

**OFFICIAL COMPILATION OF CODES,
RULES AND REGULATIONS OF THE STATE
OF NEW
YORK**

**TITLE 9. EXECUTIVE DEPARTMENT
SUBTITLE A. GOVERNOR'S OFFICE
CHAPTER I. EXECUTIVE ORDERS
PART 4. [FNAI]EXECUTIVE ORDERS
(MARIO M. CUOMO)**

Text is current through October 15, 2005.

Section 4.147 Executive Order No. 147: Establishing an Office of Indian Relations.

WHEREAS, in order to enhance the effectiveness of government to government relations between New York State and the Indian nations and governments within the State's borders, an Office of Indian Relations should be established; and

WHEREAS, the Office will serve as the State's principal liaison to the Indian nations and governments through coordination of agency activities and programs; and

WHEREAS, as a permanent organization, with direct access to the Governor, the Office would be uniquely positioned to facilitate longer-range efforts to improve the economic, educational and cultural development of Indians throughout the State;

NOW, THEREFORE, I, Mario M. Cuomo, Governor of the State of New York, by virtue of the authority vested in me by the Constitution and Laws of the State of New York, do hereby establish an Office of Indian Relations, the head of which shall be the Director of Indian Relations.

Definitions

1. Office shall mean the State Office of Indian Relations.

2. Director shall mean the chief administrative officer of the Office of Indian Relations.

3. State agency shall mean any department, office, council, or agency of the State, or any public benefit corporation or authority authorized under the laws of the State.

4. Federal government shall mean any department, office, council, or agency of the Federal government, or any public benefit corporation or authority authorized by Federal statute.

Powers and Duties of the Director

The Director shall report directly to the Governor and shall receive an annual salary to be fixed by the Governor within the amount available therefor by appropriation. The Director shall also be entitled to receive reimbursement for actual and necessary expenses incurred in the performance of official duties. The Director may appoint such officers and employees, agents, consultants and other staff as the Director may deem necessary, prescribe their duties, fix their compensation where allowable and provide for reimbursement of their actual and necessary expenses within amounts available therefor by appropriation.

General Functions, Powers and Duties

The Office, by and through the Director or duly authorized officers and employees, shall have the following functions, powers and duties:

1. To work cooperatively with the Indian nations and governments to enhance self-government among them.

2. To recommend and promote modification to laws and regulations of the State consistent with the intergovernmental relationship between the State and the Indian nations and governments.

3. To act as a liaison and communicate and consult with the Indian nations and governments to assist them in becoming economically self-reliant, while assuring the availability of all appropriate State services on a nondiscriminatory basis.

4. To enter into any agreement or contract with any private or public agency, corporation or individual necessary or convenient to carry out its functions, powers and duties.

5. To actively promote program initiatives in other State agencies that would meet specific needs of various Indian nations and governments and be supportive of Indian self-determination consistent

with national policy.

6. To develop interdepartmental State policies and guidelines, in full consultation with the Indian nations and governments and the affected State agencies, that will aid in coordination of all policies and programs administered by State agencies.

7. To maintain regular liaison with counterpart offices of the Federal government and, when appropriate, with other states and the Federal and provincial governments of Canada.

8. To represent the State in negotiations with Indian nations and governments, including settlement of land claims and development of intergovernmental agreements.

Cooperation of State Agencies

All State agencies shall provide the Director with assistance in advancing the purpose of the Office to assure that the activities of the Office are fully coordinated with the activities of State agencies providing services to Indians.

Nothing contained herein shall be deemed to derogate or detract in any way from the functions, powers and duties prescribed by law of any other State agency or to interrupt or preclude the direct relationship of any such State agency for the carrying out of such functions, powers and duties.

Reports to the Governor and Legislature

The Office shall hereafter make an annual report on or before October first, to the Governor and the Legislature, with copies to representatives and governments of the Indian nations and governments, concerning the coordination activities undertaken by the Office, and recommendations for legislative proposals, along with other pertinent information which, in the opinion of the Director will indicate the activities conducted by the Office in the previous year.

Signed: Mario M. Cuomo

Dated: July 31, 1991

Historical Note

Order dated July 31, 1991, filed Aug. 1, 1991.

[FNA1] Executive Orders bearing numbers like 55.43, etc., denoting amendments to Governor Rockefeller's orders numbered 55 through 59, are the so-called "New York City superseders" and are appended to the Executive Orders in Part 1 of this Title.

9 NY ADC 4.147

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