

Draft Only
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**SUMMARY of
PROCEEDINGS**



SELECT COMMITTEE ON TRIBAL RELATIONS

SELECT COMMITTEE MEETING INFORMATION

November 14 & 15, 2016

The Inn at Lander

260 Grandview Dr.

Lander, Wyoming

SELECT COMMITTEE MEMBERS PRESENT

Senator Cale Case, Co-chairman

Representative Stan Blake, Co-chairman

Senator Paul Barnard

Senator Bernadine Craft

Representative Jim Allen (November 15, 2016)

Representative Lloyd Larsen

LEGISLATIVE SERVICE OFFICE STAFF

Anna Mumford, Staff Attorney

Riana Davidson, Associate Legislative Information Officer

OTHERS PRESENT AT MEETING

Please refer to ([Appendix 1](#)) to review the Select Committee Sign-in Sheet for a list of other individuals who attended the meeting.

The Select 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 Select Committee. All meeting materials and handouts provided to the Select 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 met in Lander. The Select Committee received information, updates and heard discussion on a number of topics, including the Section 1115 Tribal Uncompensated Care Demonstration Waiver, education issues, the Wind River education modules project, Central Wyoming College Tribal programs, a Native American education program, juvenile justice and family services, the Wind River Advocacy economic development study, the Wyoming Judicial Learning Center, the guardian ad litem program, criminal services, utilities and infrastructure and the Tribal liaison program.

CALL TO ORDER

Co-Chairman Case called the meeting to order at 9:03 a.m. on November 14, 2016. The following sections summarize the Select Committee proceedings by topic. Please refer to ([Appendix 2](#)) to review the Select Committee Meeting Agenda.

APPROVAL OF MINUTES

Minutes from the June, 2016 Select Committee meeting were approved.

HEALTH CARE

Lindsey Schilling, Medicaid Provider Operations Administrator, Wyoming Department of Health (WDH), provided an update on recent efforts with the Tribal Leadership Advisory Council ([Appendix 3](#)). Ms. Schilling testified the Council has worked collaboratively with Tribal leaders to improve healthcare on the Wind River Reservation by leveraging existing opportunities and maximizing available Medicaid funding.

Ms. Schilling also provided a status update on the submitted Section 1115 Tribal Uncompensated Care Demonstration Waiver and stated WDH had a call with the Centers for Medicare and Medicaid Services (CMS) on November 4, 2016. At that time CMS communicated the submitted waiver could not be approved due to CMS's concerns about funding for the uninsured Native American population within the budget neutrality model, because of the unknowns of the population's health status. CMS suggested Medicaid expansion would be a better way to cover the Native American population, despite the fact the State of Wyoming has not passed Medicaid expansion. Once again, CMS suggested changing the budget neutrality model and resubmitting the waiver application.

Richard Brannan, Northern Arapaho Health and Human Services Director, expressed frustration with the rejection of the submitted waiver. Mr. Brannan testified he has traveled east three times this year to meet with CMS regarding the waiver and communicated the State's economic downturn and the need to approve the application to improve health disparities for the Native American population.

Members of the Select Committee inquired as to whether WDH should resubmit the waiver or see if changes would happen on the congressional level due to the recent presidential election. In response to questions by the Select Committee, Ms. Schilling and Mr. Brannan testified they would wait and see if any changes took place on the congressional level with CMS before WDH resubmits the waiver.

EDUCATION

Rob Black, Education Consultant, Wyoming Department of Education (WDE), provided an update on the work the WDE has been doing with teachers across the State and highlighted the 2016 Native American Education Conference which took place in August at Central Wyoming College in Riverton. Mr. Black

noted the Conference had 400 attendees and aimed to educate teachers and administrators around the cultural sensitivities with Native American students. The conference received positive feedback through online reviews.

