

1 HOUSE BILL NO. 545

2 INTRODUCED BY T. RUNNING WOLF, M. NIKOLAKAKOS, T. CROWE, J. SECKINGER, E. BYRNE, C.
3 SCHOMER, J. SOOKTIS, A. GRIFFITH, D. POWERS, M. CUFFE, C. SPRUNGER, D. FERN, M. FOX, G.
4 LAMMERS, R. MINER, J. COHENOUR, D. HAWK, D. HAYMAN, S. MORIGEAU, E. STAFMAN, M. THANE

5
6 A BILL FOR AN ACT ENTITLED: "AN ACT REVISING LAWS RELATED TO MISSING AND MURDERED
7 INDIGENOUS PERSONS; REVISING THE NAME, MEMBERSHIP, AND DUTIES OF THE MISSING
8 INDIGENOUS PERSONS TASK FORCE; AND AMENDING SECTIONS 5-11-222, 44-2-411, AND 44-2-412,
9 MCA."

10
11 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

12
13 **Section 1.** Section 5-11-222, MCA, is amended to read:

14 **"5-11-222. Reports to legislature.** (1) (a) Except as provided in subsections (1)(b) and (5), a report
15 to the legislature means a biennial report required by the legislature and filed in accordance with 5-11-210 on or
16 before September 1 of each year preceding the convening of a regular session of the legislature.

17 (b) If otherwise specified in law, a report may be required more or less frequently than the biennial
18 requirement in subsection (1)(a).

19 (2) Reports to the legislature include:

20 (a) annual reports on the unified investment program for public funds and public retirement
21 systems and state compensation insurance fund assets audits from the board of investments in accordance
22 with Article VIII, section 13, of the Montana constitution;

23 (b) federal mandates requirements from the governor in accordance with 2-1-407;

24 (c) activities of the state records committee in accordance with 2-6-1108;

25 (d) revenue studies from the director of revenue, if requested, in accordance with 2-7-104;

26 (e) legislative audit reports from the legislative audit division in accordance with 2-8-112 and 23-7-
27 410;

28 (f) the annual performance report of each department to the appropriate interim budget committee

- 1 and legislative policy interim committee in accordance with 2-12-105;
- 2 (g) progress on gender and racial balance from the governor in accordance with 2-15-108;
- 3 (h) a mental health report from the ombudsman in accordance with 2-15-210;
- 4 (i) policies related to children and families from the interagency coordinating council for state
5 prevention in accordance with 2-15-225;
- 6 (j) watercourse name changes, if any, from the secretary of state in accordance with 2-15-401;
- 7 (k) results of programs established in 2-15-3111 through 2-15-3113 from the livestock loss board
8 in accordance with 2-15-3113;
- 9 (l) the allocation of space report from the department of administration required in accordance
10 with 2-17-101;
- 11 (m) information technology activities in accordance with 2-17-512;
- 12 (n) state strategic information technology plan exceptions, if granted, from the department of
13 administration in accordance with 2-17-515;
- 14 (o) the state strategic information technology plan and biennial report from the department of
15 administration in accordance with 2-17-521 and 2-17-522;
- 16 (p) reports from standing, interim, and administrative committees, if prepared, in accordance with
17 2-17-825 and 5-5-216;
- 18 (q) statistical and other data related to business transacted by the courts from the court
19 administrator, if requested, in accordance with 3-1-702;
- 20 (r) the judicial standards commission report in accordance with 3-1-1126;
- 21 (s) an annual report on the actual cost of legislation that had a projected fiscal impact from the
22 office of budget and program planning in accordance with 5-4-208;
- 23 (t) a link to annual state agency reports on grants awarded in the previous fiscal year established
24 by the legislative finance committee in accordance with 5-12-208;
- 25 (u) reports prepared by the legislative fiscal analyst, and as determined by the analyst, in
26 accordance with 5-12-302(4);
- 27 (v) a report, if necessary, on administrative policies or rules adopted under 5-11-105 that may
28 impair the independence of the legislative audit division in accordance with 5-13-305;

