

SUMMARY of PROCEEDINGS



SELECT COMMITTEE ON TRIBAL RELATIONS

COMMITTEE MEETING INFORMATION

December 9 & 10, 2014
The Inn at Lander
260 Grandview Dr.
Lander, Wyoming

COMMITTEE MEMBERS PRESENT

Senator Cale Case, Cochairman
Representative W. Patrick Goggles, Cochairman
Representative Lloyd Larsen

COMMITTEE MEMBERS NOT PRESENT

Senator Paul Barnard
Senator Bernadine Craft
Representative Jerry Paxton

LEGISLATIVE SERVICE OFFICE STAFF

Josh Anderson, Staff Attorney
Anna Mumford, Staff Attorney

OTHERS PRESENT AT MEETING

Representative-elect Jim Allen

Please refer to Appendix 1 to review the Committee Sign-in Sheet
for a list of other individuals who attended the meeting.

The Committee Meeting Summary of Proceedings (meeting minutes) is prepared by the Legislative Service Office (LSO) and is the official record of the proceedings of a legislative committee meeting. This document does not represent a transcript of the meeting; it is a digest of the meeting and provides a record of official actions taken by the Committee. All meeting materials and handouts provided to the Committee by the Legislative Service Office, public officials, lobbyists, and the public are on file at the Legislative Service Office and are part of the official record of the meeting. An index of these materials is provided at the end of this document and these materials are on file at the Legislative Service Office. For more information or to review meeting materials, please contact the Legislative Service Office at (307) 777-7881 or by e-mail at lso@wyoleg.gov. The Summary of Proceedings for each legislative committee meeting can be found on the Wyoming Legislature's website at www.wyoleg.gov.

EXECUTIVE SUMMARY

The Select Committee received information, updates and heard discussion on various topics relevant to the Wind River Indian Reservation. The topics included Tribal relations protocol, utilities and infrastructure, education, family and juvenile services, Tribal liaisons, Tribal Medicaid waiver and the Wind River Irrigation Project.

CALL TO ORDER (DECEMBER 9, 2014)

Cochairman Goggles called the meeting to order at 9:00 a.m. The following sections summarize the Committee proceedings by topic. Please refer to Appendix 2 to review the Committee Meeting Agenda.

TRIBAL RELATIONS PROTOCOL GENERAL DISCUSSION

Cochairmen Goggles and Case opened the discussion regarding the former Joint Business Council and how the Legislature could best communicate and coordinate with the Tribes.

Dean Goggles, Northern Arapaho Business Council Chairman, stated that the Tribes would continue to work together while operating their own separate governments. Northern Arapaho Business Council Chairman Goggles said the relationship with the Governor was positive and that he hoped for good communications between the state and the Tribe. Northern Arapaho Business Council Chairman Goggles said the Tribe was open to a tribal liaison position. (Appendix 3–9).

Darwin St. Clair Jr., Eastern Shoshone Business Council Chairman, stated that it was important for both Tribes to work together and communicate. Eastern Shoshone Business Council Chairman St. Clair said the Tribes would address program operations and how to communicate with the federal government. Eastern Shoshone Business Council Chairman St. Clair introduced the new tribal liaison, Leslie Shakespeare. Eastern Shoshone Business Council Chairman also discussed issues facing the Tribe such as healthcare, education, boundary disputes and taxes.

NATIVE AMERICAN TEACHING MODULES

Ruby Calvert, Public Broadcasting Service General Manager, reported on the progress of the Native American teaching modules. (Appendix 10). Ms. Calvert said Wyoming PBS signed a contract with Alpheus Productions on November 20, 2014, and the producers had begun research. Ms. Calvert explained that the goal is to shoot and edit the video in summer 2015.

UTILITIES AND INFRASTRUCTURE

Natural Gas

Norm Long, SourceGas Manager of Government and Community Affairs, and Rod Wietzki, SourceGas Manager of Divisions, provided a spreadsheet showing the status of potential customers on the Wind River Reservation. (Appendix 11). Mr. Wietzki stated SourceGas was actively trying to hook up more customers on the Wind River Reservation with natural gas. Mr. Wietzki explained the process of signing up customers, which does require the potential customer to contact the Bureau of Indian Affairs in order to give SourceGas consent to enter the property for estimates. Mr. Wietzki said some potential customers have declined natural gas due to per foot costs, which varies depending on distance, soil condition and size of land. Eastern Shoshone Business Council Chairman St. Clair stressed the difficulty in obtaining rights-of-way for gas service.

Water Utilities Update

Mike Quiver, Great Plains Utility Interim Director, updated the Select Committee on the utility's current projects, including a project to get more water storage east of the Wind River Hotel and Casino. Travis Brockie, Northern Arapaho Tribal Engineering Department, noted that the utility was able to secure federal funds to help push some projects to construction. Mr. Brockie also discussed deficiencies within the current water system. Specifically, Mr. Brockie explained how the water lines were all different sizes and did not flow as designed.

