



State-Tribal Relations Committee
65th Montana Legislature

SENATE MEMBERS
JEN GROSS
STEVE HINEBAUCH
JASON SMALL
LEA WHITFORD

HOUSE MEMBERS
ALAN DOANE
JAMES O'HARA
RAE PEPPERS
JONATHAN WINDY BOY

COMMITTEE STAFF
HOPE STOCKWELL, Lead Staff
LAURA SANKEY KEIP, Staff Attorney
LAURA SHERLEY, Secretary

MINUTES LOG

Morning of September 18, 2017
Lame Deer, Montana

Please note: This document is a Minutes Log and provides a notation of the time elapsed between the beginning of the meeting and the time at which the item was presented or discussed, a motion was made, or a vote was taken. The narrative presented here is provided only as a guide to the audio or video record of the meeting. The official discussion, motion, or vote is available on the audio or video archive of this meeting. The Legislature does not prepare a transcript of meeting activities. The time designation may be used to locate the referenced discussion on the audio or video recording of this meeting.

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Please contact the Legislative Services Division at 406-444-3064 for more information.

COMMITTEE MEMBERS PRESENT

REP. JONATHAN WINDY BOY, Chair
REP. ALAN DOANE, Vice Chair

SEN. JEN GROSS
SEN. STEVE HINEBAUCH
SEN. JASON SMALL

REP. JAMES O'HARA
REP. RAE PEPPERS

COMMITTEE MEMBERS EXCUSED

STAFF PRESENT

HOPE STOCKWELL, Lead Staff
RACHEL WEISS, Research Analyst
LAURA SHERLEY, Secretary

VISITORS' LIST (Attachment 1)

AGENDA (Attachment 2)

COMMITTEE ACTIONS

- The committee adopted its final work plan for the interim.

Northern Cheyenne Commerce Center, 42074 Hwy 212, Lame Deer

TOUR THE NORTHERN CHEYENNE DEVELOPMENT CORPORATION COMMERCE CENTER

The committee members toured the Northern Cheyenne Development Corporation Commerce Center between 8:00 - 9:00 a.m. on the morning of September 18, 2017.

Lame Deer Elementary School, 101 W Boundary St, Lame Deer

CALL TO ORDER AND ROLL CALL

00:00:01 Rep. Windy Boy called the meeting to order at 9:17 a.m. The committee secretary took roll ([Attachment 3](#)).

OPENING PRAYER

00:00:53 Sen. Gross gave the opening prayer.

ADMINISTRATIVE MATTERS -- Ms. Stockwell

00:01:52 Ms. Stockwell updated the committee on its membership

00:02:37 Ms. Stockwell gave an update on the committee's budget and Legislative Council's handling of interim committee budgets. Ms. Stockwell also reviewed the committee's agenda for and recognized staff assisting with the meeting.

PUBLIC COMMENT ON ANY MATTER NOT CONTAINED IN THIS AGENDA AND THAT IS WITHIN THE JURISDICTION OF THE STRC

00:07:00 Jade Bahr, New Leaders Council

COMMITTEE DISCUSSION ON NORTHERN CHEYENNE COMMERCE CENTER TOUR

00:09:41 Sen. Gross commented on the Department of Transportation's lack of communication with the commerce center about the road construction in front of the center.

00:10:24 Rep. Peppers spoke about the construction.

00:11:20 Sen. Small commented on the importance of keeping the Indian Country Economic Development (ICED) funding active for the small businesses.

00:11:52 Rep. O'Hara spoke to the importance of the commerce center.

00:12:09 Rep. Windy Boy asked if Department of Transportation Director Mike Tooley used to be the director of the Highway Patrol.

00:13:01 Rep. Doane responded to Rep. Windy Boy's comments and also commented on the small business opportunities provided by the commerce center.

00:13:57 The committee heard about a change in Verizon cell service in eastern Montana during the tour and Rep. Windy Boy asked Ms. Stockwell how the issue falls under the purview of the committee.

- 00:15:00 Rep. Windy Boy commented on the importance of having internet and cell reception available for the people on the reservation for emergency services.
- 00:16:11 Sen. Gross spoke to the human trafficking, missing persons, and violence against women issues and the connection it has to the discontinuation of communication services.
- 00:16:36 Rep. Peppers commented on motor vehicle accidents' on highway 212, the lack of internet services available to highway officers, and how that effects patrol on the highway.
- 00:17:20 Rep. Windy Boy asked Ms. Stockwell to comment on how the issues could be addressed in future meetings.
- 00:18:40 Rep. Windy Boy commented on the inadequacy of cell and technology services in Montana.

