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State-Tribal Relations Committee

62nd Montana Legislature

SENATE MEMBERS

SHANNON AUGARE
TAYLOR BROWN
CARMINE MOWBRAY
SHARON STEWART-PEREGOY

HOUSE MEMBERS

GORDON HENDRICK
CAROLYN PEASE-LOPEZ
JOE READ
FRANK SMITH

COMMITTEE STAFF

CASEY BARRS, Lead Staff
DANIEL WHYTE, Staff Attorney
CLAUDIA (CJ) JOHNSON, Secretary

MINUTES

NORTHERN CHEYENNE RESERVATION

September 28, 2011
Capitol Bldg.

Lame Deer, Montana

Please note: These minutes provide abbreviated information about committee discussion, public testimony, action taken, and other activities. To the left of each section in these minutes is a time designation indicating the approximate amount of time in hours, minutes, and seconds that has elapsed since the start of the meeting. This time designation may be used to locate the referenced discussion on the audio or video recording of this meeting.

Access to an electronic copy of these minutes and the audio or video recording is provided from the Legislative Branch home page at <http://leg.mt.gov>. On the left-side menu of the home page, select *Committees*, then *Interim*. Once on the page for *Interim Committees*, scroll down to the appropriate committee. The written minutes summary, along with the audio and video recordings, are listed by meeting date on the interim committee's web page. You must have Real Player to listen to the audio recording or to view the video.

COMMITTEE MEMBERS PRESENT

SEN. TAYLOR BROWN
SEN. CARMINE MOWBRAY
SEN. SHARON STEWART-PEREGOY
REP. GORDON HENDRICK
REP. CAROLYN PEASE-LOPEZ
REP. JOE READ
REP. FRANK SMITH

COMMITTEE MEMBER ABSENT

SEN. SHANNON AUGARE

STAFF PRESENT

CASEY BARRS, Lead Staff
CLAUDIA (CJ) JOHNSON, Secretary

Visitors

Visitors' list, Attachment #1.
Agenda, Attachment #2

COMMITTEE ACTION

- The State-Tribal Relations committee approved the minutes from the June 28, 2011, meeting.

CALL TO ORDER AND ROLL CALL

Mr. Leroy Spang, President, Northern Cheyenne Tribal Council, called the Council members to order at 9:00 a.m.

Sen. Carmine Mowbray, Chair, State-Tribal Relations Committee, called the State-Tribal Relations Committee to order at 9:00 a.m. The secretary called roll. Attachment #3

Opening Blessing

9:02 **Mr. Yulbertson "Alec" Sandcrane, N. Cheyenne Tribal Council Member, and Sergeant-at-Arms**, offered a blessing in his native tongue.

AGENDA

Please note: The time stamp on the left side of the minutes is actual time. The audio does not correspond to the time on the minutes.

9:22 Chair Mowbray opened the committee meeting at 9:22 a.m. The committee and tribal members introduced themselves.

9:28 Chair Mowbray presented the 2011 Montana Code Annotated books to President Spang and the tribal council.

Approval of Minutes

9:30 Rep. Hendrick made the motion to approve the minutes. The motion **passed** unanimously by voice vote. Sen. Augare is absent.

9:32 **Lesa Evers, Acting Director, Office of Indian Affairs**, introduced herself and talked about the duties of the office. She talked about taking a tour of two reservations with Governor Schweitzer viewing the effects of the flooding that took place this past spring. Ms. Evers said the report of the 2011 Tribal Relations Report is on the Office of Indian Affairs website. She reported that the State-Tribal Economic Development Commission had met earlier this year and included the seven tribes in Montana.

9:47 **Ed Joiner, Northern Cheyenne Tribal Coordinator, Disaster & Emergency Services (DES)**, gave an update of the flooding on Montana reservations and reported how they are being assisted by Federal Emergency Management Agency (FEMA).

9:57 **Scott James Logan, Regional Tribal Liaison, FEMA, Denver, Colorado**, summarized the services that FEMA is providing to the seven tribes.

10:05 **Tim Thennis, Bureau Chief for the Response and Recovery DES Division, Department of Military Affairs**, gave an update of the flooding in Montana.

Committee comments and questions

The committee talked about the results of working with the tribal reservations regarding mitigation and how the tribes can be better prepared when there is another disaster. The members also discussed FEMA funding.

10:08 Rep. Hendrick

10:13 Sen. Brown
Mr. Thennis
Mr. Logan
Mr. Joiner
Rep. Smith

10:30 **Joe Fox Jr., VP, Northern Cheyenne Tribal Council and State Tribal Economic Development Commission**, talked about the commission and its duties. He talked about an arts and crafts center that just opened was started from grants through the commission.

10:35 **Jim Atchison, Executive Director, Southeast Development Corporation (SDC), Colstrip**, said that the SDC is a regional non-profit economic group that assists, creates, and develops jobs throughout the region. He talked about the four services that the group provides to the region: business, financial, planning, and development. He explained how these services are used.

10:45 Clara Caufield, owner of "A Cheyenne Voice" a "Lame Deer Newspaper", talked about creating, starting and operating a small business on the reservation. She talked about the funds that are available for Indians to start a small a business. She said anyone that wants to start a business can receive at least \$7,000 every year if they do the paperwork right. She talked about the need for a directory of Indian homes and businesses. Ms. Caufield said her business is located in Colstrip because there is no housing available in Lame Deer. She discussed the need for tax breaks for businesses outside the reservation when housing is not available on the reservation.

