

LEGISLATIVE BILL 37

Approved by the Governor March 2, 1973

Introduced by Burbach, 19

AN ACT to amend sections 81-1214, 81-1218, and 81-1219, Reissue Revised Statutes of Nebraska, 1943, relating to the Commission on Indian Affairs; to increase the membership and provide for all appointments; to change terms; to provide for a quorum; to provide for compensation; to provide for special meetings; and to repeal the original sections.

Be it enacted by the people of the State of Nebraska,

Section 1. That section 81-1214, Reissue Revised Statutes of Nebraska, 1943, be amended to read as follows:

81-1214. (1) There is hereby established the Commission on Indian Affairs, hereinafter referred to as the commission.

(2) The commission shall consist of thirteen fifteen members who shall be American Indians residing within the State of Nebraska and from the following categories: Three from the Omaha Tribe reservation, three from the Winnebago Tribe reservation, three from the Santee Tribe reservation, one from the City of Lincoln, two from the City of Omaha, and one member ~~representing Western Nebraska Indian controlled corporate groups from the district comprised of Banner, Cheyenne, Dawes, Kimball, Morrill, Scotts Bluff, and Sioux counties, one from the district comprised of Box Butte, Deuel, Garden, and Sheridan counties, and one member-at-large.~~ The commission may have such nonvoting, ex officio members as shall be appointed by the commission and who need not be of Indian ancestry. A majority of the voting members of the commission shall constitute a quorum for the transaction of business. The commission shall elect one of its members as chairman. The members of the Governor's Commission on Indian Affairs serving on August 27, 1971 shall constitute the initial members of the commission. ~~The commission shall hold its first meeting on call of the Governor within thirty days of August 27, 1971 and by lot select seven of its members to serve for a term of three years and six for a term of six years. Members of the original commission who were selected to serve six-year terms shall serve for a term of four years, and members of the~~

original commission who were selected to serve three-year terms shall serve for a term of two years. The appointment of members representing new categories shall have two and four year terms alternated on the same basis as the original members. Thereafter, appointments shall be for a term of six four years or for the unexpired term in the event of a vacancy. Appointments--shall--be--made from a panel of nominees submitted by the group to be represented, with three names being--submitted--for each appointment to be made.

(3) As the terms of the voting members expire, their successors shall be appointed by the Governor from a panel of nominees submitted by the group to be represented, with three names being submitted for each appointment to be made.

(a) Nominations for successors representing the Omaha Tribe reservation, the Winnebago Tribe reservation, and the Santee Tribe reservation shall be submitted by the respective tribal councils.

(b) The initial and subsequent nominations for appointment of members representing the districts specified in subsection (2) of this section shall be made by separate panels comprised of five residents of each district. The composition and terms of membership on such panels shall be determined by the commission. Each panel shall be governed by rules and regulations established by the commission.

(c) Nominations for successors representing the cities of Lincoln and Omaha shall be governed by rules and regulations established by the commission to insure adequate representation for those American Indian residents of the respective cities.

(d) The initial and subsequent nominations for appointment of the members-at-large shall be governed by rules and regulations established by the commission to insure adequate representation for those Nebraska residents of American Indian ancestry not otherwise represented on the commission.

(e) Appointments for unexpired terms shall follow the same procedure as for initial and subsequent appointments. Voting members shall be eligible for reappointment.

(3) (4) For the purposes of administration, the commission is placed within the Department of Economic Development.

Sec. 2. That section 81-1218, Reissue Revised Statutes of Nebraska, 1943, be amended to read as follows:

81-1218. The members of the commission shall ~~serve--without--compensation,--but--they~~ each receive thirty-five dollars for each day spent in the performance of their duties, and shall receive reimbursement for any actual expenses incurred as a necessary incidence to such service.

Sec. 3. That section 81-1219, Reissue Revised Statutes of Nebraska, 1943, be amended to read as follows:

81-1219. The commission shall meet at least monthly. Special meetings may be called at the request of nine members. The commission shall make a report annually to the Legislature and the Governor as to the work and accomplishments of the commission. ~~Seven members-present-shall-constitute-a-quorum:~~

Sec. 4. That original sections 81-1214, 81-1218, and 81-1219, Reissue Revised Statutes of Nebraska, 1943, are repealed.