INDIAN HEALTH CARE

ACA overview and update on federal legislation -- Ms. Stockwell

- 00:19:40 Ms. Stockwell gave a brief overview of the ACA provisions that affect Indian Health Care and the federal legislation regarding the ACA provisions ([Exhibit 1](#)).

Tribal Health Improvement Plan and Zero Suicide training updates -- Lesa Evers, Tribal Relations Manager, DPHHS

- 00:25:51 Ms. Evers updated the committee on the implementation timeline and stages of the Tribal Health Improvement Plan (THIP).
- 00:32:12 Rep. Windy Boy asked for clarification of the tiers in THIP.
- 00:33:15 Ms. Evers continued her presentation on THIP.

Committee questions/discussion regarding THIP

- 00:33:38 Rep. Peppers asked which five tribes are participating with THIP.
- 00:34:46 Sen. Gross asked Ms. Evers to comment on the lack of native health services in Billings after the Indian Health Board closed and what the committee can do to help remedy the issue.
- 00:38:32 Rep. Windy Boy asked how the medicaid expansion fits within THIP.
- 00:41:48 Rep. Peppers asked for clarification of Medicaid qualifications.
- 00:42:25 Rep. Windy Boy spoke on the history of Indian health care.
- 00:46:51 Sen. Small asked for clarification on behavioral peer support program implementation in the Bighorn Valley Health Centers.
- 00:50:24 Ms. Evers updated the committee on the implementation and goals of the Zero Suicide program.
- 00:55:07 Rep. Windy Boy asked for clarification of the funding available in HB 118: *Revise and provide additional funding for suicide prevention activities.*
- 00:56:46 Rep. O'Hara asked if the urban suicide rates and statistics are consistent with the rural suicide rates and statistics.
- 00:57:57 Ms. Evers continued her presentation on HB 118.

Questions/discussion -- STRC

- 01:00:14 Rep. Doane asked what entities received the \$5,384.00-per-entity funding leftover from 2015 suicide prevention appropriations and when the payments were sent out.
- 01:01:41 Rep. Doane asked for clarification regarding the next installment of payments out of HB 118.

- 01:02:30 Rep. Windy Boy asked if the funding in HB 118 is for the native youth suicide prevention programs.
- 01:03:08 Rep. Doane asked when the next installment of funding in HB 118 will be paid out to the programs.
- 01:05:33 Rep. Windy Boy spoke on the funding and the legislative history of HB 118.
- 01:09:23 Rep. Windy Boy asked if there has been any match funding applied to the Zero Suicide program.

Public comment

None

HUMAN TRAFFICKING, MISSING PERSONS, AND VIOLENCE AGAINST WOMEN --

Malinda Limberhand

- 01:11:26 Ms. Stockwell informed the committee that Ms. Limberhand was unavailable to present.

Public comment

None

Questions/discussion -- STRC

- 01:11:49 Rep. Windy Boy asked Ms. Stockwell to provide updates and information from Ms. Limberhand if provided and spoke to the importance of continuing to research these issues.
- 01:13:39 Sen. Gross commented on the update that was provided by Rep. Windy Boy and thanked Ms. Stockwell for the information she provided to the committee ([Exhibit 2](#)).
- 01:15:53 Rep. Peppers gave a brief summary of Ms. Limberhand's experience and background regarding the missing persons issue.
- 01:19:07 Rep. Windy Boy asked Ms. Stockwell if the National Conference of State Legislators or the Attorney General has any information, updates, or developing programs regarding the issues.
- 01:22:06 Rep. Doane informed the committee that the Amber Alert system is only available to alert for missing persons up to the age of 18 years.
- 01:23:20 Sen. Gross commented on the Department of Justice (DOJ) update regarding the Amber Alert system.

RECESS TO TRAVEL TO NORTHERN CHEYENNE TRIBAL COUNCIL CHAMBERS

- 01:24:45 The committee recessed at 10:42 a.m. to have a joint session with the Northern Cheyenne Tribal Council.