Broadband Update

Flint Waters, Director, Department of Enterprise Technology Services, updated the Select Committee on the status of increasing access to broadband in all schools and state offices. Mr. Waters stated that the Department worked with the appropriate parties on the Wind River Reservation to develop solutions to challenges with broadband capacity and that there was no longer any challenge sites on the Wind River Reservation. Mr. Waters also discussed the Governor's Easement Task Force and how the Task Force was aggressively pursuing easements within highway rights-of-way to develop broadband capacity.

Mike Kenney, Dubois Telephone Exchange General Manager, updated the Select Committee on new fiber optic connections. Mr. Kenney stated that Dubois Telephone Exchange has been very busy developing connectivity to all critical healthcare institutions in the area.

Patrick Adam Lawson, Northern Arapaho Tribal Industries General Manager discussed the broadband coverage provided to residents on the Wind River Reservation and the plans to expand coverage to other residents and businesses.

David Johnson, CenturyLink's Area Operations Manager, discussed the provider's most current project. Specifically, the tower providing internet, phone and television services on the Wind River Reservation is in a state where it will likely fail due to wind and erosion. Mr. Johnson explained how such failure would severely impact Tribal members, schools, businesses and the governments. Mr. Johnson stated that CenturyLink had reached out to other partners in the state to initiate a fiber lease. Mr. Johnson said this project would be a significant investment by CenturyLink that would likely not be returned to the provider. The Select Committee discussed the opportunities for the Tribes to be involved and the benefits and challenges to such a project.

J.K. RALSTON ARTWORK DISCUSSION

Cochairman Case introduced the J.K. Ralston Artwork and explained how the Select Committee on Legislative Facilities requested this Committee to view the images in the collection and provide feedback on the appropriateness of the collection documenting the life of Chief Washakie of the Eastern Shoshone Tribe, in representing part of the Native American historical experience in Wyoming. The collection is on loan and currently hanging in the second floor of the Rotunda of the Capitol building. (Appendix 12). Cochairman Case said there had been inquiries about the possibility for the state to purchase the collection to hang back in the Capitol. A thoughtful discussion among the participants followed with positive and negative comments about the particular pieces. Sergio Maldonado, Diversity Coordinator, Central Wyoming College, and a member of the Northern Arapaho Tribe, noted the historical significance of the J.K. Ralston artwork but wondered whether the artwork chosen for the Capitol building could be from a member of the Tribes. Eastern Shoshone Business Council members were more supportive and indicated a desire to share the images with elders for further discussion. The possibility of discussing the artwork at an Eastern Shoshone General Council meeting was raised.

NORTHERN ARAPAHO FAMILY SERVICES UPDATE

James Trosper, Director, Northern Arapaho Department of Family Services (NADFS), briefed the Select Committee on the status of receiving Title IV-E direct funding under the Social Security Act. Specifically, the Social Security Act authorizes federally recognized tribes, tribal organizations or tribal consortia to operate a Title IV-E program through direct funding or through an agreement with the state receiving Title IV-E funds. Mr. Trosper provided the Select Committee with the NADFS program improvement plan to prepare the department in submitting its request to operate a Title IV-E foster care program. (Appendix 13).

Susan Crazy Thunder, Supervising Manager, Department of Family Services, updated the Select Committee on the number of placements and incidents the office was currently handling. Ms. Crazy Thunder said the office staff met every other week to discuss the status of the placements and solve any issues. Susanna Brown, Juvenile Probation Officer, Department of Family Services, discussed the number of children currently in probation services.

Jennifer Neely, Department of Family Services, Juvenile Probation Manager, discussed the difficulties of placing youths when there was no juvenile detention center. Ms. Neely stated that it was the responsibility of law enforcement to transport the youths but resources were limited.

TRIBAL LIAISONS

Merit Thomas, Policy Advisor, Governor's Office, said the Governor was pleased to have Leslie Shakespeare as the new Eastern Shoshone Tribal Liaison. Ms. Thomas stated that the contract with the Northern Arapaho Business Council for a tribal liaison was almost complete. Eastern Shoshone Business Council Chairman St Clair stated he was pleased to have Mr. Shakespeare as the tribal liaison and noted the positions importance as a conduit to the Governor and the Legislature. Darrell O'Neal, Northern Arapaho Business Council member, noted that the Northern Arapaho Business Council was open to a tribal liaison.

The Select Committee discussed 15LSO-0035, which amends provisions relating to the tribal liaisons. (Appendix 14). Specifically, the bill states that the Governor will select, with the advice and consent of the senate, two persons to serve as tribal liaisons from a list of nominations from the Eastern Shoshone Business Council and the Northern Arapaho Business Council.

