

agency.

Sec. 12. **[453.62] INTERPRETATION.** Subdivision 1. Sections 1 to 12 shall be construed liberally to effectuate its legislative intent and purpose, as complete and independent authority for the performance of each and every act and thing authorized by sections 1 to 12, and all authority granted shall be broadly interpreted to effectuate this intent and purpose and not as a limitation of powers.

Subd. 2. In the event of any conflict or inconsistency between sections 1 to 12 and any other law or charter provision, the provisions of sections 1 to 12 shall prevail.

Sec. 13. **EFFECTIVE DATE.** This act is effective on the day following its final enactment.

Approved April 13, 1976.

CHAPTER 314—S.F.No.2288

An act relating to Indian affairs; renaming the board on Indian affairs; providing a change in membership for the board; creating an advisory council; changing the duties of the board; appropriating money; amending Minnesota Statutes 1974, Section 3.922, as amended.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

Section 1. Minnesota Statutes 1974, Section 3.922, as amended by Laws 1975, Chapter 54, Section 1, is amended to read:

3.922 INDIAN AFFAIRS INTERTRIBAL BOARD. Subdivision 1. **CREATION, MEMBERSHIP.** There is created a state ~~commission~~ on Indian affairs intertribal board to consist of the following ex officio members: The governor or a member of his official staff designated by him, the commissioner of education, the commissioner of public welfare, the commissioner of natural resources, the commissioner of human rights, ~~and the commissioner of economic development, who shall be ex officio members thereof, but the commissioner of corrections, the executive director of the Minnesota housing finance agency, the commissioner of iron range resources and rehabilitation, and the commissioner of health each of whom may designate a member of his staff to serve in his place; the chairmen of the Fond du Lac, Grand Portage, Leech Lake, Mille Lacs, Nett Lake and White Earth reservation business committees, each of whom shall be an ex officio member thereof if their reservation is not represented by a voting member, but each may designate another member of their committee or another person of special qualifications by unanimous vote of their reservation business committee, to serve in his place; eight persons who are of at least~~

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one-fourth Indian ancestry; one of whom shall be a member of the Red Lake band of Chippewa Indians; two of whom shall be members of the Minnesota Chippewa tribe; with one to be selected to represent the Fond du Lac, Nett Lake, and Grand Portage reservations and the other to be selected to represent the Mille Lacs, White Earth, and Leech Lake reservations; one of whom shall be a member of the Sioux Indian tribes; one of whom shall be a resident of the city of Duluth; one a resident of the city of St. Paul; and two residents of the city of Minneapolis; all such eight members shall be appointed by the respective Indian groups which they represent and shall be subject to removal by such appointing group; three members of the state house of representatives appointed by the speaker of the house of representatives, and three members of the state senate appointed by the committee on committees of the senate. Voting members of the board shall be: the duly elected tribal chairmen of the Fond Du Lac reservation business committee; the Grand Portage reservation business committee; the Mille Lacs reservation business committee; the White Earth reservation business committee; the Bois Forte (Nett Lake) reservation business committee; the Leech Lake reservation business committee; the Red Lake tribal council; the Upper Sioux board of trustees; the Lower Sioux tribal council; the Shakopee-Mdewankanton general council; the Prairie Island tribal council; and two members to be selected pursuant to subdivision 2. The chairmen of the above Indian committees, trusts, or councils may designate in writing a member who shall have been elected at large to an office in the committee, trust, or council, to serve in his place. ~~Commission-Board~~ members appointed to represent the state house of representatives and, the state senate or tribal governments shall no longer serve on the ~~commission-board~~ at such time as they are no longer members of the bodies which they represent, and upon such circumstances, their offices shall be vacant. A member who is a designee of a tribal chairman shall cease to be a member at the end of the term of the tribal chairman who designated him. Ex officio members or their designees on the ~~commission-board~~ shall not be voting members of the ~~commission-board~~.