Northern Cheyenne Tribal Council Chambers, 600 Cheyenne Ave South

JOINT SESSION WITH THE NORTHERN CHEYENNE TRIBAL COUNCIL

****Please note: The joint meeting between the STRC and the Northern Cheyenne Tribal Council was not recorded. What follows is a transcript of the discussion.****

Jace Killsback, President Northern Cheyenne Tribal Council

President Killsback: We appreciate the work you do. In the past, tribes used to have a fairly strong involvement with the Legislature's Native caucus. I've served on the Tribal Council since 2004. At the beginning of my term, we had a lot of meetings in Helena, that we used to shape, sort of the Native agenda, driven by Native legislators that the tribal governments could get support and vice versa. Give our issues to carry forward. I'm glad to see this effort is still continuing and you're making a good faith effort to have and conduct meetings on our homeland.

We are part of 2 counties, something we've had issues with. But we work with Rosebud and Big Horn Counties, but shared a lot of issues in the past that we think should be handled at the state-tribal level.

Representative Jonathan Windy Boy, chairman, STRC

Chairman Windy Boy: This morning, Rep. Doane brought up the issue of the rise of missing children and women in Indian Country. This is one of the things we found is that there's no data on who is missing. We're hoping to get out of this. We're looking at the issue being part of our interim work plan. Also, we invited Lesa Evers from DPHHS to update you on the suicide prevention program and report on what happened since the session.

There were four levels of triggered cuts in the budget. One of the things I have opposed is inclusion of the language preservation funding in Tier 4 of the cuts. The only way that I agreed at the end of day was that the administration did not think we would reach the fourth tier, but low and behold only 3 months after the session was over we reached level 4. \$250,000 of the million dollars is hit. Despite that hit, the state general fund had funded that particular program at \$4.5 million in last 4 years, which is almost unheard of across the country.

President Killsback, I turn the gavel over to you and we are here to listen if there are issues that we can address. I forgot to mention another issue about Verizon. At a THPO meeting recently, there was a listening session on an issue they're dealing with in Sioux Country, cell service.

President Killsback: On the state tribal relations issue, most view of the tribes in Montana is that's federal, let the tribes deal with the federal. We're starting to learn and understand a lot more of the work that's needed in Indian Country is at the state level and bridging those gaps has really been moving in the healthcare field. That's where my expertise comes from in respect to state tribal relations. I've seen openness at the state to address tribal issues. I'm thankful for some programs coming out with the THIP efforts. We're involved in that. We are still involved in signing people up for Medicaid expansion, advocating for that, hoping that those

stay in place, because IHS is underfunded. But this is a huge boost in getting our tribal members some sort of coverage they can utilize when they are strapped and have to use an underfunded health care system. They are able to be referred out to other providers, e.g. Billings Clinic. Medicaid expansion is a huge benefit.

Some of my concerns range from service related programs, master compacts, issues with waivers of sovereign immunity, some inability to negotiate on contracts, number of state contracts that we manage and operate mostly in the health and human service field, anywhere from commodities to foster care. We were recently able to adopt our own foster care licensing standards and are looking for a transition to be licensed through the state because we have our own standards.

We constantly have to address law enforcement issues and concerns with Highway 212. A number of fatalities continue; it's a no man's land on the reservation. I drove in and saw shoddy patchwork on resurfacing. They just got done doing rumble strips and cover them up a month later with asphalt and give us an uneven road again.

HWY 212: people are experiencing trauma because of the number of vehicle accidents and deaths, issues with law enforcement. Everyone says the easiest solution is cooperative agreements but we don't see the benefits to us in the sense that we give up a lot to get what we think we are rightfully due. Law enforcement on the state's right of way. There are also concerns with the roundabout being developed, not a strong effort for community awareness on the project. It fell on us. We don't believe that was our responsibility, because it's a state project. We are doing what we can to get tribal members hired for the project under TERO, but we're not getting a lot of those jobs filled by tribal members. If there is a turnover accident, you get Montana Highway Patrol, but when there's a broken down car, who takes the vehicle? Understand our capacity, we still have a large pool of eligible employees and should be able to fill spots, both labor and technical.

Jurisdiction on the highway becomes an issue. . . . As far as law enforcement, joint jurisdiction, even in surrounding counties, we have issues. Issues of disparities in sentencing for the county justice system. We look at Rosebud County and unfortunately our community refers to it as Cheyenne County. The population in jail is lot of Northern Cheyenne members; we've asked to look at sentencing disparities with the county.

We're working with commissioners to address. They're open to our point of view, and we're getting some movement on it, but it's still ongoing.