Gary Collins, former Northern Arapaho Tribal Liaison, discussed his experience working with the Governor's Office and the Legislature. Eastern Shoshone Business Council Chairman St. Clair said he would like to see how this bill coincides with the list of deliverables developed by the Governor's Office for the tribal liaisons pursuant to 2014 Wyoming Session Laws, chapter 26, section 2, section 001, footnote 4.

TRIBAL TRIAD INITIATIVE UPDATE

Keja Whiteman, Wyoming Department of Education, updated the Select Committee on activities of the Tribal Children's Triad. (Appendix 15). Ms. Whiteman described the events organized and sponsored by the Triad this year. Ms. Whiteman explained that a subcommittee of the Triad was currently working to develop a Wyoming Native American Student Data Report for the Legislature and other stakeholders. Ms. Whiteman said a top concern for the Triad was school attendance and that the Triad developed a Truancy Intervention and Prevention Handbook to handle chronic attendance issues. Ms. Whiteman noted that there were many challenges in Native American education in Wyoming that could be remedied

with additional resources such as an Office of Indian Education housed within the Department of Education or a \$125,000 appropriation from the Legislature to continue with the development of the initiative.

In response to questions by Representative Larsen, Ms. Whiteman said the Triad was working with the school districts, Wyoming Department of Family Services, youth services and other state agencies to develop native language and anti-bullying initiatives. Karen King, resident, expressed support for an Office of Indian Education to improve the quality of Native American education.

PRESENTATION OF RESOLUTION TO SARA ROBINSON

The Select Committee presented a resolution to Sara Robinson in recognition of her service as the Eastern Shoshone Tribal Liaison from 2013 to 2014. (Appendix 16). Ms. Robinson provided invaluable contributions to the state and to her community through her public service and as a member of the University of Wyoming Board of Trustees and the Eastern Shoshone Business Council.

PUBLIC COMMENT

Rod Trahan, First People's Center for Education, spoke to the Select Committee about a proposed funding request to assist the Center with expenses for services provided to partner schools. (Appendix 17). Mr. Trahan stated that sequestration and drastic cuts to federal aid was making it difficult for the Center's partner schools to function. Mr. Trahan said the Center was currently working to develop a literacy program and was considering the development of Common Core state standards modules.

MEETING RECESS

The Committee recessed at 5:00 p.m. and reconvened at 9:00 a.m. on December 10, 2014.

EASTERN SHOSHONE FAMILY SERVICES UPDATE

Family Services

Larry McAdams, Eastern Shoshone Department of Family Services Director, updated the Select Committee on the recent review of six Eastern Shoshone child welfare cases by the Wyoming Department of Family Services and the Wyoming Citizen Review Panel. Mr. McAdams explained that the review evaluated the safety, permanency and well-being of children and families involved in the Eastern Shoshone child welfare system by reviewing the appropriate case files and interviewing the appropriate staff. Debra Hibbard, Department of Family Services, Social Services Program Manager, discussed the findings of the review. (Appendix 18).

Mr. McAdams also discussed the office's case load and challenges. Jennifer Neely, Department of Family Services Tribal Liaison, said the department hopes to educate the court system about the importance of issuing timely court orders. Eastern Shoshone Business Council member Clinton Wagon said the Council would consider training and other options to aid the court in issuing timely orders.

Juvenile Services

Clarence Thomas, Eastern Shoshone Juvenile Services Director, stated that the office was conducting business as normal and within budget. Mr. Thomas said the office recently was audited and worked cooperatively with the state to determine areas of improvement. Mr. Thomas said one big issue the office faced was funding for services to transport juveniles in a group home to court, medical appointments or other necessary appointments.

Jennifer Neely, Department of Family Services Tribal Liaison, stated that transportation was the responsibility of the group home. Ms. Neely noted, however, that the group homes struggle with staff and available resources to provide the transportation. Sheree Nall, Department of Health, Medicaid Provider Services Manager, said the Office of Medicaid provides transportation to and from Medicaid services that are out of town. Lisa McCart, Freemont County School District #1, said students were being told there is no available transportation to and from extracurricular activities. Ms. Neely stated the department would have discussions with the group homes concerning these issues. The Select Committee requested an update on the meetings.

WIND RIVER IRRIGATION PROJECT UPDATE

Representatives from the Office of the Tribal Water Engineer updated the Select Committee on the Wind River Irrigation project. (Appendix 19). At the start of the 2014 irrigation season, funding from the Wyoming Water Development Commission and the federal government was depleted. However, the completed phases of the irrigation rehab project barely scratched the surface of the overall needs of the Wind River Indian Reservation. The office is currently developing a Phase III list of priorities for rehabilitation and plans on presenting a list and cost estimate to the Wyoming Water Development Commission. Sandra C'Bearing, Wind River Water Resources Control Board, said the board was in the process of reviewing cooperative agreements with the Bureau of Indian Affairs and was working to identify water storage sites.