Subd. 2. **ADDITIONAL MEMBERS.** To ensure a continuity of work, the initial appointments shall be: One of the three members selected from the Indian tribes shall be for a term of one year, one thereof for a term of two years, and one thereof for a term of three years; and two of the members selected from the cities shall be for a term of one year, one for a term of two years, and one for a term of three years; and until their successors are appointed and qualified. Appointments for succeeding terms shall all be for three years, and until their successors are appointed and qualified. Two members of the board shall be elected at large by Indian residents of Minnesota who (1) are legal members and eligible voters of a federally recognized tribe in accordance with the criteria of said tribe and (2) are not members of any federally recognized tribe with a reservation in Minnesota. The election of at large members shall be in a manner prescribed by the secretary of state with the first such election for at large members to take place at a reasonable time, but no later than one year, following

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enactment of this section. The manner of election, certification, and contest shall, insofar as reasonably possible, be consistent with procedures employed in general elections in the state so as to insure a fair election and ready access to the election process by eligible voters. The voting procedure shall include voting by absentee ballot. A person shall be eligible to serve as an at large member of the board if at the time of the election he is a qualified voter within the requirements of the Minnesota Constitution, Article VII and a member of a federally recognized tribe that does not have a reservation in Minnesota. The at large election described herein shall be certified and regulated by the secretary of state. The term for at large members shall be two years and until a successor is elected and qualified.

Subd. 3. **MEMBERSHIP; COMPENSATION; EXPENSES.** Members of the commission, other than state officials, shall receive as compensation for their services in attending meetings of the commission or a committee thereof, the sum of \$35 for each such meeting day so attended. Each member of the commission shall receive reimbursement for actual and necessary traveling expenses incurred on official business. Reimbursement shall be made in the manner and rate provided by law for state employees. Compensation of nonlegislator members shall be as provided for other administrative boards in chapter 15. Expenses of the commission board shall be approved by two of any three members of the commission board designated by the commission board and shall then be paid in the same manner as other state expenses are paid. The commissioner of finance shall be informed in writing by the executive secretary of the names of the persons authorized to approve expenses.

Subd. 4. **MEETINGS.** The commission shall meet quarterly. Special Meetings may be called by the chairman or at the written request of five members of the commission board. A majority of the voting members of the commission board constitutes a quorum.

Subd. 5. **OFFICERS, PERSONNEL.** The state commission on Indian affairs board shall annually elect a chairman and such other officers as it may deem necessary. The chairman shall have the authority to appoint subcommittees necessary to fulfill the duties of the board. It shall also employ ; fix the compensation , and prescribe the duties of such clerks, employees, and agents as it deems necessary. The chairman shall be an ex officio member of the state board of human rights. The appropriations and other funds of this commission board are subject to the provisions of chapter 16. The board shall maintain its primary office in Bemidji and shall also maintain personnel and office space in St. Paul.

Subd. 6. **DUTIES.** The commission shall have as its primary duty to acquire information in the fields of employment and housing, civil rights, education, health and welfare, and law and order so that:

(a) Through its reports and recommendations adequate legislation

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may be enacted when it is required;

(b) Plans and programs may be worked out with Indian people who need assistance in finding employment, acquiring education, improving housing, getting medical care, developing natural resources and generally in becoming self-sufficient.

Further duties of the commission shall be:

(a) To provide information for and direction to a program designed to assist our Indian citizens to assume all the rights, privileges, and duties of full citizenship;

(b) To coordinate and cooperate with the many governmental and private agencies providing services to Indian people on the local, state, and national level;

(c) To help implement the findings of various private and governmental studies dealing with Indian needs in Minnesota. The primary duties of the board shall be to:

(1) Clarify for the legislature and state agencies the nature of tribal governments, the relationship of tribal governments to the Indian people of Minnesota;

(2) Assist the secretary of state in establishing an election of at large members of the board;

(3) Make recommendations to members of the legislature on desired and needed legislation for the benefit of the statewide Indian community and communicate to the members of the legislature when legislation has or will have an adverse effect on the statewide Indian community;

(4) Provide, through the elected apparatus of the board, an effective conduit for programs, proposals and projects to the legislature submitted by tribal governments, organizations, committees, groups or individuals;