Other issues: suicide and the meth epidemic. We need data. When we have a baby born to a mother addicted to meth, the data doesn't remain here. Because we refer that mother let's say to Billings to have the baby. The baby is born in Yellowstone County and they get that data. Not only Yellowstone County along with their department of health and human service, but also the social services, human services, looks at taking those children, if born to mothers addicted. So even having to deal with ICWA at that level, we have a good relationship with Yellowstone County because we've made movements in joint jurisdiction courts. Yellowstone County, a lot of team building on these issues, so we don't lose our members through the state's system.

On the federal level in regards to justice, wellness court, with federal prosecutor's office and federal judge, for violent and sexual offenders. Would like to see something established with our county courts to look at something that has prevention and rehabilitation approach versus punitive for crimes associated with drug addiction and abuse/alcohol, etc.

Efforts we need to strengthen state tribal relations is usually through the governor's office and agency heads, so I'm letting you know as legislators that when there are Indian specific bills or legislation that does come we often have input, and we want champions. We need champions up there to help educate your coworkers on our unique and culturally significant issues. I also want to say that there's got to be a better effort for cultural sensitivity training and education at your leadership level, understanding that poverty isn't culture, most non-Indians that come to the reservation, that's what they see. We have and are still a big part of Montana's history and what we think is a great state, we are a lot different than our neighboring states and I think we have built a lot of headways in state tribal relations and I think it has to do with the leadership around here and in agency departments and the governor's office.

Last thing: the BIE school, Busby School. There's some effort there to look at getting us some state funding, looking at policies that would help teachers, with some benefits, whether it's retirement or some sort of other, while they serve our membership under the BIE school structure. There are two BIE schools in MT and we're working with OPI to address these concerns but some of that may be legislative, looking for support to understand that education. We still view and see education as a treaty right and if the federal government funds these schools and manages them in their umbrella we think there is an opportunity for the state to get involved and support and not leave out your state citizens. Not just Northern Cheyenne members, but also other tribes, other racial/ethnic groups going to school in Busby too.

Chairman Windy Boy and Ms. Stockwell discussed the history of the STRC's review of support for the BIE schools and whether the state could help with funding. Ms. Stockwell also discussed recent talks between OPI and the Northern Cheyenne and CSKT about the two schools.

Chairman Windy Boy inquired about a facility in Busby.

President Killsback: It's a BIA run facility through their district 5. My understanding is it's still a federal facility. Our involvement is basically the wrap around services with youth there, treatment services, and some educational component. Essentially for our tribal members there; they house tribal members from other nations and communities, but as far as our involvement, it's still a federal facility.

Chairman Windy Boy: There was recently a report from the state on unemployment rates. Ms. Stockwell forwarded it to the STRC, and the way I read that report is totally separate from what the report states. The way I understand it, the state has x employment rate, but in Indian country it's a whole different story. Is there some way to find out the true number, because on average there is 30%+ unemployment on the reservation. The way I understand how they determine the rate is that they take the number of jobs available on the reservation and they don't take under consideration the underemployed and unemployable. How can we get accurate data?

President Killsback: DOLI data only looks at whether individuals are looking for work. Tribes can have as high as 75% unemployment. We would consider those who aren't looking for work. The community has no jobs. Firefighting was a very wicked season we just had. Those firefighters are working, they made an amount of money this year where come November/December they're not going to be actively seeking employment. They're going to be fine. That's not a big number, but that's an example.

Conrad Fisher, Vice President, Northern Cheyenne Tribal Council

Vice President Fisher: The pressing question is how do we resolve that particular issue, if there is such a difference in the data gathered, how can we make it work? Because we do see high unemployment here, we need to show that true data. I think the state needs to understand that when President Killsback talks about data and capacity this should also be part of the solution. I think when we talk about agreements and understandings, MOUS, certainly there's a lot of room for discussion and issues of that nature. But really I think that a little more about cultural understanding I think that is a key not just about differences on reservations, but more importantly about how can we make it work, the only way to do that is we have an understanding of what everybody else is doing. Certainly we need to do our part. There's seven reservations in Montana, but you go to Colstrip, there's folks there that know little about Native Americans, and so there's a lot of work that still needs to be done, it's never going to end. But that can lead to a wreck if we don't have those statistics, and we don't have that mutual understanding and if we don't have clarity in what we're looking at.

