

CHAPTER 417

AN ACT concerning the New Jersey Commission on Native American Affairs and amending P.L.1995, c.295.

BE IT ENACTED by the Senate and General Assembly of the State of New Jersey:

Title amended.

1. The Title of P.L.1995, c.295 is amended to read as follows:

AN ACT establishing the New Jersey Commission on American Indian Affairs and supplementing Title 52 of the Revised Statutes.

2. Section 1 of P.L.1995, c.295 (C.52:16A-53) is amended to read as follows:

C.52:16A-53 New Jersey Commission on American Indian Affairs; members.

1. There is established in the Department of State the New Jersey Commission on American Indian Affairs. The commission shall consist of nine members: the Secretary of State, serving ex officio, and eight public members, not more than four of whom shall be from the same political party. Two of the public members shall be members of the Nanticoke Leni Lenape Indians, to be appointed by the Governor on the recommendation of the Confederation of the Nanticoke Leni Lenape Tribes and with the advice and consent of the Senate. Two of the public members shall be members of the Ramapough Mountain Indians, to be appointed by the Governor on the recommendation of the Ramapough Mountain Indians and with the advice and consent of the Senate. Two of the public members shall be members of the Powhatan Renape Nation, to be appointed by the Governor on the recommendation of the Powhatan Renape Nation and with the advice and consent of the Senate. Two of the public members shall be members of the Intertribal People, to be appointed by the Governor on the recommendation of the Intertribal People and with the advice and consent of the Senate. "Intertribal People" means American Indians who reside in New Jersey and are not members of the Nanticoke Leni Lenape Indians, the Ramapough Mountain Indians, or the Powhatan Renape Nation, but are enrolled members of another tribe recognized by another state or the federal government.

3. Section 3 of P.L.1995, c.295 (C.52:16A-55) is amended to read as follows:

C.52:16A-55 Election of chairperson.

3. The commission shall organize as soon as may be practicable after the appointment of its members and shall elect a chairperson from among its public members, who may serve as the chairperson for the duration of his or her term on the commission, and may appoint a secretary who need not be a member of the commission. The commission shall meet at least once every three months and upon the call of the chairperson or of a majority of its members. The presence of a majority of the membership of the commission shall be required for the conduct of official business.

4. Section 4 of P.L.1995, c. 295 (C.52:16A-56) is amended to read as follows:

C.52:16A-56 Commission duties.

4. The commission shall:

- a. develop programs and projects relating to the cultural, educational and social development of New Jersey's American Indian communities;
- b. develop programs and projects which further understanding of New Jersey's American Indian history and culture;
- c. promote increased cooperation among all American Indian communities in the State;
- d. serve as a Statewide reference and resource center to increase public knowledge of New Jersey's American Indian heritage;
- e. act as a liaison among American Indian communities, the State and federal governments, and educational, social and cultural institutions;
- f. be authorized to raise funds, through direct solicitation or other fund raising events, alone or with other groups, and accept gifts, grants and bequests from individuals, corporations, foundations, governmental agencies, public and private organizations and institutions, to defray

the commission's administrative expenses and carry out the purposes of P.L.1995, c.295 (C.52:16A-53 et seq.), as amended and supplemented; and

g. when requested by the Governor, assist the Legislature and Governor to investigate the authenticity of any organization, tribe, nation or other group seeking official recognition by the State as an American Indian tribe and submit a report of its findings to the Legislature and Governor within 180 days of the completion of an investigation. Nothing in this subsection shall be construed as authorizing the commission to recognize the authenticity of any organization, tribe, nation or other group as an American Indian tribe, which recognition shall require specific statutory authorization, nor shall this subsection be construed as in any way limiting the scope of information that may be considered in determining whether to grant such statutory recognition

5. Section 5 of P.L.1995, c.295 (C.52:16A-57) is amended to read as follows:

C.52:16A-57 Expenses incurred.

5. The commission may incur such traveling and other miscellaneous expenses, including expenses to maintain an office on State property, as it deems necessary in order to perform its duties and as may be within the limits of funds appropriated or otherwise made available to it for those purposes.

6. Section 6 of P.L.1995, c.295 (C.52:16A-58) is amended to read as follows:

C.52:16A-58 Authority of commission.

6. The commission shall be authorized to:

a. call to its assistance and avail itself of the services and assistance of such officials and employees of the State and its political subdivisions and their departments, boards, bureaus, commissions, authorities and agencies, as it may require and as may be available to it for its purposes;

b. utilize existing staff from the Department of State until such time as it may be necessary to employ professional staff, including an executive director and stenographic and clerical assistants; and

c. expend any funds that may be appropriated or otherwise made available to it for its purposes.

Professional staff, including stenographic and clerical assistants, may be permitted to serve the commission on a volunteer basis. To the extent possible, the commission shall be permitted to use property owned by the State, without charge or at a minimal fee, for its offices.

The commission shall submit a spending plan to the Secretary of State for review and approval no later than October 1 of each year that lists the sources of all funds raised and actual expenses during the previous State fiscal year and the commission's projected revenues and expenditures during the State fiscal year in which the plan is submitted.

7. This act shall take effect immediately.

Approved January 8, 2002.