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## WISCONSIN LEGISLATIVE COUNCIL

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### STATE-TRIBAL RELATIONS

Potawatomi Bingo Casino, Woodland Dreams Ballroom  
Milwaukee, Wisconsin

August 20, 2009  
10:15 a.m. – 1:30 p.m.

[The following is a summary of the August 20, 2009 meeting of the Special Committee on State-Tribal Relations. The file copy of this summary has appended to it a copy of each document prepared for or submitted to the committee during the meeting. A digital recording of the meeting is available on our Web site at <http://www.legis.state.wi.us/lc>.]

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#### Call to Order and Roll Call

Chair Coggs called the meeting to order. The roll was called and it was determined that a quorum was present.

COMMITTEE MEMBERS PRESENT: Sen. Spencer Coggs, Chair; Rep. Jeffrey Mursau, Vice-Chair; Reps. Gary Sherman and James Soletski; Sen. Dave Hansen; and Public Members Gregg Duffek, Patricia Ninham-Hoef, Dee Ann Mayo, and Philip Shopodock.

COMMITTEE MEMBER EXCUSED: Sens. Scott Fitzgerald, and Robert Jauch; and Public Members Andrew Adams, III, Daniel Brown, Agnes Fleming, and Mark Montano.

TECHNICAL ADVISORY COMMITTEE MEMBERS PRESENT: Rachelle Ashley, Department of Workforce Development; Gwen Carr, Department of Transportation; Thomas Ourada, Department of Revenue; and Jim Weber, Department of Health Services.

TECHNICAL ADVISORY COMMITTEE MEMBER EXCUSED: Tom Bellavia, Department of Justice; J.P. Leary, Department of Public Instruction; and Michael Lutz, Department of Natural Resources.

COUNCIL STAFF PRESENT: David L. Lovell, Senior Analyst.

APPEARANCES: Jim De Nomie, Voices from the Circle Radio; Gwen Carr, National Urban Indian Policy Coalition; Mark Powless, Southeastern Oneida Tribal Services; Hope Johnson, Gerald L. Ignace Health Center; Pat Delgado, Indian Council of the Elderly; and Derren Kroenke, Spotted Eagle, Inc.

OTHERS PRESENT: Barbara Jersey, Menominee; Jeff Johnson, President, Principal Civil Engineer, J.W. Johnson and Associates, Inc., Deforest; Mary Kay Kasten Dickinson, Lac Vieux Desert Band of Lake Superior Chippewa Indians, Hartford; Robert Pero, Chippewa General, Inc., Odanah; and Carol Sample.

## **Opening Remarks**

Philip Shopodock, Chairman of the Forest County Potawatomi Community welcomed the committee, invited speakers, and members of the public to the Potawatomi Bingo Casino and expressed his hopes for a productive meeting.

Senator Spencer Coggs, Chair of the Special Committee on State-Tribal Relations, also welcomed all to the meeting and explained that the purpose of the meeting was to receive testimony relating to the experiences of, and issues unique to, American Indians living in Milwaukee.

## **Opening Remarks and Introductions**

Chair Coggs welcomed committee members and members of the public and asked all present to introduce themselves. He noted that the agenda included a mix of topics touching on tribal, state, and federal matters.

## **Approval of the Minutes of the December 16, 2008 and June 4, 2009 Meetings**

*Senator Hansen moved, seconded by Representative Mursau, that the minutes of the December 16, 2008, and June 4, 2009, meetings be approved. The motion passed on a voice vote.*

## **Staff Briefing on Pending Business**

David Lovell, Legislative Council Senior Analyst, briefed the committee on pending business, including the status of pending legislation introduced by the Joint Legislative Council at the recommendation of the committee and plans for a meeting the following week with tribal police chiefs, county sheriffs, and their respective legal counsels to discuss mutual assistance between tribal and county or municipal law enforcement agencies.

## **Presentations by Invited Speakers**

- ***Jim De Nomie, Voices from the Circle Radio***

Mr. De Nomie described his experiences growing up as an American Indian in Milwaukee and some of the struggles this brought, in particular coping with the “culturally inept” concepts people had of American Indians and their impact on his self-identification, while maintaining connections with his Bad River Chippewa community and culture. He noted that there is no enforcement of, and low compliance with the statutory requirement that public schools provide instruction on American Indian history and culture and tribal sovereignty. He also discussed the common misconception that revenues from tribes’ gaming operations have lifted American Indians out of poverty.

- ***Gwen Carr, National Urban Indian Policy Coalition***

Ms. Carr related her personal story of adoption out of her American Indian community and subsequent discovery of her ancestry and heritage and reintegration into that community. She related a

key lesson from her birth mother: that growing up on the reservation does not define being Indian; that she was an Indian from birth; and that her life is a unique and legitimate Indian experience.

Ms. Carr described the federal Relocation Policy of the 1950s, in which the federal government relocated Indians from reservations to cities. She said this policy created the current pattern in which more than half of all American Indians live off-reservation, many in large urban centers. She concluded her presentation with a number of specific policy recommendations, which are enumerated in her written testimony.

