

Senate Engrossed

State of Arizona  
Senate  
Forty-seventh Legislature  
First Regular Session  
2005

CHAPTER 24

## SENATE BILL 1018

AN ACT

AMENDING SECTIONS 10-127, 10-3127, 40-105 AND 40-106, ARIZONA REVISED STATUTES; REPEALING SECTION 40-108, ARIZONA REVISED STATUTES, AS AMENDED BY LAWS 2001, CHAPTER 238, SECTION 8; REPEALING SECTION 40-401, ARIZONA REVISED STATUTES, AS AMENDED BY LAWS 2001, CHAPTER 238, SECTION 9; RELATING TO THE ARIZONA CORPORATION COMMISSION.

(TEXT OF BILL BEGINS ON NEXT PAGE)



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

2 Section 1. Section 10-127, Arizona Revised Statutes, is amended to  
3 read:

4 10-127. Evidentiary effect of copy of filed document

5 A stamp affixed to a copy of a document filed by the commission,  
6 bearing the signature of the executive ~~secretary~~ DIRECTOR of the commission,  
7 which may be in facsimile, and the seal of the commission, is conclusive  
8 evidence that the original document is on file with the commission.

9 Sec. 2. Section 10-3127, Arizona Revised Statutes, is amended to read:

10 10-3127. Evidentiary effect of copy of filed document

11 A stamp affixed to a copy of a document filed by the commission,  
12 bearing the signature of the executive ~~secretary~~ DIRECTOR of the commission,  
13 which may be in facsimile, and the seal of the commission, is conclusive  
14 evidence that the original document is on file with the commission.

15 Sec. 3. Section 40-105, Arizona Revised Statutes, is amended to read:

16 40-105. Executive director; appointment; powers and duties

17 A. The corporation commission shall appoint an executive ~~secretary~~  
18 DIRECTOR, who shall have the power to serve warrants and other process in any  
19 county of the state.

20 B. The executive ~~secretary~~ DIRECTOR shall if directed by the  
21 commission:

22 1. Keep a record of all proceedings of the commission, issue necessary  
23 writs, warrants and notices, and perform other duties the commission  
24 prescribes.

25 2. Supervise and administer the overall activities of the commission  
26 divisions and employees.

27 3. Employ experts, engineers, statisticians, accountants, inspectors  
28 and employees necessary to perform the duties and exercise the powers of the  
29 commission.

30 4. Make and submit to the governor and legislature an annual report  
31 containing a complete account of the commission's transactions and  
32 proceedings for the preceding fiscal year, together with other facts,  
33 suggestions and recommendations of value to the people of this state.

34 C. The executive ~~secretary~~ DIRECTOR may if directed by the commission:

35 1. Act as the authorized officer of the commission when performing  
36 duties necessary for processing rules adopted by the commission.

37 2. Contract for the services of outside advisers, consultants and  
38 aides reasonably necessary or desirable to enable the commission to  
39 adequately perform its duties.

40 3. Contract and incur obligations reasonably necessary or desirable  
41 within the scope of commission activities and operations to enable the  
42 commission to adequately perform its duties.

43 4. Use monies, facilities or services to provide matching  
44 contributions for other governmental programs which further the objectives  
45 and programs of the commission.

1           5. Employ attorneys to represent the commission and each commissioner  
2 as provided in section 40-106.

3           6. Establish accounts for the purpose of receiving and expending  
4 monies for educational and safety programs within the scope of the duties of  
5 the commission.

6           Sec. 4. Section 40-106, Arizona Revised Statutes, is amended to read:  
7           40-106. Legal services

8           A. The attorney general shall be attorney for the securities division  
9 of the commission and the commission for matters arising out of securities  
10 division activity. At the commission's discretion, the attorneys employed by  
11 the securities division may represent the commission in administrative and  
12 civil matters arising under title 44, chapter 12 or 13.

13           B. The executive ~~secretary~~ DIRECTOR of the commission may employ  
14 attorneys to represent the commission and each commissioner, in regard to  
15 matters in connection with the other powers and duties of the commission.

16           Sec. 5. Repeal

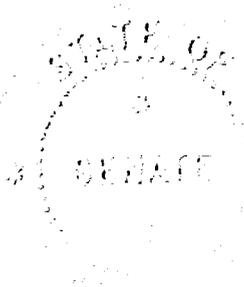
17           The following are repealed:

18           1. Section 40-108, Arizona Revised Statutes, as amended by Laws 2001,  
19 chapter 238, section 8.

20           2. Section 40-401, Arizona Revised Statutes, as amended by Laws 2001,  
21 chapter 238, section 9.

APPROVED BY THE GOVERNOR APRIL 5, 2005.

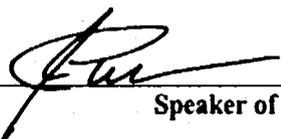
FILED IN THE OFFICE OF THE SECRETARY OF STATE APRIL 5, 2005.



Passed the House March 29, 20 05,

by the following vote: 52 Ayes,

2 Nays, 6 Not Voting



Speaker of the House



ASST Chief Clerk of the House

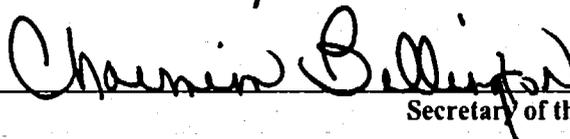
Passed the Senate January 20, 20 05,

by the following vote: 28 Ayes,

0 Nays, 2 Not Voting



President of the Senate



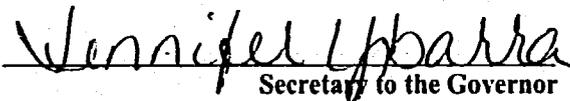
Secretary of the Senate

EXECUTIVE DEPARTMENT OF ARIZONA  
OFFICE OF GOVERNOR

This Bill was received by the Governor this

30th day of March, 20 05,

at 1:41 o'clock P. M.



Secretary to the Governor

Approved this 5 day of

April, 20 05,

at 8:25 o'clock A. M.



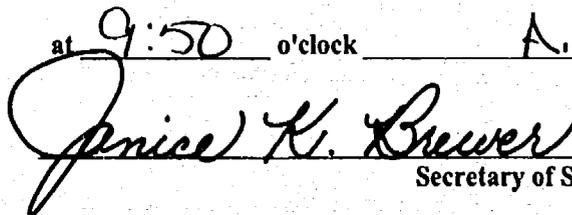
Governor of Arizona

EXECUTIVE DEPARTMENT OF ARIZONA  
OFFICE OF SECRETARY OF STATE

This Bill was received by the Secretary of State

this 5 day of April, 20 05,

at 9:50 o'clock A. M.



Secretary of State

S.B. 1018