

Senate Engrossed  
**FILED**  
**KEN BENNETT**  
**SECRETARY OF STATE**

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

CHAPTER 22

# **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, NEGLECT 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.

APPROVED BY THE GOVERNOR APRIL 7, 2010.

FILED IN THE OFFICE OF THE SECRETARY OF STATE APRIL 7, 2010.

Passed the House March 25, 2010,

by the following vote: 36 Ayes,

19 Nays, 5 Not Voting

[Signature]  
Speaker of the House

Cheryl Laube  
Chief Clerk of the House

*On Reconsideration*  
Passed the Senate March 18, 2010,

by the following vote: 16 Ayes,

7 Nays, 1 Not Voting

[Signature]  
President of the Senate

[Signature]  
Secretary of the Senate

EXECUTIVE DEPARTMENT OF ARIZONA  
OFFICE OF GOVERNOR

This Bill was received by the Governor this  
15<sup>th</sup> day of April, 2010.

at 2:25 o'clock P. M.

[Signature]  
Secretary to the Governor

Approved this 7<sup>th</sup> day of

April, 2010,

at 7:51 o'clock A. M.

[Signature]  
Governor of Arizona

EXECUTIVE DEPARTMENT OF ARIZONA  
OFFICE OF SECRETARY OF STATE

This Bill was received by the Secretary of State  
this 7<sup>th</sup> day of April, 2010,

at 11:20 o'clock A. M.

[Signature]  
Secretary of State

S.B. 1200