I have just a couple of issues: tourism and the MDT. East of us, they're doing work there on 212. When we talk about the tribal historic preservation office, doing highway work, the whole stretch there 10-15 miles. . . . THPO, we need to follow consultation, sections of the 212 cultural inventory were 2 or 3 years ahead of time, but as a tribe we have ancestral lands there and oftentimes that's not part of the formula. We've been talking about the MDT. This isn't just here with this one, but certainly other parts of the state where this is also a problem. So I think MDT, I know they have a lot of responsibility, working on this intersection and we work quite well with SHPO, but it's the consultation for us to get out there and do the surveys that's really difficult. I'm not sure what influence you have with them but it would be nice to get your help.

On the state level, there was some legislation about revisiting the cultural resource laws in Montana. I'm not sure how far that got. I know the tribes had some input and Rep. Stewart-Peregoy was a key legislator. It would be worth it to revisit that legislation and see what we can do.

Tourism: 212 is an area where they take their shortcut to Billings from the Black Hills and certainly where we need help and need a shot in the arm to get tourism here on the reservation. We don't have anything right at the moment. Even if it starts with signage about who Northern Cheyenne are, I think every reservation has a very unique situation. We certainly do here with reference to tourism. I often think boundaries around reservations really don't help when it comes to businesses and sometimes we get left behind with tourism dollars that should freely circulate here in southeast Montana. This

used to be called Custer Country, but we were part of the group that changed the dynamics and now it's called southeast Montana. So if the state could consider how you could help us address tourism here. That would be really nice. This is an untapped resource here in southeast Montana. There's a rich history here, surrounded by battlefields that could benefit Northern Cheyenne.

Sheldon King, Northern Cheyenne Tribal Council Chairman

Mr. King: Maybe a rest area could be built to make everyone stop.

I was in Helena this year on Northern Cheyenne Tribal Schools. My wife used to be a teacher at Busby, but there's better retirement here in Lame Deer. It would benefit all kids, those that can't afford to go to Colstrip, Lame Deer, local schools. I just want Busby to thrive and be productive, get better teachers; every kid deserves a chance. I don't know what the outcome of that bill was this last go round.

Another thing on all reservations, the DMV should be brought to attention here. We should have our own office on the reservation to serve our people. Why should people have to go to Colstrip and get in line there? Why can't we have our own DMV office in our tribal building. South Dakota does this. It's almost a hassle to get there, now you have to make an appointment and most of our jobs on reservation we ask them to have a driver's license. But they can't afford to get to Colstrip, so when it comes to those barriers, people over 30 still don't have driver's licenses. Something to take into consideration.

Unemployment: you brought up some good things there, some will not go in for a drug test. There are jobs, I used my CDL. There's work if you want to work, but some simple things if you have a drug test go out and help them do whatever you need to do to get them up to par. But when it comes down to the drug test, maybe we should, that data the president was talking about.

Vice President Fisher: I fully support what Sheldon is saying about the DMV, so Sheldon could get his driver's license. <laughter>

Rep. Peppers: Recaps the basics of SB 309 on tourism. The only time our participation is wanted is when it can be profited from; we do now have a member sitting on the Tourism Board.

Vice President Fisher: It is important collectively that the state legislature recognize southeastern MT not just tribal members but certainly communities toward the east. The Warrior Trail here, very pristine area. For those of you that haven't been here too often, and some like it that way, but certainly, for the Northern Cheyenne, it's reality. We're facing difficult times when it comes to funding and certainly I hope the legislature focuses on southeast MT. We do have a rich, colorful untapped resource here on Highway 212. We're experiencing traffic issues of almost epic proportions because of semitrailers, one for every 2 vehicles here. It has escalated, even though building the road to the east and through the reservation. It's still a pretty dangerous area, again, those statistics if they were validated, they would certainly raise an eyebrow to the traffic that goes through here. Sometimes there's convoys of 4/5/6 semis

bumper to bumper, that's been discussed with MDT, when they were here this Spring. We've had a real robust dialogue on that particular issue, but certainly when it comes to tourism we want that but at the same time we still have traffic issue to deal with. It takes a cooperative effort, thank you.