(5) Provide a continuing dialogue with members of the appropriate tribal governments in order to improve their knowledge of the legislative process, state agencies and governmental due process;

(6) Assist in establishing Indian advisory councils in cooperation with state agencies delivering services to the Indian community;

(7) Assist state agencies in defining what groups, organizations, committees, councils or individuals are eligible for delivery of their respective services;

(8) Assist in providing resources, tribal and other, in the delivery

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of services to the statewide Indian community;

(9) Act as a liaison between local, state and national units of government in the delivery of services to the Indian population of Minnesota;

(10) Assist state agencies in the implementation and updating of studies of services delivered to the Indian community;

(11) Provide, for the benefit of all levels of state government, a continuing liaison between those governmental bodies and duly elected tribal governments and officials;

(12) Interact with private organizations involved with Indian concerns in the development and implementation of programs designed to assist Indian people, insofar as they affect state agencies and departments; and

(13) Act as an intermediary, when requested and if necessary between Indian interests and state agencies and departments when questions, problems or conflicts exist or arise.

Subd. 7. STATE OFFICIALS AND DEPARTMENTS; COOPERATION. In carrying out these objectives and to ascertain Indian needs the ~~commission-board~~ shall have the right to confer with state officials and other governmental units, and to have access to such records as are necessary to obtain needed information. The ~~commission-board~~ also shall have the right to call upon various state departments for such technical advice and service as are needed to fulfill the purposes of the ~~commission-board~~.

Subd. 8. ADVISORY COUNCIL. There is created an advisory council on urban Indians to advise the board on the unique problems and concerns of Minnesota Indians who are residing in urban areas of the state. The council shall be appointed by the board and shall consist of five Indians residing in the vicinity of Minneapolis, St. Paul and Duluth. At least one member of the council shall be a resident of each of the aforementioned cities. The council shall expire, and the terms, compensation and removal of members shall be as provided in section 15.059.

Subd. 8-9. ANNUAL REPORT. The ~~commission-board~~ shall make an annual report to the governor and the legislature on its activities, its findings, and its recommendations; ~~and a full report to the legislature on prior to~~ November 15 in each even numbered year.

Sec. 2. There is appropriated to the board on Indian affairs the sum of \$155,550 for the biennium ending June 30, 1977.

Sec. 3. This act is effective upon final enactment. The board shall expire on June 30, 1983.

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Approved April 13, 1976.

CHAPTER 315—S.F.No.2309

An act relating to retirement; distribution of state aid to policemen's relief associations; volunteer firemen's lump sum and monthly benefits; amending Minnesota Statutes 1974, Sections 69.011, Subdivisions 1, 2, and 4; 69.021, Subdivisions 5, 6, and 7; 69.031, Subdivision 5; and 69.06.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

Section 1. Minnesota Statutes 1974, Section 69.011, Subdivision 1, is amended to read:

69.011 POLICE AND FIREMEN'S RELIEF; BENEFITS; QUALIFYING FOR STATE AID. Subdivision 1. **DEFINITIONS.** Unless the language or context clearly indicates that a different meaning is intended, the following words and terms shall for the purposes of chapter 69 and chapter 424 have the meanings ascribed to them:

(a) "Commissioner" means the commissioner or director of insurance.

(b) "Municipality" means any city of any class, and organized town.

(c) "Minnesota Firetown Premium Report" means a blank form containing space for reporting by insurers of fire, lightning, sprinkler leakage and extended coverage premiums less return premiums and dividends received upon risks located or to be performed in this state.

(d) "Firetown" means any municipality having a qualified fire department or a qualified incorporated fire department having a retirement plan.

(e) "Average State Aid" means the sum of the amount of aid apportioned for firemen pensions or services the previous two years plus the amount of aid computed for apportionment by the assessed property valuation and population basis for the current year divided by three.

(f) "Assessed Property Valuation" means latest available assessed value of all property in a taxing jurisdiction, whether such property is subject to taxation, or exempt from ad valorem taxation for any reason, appearing on abstracts filed with the commissioner of revenue or equalized by the state board of equalization.

(g) "Minnesota Aid to Police Premium Report" means a blank

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