

House Engrossed Senate Bill

State of Arizona
Senate
Forty-fifth Legislature
Second Regular Session
2002

CHAPTER 197

SENATE BILL 1113

AN ACT

AMENDING SECTION 41-542, ARIZONA REVISED STATUTES; AMENDING TITLE 41, CHAPTER 3, ARTICLE 4, ARIZONA REVISED STATUTES, BY ADDING SECTIONS 41-544 AND 41-545; REPEALING SECTION 41-1108, ARIZONA REVISED STATUTES; RELATING TO INDIAN AFFAIRS COMMISSION.

(TEXT OF BILL BEGINS ON NEXT PAGE)

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

2 Section 1. Section 41-542, Arizona Revised Statutes, is amended to
3 read:

4 41-542. Powers and duties; information; report; director;
5 appointment; personnel; limitation; fees; directory

6 A. The commission shall assist and support state and federal agencies
7 in assisting Indians and tribal councils in this state to develop mutual
8 goals, to design projects for achieving goals and to implement their
9 plans. The commission shall also:

10 1. Assemble and make available facts needed by tribal, state and
11 federal agencies to work together effectively.

12 2. Assist this state in its responsibilities to Indians and tribes of
13 this state by making recommendations to the governor and the legislature.

14 3. Confer and coordinate with officials and agencies of other
15 governmental units and legislative committees regarding Indian needs and
16 goals.

17 4. Work for greater understanding and improved relationships between
18 Indians and non-Indians by creating an awareness of the legal, social and
19 economic needs of Indians in this state.

20 5. Promote increased participation by Indians in local and state
21 affairs.

22 6. Assist tribal groups in developing increasingly effective methods
23 of self-government.

24 7. ASSIST URBAN INDIANS. FOR THE PURPOSES OF THIS PARAGRAPH, "URBAN
25 INDIAN" MEANS AN INDIAN WHO:

26 (a) IS A RESIDENT OF THIS STATE.

27 (b) RESIDES IN A COUNTY OF THIS STATE WITH A POPULATION OF MORE THAN
28 TWO HUNDRED THOUSAND PERSONS.

29 (c) DOES NOT RESIDE ON AN INDIAN RESERVATION IN SUCH A COUNTY.

30 B. State and local public officers and employees, on request, shall
31 furnish the commission with information that it may require for its purposes
32 except information which is not subject to disclosure pursuant to a provision
33 of law.

34 C. The commission shall make a written annual report, giving an
35 account of its proceedings, transactions, findings and recommendations, to
36 the governor and the legislature and may submit such recommendations to the
37 legislature in the form of proposed legislation.

38 D. The governor shall appoint an executive director of the commission
39 pursuant to section 38-211 who shall not be a member of the commission. The
40 director is eligible to receive compensation pursuant to section 38-611. The
41 commission may employ clerical, professional and technical personnel subject
42 to appropriated funds and shall prescribe their duties and determine their
43 compensation.

1 E. The commission may initiate or assist programs on a reservation
2 only upon the request or with the approval of the tribal council for such
3 reservation.

4 F. The commission may publish an annual directory of tribal
5 governments in this state and other tribal and Indian related organizations
6 and entities. The commission shall charge a fee for nongovernmental
7 distribution of the directory and other commission publications based on the
8 costs of compiling, publishing and distributing the directory and other
9 commission publications.

10 Sec. 2. Title 41, chapter 3, article 4, Arizona Revised Statutes, is
11 amended by adding sections 41-544 and 41-545, to read:

12 41-544. Indian nations and tribes legislative day

13 A. THE ARIZONA COMMISSION OF INDIAN AFFAIRS, IN COOPERATION WITH
14 REPRESENTATIVES FROM THE STATE'S INDIAN NATIONS, SHALL ANNUALLY FACILITATE
15 AN INDIAN NATIONS AND TRIBES LEGISLATIVE DAY ON TUESDAY OF THE SECOND WEEK
16 OF EACH REGULAR LEGISLATIVE SESSION. THE COMMISSION SHALL INVITE THE
17 LEGISLATURE, GOVERNOR AND OTHER ELECTED OFFICIALS TO PAY TRIBUTE TO THE
18 HISTORY AND CULTURE OF THE AMERICAN INDIAN PEOPLES AND THEIR CONTRIBUTIONS
19 TO THE PROSPERITY AND CULTURAL DIVERSITY OF THE UNITED STATES. THE
20 COMMISSION SHALL SCHEDULE ACTIVITIES AND DISCUSSIONS BETWEEN STATE AND INDIAN
21 NATIONS AND TRIBAL LEADERS ON ISSUES IN WHICH THE STATE AND INDIAN NATIONS
22 AND TRIBES SHARE A COMMON INTEREST OR JURISDICTION.

23 B. INDIAN NATIONS AND TRIBES LEGISLATIVE DAY IS NOT A LEGAL HOLIDAY.

24 41-545. Indian town hall fund

25 AN ARIZONA INDIAN TOWN HALL FUND IS ESTABLISHED THAT CONSISTS OF MONIES
26 COLLECTED OR RECEIVED AT INDIAN TOWN HALLS AS FEES THAT ARE INTENDED TO
27 DEFRAY ADMINISTRATIVE COSTS RELATED TO THESE TOWN HALLS PURSUANT TO SECTION
28 41-541. THE COMMISSION SHALL DEPOSIT, PURSUANT TO SECTIONS 35-146 AND
29 35-147, ALL FEES COLLECTED FROM THIS ACTIVITY IN THIS FUND. THE COMMISSION
30 SHALL ANNUALLY REPORT TO THE JOINT LEGISLATIVE BUDGET COMMITTEE FOR ITS USE
31 OF THE MONIES IN THE FUND. UP TO FIFTEEN THOUSAND DOLLARS OF MONIES IN THE
32 FUND MAY BE EXPENDED BY THE COMMISSION EACH FISCAL YEAR.

33 Sec. 3. Repeal

34 Section 41-1108, Arizona Revised Statutes, is repealed.

APPROVED BY THE GOVERNOR MAY 9, 2002.

FILED IN THE OFFICE OF THE SECRETARY OF STATE MAY 9, 2002.

Passed the House April 29, 2002,

by the following vote: 36 Ayes,

20 Nays, 4 Not Voting

[Signature]

Speaker of the House

[Signature]

Chief Clerk of the House

Passed the Senate March 28, 2002,

by the following vote: 22 Ayes,

6 Nays, 2 Not Voting

[Signature]

President of the Senate

[Signature]

Asst. Secretary of the Senate

EXECUTIVE DEPARTMENT OF ARIZONA
OFFICE OF GOVERNOR

This Bill was received by the Governor this

~~_____ day of _____, 20____,~~

~~at _____ o'clock _____ M.~~

~~_____
Secretary to the Governor~~

Approved this _____ day of

~~_____, 20____,~~

~~at _____ o'clock _____ M.~~

~~_____
Governor of Arizona~~

EXECUTIVE DEPARTMENT OF ARIZONA
OFFICE OF SECRETARY OF STATE

This Bill was received by the Secretary of State

~~this _____ day of _____, 20____,~~

~~at _____ o'clock _____ M.~~

~~_____
Secretary of State~~

S.B. 1113

SENATE CONCURS IN HOUSE AMENDMENTS
AND FINAL PASSAGE

Passed the Senate May 7, 2002

by the following vote: 17 Ayes,

11 Nays, 2 Not Voting

[Signature]
President of the Senate

[Signature]
Secretary of the Senate

EXECUTIVE DEPARTMENT OF ARIZONA
OFFICE OF GOVERNOR

This Bill was received by the Governor this

7 day of May, 2002

at 4:30 o'clock P M.

[Signature]
Secretary to the Governor

Approved this 9 day of

May, 2002,

at 12:42 o'clock P M.

[Signature]
Governor of Arizona

EXECUTIVE DEPARTMENT OF ARIZONA
OFFICE OF SECRETARY OF STATE

This Bill was received by the Secretary of State

this 9 day of May, 2002,

at 3:27 o'clock P M.

[Signature]
Secretary of State