

Senate Engrossed

legislative appointments; qualifications

State of Arizona
Senate
Fifty-seventh Legislature
First Regular Session
2025

SENATE BILL 1649

AN ACT

AMENDING SECTIONS 17-491, 26-261, 28-2439.01, 41-561, 41-1279, 41-1373, 41-1502, 45-2103, 48-6203, 48-6416 AND 49-456, ARIZONA REVISED STATUTES; RELATING TO QUALIFICATIONS AND TENURE.

(TEXT OF BILL BEGINS ON NEXT PAGE)

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

2 Section 1. Section 17-491, Arizona Revised Statutes, is amended to
3 read:

4 17-491. Livestock loss board; members; terms; compensation;
5 annual report

6 A. The livestock loss board is established to address the
7 depredation of wolves on livestock operations. The livestock loss board
8 consists of the following members:

9 1. The director of the Arizona department of agriculture or the
10 director's designee.

11 2. The director of the Arizona game and fish department or the
12 director's designee.

13 3. Three members who represent the livestock industry, who have
14 knowledge and experience with wildlife impacts and management and who are
15 appointed by the governor pursuant to section 38-211.

16 4. Two members who represent wildlife conservation or wildlife
17 management, who have knowledge and experience with livestock production or
18 management and who are appointed by the governor pursuant to section
19 38-211.

20 5. One member ~~who is a livestock auction market owner~~ and who is
21 appointed by the speaker of the house of representatives.

22 6. One member ~~who is a faculty member at a university under the
23 jurisdiction of the Arizona board of regents, who has expertise in
24 agricultural and life sciences and~~ who is appointed by the president of
25 the senate.

26 B. The initial members of the livestock loss board who are
27 appointed pursuant to subsection A, paragraphs 3, 4, 5 and 6 of this
28 section shall assign themselves by lot to terms of two and four years in
29 office. All subsequent members serve four-year terms of office. The
30 chairperson shall notify the governor's office, the president of the
31 senate and the speaker of the house of representatives of these
32 appointments.

33 C. A majority of the members constitute a quorum.

34 D. The livestock loss board shall annually elect a chairperson from
35 its members.

36 E. Members of the livestock loss board are not eligible to receive
37 compensation but are eligible for reimbursement of expenses pursuant to
38 title 38, chapter 4, article 2.

39 F. The livestock loss board shall submit to the governor, the
40 president of the senate and the speaker of the house of representatives on
41 or before December 31 of each year a report of the number of applications
42 for compensation, the total amount of monies provided to landowners,
43 lessees and livestock operators that year and any recommendations. The
44 livestock loss board shall provide a copy of this report to the secretary
45 of state.

1 Sec. 2. Section 26-261, Arizona Revised Statutes, is amended to
2 read:

3 26-261. Military affairs commission; confidential discussions
4 and information; definition

5 A. The military affairs commission is established. The commission
6 membership consists of:

7 1. Sixteen members who are appointed by the governor and who
8 include the following:

9 (a) Twelve members who reside in a community in which a military
10 installation is located. Of this group, six members shall have expertise
11 in military affairs and six members shall be local elected officials.

12 (b) Four members who represent private property interests in the
13 territory in the vicinity as defined in section 28-8461 or in a community
14 in which a military installation is located.

15 2. One member who ~~represents private property interests in the~~
16 ~~territory in the vicinity as defined in section 28-8461 or in a community~~
17 ~~in which a military installation is located and who~~ is appointed by the
18 president of the senate.

19 3. One member who ~~represents private property interests in the~~
20 ~~territory in the vicinity as defined in section 28-8461 or in a community~~
21 ~~in which a military installation is located and who~~ is appointed by the
22 speaker of the house of representatives.

23 4. Four nonvoting advisory members who are not counted for the
24 purpose of determining a quorum, consisting of:

25 (a) The adjutant general or a designee of the adjutant general.

