

LEGISLATIVE BILL 114

Approved by the Governor June 5, 1991

Introduced by Schimek, 27; Baack, 47; Conway, 17;
Schmit, 23; Wickersham, 49; Robinson, 16

AN ACT relating to the Commission on Indian Affairs; to amend sections 81-1214 and 81-1218, Reissue Revised Statutes of Nebraska, 1943; to change the membership of the commission; to eliminate provisions for administrative placement of the commission; to change the per diem for members; 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. For purposes of sections 81-1214 to 81-1219.01, commission shall mean the Commission on Indian Affairs. 7 hereinafter referred to as the commission-

(2) The commission shall consist of fifteen fourteen members who shall be American Indians enrolled tribal members of a federally recognized Indian tribe residing within the State of Nebraska and from the following categories: Three Two from the Omaha Tribe reservation; two 7 three from the Winnebago Tribe reservation; two 7 three from the Santee Tribe reservation; two from the Ponca Tribe of Nebraska; 7 one from the city of Lincoln; 7 two from the city of Omaha; 7 one from the district comprised of Banner, Cheyenne, Dawes, Kimball, Morrill, Scotts Bluff, and Sioux Sioux, Daves, Sheridan, and Box Butte counties; 7 one from the district comprised of Box Butte, Deuel, Garden, and Sheridan Garden, Deuel, Cheyenne, Kimball, Banner, Morrill, and Scotts Bluff counties; 7 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 chairperson. The members of the Governor's Commission on Indian Affairs serving on August 27, 1971, shall constitute the initial members of the commission- 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 four years or for the unexpired term in the event of a vacancy. Members of the commission shall serve four-year terms or for the unexpired term in the event of a vacancy, except that when making the initial appointments of members representing new categories or districts one-half of the members shall serve two-year terms and one-half of the members shall serve four-year terms. Members of the commission serving on the effective date of this act shall serve until their terms expire.

(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 to represent the Ponca Tribe of Nebraska shall be made by the Tribal Council of the tribe.

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

(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 each receive ~~thirty-five~~ fifty dollars for each day spent in the performance of their duties, and shall receive reimbursement for any actual and necessary expenses incurred as a necessary incidence to such service as provided in sections 81-1174 to 81-1177, ~~for state employees.~~

Sec. 3. That original sections 81-1214 and 81-1218, Reissue Revised Statutes of Nebraska, 1943, are repealed.