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CERT Tribal Internship Program

FINAL INTERN REPORTS

U.S. Department of Energy Grant # FG03-93ER75931

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**COUNCIL OF ENERGY RESOURCE TRIBES
AND
NATIONAL CONFERENCE OF STATE LEGISLATURES**

1995 SUMMER INTERNSHIP REPORT

Prepared by

Melinda K. Jacquez, Intern

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Professional Development

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INTERN RESUME

Melinda K. Jacquez
3415 Bryant St.
Denver, CO 80211
(303) 455-2550 Home
(303) 606-2091 Pager

Objective:

To get a position as an attorney.

Qualifications:

Ability to work unsupervised, as part of a team and individually.

Self-starter with ability to complete projects in timely and accurate manner.

Proficient at managing time, organizing and scheduling.

Work Experience:

- .Compiled house and senate state bills for the 1995 State Legislation on Native American Issues booklet.
- .Coordinated and organized NALSA Religious Freedom Project, formerly the NALSA Prison Project.
- .Managed caseload, visited clients, educated prison officials about religious freedom infringements, "watch-dogged" prison facilities.
- .Researched and organized feasibility and practicality of a state holiday honoring Native Americans.
- .Researched and organized feasibility and practicality of a state holiday honoring Native Americans.
- .Posted daily receivables, serviced clients' accounts, answered phones and organized files.
- .Worked "The Portland Stand Down," a homeless veterans project.
- .Contacted attorneys to volunteer services and coordinated attorney assignments.

Employment History:

June 1995 to Present	Internship, Council of Energy Resource Tribes/ National Conference of State Legislatures, Denver, CO.
June 1994 to May 1995	Student Coordinator, NALSA Religious Freedom Project, Boulder, CO.
Winter Break 1993	Internship, Colorado Commission on Indian Affairs, Office of Lt. Governor, Denver, CO.
July 1992 to July 1993	Office Manager, CMYK Digital Pre-Press, Seattle, WA.
June 1991 to August 1991	Internship, Volunteer Lawyers Project, Portland, OR.

Education:

1995	University of Colorado School of Law, Boulder, CO. Related Courses: Constitutional Law, Contracts, Commercial Transactions, Corporations, Land Use Planning, Legal Writing, Property, Oil and Gas Law, Water Law.
1993	Pre-Law Summer Institute, University of NM, Albuquerque, NM. Related Courses: Indian Law, Legal Writing, Property, Tort.
1992	Bachelor of Science, General Science. University of Oregon, Eugene, OR. Related Courses: Behavioral Ecology, Ecology, Earth Resources and the Environment, Ecology, Fresh Water Biology, History and Contemporary Views on the Environment, Calculus, Chemistry, Organic Chemistry, Physics.

Other Training and Education:

June 1995	Technology of Participation, Group Facilitation Methods, Council of Energy Resource Tribes, Denver, CO.
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PERSONAL/ PROFESSIONAL DEVELOPMENT

The skills I developed from my internship at National Conference of State Legislatures (NCSL) are networking, legislative analysis and a stronger sense of what I am going to do in my career after law school. I have met many people at my intern at NCSL. I have noticed many times in life that it is not necessarily what you know that helps to further ones career, but who you know, especially with Indian attorneys. People feel more comfortable conversing when there is a common subject, interest or person.

NCSL has benefited from my internship. Not only did they receive a comprehensive analysis on state house and senate bills on Native American issues in the 1995 legislative session, but they received assistance in hiring someone for the State-Tribal Government Working Group (STGWG). NCSL asked for my assistance because they had two qualified people for the job, and they could not decide which person to hire. NCSL wanted a Native American's perspective on the qualifications for the STGWG position. I was able to assist them.

I will be able to apply my new skills in law school classes. Many boring classes will be more interesting because I know the application in the "real word." Although I did not work directly with regulations, I have learned of their importance and how they apply in everyone's daily life. I now will pay closer attention to issues that arise in class because I know how important the issues are to Tribal people.

My insights have helped my host company in bringing a different perspective into the 1995 State Legislation on Native American Issues booklet, as well as, assisted in filling a position for STGWG. The skills I learned at NCSL will help my Tribe because I will not look at issues from just one side, but will increase the scope and depth at which I can help solve problems. My new found interests will assist the law community because I have been exposed to many issues before learning about them in class.

Interning at NCSL has influenced my future plans because I am looking for non-traditional law careers in policy. I have learned that I like policy and analysis. I would like to work for the Navajo Nation's Washington, D. C. office and the skills I learned at NCSL to help my people.

INTERN PROFILE

My grandmother was Mary Jacquez. She was murdered by a ram two months after I wrote her for the first time. She lived her life, as her mother did, beneath a sacred mountain in New Mexico called Hurfano. She never entered the sheep's pen until that day. I wonder if she died to bring me back? Everyone tells me that she prayed for me.

My name is Melinda K. Jacquez. I am half-Navajo and half-white. My parents were divorced when I was three. My mom caught my father sleeping with the babysitter (her former friend). I lived with my mom who is non-Indian. My father, who is Navajo, chose not to support me. I visited him a few times when I was young, until he threatened to kidnap me. After that I would wait for his sporadic calls when he worked in the town I lived in. He had a good job and another family.

For many years my life was ruled by guilt: guilt for not being in contact with my father's family; guilt for growing up with amenities such as electricity and running water; and guilt for believing that it was me who somehow drove my father away.

With time, I learned I am not responsible for what my parents did. It is not my fault that I am half non-Indian. I am not responsible for the fact my father is a "coyote." I can only be responsible for decisions I have control over. I can only be responsible for the contacts I reestablish with my family.

Many Indians get mad at me because I don't know my language. Many Indians get mad at me because I am half-white. But I don't pay attention to them. My uncle told me that without knowing, I grew up the way my grandmother wanted me to. My mother always told my father's family I could visit them at Hurfano. But my grandmother did not want me to. She wanted me to grow up with electricity and running water. My Grandmother wanted for me to have all of the things I felt guilty for.

I like to think of the Council of Energy Resource Tribes (CERT) as the forethought of our elders, and as an answer to prayers for sustaining future generations. Technology and traditions do not have to be conflicts. I like to think of CERT as being a way to integrate, without overwhelming Native people.

I am very proud to have interned through CERT at the National Conference of State Legislatures (NCSL). I learned about issues that concern all Tribes by reading all state house and senate proposed bills and summarized them in a booklet. Hopefully, I will have taught all those who read the booklet about Tribal issues and what states are doing to help or hurt Tribal people and governments.

I think that the most important aspect of my work at NCSL has been to educate my fellow office workers about Native thinking and cultural differences. Many people in my office work with Native people in meetings. Very often misunderstandings occur because of the unawareness that there are different ways of doing things. It is my hope to become a bridge between the two worlds that I am, Indian and non-Indian.

HOST ORGANIZATION PROFILE
National Conference of State Legislatures

The National Conference of State Legislatures is an instrumentality of state governments which has two offices; one based in Denver and the other in Washington, D.C. It is a non-partisan organization which serves all 50 state legislatures and the 7,500 state legislators. NCSL has a staff of 150 which provides research and information to legislators and legislative staff. NCSL also provides forums for exchanges of ideas through meetings and seminars, and in the Washington, D.C., office it represents the views of the states and state legislators to the various agencies of the federal government. NCSL deals with a wide range of policies and issues.

MENTOR PROFILE

Jim Reed

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My Mentor is Jim Reed. Jim grew up in Colorado. Jim received his education at Thomas Jefferson High School and College at Colorado College. His family consists of his wife, Sue, and three children; Becky (12), Eliza (7) and Jimmy (3).

Part of the reason Jim is my mentor is because he remembers how it was for him—starting out in a new career. This is part of the reason he enjoys sponsoring interns. Jim believes that the leaders of tomorrow are the youth of today. He wants to help people who are entering the work area at a critical time in their lives. Jim wants to help people excel by exposing them to the work environment. Jim remembers needing help at certain times in his life and not receiving it. For seven years, Jim has demonstrated this importance of giving back to society by sponsoring interns.

I am glad Jim is my mentor because he has helped me to learn more about the world we live in, but most of all, he has helped me to grow.

MENTOR RESUME

James B. Reed
1560 Broadway, STE 700
Denver, CO 80211
(303) 830-2200

Work Experience:

- Responsible for conducting research, writing policy reports.
- Provides technical assistance to state legislators in the area of hazardous materials transportation, nuclear waste issues, hazardous waste, science education and Native American issues.
- Staffs two NCSL task forces on hazardous materials and nuclear waste transportation and evaluating state-tribal relations.
- Principal investigator for the Federal Highway Administration funded project supporting the Alliance for Uniform Haz Mat Transportation Procedures.
- U.S. Department of Energy research project on the communicative elements of its high-level waste transportation program to state legislators in corridor states and evaluating the present conditions of relations between Indian tribes and the states.
- Managing the start-up of the Transportation Legislative Data Base at NCSL, an on-line data base containing state and federal laws and regulations concerning hazardous materials transportation.

Employment History:

National Conference of State Legislatures, Denver, Colorado, Program
Principal with Energy, Science, and Natural Resources program.

Texas Advisory Commission on Intergovernmental Relations, Austin, Texas,
Policy Analyst.

Senator Lloyd Bentsen's Office, Washington D.C., and Austin, Texas, Staff
Member.

Austin Municipal Utility District, Austin, Texas, Elected Board Member.

Education:

B.A. Political Science, Colorado College, 1979.

M.P.A. LBJ School of Public Affairs, University of Texas, 1982.

INTERN ACTIVITY OUTLINE

I. Project Purpose

- 1995 Native American House and Senate bills report
- Hazardous waste transportation ordinances, laws and resolutions

II. Project Objectives

- Read and analyze state legislation

III. Project Results

- 1995 State legislation on Native American issues

IV. Project Assessment

- Time factors

INTERN ACTIVITY SUMMARY

I. Project Purpose/ Objectives

- *1995 Native American House and Senate Bills Report.* The purpose of this internship was to write a comprehensive, booklet on all house and state legislation proposed in 1995 on Native American issues. This booklet is intended to inform and educate Native Americans, tribal governments, legislatures and people who work with tribal issues.

- *Hazardous Waste Transportation Ordinances, Laws and Resolutions.* A second objective was to call tribal governments and request any ordinance, law or resolution on hazardous and nuclear waste transportation.

II. Project Approach

- *Read and Analyze State Legislation.* I ordered bills from different states and checked their status. I read the bills and analyzed the significant affect they would have on Native American governments and people.

III. Project Results

- *1995 State Legislation on Native American Issues.* All 1995 state house and senate bills proposed bills were summarized and put into a booklet. Included in the booklet was a summary of the issues presented in these bills that pertain to Native Americans and governments. This booklet also includes a five-year trend analysis of all bills dealing with Native American issues proposed by the senate and house of various states.

IV. Project Assessment

- *Time Factors.* Time was a critical part of this project. There were many bills to assess. It seemed that there was never enough time to get through all the states and the issue analysis. I had to continually remind myself of the date and how many weeks I had left.

1995 State Legislation on Native American Issues

Introduction

The first part of this introduction contains an oversight of Native American law. It is important to know some of the history and ideas of federal Indian law, in order to have the tools for a more comprehensive analysis. The second part of the introduction will explain some of the issues and provide some analysis.

What is tribal sovereignty?

Native American issues are complex, and sometimes frustrating. The issues encompass a wide range of subject matter such as common issues like health and education, while other issues--such as gaming and taxation are specific to Native American governments. A commonality that touches almost all issues is the idea of tribal sovereignty. Yet, of all Native American issues, sovereignty is often the hardest to understand because it is unlike any relationship the United States has with any minority group within its borders. "A nation within a nation." What does it mean? What are the ramifications? The answers are not easy. Unfortunately, laws that are passed in answer to these questions instead create more problems than what they solve.

Sovereignty is the ability of a government to rule itself with immunity from being sued without its consent. Constitutional law requires state courts to honor federal sovereign immunity and federal courts must honor states' sovereign immunity. Native American nations were recognized as sovereigns early in United States history.

Treaties were negotiated to acquire land by the consent of Native American nations. The United States recognized tribes as governments. Treaties were negotiated for large parcels of land in exchange for smaller parcels of land, with protection and services from the United States. These smaller parcels of land, known as reservations, were put in trust for Native American nations and the trust relationship was established. The United States has a fiduciary duty to protect and watch out for its beneficiaries, Native American nations. This placed Native American nations within the control of the federal government and out of control of the states, which may contain Native American nations within their borders. The Commerce Clause, U.S. Cons. Article I, section 8, clause 3 provides: "The Congress shall have power . . . [3] to regulate commerce with foreign Nations, and among the several States, and with the Indian Tribes." Through the Indian Commerce Clause, federal power over Indian affairs is both plenary and exclusive. However, federal Native American affairs power can be delegated to the states. An example is Public Law 280 (1953), which gives some states certain criminal and civil jurisdiction over tribal lands.

Throughout the history of Native American affairs, court decisions and congressional legislation have limited the sovereignty of Native American governments. Ultimately, Congress has the final word about the treatment of Native Americans within the United States. Congress has the power to abrogate treaties, alter tribal powers,

extinguish title to land and extinguish its relationship with tribes. Depending upon the policy of the Congress, this power can be detrimental to tribes. However, the Supreme Court can review these actions to ensure that Congress is fulfilling its unique trust obligation towards Native American nations. Yet, Supreme Court decisions have also limited sovereignty. In *Brendale v. Confederated Tribes and Bands of the Yakima Indian Nation*, 492 U.S. 408, 109 S.Ct 2994 (1984), the Supreme Court held that Native American nations do not have the inherent authority to regulate the use of all fee lands located within the reservation, because Native American nations are themselves dependent upon the federal government.