26 (b) A representative of a military installation commander who is
27 appointed by the governor.

28 (c) A representative from a federal agency involved in land use
29 issues who is appointed by the governor.

30 (d) The state land commissioner or a designee of the commissioner.

31 B. The military affairs commission shall have geographic diversity
32 in its membership. The governor shall designate two of the governor's
33 appointees as cochairpersons of the commission. Members or designees of
34 the commission shall not send alternates to represent them at commission
35 meetings. The voting members shall serve six-year terms.

36 C. The department of emergency and military affairs shall staff the
37 commission.

38 D. The commission shall:

39 1. Meet at least annually.

40 2. Meet on a regular basis with the governor, the president of the
41 senate and the speaker of the house of representatives, either
42 individually or collectively, to provide recommendations on military
43 issues and report on the progress of the military affairs commission.

44 3. Annually meet with the appropriate legislative committees that
45 have jurisdiction over military installations.

1 4. Advise the governor and the legislature on matters affecting the
2 operational viability of Arizona military facilities, including military
3 installations, military training routes, military restricted airspace,
4 military ranges or areas under the jurisdiction of an active unit of the
5 uniformed armed services of the United States or any reserve or national
6 guard component of the uniformed armed services of the United States.

7 5. Develop criteria, including accountability requirements, for
8 awarding monies from the military installation fund established by section
9 26-262.

10 6. Review applications for monies to be awarded from the military
11 installation fund.

12 7. Annually recommend to the department of emergency and military
13 affairs a priority listing of monies with available resources.

14 8. Recommend to the department of emergency and military affairs
15 how the monies in the military installation fund should be awarded.

16 9. Proactively assist with coordination among the United States
17 military operating in Arizona, the congressional delegation, the governor,
18 the state legislature and state and local leaders.

19 10. Recommend executive, legislative and federal actions necessary
20 to sustain military operations and enhance ~~the~~ THIS state's preparedness
21 to respond to potential new missions and prevent military facilities from
22 closure or downsizing.

23 11. Study issues relating to veterans, active duty, national guard
24 and reserve members of the United States armed forces and other military
25 quality of life issues.

26 E. Discussions that are related to the federal government's process
27 to determine the closure, realignment, relocation, expansion or forced
28 structure reduction of military installations and to proprietary
29 alternatives to this state's military base closure or realignment
30 strategies are not subject to title 38, chapter 3, article 3.1.

31 F. Information that is developed or obtained by the commission AND
32 that pertains to proprietary strategies of the commission or that is
33 related to the relocation of military units is confidential and is not
34 subject to title 39, chapter 1, including documents related to the federal
35 government's process to determine the closure, realignment, relocation,
36 expansion or forced structure reduction of military installations until
37 the federal government has issued a final, unappealable decision in that
38 process or, in the event of litigation, a court of competent jurisdiction
39 has entered a final, unappealable order regarding the closure,
40 realignment, relocation, expansion or forced structure reduction of the
41 military installations. If the commission enters into a confidentiality
42 agreement with a third party, the commission may disclose information that
43 is deemed confidential pursuant to this subsection to that third party.

44 G. For the purposes of this section, "military installation" means
45 a military airport or ancillary military facility as defined in section

1 28-8461 or any real property that services, supports or is used by the
2 military.

3 Sec. 3. Section 28-2439.01, Arizona Revised Statutes, is amended to
4 read:

5 28-2439.01. Arizona tea party committee

6 A. The Arizona tea party committee is established consisting of the
7 following thirteen members who reside in this state and who are United
8 States citizens:

9 1. ~~One member THREE MEMBERS who is ARE appointed by the president~~
10 of the senate ~~and who is the director of an incorporated nonprofit~~
11 ~~corporation that is qualified under section 501(c)(3) or 501(c)(4) of the~~
12 ~~United States internal revenue code for federal income tax purposes, that~~
13 ~~has a mission of bringing together, empowering and training tea party~~
14 ~~groups and that has affiliated members that represent diverse geographical~~
15 ~~locations throughout this state.~~

