

**CHAPTER 49****(HB 167)**

AN ACT relating to the Kentucky Native American Heritage Commission.

*Be it enacted by the General Assembly of the Commonwealth of Kentucky:*

SECTION 1. A NEW SECTION OF KRS CHAPTER 171 IS CREATED TO READ AS FOLLOWS:

- (1) *The Kentucky Native American Heritage Commission is hereby established to promote, in partnership with the Education, Arts and Humanities Cabinet, awareness of significant Native American influences within the historical and cultural experiences of Kentucky.***
- (2) *The membership of the commission shall consist of seventeen (17) members who derive from geographically diverse areas of the state and who represent various heritage interests as follows:***
  - (a) *The Secretary of the Education, Arts and Humanities Cabinet, or the secretary's designee;***
  - (b) *Three (3) members from institutions of higher learning;***
  - (c) *Two (2) members from the preservation or archeological communities;***
  - (d) *One (1) member from the arts community; and***
  - (e) *Ten (10) members from the public-at-large, eight (8) of whom shall be of Native American heritage.***
- (3) *Members listed in paragraphs (b) to (e) of subsection (2) of this section shall be appointed by the Governor and shall serve for terms of four (4) years. Any vacancy shall be filled by appointment of the Governor for the remainder of the unexpired term.***
- (4) *Commission members shall receive no compensation for their services but may be reimbursed for actual and necessary expenses incurred in the performance of their duties.***
- (5) *From the commission membership, the Governor shall appoint a chair and vice chair of the commission. The commission may elect by majority vote other officers deemed necessary.***
- (6) *The commission shall meet at least three (3) times per year. Notice of the time and location of each meeting shall be provided in writing to each member at least ten (10) days in advance of the meeting.***
- (7) *A majority of the members present shall constitute a quorum.***
- (8) *Committees may be formed at the discretion of the chair.***
- (9) *The commission may seek and accept grants or raise funds from any available source, public or private, to accomplish its duties and responsibilities.***
- (10) *The commission shall be attached for administrative purposes to the Kentucky Heritage Council, whose responsibilities shall include but not be limited to designating a staff person to coordinate commission staff needs and providing other staff and services as needed for the commission to perform its duties under Section 2 of this Act.***

SECTION 2. A NEW SECTION OF KRS CHAPTER 171 IS CREATED TO READ AS FOLLOWS:

*The duties of the Kentucky Native American Heritage Commission shall be to:*

- (1) *Advise the Education, Arts and Humanities Cabinet, the Kentucky Heritage Council, and the Kentucky General Assembly on matters relating to Native American heritage;*
- (2) *Encourage other public and private agencies within the areas of the arts, humanities, and sciences to incorporate the Native American influence when developing programs on the history and heritage of Kentucky;*
- (3) *Represent a network of groups and individuals interested, or actively involved, in promoting awareness of Native American heritage in Kentucky;*
- (4) *Support the preservation, conservation, and interpretation of significant buildings, sites, structures, documents, artifacts, and lifestyles that represent and embody Native American heritage; and*
- (5) *Recognize and sanction projects that advance wider knowledge of Native Americans' contributions to, and influence and impact on, life in Kentucky.*

Section 3. KRS 2.230 is amended to read as follows:

- (1) The month of November of each year shall be observed in Kentucky as "Native American Indian Month" and during this month schools, clubs, and civic and religious organizations are encouraged to recognize the contributions of Native American Indians with suitable ceremony and fellowship designed to promote greater understanding and brotherhood between Native American Indians and the non-Native American Indian people of the Commonwealth of Kentucky.
- (2) The Governor shall, prior to the first day of November of each year, issue a proclamation inviting and urging the people of the Commonwealth to observe Native American Indian Month with suitable ceremony and fellowship.
- (3) The Kentucky Department of Education, Kentucky Heritage Council, and the Native American Heritage Commission established *in Section 1 of this Act*~~by Executive Order 96-272~~ shall, within the limits of funds available for this purpose, make information available to all people of this Commonwealth regarding Native American Indian Month and the observance thereof.

**Approved April 2, 2004**