Dual Citizenship

Although Native American nations are sovereign, individual members are also citizens of the United States and are entitled to the privileges of citizenship. This creates a dual citizenship status. Individual members, by the special relationship between Native American nations and the federal government, are entitled to rights under treaties, statutes, and programs exclusively for Native Americans. They have the rights of other state citizens to participate in elections and receive services, and yet are immune from many state taxes, laws and regulations and are participants in their own Native American governments. Problems associated with this dual citizenship occur because states have no power over the Native American nation, but do have power over individual members. Historically, some states have resisted giving Native Americans the full rights and benefits of citizenship because of member's allegiance with independent sovereigns and their status under federal law. Examples of past resistance can be seen in some state's attempts to discriminate in furnishing state services such as public schools, voting, and holding state office. In some states these attitudes still linger. Arguably, participation in state elections and services at the expense of the state should allow state jurisdiction to tax and regulate on the reservation.

The Relationship Between States and Tribes.

Typically, throughout the history of the United States, the relationship between states and Native American nations has oscillated between love and hate. The conflicts arise, in part, from the lack of control states have over the Native American nations within their state. Native American nations are sovereigns and can govern themselves and their people without state interference. States want to be able to govern all people within their borders. Today, the conflict is even more amplified as Native American nations and states compete for the shrinking dollar. With the budget cuts in federal programs and block grants, Native American nations and states will be more directly competing for money to pay for services both societies need, such as child welfare, crime, education, health, highway and road construction, housing, juvenile delinquency, law enforcement, municipal infrastructure, pollution, and waste disposal. Many laws proposed by the states represent an attempt to resolve some of these issues.

Political vs. Racial Status

The most misunderstood aspect about Native Americans by the public and other minority groups is their political status. Typically, Native Americans are viewed as a

minority group, and "benefits" they receive are a result of this status. However, Native Americans hold not only a racial status, but also a political one. Native American governments have a "nation-to-nation" relationship with the United States government, such as the United States government may have with Canada or Mexico. This political status was created through the United States and Native American treaty negotiations. Treaties became binding contracts, to be upheld in government-to-government good faith. What some people may view as "benefits" because of race may actually be inherent rights derived from political negotiations between sovereign nations.

Bill Analysis

In the 1995 legislative year, 467 bills were introduced in the House and Senate pertaining to Native American issues. Of these bills, 71 passed the legislature.

Discussed below are the bills that are marked with an asterisk in the bill summary section. These bills present controversial gray areas that are being brought up in various legislatures and are highlighted for the reader to think about and discuss.

Arizona SB 1160

Issue: Can a state expressly assume jurisdiction over tribal lands to enforce laws relating to air pollution control?

Representative Hendeson introduced a bill to repeal this assumption of jurisdiction by Arizona. This bill died in the Natural Resources, Agriculture, and Environment Committee.

California SB 10

Issue: Who constitutes the "state" for the negotiations of gaming compacts in compliance with the Indian Gaming Regulatory Act? Is it the Governor or the legislature?
How do campaign contributions by tribes affect this process?

Representative Kopp introduced a bill that repeals the authority of a state agency to negotiate with Native American nations and designates the Governor as the sole state officer responsible for negotiation. This bill restricts the negotiation unless a tribe agrees to certain restrictions governing campaign contributions. This bill is pending in the Rules Committee.

Connecticut SB 581

Issue: Can a Native American nation be made to give up its sovereignty so that it can use its land as it desires?

Representative Smith introduced a bill which would require a Native American nation to relinquish all claims it may have against land owned by others as a condition of entering into any compact, trust or agreement with the state. This bill died in the Judiciary Committee.

Connecticut SJR 29

Issue: Can a state keep a Native American nation from increasing its reservation?

Representative Smith introduced a resolution requesting the federal government to consider the impact on municipalities before granting a tribes request to place purchased land in trust status. This bill died in the Judiciary Committee.

Louisiana HCR 67

Issue: Is it an unfair trade advantage if a Native American nation chooses not to tax goods that it has a right to tax?

Representative Theunissen introduced a resolution requesting Native American nations in its state to provide discounted goods and services only to their tribal members, in order to eliminate unfair trade advantage over Louisiana businesses. This resolution requests the Louisiana congressional delegation to evaluate the need for amending the Indian Gaming Regulatory Act to eliminate unfair trade advantages. This resolution passed the legislature.

Maine HP 121, HP 122, HP 156

Issue: Should Native American nations be allowed to represent their people in the legislature and be able to sponsor or cosponsor legislation?

Representative Pouliot introduced several bills that would allow elected members of the Passamaquoddy and Penobscot nations to represent their people in the Legislature. HP 156 was passed by the Legislature and allows Native American nations to sit on the Legislature and sponsor or cosponsor legislation specifically relating to Indians and Indian land claims.

Michigan HCR 258

Issue: Can a state oppose a Native American nation's desire to create a more stringent air quality standard than the standard in the bordering area?

Representative Anthony (et al.) introduced a resolution expressing opposition to an application by the Potawatomi tribe for the redesignation to a stricter Class I standard than the present Class II standard, in order to protect the surrounding businesses who have relied on the less stringent standard. This resolution is pending in the Conservation, Environmental and Great Lakes Committee.

Montana HB 486

Issue: Can a state take away a Native American nation's right to govern the use of its own land? Can a state collect revenue from allowing non-tribal use of tribal lands.

Representative Jore introduced a bill that would terminate a state-tribal cooperative agreement in order to require additional criteria upon renegotiation. The additional

criteria would allow the state to collect the revenue from and issue hunting licenses to non-Indians to hunt on reservation lands. This bill died in the House Fish and Gaming Committee.

Rhode Island HB 6140

Issue: Can a state withhold funds or services to a Native American nation until it adopts provisions the state wishes it to?

Representative Moura introduced a bill that would prohibit the state from supplying funds or services to any Native American nation unless it adopted the Employment Rights Code, in order to protect employees. This bill is pending in the House Finance Committee.

Rhode Island SB 973

Issue: Can a state impose a toll on Native American vehicles entering a reservation in order to generate revenue for the surrounding cities?

Representative Sullivan introduced a bill that would impose a \$ 5.00 toll on vehicles entering the reservation on roads leading to or abutting a tribal reservation for the purpose of providing for and adequately regulating the flow of traffic near such area and to mitigate local and statewide impacts. The revenues generated from this toll are distributed to Charlestown, Richmond, and surrounding cities and towns. This bill is pending in the Senate Judiciary Committee.

1995 State Legislation on Native American Issues

Bill Summary

ALABAMA

Regular Session: April 18 to July 30
Bills Introduced: HB: 2 SB: 0
Bills Passed: HB: 2

HB 233 (Fuller)

Reduces the fiscal year 1993-94 Capital Outlay General Fund appropriation to the Alabama Indian Affairs Commission by \$150,000. *Signed by Governor.*

HB 547 (Dolbare)

Allows the tribal council, rather than the Mowa Choctaw Housing Authority itself, to conduct the hearings which remove members of the authority. *Signed by Governor.*

ALASKA

'95 session carries over into '96

Regular Session: January 16 to May 16
Bills Introduced: HB: 6 HJR: 1 SB: 1
Bills Passed: HB: 0 HJR: 0 SB: 0

HB 160 (Nicholia, et al.)

Similar to SB 32

Establishes a local Native language curriculum advisory board for each school in the district where the majority of students are Alaskan Natives. The advisory board may recommend a Native language education curriculum be established for a school, and the school board may initiate the program through grades K to 12. *Carried over in House Committee on Health, Education, and Social Services.*

HB 167 (Nicholia, et al.)

Provides to Alaska Natives who attend elementary or secondary schools educational programs in language, history, and culture. Provides qualifications for Alaska Native language, culture and history education teacher certificates and employment. Establishes guidelines for parent and community participation, recruitment of Alaska Native teachers, duties of board and commissioner, and enrollment in the program. *Carried over in House Committee on Health, Education, and Social Services.*

HB 251 (Moses, et al.)

Sets guidelines for special meetings, shareholder proposals and removal of directors at Native corporations. *Carried over in Senate Regional Affairs Committee.*

HB 253 (Nicholia)

Prohibits the purchase of authentic Native handicrafts on certain licensed premises, i.e. premises licensed to sell alcoholic beverages. Sets penalties and exceptions. *Carried over in House Committee on Labor and Commerce.*

HB 312 (Phillips, Toohey)

Extends the date for a review and report on the current law regarding subsistence use of fish and game; and delaying the repeal of the current law regarding subsistence use of fish and game; and providing for an effective date. *Carried over in House Rules Committee.*

HB 347 (Martin)

Provides an effective date and an advisory vote on whether any group should be provided an exemption to the gambling laws of the state. *Carried over in House State Affairs Committee.*

HJR 48 (Navarre, et al.)

Requests the Federal Subsistence Board not adopt a proposed subsistence moose hunting regulation for the Kenai Peninsula and refrain from adopting federal regulations that would grant subsistence preferences for fish or game or change any customary and traditional use determinations. *Carried over in House under unfinished businesses.*

SB 32 (Lincoln, Ellis)

Similar to HB 160

Establishes local Native language curriculum advisory board for each school in the district where the majority of students are Alaskan Natives. The advisory board may recommend a Native language education curriculum be established for a school, and the school board may initiate the program through grades K to 12. *Carried over in House Health, Education, and Social Services Committee.*

ARIZONA

Regular Session:	January 9 to April 13		
Bills Introduced:	HB: 5	SB: 11	SCM: 1
Bills Passed:	HB: 2	SB: 2	SCM: 0

HB 2066 (Bowers, et al.)

Adds definitions, elements, and penalties to the miscellaneous offenses section of the criminal code for people who knowingly excavate or collect any historic or archaeological objects from lands owned or controlled by the state or an agent of the state without obtaining a permit. *Died in Judiciary Committee.*

HB 2133 (Groscost)

Allows Indian tribes to enter into an agreement to establish a joint powers airport authority which is operated and governed by a board of directors that is composed of persons appointed by the governing body of cities, towns, Indian tribes or counties that are members of the airport authority. *Signed by Governor.*

HB 2417 (Jackson, et al.)

Makes it unlawful for a person to use any Indian name or place in a derogatory manner. Allows any person to file for injunctive relief in order to prevent violations. *Died in Rural and Native American Affairs Committee.*

HB 2452 (Jackson, Hanley)

Allows any state agency, board or commission or political subdivision to use its discretion to use arbitration for an agreement. Set guidelines for arbitration agreements to be either made at the time of the contract or by written mutual agreement before the filing of any civil action. Requires a state agency, board or commission to include an agreement to use arbitration in public works contracts between the state and Indian tribes if the amount in controversy is less than one hundred thousand dollars. *Died in Rural and Native American Affairs Committee.*

HB 2465 (Jackson)

Changes the observance date of state tribal legislative day from third Thursday in January to the first Thursday of the first week of each regular legislative session. *Signed by Governor.*

SB 1023 (Springer)

Appropriates \$200,000 from the state general fund in fiscal year 1995-1996 to the Department of Administration for deposit in the Verde river basin water fund for the Yavapai-Prescott Indian tribe, to comply with the state's obligations under sections 106 and 109 of the Indian Tribe Water Rights Settlement Act of 1994. *Signed by Governor.*

SB 1071 (Henderson)

Appropriates \$321,912 from the state general fund in fiscal year 1995-1996 to the Division of Emergency Management in the Department of Emergency and Military Affairs for distribution to the Navajo tribal council for purchase of facilities, equipment, supplies, and personal services for responding to emergencies and life-threatening disasters. *Died in Rules Committee.*

SB 1090 (Henderson)

Requires the state Department of Corrections to give Native American religions and Native American spiritual advisors the same standing and respect as Judeo-Christian religion and clergies. Allows Native American to inmates practice Native American religion at each correctional facility, have spiritual advisors visit them at least six hours per week, be provided with religious items and materials, have sweat lodges in each facility and grow their hair. *Died in Rules Committee.*

SB 1117 (Henderson, et al.)

Appropriates funds to the Department of Economic Security for various Native American programs such as Navajo veterans housing, senior centers, youth centers, educational

centers and preschool. Appropriations for some programs are to be matched in equal dollar amounts from the Navajo Nation. *Died in Rules Committee.*

SB 1128 (Henderson, Kennedy)

Requires the state to administer employment services offices in Chinle, Fort Defiance, Kayenta and Tuba City and appropriates \$150,000 to the program from the state general fund. *Died in Appropriations Committee.*

SB 1160 (Henderson)*

Repeals at the end of 1995 the "Assumption of Jurisdiction Over Indian Lands" statute, which expresses an assumption of jurisdiction over Indian lands by the state of Arizona with respect to enforcement of laws relating to air pollution control. Under this statute, any duly authorized agent of the state may enter Indian lands for the purposes of enforcing laws relating to air pollution control. *Died in Natural Resources, Agriculture, and Environment Committee.*

SB 1180 (Henderson)

Appropriates \$150,000 from the state general fund in the fiscal year 1995-1996 to the Department of Health Services to contract with a nonprofit organization for planning, research, and development of a long-term health care facility on the Navajo reservation. *Died in Appropriations Committee.*

SB 1181 (Henderson)

Appropriates \$200,000 from the state general fund in fiscal year 1995-1996 to the Arizona commission on Indian Affairs for distribution to the Navajo tribe for purposes of Navajo historic preservation. *Died in Appropriations Committee.*

SB 1345 (Chastain, et al.)