Mr. Shopodock stated that the Relocation Policy resulted in the “fraying of the common thread” of Indian communities. In addition, he noted that it led to frequent inter-tribal marriages, one result of which is that many individuals, although of 100% American Indian ancestry, do not have enough ancestry in any one tribe to qualify for enrollment in a federally recognized American Indian tribe or band.

- ***Mark Powless, Southeastern Oneida Tribal Services***

Mr. Powless said that it is not possible to understand urban Indian issues in one meeting, noting that there are many issues not reflected on the agenda of the meeting. In particular, he said that there is a particular problem in the schools, where a greatly disproportionate number of Indian students are placed in special education programs. He encouraged the committee to become familiar with the work of WE Indians, a program that helps Indian students in the Milwaukee Public Schools. He said that programs such as this do not get the support or funding they need.

- ***Hope Johnson, Gerald L. Ignace Health Center***

Ms. Johnson described the Gerald L. Ignace Indian Health Center, the services it provides, and the population it serves. She identified a number of challenges the center faces, including issues related to both the coverage and administration of Badger Care+ and Medicaid. She also talked about problems of housing and homelessness and the lack of telephone and Internet access of many of their patients, both of which may be necessary to access various services.

Ms. Johnson noted that the Indian Health Service would be releasing an Urban Indian Health Needs Assessment at an event to be held at the Ignace Center on October 1, 2009.

- ***Pat Delgado, Indian Council of the Elderly***

Ms. Delgado described the services offered by the Indian Council of the Elderly. She said that transportation services are particularly important, providing transportation to medical appointments, churches, grocery stores, and meal services, among others. She said that the Center operates a meals program, which is currently used by over 70 individuals. She concluded by noting that Medicare is not sufficient to meet the medical needs of the population the Center serves.

- ***Derren Kroenke, Spotted Eagle, Inc.***

Mr. Kroenke described the diverse activities of Spotted Eagle, Inc. (SEI), in the areas of workforce development and education, serving SEI’s mission to advance self-determination and empowerment while strengthening family, community, and tribal bonds. He described off-reservation Indians as an “invisible constituency,” and noted that most state and federal policies and programs fail to

meet their needs because of a focus on tribes, tribal consortia, and tribally designated entities. He made a number of recommendations, enumerated in his written testimony, related to giving off-reservation Indians and organizations greater access to government programs, including creation of a seat on the Special Committee for an off-reservation representative.

### **Public Testimony**

**Mary Kay Kasten Dickinson, Lac Vieux Desert Band of Lake Superior Chippewa**, spoke regarding the need for better understanding of the federal Indian Child Welfare Act, and described her personal experience in a dispute with her tribe over an adoption matter.

**Jeff Johnson, President and Principal Civil Engineer, J.W. Johnson & Associates**, said that he is a civil engineer and the owner of a civil engineering firm. He described his upbringing as an urban Indian with ties and an on-going connection to the reservation community. He spoke about the critical importance of education for the success of both urban and reservation Indian children. He also said that the state needs to provide greater assistance to reservation communities to improve their highly inadequate and aging infrastructure.

**Carol Sample, Milwaukee Area Indian Manpower Council**, distinguished between “urban Indians” and “off-reservation Indians,” stating that the terms describe distinct populations with distinct experiences. She discussed the problem of inter-tribal individuals, who are not able to enroll in any individual tribe, also not being able to access government services for Indian people. She noted that the standard of a person “accepted as Indian” by a community is occasionally used to address this problem. Ms. Sample urged that the state re-examine how it is using federal “stimulus” funds, to ensure those funds reach Indian communities and people. She also suggested that the state partner with the Forest County Potawatomi Community in hosting the North American Indigenous Games, to be held in 2011 in Milwaukee.

**Robert Pero, Chippewa General, Inc.**, asked Jim De Nomie to present his testimony, due to laryngitis. Mr. De Nomie said that Mr. Pero is a Bad River Chippewa member and principal in a construction company. He said that Mr. Pero’s vision is to create a cooperative jobs training center in Northern Wisconsin to create the on-reservation labor pool to allow on-reservation construction to be done with Indian labor. He said that the Wisconsin Housing and Economic Development Authority should focus more of its efforts in Northern Wisconsin.

**Barbara Jersey, Hainesville, IL**, echoed Ms. Sample’s comments on the distinction between urban and off-reservation Indians. She spoke of the importance of collaboration among Indian tribes in solving the problems they face and stated that Indian tribes must hold each other accountable for this collaboration. She said that urban Indian communities provide many examples of inter-tribal collaboration.

**Gwen Carr** returned to the speaker’s table to suggest the creation of a state Indian commission, in either the legislative or executive branch of state government, and to urge that the tribal liaison position in the Department of Commerce, which is currently vacant and subject to a hiring freeze, be filled.

### **Other Business**

No other business was brought before the committee.

### **Plans for Future Meetings**

The next meeting of the Special Committee on State-Tribal Relations will be held at the call of the Chair.

### **Adjournment**

The meeting adjourned at 1:30 p.m.

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