

BILL ANALYSIS

Senate Research Center
78R2623 MXM-D

S.B. 301
By: Madla
State Affairs
2/11/2003
As Filed

DIGEST AND PURPOSE

Although there was at one time a Texas Indian Commission, it was abolished in 1989, and there is no current law that provides for the services of a Native American liaison. A 2002 report of the Native American Affairs Subcommittee of the Senate State Affairs Committee recommended the creation of a Native American Liaison position within an existing agency or office. As proposed, S.B. 301 would create that position within the office of the secretary of state, and require the liaison to provide certain services and fulfill certain functions for Texas' Native American community, as well as conduct research on matters pertaining to that community's welfare.

RULEMAKING AUTHORITY

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Chapter 405, Government Code, by adding Subchapter D, as follows:

SUBCHAPTER D. NATIVE AMERICAN LIASON

Sec. 405.151. DEFINITIONS. Defines "liaison."

Sec. 405.152. APPOINTMENT. Requires the governor to appoint a Native American liaison (liaison) to serve within the office of the secretary of state. Requires that the person meet the eligibility requirements of Section 405.153, as added by this Act, and that the person be selected from names submitted by certain interested parties. Requires the governor to make every effort to appoint an individual of Native American descent.

Sec. 405.153. ELIGIBILITY FOR APPOINTMENT. Provides that, in order to be eligible for appointment, a person must be knowledgeable about the Native American tribes of this state, and the opportunities and challenges those tribes face, and have experience working with Native Americans.

Sec. 405.154. TERM. Provides that the liaison serves at the will of the governor.

Sec. 405.155. TOLL-FREE TELEPHONE NUMBER. Requires the secretary of state to provide a toll-free telephone number for the public to use to contact the liaison.

Sec. 405.156. WEBSITE. Requires the secretary of state to provide certain contact information regarding the liaison on the secretary of state's website.

Sec. 405.157. PUBLIC RELATIONS. (a) Requires the liaison to assist the Native American community of this state in establishing and maintaining understanding and cooperation with certain government entities that affect the community. Requires the liaison to improve

government relations on all levels within a framework of sovereignty.

(b) Requires the liaison to assist the Native American tribes of this state in gaining federal recognition.

(c) Requires the liaison to make efforts to increase awareness and concern for Native American issues.

Sec. 405.158. IDENTIFICATION OF SERVICES AND OTHER RESOURCES. (a) Requires the liaison to identify public and private resources available to Native Americans in this state and to develop recommendations and strategies to maximize the acquisition and use of those resources.

(b) Requires the liaison to make efforts to facilitate the coordination of state agency services for Native Americans in this state.

Sec. 405.159. RESEARCH REQUIRED. (a) Requires the liaison to study certain conditions affecting the welfare and culture of Native Americans in this state.

(b) Requires the liaison to collect statistics and other facts in order to develop an accurate understanding of the Native American community in this state.

Sec. 405.160. BIENNIAL REPORT. Requires the liaison to prepare and submit a report to certain government officials with recommendations regarding Native American issues by November 1 of each even-numbered year.

SECTION 2. Requires the governor to appoint the liaison under Section 405.152, Government Code, as added by this Act, by November 1, 2003.

SECTION 3. (a) Requires the liaison to develop recommendations for the 79th Legislature regarding the feasibility and benefits of establishing a state recognition program for the Native American tribes of this state.

(b) Requires the liaison to provide the first of the biennial recommendations under Section 405.160, Government Code, as added by this Act, to certain government officials by November 1, 2004.

SECTION 4. Effective date: upon passage or September 1, 2003.