Defines possessory interest in public property for taxation and exempts property held in trust by the United States for an Indian tribe, tribal instrumentality, or tribal enterprise. *Died in Finance Committee.*

SB 1351 (Springer)

Appropriates \$3,000,000 from the state general fund in fiscal year 1993-1994 to the Department of Administration for payment to the San Carlos Apache Indian tribe in accordance with the requirements of the San Carlos Apache Indian Water Rights Settlement Act of 1992. *Died in House.*

SB 1374 (Brewer)

Revises the tobacco tax to include disclosures of otherwise confidential information to Indian tax officials and provides felony penalties for selling cigarettes stamped for on-reservation sales sold off-reservation. *Signed by Governor.*

SCM 1001 (Goudinoff)

Requests the legislature to urge Congress to enact legislation to transfer in trust the portion of Babouivari Peak consisting of federal lands for the inclusion in the Tohono O'odham Indian reservation. *Died in House.*

ARKANSAS

Regular Session: January 9 to April 28
Bills Introduced: HB: 0 SB: 1
Bills Passed: SB: 0

SB 631 (Russ, et al.)

Creates a five member panel appointed by the Governor called the Arkansas Commission on Indian Affairs. *Died in Joint State Agencies Interim Committee.*

CALIFORNIA

Regular Session: January 2 to Mid-September
Bills Introduced: AB: 5 SB: 4
Bills Passed: All Bills Pending

AB 342 (Hauser)

Provides that any local agency or special district may enter into an agreement or contract with any Indian tribe, as defined, to provide municipal services or functions and that agreement or contract would be effective upon execution by both parties and approval by both the tribal council of the tribe and the legislative body of the local agency or special district. Revised the definition of municipal services or functions to include probation, prosecution, defenses, and court services generally provided by a local agency for the enforcement of state laws and local ordinances. Defines terms. Provides effective date. *Pending in Assembly Local Government Committee.*

AB 974 (McDonald)

Declares the intent of the Legislature that the State Department of Education redirect some child care funding to the Inter-Tribal Council of California on a population-based formula in order to provide child care resource and referral services for American Indians' unique needs. Declares intent of Legislature that the Inter-Tribal Council of California serve as administrator of the redirected funds, and provide consumer education workshops statewide, and parent and provider training on child care services. *Pending in Assembly Human Services Committee.*

AB 1049 (Tucker)

Related to SB 10 and SB 931

Repeals the provision that designates the California Horse Racing Board as the state entity responsible for negotiating with a tribe for the purpose of entering into a compact governing horse racing activities on Indian lands, and would instead designate the Governor as the sole state officer responsible for negotiating and executing, on behalf of

the state, compacts with federally recognized Indian tribes for conducting Class III gaming on Indian lands in the state. Provides conditions for Governor in the approval of any proposed tribal-state Class III gaming compact. *Pending in Assembly Governmental Organization Committee.*

AB 1521 (Lee, et al.)

Makes legislative findings and declarations regarding the use of the name "Crazy Horse" in connections with an alcoholic beverage label. Makes it unlawful for any alcoholic beverage bottled, sold, or distributed in California to carry a label bearing the name "Crazy Horse." Recognizes Crazy Horse as an Oglala Sioux leader who is considered to be a hero, spiritual leader, and great Sioux warrior. *Pending in Assembly Governmental Organization Committee.*

AB 1525 (Granlund)

Authorizes the State Department of Social Services to enter into agreements with Indian tribes with respect to the implementation of child welfare services and the Aid of Families with Dependent Children Foster Care Programs. Makes conforming changes. *Pending in Senate Appropriations Committee.*

AB 1762 (Goldsmith)

Requires the establishment of a special account in the general fund for the purpose of allowing the state to be reimbursed by the Indian tribes for the cost incurred by the state for any regulation of gaming on Indian lands. Exempts this act if the tribal-state compact does not include a review and approval mechanism for claims arising from the cost incurred by the state for the regulation of gaming on Indian lands. *Pending in Senate Governmental Organization Committee.*

SB 5 (Hayden)

Repeals the Gaming Registration Act. Recasts the provisions, as specified, and enacts the Gambling Control Act. Creates the California Gambling Control Commission, and authorizes the Commission to regulate legal gambling in this state. Repeals provisions naming the Horse Racing Board as the state entity responsible for negotiating with the Indian tribes for the purpose of entering into a tribal-state compact governing the conduct of horse racing amendments. Requires a state license to engage in certain activities related to any controlled game, as defined. Prohibits the Governor from executing a tribal-state compact with an Indian tribe unless the tribe agrees to certain restrictions governing campaign contributions. *Pending in Senate Governmental Organization Committee.*

SB 10 (Kopp)

Related to AB 1049 and SB 931

Repeals the Gaming Registration Act. Recasts the provisions, as specified, and enacts the Gambling Control Act. Creates the California Gambling Control Commission, and authorizes the commission to regulate legal gambling in this state. Repeals provisions naming the Horse Racing Board as the state entity responsible for negotiating with the

Indian tribes for the purpose of entering into a tribal-state compact governing the conduct of horse racing amendments. Designates the Governor as the sole state officer responsible for negotiating and executing, on behalf of the state, compacts with federally recognized Indian tribes for conducting Class III gaming on Indian lands in the state. Requires a state license to engage in certain activities related to any controlled game, as defined. Eliminates the provision that prohibits the Governor from executing a tribal-state compact with an Indian tribe unless the tribe agrees to certain restrictions governing campaign contributions. *Pending in Rules Committee.*

SB 931 (Polanco)

Related to AB 1049 and SB 10

Repeal the provision that designates the California Horse Racing Board as the state entity responsible for negotiating with a tribe for the purpose of entering into a compact governing horse racing activities on Indian lands, and would instead designate the Governor as the sole state officer responsible for negotiating and executing, on behalf of the state, compacts with federally recognized Indian tribes for conducting Class III gaming on Indian lands in the state. *Pending in Senate Governmental Organization Committee.*

SB 1050 (Solis)

Requires that any tribal-state compact governing the conduct of gambling activities on Indian land is to include, to the extent permitted by federal law, provisions guaranteeing the right of employees to join a union and to bargain collectively with their employees. *Pending in Senate Industrial Relations Committee.*

CONNECTICUT

Regular Session: January 4 to June 7

Bills Introduced: HB: 5 SB: 8 SJR: 2

Bills Passed: HB: 0 SB: 0 SJR: 0

HB 5135 (Radcliffe)

Similar to SB 591 and SB 1135

Allows a defendant an action brought by an Indian for the recovery of land to plead the statute of limitations as a defense. *Died in Judiciary Committee.*

HB 5715 (Tulisano)

Requires legislative approval of any trust agreement, compact or any other agreement negotiated on behalf of the state by the Governor, between the state and another state or Indian tribe. *Died in Government Administration and Elections Committee.*

HB 6082 (Malone)

Changes the process for distributing funds received from the Mashantucket Pequot Indian tribe so that funds are distributed more equitably. *Died in Appropriations Committee.*

HB 6557 (Bysiewicz)

Prohibits the Governor from signing any final agreement, compact, or contract between the state and an Indian tribe under the federal Indian Regulatory Gaming Act, unless it includes the statutory Employment Rights Code. Requires the state to oppose any application by a tribe to convert any parcel of fee interest land to federal trust status. *Died on House calendar.*

HB 6961 (Lawlor)

Similar to SB 583

Allows the Governor to enter into an agreement with any federally recognized Indian tribe occupying an Indian tribal reservation to establish the criminal and civil jurisdiction responsibilities of the state and the tribe within the reservation. Requires the agreement to be approved by the legislature and the Indian tribe, and have full effect of the law. *Died in Legislative Management Committee.*

SB 531 (Cook)

Related to SB 1073

Includes Native American tribes as full voting members on regional councils of governments. *Died in Environment Committee.*

SB 581 (Smith) *

Requires an Indian tribe to relinquish all claims as a condition of entering into any compact, trust or agreement with the state. Includes any land claims for damages for trespass or for use and occupancy, by or on behalf of the tribe or any member of the tribe against the state or any property owner which is based on (1) any interest in or right involving any lands the transfer of which is alleged to have been in violation of federal law including, without limitation, the Trade and Intercourse Act of 1790, and all amendments thereto and all subsequent reenactments and versions thereof, or of state or colonial laws, resolutions, common law or any provisions requiring legislative or governmental approval of transfers of land held or occupied by Indians or Indian tribes, or (2) any aboriginal title to such land,. *Died in Judiciary Committee.*

SB 582 (Smith)

Related to SB 1135

Establishes an Indian affairs task force. *Died in Judiciary Committee.*

SB 583 (Smith)

Similar to HB 6961

Authorizes the Governor to negotiate with Indian tribes, agreements concerning the exercise of state jurisdiction over criminal offenses committed by or against Indian on Indian reservations. *Died in Judiciary Committee.*

SB 591 (Smith)

Similar to HB 5135

Authorizes a defendant in an action brought by an Indian for the recovery of land to plead the statute of limitations. *Died in Judiciary Committee.*

SB 592 (Smith)

Similar to SB 1135

Provides the Governor consider the impact of compacts or agreements on municipalities and other Indian tribes, when negotiating a compacts or agreements with Indian tribes. *Died in Judiciary Committee.*

SB 1073 (Committee on Environment)

Related to SB 531

Provides for participation of federally recognized Native American tribes on regional councils of government. Defines terms, duties, funds, and requirements. *Died in Planning and Development Committee.*

SB 1135 (Committee on Judiciary)

Related to HB 5135, HB 6961, SB 583, SB 591, SB 592

Specifies the terms and subject matter of compacts and agreements negotiated by the Governor and the Indian tribes by requiring the Governor to consider the impact of the compact or agreement will have on municipalities and other Indian tribes. Allows the Governor to enter into a compact or agreement with a federally recognized Indian tribe that would authorize the state to assume jurisdiction over criminal offenses committed by or against Indians on the reservation to the same extent as the state has jurisdiction elsewhere in the state. Permits the statute of limitations to be raised as a defense to an Indian land claim. Establishes a task force on Indian Affairs to review authority, activities and funding. *Died in Judiciary Committee.*

SJR 28 (Smith)

Requests the Governor to include provisions requiring compensation to be paid to municipalities and other Indian tribes for loss in tax revenue and other reasonable costs incurred as a result of Indian gaming activities, when negotiating with Indian tribes pursuant to the Indian Gaming Regulatory Act. *Died in Judiciary Committee.*

SJR 29 (Smith)*

Requests the federal government to consider certain criteria before making its decision on the applications of Indian tribes requesting the United States to acquire land in trust status on behalf of the tribes and that such criteria concern the impact of the acquisition on the affected municipalities. *Died in Judiciary Committee.*

FLORIDA

Regular Session:	March 7 to May 5	
Bills Introduced:	HB: 1	SB: 2
Bills Passed:	HB: 0	SB: 0

HB 1857 (Bradley)

Same as SB 468 (Grant) *Died in Senate Ways and Means Committee.*

Requires the history of Native Americans be taught in public schools, including the history of Native Americans before the political and military conflicts that led to dispossession of lands, the reservation experience, and the contributions of Native Americans to society. *Died in House Education Committee.*

SB 2610 (Dantzler)

Requires the history of Native Americans be taught in public schools, with emphasis on Seminoles, Miccosukees, Calusas, and other tribes that inhabited this continent. *Died in Senate Education Committee.*

GEORGIA

'95 session carries over to the '96 session

Regular Session: January 9 to March 17

Bills Introduced:	HB: 3	HR: 1	SB: 3	SR: 1
Bills Passed:	HB: 0	HR: 0	SB: 0	SR: 1

HB 80 (Hegstrom, et al.)