17LSO-0055 – Native American education program

Mr. Black presented the bill draft which creates an American Indian education program for all students in Wyoming (**Appendix 4**). Mr. Black presented proposed amendments to the bill draft (**Appendix 5**). Michelle Hoffman, retired Superintendent at Wyoming Indian School, expressed concerns that WDE's proposed amendments only addressed social studies standards and suggested broadening the language so that all standards were covered. After additional discussion, the Select Committee suggested Mr. Black work with other interested parties, including Ms. Hoffman, to rework the bill draft during recess.

After recess, Mr. Black presented a revised version of the bill draft (**Appendix 6**). Terry Ebert, Superintendent, Fort Washakie Schools, Fremont County School District #21 and Jason Baldes, Wind River Native Advocacy Center testified in support of the revised version.

Senator Craft moved the Select Committee sponsor the revised version with amendments (**Appendix 7**). The motion passed unanimously by roll call vote.

Wind River Education Modules Project

Terry Dugas, General Manager, Wyoming PBS, provided an update on the status of the Wind River education modules projects. Mr. Dugas noted Wyoming PBS developed six, 42 minute videos with sixteen lesson plans to accompany the videos. Mr. Dugas stated the videos and lesson plans will be available at the end of the semester to teachers but are currently available online at the Wyoming PBS YouTube channel. All of the videos were vetted by the Eastern Shoshone and Northern Arapaho teachers and highlight both Tribes when applicable. Mr. Dugas provided the Select Committee with a copy of the lesson plans (**Appendix 8**) and previewed two videos.

Central Wyoming College

Brad Tyndall, Interim President, Central Wyoming College, provided an update on activities at Central Wyoming College (CWC). Mr. Tyndall discussed the outdoor education programs and highlighted the recent findings of CWC's new Interdisciplinary Climate Change Expedition, which discovered evidence of the world's highest-altitude buffalo jump in the world in the Wind River Range. Kathy Wells, Interim Vice President of Academic Affairs, CWC, discussed the college's collaboration with the Tribal communities and stated there has been an effort to increase communication with the Tribes by having four Tribal leaders serve in leadership positions. Ms. Wells also highlighted American Indian student engagement on campus (**Appendix 9**).

Public comment was provided by Sergio Maldonado who expressed disappointment on how CWC studied the historic remains of a Native American woman known as the Horse Creek Girl. Ivy Posey, Diversity Coordinator, CWC responded that the college is continuing to work on improving relations and communications with the Tribes regarding cultural sensitivity issues as they arise.

NORTHERN ARAPAHO FAMILY SERVICES UPDATE

Clarence Thomas, Director, Northern Arapaho Department of Family Services, provided an update on the Department's current activities and the collaboration that has taken place with the State. Mr. Thomas discussed the Casey Family Programs and the Title IV-E Summit training that program staff participated in. Mr. Thomas also provided a status report on Tribal IV-E grant funding (**Appendix 10**). Mr. Thomas

testified staff has been streamlining work in regards to the Medicaid application form and is looking into putting the application online.

Steve Corsi, Director, Department of Family Services (DFS) reported that due to budget reductions, the Department has repurposed a staff member to assist with securing IV-E grant funding and anticipates reimbursement coming in early 2017. Mr. Corsi noted, however, he is concerned with any additional budget cuts to the Department, because the Northern Arapaho Family Services division is already down three positions.

Sheldon Spotted Elk, Casey Family Programs, provided an overview on the Indian Child Welfare Act (ICWA) ([Appendix 11](#)). Mr. Spotted Elk testified ICWA is a federal law that guides states to work with Tribes for the benefit of Native American children. Mr. Spotted Elk shared data from 2015 and reported sixty-three Native American children out of a total of 1,072 were in the State adjudicated court system, with an additional 151 Native American children adjudicated within the Tribal court system in Wyoming. Mr. Spotted Elk reiterated the importance of placement preference for keeping children in kinship networks within their communities.

Jennifer Neely, DFS Tribal Liaison, provided an update on the average length of stay for children in out-of-home placement ([Appendix 12](#)). Ms. Neely reported the numbers are trending downward and DFS is looking for a system to improve data tracking. Ms. Neely also shared data on face to face visits with children in foster care ([Appendix 13](#)) and children in out-of-home placement ([Appendix 14](#)). Ms. Neely stated she is assembling some core training for members of the Northern Arapaho Tribe to organize in their office.