William Walksalong, Northern Cheyenne Tribal Administrator

Mr. Walksalong: A couple issues, and I hear this in our community, and that's the eventual closure of Colstrip. We have at least 80 people that work down there, maybe more. I was just wondering how the Legislature is going to address this issue. I mention this to Mr. Lopach from the governor's office, and the state legislative and administrative approach to this issue. Families since they've had those power plants, their children and grandchildren work there. It will be a major impact to our community. Mr. Ankney has been a very active proponent for the community of Colstrip. Does this committee have any input in addressing those issues?

Other things: We're currently in two lawsuits: litigation of the Yellowstone grizzly and the coal moratorium lifted by Zinke. It goes back to the 90s. It seems like our tribe and other tribes, it seems like the only way we get our sensitive issues addressed is litigation. There's a lack of tribal consultation, letters written to formally consult with the tribe, and really no response from the secretary of Interior and two officials from the US Fish and Wildlife Service didn't even take notes. They just listened, no real formal response to us. That's the trend in government to government relations with Indian tribes. It raises a serious issue to me in consultation with Indian tribes, kind of waffling a little bit.

Another thing: take note the tribe is applying to enforce our air quality standards. It just passed our tribal council. Told law students from UM that it isn't put in front always but it's in the front of the minds of tribal leaders for the last 25 years, that we try to establish primacy over everything we do, all our governmental activities and services. This is one more step in establishing primacy over our air. It was unheard of in the early 90s when I first got involved with tribal government to allow tribes to be able to enforce our own law and our own environmental regulation. They're all kind of interrelated, we sued to block construction of power plants, but they took us and addressed our concerns. The summit by Governor Schweitzer at UM, economist said there's only one thing the coal industry guarantees you is ghost towns. I think that's the way Colstrip is headed. I think the government has the responsibility to address all the adverse impacts from the closure of those plants.

President Killsback: Vice President Fisher had to leave but he had a couple of things to close with too. It's our Native American week, the fourth Friday of September is Native American day. Our schools celebrate with cultural activities, our Vice President has been designated the shooter for the buffalo hunt with the kids. He mentioned Colstrip.

Regarding buffalo: transport for the tribes is still a concern. Buffalo here are unable to get breeding bulls from our sister tribes. We have a breeding program that requires the genetics from other tribes. We are unable to do that for the last couple of years now.

Also, what William mentioned about Colstrip, with the closure, we echo Bill's sentiments,

but also want to pursue alternate energy projects. A 30 MW wind and solar initiative, our tribal building here is on half solar panels, infrastructure concerns with the community. We recently had to deal with lagoon issues. The lagoon system is not built for the capacity here; 6,000 residents if not more in this community. It's putting a strain on the lagoon system, but also water and sewer pipes are outdated. We've seen the state and governor look at individual infrastructure projects, we have need for support to look at developing infrastructure projects. A heads up on movement we're making toward a casino at the Tongue River Reservoir. We had our project rejuvenated and efforts there to put up a casino at the dam are moving forward. Last thing I wanted to mention, we just passed a resolution to have our air quality application with the EPA as a state because of our comprehensive air quality monitoring program here.

Chairman Windy Boy: Regarding data on mothers giving birth in Billings, what I would suggest and possibly pursue, the language preservation program includes cultural and intellectual property rights, already in statute, so precedented language there. Maybe we can expand that.

Some of jurisdictional issues: we are going to be having the Attorney General's office in one of our local meetings in Helena. Senator Gross is on the Law and Justice Interim Committee. There is something that came out in last session and talked about. Water quality, if we have a huge influx of AIS, alternative energy is probably a good move. Re: the coal fired power plant, part of that is out of our control because of ownership of power plants. We're trying to make sure there's minimal impact as far as employees as much as we can. We'll be doing follow-up on these issues of importance.

Lesia Evers, Tribal Relations Manager, DPHHS was invited to make a presentation and provide updates on THIP and suicide prevention efforts at her agency.

Ms. Evers: THIP - we are in active negotiations with many tribes. The Northern Cheyenne are working on a 638 agreement with IHS; I'll prepare a modified task order to provide some clarity about Tiers.

President Killsback: We had negotiations with IHS on the contract last week. We would include THIP as provisions of work covered.

Ms. Evers: I would like a phone call with you after you get the modified task order. We're in negotiation with 5 tribes. IHS has been pretty supportive. It does put a lot of potential dollars in Indian Country to address prevention. And then Mr. President we'll be at the American Indian Health Leaders meeting on Friday to present on THIP in Billings.

Zero Suicide academy being held October 11-12 in Helena. Your tribe's representative remains involved in work with DPHHS.