- 1 (w) if a waste of state resources occurs, a report from the legislative state auditor, in accordance
2 with 5-13-311;
- 3 (x) school funding commission reports each fifth interim in accordance with 5-20-301;
- 4 (y) a report of political committee operations conducted on state-owned property, if required, from
5 a political committee to the legislative services division in accordance with 13-37-404;
- 6 (z) a report concerning taxable value from the department of revenue in accordance with 15-1-
7 205;
- 8 (aa) a report on tax credits from the revenue interim committee in accordance with 15-30-2303;
- 9 (bb) semiannual reports on the Montana heritage preservation and development account from the
10 Montana heritage preservation and development commission in accordance with 15-65-121;
- 11 (cc) general marijuana regulation reports and medical marijuana registry reports from the
12 department of revenue in accordance with 16-12-110;
- 13 (dd) annual reports on general fund and nongeneral fund encumbrances from the department of
14 administration in accordance with 17-1-102;
- 15 (ee) loans or loan extensions authorized for two consecutive fiscal years from the department of
16 administration and office of commissioner of higher education, including negative cash balances from the
17 commissioner of higher education, in accordance with 17-2-107;
- 18 (ff) a report of local government entities that have balances contrary to limitations provided for in
19 17-2-302 or that failed to reduce the charge from the department of administration in accordance with 17-2-304;
- 20 (gg) an annual report from the board of investments in accordance with 17-5-1650(2);
- 21 (hh) a quarterly report from the office of budget and program planning to the legislative finance
22 committee identifying the amount and the type of debt payoff or other expenditure from the debt and liability
23 free account in accordance with 17-6-214;
- 24 (ii) a report on retirement system trust investments and benefits from the board of investments in
25 accordance with 17-6-230;
- 26 (jj) recommendations for reductions in spending and related analysis, if required, from the office of
27 budget and program planning in accordance with 17-7-140;
- 28 (kk) a statewide facility inventory and condition assessment from the department of administration

- 1 in accordance with 17-7-202;
- 2 (ll) actuary reports and investigations for public retirement systems from the public employees'
- 3 retirement board in accordance with 19-2-405;
- 4 (mm) a work report from the public employees' retirement board in accordance with 19-2-407;
- 5 (nn) annual actuarial reports and evaluations from the teachers' retirement board in accordance with
- 6 19-20-201;
- 7 (oo) reports from the state director of K-12 career and vocational and technical education, as
- 8 requested, in accordance with 20-7-308;
- 9 (pp) 5-year state plan for career and technical education reports from the board of regents in
- 10 accordance with 20-7-330;
- 11 (qq) a gifted and talented students report from the office of public instruction in accordance with 20-
- 12 7-904;
- 13 (rr) status changes for at-risk students from the office of public instruction in accordance with 20-9-
- 14 328;
- 15 (ss) status changes for American Indian students from the office of public instruction in accordance
- 16 with 20-9-330;
- 17 (tt) reports regarding the Montana Indian language preservation program from the office of public
- 18 instruction in accordance with 20-9-537;
- 19 (uu) proposals for funding community colleges from the board of regents in accordance with 20-15-
- 20 309;
- 21 (vv) expenditures and activities of the Montana agricultural experiment station and extension
- 22 service, as requested, in accordance with 20-25-236;
- 23 (ww) reports, if requested by the legislature, from the president of each of the units of the higher
- 24 education system in accordance with 20-25-305;
- 25 (xx) reports, if prepared by a public postsecondary institution, regarding free expression activities on
- 26 campus in accordance with 20-25-1506;
- 27 (yy) reports from the Montana historical society trustees in accordance with 22-3-107;
- 28 (zz) state lottery reports in accordance with 23-7-202;

- 1 (aaa) state fund reports, if required, from the commissioner in accordance with 33-1-115;
- 2 (bbb) reports from the department of labor and industry in accordance with 39-6-101;
- 3 (ccc) victim unemployment benefits reports from the department of labor and industry in accordance
- 4 with 39-51-2111;
- 5 (ddd) state fund business reports in accordance with 39-71-2363;
- 6 (eee) risk-based capital reports, if required, from the state fund in accordance with 39-71-2375;
- 7 (fff) child custody reports from the office of the court administrator in accordance with 41-3-1004;
- 8 (ggg) reports of remission of fine or forfeiture, respite, commutation, or pardon granted from the
- 9 governor in accordance with 46-23-316;
- 10 (hhh) annual statewide public defender reports from the office of state public defender in accordance
- 11 with 47-1-125;
- 12 (iii) a trauma care system report from the department of public health and human services in
- 13 accordance with 50-6-402;
- 14 (jjj) an annual report on chemical abortion data from the department of public health and human
- 15 services in accordance with 50-20-709;
- 16 (kkk) Montana criminal justice oversight council reports in accordance with 53-1-216;
- 17 (lll) medicaid block grant reports from the department of public health and human services in
- 18 accordance with 53-1-611;
- 19 (mmm) reports on the approval and implementation status of medicaid section 1115 waivers in
- 20 accordance with 53-2-215;
- 21 (nnn) provider rate, medicaid waiver, or medicaid state plan change reports from the department of
- 22 public health and human services in accordance with 53-6-101;
- 23 (ooo) medicaid funding reports from the department of public health and human services in
- 24 accordance with 53-6-110;
- 25 (ppp) proposals regarding managed care for medicaid recipients, if required, from the department of
- 26 public health and human services in accordance with 53-6-116;
- 27 (qqq) reports on toxicology and prescription drug registry information from the suicide prevention
- 28 officer in accordance with 53-21-1101;

