

# D R A F T

## SUMMARY

Requires members of Commission on Indian Services who are not members of Legislative Assembly to be appointed from nominees selected by tribal councils. Provides that majority of members of commission who are not members of Legislative Assembly does not constitute quorum during certain gatherings.

Declares emergency, effective on passage.

## A BILL FOR AN ACT

1  
2 Relating to the Commission on Indian Services; amending ORS 172.100 and  
3 172.110; and declaring an emergency.

4 **Be It Enacted by the People of the State of Oregon:**

5 **SECTION 1.** ORS 172.100 is amended to read:

6 172.100. It is declared to be the policy and intent of the Legislative As-  
7 sembly that:

8 (1) The State of Oregon shall establish a Commission on Indian Services  
9 for the [*purpose*] **purposes** of improving services [*with*] **to** American Indians  
10 in [*the State of Oregon*] **this state and promoting communication and**  
11 **relations between the State of Oregon and the nine federally recog-**  
12 **nized Indian tribes in Oregon.**

13 (2) The commission [*will*] **may** not abrogate or supersede negotiations or  
14 relations that any Indian tribe, band or group might have or develop indi-  
15 vidually with any state, federal, [*or*] local **or tribal** government.

16 **SECTION 2.** ORS 172.110 is amended to read:

17 172.110. (1) The Commission on Indian Services shall be comprised of 13  
18 members appointed jointly by the President of the Senate and the Speaker

1 of the House of Representatives. Membership shall include:

2 (a) Two members from the Senate who are not members of the same pol-  
3 itical party.

4 (b) Two members from the House of Representatives who are not members  
5 of the same political party.

6 (c) One member from the Confederated Tribes of the Warm Springs Indian  
7 Reservation.

8 (d) One member from the Confederated Tribes of the Umatilla Indian  
9 Reservation.

10 (e) One member from the Burns-Paiute Tribe.

11 (f) One member from the Confederated Tribes of Siletz Indians of Oregon.

12 (g) One member from the Confederated Tribes of the Grand Ronde.

13 (h) One member from the Cow Creek Band of Umpqua Indians.

14 (i) One member from the Confederated Coos, Lower Umpqua and Siuslaw  
15 Tribes.

16 (j) One member from the Klamath Tribe.

17 (k) One member from the Coquille Tribe.

18 (2) If the Speaker of the House of Representatives or the President of the  
19 Senate is a member, either may designate from time to time an alternate  
20 from among the members of the appropriate house to exercise the powers of  
21 the Speaker or President as a member of the commission except that the al-  
22 ternate shall not preside if the Speaker or President is chairperson.

23 (3) Notwithstanding subsection (1) of this section, the commission may  
24 appoint one additional member from an area in which nonreservation Indians  
25 reside, who is associated with an Indian Health Care Improvement Act Title  
26 V Urban Indian Health program. The member appointed under this sub-  
27 section shall be a nonvoting member of the commission.

28 (4) The term of office is two years. Vacancies shall be filled by the ap-  
29 pointing authority for the unexpired term.

30 **(5) Each member appointed under subsection (1)(c) to (k) of this**  
31 **section shall be selected from nominees made by the tribal council of**

1 **the member.**

2 [(5)] (6) Individual nontribal groups and organizations shall not be con-  
3 sidered for membership on the commission. Though individual nontribal  
4 groups and organizations may not be specifically represented on the com-  
5 mission, the commission as a whole shall serve as a forum for considering  
6 the needs and concerns of these groups and organizations as well as the  
7 needs and concerns of all American Indians in Oregon.

8 [(6)] (7) The commission shall elect a chairperson and vice chairperson  
9 for a term of one year and shall determine the duties of the officers.

10 [(7)] (8) A majority of the members of the commission constitutes a quo-  
11 rum for the transaction of business but no final decision may be made  
12 without an affirmative vote of the majority of the members appointed to the  
13 commission.

14 **(9) Notwithstanding subsection (8) of this section, a majority of the**  
15 **members of the commission who are not members of the Legislative**  
16 **Assembly does not constitute a quorum for the transaction of business**  
17 **if those members are attending federal or tribal meetings, conferences,**  
18 **events or ceremonies.**

19 [(8)] (10) Members who are not members of the Legislative Assembly may  
20 be paid compensation and expenses as provided in ORS 292.495, from such  
21 funds as may be available to the commission therefor. Members who are  
22 members of the Legislative Assembly shall be paid compensation and expense  
23 reimbursement as provided in ORS 171.072, payable from funds appropriated  
24 to the Legislative Assembly.

25 **SECTION 3. This 2016 Act being necessary for the immediate pres-**  
26 **ervation of the public peace, health and safety, an emergency is de-**  
27 **clared to exist, and this 2016 Act takes effect on its passage.**

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