

**ACT No. 102**

2018 Regular Session

HOUSE BILL NO. 660

BY REPRESENTATIVE MAGEE AND SENATOR BARROW

1 AN ACT

2 To enact R.S. 46:2305, relative to the Governor's Office of Indian Affairs; to provide for the  
3 creation of the Native American Commission within the Governor's Office of Indian  
4 Affairs; to provide for the membership, duties, governance, compensation, and  
5 powers of the commission; and to provide for related matters.

6 Be it enacted by the Legislature of Louisiana:

7 Section 1. R.S. 46:2305 is hereby enacted to read as follows:

8 §2305. Native American Commission; creation; membership; compensation

9 A. The Native American Commission is hereby created within the  
10 Governor's Office of Indian Affairs. The commission shall serve in an advisory  
11 capacity to the Governor's Office of Indian Affairs.

12 B. The following shall each appoint one member:

13 (1) Adai Caddo Indians of Louisiana.

14 (2) Bayou Lafourche Band of Biloxi-Chitimacha-Choctaw.

15 (3) Chitimacha Tribe of Louisiana.

16 (4) Choctaw-Apache Tribe of Ebarb.

17 (5) Clifton Choctaw Tribe of Louisiana.

18 (6) Coushatta Tribe of Louisiana.

19 (7) Four-Winds Cherokee Tribe.

20 (8) Grand Caillou/Dulac Band.

21 (9) Isle de Jean Charles Band of Biloxi-Chitimacha-Choctaw Tribe.

22 (10) Jena Band of Choctaw Indians.

1                   (11) Louisiana Band of Choctaw Indians.

2                   (12) Natchitoches Tribe of Louisiana.

3                   (13) Point au Chien Tribe.

4                   (14) Tunica-Biloxi Tribe of Louisiana.

5                   (15) United Houma Nation.

6                   C. The following members shall serve as ex officio members:

7                   (1) The director of the Governor's Office of Indian Affairs.

8                   (2) The secretary of the Department of Veterans Affairs or designee.

9                   (3) The state archeologist or his designee.

10                  D. The commission may add state recognized tribes and federally recognized  
 11 tribes to its membership as tribes are officially granted state or federal recognition.

12                  E. All appointments shall be made for four years except in cases where  
 13 appointees are unable to complete their terms. If a member is unable to complete his  
 14 term, the appointing entity shall appoint a member for the length of the unexpired  
 15 term.

16                  F. The commission shall elect as officers a chairperson, vice chairperson,  
 17 and secretary from its membership. All officers shall serve for two years. The  
 18 commission shall create its own bylaws. The commission shall meet at least once  
 19 every quarter, and may meet more often as determined by the chairman.

20                  G. A majority of the voting membership shall constitute a quorum. All  
 21 official business of the commission shall require the affirmative vote of not less than  
 22 a majority of the members present. Voting by proxy is prohibited.

23                  H. Commission members shall not receive compensation or a per diem for  
 24 their services or attendance at council meetings, except for those travel related  
 25 expenses already provided for by their agency.

26                  I. The commission shall be domiciled in East Baton Rouge Parish.

27                  J. The commission shall do the following:

28                  (1) Advise the Governor's Office of Indian Affairs regarding issues  
 29 pertaining to Native Americans.

1                   (2) Identify the needs and concerns of the Native Americans in Louisiana  
 2                   and bring such needs and concerns to the attention of the Governor's Office of Indian  
 3                   Affairs.

4                   (3) Make recommendations to the Governor's Office of Indian Affairs to  
 5                   address the needs and concerns of Native Americans in Louisiana.

6                   (4) Establish criteria for state tribe recognition and recommend criteria to the  
 7                   Governor's Office of Indian Affairs and legislature for adoption and implementation.

8                   (5) Review applications for the Office of Indian Affairs Scholarship and  
 9                   recommend scholarship awardees to the Governor's Office of Indian Affairs.

10                  (6) Promote Native American culture, awareness, and education across the  
 11                  state.

12                  (7) Promote Native American Heritage Month in Louisiana.

13                  (8) Conduct a comprehensive review of all state departments and agencies  
 14                  to identify obstacles to the effective delivery of governmental services by all service  
 15                  providers at all levels of government to Native Americans, propose methods for  
 16                  removing those obstacles, and submit such proposals to the appropriate  
 17                  governmental entity or entities.

18                  K. The commission shall have authority to request consultation or  
 19                  information, or both, from any state department or agency serving Native Americans.  
 20                  The department or agency shall give priority to the request and shall provide the data  
 21                  or assistance as requested. The commission shall maintain the confidentiality of any  
 22                  information or records provided, as required by laws relative to such information and  
 23                  records.

24                  L. The Governor's Office of Indian Affairs shall assist as needed in providing  
 25                  staff support for the council, including but not limited to the scheduling of meetings.

26                  M. Legislation may be recommended by the commission to the Governor's  
 27                  Office of Indian Affairs only upon approval by a two-thirds vote of the commission  
 28                  members present. The commission shall not recommend legislation that would  
 29                  impair ownership interests in any immovable property or any mineral rights  
 30                  associated therewith.

1                    N. The commission shall annually issue a report of its findings and  
2                    recommendations to the governor and legislature.

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SPEAKER OF THE HOUSE OF REPRESENTATIVES

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PRESIDENT OF THE SENATE

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GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: \_\_\_\_\_