- 1 (rrr) suicide reduction plans from the department of public health and human services in
2 accordance with 53-21-1102;
- 3 (sss) annual compliance reports from certifying organizations to the criminal justice oversight council
4 in accordance with 53-24-311;
- 5 (ttt) a compliance and inspection report from the department of corrections in accordance with 53-
6 30-604;
- 7 (uuu) emergency medical services grants from the department of transportation in accordance with
8 61-2-109;
- 9 (vvv) annual financial reports on the environmental contingency account from the department of
10 environmental quality in accordance with 75-1-1101;
- 11 (www) a report from the land board, if prepared, in accordance with 76-12-109;
- 12 (xxx) an annual state trust land report from the land board in accordance with 77-1-223;
- 13 (yyy) a noxious plant report, if prepared, from the department of agriculture in accordance with 80-7-
14 713;
- 15 (zzz) state water plans from the department of natural resources and conservation in accordance
16 with 85-1-203;
- 17 (aaaa) reports on the allocation of renewable resources grants and loans for emergencies, if required,
18 from the department of natural resources and conservation in accordance with 85-1-605;
- 19 (bbbb) water storage projects from the governor's office in accordance with 85-1-704;
- 20 (cccc) upper Clark Fork River basin steering committee reports, if prepared, in accordance with 85-2-
21 338;
- 22 (dddd) upland game bird enhancement program reports in accordance with 87-1-250;
- 23 (eeee) private land/public wildlife advisory committee reports in accordance with 87-1-269;
- 24 (ffff) a future fisheries improvement program report from the department of fish, wildlife, and parks in
25 accordance with 87-1-272;
- 26 (gggg) license revenue recommendations from the department of fish, wildlife, and parks in
27 accordance with 87-1-629;
- 28 (hhhh) reports from the department of fish, wildlife, and parks on conservation licenses sold and

- 1 revenue received in accordance with 87-2-201;
- 2 (iii) hydrocarbon and geology investigation reports from the bureau of mines and geology in
3 accordance with 90-2-201;
- 4 (jjjj) coal ash markets investigation reports from the department of commerce in accordance with
5 90-2-202;
- 6 (kkkk) an annual report from the pacific northwest electric power and conservation planning council in
7 accordance with 90-4-403;
- 8 (llll) community property-assessed capital enhancements program reports from the Montana facility
9 finance authority in accordance with 90-4-1303;
- 10 (mmmm) veterans' home loan mortgage loan reports from the board of housing in accordance
11 with 90-6-604;
- 12 (nnnn) matching infrastructure planning grant awards by the department of commerce in accordance
13 with 90-6-703(3); and
- 14 (oooo) Montana coal endowment program reports from the department of commerce in accordance
15 with 90-6-710.
- 16 (3) Reports to the legislature include reports made to an interim committee as follows:
- 17 (a) reports to the law and justice interim committee, including:
- 18 (i) a report on fentanyl-related mandatory minimums from the attorney general in accordance with
19 2-15-505;
- 20 (ii) findings of the domestic violence fatality review commission in accordance with 2-15-2017;
- 21 (iii) the report from the missing indigenous persons review commission in accordance with 2-15-
22 2018;
- 23 (iv) reports from the department of justice and public safety officer standards and training council in
24 accordance with 2-15-2029;
- 25 (v) reports on district court judge caseload and substitutions from the office of court administrator
26 in accordance with 3-1-713;
- 27 (vi) information on the Montana False Claims Act from the department of justice in accordance with
28 17-8-416;

- 1 (vii) annual case status reports from the attorney general in accordance with 41-3-210;
- 2 (viii) an annual report from the department of public health and human services on the number of
3 referrals to county attorneys pursuant to 41-3-202(1)(b)(i) in accordance with 41-3-211;
- 4 (ix) office of court administrator reports in accordance with 41-5-2003;
- 5 (x) reports on pending investigations from the public safety officer standards and training council in
6 accordance with 44-4-408;
- 7 (xi) statewide public safety communications system activities from the department of justice in
8 accordance with 44-4-1606;
- 9 (xii) the annual report on the activities of the sexual assault response network program and the
10 sexual assault response team committee from the department of justice in accordance with 44-4-1705;
- 11 (xiii) reports on the status of the crisis intervention team training program from the board of crime
12 control in accordance with 44-7-110;
- 13 (xiv) restorative justice grant program status and performance from the board of crime control in
14 accordance with 44-7-302;
- 15 (xv) law enforcement agency facial recognition technology use reports from the department of
16 justice in accordance with 44-15-111(3);
- 17 (xvi) reports on third-party vendors providing facial recognition services to state agencies reports in
18 accordance with 44-15-111(4)(b);
- 19 (xvii) reports on offenders under supervision with new offenses or violations from the department of
20 corrections in accordance with 46-23-1016;
- 21 (xviii) supervision responses grid reports from the department of corrections in accordance with 46-
22 23-1028;
- 23 (xix) statewide public defender reports and information from the office of state public defender in
24 accordance with 47-1-125;
- 25 (xx) every 5 years, a percentage change in public defender funding report from the legislative fiscal
26 analyst in accordance with 47-1-125;
- 27 (xxi) every 5 years, statewide public defender reports on the percentage change in funding from the
28 office of state public defender in accordance with 47-1-125; and

