

# State of South Dakota

NINETY-THIRD SESSION  
LEGISLATIVE ASSEMBLY, 2018

196Z0711

## HOUSE BILL NO. 1227

Introduced by: Representatives Bordeaux, Ahlers, Bartling, Hawley, Ring, Smith, Wismer,  
and Zikmund and Senators Heinert, Killer, Maher, and Nesiba

1 FOR AN ACT ENTITLED, An Act to create a Commission on Indian Affairs.

2 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF SOUTH DAKOTA:

3 Section 1. That the code be amended by adding a NEW SECTION to read:

4 There is hereby created the Commission on Indian Affairs for the purposes of improving  
5 services to American Indians in South Dakota and promoting communication and relations  
6 between the state and the nine federally recognized Indian tribes in South Dakota. The  
7 commission may not abrogate or supersede negotiations or relations that any Indian tribe, band  
8 or group might have or develop individually with any state, federal, local or tribal government.

9 Section 2. That the code be amended by adding a NEW SECTION to read:

10 The Commission on Indian Affairs shall have ten members that include:

- 11 (1) The secretary of the Department of Tribal Relations;
- 12 (2) A member of the Cheyenne River Sioux Tribe;
- 13 (3) A member of the Crow Creek Sioux Tribe;
- 14 (4) A member of the Flandreau Santee Sioux Tribe;
- 15 (5) A member of the Lower Brule Sioux Tribe;



- 1 (6) A member of the Oglala Sioux Tribe;
- 2 (7) A member of the Rosebud Sioux Tribe;
- 3 (8) A member of the Sisseton Wahpeton Oyate;
- 4 (9) A member of the Standing Rock Sioux Tribe; and
- 5 (10) A member of the Yankton Sioux Tribe.

6 Each member under subdivisions (2) to (10), inclusive, of this section shall be selected by  
7 the tribal governing body of the member in accordance with the procedures of the tribe.

8 The commission may appoint one additional member who is from an area in which  
9 nonreservation Indians reside and who is associated with an Indian Health Care Improvement  
10 Act Title V Urban Indian Health program. This additional member shall be a nonvoting member  
11 of the commission.

12 Section 3. That the code be amended by adding a NEW SECTION to read:

13 The commission shall elect a chair and a vice chair for a term of one year and shall  
14 determine the duties of the officers. A majority of the members of the commission constitutes  
15 a quorum for the transaction of business but no final decision may be made without an  
16 affirmative vote of the majority of the members appointed to the commission.

17 Section 4. That the code be amended by adding a NEW SECTION to read:

18 The tribal governing body of each member shall pay for the travel expenses of the governing  
19 body's member. The department secretary shall be compensated by the state.

20 Section 5. That the code be amended by adding a NEW SECTION to read:

21 The commission shall:

- 22 (1) Compile information relating to services available to American Indians, including  
23 education and training programs, work programs, housing programs, health  
24 programs, mental health programs including alcohol and drug services, and welfare

- 1 programs from local, state and federal sources and through private agencies;
- 2 (2) Develop and sponsor in cooperation with American Indian groups and organizations,
- 3 programs to inform American Indian of services available to them;
- 4 (3) Develop and sponsor programs to make American Indians' wants and needs known
- 5 to the public and private agencies the activities that affect American Indians and
- 6 encourage support for the programs;
- 7 (4) Assess programs of state agencies operating for the benefit of American Indians and
- 8 make recommendations to the appropriate agencies for the improvement of those
- 9 programs; and
- 10 (5) Report biennially to the Governor and the Legislature on all matters of concern to
- 11 American Indian of this state and recommend appropriate action.