

**State Tribal Economic Development Commission: Montana Indian Language Preservation Pilot
Program Administrative Rules Drafting
MEETING MINUTES
May 17, 2013**

MEMBERS PRESENT BY PHONE or WEBINAR: Shawn Real Bird- Chairman (Crow Tribe), Richard Sangrey- Vice Chairman (Chippewa Cree Tribe), Cheryl Reevis (Blackfeet Tribe); Gerald Gray (Little Shell), Rodney Miller (Fort Peck Tribes), Mike Fox (Fort Belknap), John Rogers (Governor's Office of Economic Development)

MEMBERS PRESENT (IN PERSON): Leonard Gray (Confederated Salish & Kootenai Tribes), Jason Smith (Director of Indian Affairs), Andy Poole (Montana Department of Commerce)

PUBLIC PRESENT BY PHONE OR WEBINAR: Representative Lea Whitford (HD16), Joe Durglo (Chairman, Confederated Salish & Kootenai Tribes), Ed Buster Moore (Fort Belknap Community Council), Shawn IronMaker (Fort Belknap Indian Community), Patty Quisno, (Fort Belknap Community Council), Loren "Bum" Stiffarm (Fort Belknap Indian Community), Leona Kienenberger (Little Shell Tribe), Marlene Walking Bear (Crow Education Dept.), Mike LaFromboise (Blackfeet Community College), Melissa Holds the Enemy (CrowTribe)

PUBLIC PRESENT (IN PERSON): Senator Jonathan Windy Boy (SD16), Mandy Smoker-Broaddus (Director of Indian Education, OPI), CJ Stewart (Crow Tribe Legislative Branch), AJ NotAfraid (Crow Tribal Secretary), Cordell Stewart (Crow Tribe Public Relations), Del Laverdure (Crow Tribe), Tara Bird (Crow Tribe Secretary's Office), COE Cash Hart (Crow Tribe Media), Garrett Norcott (Montana Department of Commerce), Bonnie Martello (Montana Department of Commerce)

STAFF PRESENT: Heather Sobrepena-George

WELCOME/PURPOSE OF GATHERING: Commence at 1:37pm. Chairman Shawn Real Bird; Prayer Representative Lea Whitford.

Quorum established: 9 voting members present. John Rogers joined call after commencement increasing quorum to 10.

Motion made by Jason Smith to implement the administrative rules process for the Montana Indian Language Preservation Pilot Program. Seconded by Rodney Miller. All in favor. Motion passes unanimously.

Motion made by Jason Smith to draft administrative rules for the Montana Indian Language Preservation Pilot Program. Seconded by Mike Fox. All in favor. Motion passes unanimously.

PUBLIC COMMENT: Senator Jonathan Windy Boy gave an overview of the intent of the Montana Indian Language Preservation Pilot Project. Mandy Smoker-Broaddus clarified that the Class 7 license was created by the Office of Public Instruction to recognize and allow fluent language specialists to obtain a native language instructor credential.

Mandy Smoker-Broaddus clarified that the Little Shell Tribe has no Class 7 native language specialists.

**State Tribal Economic Development Commission: Montana Indian Language Preservation Pilot
Program Administrative Rules Drafting
MEETING MINUTES
May 17, 2013**

MONTANA INDIAN LANGUAGE PRESERVATION PILOT PROGRAM:

Performance and Output Standards Discussion: Marlene Walking Bear requested clarification regarding the performance and output standards because the Crow nation already has a dictionary. A general discussion of the legislative intent of the language “performance and output **standards must** include” ensued. Inquiry was made as to whether it was the performance standards that must include the subsections of Section 1(2)(c)(i)(ii) and (iii) or if the activities performed must include each of the elements listed under the section.

Motion made by Andy Poole to adopt the language included in Section 1, (2)(c) and (d) for the performance and output standards for the Montana Indian Language Preservation Pilot Program as the first administrative rule. Seconded by Richard Sangrey. All in favor. Motion passes unanimously.

