

REFERENCE TITLE: Indian affairs commission; legislative day

State of Arizona
House of Representatives
Forty-eighth Legislature
Second Regular Session
2008

HB 2247

Introduced by
Representative Tom, Senators Aguirre, Hale, Miranda, Pesquiera:
Representatives Alvarez, Cajero Bedford, Farley, McGuire, Meza, Miranda B,
Ulmer, Weiers JP, Senator Garcia

AN ACT

AMENDING SECTIONS 41-541, 41-544 AND 41-545, ARIZONA REVISED STATUTES;
AMENDING TITLE 41, CHAPTER 3, ARTICLE 4, ARIZONA REVISED STATUTES, BY ADDING
SECTIONS 41-546 AND 41-547; RELATING TO THE ARIZONA COMMISSION OF INDIAN
AFFAIRS.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:

2 Section 1. Section 41-541, Arizona Revised Statutes, is amended to
3 read:

4 41-541. Arizona commission of Indian affairs; members; term;
5 compensation; officers; meetings; duties

6 A. The Arizona commission of Indian affairs shall consist of the
7 governor, the superintendent of public instruction, the director of the
8 department of health services, the director of the department of
9 transportation, the attorney general, the director of the department of
10 economic security, the director of the office of tourism, ~~and~~ the director of
11 the department of commerce **AND THE DIRECTOR OF THE ADVISORY COUNCIL ON INDIAN**
12 **HEALTH CARE**, or their representatives, who shall be ex officio members, and
13 ~~nine~~ **TEN** members appointed by the governor, two at large who shall be
14 non-Indian, **ONE REPRESENTING AN URBAN INDIAN ORGANIZATION** and seven from
15 among the Indian tribes. Each tribe or tribal council may submit the names
16 of not to exceed two members of its tribe, and from the names so submitted,
17 the governor shall appoint the seven Indian members. **THE BOARD OF DIRECTORS**
18 **OF ANY RECOGNIZED ARIZONA URBAN INDIAN CENTER SHALL RECOMMEND A PERSON FROM**
19 **THAT ORGANIZATION AS THE URBAN INDIAN REPRESENTATIVE AND THE GOVERNOR SHALL**
20 **SELECT THE MEMBER FROM THE LIST OF NAMES RECOMMENDED.**

21 B. The term of office of each appointive member shall be three years.
22 The terms of three appointive members shall expire on the first Monday in
23 January each year. Each member shall hold office until the member's
24 successor is appointed and qualifies. Appointment to fill a vacancy caused
25 otherwise than by expiration of a term shall be for the unexpired portion of
26 the term.

27 C. Members of the commission serving by virtue of their office shall
28 serve without compensation. Appointed members are eligible to receive
29 compensation as determined pursuant to section 38-611 for each day of
30 attendance at meetings.

31 D. The commission shall:

32 1. Elect a chairman and a vice-chairman, who shall be appointive
33 members, and adopt rules for the conduct of meetings. A record shall be kept
34 of all proceedings and transactions.

35 ~~E. The commission shall~~

36 2. Meet at least quarterly on the second Thursday of the first month
37 of each quarter and may hold additional meetings upon the call of the
38 chairman. A majority of the appointed members of the commission shall
39 constitute a quorum for the transaction of business, but ex officio members
40 may vote. Members who fail to attend three consecutive meetings shall be
41 deemed to have resigned.

42 ~~F.~~ E. The commission may:

43 1. Apply for, accept, receive and expend public and private gifts or
44 grants of money or property upon such terms and conditions as may be imposed

1 by the donor and for implementation of the commission's MISSION AND internal
2 operations.

3 ~~G. The commission may~~

4 2. Accept, receive and spend fees THAT ARE collected at the Arizona
5 Indian town hall to defer expenses for the Arizona Indian town hall that
6 exceed the amount appropriated by the legislature for the Arizona Indian town
7 hall.