Same as SB 266 (Boshears, et al.) *Carried over in Senate Economic Development, Tourism, and Cultural Affairs Committee.*

Eliminates the section of the Department of Archives and History that relate to Native Americans. Creates the Georgia Indian Affairs Commission. Provides for commission appointment requirements, terms, duties, policies, vacancies, purposes, and reimbursement of member expenses. Permits the commission to receive and hold gifts of value in support and development of the work of the commission. Repeals all laws and parts of laws in conflict with this act. *Carried over in State Planning and Community Affairs Committee.*

HB 293 (Byrd)

Similar to SB 123

Creates a housing authority for state-recognized Indian tribes. Provides for appointment authority, areas of operation, powers, duties, rights, terms, removal and functions of the housing authority and their commissioner. Provides that activation of a housing authority be carried out by tribal council or a representative of the tribe. Repeals all laws and parts of laws in conflict with this act. *Carried over in State Planning and Community Affairs Committee.*

HB 361 (Smith)

Similar to SB 41

Provides recognition that the United Creeks of Georgia as one of the legitimate American Indian tribes within the state of Georgia. *Carried over in Economic Development, Tourism, and Cultural Affairs Committee.*

HR 514 (Hegstrom)

Similar to SR 309

Resolves that the House create the House Indian Affairs Study Committee. Sets out committee purposes, procedures, powers, duties and objectives. *Carried over in House Rules Committee.*

SB 41 (Ralston)

Similar to HB 361

Provides recognition that the Southern Band of Cherokees and Creeks are legitimate American Indian tribes within the state of Georgia. *Carried over in State Planning and Community Affairs Committee.*

SB 123 (Ragan, Turner)

Similar to HB 293

Creates a housing authority for state recognized Indian tribes. Provides for appointment authority, areas of operation, powers, duties, rights, terms, removal and functions of housing authority and their commissioner. Provides that activation of housing authority be carried out by tribal council or a representative the tribe. Recognizes the Southern Band of Cherokees and Creeks as a legitimate American Indian tribe, and other tribes as the General Assembly may deem appropriate. Eliminates the duties of the Department of Archives and History that relate to Native Americans. *Carried over in House State Planning and Community Affairs Committee.*

SR 309 (Boshears)

Similar to HR 514

Resolves that the Senate create the Senate Indian Affairs Study Committee. Sets out committee purposes, procedures, powers, duties and objectives. *Carried over and awaiting to be put on calendar for vote in the senate.*

HAWAII

'95 session carries over to the '96 session

Regular Session: January 18 to Early May

Bills Introduced: HB: 39 HCR: 17 HR: 22 SB: 30 SCR: 19 SR: 12

Bills Passed: HB: 3 HCR: 1 HR: 3 SB: 0 SCR: 1 SR: 3

Passed and Vetoed Bills:

HB 1313 (Arakaki)

Establishes a successor determination program within the Office of Hawaiian Affairs which would allow for a range of services including genealogy research guidance and assistance, genealogy research, and an arbitration program for determining leasehold interests. Provides the criteria for arbitration. *Signed by Governor.*

HB 10-s (Souki)

Was HB 1828

Creates the Hawaiian entitlement trust fund into which shall be deposited moneys from the state's settlement of claims with the Department of Hawaiian Home Lands. Provides for expenditure of the funds. Requires a fiduciary duty by the Treasury of the State towards the trust fund and annual reports be provided for the legislature and the beneficiaries of the trust. *Signed by Governor.*

HB 15-s (Souki)

Was HB 1780

Makes an appropriation for the biennial budget to the Office of Hawaiian Affairs. Defines terms *Signed by Governor.*

HCR 223 (Committee on Hawaiian Affairs)

Similar to HR 218

Requests a consortium be formed to collaborate on addressing the issue of over-representation of native Hawaiian youths and adults in the criminal justice system, and to develop detailed short- and long-range strategies for an action plan involving all appropriate sectors of society to reduce the incarceration of native Hawaiians through the most cost effective means and appropriate collaborations. *Signed by Governor.*

HR 96 (Herkes)

Requests the declaration by the Governor of one week in May of every year as "State of Hawaii Archaeology Week". *Adopted by House.*

HR 218 (Chun)

Similar to HCR 223

Requests a consortium be formed to collaborate on addressing the issue of over-representation on native Hawaiian youths and adults in the criminal justice system. Requests a detailed short- and long-range strategies be developed for an action plan involving all appropriate sectors of society to reduce the incarceration of native Hawaiians through the most cost effective means and appropriate collaborations. *Adopted by House.*

HR 232 (Kahikina)

Requests the Department of Hawaiian Home Lands to examine the transfer of awarded interests in homestead lands, including the desirability, benefits, inequities, and drawbacks of allowing transfers under various conditions. *Adopted by House.*

SB 8-s (Aki)

Was SB 1336

Establishes the Hu Imi Pono Advisory Council. Authorizes the Office of the Governor to hire one full time equivalent program planner and one half time equivalent secretary as staff. Provides for membership, powers, duties and reimbursement of members. *Vetoed by Governor.*

SCR 227 (Anderson)

Urges the Department of Health, the Office of Hawaiian Affairs, the University of Hawaii, Alu Like group (working together) and E Ola Mau group (live on) to support and assist the Native Hawaiian health care systems in carrying out their mandate to improve the health status of Native Hawaiians. Requests each member of the member organizations to submit a report to the Papa Ola Lokahi group (Board of Health), which in turn, is requested to submit a single, integrated report to the Legislature each year of the 1995-1997 fiscal biennium on its efforts to support and assist the Native Hawaiian health care systems. *Passed Legislature.*

SR 110 (Baker)

Urges the National Park Service, in partnership with the Office of Hawaiian Affairs, to honor the Hansen's Disease (leprosy) patients sent to live in isolation Kalaupapa on Molokai. Urges the design and mounting of a plaque at Kalaupapa honoring the thousands of people sent to live there since 1866. *Passed Legislature.*

SR 111 (Levin, Matsuura)

Requests the Department of Health to support the efforts of Papa Ola Lokahi group (Board of Health) in its placement of recipients from the Native Hawaiian Health Professions Scholarship Program. Urges the Legislature to strongly endorse the proposition that the remain in Hawaii to serve their required service commitment. Requests the Department of Health to support the efforts of Papa Ola Lokahi group (Board of Health) to find employment and placements for graduates from the Native Hawaiian Health Professions Scholarship Program. *Passed Legislature.*

SR 197 (Anderson)

Urges the Department of Health, the Office of Hawaiian Affairs, and the University of Hawaii to support and assist the Native Hawaiian health care systems in carrying out their mandate to improve the health status of Native Hawaiians. Requests each member of the member organizations to submit a report of Papa Ola Lokahi group (Board of Health), which in turn, is requested to submit a single, integrated report to the Legislature each year of the 1995-1997 fiscal biennium on its efforts to support and assist the Native Hawaiian health care systems. *Passed Legislature.*

Another 127 bills related to Native Hawaiian issues were considered but not passed. These bills are listed below by issue and bill number. Some bills could be placed in more than one issue.

Appropriation

SB 109, SB 778

Child Welfare

HCR 254, HCR 279, HCR 254, HCR 279, HR 266, SCR 211

Criminal Corrections and Offenses/ Criminal Justice

HCR 184, SCR 289, SR 244

Cultural and Historic Preservation

HB 1724, HCR 41, HCR 221, HCR 303, HR 49, HR 94, HR 171, HR 216, HR 285, HR 286, SB 408, SB 1531, SCR 110, SCR 209, SCR 301 SR 182

Education

HB 419, HB 1567, HB 1798, HB 2135, HCR 191, HCR 197, HR 48, HR 191, HR 290, SB 246, SB 508, SCR 84, SCR 111, SCR 131, SR 71

Employment

HB 1776, HB 1781, HB 1782, HB 2135, HCR 120, HR 127, SB 775, SB 1710, SR 72

Fishing, Hunting, and Gathering Rights

HB 750, HB 841, HB 2200, SB 1942

Health

HB 972, HB 1110, HB 1201, HB 1646, HCR 133, HCR 135, HR 140, HR 142, SB 249, SB 1243, SB 1340, SCR 141, SCR 143, SR 124, SR 126

Holidays/ Memorials

SCR 133, SCR 307

Law Enforcement

HCR 184, HR 188

Land Rights

HB 109, HB 752, HB 762, HB 944, HB 971, HB 1202, HB 1530, HB 1551, HB 1825, HB 1966, HB 1967, HB 2071, HB 2210, HB 2211, HB 2214, HCR 129, HCR 134, HCR 187, HCR 268, HR 136, HR 141, HR 254, HR 293, SB 374, SB 783, SB 828, SB 1342, SB 1860, SCR 85, SCR 100, SCR 142, SCR 263, SCR 278, SCR 30, SR 72, SR 86, SR 125, SR 253

License by the State

HR 95, SCR 132

Litigation Rights

HB 753

Native Affairs Offices, or Commissions, or Groups

HB 967, HB 974, HB 1198, HB 1200, HB 2015, SB 373, SB 691, SB 692, SB 693, SB 694, SB 695, SB 776, SB 1337, SB 1338, SB 1472, SB 1648, SB 1934

Relations Between States and Tribes

HCR 191, HCR 197, HCR 302

IDAHO

Regular Session: January 9 to March 17
Bills Introduced: HB: 0 SB: 3 SCR: 2
Bills Passed: SB: 0 SCR: 0

SB 1001 (Schroeder)

Creates a new district on the Idaho Fish and Game Commission and the representation by members of the five federally recognized Idaho Indian tribes. *Died in Senate Resources and Environment Committee.*

SB 1105 (Local Government and Taxation Committee)

Exempts tribally owned and operated business from sales tax on the reservation and further defines the term reservation. *Died in Senate Local Government and Taxation Committee.*

SB 1137 (Transportation Committee)

Recognizes Native American reservation roads in the highway system so reservation roads can qualify for funding from the Highway Users Fund, a fund used for providing a rural road system for the delivery of goods and services for rural residents. *Died in Senate Transportation Committee.*

SCR 106 (State Affairs Committee)

Authorizes the Legislative Council to establish a committee to review Native American issues. *Died in House Ways and Means Committee.*

SCR 119 (State Affairs Committee)

Authorizes the Legislative Council to appoint a committee to undertake and complete a study regarding the Kootenai Tribe's proposed purchase of land or business away from Indian country, the effect of tribal sales tax exemption on local communities, or any other issue that could lead to making the Kootenai Tribe self-sufficient. Recommendations, finding and proposed legislation shall be made by this committee. *Passed Legislature.*

ILLINOIS

Regular Session: January 11 throughout rest of the year
Bills Introduced: HB: 0 SB: 1

SB 277 (Shaw)

Creates a legal, school, and bank holiday known as Native Americans Day on the fourth Monday in April by amending the State Commemorative Dates Act, the School Code, and the Promissory Note and Bank Holiday Act. *Pending in House Rules Committee.*

KANSAS

'95 session carries over to the '96 session

Regular Session: January 9 to late May

Bills Introduced: HB: 0 SB: 0 HCR: 1 HR: 1

Bills Passed: HCR: 0 HR: 1

HCR 5026 (Snowbarger)

Requests the continuation of negotiations, by the Governor, of tribal-state gaming compacts to be limited to games actually permitted and conducted in the state. *Held over for 1996 calendar.*

HR 6014 (Joint Committee on Gaming Compacts)

Approves a gaming compact between the Prairie Band Potawatomi Nation in Kansas and the state of Kansas. *Enacted by House.*

LOUISIANA

Regular Session: March 27 to June 19

Bills Introduced: HB: 3 HCR: 2 SB: 1 SCR: 1

Bills Passed: HB: 1 HCR: 1 SB: 1 SCR: 0

HB 1127 (Riddle)

Dedicates certain Indian gaming revenues received by the state to a special fund in the state treasury to be used to offset and defray local government expenses in Avoyelles Parish and distributes the funds to the Avoyelles Parish Police Jury. *Signed by Governor.*

HB 1471 (Montgomery)

Adds publicly funded, full-time municipal or tribal police officers who work as jailers to the class of personnel eligible for supplemental pay. *Died in House Appropriations Committee.*

HB 1852 (Lalonde, Bruneau)

Consolidates the supervision of certain gaming activities in the state. Defines terms. Creates an office of gaming control within the Department of Revenue and Taxation. Establishes a consolidated gaming control commission called the Louisiana Gaming Control Commission and defines powers, responsibilities, authority of the commission, the office, and the executive director, members, member requirements, terms, nominating procedures, salaries, duties. Provides for the operation of certain games and gaming devices at certain kinds of establishments under certain conditions and restrictions. Appropriates \$7,500,000 to the Department of Revenue and Taxation in anticipation of beginning operations. Provides enforcement provisions. *Died in Criminal Justice Committee.*

HCR 67 (Theunissen)*

Similar to SCR 145

Urges and requests the governing bodies of the sovereign nations of the Coushatta, Tunica Biloxi, and Chitimacha Indian tribes to provide goods and services at discounted rates only to their tribal members and not obtain an unfair trade advantage over Louisiana businesses. Urges and requests the Governor to renegotiate the gaming compacts between the state and the tribes. Urges and requests the Louisiana Congressional Delegation to evaluate the need for amending the Indian Gaming Regulatory Act to eliminate unfair trade advantages. *Passed by Legislature.*

HCR 137 (Smith)

Recognizes an Indian tribe the Four Winds Tribe, Louisiana Cherokee Confederacy. Memorializes Congress to recognize the Four Winds Tribe, Louisiana Cherokee Confederacy as an Indian tribe.. *Died in Criminal Justice Committee.*

SB 559 (Hines)

Dedicates gaming revenue left over from paying obligations to go to the state treasury in the Allen Parish Local Government Gaming Mitigation Fund. Dedicates this fund to offset and defray the expenses of the Allen Parish which result from Class III gaming. *Signed by Governor.*

SCR 145 (Cain, Smith)

Similar to HCR 67

Urges and requests the Governor's Office of Indian Affairs to study the heritage of the Four Winds Tribes, Louisiana Cherokee Confederation and report its findings to the legislature. Memorializes congress to take necessary steps to acknowledge and recognize the rights of the Four Winds tribe, and Louisiana Cherokee Confederation as equal to other Indian tribes in the United States. *Died in Criminal Justice Committee.*

MAINE

regular session carries over for two years

Regular Session: December 7 to June 21

Bills Introduced: HP: 7

Bills Passed: HP: 3

HP 80 (Keane, et al.)

Amends state law to comply with the federal law for crimes committed on the Indian reservation of the Penobscot Nation by clarifying that the jurisdiction of the tribal courts is consistent with federal laws. *Killed in committee by a unanimous ought not to pass.*

HP 121 (Pouliot)*

Related to HP 122 and HP 156

An order which amends the joint rules by allowing elected members of the Penobscot Nation and Passamaquoddy tribe to represent their people in the legislature and to be able to sponsor or cosponsor legislation. *Indefinitely postponed by the Legislature.*

HP 122 (Pouliot)

Related to HP 121 and HP 156

An order which amends the joint rules by allowing elected members of Passamaquoddy tribe to represent their people in the legislature and to be able to sponsor or cosponsor legislation. *Indefinitely postponed by the Legislature.*

HP 156 (Pouliot)

Related to HP 121 and HP 122

An order which amends the joint rules by allowing elected members of the Penobscot Nation and Passamaquoddy tribe to represent their people in the legislature and to be able to sponsor or cosponsor legislation specifically relating to Indians and Indian land claims. *Passed by Legislature.*

HP 351 (Keane, Attean)

Similar to 944

Gives the Penobscot Nation the right to exercise exclusive jurisdiction separate and distinct from the state over criminal offenses for which the maximum potential term of imprisonment and fine is less than one and the maximum potential fine does not exceed \$5,000 and that are committed on the Indian reservation of the tribe by a member of either tribe or nation, except when committed against a person who is not a member of either tribe or nation or against the property of a person who is not a member of either tribe or nation. *Killed in Committee by a unanimous ought not to pass.*

HP 944 (Adams, et al.)

