

REFERENCE TITLE: **homeland security committee and force**

State of Arizona
Senate
Forty-eighth Legislature
Second Regular Session
2008

SCR 1007

Introduced by
Senator Harper

A CONCURRENT RESOLUTION

**ENACTING AND ORDERING THE SUBMISSION TO THE PEOPLE OF A MEASURE RELATING TO
THE HOMELAND SECURITY COMMITTEE AND FORCE.**

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it resolved by the Senate of the State of Arizona, the House of
2 Representatives concurring:

3 1. Under the power of the referendum, as vested in the Legislature,
4 the following measure, relating to the homeland security committee and force,
5 is enacted to become valid as a law if approved by the voters and on
6 proclamation of the Governor:

7 AN ACT

8 AMENDING TITLE 26, CHAPTER 1, ARTICLE 2, ARIZONA REVISED
9 STATUTES, BY ADDING SECTION 26-128; AMENDING SECTION 26-152,
10 ARIZONA REVISED STATUTES; AMENDING TITLE 41, CHAPTER 27, ARTICLE
11 2, ARIZONA REVISED STATUTES, BY ADDING SECTION 41-3018.01;
12 RELATING TO HOMELAND SECURITY.

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

14 Section 1. Title 26, chapter 1, article 2, Arizona
15 Revised Statutes, is amended by adding section 26-128, to read:

16 26-128. Homeland security committee; force;
17 administration; fund

18 A. THE HOMELAND SECURITY COMMITTEE IS ESTABLISHED
19 CONSISTING OF TWO MEMBERS OF THE SENATE WHO ARE APPOINTED BY THE
20 PRESIDENT OF THE SENATE, TWO MEMBERS OF THE HOUSE OF
21 REPRESENTATIVES WHO ARE APPOINTED BY THE SPEAKER OF THE HOUSE OF
22 REPRESENTATIVES AND FIVE MEMBERS WHO ARE APPOINTED BY THE
23 GOVERNOR. THE PRESIDENT OF THE SENATE, THE SPEAKER OF THE HOUSE
24 OF REPRESENTATIVES AND THE GOVERNOR SHALL GIVE PREFERENCE TO
25 HONORABLY DISCHARGED VETERANS WHEN MAKING APPOINTMENTS PURSUANT
26 TO THIS SUBSECTION.

27 B. THE HOMELAND SECURITY FORCE IS ESTABLISHED UNDER THE
28 DIRECTION OF THE COMMITTEE. THE COMMITTEE SHALL DETERMINE THE
29 MEMBERSHIP AND ORGANIZATION OF THE HOMELAND SECURITY FORCE.

30 C. IF THE GOVERNOR DETERMINES THAT AN EMERGENCY EXISTS OR
31 THAT IT IS NECESSARY TO PROTECT LIVES, PROPERTY OR
32 CONSTITUTIONAL LIBERTIES IN THIS STATE, THE GOVERNOR MAY REQUEST
33 ABLE-BODIED CITIZENS OF THIS STATE, EXCEPT PEACE OFFICERS AND
34 FIRE AND EMERGENCY PERSONNEL, WHO ARE AT LEAST EIGHTEEN YEARS OF
35 AGE TO VOLUNTEER FOR SERVICE IN THE HOMELAND SECURITY FORCE.

36 D. THE HOMELAND SECURITY FORCE:

37 1. SHALL HAVE OFFICERS WHO HAVE PRIOR MILITARY EXPERIENCE
38 AND WHO ARE APPOINTED BY THE HOMELAND SECURITY COMMITTEE
39 PURSUANT TO RULES ADOPTED BY THE COMMITTEE.

40 2. SHALL BE UNDER THE DIRECT CONTROL OF THE GOVERNOR AND
41 RECEIVE TRAINING FROM THE ADJUTANT GENERAL.

42 3. SHALL ATTEND REQUIRED TRAINING SUBJECT TO ORDERS OF
43 THE APPOINTED OFFICERS.

44 4. SHALL NOT BE SUBJECT TO FEDERAL ACTIVE DUTY.

