

REFERENCE TITLE: Indian affairs commission; legislative day

State of Arizona
House of Representatives
Forty-eighth Legislature
First Regular Session
2007

HB 2330

Introduced by
Representatives Tom, Lopez, Miranda, Sinema: Ableser, Alvarez, DeSimone,
Farley, Gallardo, Lopes, Lujan, Pancrazi, Thrasher, Senator Rios

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, or their representatives, who shall be ex officio
12 members, and nine members appointed by the governor, two at large who shall
13 be non-Indian, and seven from among the Indian tribes. Each tribe or tribal
14 council may submit the names of not to exceed two members of its tribe, and
15 from the names so submitted, the governor shall appoint the seven Indian
16 members.

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

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

27 D. The commission shall:

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

31 ~~E. The commission shall~~

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

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

39 1. Apply for, accept, receive and expend public and private gifts or
40 grants of money or property upon such terms and conditions as may be imposed
41 by the donor and for implementation of the commission's MISSION AND internal
42 operations.

43 ~~G. The commission may~~

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

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

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

10 41-544. Indian nations and tribes legislative day

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

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

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

23 41-545. Indian town hall fund

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

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

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

36 41-546. Indian nations and tribes legislative day fund

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

1 41-547. Mission and internal operations fund

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