- 1 (xxii) a report from the quality assurance unit from the department of corrections in accordance with
2 53-1-211;
- 3 (b) reports to the state administration and veterans' affairs interim committee, including:
- 4 (i) a report that includes information technology activities and additional information from the
5 information technology board in accordance with 2-17-512 and 2-17-513;
- 6 (ii) a report from the capitol complex advisory council in accordance with 2-17-804;
- 7 (iii) a report on the employee incentive award program from the department of administration in
8 accordance with 2-18-1103;
- 9 (iv) a board of veterans' affairs report in accordance with 10-2-102;
- 10 (v) a report on the decennial veterans' long-term care needs study from the department of public
11 health and human services and the Montana veterans' affairs division in accordance with 10-2-903;
- 12 (vi) a report on grants to the Montana civil air patrol from the department of military affairs in
13 accordance with 10-3-802;
- 14 (vii) annual reports on statewide election security from the secretary of state in accordance with 13-
15 1-205;
- 16 (viii) reports on money received in the special account for implementing the Help America Vote Act
17 from the secretary of state in accordance with 13-1-209;
- 18 (ix) a report regarding the youth voting program, if requested, from the secretary of state in
19 accordance with 13-22-108;
- 20 (x) a report from the commissioner of political practices in accordance with 13-37-120;
- 21 (xi) a report on retirement system trust investments from the board of investments in accordance
22 with 17-6-230;
- 23 (xii) actuarial valuations and other reports from the public employees' retirement board in
24 accordance with 19-2-405 and 19-3-117;
- 25 (xiii) actuarial valuations and other reports from the teachers' retirement board in accordance with
26 19-20-201 and 19-20-216;
- 27 (xiv) a report on the reemployment of retired members of the teachers' retirement system from the
28 teachers' retirement board in accordance with 19-20-732; and

- 1 (xv) changes, if any, affecting filing-office rules under the Uniform Commercial Code from the
2 secretary of state in accordance with 30-9A-527;
- 3 (c) reports to the children, families, health, and human services interim committee, including:
- 4 (i) a report from the department of public health and human services on the programs, grants, and
5 services funded under the healing and ending addiction through recovery and treatment account in 16-12-122;
- 6 (ii) Montana foster youth higher education assistance program grant reports from the
7 commissioner of higher education in accordance with 20-26-633;
- 8 (iii) prescription drug registry reports from the board of pharmacy in accordance with 37-7-1514;
- 9 (iv) Montana HELP Act workforce development reports from the department of public health and
10 human services in accordance with 39-12-103;
- 11 (v) reports from the department of public health and human services on the department's efforts
12 regarding the volunteer program to support child protective services activities in accordance with 41-3-132;
- 13 (vi) annual reports from the child and family ombudsman in accordance with 41-3-1211;
- 14 (vii) reports on activities and recommendations on child protective services activities, if required,
15 from the child and family ombudsman in accordance with 41-3-1215;
- 16 (viii) reports on the out-of-state placement of high-risk children with multiagency service needs from
17 the department of public health and human services in accordance with 52-2-311;
- 18 (ix) private alternative adolescent residential and outdoor programs reports from the department of
19 public health and human services in accordance with 52-2-803;
- 20 (x) provider rate, medicaid waiver, or medicaid state plan change reports from the department of
21 public health and human services in accordance with 53-6-101;
- 22 (xi) a report from the department of public health and human services on home and community-
23 based services provider information in 53-6-406;
- 24 (xii) a report concerning mental health managed care services, if managed care is in place, from the
25 advisory council in accordance with 53-6-710;
- 26 (xiii) quarterly medicaid reports related to expansion from the department of public health and
27 human services in accordance with 53-6-1325;
- 28 (xiv) annual Montana developmental center reports from the department of public health and human