HB 118: There are three buckets of money for suicide prevention. We will have the coalition meet again to recommend how the new money is used. There's a SAMHSA grant for prevention among those 25 years and older. We're waiting for an answer on our application. We have increased Medicaid expansion participation. We will be back to visit this fall with updates and talk about the state budget and other things.

Chairman Windy Boy: On HB 118 funding, statistics show Montana on top as far as suicide; keep your grant writers in the loop as far as tribes can tap into all the sources.

Rep. Doane: I have a list of things Mr. President that you mentioned, a lot of the issues you're talking about here are issues people are talking about in Glendive: DMV lines, tourism and getting people to stop, input on MDT projects, are problems all over the state. The whole state is impacted.

Public Comment:

Gail Small, Northern Cheyenne. I've been working with people on voter registration and education, such a tough issue, we start over all the time. You've had requests before, is there some way you can make it easier, when we go to register our vehicles or driver's license we can be registered to vote? Same day voting. It's so difficult, there's a lot of politics that shake down every year but everybody has the right to vote in democracy. But we're hindering it, by not making it easier for people to register. We had to bring a federal Voting Rights Act lawsuit to get Indians to vote and get us into county government. Indians in particular are left out of the voter registration process. Every election season they get purged if they don't show up. I like what you're doing on other issues, I just walked in, all the problems we experience here are serious issues, but we also need to jump forward too to jobs, where do we sit in the economy of this area. I heard mention of Colstrip, are we a player at the table of help discussions, we are one of the largest constituents to be impacted. We have over 200 workers. Is any of that money being programmed to impacts to Lame Deer and Northern Cheyenne? If not we should be. I love the idea of focusing on suicide and problems we have, but jump forward too. We have a lot of talented people here. Don't make us bring another lawsuit, we've been in litigation. That's the only way we get to the table, that era has to end. We have to reach out and try to figure out what's going to happen to eastern Montana. Hard reality but we're part of that.

The joint meeting ended and members recessed for lunch.

Afternoon of September 18, 2017
Crow Agency, Montana

Crow Agency Elementary School, 101 Makata Street

TOUR THE CROW AGENCY ELEMENTARY SCHOOL LANGUAGE IMMERSION PROGRAM WITH PRINCIPAL JASON CUMMINS

The committee toured the Crow Agency Elementary School Language Immersion Program with Principal Jason Cummins.

Little Big Horn College Cultural Lodge, 8645 Weaver Drive

COMMITTEE RECONVENES

00:00:03 Rep. Windy Boy reconvened the meeting at 3:54 p.m.

PUBLIC COMMENT ON ANY MATTER NOT CONTAINED IN THIS AGENDA AND THAT IS WITHIN THE JURISDICTION OF THE STRC

00:01:15 Jade Bahr, New Leaders Council

COMMITTEE DISCUSSION ON LAME DEER VISIT AND CROW AGENCY ELEMENTARY SCHOOL TOUR

00:04:24 Rep. Windy Boy opened the floor for comments from the committee regarding the Lame Deer visit and the tour of the elementary school language immersion program.

00:04:44 Sen. Gross commented on the importance of the tribal council speaking with the committee.

PUBLIC COMMENT ON ANY MATTER NOT CONTAINED IN THIS AGENDA AND THAT IS WITHIN THE JURISDICTION OF THE STRC

00:05:47 Rep. Sharon Stewart-Peregoy, HD 42

00:20:04 Rep. Windy Boy spoke on the language immersion program and the lack of resources the program needs and recommended revisiting the program's funding in light of the cut made under SB 261 (2017).

00:25:28 Jason Smith, Governor's Office of Indian Affairs

00:27:20 Rep. Doane asked Mr. Smith to address the road construction around the commerce center and how it affects the business.

00:29:14 Rep. Peppers commented on the lack of monitoring over the road construction.

JOINT SESSION WITH CROW TRIBAL COUNCIL

00:30:16 A.J. Not Afraid, Chairman

00:41:05 Rep. Windy Boy responded to Chairman Not Afraid's comments regarding native issues and the involvement of the state.

00:42:49 Chairman Not Afraid commented on the unemployment rate on the reservation.

00:43:23 Rep. Windy Boy responded to Chairman Not Afraid's comment on the unemployment rates on the reservation.