Accounting of Funds Discussion: *Motion made by Jason Smith to draft an administrative rule requiring the use of an accounting system that conforms to Generally Accepted Accounting Principles (GAAP), in accordance with Section 18-4-311, Montana Code Annotated to account for the use of funds in the Montana Indian Language Preservation Pilot Program. Seconded by Cheryl Reevis. All in favor. Motion passes unanimously.*

Request from Senator Jonathan Windy Boy for a copy of Montana Code Annotated (MCA) 18-4-311 to be sent out to each tribal government by the State Tribal Economic Development Commission. Staff confirmed that a copy of 18-4-311, MCA regarding Generally Accepted Accounting Principles (GAAP) would be sent to each tribal government for their reference.

Use of Funds Discussion: *Motion made by Jason Smith to draft an administrative rule that the use of funds for the Montana Indian Language Preservation Pilot Program be determined in coordination with collaborating partners no later than September 30, 2013. Second by Mike Fox. All in favor. Motion passes unanimously.*

Distribution of Funds Discussion: Heather mentioned that the distribution of funds could be discussed in the Guidelines development process and that collaborators could internally discuss distribution alternatives and then discuss as a group. Possible options include equal distribution between the eight tribal governments, pro-rata distribution, or through a competitive process, etc. The proposed administrative rule language doesn't have to determine a distribution amount, but can reference a contract between the Department of Commerce and a respective tribal government which would contain the amount, the method of distribution, and required deliverables. Once guidelines are developed with distribution details, they can be incorporated into the administrative rules as an amendment.

Additionally, the possibility of an allowable amount for an administrative fee taken by the tribal government was mentioned as a topic of discussion that needs to occur between State Tribal Economic Development Commission members and their tribal governments. The original language of the bill

**State Tribal Economic Development Commission: Montana Indian Language Preservation Pilot
Program Administrative Rules Drafting
MEETING MINUTES
May 17, 2013**

contained a clause that salaries would not be a permissible use of funds. However, that language was removed in conference committee.

Ed "Buster" Moore, councilman and Class 7 Indian Language Instructor, commented that the distribution of funds needs to take into consideration the distinct different languages and dialect of the each of the tribes. For instance, at Fort Belknap, there is the Nakoda Siouan-style language of the Assiniboine as well as the Aaniiih Gros Ventre, an Algonquian language. These languages are unique and distinct from one another. Moore also noted that the Chippewa Cree Tribe has the Chippewa and Cree languages, while Little Shell has a different Chippewa dialect and the Metis language. The distinct languages and dialects within each tribal government need to be considered in the equalization of the distribution of funds.

Motion made by Jason Smith to draft an administrative rule that the distribution of funds for the Montana Indian Language Preservation Pilot Program include the following language:

- (1) \$2 million in grant funds will be available starting July 1, 2013 for a total of \$2 million for the biennium,*
- (2) Andy unencumbered funds will revert to the general fund on June 30, 2015 with all tangible goods produced as a result of the funding due to the Montana Historical Society by September 15, 2014,*
- (3) Distribution of funds will be governed by individual contracts between the State Tribal Economic Development Commission (Montana Department of Commerce) and each tribal government, including the Little Shell Tribe.
 - a. The individual contracts will specify the method of distribution from the Department to the tribal government.*
 - b. Program objectives and requirements must be incorporated into the overall contract between each tribal government and the Department.**
- (4) Tribal governments shall distribute awarded funds through sub-recipient agreements.*

Seconded by Gerald Gray. All in favor. Motion passes unanimously.

Heather will schedule a Montana Indian Language Preservation Pilot Program Guidelines meeting. The meeting was requested for the last week of May 2013. Heather will propose a couple of dates for the last week and set a date.

CLOSE/ADJOURN: *Motion made by Jason Smith to adjourn the meeting at 3:35. Seconded by Richard Sangrey. All in favor. Unanimous approval.*