

# Enrolled Senate Bill 3

Sponsored by Senators COURTNEY, ROBLAN; Senator FERRIOLI

CHAPTER .....

AN ACT

Relating to the Commission on Indian Services; creating new provisions; amending ORS 172.110; and declaring an emergency.

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

**SECTION 1.** ORS 172.110 is amended to read:

172.110. (1) The Commission on Indian Services shall be comprised of 13 members appointed jointly by the President of the Senate and the Speaker of the House of Representatives. Membership shall include:

- (a) *[One member]* **Two members** from the Senate **who are not members of the same political party.**
- (b) *[One member]* **Two members** from the House of Representatives **who are not members of the same political party.**
- (c) One member from the Confederated Tribes of the Warm Springs Indian Reservation.
- (d) One member from the Confederated Tribes of the Umatilla Indian Reservation.
- (e) One member from the Burns-Paiute Tribe.
- (f) One member from the Confederated Tribes of Siletz Indians of Oregon.
- (g) One member from the Confederated Tribes of the Grand Ronde.
- (h) One member from the Cow Creek Band of Umpqua Indians.
- (i) One member from the Confederated Coos, Lower Umpqua and Siuslaw Tribes.
- (j) One member from the Klamath Tribe.
- (k) One member from the Coquille Tribe.

*[(L) One member from each of the following areas in which nonreservation Indians reside:]*

*[(A) Portland urban area.]*

*[(B) Willamette Valley area.]*

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

*[(3) All appointments of those representing the Indian population shall be made from nominees selected by the appropriate tribal council or the representative Indian organizations in the identified nonreservation areas.]*

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

(4) The term of office is two years. Vacancies shall be filled by the appointing authority for the unexpired term.

(5) *[In the event that other nonfederally recognized tribes indigenous to Oregon obtain federal recognition status, the Commission on Indian Services may recommend to the Legislative Assembly that membership on the commission be granted to such tribes who demonstrate proof of federal recognition and their authority to speak in the interest of the tribe they represent. However, the total number of membership positions on the commission shall not exceed 13. In order to accommodate tribal representatives, the adjustment shall be made from among members designated under subsection (1)(L) of this section.]* Individual nontribal groups and organizations shall not be considered for membership on the commission. Though individual nontribal groups and organizations *[shall]* **may** not be specifically represented on the commission, the commission as a whole shall serve as a forum for considering the needs and concerns of these groups and organizations as well as the needs and concerns of all American Indians in Oregon.

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

(7) A majority of the members of the commission constitutes a quorum for the transaction of business but no final decision may be made without an affirmative vote of the majority of the members appointed to the commission.

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

**SECTION 2.** (1) **As soon as possible after the effective date of this 2013 Act, the President of the Senate and the Speaker of the House of Representatives shall appoint members to fill the positions established by the amendments to ORS 172.110 by section 1 of this 2013 Act. The terms of the members described in this section end on December 31, 2014.**

(2) **The term of the member described in ORS 172.110 (3), as amended by section 1 of this 2013 Act, may begin on or after July 1, 2013.**

**SECTION 3.** **This 2013 Act being necessary for the immediate preservation of the public peace, health and safety, an emergency is declared to exist, and this 2013 Act takes effect on its passage.**

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**Passed by Senate March 18, 2013**

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Robert Taylor, Secretary of Senate

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Peter Courtney, President of Senate

**Passed by House May 6, 2013**

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Tina Kotek, Speaker of House

**Received by Governor:**

.....M,....., 2013

**Approved:**

.....M,....., 2013

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John Kitzhaber, Governor

**Filed in Office of Secretary of State:**

.....M,....., 2013

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Kate Brown, Secretary of State