16 2. ~~Two members who are appointed by the president of the senate and~~
17 ~~who each represent an organization in this state that promotes the tea~~
18 ~~party governing principles of fiscal responsibility, limited government~~
19 ~~and free markets. One of the two members must reside in a county with a~~
20 ~~population of more than one hundred sixty thousand persons but less than~~
21 ~~one hundred sixty-seven thousand persons.~~

22 3. ~~2. Three members who are appointed by the speaker of the house~~
23 ~~of representatives and who each represent an organization in this state~~
24 ~~that promotes the tea party governing principles of fiscal responsibility,~~
25 ~~limited government and free markets.~~

26 4. 3. Seven members who are appointed by the governor and who each
27 represent an organization in this state that promotes the tea party
28 governing principles of fiscal responsibility, limited government and free
29 markets.

30 B. The Arizona tea party committee members shall serve ~~five year~~
31 ~~FIVE-YEAR~~ terms.

32 C. The committee shall:

33 1. Distribute monies from the don't tread on me special plates fund
34 established by section 28-2439.02.

35 2. Submit a written report to the governor, the president of the
36 senate and the speaker of the house of representatives pursuant to section
37 28-2439.02.

38 3. ~~NOT~~ ~~NOT~~ later than sixty days before the expiration of a member's
39 term, deliver a list of at least two, but ~~no~~ ~~NOT~~ more than five,
40 candidates to the governor, the president of the senate or the speaker of
41 the house of representatives in order to fill a vacancy on the committee.
42 The governor, the president of the senate or the speaker of the house of
43 representatives ~~shall~~ ~~MAY~~ select and appoint a member to the committee
44 from the list submitted by the committee.

1 D. Members of the committee are not eligible to receive
2 compensation or reimbursement of expenses.

3 Sec. 4. Section 41-561, Arizona Revised Statutes, is amended to
4 read:

5 41-561. Economic estimates commission; members; vacancies;
6 limitation

7 A. There shall be an economic estimates commission composed of the
8 following three members:

9 1. The director of the department of revenue or the director's
10 designee, who shall serve as chairman.

11 2. One person, ~~who shall be knowledgeable in the field of~~
12 ~~economics, WHO IS~~ appointed by the president of the senate.

13 3. One person, ~~who shall be knowledgeable in the field of~~
14 ~~economics, WHO IS~~ appointed by the speaker of the house of
15 representatives.

16 B. The appointive commission members shall be appointed for a term
17 of two years and shall receive compensation determined pursuant to section
18 38-611.

19 C. Vacancies in commission membership shall be filled for the
20 balance of the unexpired term in the same manner as the original
21 appointment.

22 D. No member of the commission shall be a member of the
23 legislature.

24 Sec. 5. Section 41-1279, Arizona Revised Statutes, is amended to
25 read:

26 41-1279. Joint legislative audit committee; composition;
27 meetings; powers and duties

28 A. The joint legislative audit committee is established consisting
29 of five members of the senate who are appointed by the president of the
30 senate, one of whom is a member of the senate appropriations committee,
31 and five members of the house of representatives who are appointed by the
32 speaker of the house of representatives, one of whom is a member of the
33 house of representatives appropriations committee. ~~Selection of members~~
34 ~~shall be based on their understanding of and interest in legislative audit~~
35 ~~oversight functions.~~ Not more than three appointees of each house shall
36 be of the same political party. The president and the speaker shall
37 designate one of their appointed members as chairperson of their
38 respective delegation. The chairperson of the audit committee shall serve
39 for the term of each legislature. The chairmanship of the audit committee
40 shall alternate between the chairperson of the senate delegation and the
41 chairperson of the house of representatives delegation beginning with the
42 chairperson of the senate delegation. The president of the senate and the
43 speaker of the house of representatives shall also serve as ex officio
44 members of the committee.

