



## 2015 State-Tribal Legislative Impacts

### June 2015

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. Recently, the 2015 Legislature considered a number of bills that held direct implications for American Indians in our state. Below is an overview.

#### **The Health and Economic Livelihood Partnership (HELP) Act**

**Bill Number: House Bill 405**

**Outcome: PASSED**

Expanding Montana's Medicaid program will provide an influx of new federal dollars to Indian Health Service facilities, helping to address funding shortages and improve access to quality health care. This bill will expand health care coverage to adults making less than 138% of the federal poverty level (for an individual with an income of \$16,000 or about \$7.75/hour). For more information on how this will impact American Indians read MBPC's report [Medicaid Expansion: A Good Deal for Indian Country](#).

#### **Indian Country Economic Development (ICED) Program**

**Bill Number: House Bill 2**

**Outcome: PASSED, ONE-TIME-ONLY FUNDING**

The legislature funded Indian Country Economic Development (ICED) program at \$1.6 million for the 2017 biennium. Since the start of the ICED program in 2005, funding must be reapproved by the Legislature every two years, making it difficult for Indian Country to formulate long-term economic development strategies and sustainable projects. Governor Bullock asked state legislators to move the ICED program from this one-time-only funding status into the base budget, which would provide financial stability and allow for long-term planning. Unfortunately, this request was not granted. To learn more about the value of this program, please read our report [Montana's Commitment to Economic Development in Indian Country](#).

#### **Tribal College Reimbursement Program**

**Bill Number: House Bill 196**

**Outcome: PASSED AS AMENDED**

House Bill 196, sponsored by Rep. Webber, D-Browning, aimed to increase the funding for non-tribal students who attend tribal colleges using a formula that would provide an initial 8% per-student increase, followed by an inflationary increase every two years. The legislature amended HB 196 to remove any provisions for future inflationary adjustments to the funding rates and retained the provision that per-student funding will be "limited to a **maximum** annual amount." The increase in funding established by HB 196 was not included in the 2015 state budget and therefore must be revisited in 2017. For additional details read [Montana's Disproportionate Funding of Tribal College Students](#).

## **Promote Montana Indian Languages**

**Bill Number: House Bill 559**

**Outcome: PASSED**

House Bill 559, sponsored by Rep. Kipp, D-Heart Butte, continues \$1.5 million in funding for the Montana Indian Language Preservation (MILP) program providing each of Montana's tribes with support to revitalize their tribal languages. This is a reduction from the \$2 million appropriated during the 2013 legislative session. This program assists in the preservation efforts and curricular goals associated with the Indian Education for All statute and the more recently established, Encourage Indian Language Immersion Schools program (see below). Learn more about these factors from our report [Preservation of Tribal Languages in Montana](#).

## **Encourage Indian language immersion schools**

**Bill Number: Senate Bill 272**

**Outcome: PASSED**

Senate Bill 272, introduced by Sen. Windy Boy, D-Box Elder, encourages language immersion classes in public schools. Funding in the amount of \$45,000 will be provided to the Office of Public Instruction to distribute to a select number of schools that implement a tribal language immersion-style program. Funding eligibility has been designated for schools that have a 10 percent American Indian student population. This program is intended to put to use the material and curriculums created under the MILP program. Tribal language in schools has been shown to be a protective factor for American Indian children.

## **Provide for recognition of Tribally organized business entities**

**Bill Number: Senate Bill 307**

**Outcome: PASSED**

Sponsored by Sen. Stewart-Peregoy, D-Crow Agency, this bill changes current law to recognize tribal businesses as foreign corporations, which means a corporation can be organized under the laws of a federally recognized Indian tribe. Prior to the passing of this bill businesses incorporated under tribal law were forced to seek additional incorporation under Montana state law, which is a time-consuming and expensive requirement. Businesses organized under tribal law in Montana were previously registered under the Bureau of Indian Affairs, which resulted in complicated dealings with banks and other financial institutions, who couldn't find the businesses listed in the Montana Secretary of State's office. The end result of SB 307 is that it will now be easier for tribal businesses to operate outside of reservation boundaries, have easier access to bank loans, and have greater access to economic viability.

## **Revise Universal System Benefits funds for low-income energy and weatherization assistance**

**Bill Number: Senate Bill 150**

**Outcome: PASSED**

Senate Bill 150, sponsored by Sen. Windy Boy, D-Box Elder, increased the percentage of funding that is provided to Low Income Energy Assistance Programs (LIEAP) through a tax collected from utility companies and added tribal LIEAP programs as eligible recipients. This funding has

traditionally been split three-ways between LIEAP programs, conservation efforts, and renewable energy demonstration projects. This increase can now provide 50 percent of this funding to tribal LIEAP programs, which could provide weatherization to approximately 120 more homes.

### **Revise laws related to national park concession contracts**

**Bill Number: House Joint Resolution 17**

**Outcome: FAILED**

Rep. Kipp, D-Heart Butte, sponsored a joint resolution that would have urged the Department of the Interior and the National Park Service to require that concessionaires in national parks provide hiring preferences for local workers. Specifically, this resolution would have supported hiring preferences for workers who reside in counties that border Glacier National Park and Yellowstone National Park. HJ 17 died in the House Natural Resources Committee and then failed to pass a blast motion to the House floor.

### **Native American Gap Financing Revolving Loan Program**

**Bill Number: House Bill 301**

**Outcome: FAILED but FUNDED in HB 2\***

Rep. Peppers, D-Lame Deer, sponsored a bill to provide a one-time appropriation of \$500,000 to establish a revolving loan program intended to promote small business enterprises in Indian Country. Unfortunately, the bill failed to gain enough votes in the House Appropriations Committee, but was later funded in HB 2 for \$500,000. This program seeks to counter the difficulties experienced by reservation small business owners who face considerable challenges securing bank loans due to lack of equity (i.e., land owned is in federal trust). The program will be administered by the Montana Department of Commerce.

### **Expand Montana Schools of Promise Initiative**

**Bill Number: House Bill 314**

**Outcome: FAILED**

Rep. Pease-Lopez, D-Billings, sponsored a bill that would have provided state funds to extend the federally funded Schools of Promise program. If passed, HB 314 would have provided \$1.3 million to implement this program model to fund a school board coach, wraparound service coordinator, and a graduation coach to four additional schools in Indian Country. This program would have been offered to schools in Heart Butte, Poplar, Brocton, and Ashland to increase the academic success and graduation rates of students living in these communities.

### **Native American and Rural Youth Suicide Prevention Pilot Program**

**Bill Number: House Bill 509**

**Outcome: FAILED but FUNDED in HB 2\***

House Bill 509 would have funded four \$75,000 grants to programs that would have provided a culturally-based education, prevention, and intervention program to address the risk of suicide in rural and tribal communities. The bill would have provided one or more of the following services: 24-hour crisis line, suicide protocol responder training, youth crisis case management, and/or a

culturally appropriate evaluation to determine appropriate service referrals. In the end, HB 2 provides \$250,000 in suicide prevention program. The program will be administered by the Department of Health and Human Services.

### **Governor's Indian Country Funding Package**

\*Governor Bullock included funding for a number of the programs listed above in the budget proposal he presented to the legislature. This allowed the programs notated with an asterisk to receive funding in HB 2 even though the corresponding bills failed to gain legislative approval. Note that the funding of these programs was achieved through a shifting of departmental budgets and negotiations with the American Indian legislators.

To read the full text of each bill, visit [mt.leg.gov](http://mt.leg.gov).