EASTERN SHOSHONE FAMILY SERVICES UPDATE

Larry McAdams, Director, Eastern Shoshone Department of Family Services, shared a summary of the Department's current activities. Mr. McAdams reported the Department is down two caseworkers due to budget reductions and the current caseloads have increased to over twenty cases per caseworker. Mr. McAdams requested the Select Committee secure additional funding for the Department during the upcoming legislative session. Mr. McAdams also stated his staff took part in a training conducted by DFS and expressed appreciation for the opportunity.

The Select Committee inquired on the status of IV-E grant funding for the Eastern Shoshone Tribe, which the Select Committee heard testimony on at its last meeting. Mr. McAdams testified no development or information has been shared with the Department regarding the IV-E grant funding program. The Select Committee again encouraged DFS to work with the Department and the Shoshone Business Council to gain a better understanding of the IV-E grant program.

WIND RIVER NATIVE ADVOCACY ECONOMIC DEVELOPMENT STUDY UPDATE

Joe Coyne, Community Builders, Inc., provided an overview of the economic development strategic planning session with the Wind River Native Advocacy Center. Mr. Coyne reviewed the economic development building blocks which are leadership, civic development, the role of public policy, quality of life, workforce development, infrastructure development, entrepreneur development and development of existing and new businesses. Mr. Coyne discussed solutions for moving forward such as strengthening sovereignty and Tribal governance through modifying policies, regulations and codes.

WYOMING SUPREME COURT UPDATE

Lily Sharpe, Administrator, Wyoming Supreme Court, provided information on the new judicial learning center at the Supreme Court ([Appendix 15](#)). Ms. Sharpe discussed the purposes of the judicial learning center and the exhibits that will be on display when it opens in January 2017. Ms. Sharpe noted the Court worked closely with Tribal members to get testimony and pictures for the center.

Ms. Sharpe also discussed the guardian ad litem program at the State Public Defenders Office and the children's justice grant program. Ms. Sharpe explained there is federal funding to train and monitor attorneys who are assisting children in abuse and neglect cases and to monitor cases for timeliness. Ms. Sharpe noted, however, the U.S. Congress did not reauthorize funding for this program but the Wyoming Supreme Court would continue to provide technical advice after the funding runs out. Ms. Sharpe also discussed IV-E grant funding and the resources offered by the Wyoming Supreme Court to help attorneys and the public. The Select Committee encouraged the Supreme Court to share technical advice and information with the Tribes when applicable.

CRIMINAL SERVICES UPDATE

Sydney Moller, Executive Director, Fremont County Alliance against Domestic Violence, discussed the federal Violence Against Women Reauthorization Act. Ms. Moller stated one of the biggest challenges the Fremont County Alliance faces is when their clients go from Tribal court to county court and the disparities between the different court systems. Ms. Moller shared her desire to create a family justice center within Fremont County that brings together every agency involved in abuse and neglect cases. The Select Committee reported Sweetwater County has a family justice center and suggested Ms. Moller work with them on the local level to get information on funding. Scotty Ratcliff commented on the possibility of getting a judge who could work both in the Tribal court and county court systems.

UTILITIES AND INFRASTRUCTURE

High Plains Power

Chris Petrie, Wyoming Public Service Commission, provided information on High Plains Power disconnecting Tribal customers due to unpaid accounts with limited notification. Mr. Petrie noted this procedure was a change from past practices where High Plains Power would notify customers multiple times and give them a longer grace period before turning off power. Mr. Petrie stated the Public Service Commission declined a formal investigation and encouraged the Tribes and High Plains Power to work together. Mr. Petrie explained if the Tribes were still dissatisfied then they could file a formal complaint with the Commission.