1 B. The committee shall meet at least quarterly and on call of the
2 chairperson. Members of the committee are eligible for reimbursement by
3 their respective houses in the same manner as a member of the legislature
4 who attends a meeting of a standing committee.

5 C. The committee shall:

6 1. Oversee all audit functions of the legislature and state
7 agencies, including sunset, performance, special and financial audits,
8 special research requests and the preparation and introduction of
9 legislation resulting from audit report findings.

10 2. Appoint an auditor general subject to approval by a concurrent
11 resolution of the legislature and direct the auditor general to perform
12 all sunset, performance, special and financial audits and investigations.

13 3. Have the power of legislative subpoena in accordance with
14 article 4 of this chapter.

15 4. Require state agencies to comply with findings and directions of
16 the committee regarding sunset, performance, special and financial audits.

17 5. Perform all functions required by chapter 27 of this title
18 relating to the sunset review of state agencies.

19 Sec. 6. Section 41-1373, Arizona Revised Statutes, is amended to
20 read:

21 41-1373. Ombudsman-citizens aide selection committee

22 A. When there is a vacancy in the office of ombudsman-citizens
23 aide, or within twelve months before the expiration of the term of office,
24 the ombudsman-citizens aide selection committee is established consisting
25 of:

26 1. Two members of the senate appointed by the president of the
27 senate. ~~One member~~ MEMBERS shall be from ~~each~~ DIFFERENT political ~~party~~
28 ~~PARTIES~~.

29 2. Two members of the house of representatives appointed by the
30 speaker of the house of representatives. ~~One member~~ MEMBERS shall be from
31 ~~each~~ DIFFERENT political ~~party~~ PARTIES.

32 3. One public member who is appointed by the president of the
33 senate ~~and who represents a large business that is regulated by this~~
34 ~~state~~.

35 4. One public member who is appointed by the speaker of the house
36 of representatives ~~and who represents a small business that is regulated~~
37 ~~by this state~~.

38 5. Three members who are appointed by the governor and who
39 represent:

40 (a) A consumer group that is not regulated by this state.

41 (b) State employees who hold managerial positions.

42 (c) State employees who hold nonmanagerial positions.

43 B. The appointing officers shall appoint the members of the
44 committee when a vacancy occurs in the office of ombudsman-citizens
45 aide. The committee shall receive applications and nominate by a

1 two-thirds vote one candidate for ombudsman-citizens aide according to its
2 adopted procedures. The appointment of the ombudsman-citizens aide from
3 this nomination is ~~made~~ by passage of a bill on a roll call vote ~~of~~ BY
4 two-thirds of the membership of each house of the legislature. Membership
5 on the ombudsman-citizens aide selection committee expires when the
6 appointment is approved. If the governor disapproves the bill, ~~he~~ THE
7 GOVERNOR shall return it to the house in which it originated. If after
8 reconsideration, it again passes on a roll call vote of three-fourths of
9 the membership of each house of the legislature, it shall become law
10 notwithstanding the governor's objection.

11 C. Meetings of the committee are open to the public except for
12 meetings to interview candidates and to make preliminary choices among the
13 candidates. The meeting held to vote for the nominee is open to the
14 public.

15 D. The identity of all candidates shall be public.

16 E. Committee members are eligible to receive reimbursement of
17 expenses pursuant to title 38, chapter 4, article 2 but are not eligible
18 to receive compensation.

19 Sec. 7. Section 41-1502, Arizona Revised Statutes, is amended to
20 read:

21 41-1502. Arizona commerce authority; board of directors;
22 conduct of office; audit

23 A. The Arizona commerce authority is established. The mission of
24 the authority is to provide private sector leadership in growing and
25 diversifying the economy of this state, creating high quality employment
26 in this state through expansion, attraction and retention of businesses
27 and marketing this state for the purpose of expansion, attraction and
28 retention of businesses.

