

State of South Dakota

EIGHTY-FOURTH SESSION
LEGISLATIVE ASSEMBLY, 2009

651Q0451

HOUSE BILL NO. 1286

Introduced by: Representatives Iron Cloud III, Blake, Bolin, Brunner, Burg, Dennert, Elliott, Engels, Fargen, Feickert, Frerichs, Gibson, Gosch, Hamiel, Hunhoff (Bernie), Jensen, Juhnke, Killer, Kirkeby, Kirschman, Krebs, Lange, Lederman, Lucas, McLaughlin, Moser, Noem, Novstrup (David), Nygaard, Olson (Betty), Pitts, Rounds, Russell, Schlekeway, Schrempp, Sly, Solberg, Sorenson, Street, Thompson, Van Gerpen, Vanderlinde, and Verchio and Senators Garnos, Adelstein, Ahlers, Bartling, Bradford, Dempster, Fryslie, Gillespie, Hanson (Gary), Haverly, Heidepriem, Hundstad, Jerstad, Kloucek, Maher, Merchant, Miles, Nesselhuf, Peterson, Rhoden, Schmidt, Tieszen, and Turbak Berry

1 FOR AN ACT ENTITLED, An Act to create a task force to study the feasibility of establishing
2 a cabinet-level Department of Native Affairs and to identify benefits that could result from
3 a closer working relationship between the executive and legislative branches and the tribal
4 governments.

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

6 Section 1. There is hereby established the South Dakota Native Affairs Task Force. The task
7 force consists of the following members:

- 8 (1) For each of the nine Indian tribes located in South Dakota that chooses to participate
9 in the task force, the chairman or president of the tribe or a person designated by the
10 tribal chairman or tribal president to represent the participating tribe;
- 11 (2) The director of the Office of Tribal Government Relations;



1 (3) Two current or former members of the House of Representatives who have served
2 as members of the State-Tribal Relations Committee to be appointed by the speaker
3 of the House of Representatives;

4 (4) Two current or former members of the Senate who have served as members of the
5 State-Tribal Relations Committee to be appointed by the president pro tempore of the
6 Senate; and

7 (5) Five persons appointed by the Governor.

8 If a vacancy on the task force occurs, the vacancy shall be filled in the same manner as the
9 original appointment.

10 Section 2. The task force shall be under the supervision of the Executive Board of the
11 Legislative Research Council and staffed and funded as an interim legislative committee. The
12 Legislative Research Council may receive additional funds from any legal source to carry out
13 the purposes of this Act. The executive board shall designate the chair and the vice chair of the
14 task force.

15 Section 3. The task force shall evaluate issues associated with relations between South
16 Dakota's Native American governments and the executive and legislative branches of state
17 government and address the structure of potential ongoing entities established to address such
18 issues. Specifically, the task force shall analyze the feasibility of establishing a cabinet-level
19 Department of Native Affairs within the executive branch of South Dakota state government
20 to foster a closer relationship between the executive branch of state government and the tribes.
21 The study shall also consider how a cabinet-level department could benefit the executive and
22 legislative branches and the tribes, as well as appropriate organizational structures, tasks, goals,
23 and activities for other potential ongoing entities designed to address issues affecting South
24 Dakota's Native American and non-Native populations.

1 Section 4. The task force shall begin its activities in 2009 and shall submit an interim report
2 to the Executive Board of the Legislative Research Council not later than December 1, 2009,
3 and a final report, recommendations, and potential draft legislation to the Executive Board of
4 the Legislative Research Council no later than December 1, 2010.