



**First Meeting**  
**February 27, 2008**

**Room 412**  
**State Capitol Building**  
**Pierre, South Dakota**

The first meeting of the Legislature's State-Tribal Relations Committee meeting was called to order by Chair Representative Kent Juhnke at 3:05 p.m., February 27, 2008, in Room 412 of the State Capitol, Pierre, South Dakota.

A quorum was determined with the following members answering the roll call: Senators Julie Bartling, Thomas A. Dempster, Cooper Garnos, Tom Katus and Theresa Two Bulls; Representatives Jim Bradford, Mark DeVries, Kent Juhnke, Thomas Van Norman, and Keri Weems.

Staff members present were Tom Magedanz, Principal Research Analyst, and Reta Rodman, Legislative Secretary.

**(NOTE:** For the sake of continuity, the following minutes are not necessarily in chronological order. Also, all referenced documents are on file with the Master Minutes.)

At the beginning of the meeting **Tom Magedanz**, Legislative Research Council, distributed a packet containing correspondence received after the October meeting (**Document #1**).

### Opening Remarks

**Representative Kent Juhnke**, Chair, welcomed everyone to the meeting. He said the purpose of the meeting was to discuss meeting locations and study topics for the committee for the 2008 interim.

A silent prayer was offered.

### Approval of Minutes

**SENATOR THERESA TWO BULLS MOVED, SECONDED BY SENATOR JULIE BARTLING, THAT THE MINUTES OF THE OCTOBER 15 - 16, 2007, MEETING OF THE STATE-TRIBAL RELATIONS COMMITTEE BE APPROVED.** The motion prevailed on a voice vote.

**Senator Tom Katus** suggested that the State-Tribal Relations Committee combine a trip to Rapid City and Pine Ridge before the Midwest Legislative Conference in Rapid City and include an invitation to the individuals from the twelve states and Canadian provinces that will be attending the conference. He recommended education and gaming as issues to be considered during the interim.

**Senator Julie Bartling** said that she felt this would be a good idea that would fit in well with the conference and would save the legislators time and travel expense.

**Senator Two Bulls** reported that the Yankton Sioux Tribe would like to have the State-Tribal Relations Committee come there for one of its meetings. **Representative Juhnke** suggested that perhaps August or September would be a good time to visit that area and that the committee could possibly include Flandreau at the same time.

In response to a question from **Representative Weems**, Tom Magedanz, Principal Research Analyst, Legislative Research Council, reported on the reservations that the committee had visited previously. He said there are three reservations where the committee has not met. They are Cheyenne River, Crow Creek, and Yankton.

**Representative Bradford** asked what days the Midwest Legislative Conference will be held. It was reported that the date is July 13<sup>th</sup> through July 16<sup>th</sup>. Representative Bradford stated that Crazy Horse Monument and Mount Rushmore will be visited by individuals attending the conference and he has concerns about adding a State-Tribal meeting. **Representative DeVries** asked whether scheduling a meeting either before or after the MLC Conference would cause time or budget constraints.

### Public Testimony

**Ms. Jennifer Ring**, ACLU of the Dakotas, distributed a document entitled "Summer Study Topics for State and Tribal Relations 2008" (**Document #2**). Ms. Ring reported that for many years the high school graduation rate for Native Americans in South Dakota has been a concern. She said that a legislative study into the causes of the low graduation rate and evidence of racial disparity in public education could identify possible actions to address these issues.

Ms. Ring also reported on South Dakota's ten largest school districts by enrollment and the graduation rate among Native American students. **Representative Juhnke** said that he would like actual graduation numbers and not just percentages as shown on the chart included in Document #2.

Ms. Ring suggested that the State-Tribal Relations Committee invite various departments and individuals to discuss education and racial relations and present the results to the 2009 Legislature. Ms. Ring said there is a perception of racial problems and racial disparity existing in South Dakota which also includes the area of law enforcement.

**Representative Weems** stated that it is also necessary to look at educational achievement by grade level and said there is a very clear disparity for Native American students. She said this is a very good summer topic for discussion.

**Jeremiah Murphy**, Great Plains Indian Gaming Association, testified regarding gaming compacts and the gaming industry in South Dakota. Mr. Murphy stated that gaming promotes economic development in South Dakota including 1800 jobs with benefits in tribal casinos, of which 18% are nontribal employees, \$35 million in payroll, and \$32 million in purchasing in 73 communities.

Mr. Murphy volunteered his organization's resources to work with the State-Tribal Relations Committee on a summer study dealing with gaming issues.

**Ms. Kathy Lucas** testified that she felt that the areas of education and children should be studied this summer.

**Mr. Clarence Skye**, Executive Director, United Sioux Tribes, testified that Indian gaming is not true economic development. He said the biggest business for Native Americans has traditionally been agriculture. However, agricultural activity has decreased and is in a difficult situation. Mr. Skye reported that it is difficult for Indian cattlemen to take part in USDA and BIA agricultural programs that used to be more readily available. He also would like information from the Department of Tourism and State Department on the promotion of Native American tourism opportunities. Mr. Skye also suggested that the committee study tribal court systems.

### **Committee Discussion**

**Mr. Tom Magedanz** suggested having either a May or June meeting in Pierre followed by two meetings on reservations later in the summer and fall. He said that interim committees are allowed three meetings over five days and that generally the Executive Board is agreeable to extra meetings if they are warranted.

**Representative Juhnke** suggested that Legislative Research Council staff get feedback from the committee members and then a decision on summer topics can be made.

### **Adjournment**

**MOTION BY REPRESENTATIVE WEEMS, SECONDED BY REPRESENTATIVE DEVRIES THAT THE MEETING BE ADJOURNED.** The motion prevailed on a voice vote.

The meeting adjourned at 4:20 p.m.



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