

State of Arizona
Senate
Forty-ninth Legislature
Second Regular Session
2010

SENATE BILL 1200

AN ACT

AMENDING TITLE 17, CHAPTER 2, ARTICLE 1, ARIZONA REVISED STATUTES, BY ADDING SECTION 17-202; RELATING TO THE ARIZONA GAME AND FISH COMMISSION APPOINTMENT RECOMMENDATION BOARD.

(TEXT OF BILL BEGINS ON NEXT PAGE)

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

2 Section 1. Title 17, chapter 2, article 1, Arizona Revised Statutes,
3 is amended by adding section 17-202, to read:

4 17-202. Arizona game and fish commission appointment
5 recommendation board

6 A. THE ARIZONA GAME AND FISH COMMISSION APPOINTMENT RECOMMENDATION
7 BOARD IS ESTABLISHED CONSISTING OF MEMBERS APPOINTED BY THE GOVERNOR PURSUANT
8 TO THIS SECTION AND SECTION 38-211. THE BOARD SHALL CONSIST OF ONE PERSON
9 WHO HAS BEEN A RESIDENT OF THIS STATE FOR AT LEAST FIVE YEARS FROM EACH OF
10 THE FOLLOWING QUALIFYING GROUPS:

11 1. ONE MEMBER DESIGNATED BY THE BOARD OF DIRECTORS OF AN ORGANIZATION
12 THAT IS QUALIFIED PURSUANT TO SECTION 501(c)(3) OR 501(c)(4) OF THE INTERNAL
13 REVENUE CODE, WHOSE MEMBERSHIP CONSISTS OF A SIGNIFICANT CROSS-SECTION OF
14 WILDLIFE CONSERVATION AND SPORTSMEN ORGANIZATIONS FROM THROUGHOUT THE STATE,
15 THAT DOES NOT HAVE AN AFFILIATION OR CHARTER WITH A NATIONAL WILDLIFE
16 CONSERVATION OR SPORTSMAN'S ORGANIZATION AND THAT HAS BEEN IN EXISTENCE FOR
17 AT LEAST FIVE YEARS.

18 2. ONE MEMBER DESIGNATED BY THE BOARD OF DIRECTORS OF AN ORGANIZATION
19 THAT IS QUALIFIED PURSUANT TO SECTION 501(c)(3) OR 501(c)(4) OF THE INTERNAL
20 REVENUE CODE WHOSE ARTICLES OF INCORPORATION OR BYLAWS STIPULATE THAT THE
21 MISSION OR PURPOSE OF THE ORGANIZATION IS TO INCREASE, SUSTAIN OR OTHERWISE
22 CONSERVE WILD TURKEY, DEER, ELK, PRONGHORN (ANTELOPE), BIGHORN SHEEP, DUCKS,
23 QUAIL AND FISH AND THAT HAS BEEN IN EXISTENCE FOR AT LEAST FIVE YEARS.

24 3. ONE MEMBER DESIGNATED BY THE BOARD OF DIRECTORS OF AN ORGANIZATION
25 THAT IS QUALIFIED PURSUANT TO SECTION 501(c)(3) OR 501(c)(4) OF THE INTERNAL
26 REVENUE CODE WHOSE ARTICLES OF INCORPORATION OR BYLAWS DEFINE IT AS A
27 SPORTSMAN'S ORGANIZATION WHOSE MEMBERSHIP IS PRIMARILY CONFINED TO A SPECIFIC
28 GEOGRAPHIC AREA OR REGION OF THE STATE OR AN ORGANIZATION DESCRIBED IN
29 PARAGRAPH 2 OF THIS SUBSECTION OR IS A CHAPTER OR AFFILIATE OF A NATIONAL
30 SPORTSMAN'S CONSERVATION OR SHOOTING ORGANIZATION AND THAT HAS BEEN IN
31 EXISTENCE FOR AT LEAST FIVE YEARS.

32 4. ONE MEMBER DESIGNATED BY THE BOARD OF DIRECTORS OF AN ORGANIZATION
33 THAT IS QUALIFIED PURSUANT TO SECTION 501(c)(3) OR 501(c)(4) OF THE INTERNAL
34 REVENUE CODE THAT IS STATEWIDE, WHOSE MEMBERSHIP IS COMPRISED OF CATTLEMEN OR
35 RANCHERS AND THAT HAS BEEN IN EXISTENCE FOR AT LEAST FIVE YEARS.

36 5. ONE MEMBER OF THE GENERAL PUBLIC OR ONE MEMBER OF A NONGAME
37 ORGANIZATION THAT IS QUALIFIED PURSUANT TO SECTION 501(c)(3) OR 501(c)(4) OF
38 THE INTERNAL REVENUE CODE.

39 B. EXCEPT AS OTHERWISE PROVIDED BY LAW, MEMBERS OF THE BOARD SERVE
40 FIVE YEAR TERMS OF OFFICE. A BOARD MEMBER MUST MAINTAIN CONTINUOUS
41 MEMBERSHIP IN THE ORGANIZATION THE MEMBER REPRESENTED WHEN APPOINTED DURING
42 THE ENTIRE TERM OF OFFICE. THE GOVERNOR MAY REMOVE A MEMBER OF THE BOARD FOR
43 INEFFICIENCY, CONFLICT OF INTEREST, NEGLIGENCE OF DUTY OR MISCONDUCT IN OFFICE
44 AND REPLACE THE MEMBER WITH AN INDIVIDUAL FROM THE SAME ORGANIZATION

1 REPRESENTED BY THE FORMER MEMBER. IF A BOARD MEMBER DIES, RESIGNS OR IS
2 REMOVED FROM OFFICE, THE GOVERNOR SHALL APPOINT AN INDIVIDUAL TO FILL THE
3 VACANCY WITHIN THIRTY DAYS FROM THE SAME ORGANIZATION REPRESENTED BY THE
4 FORMER MEMBER.