29 B. The authority is governed by a board of directors consisting of:

- 30 1. The governor, who serves as chairperson.
- 31 2. The chief executive officer.

32 3. ~~Seventeen~~ NINE private sector business leaders WHO ARE APPOINTED
33 BY THE GOVERNOR AND who are chief executive officers of private,
34 for-profit enterprises. None of these members may be an elected official
35 of any government entity. These members must be appointed from
36 geographically diverse areas of this state and not all from the same
37 county. These members shall serve staggered three-year terms of office
38 beginning and ending on the third Monday in January. ~~These members shall~~
39 ~~be appointed as follows:~~

40 ~~(a) Nine members who are appointed by the governor.~~

41 ~~(b) 4. Four members who are appointed by the president of the~~
42 senate. THESE MEMBERS SHALL SERVE STAGGERED THREE-YEAR TERMS OF OFFICE
43 BEGINNING AND ENDING ON THE THIRD MONDAY IN JANUARY.

1 ~~5.~~ 5. Four members who are appointed by the speaker of the house
2 of representatives. THESE MEMBERS SHALL SERVE STAGGERED THREE-YEAR TERMS
3 OF OFFICE BEGINNING AND ENDING ON THE THIRD MONDAY IN JANUARY.

4 ~~6.~~ 6. The following as ex officio members without the power to
5 vote:

6 (a) The president of the senate.
7 (b) The speaker of the house of representatives.
8 (c) The president of the Arizona board of regents.
9 (d) The president of each state university under the jurisdiction
10 of the Arizona board of regents.

11 (e) One president of a community college who is appointed by a
12 statewide organization of community college presidents.

13 (f) The chairperson of the governor's council on small business, or
14 its successor.

15 (g) The chairperson of the workforce Arizona council established by
16 executive order pursuant to section 41-5401.

17 (h) One member of the rural business development advisory council
18 established by section 41-1505 who is appointed by the governor.

19 (i) The president of a statewide organization of incorporated
20 cities and towns who is appointed by the governor.

21 (j) The president of a statewide organization of county boards of
22 supervisors who is appointed by the governor.

23 C. For members who are appointed by the governor pursuant to
24 subsection B of this section, before appointment by the governor, a
25 prospective member of the board of directors shall submit a full set of
26 fingerprints to the governor for the purpose of obtaining a state and
27 federal criminal records check pursuant to section 41-1750 and Public Law
28 92-544. The department of public safety may exchange this fingerprint
29 data with the federal bureau of investigation.

30 D. The following shall serve as technical advisors to the board to
31 enhance collaboration among state agencies to meet infrastructure needs
32 and facilitate growth opportunities throughout this state:

33 1. The director of environmental quality.

34 2. The state land commissioner.

35 3. The director of the department of revenue.

36 4. The director of the office of tourism.

37 5. The director of the department of transportation.

38 6. The director of water resources.

39 7. The director of the department of insurance and financial
40 institutions.

41 8. The director of the Arizona-Mexico commission in the governor's
42 office.

43 9. The director of the office of economic opportunity.

44 10. An attorney who is appointed jointly by the president of the
45 senate and the speaker of the house of representatives and who has

1 experience litigating constitutional cases involving article IX, section 7
2 of the Arizona Constitution.

3 E. The governor shall appoint a cochairperson of the board of
4 directors from among the voting members. The board may establish an
5 executive committee consisting of the chairperson, the cochairperson, the
6 chief executive officer and additional voting members of the board elected
7 by the board. The chairperson may appoint subcommittees as necessary.

8 F. The board may request assistance from representatives of other
9 state agencies to maximize economic development opportunities by
10 leveraging their access to strategic assets and planning processes.

11 G. Board members serve without compensation but are eligible for
12 reimbursement of expenses pursuant to section 41-1504, subsection E,
13 paragraph 1.

