Senate Engrossed

FILED
KEN BENNETT
SECRETARY OF STATE

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

CHAPTER 237

SENATE BILL 1081

AN ACT

AMENDING TITLE 12, CHAPTER 1, ARTICLE 2, ARIZONA REVISED STATUTES, BY ADDING SECTION 12-131; RELATING TO THE COMMISSION ON TRIAL COURT APPOINTMENTS.

(TEXT OF BILL BEGINS ON NEXT PAGE)

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

Section 1. Title 12, chapter 1, article 2, Arizona Revised Statutes, is amended by adding section 12-131, to read:

12-131. Commission on trial court appointments; notification; appointment of nonattorney member; time limits

A. AT LEAST NINETY DAYS BEFORE A TERM OF A NONATTORNEY MEMBER ON A COMMISSION ON TRIAL COURT APPOINTMENTS EXPIRES THE COMMISSION SHALL NOTIFY THE MEMBER OF THE BOARD OF SUPERVISORS FROM THE DISTRICT IN WHICH THE VACANCY WILL OCCUR OF THAT VACANCY.

B. PURSUANT TO ARTICLE VI, SECTION 41, CONSTITUTION OF ARIZONA AT LEAST NINETY DAYS BEFORE A TERM OF A NONATTORNEY MEMBER ON A COMMISSION ON TRIAL COURT APPOINTMENTS EXPIRES OR WITHIN TWENTY-ONE DAYS OF A VACANCY OCCURRING FOR A NONATTORNEY MEMBER ON THE COMMISSION FOR TRIAL COURT APPOINTMENTS, THE MEMBER OF THE BOARD OF SUPERVISORS FROM THE DISTRICT IN WHICH THE VACANCY HAS OCCURRED SHALL APPOINT A NOMINATING COMMITTEE OF SEVEN MEMBERS WHO RESIDE IN THE DISTRICT, NOT MORE THAN FOUR OF WHOM MAY BE FROM THE SAME POLITICAL PARTY. THE MAKE UP OF THE NOMINATING COMMITTEE SHALL TO THE EXTENT FEASIBLE, REFLECT THE DIVERSITY OF THE POPULATION OF THE DISTRICT. NOMINATING COMMITTEE MEMBERS SHALL NOT BE ATTORNEYS AND SHALL NOT HOLD ANY GOVERNMENTAL OFFICE, ELECTIVE OR APPOINTIVE, FOR PROFIT.

C. THE NOMINATING COMMITTEE, WITHIN TWENTY DAYS AFTER BEING APPOINTED, SHALL PROVIDE PUBLIC NOTICE THAT A VACANCY EXISTS AND SHALL SOLICIT APPLICATIONS.

D. THE NOMINATING COMMITTEE, WITHIN SIXTY DAYS AFTER PROVIDING PUBLIC NOTICE THAT A VACANCY EXISTS, SHALL REVIEW THE APPLICATIONS AND FORWARD TO THE GOVERNOR ALL APPLICATIONS ALONG WITH THE COMMITTEE'S RECOMMENDATIONS FOR APPOINTMENT.

E. PURSUANT TO SECTION 38-211, THE GOVERNOR MAY APPOINT A NONATTORNEY MEMBER TO A COMMISSION ON TRIAL COURT APPOINTMENTS WITHOUT BEING FORWARDED AN APPLICATION FROM A NOMINATING COMMITTEE IF ANY OF THE FOLLOWING APPLIES:

1. A MEMBER OF THE BOARD OF SUPERVISORS DOES NOT APPOINT A NOMINATING COMMITTEE WITHIN TWENTY-ONE DAYS OF A VACANCY OCCURRING FOR A NONATTORNEY MEMBER ON THE COMMISSION ON TRIAL COURT APPOINTMENTS.

2. THE NOMINATING COMMITTEE DOES NOT PROVIDE PUBLIC NOTICE THAT A VACANCY EXISTS ON THE COMMISSION ON TRIAL COURT APPOINTMENTS WITHIN TWENTY DAYS OF APPOINTMENT.

3. THE NOMINATING COMMITTEE DOES NOT FORWARD ALL APPLICATIONS TO THE GOVERNOR WITHIN SIXTY DAYS OF PROVIDING PUBLIC NOTICE THAT A VACANCY EXISTS.

APPROVED BY THE GOVERNOR MAY 6, 2010.

FILED IN THE OFFICE OF THE SECRETARY OF STATE MAY 6, 2010.

Passed the House April 28, 2010,

by the following vote: 58 Ayes,

0 Nays, 2 Not Voting

Speaker of the House

Pro Tempore

Cheryl Laube

Chief Clerk of the House

Passed the Senate March 22, 2010,

by the following vote: 29 Ayes,

0 Nays, 1 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

29 day of April, 2010

at 10:10 o'clock A. M.

Secretary to the Governor

Approved this 6 day of

May, 2010,

at 10:15 o'clock A. M.

Janice K. Brewer

Governor of Arizona

EXECUTIVE DEPARTMENT OF ARIZONA
OFFICE OF SECRETARY OF STATE

This Bill was received by the Secretary of State

this 6th day of May, 2010,

at 3:08 o'clock P M.

Ken Bennett

Secretary of State

S.B. 1081