

House Bill 153

By: Representatives Rogers of the 10th, Rhodes of the 120th, Efstration of the 104th, Smith of the 70th, and Gasaway of the 28th

A BILL TO BE ENTITLED
AN ACT

To amend Part 2 of Article 7 of Chapter 12 of Title 44 of the Official Code of Georgia Annotated, relating to the Council on American Indian Concerns, so as to attach the council to the Department of Natural Resources for administrative purposes; to provide for related matters; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 1.

Part 2 of Article 7 of Chapter 12 of Title 44 of the Official Code of Georgia Annotated, relating to the Council on American Indian Concerns, is amended by revising Code Section 44-12-280, relating to the council's creation, membership, assignment, terms of office of members, and removal for failure to attend meetings, as follows:

"44-12-280.

(a) As used in this Code section, the term:

(1) 'Anthropologist' means a physical anthropologist who holds a Ph.D. in physical anthropology with demonstrated experience in on-site identification of human skeletal remains and who is currently active in the profession.

(2) 'Archeologist' means any person who:

(A) Is a member of or meets the criteria for membership in the Society of Professional Archaeologists and can demonstrate experience or formal training in the excavation and interpretation of human graves; or

(B) Was employed on July 1, 1992, by the state or by any county or municipal governing authority as an archeologist.

(b) There is created the Council on American Indian Concerns, which shall consist of nine members to be appointed by the Governor. Five members shall be American Indians. Three members shall represent the scientific community and shall include at least one archeologist and one anthropologist; provided, however, that if no anthropologist can be identified who is willing to serve, then the membership reserved to an anthropologist shall

be filled by a person who holds a master's degree or a higher degree in the field of anthropology and is currently active in the profession. One member shall be selected from the general public at large. All members of the council shall be legal residents of the State of Georgia. The Governor shall consult the tribal groups located in the state recognized by general law, the Human Relations Commission, the Georgia Council of Professional Archaeologists, the Society for Georgia Archaeology, and the Department of Natural Resources for recommendations before appointing members of the council.

(c) The council is assigned to the ~~Governor's Office of Planning and Budget~~ Department of Natural Resources for administrative purposes only, as specified in Code Section 50-4-3.

(d) The terms of appointment for members of the council shall be as follows: two American Indians, one scientist, and one representative of the general public shall be appointed for an initial term of three years; two American Indians, one scientist, and one representative of the general public shall be appointed for an initial term of two years; and one scientist shall be appointed for an initial term of one year. The member who represents the general public and who has the least time left in his or her term on July 1, 2002, shall cease to be a member on that date, and a member who is an American Indian shall be appointed to take office on that day for a term of three years. The Governor shall specify the length of the initial term of the councilmembers in their initial appointments. After such initial terms, all councilmembers shall be appointed for terms of three years. Active and continued participation by members of the council is needed. The Governor may remove any member who fails to attend three regularly scheduled consecutive meetings. Councilmembers may succeed themselves."

SECTION 2.

All laws and parts of laws in conflict with this Act are repealed.