14 H. A majority of the voting members, which must include the
15 chairperson and the chief executive officer, constitute a quorum for the
16 purpose of an official meeting for conducting business. An affirmative
17 vote of a majority of the members present at an official meeting is
18 sufficient for any action to be taken.

19 I. The board shall keep and maintain a complete and accurate record
20 of all of its proceedings. Public access to the board's records is
21 subject to section 41-1504, subsection M. The public portion of board
22 meetings shall be recorded. These recordings shall be posted on the
23 authority's website within three business days after the meeting and shall
24 remain on the website pursuant to section 38-431.01, subsection K.

25 J. The board of directors, executive committee, subcommittees and
26 advisory councils are subject to title 38, chapter 3, article 3.1,
27 relating to public meetings, except as follows:

28 1. In addition to section 38-431.03, the board, executive committee
29 and subcommittees may meet in executive session for discussion about
30 potential business development opportunities and strategies that, if made
31 public, could potentially harm the applicant's, the potential applicant's
32 or this state's competitive position.

33 2. Social and travel events related to the expansion, attraction
34 and retention of businesses are not public meetings if no legal action
35 involving a final vote or decision is taken.

36 3. Activities and events held in public for the purpose of
37 announcing the expansion, attraction and retention of projects are not
38 public meetings.

39 K. The board and the officers and employees of the authority are
40 subject to title 38, chapter 3, article 8, relating to conflicts of
41 interest.

42 L. The board of directors shall adopt written policies, procedures
43 and guidelines for standards of conduct, including a gift policy, for
44 members of the board and for officers and employees of the authority.

1 M. The compensation of all officers and employees is considered a
2 public record pursuant to title 39, chapter 1.

3 N. The authority shall operate on the state fiscal year. The board
4 shall cause an annual audit to be conducted on or before October 31 of
5 each of the authority's public funds established by this chapter by an
6 independent certified public accountant. The board shall immediately file
7 a certified copy of the audit with the auditor general. The auditor
8 general may make such further audits and examinations as necessary and may
9 take appropriate action relating to the audit or examination pursuant to
10 chapter 7, article 10.1 of this title. If the auditor general takes no
11 further action within thirty days after the audit is filed, the audit is
12 considered to be sufficient.

13 O. All state agencies shall cooperate with the authority and make
14 available data pertaining to the functions of the authority as requested
15 by the authority.

16 P. The authority may not have more than one hundred full-time
17 employees, excluding any full-time employees that are funded with monies
18 other than state monies.

19 Sec. 8. Section 45-2103, Arizona Revised Statutes, is amended to
20 read:

21 45-2103. Arizona water protection fund commission

22 A. The Arizona water protection fund commission is established and
23 consists of two ex officio members, two advisory members and nine
24 appointed members who are residents of this state, ~~who have demonstrated~~
25 ~~an interest in natural resources~~ and who are appointed as follows:

26 1. One person who represents a multi-county water conservation
27 district established pursuant to title 48, chapter 22 and named by that
28 district's governing board.

29 2. One person who represents a state association of natural
30 resource conservation districts and who is appointed by the governor.

31 3. Four persons ~~who represent natural resource conservation~~
32 ~~districts established pursuant to title 41, chapter 58, and who represent~~
33 ~~geographically diverse areas of this state~~, two of whom ~~shall be~~ ARE
34 appointed by the president of the senate and two of whom are appointed by
35 the speaker of the house of representatives.

36 4. One member of the public who has at least a bachelor's degree in
37 hydrology, who represents a city that is served by the central Arizona
38 project and who is appointed by the governor.

39 5. One person who is knowledgeable in natural resource conservation
40 issues or in water resource issues related to riparian ecosystems, who
41 represents an agricultural improvement district established pursuant to
42 title 48, chapter 17 and who is appointed by the governor.

43 6. One person who represents an Indian tribe and who is appointed
44 by the chairman of the inter tribal council of Arizona.