TRIBAL MEDICAID WAIVER

Richard Brannan, Northern Arapaho Business Council member and Northern Arapaho Health & Human Services Director, discussed the serious health issues on the Wind River Indian Reservation and the need for additional resources to develop preventative programs. Eastern Shoshone Business Council Chairman St. Clair discussed the stress on the Indian Health Services' (IHS) budget to cover the healthcare needs of individuals on the Wind River Reservation. Cathy Keene, Eastern Shoshone Health Programs Director, stated that the office was working with the state and the Center for Medicare and Medicaid Services to develop an approach on how to provide more access to and resources for healthcare.

Lindsey Schilling, Department of Health, Medicaid Provider Operations Administer, discussed the Tribal uncompensated care section 115 demonstration waiver which would allow cost effective and preventative services to uninsured and underinsured Tribal members at the IHS clinic or any other Tribal health facility under contract with IHS for the provision of services to qualifying Tribal members. Ms. Schilling stated that the total cost of the uncompensated care waiver would be one hundred percent federal funding and no administrative costs would be assumed by the state. The Select Committee discussed how to proceed with getting the Tribal uncompensated care waiver approved and asked the Department of Health to meet with the Center for Medicare and Medicaid Services to determine the best approach. The Select Committee requested an update on the meeting.

Chesie Lee, Wyoming Association of Churches, provided the Select Committee with a handout on the need for a Tribal uncompensated care waiver and the benefits of such a waiver. (Appendix 20). Allison Sage, Northern Arapaho Health Programs Director, expressed support for the Tribal uncompensated care waiver.

PRESENTATION OF RESOLUTION TO REPRESENTATIVE GOGGLES

The Select Committee presented a resolution to Cochairman Goggles in recognition of his service to the state, to the Legislature and to the Select Committee. Cochairman Goggles provided invaluable contributions to the state and to his community through public service and as a member of the House of Representatives from 2005-2014. Cochairman Goggles serves with distinction as Executive Director for Northern Arapaho Tribal Housing.

MEETING ADJOURNMENT

There being no further business, Cochairman Goggles adjourned the meeting at 1:00 p.m.

Respectfully submitted,

Senator Case, Cochairman

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Committee Meeting Materials Index

Appendix	Agenda Item	Appendix Description	Appendix Provider
1	Committee Sign-In Sheet	Lists meeting attendees	Legislative Service Office
2	Committee Meeting Agenda	Provides an outline of the topics the Committee planned to address at meeting	Legislative Service Office
3	Tribal Relations Protocol General Discussion	Frequently asked questions	Dean Goggles, Northern Arapaho Business Council Chairman
4	Tribal Relations Protocol General Discussion	Letter to Bureau of Indian Affairs	Dean Goggles, Northern Arapaho Business Council Chairman
5	Tribal Relations Protocol General Discussion	Letter to Governor	Dean Goggles, Northern Arapaho Business Council Chairman
6	Tribal Relations Protocol General Discussion	Letter from Office of the Mayor, City of Riverton	Dean Goggles, Northern Arapaho Business Council Chairman
7	Tribal Relations Protocol General Discussion	Letter to Vendors for the Northern Arapaho and Eastern Shoshone Tribes	Dean Goggles, Northern Arapaho Business Council Chairman
8	Tribal Relations Protocol General Discussion	Letter to Bureau of Indian Affairs	Dean Goggles, Northern Arapaho Business Council Chairman
9	Tribal Relations Protocol General Discussion	Letter to Fremont County Commissioners	Dean Goggles, Northern Arapaho Business Council Chairman
10	Native American Teaching Modules	Report	Ruby Calvert
11	Utilities and Infrastructure	Spreadsheet	Norm Long
12	J.K. Ralston artwork	PowerPoint	Helen Louise
13	Northern Arapaho Family Services Update	Letter and Program Improvement Plan	James Trosper

14	Tribal Liaisons	15LSO-0035	Legislative Service Office
15	Tribal Triad Initiative	Report	Keja Whiteman
16	Presentation of Resolution to Sara Robinson	Resolution	Legislative Service Office
17	Public Comment	Handout	Rod Trahan
18	Eastern Shoshone Family Services Update	Wyoming child and family services review	Department of Family Services
19	Wind River Irrigation Project	Handout	Office of the Tribal Water Engineer
20	Tribal Medicaid Waiver	Handout	Chesie Lee
21	Presentation of Resolution to Representative Goggles	Resolution	Legislative Service Office