Similar to 351

Gives the Passamaquoddy Tribe the right to exercise exclusive jurisdiction separate and distinct from the State over criminal offenses for which the maximum potential term of imprisonment and fine is less than one and the maximum potential fine does not exceed \$5,000 and that are committed on the Indian reservation of the tribe by a member of either tribe or nation, except when committed against a person who is not a member of either tribe or nation or against the property of a person who is not a member of either tribe or nation. *Signed by Governor.*

HP 977 (Dexter, et al.)

Adjusts the 1993 Apportionment Plan by removing portions of T3 Indian Purchase, T4 Indian Purchase and Long A Township located in House District 139 to be included in House District 140. Affects of this move by the population, as recorded by the 1990 census, is 26. *Signed by Governor.*

MARYLAND

Regular Session: January 11 to April 10

Bills Introduced: SB: 1

Bills Passed: SB: 0

SB 94 (Hafer)

Requires the report to a law enforcement authority or the Maryland Historical Trust by a person who encounters or discovers human remains or burial sites. Requires enforcement authorities to notify and inspect the burial sites. Establishes a Local Burial Sites Advisory Board. *Died in Judicial Proceedings Committee.*

MASSACHUSETTS

Regular Session: January 4 throughout the rest of the year

Bills Introduced: HB: 3 SB: 3

Bills Passed: All Bills Pending

HB 616 (Hall)

Allows teachers who have served in Vista, or the Indian Bureau to buy that time into the teachers' retirement system and consider the time as creditable service. *Pending in House Ways and Means Committee.*

HB 2580 (Harkins)

Allows the Metropolitan District Commission to acquire a vacant parcel of land adjacent to the Hemlock Gorge Reservation and build a visitor's center/office/ storage space for the reservation with funding from the National Trust for Historic Preservation. *Pending in House Ways and Means Committee.*

SB 579 (Keating, et al.)

Allows for the rental of state owned property called the "Ponkapoag Outdoor Center" at the Blue Hills reservation in the town of Canton. States the rental period, rental uses, and rental procedure. *Killed in committee.*

SB 586 (Rauschenbach)**Similar to SB 1847**

Creates a housing authority for the Mashpee Wampanoag and Nipmuc Indian tribes. Establishes guidelines, powers, and operations. *Pending in Senate Ways and Means Committee.*

SB 1847 (Housing & Urban Development Committee)**Similar to SB 586**

Creates a housing authority for the Mashpee Wampanoag and Nipmuc Indian tribes. Establishes guidelines, powers, and operations. *Pending in Senate Ways and Means Committee.*

MICHIGAN

Regular Session: January 11 throughout the rest of the year

Bills Introduced: HB: 2 HCR: 1 HR: 1 SB: 2

Bills Passed: All Bills Pending

HB 4777 (Walberg, et al.)

Opposite of SB 483

Repeals tuition waivers for state resident North American Indians in Michigan public community colleges, public universities, and certain federal tribally controlled community colleges. *Pending in House Higher Education Committee.*

HB 4800 (McBryde)

Provides for the appointment of law enforcement officers of the Michigan Indian Tribal Police force to act a police officers for "Indian Country." Disclaims state liability and rights to state benefits. Defines terms. *Pending in Judiciary and Civil Rights Committee.*

HCR 258 (Anthony, et al.)*

Same as HR 246 (Anthony, et al.) *Pending in Conservation, Environment and Great Lakes Committee.*

Expresses opposition to the application of the Wisconsin Forest County Potawatomi tribe for redesignation by the United States Environmental Protection Agency to a stricter Class I air quality standards from its present less stringent Class II status. *Pending in Conservation, Environment and Great Lakes Committee.*

SB 90 (Vaughn)

Provides for the instruction in history, culture, and tribal sovereignty of federally recognized Native American tribes of the state to be included as part of the social studies curriculum. Requires the development of teaching guidelines for the instruction with the Michigan Commission on Indian Affairs. Requires a teaching certificate applicant to receive instruction in the study of minority group relations. *Pending in Senate Education Committee.*

SB 483 (Hoffman, et al.)

Opposite of HB 4777

Amends the tuition waiver program by making an individual ineligible if convicted of certain controlled substance felony violations. *Pending in Education Committee.*

MINNESOTA

'95 session carries over to the '96 session

Regular Session: January 3 to May 22

Bills Introduced: HB: 13 SB: 14

Bills Passed: HB: 0 SB: 3

HB 316 (Bakk)

Same as SB 133 (Johnson) *Signed by Governor.*

Authorizes Cook County to sell lands within the Grand Portage Band of Chippewa Indians bordering pubic waters by private sale.

HB 512 (Koppendrayner, et al.)

Same as SB 369 (Stevens) *Carried over in Senate Taxes and Tax Laws Committee.*

Provides property tax aid for local governments for lands deemed Indian trust lands after 1993. Establishes a property tax aid for local governments for property exempted as a result of action taken by the United States Secretary of Interior Bureau of Indian Affairs. Appropriates the amount necessary to make the payments necessary under this section. *Carried over in House Taxes Committee.*

HB 563 (Tunheim, Anderson)

Appropriates to Commissioner of Agriculture \$300,000 for a beaver damage control joint powers board composed of Becker, Beltrami, Clearwater, Hubbard, Itasca, Kittson, Koochiching, Lake of the Woods, Mahnommen, Marshall, Norman, Pennington, Polk, Red Lake, and Roseau counties. Requires matching funds of \$130,000 from the board and authorizes a board to enter agreements with Red Lake of Chippewa Indians. *Carried over in House Environment and Natural Resources Committee.*

HB 714 (Clark)

Same as SB 574 (Finn) *Signed by Governor.*

Requires a review and report on geographic features and political subdivision names which are potentially offensive by the Indian Affairs Council. Requires the Commissioner of Natural Resources to change names of geographic features containing the word "squaw."

HB 837 (Clark, et al.)

Similar to HB 894: SB 769

Appropriates to the Board on Aging \$110,000 from the general fund, to fund a coordinator for the Indian elderly access program. *Carried over in House Health and Human Services Committee.*

HB 894 (Clark, Wejcman)

Similar to HB 837

Same as SB 769 (Finn, et al.) Went into Health and Human Services Bill SF 1110. *Signed by Governor.*

Appropriates a blank amount to the Board on Aging to create an Indian elders coordinator position and to hire staff (as appropriations permit) to coordinate efforts with the National Indian Council on Aging to develop a comprehensive service system for Indian elders. Specifies system components. Carried over in House Health and Human Services Bill SF 1110. *Signed by Governor.*

HB 920 (Mariani, et al.)

Same as SB 789 (Pappas, et al.) Went into Omnibus Bills Special Session HF 4. *Signed by Governor.*

Includes programs and training to increase teacher and student knowledge of American Indian tribal government history and culture in teacher preparation curricula and staff development plans. Provides for consultation with American Indian parent committees to

establish, design, implement programs and provide for in-service training for teachers. Requires graduation standards rule committee to hold public hearing to consider expanding the graduation rule to require understanding of specified matters relating to American Indian sovereignty, tribal government, and culture with respect to both Dakota and Ojibwe tribes. *Carried over in House Education Committee.*

HB 982 (Rest)

Same as SB 847 (Berglin, Johnson) *Carried over in Senate Taxes and Tax Laws Committee.*

Provides that the wholesale drug distributor tax does not apply to the gross revenues of a wholesale drug distributor received from an Indian tribe, a federal agency, instrumentality, or any private entity from which the distributor may not collect the tax under federal law. *Carried over in House Taxes Committee.*

HB 1084 (Kahn, et al.)

Same as SB 618 (Berg) *Passed Senate and sent to House.*

Memorializes Congress to amend the Indian Gaming Regulatory Act to provide an expiration date for all compacts negotiated by Minnesota, with the state still required to negotiate in good faith with Indian tribes. *Carried over in House Governmental Operations Committee.*

HB 1502 (Tuma)

Same as SB 1378 (Neuville, et al.) *Carried over in Senate Education Committee.*

Appropriates \$1,017,000 to the Department of Education for American Indian language and cultural education programs and for block grants \$4,674,000 to support American Indian education. Requires annual certification of block grant amounts to the American Indian Education Aid Distribution Council. Requires matching funds for block grants after fiscal Indian Education Aid Distribution Council. Requires matching funds for block grants after fiscal 1996. *Carried over in House Education Committee.*

HB 1582 (Rukavina)

Same as SB 1444 (Solon) *Signed by Governor.*

Authorizes the private sale of tax-forfeited lands bordering public water, requiring sales to the Bois Forte Chippewa Indian. Authorizes public sale of 25 other parcels bordering public water.

HB 1610 (Clark, et al.)

Same as SB 1361 (Berglin, et al.) Went into Health and Human Services Bill S.F.1110. *Signed by Governor.*

Appropriates \$200,000 from the general fund to the Commissioner of Human Services for Indian child welfare defense corporation compliance grants. *Carried over in House Health and Human Services Committee.*

HB 1671 (Knoblach, et al.)

Same as SB 1011 (Neuville, Scheevel) *Carried over in Senate Gaming Regulation Committee.*

Eliminates any legal basis for Class III gaming conducted on Indian lands or anywhere else in the state. Abolishes the Racing Commission and the state lottery and transfers their functions to the Commissioner of Public Safety. Makes the Commissioner of Public Safety the successor to complete all actions by January 1, 2000. Makes it a misdemeanor to bet \$1,000 or less, and sets penalty limit for bets of \$100 or less. Makes a bet over \$1,000 a gross misdemeanor. Repeals Minnesota gaming statutes. *Carried over in House Governmental Operations Committee.*

SB 369 (Stevens, et al.)

Requires the state to compensate cities, counties, school districts and towns for property tax revenues lost due to classification of property as Indian trust land by the Secretary of the Interior after January 1, 1994. Appropriates from the general fund the amount necessary to make payments required under this section. *Carried over in Senate Taxes and Tax Law Committee.*

SB 560 (Berg)

Changes the procedure for refunds to tribal governments by determining the amount of sales, use, and excise tax. *Carried over in Senate Taxes and Tax Law Committee.*

SB 1044 (Berg, Neuville)

Provides for the renegotiation by the Governor and legislative approval of all tribal-state compacts negotiated under the Indian Gaming Regulatory Act. *Passed Senate and sent to House.*

MISSOURI

Regular Session: January 4 to May 30
Bills Introduced: SB: 1
Bills Passed: SB: 0

SB 429 (Graves)

Makes it a felony for any person who knowingly appropriates for profit, uses for profit, sells, purchases or transports for sale or profit any human remains or any cultural items of a Native American without the right of possession to those remains. *Died in committee.*

MONTANA

Regular Session: January 2 to April 13
Bills Introduced: HB: 6 SB: 4 SJR: 2
Bills Passed: HB: 2 SB: 3 SJR: 2

HB 92 (Heavy Runner)

Clarifies for purposes of the Indian hiring preference law that a state agency includes an elementary or high school district with an Indian student population of 30 percent or more. *Failed to pass House.*

HB 141 (Story)

Allows the tribal motor fuels administration account to be expended by the Department of Justice only for the purposes of administering the motor fuels tax and providing refunds. *Signed by Governor.*

HB 149 (Mercer, et al.)

Provides financial assistance to certain counties and cities and towns for the loss of video gambling machine gross income tax revenues and to certain holders of a license to sell alcoholic beverages on the premises for the loss of gross income associated with the failure of the state of Montana and certain Indian tribes to negotiate a compact under the federal Indian Gaming Regulatory Act or associated with any federal laws that prohibit the operation of a video gambling machine on an Indian reservation. Defines a video gambling machine taken out of service. Allocates a portion of the video gambling machine gross income tax to counties and to cities and towns for the loss of tax revenue from video gambling machines taken out of service. Provides a tax credit to certain holders of a license to sell alcoholic beverages on the premises for the loss of gross income from video gambling machines taken out of service. Requires the department to disclose to taxpayers the amount of credit due. *Died in House Taxation Committee.*

HB 329 (Heavy Runner, et al.)

Allows a student from a tribally controlled college or a state funded two-year postsecondary institution to participate in the legislative intern program. Requires the tribal government to be notified. *Signed by the Governor.*

HB 477 (Schwinden, et al.)

Authorizes the state to negotiate a compact under the federal Indian Gaming Regulatory Act granting authority to a tribe to operate slot machines, roulette, craps, blackjack or twenty-one within the boundaries of its reservation. Provides for a payment of 8 percent of net revenue to the state to fund local government operations located in reservation counties. Requires gaming operations to be regulated by tribal law pursuant to the federal Indian Gaming Regulatory Act. *Died in House Business and Labor Committee.*

HB 486 (Jore)*

Terminates the state-tribal cooperative agreement between the Confederated Salish and Kootenai tribes of the Flathead reservation and the state of Montana. Provides additional criteria to be applied upon a renegotiation of the agreement, such as having joint licenses, permits, and stamps apply to non-tribal persons who wish to hunt and fish on tribal lands; and persons who wish to hunt on non-tribal lands within the boundaries of the reservation can do so by purchasing a Montana state license with revenues remitted to the state. *Died in House Fish and Game Committee.*

SB 4 (Weldon)

Moves the office of state coordinator of Indian affairs from the Department of Commerce to the Governor's office. Provides the coordinator be appointed by the Governor from a list of five qualified Indian applicants and be agreed upon by the tribal councils of the respective Indian tribes of the state. Requires tribal governments be notified of the reallocation. *Signed by Governor.*

SB 189 (Weldon, et al.)