1 7. As nonvoting ex officio members, the director of the department
2 of water resources and the state land commissioner.

3 8. As nonvoting advisory members, one member of the house of
4 representatives who is appointed by the speaker of the house of
5 representatives and one member of the senate who is appointed by the
6 president of the senate. Advisory members may not be considered for
7 purposes of establishing a quorum.

8 B. Members of the commission appointed pursuant to subsection A,
9 paragraphs 1 through 6 of this section shall be appointed for staggered
10 terms of three years. A member may serve more than one term and may
11 continue to serve beyond the expiration of the term until a successor is
12 appointed and assumes office.

13 C. On request, members who are not ex officio members of the
14 commission are eligible to receive compensation pursuant to section
15 38-611, not to exceed \$3,000 in any calendar year, and are eligible for
16 reimbursement for expenses pursuant to title 38, chapter 4, article 2.

17 D. Members of the commission are immune from liability for any
18 action necessary to carry out the purposes of this chapter.

19 Sec. 9. Section 48-6203, Arizona Revised Statutes, is amended to
20 read:

21 48-6203. Board of directors

22 A. The district is governed by a board of directors consisting of
23 the following members:

24 1. For a district that is formed by a city and a county, one member
25 of the governing body of the city participating in establishing the
26 district, elected by the governing body. If a county does not participate
27 in establishing the district, the city shall elect two members of its
28 governing body to be members of the board of directors of the district.

29 2. For a district that is formed by a city and a county, one member
30 of the governing body of the county participating in establishing the
31 district, elected by the governing body. If a city does not participate
32 in establishing the district, the county shall elect two members of its
33 governing body to be members of the board of directors of the district.

34 3. One member of the general public ~~who resides in the city or~~
35 ~~county in which the district is located~~, WHO IS appointed by the speaker
36 of the house of representatives.

37 4. One member of the general public ~~who resides in the city or~~
38 ~~county in which the district is located~~, WHO IS appointed by the president
39 of the senate.

40 B. Members of the board of directors who also serve on the
41 governing body of a city or county establishing the district serve during
42 their terms of office on the governing body of the city or county, unless
43 a successor is earlier elected by the respective governing body to replace
44 the member for any reason. Other members of the board of directors shall
45 serve four-year terms.

1 C. Members are not eligible for compensation for service on the
2 board of directors.

3 Sec. 10. Section 48-6416, Arizona Revised Statutes, is amended to
4 read:

5 48-6416. Organizing board; upper San Pedro water district;
6 membership; authority; formation election

7 A. The organizing board for the upper San Pedro water district is
8 established consisting of the following persons:

9 1. Five members who are appointed by the governor and who are
10 qualified electors of the proposed district, one of whom may represent a
11 city that is located in the proposed district and that has a population of
12 thirty-five thousand persons or more, one of whom may represent a city
13 that is located in the proposed district and that has a population of less
14 than thirty-five thousand persons, one of whom may represent a
15 conservation organization that has been involved in the upper San Pedro
16 partnership of agencies and entities that is recognized under federal law,
17 one of whom may represent an investor-owned utility and one of whom may
18 represent retired military personnel or a military support organization.

19 2. Two members appointed by the president of the senate and two
20 members appointed by the speaker of the house of representatives. ~~These~~
21 ~~members shall be qualified electors of the proposed district and shall~~
22 ~~have an interest in one or more of the communities in the proposed~~
23 ~~district and may include persons representing a city, town or county, a~~
24 ~~resource based business or a natural resource conservation district or~~
25 ~~other persons who have personal, business or professional interests in the~~
26 ~~district.~~

27 B. The organizing board of the district shall prepare and provide
28 to the public the following:

29 1. A detailed plan of organization for the upper San Pedro water
30 district.

31 2. A financial plan by which adequate revenues will be generated to
32 support the district's activities. The organizing board of the district
33 may recommend a rate of taxation to the elected board but the organizing
34 board shall not set the rate of any tax.