- 1 services in accordance with 53-20-225; and
- 2 (xv) annual children's mental health outcomes from the department of public health and human
- 3 services in accordance with 53-21-508;
- 4 (xvi) suicide reduction plans from the department of public health and human services in
- 5 accordance with 53-21-1102;
- 6 (d) reports to the economic affairs interim committee, including:
- 7 (i) the annual state compensation insurance fund budget from the board of directors in
- 8 accordance with 5-5-223 and 39-71-2363;
- 9 (ii) medical marijuana registry reports from the department of revenue in accordance with 16-12-
- 10 110;
- 11 (iii) general marijuana regulation reports from the department of revenue in accordance with 16-12-
- 12 110(3);
- 13 (iv) annual reports on complaints against physicians certifying medical marijuana use from the
- 14 board of medical examiners in accordance with 16-12-110(6);
- 15 (v) an annual report on the administrative rate required from the department of commerce from the
- 16 Montana heritage preservation and development commission in accordance with 22-3-1002;
- 17 (vi) biennial reports from the department of labor and industry on weighing device license fees and
- 18 cost increases in accordance with 30-12-203;
- 19 (vii) state fund reports from the insurance commissioner, if required, in accordance with 33-1-115;
- 20 (viii) risk-based capital reports, if required, from the state fund in accordance with 33-1-115 and 39-
- 21 71-2375;
- 22 (ix) annual reinsurance reports from the Montana reinsurance association board required in
- 23 accordance with 33-22-1308;
- 24 (x) reports from the department of labor and industry concerning board attendance in accordance
- 25 with 37-1-107;
- 26 (xi) annual reports on physician complaints related to medical marijuana from the board of medical
- 27 examiners in accordance with 37-3-203;
- 28 (xii) prescription drug registry reports from the board of pharmacy in accordance with 37-7-1514;

- 1 (xiii) status reports on the special revenue account and fees charged as a funding source from the
2 board of funeral service in accordance with 37-19-204;
- 3 (xiv) unemployment insurance program integrity act reports from the department of labor and
4 industry in accordance with 39-51-706;
- 5 (xv) law enforcement agency facial recognition technology use reports from the department of
6 justice in accordance with 44-15-111(3);
- 7 (xvi) reports on third-party vendors providing facial recognition services to state agencies reports in
8 accordance with 44-15-111(4)(b);
- 9 (xvii) status reports on the distressed wood products industry revolving loan program from the
10 department of commerce in accordance with 90-1-503;
- 11 (e) reports to the education interim committee, including:
- 12 (i) reemployment of retired teachers, specialists, and administrators reports from the retirement
13 board in accordance with 19-20-732;
- 14 (ii) a report on participation in the interstate compact on educational opportunity for military
15 children in accordance with 20-1-231;
- 16 (iii) grow your own grant program reports from the commissioner of higher education in accordance
17 with 20-4-601;
- 18 (iv) reports on out-of-district attendance from the superintendent of public instruction in accordance
19 with 20-5-324;
- 20 (v) reports from the education and workforce data governing board in accordance with 20-7-138;
- 21 (vi) state-level strengthening career and technical student organizations program reports from the
22 superintendent of public instruction in accordance with 20-7-320;
- 23 (vii) a report from the superintendent of public instruction concerning educational programs for
24 eligible children receiving in-state inpatient treatment of serious emotional disturbances in accordance with 20-
25 7-435;
- 26 (viii) reports from the Montana digital academy governing board in accordance with 20-7-1201;
- 27 (ix) advanced opportunity program reports from the board of public education in accordance with
28 20-7-1506;

- 1 (x) progress on transformational learning plans from the board of public education in accordance
2 with 20-7-1602;
- 3 (xi) reports on early literacy targeted interventions from the superintendent of public instruction in
4 accordance with 20-7-1804;
- 5 (xii) budget amendments, if needed, from school districts in accordance with 20-9-161;
- 6 (xiii) reports regarding the Montana Indian language preservation program from the office of public
7 instruction in accordance with 20-9-537;
- 8 (xiv) annual Montana resident student financial aid program reports from the commissioner of higher
9 education in accordance with 20-26-105;
- 10 (xv) Montana foster youth higher education assistance program grant reports from the
11 commissioner of higher education in accordance with 20-26-633;
- 12 (xvi) a historic preservation office report from the historic preservation officer in accordance with 22-
13 3-423; and
- 14 (xvii) interdisciplinary child information agreement reports from the office of public instruction in
15 accordance with 52-2-211;
- 16 (f) reports to the energy and telecommunications interim committee, including:
- 17 (i) the high-performance building report from the department of administration in accordance with
18 17-7-214;
- 19 (ii) an annual report from the consumer counsel in accordance with 69-1-222;
- 20 (iii) annual universal system benefits reports from utilities, electric cooperatives, and the
21 department of revenue in accordance with 69-8-402;
- 22 (iv) small-scale hydroelectric power generation reports from the department of natural resources
23 and conservation in accordance with 85-1-501; and
- 24 (v) geothermal reports from the Montana bureau of mines and geology in accordance with 90-3-
25 1301;
- 26 (g) reports to the revenue interim committee, including:
- 27 (i) use of the qualified endowment tax credit report from the department of revenue in accordance
28 with 15-1-230;