Authorizes the Department of Justice to suspend or revoke the driver's license of a tribal member that is seized under authority of a tribal government or by a tribal peace officer. Authorizes the department to recognize a tribal court order suspending, revoking, or reinstating the driver's license of a tribal member pursuant to tribal law or regulation requiring alcohol or drug testing of motor vehicle operators. Does not grant a right of appeal to a state court if a driver's license is initially seized, suspended, or revoked pursuant to a tribal law or regulation that requires alcohol or drug testing of motor vehicle operators. Requires giving notification to tribal governments. *Signed by Governor.*

SB 217 (Doherty)

Clarifies the qualifications for the Indian child welfare specialist by allowing the appointment of a qualified person. Requires giving notification to tribal governments. *Signed by Governor.*

SB 419 (Gage, et al.)

Exempts from taxation income earned on an Indian reservation by an enrolled member of any federally recognized American Indian tribe who resides on the reservation at the time that the income is earned. Requires a member who resides on and derives income from an Indian reservation other than the Indian reservation of the American Indian tribe in which the member is enrolled to file a return in the tax year in which the income was earned. Requires certification of enrollment in a federally recognized American Indian tribe and proof that the income was earned within the boundaries of the Indian reservation must be attached to the return. *Died in House Taxation Committee.*

SJR 8 (Emerson, et al.)

Designates the second Sunday of May of 1995 be designated as a day to recognize and honor the contributions of the American Indian Woman in Montana. *Passed Legislature.*

SJR 11 (Brooke, et al.)

Requests the study public schools' compliance with the Montana Constitution, the role of American Indians studies in higher education, and the level of knowledge of the general public regarding American Indian issues, by the Committee on Indian Affairs. Requires a report to the 55th legislature. *Passed Legislature.*

NEBRASKA

Regular Session: January 4 to June 9

Bills Introduced: LB: 3 LR: 1
Bills Passed: LB: 1 LR: 0

LB 451 (Engel, et al.)

Provides a separate licensing standard for Native American foster homes located outside the boundaries of any Indian reservation in order to achieve the goals, further the purposes, and comply with the Federal Indian Child Welfare Act and the Nebraska Indian Child Welfare Act. Requires the consultation with the Commission on Indian Affairs and an advisory committee of Native Americans to develop appropriate standards for the licensing of such foster homes. *Approved by Governor.*

LB 691 (Withem)

Requires the sheriff to seek the assistance of the tribal court when carrying out a service of process on lands subject to the jurisdiction of a federally recognized Indian tribe which has a tribal court and a service of process ordinance. *Carried over in general file.*

LB 798 (Avery, et al.)

Eliminates the Commission on Indian Affairs and shifts some duties, such as the discovery of Native American human skeletal remains or burial goods, to the executive director in the Office of Public Council. *Killed by Government, Military, and Veterans Affairs Committee.*

LR 254 (Cudaback, Robinson)

Examines the accessibility and physical state of Nebraska's abandoned, pioneer, and Native American burial grounds and cemeteries by the Government, Military, and Veterans Affairs Committee. *Pending in interim study by the Government, Military, and Veterans Affairs Committee.*

NEVADA

Regular Session: January 16 to late June
Bills Introduced: AB: 1 ACR: 1 AJR: 1 SB: 1
Bills Passed: AB: 1 ACR: 1 AJR: 1 SB: 0

AB 361 (Sandoval, et al.)

Clarifies jurisdictional issues and how the state should follow the Indian Child Welfare Act when dealing with Native American children. Exempts Indian children from application of certain provisions governing child custody, adoption, termination of parental rights and placement in foster care. *Signed by Governor.*

ACR 30 (de Braga, et al.)

Commends Wuzzie Dick Geroe and her family, for preserving the culture and traditions of the Northern Paiute People of Stillwater Marsh, Nevada. *Enacted by Legislature.*

AJR 31 (de Braga, et al.)

Urges the National Museum of the American Indian, a part of the Smithsonian Institution, to return a portion of 2,000 year old tule duck decoys found in Lovelock Cave, Nevada, to the State of Nevada Department of Museum, Library and Arts. *Signed by Governor.*

SB 339 (Jacobsen)

Authorizes the lease of a certain area of the facility commonly known as the Stewart Indian School in Carson City based upon the cost to the state of operating and maintaining the facility. *Died in Committee.*

NEW JERSEY

Regular Session: January 10 throughout the rest of the year
Bills Introduced: A: 1 SB: 1 SJR: 1
Bills Passed: A: 0 SB: 0 SJR: 0

AB 1134 (Mikulak, Gibson)

Same as SB 398 (Zane) Substituted by AB 1134.

Establishes the New Jersey Commission Native American Affairs in the Department of State. Describes appointment requirements, terms, duties, policies, and purposes. *Second reading in Senate to concur with Governor's recommendation.*

SJR 13 (Lipman)

Resolves that the fourth Friday of September of every year shall be dedicated and proclaimed as "Native American Day." Urges the citizens of the state to observe the day by recognizing the important part Native Americans played in the development of New Jersey and the continuing contributions of Native Americans today in the state. *In Senate State Government Committee.*

NEW MEXICO

Regular Session: January 17 to March 18
Bills Introduced: HB: 35 HJM: 6 HJR: 1 HM: 2 SB: 25 SJM: 5 SM: 2
Bills Passed: HB: 4 HJM: 2 HJR: 0 HM: 2 SB: 1 SJM: 2 SM: 1

Passed and Vetoed Bills:

HB 23 (Emergency Clause) Substitutes HB 23 for HB 344, HB 424, HB 789 and other House bills not related to Native issues. *Signed by Governor with partial vetoes.*

House bill sections not vetoed by governor.

HB 344 (Luna, Madalena)

Authorizes the issuance of severance tax bonds, for a recreational area on the Jicarilla Apache Reservation in Rio Arriba County, not to exceed \$100,000. *Signed by Governor.*

HB 424 (Lovejoy, et al.)

Appropriates funds to match federal and other funds, for capital improvements at the Institute of American Indian Arts, to the New Mexico Office of Indian Affairs. *Signed by Governor.*

HB 789 (Charley, et al.)

Appropriates funds Affairs for the Navajo Prep School in Farmington in San Juan County, to the New Mexico Office of Indian Affairs. *Signed by Governor.*

HB 37 (Emergency Clause)

Provides for wholesale liquor sales to licensed Indian nations, tribes, and pueblos or to persons licensed by an Indian nation, tribe, or pueblo within the state in conformity with an ordinance adopted by the Indian nation having jurisdiction over situs of the transaction within the area of Indian country. *Signed by Governor.*

HB 39 (Madalena, et al.)

Provides Indians, their Indian spouses, and Indian dependents on Indian lands an exemption from state income tax if the income is earned from work performed within the reservation and the member, spouse, or dependent lives within the boundaries of the reservation or pueblo grant. *Signed by Governor.*

HB 87 (Baca)

Amends the state statute to include Indian nations, tribes, and pueblos in the Development Fund to encourage economic development. Provides low-interest loans to political subdivisions of the state and the governments of Indian nations, tribes, and pueblos so they can construct or implement projects necessary to provide services that will encourage the location of industry in the political subdivisions and in Indian country. *Vetoed by Governor.*

HB 499 (Watchman)

Repeals 31-10-1 "Indians liable for offenses off reservation," 31-10-2, "Indians sentenced; duty to notify agent," and 31-10-3, "Offenses" sections of the New Mexico Statutes Annotated. Takes archaic laws off the books, because specific crimes committed upon Indian reservations come under federal and tribal jurisdiction, not state jurisdiction. *Signed by Governor.*

HJM 5 (Baca, et al.)

Requests the governor and the New Mexico congressional delegation to work together with appropriate federal and state agencies and the state's Indian tribes and pueblos to develop reciprocity arrangements for sharing federal and state health resources. Requests federal, Indian, and state cooperation in developing health care reform plans. *Approved by legislature.*

HJM 20 (Corley, et al.)

Same as SJM 61 (Howes, Tsosie) *Approved by legislature.*

Requests the State Highway and Transportation Department to cooperate with the Navajo Nation and the United States Department of Transportation to construct the diamond interchange at NM 566 to provide direct access to NM 566 and Red Rock State Park bypassing Interstate 40. *Approved by legislature.*

HM 5 (Salazar, Taylor)

Requests the Indian Health Service to develop and implement a long-term care policy that uses existing American Indian health resources, places a focus on in-home services and explores other long-range care service options. *Approved by legislature.*

HM 6 (Salazar, Madalena)

Requests the United States Congress to adopt a health care reform plan that takes into consideration the needs of all members of American Indian tribes. Request that the health care plan include expansion of services currently provided by the Indian health service to include community-based long-term care for the tribal elderly. *Approved by legislature.*

SB 20 (Garcia)

Changes certain provisions of the New Mexico Subdivision Act by redefining terms. Concerns the protection of cultural properties, archaeological sites, and unmarked burials pursuant to the Cultural Properties Act. *Signed by Governor.*

SJM 13 (Pinto, et al.)

Expresses support the Navajo Agricultural Products Industry and urges the United States Congress and the President of the United States to appropriate funding to complete the Navajo Indian Irrigation Project. *Approved by legislature.*

SJM 67 (Pinto, et al.)

Resolves that the legislature stand in support of Indian tribes desire to ensure that the New Mexico Commission and office of Indian Affairs continue their goals and mission under the present organization and leadership. *Approved by legislature.*

SM 16 (Pinto, et al.)

Requests the Department of Game and Fish and the State Gaming Commission to enter into negotiations with the Picuris, Nambe, Poljoaque, San Ildefonso, San Juan, and Taos pueblos regarding the possible transfer, sale, or loan of the Fort Wingate bison herd to the pueblos for their bison project. *Approved by legislature.*

An additional 63 bills and resolutions failed passage in the legislature. These bills are listed below by issue and bill number. Some bills could be placed in more than one issue.

Child Welfare

HB 282, HB 568, HB 590, HB 701, HB 884, HB 1030, HJM 43, SB 718

Cultural and Historic Preservation

HB 38, HB 97, HB 856, HB 578, HB 948, SB 998, SJM 61

Education

HB 88, HB 93, HB 346, HB 545, HB 670, HB 744, HB 1105, HJM 10, SB 786, SB 945, SB 951, SB 971, SB 1043, SJM 5

Economic Development
HB 96

Environmental
HB 1072, SB 174

Juvenile
HB 348

Health
HB 348, HJM 6, SB 877, SB 916, SB 1155, SB 1158, SB 1160

Holidays and Memorials
HB 1146

Housing
SB 495

Gaming
HB 988, HJM 42, HJR 11

Licenses by the State
HB 746

Native Affairs, Offices, or Commissions, or Groups
HB 159, HB 1188, SB 447, SB 929, SB 943, SB 1039, SB 1121, SB 1135

Relations between State and Tribe(s)
HB 73, SM 7

Recognition by State of Tribes
HB 1011

Taxation
HB 345, HB 987, SB 193,

Tribal Courts
SB 1040

Restrictions on Tribes by the State
HB 1106

NEW YORK

Regular Session: January 4 throughout the rest of the year

Bills Introduced: AB: 14 SB: 7
Bills Passed: All Bills Pending

AB 65 (Townsend)

Eliminates the real property tax exemption on and after January 1, 1995, for Indian-owned lands in the Oneida county towns of Verona and Vernon. Requires from January 1, 1992 to January 1, 1995, the state to hold localities harmless for tax revenues lost. *Pending in Real Property Taxation Committee.*

AB 440 (Pillittere)

Same as AB 3460 (Griffith, Sanders) *Pending in Environmental Conservation Committee.*

Allows enrolled members of an Indian tribe to hunt, fish, or trap off the reservation, provided they have a valid enrollment card issued by the governing body of a tribe or Indian nation. *Pending in Environmental Assembly Committee.*

AB 679 (Sanders, et al.)

Repeals all Article 8 of an Indian law relating to the Saint Regis Tribe. Comes from the recognition by the state that federal law preempts the state in dealing with Native American governance. Intends to eliminate the law so the Saint Regis tribe can exercise its sovereignty by creating its own government system. *Pending in Governmental Operations Committee.*

AB 1977 (Robach, et al.)

Exempts organizations conducting games of chance from paying the additional license fee based on net proceeds, when the organization is located within a municipality which has waived the additional fee. *Pending in Ways and Means Committee.*

AB 2679 (Sullivan)

Same as SB 1879 (Sears) *Pending in Higher Education Committee.*

Extends financial assistance to eligible Native American students when the length of study is extended beyond the normal period. *Pending in Ways and Means Committee.*

AB 3582 (Genovesi, Robach)

Provides for taxation of motor fuel, diesel fuel and cigarettes imported into Indian reservations within the state for sale to non-natives on Indian reservations. *Pending in Ways and Means Committee.*

AB 4868 (Sanders, et al.)

Same as SB 2641 (DeFrancisco) *Pending in Tourism, Recreation, and Sports Development Committee.*

Strengthens the commitment to protect Native American Indian burial sites from deliberate or inadvertent disturbance and looting. Defines terms. Creates a commission and advisory panel on Indian burials. Sets out membership, duties, policy, and procedure. *Pending in Governmental Operations Assembly Committee.*

AB 5291 (Diaz, et al.)

