



GOVERNOR'S OFFICE OF  
BUDGET AND PROGRAM PLANNING

## Fiscal Note 2027 Biennium

Bill#/Title: SB0311.01: Enhance legislative understanding of state-tribal relations

Primary Sponsor: Shane Morigeau Status: As Introduced

☐ Included in the Executive Budget ☒ Needs to be included in HB 2 ☐ Significant Local Gov Impact

☐ Significant Long-Term Impacts ☒ Technical Concerns ☐ Dedicated Revenue Form Attached

### FISCAL SUMMARY

	<u>FY 2026</u> <u>Difference</u>	<u>FY 2027</u> <u>Difference</u>	<u>FY 2028</u> <u>Difference</u>	<u>FY 2029</u> <u>Difference</u>
<b>Expenditures</b>				
General Fund (01)	\$242,462	\$104,095	\$247,283	\$107,241
<b>Revenues</b>				
General Fund (01)	\$0	\$0	\$0	\$0
<b>Net Impact</b>	<u>(\$242,462)</u>	<u>(\$104,095)</u>	<u>(\$247,283)</u>	<u>(\$107,241)</u>
<b>General Fund Balance</b>				

#### Description of fiscal impact

SB 311 requires the Legislative Services Division to work collaboratively with the state Director of the Office of Indian Affairs and the State-Tribal Relations Committee (5-5-229, MCA) to provide information and training opportunities to legislators. The fiscal impact to the Legislative Branch is \$242,462 for FY 2026, \$104,095 for FY 2027, \$247,283 for FY 2028, and \$107,241 for FY 2029.[See Technical Amendments]

### FISCAL ANALYSIS

#### Assumptions

##### Governor's Office

1. The Office of Indian Affairs currently provides tribal relations training. There will be no additional costs related to the requirement in SB 311 to work with the Legislative Services Division to ensure legislators are aware of this training.

##### Legislative Branch

2. SB 311 (new section 1) requires the Legislative Services Division (LSD) to make readily available information and training on Indian law, the history of federal Indian policy, the legal rights of tribal members, and social, economic, and cultural issues of concern to tribes.
3. SB 311 amends 2-15-143, MCA, to add requirements that the state Director of Indian affairs and the LSD collaborate to ensure that all legislators are aware of, and invited to, participate in the existing requirement that the Governor's Office and a tribal trainer provide an annual in-person training.
4. It is unclear if the requirement in Section 1 for LSD to make the training "readily available" is to provide a central spot for information, and provide notifications on the training that is already a requirement of 2-15-143, MCA, or create a new training that LSD provides separate from 2-15-143, MCA (See Technical Concern).
5. If new section 1 is not requiring LSD to provide new training in addition to 2-15-143, MCA, the fiscal impact will be \$0, as the Governor's Office will provide the training.