- 1 (ii) tax rates for the upcoming reappraisal cycle from the department of revenue in accordance with
- 2 15-7-111;
- 3 (iii) information about job growth incentive tax credits from the department of revenue in
- 4 accordance with 15-30-2361;
- 5 (iv) student scholarship contributions from the department of revenue in accordance with 15-30-
- 6 3112;
- 7 (v) media production tax credit economic impact reports from the department of commerce in
- 8 accordance with 15-31-1011; and
- 9 (vi) reports that actual or projected receipts will result in less revenue than estimated from the office
- 10 of budget and program planning, if necessary, in accordance with 17-7-140;
- 11 (h) reports to the transportation interim committee, including:
- 12 (i) biodiesel tax refunds from the department of transportation in accordance with 15-70-433;
- 13 (ii) cooperative agreement negotiations from the department of transportation in accordance with
- 14 15-70-450; and
- 15 (iii) a special fuels inspection report from the department of transportation in accordance with 61-
- 16 10-154;
- 17 (i) reports to the environmental quality council, including:
- 18 (i) compliance and enforcement reports required in accordance with 75-1-314;
- 19 (ii) the state solid waste management and resource recovery plan, every 5 years, from the
- 20 department of environmental quality in accordance with 75-10-111;
- 21 (iii) annual orphan share reports from the department of environmental quality in accordance with
- 22 75-10-743;
- 23 (iv) Libby asbestos superfund oversight committee reports in accordance with 75-10-1601;
- 24 (v) annual subdivision sanitation reports from the department of environmental quality in
- 25 accordance with 76-4-116;
- 26 (vi) quarterly reports from the department of environmental quality on the number and percentage
- 27 of overdue files in accordance with 76-4-116;
- 28 (vii) state trust land accessibility reports from the department of natural resources and conservation

- 1 in accordance with 77-1-820;
- 2 (viii) biennial land banking reports and annual state land cabin and home site sales reports from the
3 department of natural resources and conservation in accordance with 77-2-366;
- 4 (ix) biennially invasive species reports from the departments of fish, wildlife, and parks and natural
5 resources and conservation in accordance with 80-7-1006;
- 6 (x) annual invasive species council reports in accordance with 80-7-1203;
- 7 (xi) sand and gravel reports, if an investigation is completed, in accordance with 82-2-701;
- 8 (xii) reports from the western Montana conservation commission in accordance with 85-1-904;
- 9 (xiii) annual sage grouse population reports from the department of fish, wildlife, and parks in
10 accordance with 87-1-201;
- 11 (xiv) annual gray wolf management reports from the department of fish, wildlife, and parks in
12 accordance with 87-1-901;
- 13 (xv) biennial Tendoy Mountain sheep herd reports from the department of fish, wildlife, and parks in
14 accordance with 87-2-702;
- 15 (xvi) wildlife habitat improvement project reports from the department of fish, wildlife, and parks in
16 accordance with 87-5-807; and
- 17 (xvii) annual sage grouse oversight team activities and staffing reports in accordance with 87-5-918;
- 18 (j) reports to the water policy interim committee, including:
- 19 (i) drought and water supply advisory committee reports in accordance with 2-15-3308;
- 20 (ii) total maximum daily load reports from the department of environmental quality in accordance
21 with 75-5-703;
- 22 (iii) state water plans from the department of natural resources and conservation in accordance
23 with 85-1-203;
- 24 (iv) small-scale hydroelectric power generation reports from the department of natural resources
25 and conservation in accordance with 85-1-501;
- 26 (v) renewable resource grant and loan program reports from the department of natural resources
27 and conservation in accordance with 85-1-621;
- 28 (vi) reports from the western Montana conservation commission in accordance with 85-1-904;

- 1 (vii) quarterly adjudication reports from the department of natural resources and conservation and
2 the water court in accordance with 85-2-281;
- 3 (viii) water reservation reports from the department of natural resources and conservation in
4 accordance with 85-2-316;
- 5 (ix) instream flow reports from the department of fish, wildlife, and parks in accordance with 85-2-
6 436; and
- 7 (x) ground water investigation program reports from the bureau of mines and geology in
8 accordance with 85-2-525;
- 9 (k) reports to the local government interim committee, including:
- 10 (i) reports from the local government center on petitions received that resulted in the development
11 and delivery of training in accordance with 7-1-206;
- 12 (ii) sand and gravel, if an investigation is completed, in accordance with 82-2-701;
- 13 (iii) assistance to local governments on federal land management proposals from the department
14 of commerce in accordance with 90-1-182; and
- 15 (iv) emergency financial assistance to local government reports from the department of commerce,
16 if requests are made, in accordance with 90-6-703(2);
- 17 (l) reports to the state-tribal relations committee, including:
- 18 (i) reports from the missing indigenous persons review commission in accordance with 2-15-2018;
- 19 (ii) the Montana Indian language preservation program report from the office of public instruction in
20 accordance with 20-9-537;
- 21 (iii) reports from the missing and murdered indigenous persons ~~task force~~ advisory council in
22 accordance with 44-2-411;
- 23 (iv) a report from the department of justice on missing persons response team training grants
24 awarded in accordance with 44-2-416;
- 25 (v) state-tribal economic development commission activities reports from the state-tribal economic
26 development commission in accordance with 90-1-132; and
- 27 (vi) state-tribal economic development commission reports provided regularly by the state director
28 of Indian affairs in accordance with 90-11-102.