Same as SB 2047 (Mendez, et al.) *Pending in Investigations, Taxation, and Government Operations Committee.*

Encourages the people of the state of New York, to practice their right to preserve and promote their respective historic, linguistic and cultural origins. Provides further that any state resident shall have standing to sue the state to enforce said provisions. *Pending in Governmental Operations Assembly Committee.*

AB 5841 (Bonacic, McGee)

Similar to AB 6585

Same as SB 473 (Holland, et al.) *Pending in Investigations, Taxation, and Government Operations Committee.*

Provides reduced motor and diesel fuel excise tax to certain regions facing competition from bordering states or Indian reservations. *Pending in Ways and Means Committee.*

AB 6585 (Townsend)

Similar to AB 5841

Provides for reduced tax rate motor and diesel fuels in areas within a twenty mile radius of Indian reservations. Provides for the Commissioner of Taxation and Finance to promulgate rules and regulations and report to the Governor and Legislature. *Pending in Ways and Means Committee.*

AB 6624 (Gunther)

Same as SB 2349 (Cook) *Pending in Education Committee.*

Authorizes instruction in the study of Native American issues by teachers employed in public and schools, universities and colleges in the state of New York. *Pending in Education Committee.*

AB 7410 (Committee on Rules)

Same as SB 4006 (Hoffman) *Pending in Local Government Committee.*

Exempts the Oneida Indian nation of New York from real property taxation of state lands in accordance with the case, County of Oneida, New York vs. Oneida Indian Nation of New York State, 470 U.S. 226 (1985). *Pending in Real Property Taxation Committee.*

AB 7426 (Committee on Rules)

Same as SB 4073 (Stafford) *Pending in Finance Committee.*

Extends the Community Services Block Grant Program to increases the allocation of funds for Indian tribes. Alters provisions relating to organizations that may be funded. Changes the annual reporting date. *Pending in Social Services Committee.*

NORTH CAROLINA

Regular Session: January 25 to mid-July

Bills Introduced: HB: 2 SB: 2

Bills Passed: HB: 0 SB: 0

HB 622 (Sutton, et al.)

Similar to SB 774

Same as SB 533 (Parnell) *Died in Senate Appropriations Committee.*

Appropriates \$195,000 from the general fund to the Department of Administration for improvements on the site of the North Carolina Indian Cultural Center and sets out allocations. *Died in House General Government Appropriations Committee.*

HB 1004 (Sutton, et al.)

Appropriates \$20,000 from the general fund to Triangle Native American Society to assist in its mission to educate the general public and promote and protect the traditions and culture of Native Americans. *Died in House Appropriations Committee.*

SB 774 (Parnell)

Similar to HB 622 and SB 533

Appropriates \$175,000 from the general fund to the Department of Administration for improvements on the site of the North Carolina Indian Cultural Center and sets out allocations. *Carried over in budget bill (HB 230).*

NORTH DAKOTA

Regular Session: January 3 to April 7

Bills Introduced: HB: 2 SB: 4 SCR: 2

Bills Passed: HB: 2 SB: 2 SCR: 2

HB 1007 (Appropriations Committee)

Appropriates \$377,983 from the general fund to the Indian Affairs Commission to defray expenses. Limits appropriations for the Native American alcohol and drug abuse education program not to be spent for administrative services by the tribes. *Signed by Governor.*

HB 1342 (Nicholas)

Allows the director of the Department of Transportation to enter into agreements up to \$25,000 with tribal governments for the purpose of construction and maintenance of highways, streets, roads, and bridges. *Signed by Governor.*

SB 2067 (Stenehjem, Traynor)

Related to SCR 4012

Recognizes tribal-state gaming compacts by the legislature. Creates an open records exception for tribal gaming financial information. Provides for legislative approval of amendments to tribal-state gaming compacts. *Vetoed by Governor.*

SB 2139 (Wanzek)

Repeals the Gordon Aamoth Indian development fund, which provides matching funds for economic development of Indian people in North Dakota. *Signed by Governor.*

SB 2298 (LaFountain, et al.)

Appropriates \$200,000 to the Office of Management and Budget for funding and administering grant assistance payments to tribally controlled community colleges to defray the costs of education associated with the enrollment of non-Indian students for whom federal subsidies are unavailable under the Tribally Controlled Community College Assistance Act of 1978. *Failed in Senate.*

SB 2491 (LaFountain, et al.)

Amends the provisions of teaching services by allowing persons certified as instructors in the areas of North Dakota American Indian languages and culture to teach without a state teaching certificates. *Signed by Governor.*

SCR 4012 (Stenehjem, et al.)

Related to SB 2067

Directs the Legislative Council to study the desirability and feasibility of legislation governing the future amendments, negotiations, and renewal of tribal-state gaming compacts. Directs the Legislative Council to seek the involvement of representatives of the tribal governments of the state and report its findings and recommendations. *Passed Legislature.*

SCR 4043 (Tennefos, et al.)

Urges the North Dakota congressional delegation to address the complex legal issues related to the Federal Indian Gaming Regulatory Act of 1988, including the positive and negative impacts of Indian gaming on the states and tribes. *Passed Legislature.*

OKLAHOMA

'95 session carries over to the '96 session

Regular Session: February 7 to May 26

Bills Introduced: HB: 9 HCR: 2 SB: 3 SCR: 1 SR: 1

Bills Passed: HB: 1 HCR: 1 SB: 2 SCR: 1 SR: 1

HB 1509 (Stites)

Authorizes credit for teachers retirement system for instructors who taught at schools operated by the Bureau of Indian Affairs. *Pending in House Retirement Laws Committee.*

HB 1571 (Seikel)

Modifies the Subsidized Adoption Act by including federally recognized Indian tribes, as defined by the federal Indian Child Welfare Act. *Pending in House Judiciary Committee.*

HB 1800 (Hamilton, Steidley)

Related to SB 206

Appropriates to the Indian Affairs Commission the amount necessary to perform duties. Provides for effective date and declares an emergency. *Pending in House Appropriations and Budget Committee.*

HB 1804 (Hamilton, Steidley)

Related to SB 206 and SB 626

Set out duties, compensation of employees, and budgeting limitations for the Indian Affairs Commission. *Pending in House Appropriations and Budget Committee.*

HB 1951 (Weaver, Deutschendorf)

Revises the date for filing of a report by any owner of a cemetery maintaining a Perpetual Care Trust Fund. Excludes the Perpetual Care Fund Act from applying to a cemeteries operated by Indian tribal cemeteries on tribal or any other land. *Signed by Governor.*

HB 1953 (Matlock)

Clarifies language relating to the Governor's authority to enter into state-tribal intergovernmental cooperative agreements. *Pending in House Rules Committee.*

HB 1966 (Roach)

Modifies the Oklahoma Indian Child Welfare Act by providing public policy be established to preserve and protect essential tribal relations, Indian people, unique cultural and social standards in Indian communities and families. Adds definitions. Modifies purpose, application of the act, and notice procedures. Provides for appointment of counsel, examination of reports, foster care placement, standards, withdrawal, consent and invalid consent. Sets preference for placement. Requires remedial services and certain information. *Died in House by the motion expiring.*

HB 2002 (Voskuhl, Boyd)

Requires the Oklahoma Indian Affairs Commission to work jointly with various agencies to implement the system for the local community design and delivery of services to children and their families as provided by the Family-Centered and Community Designed Services Act. *Vetoed by Governor.*

HB 2044 (Cotner, et al.)

Requires registration fees, for vehicles licensed by federally recognized tribes, be apportioned based by the use of the vehicles on avenues of public access built by the state or a political subdivision. Requires the Oklahoma Tax Commission to apportion the registration fee based on the percentage miles actually operated by tribally registered vehicles on such roads in proportion to any avenues build and maintained by the tribe with whom the vehicle is registered. *Pending in Senate Appropriations Committee.*

HCR 1012 (Matlock)

Recreates the Oklahoma State-Tribal Economic Development Task Force. Provides for efforts, purposes, membership, reports, travel reimbursement, and directs distribution. *Passed House and carried over to the next year in the Senate.*

HCR 1031 (Benson, et al.)

Memorializes Congress to avoid eliminating or reducing federal impact aid to the local school districts that provide educational facilities and services for children living on federal property and Indian lands. *Passed Legislature.*

SB 206 (Haney, Hobson)

Related to HB 1800 and HB 1804

Appropriates to the Oklahoma Indian Affairs Commission \$4,325 or the amount necessary to perform duties. Provides for duties, compensation of employees, and budgetary limitations of the Indian Affairs Commission. *Vetoed by Governor.*

SB 207 (Haney, Hobson)

Appropriates money to Indian Nations Council of Governments. *Signed by Governor.*

SB 626 (Haney)

Related to HB 1804

Increases membership of the Oklahoma Indian Affairs Commission from 18 to 19. Requires that each appointed membership be an enrolled member of one of the 39 tribal governments in Oklahoma. Provides for excused absences. *Signed by Governor.*

SCR 5 (Haney, et al.)

Memorializes the United States Department of Interior and Congress not to regionalize offices of the Bureau of Indian Affairs. Outlines acceptable procedures if regionalization occurs. *Passed Legislature.*

SR 25 (Robinson, et al.)

Recognizes the Indian Territory's contribution in the cultural and historical development of Oklahoma. Proclaims August 21 of each year as "Indian Territory Day." Celebrates the contributions made by the many Native American tribes. Encourages that the celebration be included in the official publication of the Calendar of Events and that appropriate attention be given to the event of Indian Territory Day in the teaching of Oklahoma history. *Passed Legislature.*

OREGON

Regular Session:	January 9 to late June	
Bills Introduced:	HB: 4	SB: 4
Bills Passed:	HB: 2	SB: 4

HB 2562 (Tarno)

Directs the State Department of Fish and Wildlife to provide the Coquille tribe salmon for their historical, traditional and cultural salmon ceremonies that take place each year. *Signed by Governor.*

HB 2591 (Markham, et al.)

Repeals the five-year property tax exemption on July 1, 1996 for land acquired by an Indian tribe within ancient tribal boundaries that is in the process of transfer to trust administered by the United States. *Died in Committee.*

HB 3092 (Norris, et al.)

Includes federally recognized Indian tribal governments as a public agency so it becomes eligible to receive funds from the Water Pollution Control Revolving Fund. *Signed by Governor.*

HB 3435 (Brown, Lehman)

Establishes reporting and other requirements for state agencies that provide human or juvenile correction services to minority youth for culturally appropriate services. Allows a tribe upon request, that does not operate a tribal correctional facility or program, to order a tribal juvenile offender into a state juvenile corrections facility or program. Defines terms. *Died in Committee.*

SB 736 (Smith)

Allows governing bodies of federally recognized Indian tribes on tribal land to meet with state governing bodies. *Signed by Governor.*

SB 1052 (Judiciary Committee)

Allows the request of certain criminal information by Native American tribes, from the Department of State Police concerning persons or contractors applying as employees of tribal gaming facilities. Specifies when a local law agency may furnish information to a Native American tribe. *Signed by Governor.*

SB 1121 (Smith)

Modifies archaeological activities statutes. Punishes violation of certain provisions by maximum imprisonment of six months \$2,000 fine, or both. Directs judge to impose penalty in addition to any other sentence provided for criminal violation of certain prohibited activities regarding Indian graves and protected objects. *Signed by Governor.*

SB 5531 (Department of Administrative Services)

Appropriates money from the general fund to the Commission on Indian Services for biennial expenses. Limits biennial expenditures from fees, moneys or other revenues, including miscellaneous receipts, excluding federal funds, collected or received by the Commission on Indian Services. *Signed by Governor.*

PENNSYLVANIA

Regular Session: January 3 throughout the rest of the year
Bills Introduced: SB: 1
Bills Passed: SB: 0

SB 694 (Afflerbach, et al.)

Provides a formal procedure for recognition of Native American groups indigenous to Pennsylvania and certification of Native American organizations. Provides for powers and duties of the Pennsylvania Heritage Affairs Commission, which reviews the applications for formal recognition. Establishes offenses and penalties. *Pending in State Government Committee.*

RHODE ISLAND

'95 session carries over to the '96 session

Regular Session: January 3 to recessed early July, have not adjourned

Bills Introduced: HB: 2 SB: 1

Bills Passed: HB: 1 SB: 0

HB 5670 (Lima)

Designates, as a day of special observance, May 24th as American Indian Heritage Day.

Signed by Governor.

HB 6140 (Moura, et al.)*

Prohibits the supplying funds or services to any federally recognized Indian tribe, unless the tribe adopts the Employment Rights Code. Provisions of this code prohibit discrimination in employment based on race, color, religion, sex, ancestry, age, marital status, sexual orientation, disability, political activity, union activity or any other rights protected by the constitution. *Pending in House Finance Committee.*

SB 973 (Sullivan, et al.)*

Imposes a five dollar (\$5.00) toll on cars at areas leading to or abutting a tribal reservation. Permits the director of transportation for the state of Rhode Island to fix, revise, charge, and collect tolls for the use of such roads in the vicinity of the reservation. The revenues are distributed as the following: 50 percent disbursed to cities and towns in the relation to proportion to compensate the state, cities and towns for its increased public safety costs and municipal infrastructure costs; 20 percent to the town of Charleston; 10 percent to the town of Richmond; and 20 percent to be distributed to communities able to produce documentation of adverse impact of an enterprise operating within the sovereign borders. Provides for collection, penalties for non-payment, and director in charge of establishing rules and regulations. *Pending in Senate Judiciary Committee.*

SOUTH CAROLINA

'95 session carries over to the '96 session

Regular Session: January 10 to June 1

Bills Introduced: HB: 1 SB: 2

Bills Passed: HB: 0 SB: 1

HB 4245 (Jennings)

Same as SB 862 (Elliot) *Carried over in Senate Judiciary Committee.*

Recognizes as Indian tribes of the state of South Carolina, the Chicora-Waccamaw Indian Tribe and the Pee Dee Indian Tribes. Confers upon these tribes such rights and privileges as are provided by law to Indian tribes of this status. *Carried over in House Judiciary Committee.*

SB 694 (McGill)

(Concurrent Resolution) Establishes Chicora Indian Day on April 20th, in recognition of the Chicora Indian tribe's historical contributions and significance to the state of South Carolina. *Adopted by Legislature.*

SOUTH DAKOTA

Regular Session: January 10 to March 20

Bills Introduced: HB: 1 SB: 1 SCR: 1

Bills Passed: HB: 0 SB: 0 SCR: 1

HB 1310 (Munson, et al.)

