

State-Tribal Relations

2024 Final Report



Study Assignment

The State-Tribal Relations Committee is an ongoing statutory committee created by the Legislature in 1993 and codified in SDCL sections [2-6-20](#) to [2-6-23](#), inclusive, as a part of the state's reconciliation efforts. The statute directs the committee to make a continuing study of the relations between the state and its political subdivisions and the tribes and their tribal governments. The committee provides a forum within state government for discussion of issues affecting the Native American community and issues involving tribal governments and state government. The committee also serves as a way of familiarizing legislators with those issues.

The committee consists of five members of the House of Representatives appointed by the speaker of the House of Representatives and five members of the Senate appointed by the president pro tempore of the Senate. The committee must have at least one member from each house be a member of the body's minority party.

Summary of Interim

The State-Tribal Relations Committee met once in October. At the meeting, the committee heard from proponents and opponents of Initiated Amendment G, Initiated Amendment H, Initiated Measure 28, Initiated Measure 29, and Referred Law 21. The committee also heard video messages from the proponents of Initiated Amendment E. These individuals discussed the potential impact that each of the ballot measures could have on the tribes.

The committee discussed potential candidates to deliver the 2025 State of the Tribes Address to the Legislature.

Committee Action

While the committee does not endorse or take a position on any of the ballot measures discussed at the committee meeting, after receiving input from various stakeholders and members of the community, the committee did make the following determinations on the possible impact a ballot measure could have on the tribes and on state-tribal relations:

- (1) Passage of Initiated Measure 28 could negatively impact state-tribal relations because of the economic impact that the measure would have on the tribes, either because of loss of income caused by a decrease in the sales tax remitted to the tribes by the state, or because each tribe would be required to establish a system for a tribe to collect the sales tax from retailers within the tribe's jurisdiction;
- (2) Passage of Initiated Measure 29 could positively impact state-tribal relations because of the ability for the state and Tribal governments to regulate the marijuana industry and decrease underage or other illicit access to marijuana, reduce or eliminate any jurisdictional enforcement challenges, and the potential economic growth that legalization of the possession of recreational marijuana would provide to the economies of the tribes;
- (3) Passage of Initiated Amendment E could positively impact state-tribal relations because of the recognition of the contributions women have provided to the state and the Tribal Nations in their leadership, and by encouraging future generations of women to take on leadership roles in tribal communities; and
- (4) Upholding SB 201 through a "yes" vote on Referred Law 21 could negatively impact state-tribal relations because of the limitations the law could impose on a local government's ability to self-govern, and the impact that carbon dioxide transmission pipelines could have on the state's environment and ecosystem.

The committee recommends the Executive Board invite Ms. Gay Kingman to deliver the 2025 State of the Tribes Address to the Legislature. The committee also recommends the Executive Board solicit feedback from the Great Plains Tribal Chairmen's Association regarding invitations to deliver future State of the Tribes Addresses.

Summary of Meeting Dates and Places

The committee met in Rapid City on October 10, 2024.

Listing of Committee Members

Members of the committee were Representative Tamara St. John, Co-Chair; Senator Michael Rohl, Co-Chair; Senators Shawn Bordeaux, Red Dawn Foster, Tom Pischke, and Kyle Schoenfish; and Representatives Joe Donell, Eric Emery, Will Mortenson, and Peri Pourier.

Listing of Staff Members

Staff members for the committee were Jacob Carlson, Research Analyst; Mitch Honan, Fiscal Analyst; and DeLaney Lewis, Administrative Specialist.

DRAFT

