

1 State of Arkansas
2 80th General Assembly
3 Regular Session, 1995

A Bill

SENATE BILL 631

4 By: Senators Russ, *Hunter and Walters*

5
6

For An Act To Be Entitled

8 "AN ACT TO CREATE THE ARKANSAS COMMISSION ON INDIAN
9 AFFAIRS; AND FOR OTHER PURPOSES."

10

Subtitle

11

12 "TO CREATE THE ARKANSAS COMMISSION ON
13 INDIAN AFFAIRS."

14

15 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

16

17 SECTION 1. Creation - Administration. (a) There is hereby created
18 and established the Arkansas Commission of Indian Affairs.

19 (b) The commission shall be administered under the direction and
20 supervision of the Department of Arkansas Heritage.

21

22 SECTION 2. Purposes. The purposes of the commission are to:

23 (1) Deal fairly and effectively with Indian affairs;

24 (2) Bring local, state and federal resources into focus for the
25 implementation or continuation of meaningful programs for Indian citizens of
26 the State of Arkansas;

27 (3) Provide aid and protection for Indians as needs are demonstrated;

28 (4) Prevent undue hardships;

29 (5) Assist Indian communities in social and economic development; and
30 religious traditions considered by them to be sacred and meaningful to native
31 Americans;

32 (6) Promote recognition of, and the right of Indians to pursue,
33 cultural and religious traditions considered by them to be sacred and
34 meaningful to native Americans.

35

1 SECTION 3. Powers and duties. It is the duty of the commission to:

2 (1) Study, consider, accumulate, compile, assemble and disseminate
3 information on any aspect of Indian affairs;

4 (2) Investigate relief needs of Indians of Arkansas and provide
5 technical assistance in the preparation of plans for the alleviation of such
6 needs;

7 (3) Confer with appropriate officials of local, state and federal
8 governments, and with congressional committees that may be concerned with
9 Indian affairs;

10 (4) Encourage and implement coordination of applicable resources to
11 meet the needs of Indians in Arkansas;

12 (5) Cooperate with and secure the assistance of the local, state and
13 federal governments in formulating Indian programs;

14 (6) Coordinate such programs with any programs regarding Indian
15 affairs adopted or planned by this state to the end that the commission
16 secure the full benefit of such programs;

17 (7) Review all proposed or pending state legislation affecting Indians
18 in Arkansas;

19 (8) Conduct public hearings on matters relating to Indian affairs and
20 to subpoena any information or documents deemed necessary by the commission;

21 (9) Study the existing status of recognition of all Indian groups,
22 tribes and communities presently existing in the State of Arkansas; and

23 (10) Establish appropriate procedures to provide for legal recognition
24 by the state of presently unrecognized groups and to provide for official
25 state recognition by the commission of such groups.

26

27 SECTION 4. Members. (a) The Arkansas Commission of Indian Affairs
28 shall consist of five (5) members appointed by the governor, at least three
29 (3) of whom shall be persons of not less than twenty-five percent (25%)
30 native American lineage.

31 (b) Members shall serve for three (3) year terms, except in the first
32 appointments the Indian members shall be appointed for terms of one (1), two
33 (2), or three (3) years each and the non-Indian members shall be appointed
34 for two (2) or three (3) years each.

35 (c) Any member appointed to fill a vacancy shall be appointed for the

1 remainder of the term.

2 (d) The governor shall appoint a chairperson of the commission.

3 (3) Commission members shall serve without compensation, but may
4 receive expense and mileage reimbursement as prescribed for state employees
5 by state travel regulations.

6

7 SECTION 5. Meetings. (a) The commission shall meet at least
8 quarterly.

9 (b) Meetings may be called by the chairperson or by a petition signed
10 by a majority of the members of the commission.

11 (c) Ten (10) days_ notice shall be given in writing to such members
12 prior to the meeting date.

13 (d) A simple majority of the Indian members of the commission must be
14 present to constitute a quorum.

15 (e) Proxy voting is not permitted.

16 (f) The commission shall prepare a written annual report giving an
17 account of its proceedings, transactions, findings and recommendations.

18 (g) This report shall be submitted to the governor and the
19 Legislative Council.

20

21 SECTION 6. *Nothing in this act shall be construed to allow, promote,*
22 *encourage or advance legalized gambling.*

23

24 SECTION 7. All provisions of this act of a general and permanent
25 nature are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas
26 Code Revision Commission shall incorporate the same in the Code.

27

28 SECTION 8. If any provision of this act or the application thereof to
29 any person or circumstance is held invalid, such invalidity shall not affect
30 other provisions or applications of the act which can be given effect without
31 the invalid provision or application, and to this end the provisions of this
32 act are declared to be severable.

33

34 SECTION 9. All laws and parts of laws in conflict with this act are
35 hereby repealed.

1

2

/s/Russ et al