11:10 **Leroy Whiteman, Native American artist**, talked about the various artists and art work on the reservation. He had several exhibits of drawings, woodwork carving, bronze, oils and paintings. He talked about selling his artwork in places outside of Montana.

11:20 **James Mullin, owner of Courtesy Cash**, talked about the challenges of starting an enterprise on the reservation.

11:27 **Zane Spang, a business owner**, explained how he operates his business on the reservation.

Committee comments and questions

The committee talked about operating businesses on the reservation; awareness at the college for students hoping to go into business, and what the reservation does to bring in new enrollment at the college.

11:30 Rep. Hendrick

11:31 Sen. Stewart-Peregoy

11:32 Zane Spang

11:37 Rep. Smith

11:45 **Break**

12:19 Mr. Barrs gave an update of the 2010 federal census results, and the committee letter sent to each tribe soliciting their views on the census results.

12:25 **Lunch**

1:36 Chair Mowbray called the committee back to order.

1:40 **Stephanie Iron Shooter, Project Manger, Planting Seeds of Hope**, distributed a PowerPoint of Planting Seeds of Hope, a suicide prevention project, and explained how the project works. **Exhibit 1**

1:49 **Tom Mexicancheyenne, Community Health Director, Northern Cheyenne Tribal Health**, distributed a handout attached to the PowerPoint showing resources, organizations, and telephone numbers for suicide prevention. **Exhibit 2** Mr. Mexicancheyenne distributed a handout that explains domestic violence on the reservation. **Exhibit 3.**

2:01 **Eugene Little Coyote, Program Coordinator**, talked about Northern Cheyenne veterans healing through traditional beliefs, cultural practices, and social support. **Exhibit 4**

2:06 **Trenton, Kaline, a 15-year old**, talked about living on the reservation. He distributed a copy of his testimony. **Exhibit 5**

2:09 **Casey White Dirt, a high school student**, talked about his life on the reservation and what he and his friends do for recreation.

2:13 **Carl Rosston, Suicide Prevention Coordinator, Department of Public Health and Human Services (DPHHS)**, talked about Indian suicides and stated that there has to be a mind set to change this issue. He talked about a suicide kit that is on the DPHHS website and can be downloaded by anyone for free. Mr. Rosston travels around the state training suicide prevention to teachers, nurses, law enforcement, emergency rooms, and hospices. He talked about other programs available for the tribes. DPHHS will be training juvenile officers in approximately six months.

2:25 **Marilyn Bruguier Zimmerman, Director, National Native Children's Trauma Center at UM Institute for Educational Research and Services**, talked about ways that tribes deal with suicide committed by a child.

Committee comments and questions

The committee talked about bullying and exposure to violence.

2:35 Sen. Brown

2:38 Marilyn Zimmerman

2:40 Chair Mowbray

2:40 Rep. Hendrick

2:42 Mr. Mexicancheyenne

- 2:45 **John Frederkson, Ed. D, coordinator Montana Safe Schools Center**, talked about keeping kids safe, and how society is paying less attention on taking care of the children.
- 2:52 Chair Mowbray, Rep. Pease-Lopez and Sen. Stewart-Peregoy invited Mr. MexicanCheyenne to the next Legislative session to address the issues of bullying and keeping kids safe.

Criminal and Civil Jurisdiction

- 3:10 **Honorable Judge John J. Robinson, Chief Judge, Northern Cheyenne Tribal Court**, talked about jurisdiction on the reservation. He said the reservation courts are different than regular court jurisdictions. He discussed criminal cases, and how the court and Justice buildings are separate. He also spoke about the tribe's efforts to get a new Justice building built in the near future.
- 3:22 **Calvin Wilson, Chief Prosecutor, Northern Cheyenne**, addressed some of the same ideas of Judge Robinson. He talked about an evolution that has taken place in the justice system on the reservations, and explained what the tribal courts are dealing with.
- 3:31 **Joe Fox, Jr.**, summarized the issues that have been discussed by the committee today. He talked about collaboration and the tribe's constitutional responsibilities.

Cigarette and Gasoline Tax Agreement

- 3:41 **Ben Lone Bear, Northern Cheyenne Tribal Council Treasurer**, talked about tribal revenues. He said the cigarette tax is no longer available to the tribes, but he has completed and sent in paperwork to retain this tax.
- 3:45 **Norma Bixby, Director of the Tribal College Community Tribe**, gave an update on college tuition increases, graduation rates, and the number students attending college. She asked that the Legislature of Montana fund the university system better so the tuition would not go up. She said it affects the tribe's funds they receive from the federal government. She distributed a handout of her talking points. **Exhibit 6**

Public comment

- 4:12 **Dr. Florence v. Dunkel, professor, anthropology at Montana State University**, talked about Indian traditional issues.

Adjournment

- 4:15 Mr. Fox thanked everyone for attending the meeting on the Northern Cheyenne Reservation and for sharing their knowledge. He adjourned the tribal members at 4:15 p.m.
- 4:16 Chair Mowbray also thanked the committee and tribal members for their participation. She adjourned the State-Tribal Relations Committee at 4:16 p.m.