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ARIZONA ATTORNEY GENERAL

April 13, 1954
Letter Opinion
No. 54-102-L

Dr. John W. Stilley
Representative, Coconino County
Box 97
Flagstaff, Arizona

RE: Proxy vote for members of
Arizona Commission on
Indian Affairs

Dear Dr. Stilley:

Pursuant to your oral request, I have examined Section 70-701, A.C.A., 1939, 1953 Supplement, to determine if members of the Indian Affairs Commission may vote by proxy or designate an alternate to appear at Commission meetings and act for them.

A reading of this statute discloses that certain named public officials shall serve as ex-officio members and the Governor shall make his selection of five Indian members from names submitted by each Tribe or Tribal Council. The statute provides that members shall be reimbursed for certain expenditures. A majority of the membership is required to constitute a quorum for the transaction of business, and members who fail to attend three consecutive meetings shall be deemed to have resigned from the board, unless the board has granted leaves of absence.

The emphasis placed upon membership of this Commission, in that it shall act only through its duly qualified members plus the lack of any provision for designation of alternates or voting by proxy, does, in our opinion, forestall any right to conduct the Commission of Indian Affairs by alternates or proxy votes.

Very truly yours,

JAMES E. HUNTER
Special Assitant to
The Attorney General

JEH:mp