- 1 (4) Reports to the legislature include multistate compact and agreement reports, including:
2 (a) multistate tax compact reports in accordance with 15-1-601;
3 (b) interstate compact on educational opportunity for military children reports in accordance with
4 20-1-230 and 20-1-231;
5 (c) compact for education reports in accordance with 20-2-501;
6 (d) Western regional higher education compact reports in accordance with 20-25-801;
7 (e) interstate insurance product regulation compact reports in accordance with 33-39-101;
8 (f) interstate medical licensure compact reports in accordance with 37-3-356;
9 (g) interstate compact on juveniles reports in accordance with 41-6-101;
10 (h) interstate compact for adult offender supervision reports in accordance with 46-23-1115;
11 (i) vehicle equipment safety compact reports in accordance with 61-2-201;
12 (j) multistate highway transportation agreement reports in accordance with 61-10-1101; and
13 (k) western interstate nuclear compact reports in accordance with 90-5-201.
14 (5) Reports, transfers, statements, assessments, recommendations and changes required under
15 17-7-138, 17-7-139, 17-7-140, 19-2-405, 19-2-407, 19-3-117, 19-20-201, 19-20-216, 23-7-202, 33-1-115, and
16 39-71-2375 must be provided as soon as the report is published and publicly available. Reports required in
17 subsections (2)(a), (2)(gg), (2)(ii), and (3)(b)(xi) must be provided following issuance of reports issued under
18 Title 5, chapter 13."

19

20 **Section 2.** Section 44-2-411, MCA, is amended to read:

21 **"44-2-411. (Temporary) Missing and murdered indigenous persons ~~task force~~ advisory council**

22 **-- membership -- duties -- reporting.** (1) There is a missing and murdered indigenous persons ~~task force~~
23 advisory council. The ~~task force~~ advisory council is allocated to the department of justice for staffing services
24 and administrative purposes only.

25 (2) ~~Task force~~ Advisory council members, including the presiding officer, must be appointed by the
26 attorney general or a designee of the attorney general. The ~~task force~~ advisory council membership must
27 include but is not limited to:

28 (a) an employee of the department of justice who has expertise in the subject of missing persons;

1 (b) a representative from each federally recognized Indian tribe in Montana;

2 (c) ~~a member from the Montana highway patrol~~ homicide investigator;

3 (d) a representative from the attorney general's office; and

4 (e) a representative from the office of public instruction.

5 (3) While respecting the government-to-government relationship between the state and each tribe,
6 the primary duties of the ~~task force~~ advisory council are to:

7 (a) identify jurisdictional barriers between federal, state, local, and tribal law enforcement and
8 community agencies;

9 (b) work to identify causes that contribute to missing and murdered indigenous persons and make
10 recommendations to federally recognized tribes in the state and applicable federal agencies to reduce cases of
11 missing and murdered indigenous persons;

12 (c) work to identify strategies to improve interagency communication, cooperation, and
13 collaboration to remove jurisdictional barriers and increase reporting and investigation of missing and murdered
14 indigenous persons; and

15 (d) administer the looping in native communities network grant program provided for in 44-2-412.

16 (4) A vacancy on the ~~task force~~ advisory council must be filled in the manner of the original
17 appointment.

18 (5) By July 1 prior to each regular legislative session, the ~~task force~~ advisory council shall, in
19 accordance with 5-11-210, prepare a written report of findings and recommendations for submission to the
20 state-tribal relations committee provided for in 5-5-229. The report must include the following information:

21 (a) the number of unique individuals reported to the missing and murdered indigenous persons
22 database;

23 (b) the number of unique individuals recovered as a result of the missing and murdered indigenous
24 persons database;

25 (c) the number of unique individuals recovered as a result of the looping in native communities
26 network grant program;

27 (d) the number of unique individuals searched for and recovered as a result of missing persons
28 response teams;

1 (e) the number of missing persons entries into the missing and murdered indigenous persons
2 database by year;

3 (f) an analysis by year of the characteristics of missing indigenous persons, including but not
4 limited to age, gender, child protective services involvement status, foster case status, duration of time missing,
5 and estimated related cause;

6 (g) the number of actively missing indigenous persons by year;

7 (h) a description and the results of any noncompetitive grant awardee activities;

8 (i) a description of the activities and progress related to improving interagency communication,
9 cooperation, and collaboration and removing interjurisdictional barriers; and

10 (j) any other information the ~~task force~~ advisory council members find relevant to the ~~task force's~~
11 advisory council's mission.