5. SHALL BE SUBJECT TO THE ARIZONA CODE OF MILITARY JUSTICE AND TO THE OTHER LAWS OF THIS STATE.

E. THE HOMELAND SECURITY FORCE FUND IS ESTABLISHED CONSISTING OF MONIES RECEIVED FROM THE CAMP NAVAJO FUND PURSUANT TO SECTION 26-152. THE HOMELAND SECURITY COMMITTEE SHALL ADMINISTER THE FUND. MONIES IN THE FUND ARE SUBJECT TO LEGISLATIVE APPROPRIATION AND ARE EXEMPT FROM THE PROVISIONS OF SECTION 35-190 RELATING TO LAPSING OF APPROPRIATIONS.

Sec. 2. Section 26-152, Arizona Revised Statutes, is amended to read:

26-152. National guard fund; camp Navajo fund; report

A. The national guard fund is established consisting of monies appropriated to the national guard.

B. The fund may be drawn upon by the adjutant general for any purpose commensurate with the purpose and mission of the national guard.

C. The amount of the national guard fund appropriated for capital outlay or improvements shall be exempt from the provisions of section 35-190 relating to lapsing OF appropriations.

D. All proceeds from the rental or use of armories received by the general staff pursuant to the authority of section 26-115, subsection E shall be deposited, pursuant to sections 35-146 and 35-147, in a separate account in the national guard fund, and the monies are continuously appropriated to the department for the maintenance of armories. Monies in the account are exempt from the provisions of section 35-190 relating to lapsing of appropriations, except that any monies remaining in the account for one hundred eighty days after the end of the fiscal year in which they were received revert to the state general fund.

E. A camp Navajo fund is established for the operation, maintenance, capital improvements and personal services necessary for the national guard to operate a regional training site and storage facility at Bellemont. The fund consists of monies received from storage of commodities and services provided as approved by the adjutant general, EXCEPT THAT THE ADJUTANT GENERAL SHALL ACCEPT ANY NONNUCLEAR COMMODITIES OFFERED BY THE FEDERAL GOVERNMENT FOR STORAGE. MONIES RECEIVED FROM THE FEDERAL GOVERNMENT FOR STORAGE OF THESE COMMODITIES SHALL BE ACCOUNTED FOR SEPARATELY IN THE CAMP NAVAJO FUND AND SHALL BE TRANSFERRED FOR DEPOSIT IN THE HOMELAND SECURITY FORCE FUND ESTABLISHED BY SECTION 26-128. The adjutant general shall administer the fund. On notice from the adjutant general, the state treasurer shall invest and divest monies in the fund as

1 provided by section 35-313, and monies earned from investment
2 shall be credited to the fund. Monies in the fund are
3 continuously appropriated to the national guard and are exempt
4 from the provisions of section 35-190 relating to lapsing of
5 appropriations.

6 F. The adjutant general shall annually submit a report by
7 August 31 to the governor, the speaker of the house of
8 representatives, the president of the senate and the joint
9 legislative budget committee describing the activity in the camp
10 Navajo fund during the previous fiscal year.

11 Sec. 3. Title 41, chapter 27, article 2, Arizona Revised
12 Statutes, is amended by adding section 41-3018.01, to read:

13 41-3018.01. Homeland security committee and force;
14 termination July 1, 2018

15 A. THE HOMELAND SECURITY COMMITTEE AND FORCE TERMINATE ON
16 JULY 1, 2018.

17 B. SECTION 26-128 IS REPEALED ON JANUARY 1, 2019.

18 Sec. 4. Purpose

19 Pursuant to section 41-2955, subsection E, Arizona Revised
20 Statutes, the legislature establishes the homeland security
21 committee and force to respond to disasters as determined by the
22 governor, to defend our inalienable rights endowed by our
23 creator and to defend the sovereignty of the United States of
24 America.

25 2. The Secretary of State shall submit this proposition to the voters
26 at the next general election as provided by article IV, part 1, section 1,
27 Constitution of Arizona.