5 C. THREE MEMBERS OF THE BOARD CONSTITUTE A QUORUM. MEETINGS OF THE
6 BOARD SHALL BE HELD AT THE ARIZONA GAME AND FISH DEPARTMENT MAIN OFFICE OR AT
7 A REGIONAL OFFICE AS DETERMINED BY THE BOARD. THE DEPARTMENT SHALL ISSUE A
8 PUBLIC NOTICE AT LEAST ONE WEEK BEFORE THE MEETING.

9 D. MEMBERS OF THE BOARD ARE NOT ELIGIBLE FOR COMPENSATION FOR THEIR
10 SERVICES OR REIMBURSEMENT OF EXPENSES.

11 E. THE BOARD SHALL ASSIST THE GOVERNOR BY INTERVIEWING, EVALUATING AND
12 RECOMMENDING CANDIDATES TO FILL VACANCIES ON THE ARIZONA GAME AND FISH
13 COMMISSION AS FOLLOWS:

14 1. AFTER THE GOVERNOR'S CALL FOR APPLICATIONS FOR AN OPEN POSITION ON
15 THE COMMISSION AND THE APPLICATION PERIOD IS CLOSED, THE GOVERNOR SHALL
16 DELIVER A FINAL LIST OF THE APPLICANTS TO THE BOARD WITHIN FIVE DAYS AFTER
17 THE CLOSE OF THE APPLICATION PERIOD. THE BOARD SHALL REVIEW THE LIST OF
18 APPLICANTS AND THE APPLICATION SUBMITTED BY EACH APPLICANT AND PROCEED TO
19 INTERVIEW, EVALUATE AND RECOMMEND CANDIDATES AS PROVIDED BY THIS SUBSECTION.

20 2. IF THE BOARD IS CONSIDERING CANDIDATES TO FILL THE OFFICE OF A
21 COMMISSION MEMBER WHOSE DESIGNATED TERM IS ABOUT TO EXPIRE:

22 (a) ON OR BEFORE NOVEMBER 15 OF EACH YEAR, THE BOARD SHALL HOST A
23 PUBLIC FORUM TO INTERVIEW THE COMMISSION CANDIDATES. THE DEPARTMENT SHALL
24 ISSUE A NOTICE OF THE PUBLIC FORUM AT LEAST FIVE DAYS BEFORE THE SCHEDULED
25 DATE OF THE FORUM.

26 (b) ON OR BEFORE NOVEMBER 25, THE BOARD SHALL RECOMMEND AT LEAST TWO,
27 BUT NO MORE THAN FIVE, CANDIDATES FROM THE GOVERNOR'S FINAL LIST OF
28 CANDIDATES.

29 (c) THE GOVERNOR MUST SELECT AND APPOINT A COMMISSIONER FROM THE LIST
30 SUBMITTED BY THE BOARD.

31 3. IF THE BOARD IS CONSIDERING CANDIDATES FOR A VACANCY RESULTING FROM
32 A COMMISSION MEMBER'S DEATH, RESIGNATION OR REMOVAL FROM OFFICE:

33 (a) NOT LATER THAN TWO WEEKS AFTER RECEIPT OF THE FINAL LIST OF
34 COMMISSION CANDIDATES FROM THE GOVERNOR, THE BOARD SHALL HOST A PUBLIC FORUM
35 TO INTERVIEW THE CANDIDATES. THE DEPARTMENT SHALL ISSUE A NOTICE OF THE
36 PUBLIC FORUM AT LEAST FIVE DAYS BEFORE THE SCHEDULED DATE OF THE FORUM.

37 (b) WITHIN ONE WEEK AFTER THE PUBLIC FORUM, THE BOARD SHALL RECOMMEND
38 AT LEAST TWO, BUT NO MORE THAN FIVE, CANDIDATES FROM THE GOVERNOR'S FINAL
39 LIST OF CANDIDATES.

40 (c) THE GOVERNOR MUST SELECT AND APPOINT A COMMISSIONER FROM THE LIST
41 SUBMITTED BY THE BOARD.

42 F. THE BOARD SHALL ASSIST THE GOVERNOR TO IDENTIFY COMMISSION
43 APPLICANTS.

1 Sec. 2. Initial board members: terms of office

2 A. Notwithstanding section 17-202, subsection A, Arizona Revised
3 Statutes, as added by this act, the governor shall appoint the initial
4 members of the Arizona game and fish commission appointment recommendation
5 board as follows:

6 1. The member appointed pursuant to section 17-202, subsection A,
7 paragraph 1, Arizona Revised Statutes, shall be appointed to a term of five
8 years.

9 2. The member appointed pursuant to section 17-202, subsection A,
10 paragraph 2, Arizona Revised Statutes, shall be appointed to a term of four
11 years.

12 3. The member appointed pursuant to section 17-202, subsection A,
13 paragraph 3, Arizona Revised Statutes, shall be appointed to a term of three
14 years.

15 4. The member appointed pursuant to section 17-202, subsection A,
16 paragraph 4, Arizona Revised Statutes, shall be appointed to a term of two
17 years.

18 5. The member appointed pursuant to section 17-202, subsection A,
19 paragraph 5, Arizona Revised Statutes, shall be appointed to a term of one
20 year.

21 B. All subsequent members shall be appointed to terms of five years.