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Indians and Indian Reservations

Sec. 47-65-1. Residence on a reservation

An Indian, as defined by statute, desiring to reside on his tribal reservation shall make application in writing to the welfare commissioner. He shall not take up residence on such reservation until written approval of the commissioner has been granted. Any Indian granted written permission to reside permanently or seasonally on a tribal reservation who fails to live on such reservation for at least two months of any calendar year without good cause shall be deemed to have abandoned his residency thereon at the end of any such calendar year, and may not return thereafter to live on such reservation without further written approval of the welfare commissioner.

(See 1961 Supp. § 47-63.)

Sec. 47-65-2. Building on a reservation

No tribal member shall erect, or cause any building to be erected, upon a reservation without written approval of the welfare commissioner. Any tribal member desiring to erect a building upon his tribal reservation shall make application in writing to the welfare commissioner and shall furnish suitable plans and specifications, as well as evidence of financial ability to complete such building. The site on which any building is to be erected will be set out and approved by the welfare commissioner. Any building erected on a reservation without written approval of the commissioner, or on any site which has not been approved by the commissioner, shall be subject to removal at the builder's expense at the discretion and direction of the welfare commissioner, or by the state upon the refusal or failure of the owner to remove it within sixty days of notice. If the state is required to remove such building, the builder shall be liable to the state for the cost of removal.

Sec. 47-65-3. Repairs and improvements to existing buildings

No person shall make any repairs or improvements to an existing building without the written approval of the welfare commissioner. Any person desiring to repair or improve an existing building shall make application in writing to the welfare commissioner and shall furnish suitable plans and specifications, as well as evidence of financial ability to complete such project.

Sec. 47-65-4. Buildings become part of tribal reservations

All buildings erected upon a tribal reservation by a tribal member shall be subject to the care, control and management of the welfare commissioner and, unless authority for future removal has been given by the welfare commissioner at the time of erection, shall be considered affixed to and a part of the reservation.

Sec. 47-65-5. Assistance to needy tribal members

To be eligible to receive assistance from the tribal fund or from the "Aid to Indians" appropriation, a person must be (1) a tribal member; (2) a bona fide fulltime resident of a tribal reservation; (3) without sufficient means to support himself on a reasonable standard of health and decency and with no spouse, child or children able to support him; (4) ineligible to receive public assistance.

Sec. 47-65-6. Use of Indian reservation

The Indian reservations shall be held for the use of tribal members only. Indians residing on the reservations shall maintain their homes and land adjacent to them in a sanitary and clean condition. The accumulation of rubbish, junk, garbage and

other refuse in or around the premises occupied by them or on the reservation itself is prohibited. All such waste material shall be removed by the occupants of the various premises. No resident may cut timber or wood on the reservation except that needed by the tribal member for his own use in heating or cooking. No Indian shall commit a nuisance or illegal act on any reservation.

Sec. 47-65-7. Eviction for cause

Any Indian entering upon a reservation or building thereon without written permission of the welfare commissioner, or any Indian discarding or permitting refuse, rubbish or junk to accumulate around his premises after warning, or who uses the premises or reservation for any illegal act, shall be evicted from the reservation.