35 3. A comprehensive plan for the conservation, reuse, recharge and
36 augmentation of water in the district designed to achieve the goal of the
37 district. The plan shall include measurable objectives to be met by the
38 district not later than ten years after the district is established. The
39 organizing board shall consult with the director of water resources when
40 developing the plan.

41 4. An election plan for the district that includes an election for
42 the formation of the district, an election for members of the board of
43 directors of the district, if formation is approved, and approval of and
44 authority for the district to generate revenue pursuant to section
45 48-6406. The election may be called by the county board of supervisors at

1 the next regular general election or on a date prescribed in section
2 16-204 before or after the next general election date. The election plan
3 shall include proposed ballot language that is sufficiently detailed to
4 inform the voters of the powers and duties of the proposed district board
5 of directors, including the organization of the district, the water
6 management goal and the revenue generating authority of the proposed
7 district.

8 C. The organizing board of the district shall cooperate with other
9 government entities and agencies in the area of the proposed district,
10 including the department, and may enter into intergovernmental agreements
11 with those entities before and without regard to formation of any
12 district, but the organizing board may not legally or financially bind the
13 district.

14 D. The organizing board of the district is a public body that is
15 subject to title 38, chapter 3, article 3.1 relating to open meetings.

16 E. If the district is established, the organizing board of the
17 district shall serve until an elected board of directors is qualified and
18 begins serving, but the organizing board may not assess, levy or collect a
19 tax.

20 F. The county attorney for the county may advise or represent the
21 organizing board on matters within the board's authority under this
22 chapter if the county attorney determines that the advice or
23 representation is appropriate and not in conflict with the county
24 attorney's duties under section 11-532.

25 G. If the district is not established within five years after the
26 effective date of this section, the authority of the organizing board is
27 terminated and any intergovernmental agreements executed by the organizing
28 board are terminated.

29 Sec. 11. Section 49-456, Arizona Revised Statutes, is amended to
30 read:

31 49-456. Technical assistance for small business: compliance
32 advisory panel

33 A. After reasonable notice and a public hearing, the director
34 shall submit to the administrator a plan establishing a small business
35 stationary source technical and compliance assistance program consistent
36 with and equivalent to the plan required under section 507 of the clean
37 air act.

38 B. A compliance advisory panel is established consisting of seven
39 members who are appointed for staggered five-year terms as follows:

40 1. Two members who are appointed by the governor to represent the
41 general public and who are not owners or representatives of owners of
42 small business stationary sources.

43 2. Two members who are appointed by the speaker of the house of
44 representatives ~~and who are owners or who represent owners of small~~
45 ~~business stationary sources~~.

1 3. Two members who are appointed by the president of the senate ~~and~~
2 ~~who are owners or who represent owners of small business stationary~~
3 ~~sources~~.

4 4. One member who is appointed by the director of the department of
5 environmental quality to represent the department.

6 C. The panel shall:

7 1. Advise the director on the effectiveness of the small business
8 stationary source technical and environmental compliance assistance
9 program operated pursuant to this section and any such program operated by
10 a county, including the identification of difficulties encountered and the
11 degree and severity of enforcement.

12 2. Make periodic reports to the director and administrator
13 concerning the compliance of the small business stationary source
14 technical and environmental compliance assistance program operated
15 pursuant to this section and any such program operated by a county with
16 the requirements of the paperwork reduction act (P.L. 96-511; 20 United
17 States Code section 1221), the regulatory flexibility act (P.L. 96-354; 5
18 United States Code section 601) and the equal access to justice act (P.L.
19 96-481; 5 United States Code section 504).

20 3. Review information developed by the department and any county
21 for small business stationary sources to assure that the information is
22 understandable by the general public and advise the director of its
23 findings.

24 4. Have staff from the small business stationary source technical
25 and environmental compliance assistance program to develop and disseminate
26 reports and advisory opinions.