- 00:50:40 Sen. Hinebauch asked Chairman Not Afraid how many people in the Crow community currently work in the coal industry and when would have been the peak of Crow community people working in the coal industry.
- 00:52:02 Chairman Not Afraid commented on the other sources of revenue that the community is researching.
- 00:53:49 Sen. Gross asked Chairman Not Afraid to comment on the closing of the Urban Indian Health Clinic in Billings and how that has affected the Crow community.
- 00:58:12 Rep. Windy Boy spoke on the STRC work plan and how these issues could be addressed in future meetings.
- 00:59:56 Ms. Stockwell clarified the SJ 3 study for the committee and council.
- 01:00:48 Chairman Not Afraid commented on the re-entry program and allowing the program participants to contribute back to society.
- 01:03:02 Rep. Windy Boy responded to Chairman Not Afraid's comment regarding the importance of the re-entry program.

BREAK (reconvened at 5:36 p.m.)

INDIAN STUDENT ACHIEVEMENT PANEL DISCUSSION

Introduction -- Ms. Stockwell

- 01:06:08 Ms. Stockwell ([Exhibit 3](#))

Achievement data and the new ESSA plan for addressing underperforming schools --

Eric Meredith and Mandy Smoker Broaddus, OPI

- 01:08:29 Ms. Smoker Broaddus ([Exhibit 4](#))
- 01:12:45 Mr. Meredith
- 01:21:26 Rep. Windy Boy asked if the drop-out rates include expelled students.
- 01:22:20 Mr. Meredith continued his presentation.
- 01:30:59 Ms. Stockwell informed the committee that the information stated by Mr. Meredith was available in Exhibit 2, page 3.
- 01:32:02 Mr. Meredith continued his presentation.
- 01:39:03 Rep. Doane asked Mr. Meredith how data collection is a better use of funding rather than putting the funding into the classroom.
- 01:50:05 Rep. Windy Boy asked Ms. Smoker Broaddus to clarify HPHP in her presentation information (see Exhibit 3).
- 01:50:28 Rep. Windy Boy commented on the department's action regarding the local issues on the reservation.
- 01:59:42 Rep. Peppers commented on Ms. Smoker Broaddus' and Mr. Meredith's presentation and thanked the presenters for their information.

An administrator's perspective -- Crow Agency Elementary School Principal Jason Cummins

- 02:03:21 Mr. Cummins

What can Tribal Colleges do to help?

Dr. David Yarlott, President, Little Big Horn College
Dr. Richard Littlebear, President, Chief Dull Knife College

02:17:08 Dr. Yarlott
02:30:18 Dr. Littlebear ([Exhibit 5](#)) and ([Exhibit 6](#))
02:49:09 Zane Spang, Dean of Students, Chief Dull Knife College

Public comment

None

Questions/discussion -- STRC

02:51:41 Sen. Gross thanked the panel for their presentations and discussion and asked if there is a community garden associated with the college that is used to make traditional foods as part of health and wellness.
03:00:52 Rep. Windy Boy asked the panel to review existing law in Chapter 442 and Session 2015 SB 272: *Encourage Indian language immersion schools*.

BREAK (reconvened at 7:52 p.m.)

ADOPTION OF FINAL INTERIM WORK PLAN & OPTIONS

Overview -- Ms. Stockwell

03:11:18 Ms. Stockwell reviewed the committee's work plan ([Exhibit 7](#)).
03:12:56 Committee discussion on meeting dates.
03:13:38 Ms. Stockwell asked the committee for feedback about the trip and what they would like to see on their next meeting agenda.
03:14:32 Committee discussion on the current meeting travel and next meeting dates.
03:16:57 Rep. Windy Boy commented on the final recommended meeting dates.

MOTION

03:21:15 Rep. Doane moved to adopt the STRC work plan.

DISCUSSION ON THE MOTION

03:21:50 Sen. Gross asked to devote more FTE staff time to the Human Trafficking, Missing Persons, and Violence Against Women issues.
03:22:27 Rep. Doane commented on the use of staff time for each study topic.
03:23:13 Ms. Stockwell agreed that the topic of human trafficking, missing persons, and violence against women will be on the agenda at every meeting.
03:23:32 Rep. Windy Boy recommended bringing a panel of presenters from the Attorney General's office to speak on the topic.

VOTE

03:23:56 The motion passed unanimously on a voice vote.

RECESS FOR TRAVEL TO BILLINGS

03:24:26 The committee recessed at 8:05 p.m. until September 19, 2017.