Appropriates from the general fund \$191,350 to the Department of Education and Cultural Affairs to provide state student incentive grants and tuition equalization grants to qualified students. Appropriates from the general fund \$50,000 to the Board of Regents to fund the Indian scholarship program. *Died in House Appropriations Committee.*

SB 162 (Valandra, et al.)

Appropriates \$50,000 from the general fund to the Department of Education and cultural affairs to provide cost equalization grants to non-Indian students attending tribal universities or colleges. *Died on Senate floor.*

SCR 4 (Valandra)

Memorializes Congress to provide an appropriate level of federal funding to provide for payments in lieu of taxes to those local units of state governments which are currently providing governmental services to reservation and non-reservation Indian trust lands. *Adopted by Legislature.*

TENNESSEE

'95 session carries over to the '96 session

Regular Session: January 10 to late May

Bills Introduced: HB: 4 HJR: 1 SB: 4 SJR: 2

Bills Passed: HB: 1 HJR: 1 SB: 0 SJR: 0

HB 560 (Brown)

Companion Bill SB 1067 (Crutchfield, Harper)

Directs the Commissioner of Health to appoint an individual who will serve as head of a volunteer community network to evaluate the needs of Native Americans and their

families for effective alcohol and drug treatment in two communities designated by the commissioner. Directs the commissioner to give priority to locations with the greatest number of Native American families residing in Tennessee. Directs the commissioner to strive to assure that Native Americans actually participate in the evaluation of needs and in the recommendations which are made for providing the designed services to Native Americans. Provides for evaluation, report of findings and recommendations concerning the needs of Native Americans for the alcohol and drug services. *Signed by Governor.*

HB 1074 (Walley)

Companion Bill SB 1261 (Cohen) *Carried over in Finance, Ways and Means Committee.*

Authorizes the State Building Commission to secure and arrange for the placement of a statue honoring the great Cherokee warrior Sequoya to be placed in the State Capital or on Capitol grounds. *Carried over in the Budget Subcommittee.*

HB 1082 (Jones)

Companion Bill SB 1319 (Cohen) *Passed Senate and awaiting action in the House.*

Protects Native American historical burial grounds by making it a Class A misdemeanor to sell trade human remains or objects found at these sites. Makes it a Class E felony violation upon the second offense. Exempts not-for-profit museums. *Carried over in the Criminal Practice Subcommittee.*

HB 1718 (Boyer)

Companion Bill SB 1737 (Haun) *Carried over in State and Local Government Committee.*

Declares that no part of any municipal airport property, whether operated by an authority or by other means and whether operated by a single municipality or as a joint enterprise, cannot be located within 18,000 feet of a Native American Indian burial ground. *Carried over in the House Transportation Committee.*

HJR 358 (Head)

Same as SJR 115 (Rice) *In Senate Calendar Committee.*

Same as SJR 118 (Rice) *In House State and Local Government Committee.*

Designates and names the month of October as "Native American Indian Month" in the state of Tennessee. Resolves that during "Native American Indian Month", schools, clubs, and civic religious organizations are encouraged to recognize the contributions of Native American Indians with suitable ceremonies and fellowship designed to promote greater understanding and brotherhood between Native American Indians and other citizens of the state. Resolves that the State Department of Education and the Commission of Indian Affairs make limited funds available for the purpose of making information available to all people of the state regarding Native American Indian Month and the observance. *Signed by Governor.*

UTAH

Regular Session: January 16 to March 1
Bills Introduced: HB: 4 SB: 1
Bills Passed: HB: 3 SB: 1

HB 76 (Johnson)

Establishes that the State Board of Education is directly responsible for the education of all persons under the age of 21 who are in custody of an agency of a federally recognized Native American tribe that is equivalent to the Department of Human Services. *Signed by Governor.*

HB 149 (Anderson)

Allows Native Americans participating in a religious ceremony to smoke indoors. *Signed by Governor.*

HB 316 (Johnson)

Creates the Native American Legislative Liaison Committee. Defines membership, duties, and staff responsibilities. Appropriates \$20,000 to pay for staff and reimbursement of expenses. *Signed by Governor.*

HB 442 (Johnson)

Authorizes the Utah Division of Indian Affairs to acquire, hold, disburse and administer funds or other property to provide low-income housing programs for Indians. Authorizes the Utah Indian Cooperative Council to establish policies and criteria for disbursement of funds for purposes of providing a low-income housing program for Indians. *Died in committee.*

SB 47 (Myrin)

Allows a federally recognized Indian tribe to be eligible to enter into an interlocal cooperation agreements with other localities. *Signed by Governor.*

VERMONT

'95 session carries over to the '96 session

Regular Session: January 4 to mid-May
Bills Introduced: HB: 1 HJR: 1 SB: 1
Bills Passed: HB: 0 HJR: 0 SB: 0

HB 284 (Stafford, et al.)

Same as **SB 205** (Macaulay) *Carried over in Senate Governmental Operations Committee.*

Recognizes the tribal status of the Abenaki people. Assists the Abenaki tribe in its efforts to achieve federal recognition by creating a Commission on Abenaki Affairs. Defines membership in the commission, vacancies, expenses, and duties. *Carried over in House General Military Affairs Committee.*

HJR 53 (Costello, et al.)

Offers a joint resolution recognizing the Abenaki Nation of Missisquoi as a Indian tribe.
Carried over in House Judiciary Committee.

VIRGINIA

'94 session carries over to the '95 session

Regular Session: January 11 to February 25

Bills Introduced: HB: 1 HJR: 1

Bills Passed: HB: 0 HJR: 1

HB 1506 (Cooper, Moore)

Issues a special license plate to celebrate Native American. *Died in Roads and Internal Navigation Committee.*

HJR 25 (Cooper)

Memorializes Congress to grant federal recognition to the Chickahominy, Chickahominy Eastern Division, the upper Mattaponi, the Nansemond, the Pamunkey, and the Rappahannock Indian tribes under federal law. *Passed Legislature.*

WASHINGTON

'95 session carries over to the '96 session

Regular Session: January 9 to April 23

Bills Introduced: HB: 6 SB: 8 SJM: 2

Bills Passed: HB: 2 SB: 1 SJM: 2

HB 1273 (Fuhrman, et al.)

Refunds to Indian tribes fuel taxes. Requires documentation to obtain the refund. Provides that a tribe may only purchase from persons properly licensed to distribute fuel. Prohibits a tribe from selling fuel to any non-tribal member at a price below the purchase price including applicable taxes. *Signed by Governor.*

HB 1362 (Robertson, et al.)

Similar to SB 5848 and SB 5698

Same as SB 5698 (Roach, et al.) *Pending in House Law and Justice Committee.*

Authorizes a procedure for a retrocession to the Muckleshoot tribe for criminal jurisdiction over Indians for acts occurring on tribal land. Gives the federal government jurisdiction over "major crimes" committed by Indian on Indian lands. Allows this tribe to become eligible for federal law enforcement funding to help meet local law enforcement needs on Indian reservation. *Signed by Governor.*

HB 1447 (Lisk, et al.)

Same as SB 5726 (Prentice, Bauer) *Pending in Senate Labor, Commerce, and Trade Committee.*

Provides that taxation not exceed 2.5 percent of gross receipts for gaming punch boards and pull tabs. Provides taxation of social card games not exceed 10 percent of the gross revenue from such games if located within a 35-mile radius of an Indian casino. *Did not pass Senate.*

HB 1939 (Fuhrman, et al.)

Encourages the Attorney General to appeal United States Ninth Circuit of America vs. State of Washington. Directs state agencies to manage the state's shellfish resources without regard to claims made by the tribe. Directs the Governor, relevant agencies, and other parties involved in this shellfish conflict, to request the appropriate agencies of the federal government to make federally owned tideland to be made available for tribal shellfish harvest as part of a solution to this shellfish conflict. *Did not pass Senate.*

HB 1955 (Elliot, et al.)

Authorizes the Governor to enter into revenue sharing cooperative agreements with federally recognized Indian tribes or nations, concerning the sales of cigarettes. Requires the revenue sharing cooperative agreement to provide for a negotiated payment to the state in lieu of all cigarette and retail sales state and local taxes on sales of cigarettes by a tribe on the reservation, or in tribally licensed stores. *Pending in House Finance Committee.*

HB 2021 (Buck, et al.)

Prohibits fishing for salmon and steelhead in all terminal areas including the Indian commercial and Indian subsistence fisheries everywhere within the state, both on and off Indian reservations, except where it is specifically opened by the fish and wildlife commission. *Pending in House Natural Resources Committee.*

SB 5076 (Oke, et al.)

Creates a program to link wildlife habitat area with corridors that will facilitate the movement of wildlife species between area of suitable habitat. Requests the assistance of Native American tribes in development of wildlife corridors on tribal lands and adjacent public and private lands. Requests the State Fish and Wildlife Commission to explore ways of modifying hunting regulations to achieve free movement of wildlife in wildlife corridors and work with treaty tribes to achieve the same effect with tribal hunting regulations. *Pending in House Natural Resources Committee.*

SB 5277 (Wojahn, et al.)

Alters the compact process for conducting gaming with Indian tribes. Declares the intent to give the legislature the opportunity to provide input into the development of compacts established between the state and tribal governments for the conduct of Class III gaming activities and negotiate in good faith with tribal government for the conduct of these activities. *Pending in Senate Labor, Commerce and Trade Committee.*

SB 5301 (Heavey, et al.)

Limits tribal gaming activities that are similar to other forms of non-tribal gaming activities in the state. Establishes the following limitations: (1) wager limits may not

exceed one hundred dollars per wager; (2) operating hours for the gaming facility may not exceed eighty hours a week on an annualized basis; (3) the maximum number of class III gaming stations may not exceed thirty-two; (4) the number of gaming facilities operated by a tribe may not exceed one. *Pending in Senate Labor, Commerce, and Trade Committee.*

SB 5602 (Heavey, Prentice)

Authorizes gaming devices to be made available to any entity holding a gambling license if any federally recognized Indian tribe is authorized to use these devices by the federal court or a decree. *Pending in Senate Labor, Commerce, and Trade Committee.*

SB 5638 (Prince, et al.)

Requires the study by the Office of Indian Affairs on the role of Native Americans in international education, cultural exchanges, the world trade market, and other issues identified by the tribes. *Pending in Senate Government Operations Committee.*

SB 5848 (Smith)

Similar to HB 1362 and SB 5698

Authorizes a procedure for a retrocession to the Tulalip tribe for criminal jurisdiction over Indians for acts occurring on tribal land. Gives the federal government jurisdiction over "major crimes" committed by Indian on Indian lands. Allows this tribe to become eligible for federal law enforcement funding to help meet local law enforcement needs on Indian reservations. *Signed by Governor.*

SJM 8004 (Heavey)

Request Congress to reject the Puyallup Indian tribes request to operate card games without the benefit of a tribal-state compact by to directing the National Indian Gaming Commission. Request Congress require the Puyallup tribe to negotiate with the state. *Passed Legislature.*

SJM 8014 (Fraser, et al.)

Requests Congress to require federal agencies to pay state adjudication fees, including the Bureau of Indian Affairs. Asks Congress to reimburse the state for litigation costs. *Passed Legislature.*

WEST VIRGINIA

Regular Session: January 11 to March 17

Bills Introduced: HCR: 1

Bills Passed: HCR: 0

HCR 20 (Givens, Ennis)

Recognizes the United Cherokee Indian Tribe as an official tribe of the state. *Died in House Rules Committee.*

WISCONSIN

Regular Session: January 3 throughout the rest of the year
Bills Introduced: AB: 1 AR: 1
Bills Passed: AB: 0 AR: 0

AB 413 (Seratti, et al.)

Requires the Department of National Resources to provide notice to the legislature and to the public when an Indian tribe proposes to redesignate an area for purposes of prevention of significant deterioration of air quality provisions of the federal Clean Air Act. *Pending in Special State-Federal Relations Committee.*

AR 17 (Ryba, et al.)

Creates an assembly special committee on Indian gaming compacts appointed by the speaker. Unless the committee completes its objective at an earlier date, the special committee on Indian gaming compacts will function until December 31, 1996. *Pending in Assembly Organization Committee.*

WYOMING

Regular Session: January 10 to March 1
Bills Introduced: HB: 1
Bills Passed: HB: 1

HB 5 (Tipton)

Allows the Eastern Shoshone and the Northern Arapaho Tribes of Wind River Reservation to cooperate with counties, municipal corporations, school districts, special districts, public institutions, agencies, boards, commissions and political subdivisions, and any officer or legal representative. Provides that the cooperation may be informal or subject to resolution, ordinance or other agreement specifying purposes, duration, means of financing, methods of operations, termination, acquisition and disposition of property, employment of executive and subordinate agents and other appropriate provisions. *Signed by the Governor.*