

SHORT TITLE: Oklahoma Indian Affairs Commission; modifying membership; limiting membership of committees. Effective date. Emergency.

STATE OF OKLAHOMA

2nd Session of the 46th Legislature (1998)

SENATE BILL NO. 1263

By: Henry

AS INTRODUCED

An Act relating to Native Americans; amending 74 O.S. 1991, Sections 1201, as last amended by Section 12, Chapter 348, O.S.L. 1996 and 1202, as amended by Section 2, Chapter 313, O.S.L. 1993 (74 O.S. Supp. 1997, Sections 1201 and 1202), which relates to the Oklahoma Indian Affairs Commission; modifying membership; clarifying language; limiting membership of advisory committees; providing an effective date; and declaring an emergency.

BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

SECTION 1. AMENDATORY 74 O.S. 1991, Section 1201, as last amended by Section 12, Chapter 348, O.S.L. 1996 (74 O.S. Supp. 1997, Section 1201), is amended to read as follows:

Section 1201. A. There is hereby created the Oklahoma Indian Affairs Commission. The Commission shall consist of nineteen (19) members: nine appointed members and ten nonvoting, ex officio members. The appointed members shall be appointed by the Governor with the advice and consent of the Senate. Each appointed member shall be an enrolled member of one of the thirty-nine (39) tribal governments in Oklahoma. All Commission members shall be residents of the State of Oklahoma at the time of their appointment. All appointments to the Commission shall be for terms of three (3) years. Members shall serve until their successors are appointed and

confirmed. Failure of any appointed member to attend three consecutive regularly scheduled monthly meetings shall result in forfeiture of appointment. Provided, absences may be excused under extraordinary circumstances as determined by the Commission.

B. Appointments to the Commission shall be made as follows:

1. Four of the members shall ~~be appointed from a list of persons supplied by the tribes represented by the Bureau of Indian Affairs Office located in Muskogee, Oklahoma~~ represent the tribes under the Bureau of Indian Affairs Office located in Muskogee, Oklahoma and appointed from a list provided by the Oklahoma Indian Affairs Commission;

2. Four of the members shall ~~be appointed from a list of persons supplied by the tribes represented by the Bureau of Indian Affairs Office located in Anadarko, Oklahoma~~ represent the tribes under the Bureau of Indian Affairs Office located in Anadarko, Oklahoma and appointed from a list provided by the Oklahoma Indian Affairs Commission; and

3. One of the members shall be appointed at large.

C. The ten nonvoting, ex officio members shall be:

1. The Superintendent of Public Instruction, or designee;

2. The Executive Director of the Oklahoma Department of Commerce, or designee;

3. The Director of the Oklahoma Department of Tourism and Recreation, or designee;

4. The Director of the Department of Human Services, or designee;

5. The Director of the Oklahoma Historical Society, or designee;

6. The Director of the Oklahoma Arts Council, or designee;

7. The Attorney General, or designee;

8. The Secretary of State, or designee;

9. The Secretary of Transportation, or designee; and

10. The Governor of the State of Oklahoma, or designee.

D. A Director, who must be an American Indian of at least one-quarter blood, shall be appointed by the Commission to serve at the pleasure of the Commission. The Director shall attend and serve as secretary of all meetings of the Commission and shall be responsible for the execution and administration of the program and projects of the Commission authorized by law and adopted by the Commission in furtherance thereof.

E. In appointing members of the Commission to succeed those previously appointed, appointments shall be restricted to not more than one representative of any tribe. Appointments to the Commission will be geographically distributed to represent the various tribal governments in Oklahoma.

F. The Department of Central Services shall provide suitable office space for said Commission in the State Capitol or other buildings in the State Capitol area.

G. The Commission shall meet regularly at least once every other month and at such other times as may be set by the Chair. Members of the Commission shall receive no salary, but shall be entitled to travel reimbursement as provided by the State Travel Reimbursement Act, Section 500.1 et seq. of this title.

SECTION 2. AMENDATORY 74 O.S. 1991, Section 1202, as amended by Section 2, Chapter 313, O.S.L. 1993 (74 O.S. Supp. 1997, Section 1202), is amended to read as follows:

Section 1202. It shall be the purpose of the Oklahoma Indian Affairs Commission to work toward promoting unity, purpose and understanding among the Indian people of Oklahoma and the Commission shall serve as liaison between the Indian people of the state, Indian leaders of the state, tribal governments, private sector entities, the various federal and state agencies, and the executive and legislative branches of the state government, who share a

concern for developing mutual goals beneficial to Indian affairs.

In furtherance of such purpose, the Commission shall:

1. Annually choose from among its number, a Chairman, who shall be the presiding officer at all meetings of the Commission, and shall appoint other necessary part-time and full-time personnel;

2. Appoint an advisory committee or committees, limited to no more than fifteen (15) members, as it may deem advisable in furtherance of its purpose; provided, members of any such advisory committee, as such, shall receive no compensation;

3. Foster, conduct and contract for research projects and prepare and disseminate to private businesses and industry its reports, findings and other pertinent facts and information that may assist business and industry in promoting opportunity for all Indian people;

4. Make an annual report to the Governor and to the Legislature of its activities under this act;

5. Make recommendations concerning additional state and federal legislation in the field of Indian affairs; and

6. Develop and promote cooperative programs between tribal governments, state government and private entities in the areas of health, education, tourism and economic development.

SECTION 3. This act shall become effective July 1, 1998.

SECTION 4. It being immediately necessary for the preservation of the public peace, health and safety, an emergency is hereby declared to exist, by reason whereof this act shall take effect and be in full force from and after its passage and approval.

46-2-2416

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