislature approved a *one-time* increase for 2014-2015 state funding, raising the amount from \$2,481 to \$3,024 per enrolled non-Indian student. This new per-student figure is the maximum amount allowed

under the state law. Tribal colleges, unlike other colleges and universities in Montana, still do not receive state funds for their American Indian students.

Montana Indian Language Preservation Pilot Program

Bill Number: SB 342*

Bill Sponsor: Senator Jonathan Windy Boy

Outcome: Passed

This bill provides each of Montana's tribes with funding to support their efforts to revitalize Indian languages. In particular, this bill assists in the preservation of the languages and curricular goals associated with Indian Education for All statute. MBPC released a report in support of this bill, which focused on the positive impact these funds will have on K-12 American Indian students. "SB 342: Preserving Montana's Tribal Language" can be found at:

<http://www.montanabudget.org/sites/default/files/reports/Factsheet%20for%20SB342-FINAL.pdf>.

Allowing Board of Regents to Waive Tuition and Fees for Certain Students

Bill Number: HB 286*

Bill Sponsor: Representative Clarena Brockie

Outcome: Passed

HB 286 expands eligibility for the Montana University System American Indian tuition waivers for an estimated 232 American Indian students.³ Prior to the passing of this bill, the waiver excluded tribally-enrolled individuals who were less than ¼ degree of blood quantum. This stipulation negatively impacts tribes with membership criteria below ¼ blood quantum levels. The waiver also previously excluded those individuals who were enrolled in tribes that are only recognized by state, namely the Little Shell Tribe. The passage of this bill will have a specific impact on students who are enrolled in the Northern Cheyenne, Fort Belknap, and Little Shell Tribes and help to make higher education more affordable for American Indian students.

Requiring Communication with Affected Tribes Before Implementing or Changing State-Funded Program Policies

Bill Number: HB 568*

Bill Sponsor: Representative Clarena Brockie

Outcome: Died in Committee, 9-10 vote

HB 568 aimed to strengthen tribal and county relationships by increasing consultation when counties plan and implement policies and services that impact neighboring tribal communities. This increased collaboration could help foster mutual respect, cooperation, and reciprocity between county and tribal governments.⁴ The tribes and counties share an interest in areas such as voting, social services, jurisdiction, roads, and schools.⁵

Revise Tax Exemption Laws Regarding Sacred Sites

Bill Number: SB 232*

Bill Sponsor: Senator Shannon Augare

Outcome: Died in Committee

This bill proposed to increase the amount of tribally-owned sacred area and cemetery lands that is exempt from property taxes. More specifically, SB 232 would have removed the statutory 15 acre limit on tax exempt lands and eliminated the condition that a permanent care and improvement fund be established in

connection with a qualifying cemetery. The overall effect would have essentially increased the number of acres that could be exempt from property tax.⁶

Revise Tax Exemption Laws Regarding Tribal Recreational Property

Bill Number: SB 231*

Bill Sponsor: Senator Shannon Augare

Outcome: Passed

This amended bill expands tax exemption for tribally-owned⁷ park lands or recreation areas by increasing the statutory exemption limit from 15 acres to 640 acres.⁸ Prior to the passage of this bill, tribes were the only governmental agency in the state required to pay taxes on governmentally-owned property. This bill increases tax equity for tribes and brings tribal governments closer to having equality with other Montana municipalities. Tribes can now redirect the savings to the services that they provide for their communities.⁹

Requiring Consideration of Guiding Principles That Have Tribal Implications

Bill Number: HB110*

Bill Sponsor: Representative Carolyn Pease-Lopez

Outcome: Passed

This bill changed existing language regarding interactions between state agencies and tribes. Previously, the statute stated agencies “should consider” the implications of policies and administrative rules on tribal communities. This bill changed the language, mandating state agencies to “document” these instances. This change will “ensure that tribal nations are properly consulted in the matter of tribal concerns, thereby improving and preserving state-tribal partnership.”¹⁰

Economic Impact of Tribal Colleges Interim Study

Bill Number: SJ38*

Bill Sponsor: Senator Jonathan Windy Boy

Outcome: Died in Committee

SJ 38 would have approved an interim study of the economic impact of Montana’s tribal colleges on the state economy. This study would have provided legislators with a clearer understanding of the economic benefits that come from tribal colleges, helping to shape and improve future policy decisions. SJ 38 garnered a great deal of support as it passed the Senate. Unfortunately, due to the early close of the legislative session, this bill was not voted on.¹¹

*To read the full text of each bill, visit <http://1.usa.gov/144DFj0> .

¹ Montana Joint Appropriations Subcommittee on General Government meeting, February 22, 2013, http://montanalegislature.granicus.com/MediaPlayer.php?view_id=31&clip_id=2065

² 2015 Biennium Legislative Fiscal Division Report, page E-124, <http://leg.mt.gov/content/Publications/fiscal/FR-2015/Section%20E/5102-11.pdf>.

³ Governor’s Office of Budget and Program Planning, “Fiscal Note 2015 Biennium,” <http://leg.mt.gov/bills/2013/FNPDF/HB0286.pdf>

⁴ Montana House Bill 568: “AN ACT STRENGTHENING A COUNTY’S CONSULTATION WITH TRIBES ON COUNTY POLICIES AND SERVICES THAT DIRECTLY AFFECT TRIBAL POPULATIONS.” <http://leg.mt.gov/bills/2013/billpdf/HB0568.pdf>

⁵ Montana House Committee on State Administration, opening statement by sponsor Representative Clarena Brockie, February 25, 2013, http://montanalegislature.granicus.com/MediaPlayer.php?clip_id=2129&meta_id=27116

⁶ Governor’s Office of Budget and Program Planning, “Fiscal Note 2015 Biennium,” <http://leg.mt.gov/bills/2013/FNPDF/SB0232.pdf>

⁷ For federally-recognized tribes only.

⁸ Governor’s Office of Budget and Program Planning, “Fiscal Note 2015 Biennium,” <http://leg.mt.gov/bills/2013/FNPDF/SB0231.pdf>

⁹ Montana Senate Committee on Taxation, opening statement by sponsor Senator Shannon Augare, February 14, 2013, http://montanalegislature.granicus.com/MediaPlayer.php?clip_id=1853&meta_id=21159

¹⁰ Montana House Committee on State Administration, proponent letter from Joe Durglo, Chairman of the Confederated Salish and Kootenai Tribes, Exhibit sth09a03, February 17, 2013, http://montanalegislature.granicus.com/MediaPlayer.php?view_id=&clip_id=1075&meta_id=9139

¹¹ Montana Senate Committee on Education and Cultural Resources, Hearing on SJ 38, April 17, 2013, http://montanalegislature.granicus.com/MediaPlayer.php?view_id=&clip_id=3062&meta_id=43386