12 (6) In addition to the recommendations to federally recognized tribes in the state required under
13 subsection (3)(b), the ~~task force~~ advisory council may make recommendations to federal, state, and local
14 agencies in carrying out the ~~task force's~~ advisory council's duties. (Terminates June 30, 2033--sec. 2, Ch. 624,
15 L. 2023, sec. 3, Ch. 624, L. 2023, sec. 4, Ch. 624, L. 2023.)"

16

17 **Section 3.** Section 44-2-412, MCA, is amended to read:

18 **"44-2-412. (Temporary) Looping in native communities network grant program.** (1) There is a
19 looping in native communities network grant program. The program is established to create a network in
20 support of efforts by Montana tribes to identify, report, and find Native American persons who are missing. The
21 grant program is administered by the missing and murdered indigenous persons ~~task force~~ advisory council
22 established in 44-2-411.

23 (2) The grant program includes a competitive grant to be awarded to a tribal entity to create and
24 administer a central administration point for the looping in native communities network. The missing and
25 murdered indigenous persons ~~task force~~ advisory council shall develop the application and the criteria to award
26 the grant to a tribal entity. The criteria must include:

27 (a) policies and standards for technology and equipment, including data storage and security of
28 information entered into the network;

- 1 (b) standards for data verification;
- 2 (c) job qualifications and requirements for a data specialist to administer the network;
- 3 (d) development of a system to provide automatic initial alerts to law enforcement agencies and
- 4 tribal and community organizations when a missing indigenous person report is made, including determining
- 5 which law enforcement agencies will receive the automatic initial alert;
- 6 (e) development of a standard reporting form that includes space to provide the information
- 7 specified in subsection (4) to be used by the data specialist; and
- 8 (f) administrative rights for a designee at each participating tribal agency.
- 9 (3) The grant program may include additional smaller, noncompetitive grants to be awarded to a
- 10 qualifying tribal agency at each reservation that submits a complete application. The purpose of the grants
- 11 awarded under this subsection is to provide matching funds for some or all of the costs required for the tribal
- 12 agency to set up and maintain access to the looping in native communities network.
- 13 (4) The standard reporting form required under subsection (2)(e) must allow a data specialist to
- 14 enter information about the missing indigenous person, including but not limited to the missing person's:
- 15 (a) name and any aliases or nicknames;
- 16 (b) gender, age, height, weight, and other physical descriptive characteristics;
- 17 (c) last known location and related information, including the date of last contact with the missing
- 18 indigenous person and the person with whom the missing indigenous person last made contact; and
- 19 (d) photographs, including photographs obtained from an online or social media profile.
- 20 (Terminates June 30, 2033--sec. 2, Ch. 624, L. 2023, sec. 3, Ch. 624, L. 2023.)"

21

22 **NEW SECTION. Section 4. Notification to tribal governments.** The secretary of state shall send a

23 copy of [this act] to each federally recognized tribal government in Montana.

24

25 **COORDINATION SECTION. SECTION 5. COORDINATION INSTRUCTION. IF BOTH HOUSE BILL NO. 83 AND**

26 **[THIS ACT] ARE PASSED AND APPROVED, THEN [SECTION 1 OF HOUSE BILL NO. 83] MUST READ AS FOLLOWS:**

27 **"NEW SECTION. Section 1. Missing and murdered indigenous persons advisory council**

28 **account -- audit.** (1) There is a missing and murdered indigenous persons advisory council account in the

1 state special revenue fund established in 17-2-102. The account is administered by the department of justice.

2 (2) Money transferred from any lawful source, including but not limited to gifts, grants, donations,
3 securities, and other assets, public or private, may be deposited in the account.

4 (3) Money deposited in the account must be used pursuant to 44-2-411 and is subject to audits as
5 required by Title 5, chapter 13, part 3.

6 (4) Funds deposited in the account each year must be used by the department only for allowable
7 costs as determined by the department and approved by the missing and murdered indigenous persons
8 advisory council.

9 (5) Interest and income earned on the account and any unspent or unencumbered money in the
10 account at the end of a fiscal year must remain in the account."
11

12 COORDINATION SECTION. SECTION 6. COORDINATION INSTRUCTION. IF BOTH HOUSE BILL NO. 83 AND
13 [THIS ACT] ARE PASSED AND APPROVED, THEN [SECTION 2 OF HOUSE BILL NO. 83] MUST READ AS FOLLOWS:

14 "NEW SECTION. Section 2. Appropriation. There is appropriated \$1 from the missing and
15 murdered indigenous persons advisory council account established in [section 1] to the department of justice
16 for the biennium beginning July 1, 2025, for the purposes described in 44-2-411."
17

- END -