John Schumacher, White & White, P.C., High Plains Power, explained the company had recently reviewed the collection process due to the downturn in the economy and realized unpaid and uncollected bills could improve the cash flow and cover the costs of services. The issue of unpaid accounts was not limited to the Wind River Reservation. Mr. Schumacher said the grace period was changed from seventy-five days to thirty days. Mr. Schumacher also noted High Plains Power is working through the changes with the Tribes and is looking at creating a deposit program to avoid customer disconnect.

Water

Kyle Butterfield, Riverton Public Works Director, provided an overview of the Riverton Water Supply Project ([Appendix 16](#)). The water project is phase three of the \$12 million dollar project and is 90% complete, pending an outstanding easement agreement through Tribal land. The Select Committee

discussed license agreements and encouraged all parties to work together to improve water services on the Wind River Reservation.

Broadband/Telecommunications

Kristin Lee, Regulatory-Legislative Affairs Director, CenturyLink, provided an update on activities to increase broadband services on the Wind River Reservation. Ms. Lee reported CenturyLink will be fixing the tower on Sand Hill to improve access for customers.

TRIBAL LIAISON PROGRAM UPDATE

Leslie Shakespeare, Eastern Shoshone Tribal liaison, provided an overview of his duties and the work he has completed as the Governor's Eastern Shoshone Tribal liaison this year ([Appendix 17](#)). Mr. Shakespeare stated, however, he recently resigned as Tribal liaison as he was elected to serve on the Eastern Shoshone Business Council. Mr. Shakespeare reported Eastern Shoshone Tribal leadership has put forward three candidates to the Governor as a replacement. The Select Committee thanked Mr. Shakespeare for his leadership and work over the past year.

Sergio Maldonado, Northern Arapaho Tribal liaison, provided an overview of the work he has completed as the Governor's Northern Arapaho Tribal liaison. Mr. Maldonado highlighted some of his experiences and lessons he has learned as Tribal liaison. The Select Committee discussed the status of future funding for the Tribal liaison program in light of the uncertainty of the State's budget. Members of the Select Committee voiced uncertainty on how the Governor or the Joint Appropriations Committee would handle the request for funding of the program. Public comment was received from Chesie Lee, Executive Director, Wyoming Association of Churches, in support of funding for the Tribal liaison program.

PUBLIC COMMENT

Christa Stream, Wind River Job Corps Center, provided an overview of the services the Center offers and commented on the Center's goal of serving 300 students by June 2017. Ms. Stream said currently the Center has 175 students enrolled in their career technical training program, with one third (1/3) Native American.

MEETING ADJOURNMENT

There being no further business, Co-Chairman Case adjourned the meeting at 1:21 p.m. on November 15, 2016.

Respectfully submitted,

Senator Cale Case, Co-Chairman

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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	LSO
3	Health Care	Tribal Relations Wyoming Medicaid Report	Department of Health
4	Education	17LSO-0055 WD0.4 – American Indian education program.	LSO
5	Education	Proposed Amendments to 17LSO-0055 WD0.4	Department of Education
6	Education	Proposed Substitute to 17LSO-0055 WD0.4	Department of Education
7	Education	17LSO-0055 FD1.1 – American Indian education program.	LSO
8	Education	Wind River Education Video Lesson Plans	Wyoming PBS
9	Education	Central Wyoming College Report	Central Wyoming College
10	Northern Arapaho Family Services	NADFS Title IV-E Status Report	Northern Arapaho Family Services
11	Family Services Update	Indian Child Welfare Act Summary	Department of Family Services
12	Family Services Update	Northern Arapaho & Eastern Shoshone Length of Stay-Children out of Home Placement Graph	Department of Family Services
13	Family Services Update	Northern Arapaho & Eastern Shoshone 30 Day Face-to-Face Visits Graph	Department of Family Services
14	Family Services Update	Northern Arapaho & Eastern Shoshone Children Out of Home Placement Graph	Department of Family Services
15	Wyoming Supreme Court Update	Judicial Learning Center Report	Wyoming Supreme Court
16	Utilities & Infrastructure	Riverton Water Supply Project	City of Riverton