6. If new section 1 is requiring LSD to provide new training in addition to 2-15-143, MCA, there will be a fiscal impact.
7. It is unclear if the training will be required yearly or biennially (See Technical Concern). There are two scenarios to consider for a new training offered biennially:
  - a. Option 1 – One-day training, 150 legislators \$139,534
  - b. Option 2 – Two-day training, 150 legislators \$187,611
8. For purposes of this fiscal note, a one-day training, provided biennially, will be used to determine LSD's fiscal impact.
9. The information and training in section 1 must include:
  - a. Regularly updated tribal relations handbooks provided to legislators. For the purposes of this fiscal note, it is assumed that the handbooks will be an online version. This will eliminate any printing costs and allows the LSD to comply with the requirement to keep it “regularly updated.”
  - b. Information and notifications regarding training offered by the Governor's Office pursuant to 2-15-143, MCA. This section of the bill could lead to the assumption that the requirement in new section 1 for LSD to make training “readily available to all legislators” is different than the existing requirements in 2-15-143, MCA.
  - c. Information and notifications on the training will be provided electronically to legislators.
  - d. Links to the Indian Education for All resources provided by the Office of Public Instruction (including any courses required to be taken by certified school personnel) may be provided on the LSD website.
  - e. Any other resources determined to be valuable by the LSD. The assumption is made that this requirement pertains only to state-tribal relations training. If the information and training requirements includes more than state-tribal relations training, the fiscal impact could be significant.
10. The deadline for the required annual report that the Governor provides to each tribal government is changed from September 15 to October 15.
11. SB 311 amends 5-11-112, MCA, by adding the requirements of new section (1) regarding training for legislators to the functional organization and responsibilities of the Legislative Council (LC) and the LSD. 5-11-112, MCA, states that the LC may establish a functional organization within the LSD in order to effectively, and efficiently, carry out all of the responsibilities delegated to the division by law or legislative rule.
  - a. SB 311 adds “training for legislators, including state-tribal relations training” to 5-11-112(1)(i), MCA, pursuant to [section 1].
  - b. It is unclear what specific “training for legislators” is being added to the duties of LC and LSD, other than the specified inclusion of the state-tribal relations training (See Technical Concern).
  - c. SB 311 does not specify how, or if, legislators will be compensated. For the purposes of this fiscal note, it is assumed that LSD will be responsible for compensation. If LC interprets the training to be only tribal-relations training, then the fiscal impact is \$139,534 for a one-day training or \$187,611 for a two-day training. Depending on how in depth “Tribal-Relations” training is, LSD could incorporate it into existing Legislator Orientation or Legislator Days, neither of which is required statutorily, so it could not be guaranteed.
  - d. If LC creates a new training functional group, LSD will require at least one new 1.00 FTE, at an estimated personal services cost of \$101,328 in FY 2026 and \$104,095 in FY 2027, in addition to the cost for providing the “Tribal-Relations” training. These personal services and training costs have been inflated by 1.5% for FY 2028 and FY 2029.
12. SB 311 provides codification instructions and an effective date of July 1, 2025.
13. It is assumed all funding will be biennial and consistent with other Legislative Branch funding.
14. It is unknown how many bills are seeking to add to the duties of the Legislative Branch. The fiscal note of each bill is prepared based on the effect of each individual bill. However, when viewed as a package, the cumulative effect of passage of more than one bill will require additional analysis and may require additional resources for staffing and information technology support.

**Secretary of State's Office**

15. This bill requires the Office of the Secretary of State to notify each federally recognized tribal government in Montana. While there may be a minimal fiscal impact, the office will absorb the costs associated with implementing this bill within the office's existing operating budget.

**Fiscal Analysis Table**

<b>Legislative Branch</b>				
	<b><u>FY 2026</u></b>	<b><u>FY 2027</u></b>	<b><u>FY 2028</u></b>	<b><u>FY 2029</u></b>
	<b><u>Difference</u></b>	<b><u>Difference</u></b>	<b><u>Difference</u></b>	<b><u>Difference</u></b>
<b><u>Fiscal Impact</u></b>				
FTE	1.00	1.00	1.00	1.00
<b>TOTAL Fiscal Impact</b>	<b>1.00</b>	<b>1.00</b>	<b>1.00</b>	<b>1.00</b>
<b><u>Expenditures</u></b>				
Personal Services	\$149,725	\$104,095	\$154,779	\$107,241
Operating Expenses	\$92,737	\$0	\$92,504	\$0
<b>TOTAL Expenditures</b>	<b>\$242,462</b>	<b>\$104,095</b>	<b>\$247,283</b>	<b>\$107,241</b>
<b><u>Funding of Expenditures</u></b>				
General Fund (01)	\$242,462	\$104,095	\$247,283	\$107,241
<b>TOTAL Funding of Expenditures</b>	<b>\$242,462</b>	<b>\$104,095</b>	<b>\$247,283</b>	<b>\$107,241</b>
<b><u>Revenues</u></b>				
<b><u>Net Impact to Fund Balance (Revenue minus Funding of Expenditures)</u></b>				
General Fund (01)	(\$242,462)	(\$104,095)	(\$247,283)	(\$107,241)

**Technical Concerns**

1. It is unclear if the requirement in Section 1 for LSD to make the training "readily available" is to provide a central spot for information, and provide notifications on the training that is already a requirement of 2-15-143, MCA, or create a new training that LSD provides separate from 2-15-143, MCA.
2. It is unclear if the training will be required yearly or biennially.
3. SB 311 adds "training for legislators, including state-tribal relations training" to 5-11-112(1)(i), MCA, pursuant to [section 1]. It is unclear what specific "training for legislators" is being added to the duties of LC and LSD, other than the specified inclusion of the state-tribal relations training.

NO SPONSOR SIGNATURE

3/3



3/1/2025

Sponsor's Initials

Date

Budget Director's Initials

Date