8 3. ACCEPT, RECEIVE AND SPEND FEES THAT ARE COLLECTED AT THE INDIAN
9 NATIONS AND TRIBES LEGISLATIVE DAY TO DEFER EXPENSES FOR THE INDIAN NATIONS
10 AND TRIBES LEGISLATIVE DAY THAT EXCEED THE AMOUNT APPROPRIATED BY THE
11 LEGISLATURE FOR THE INDIAN NATIONS AND TRIBES LEGISLATIVE DAY.

12 Sec. 2. Section 41-544, Arizona Revised Statutes, is amended to read:

13 41-544. Indian nations and tribes legislative day

14 A. The Arizona commission of Indian affairs, in cooperation with
15 representatives from the state's Indian nations, shall annually facilitate an
16 Indian nations and tribes legislative day on Tuesday of the ~~second~~ THIRD week
17 of each regular legislative session. The commission shall invite the
18 legislature, governor and other elected officials to pay tribute to the
19 history and culture of the American Indian peoples and their contributions to
20 the prosperity and cultural diversity of the United States. The commission
21 shall schedule activities and discussions between state and Indian nations
22 and tribal leaders on issues in which the state and Indian nations and tribes
23 share a common interest or jurisdiction.

24 B. Indian nations and tribes legislative day is not a legal holiday.

25 Sec. 3. Section 41-545, Arizona Revised Statutes, is amended to read:

26 41-545. Indian town hall fund

27 A. ~~An~~ THE Arizona Indian town hall fund is established ~~that consists~~
28 CONSISTING of monies collected or received at Indian town halls as fees that
29 are intended to defray administrative costs related to these town halls
30 pursuant to section 41-541. The commission shall deposit, pursuant to
31 sections 35-146 and 35-147, all fees collected from this activity in this
32 fund.

33 B. The commission shall annually report to the joint legislative
34 budget committee ~~for~~ ON its use of the monies in the fund. Up to ~~fifteen~~
35 FIFTY thousand dollars of monies in the fund may be expended by the
36 commission each fiscal year.

37 Sec. 4. Title 41, chapter 3, article 4, Arizona Revised Statutes, is
38 amended by adding sections 41-546 and 41-547, to read:

39 41-546. Indian nations and tribes legislative day fund

40 THE INDIAN NATIONS AND TRIBES LEGISLATIVE DAY FUND IS ESTABLISHED
41 CONSISTING OF MONIES ACCEPTED OR RECEIVED AS FEES THAT ARE COLLECTED AND
42 INTENDED TO DEFRAY ADMINISTRATIVE COSTS RELATED TO THE INDIAN NATIONS AND
43 TRIBES LEGISLATIVE DAY PURSUANT TO SECTION 41-541. THE COMMISSION SHALL
44 DEPOSIT, PURSUANT TO SECTIONS 35-146 AND 35-147, ALL FEES COLLECTED FROM THIS
45 ACTIVITY IN THIS FUND. THE COMMISSION SHALL ADMINISTER THE FUND. MONIES IN

1 THE FUND ARE CONTINUOUSLY APPROPRIATED. THE COMMISSION SHALL ANNUALLY
2 ACCOUNT TO THE DEPARTMENT OF ADMINISTRATION FOR ITS USE OF THE MONIES IN THIS
3 FUND.

4 41-547. Mission and internal operations fund
5 THE MISSION AND INTERNAL OPERATIONS FUND IS ESTABLISHED CONSISTING OF
6 MONIES COLLECTED FROM PUBLIC AND PRIVATE GIFTS OR GRANTS OF MONIES OR
7 PROPERTY PURSUANT TO SECTION 41-541 FOR IMPLEMENTATION OF THE COMMISSION'S
8 MISSION AND INTERNAL OPERATIONS. THE COMMISSION SHALL DEPOSIT, PURSUANT TO
9 SECTIONS 35-146 AND 35-147, ALL MONIES COLLECTED FROM THIS ACTIVITY IN THIS
10 FUND. THE COMMISSION SHALL ADMINISTER THE FUND. MONIES IN THE FUND ARE
11 CONTINUOUSLY APPROPRIATED. THE COMMISSION SHALL ANNUALLY ACCOUNT TO THE
12 DEPARTMENT OF ADMINISTRATION FOR ITS USE OF THE MONIES IN THIS FUND.