

REFERENCE TITLE: State Officers - Appointment

State of Arizona
Senate
Thirtieth Legislature
Second Regular Session

S. B. 1133

Introduced by Sen. Robert

AN ACT

RELATING TO PUBLIC OFFICERS AND EMPLOYEES; PRESCRIBING PROCEDURES FOR THE NOMINATION AND APPOINTMENT OF STATE OFFICERS REQUIRING CONSENT OF THE SENATE; ELIMINATING THE REQUIREMENT OF SENATE CONSENT FOR THE APPOINTMENT OF CERTAIN STATE OFFICERS; AMENDING SECTIONS 38-211, 38-291, 2-121, 3-101, 3-602, 3-709, 4-111, 5-102, 5-223, 6-111, 15-101.01, 15-656, 15-721, 17-201, 18-102, 20-141, 23-101, 23-641, 24-102, 24-151, 26-305, 27-514, 30-105, 30-653, AS AMENDED BY LAWS 1970, CHAPTER 70, SECTION 3, 31-401, 32-1302, 32-1702, 32-1902, 32-2002, 32-2062, 32-2104, 32-2304, 36-102, 36-122, 36-203, 36-553, 36-1704, 37-131, 37-213, 38-742, 38-847, 38-848, 38-902, 41-502, 41-511, 41-591, 41-602, 41-971, 41-1401, 41-1603, 41-1711, 41-1821, 42-122, 42-141, 42-1504, 44-2111, 45-502, 46-111, 46-261.09 AND 46-501, ARIZONA REVISED STATUTES, AND REPEALING SECTION 30-653, ARIZONA REVISED STATUTES, AS AMENDED BY LAWS 1970, CHAPTER 204, SECTION 87.

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

2 Section 1. Section 38-211, Arizona Revised Statutes, is amended
3 to read:

4 38-211. Nominations by governor; consent of senate;
5 appointment

6 A. WHEN IT IS PROVIDED BY LAW THAT A STATE OFFICER SHALL BE
7 APPOINTED PURSUANT TO THIS SECTION, THE GOVERNOR SHALL NOMINATE AND
8 WITH THE CONSENT OF THE SENATE APPOINT SUCH OFFICER AS PRESCRIBED
9 IN THIS SECTION.

10 B. IF THE TERM OF ANY STATE OFFICE WHICH IS APPOINTIVE PUR-
11 SUANT TO THIS SECTION EXPIRES, BEGINS OR BECOMES VACANT DURING A

1 REGULAR LEGISLATIVE SESSION, THE GOVERNOR SHALL DURING SUCH SESSION
2 NOMINATE A PERSON WHO MEETS THE REQUIREMENTS OF LAW FOR SUCH OFFICE,
3 AND SHALL TRANSMIT HIS NOMINATION TO THE PRESIDENT OF THE SENATE
4 FORTHWITH. IF THE SENATE CONSENTS TO THE NOMINATION PRIOR TO THE
5 END OF SUCH SESSION, THE GOVERNOR SHALL THEN APPOINT THE NOMINEE TO
6 SERVE FOR THE TERM, OR, IN THE CASE OF A VACANCY, FOR THE UNEXPIRED
7 TERM IN WHICH THE VACANCY OCCURRED. IF THE SENATE, DURING SUCH LEG-
8 ISLATIVE SESSION, REJECTS THE NOMINATION, OR TAKES NO FORMAL ACTION
9 UPON THE NOMINATION, THE NOMINEE SHALL NOT BE APPOINTED AND THE GOV-
10 ERNOR SHALL NOMINATE ANOTHER PERSON WHO MEETS THE REQUIREMENTS FOR
11 SUCH OFFICE AS SOON THEREAFTER AS IS PRACTICABLE.

12 C. IF THE TERM OF ANY STATE OFFICE WHICH IS APPOINTIVE PURSUANT
13 TO THIS SECTION EXPIRES, BEGINS OR BECOMES VACANT DURING A TIME IN
14 WHICH THE LEGISLATURE IS NOT IN REGULAR SESSION, THE GOVERNOR SHALL
15 NOMINATE A PERSON WHO MEETS THE REQUIREMENTS OF LAW FOR SUCH OFFICE
16 AND SHALL TRANSMIT HIS NOMINATION TO THE PRESIDENT OF THE SENATE
17 DURING THE FIRST WEEK OF THE NEXT REGULAR SESSION. THEREAFTER THE
18 PROCEDURES SHALL BE THE SAME AS PROVIDED IN SUBSECTION B OF THIS
19 SECTION FOR NOMINATION, CONSENT, REJECTION, FAILURE OF THE SENATE TO
20 TAKE FORMAL ACTION AND APPOINTMENT.

21 D. A NOMINEE FOR AN OFFICE FOR WHICH THE TERM OF THE LAWFULLY
22 APPOINTED INCUMBENT OFFICER HAS EXPIRED MAY NOT SERVE IN SUCH OFFICE
23 PRIOR TO THE CONSENT OF THE SENATE AND SUBSEQUENT APPOINTMENT BY THE
24 GOVERNOR, SO LONG AS THE INCUMBENT SHALL CONTINUE TO HOLD OFFICE AND
25 SERVE PURSUANT TO SECTION 38-295. IN ALL OTHER CASES A NOMINEE FOR
26 OFFICE SHALL BEGIN TO DISCHARGE THE DUTIES OF SUCH OFFICE IMMEDIATELY
27 UPON BEING NOMINATED BY THE GOVERNOR AND SUBJECT TO TERMINATION OF
28 SUCH AUTHORITY IN THE EVENT OF REJECTION OF THE NOMINATION BY THE
29 SENATE OR IN THE EVENT THE SENATE FAILS TO TAKE FORMAL ACTION AS PRO-
30 VIDED IN THIS SECTION.

31 E. NOTWITHSTANDING ANY PROVISION OF LAW TO THE CONTRARY, ALL
32 TERMS OF OFFICERS APPOINTIVE PURSUANT TO SUBSECTION A WHICH ARE IN
33 EFFECT ON THE EFFECTIVE DATE OF THIS SECTION SHALL EXPIRE ON THE

1 THIRD MONDAY IN JANUARY IN THE YEAR IN WHICH SUCH TERM WOULD OTHERWISE
2 HAVE EXPIRED. THEREAFTER, THE TERMS OF SUCH APPOINTIVE OFFICES SHALL
3 BEGIN AND EXPIRE ON THE THIRD MONDAY IN JANUARY OF THE APPROPRIATE YEAR
4 BASED ON THE LENGTH OF TERM PROVIDED BY LAW.

5 A. F. Nominations made by the governor shall be in writing,
6 designating the residence of the nominee and the office for which he
7 is appointed NOMINATED.

8 B. G. When the senate ~~consents-in~~ CONSENTS TO a nomination,
9 its secretary shall deliver a copy of the resolution of ~~consentance~~
10 CONSENT, certified by the president of the senate, to the secretary of
11 state, who shall notify the governor thereof.

12 Sec. 2. Section 38-291, Arizona Revised Statutes, is amended
13 to read:

14 38-291. Vacancy defined

15 An office shall be deemed vacant from and after the occurrence
16 of any of the following events before the expiration of a term of
17 office:

18 1. Death.

19 2. Insanity, when judicially determined.

20 3. Resignation and the lawful acceptance thereof.

21 4. Removal from office.

22 5. Ceasing to be a resident of the state, or, if the office
23 is local, of the district, county, city, town or precinct for which
24 he was elected or appointed, or within which the duties of his office
25 are required to be discharged.

26 6. Absence from the state, without permission of the legisla-
27 ture, beyond the period of three consecutive months.

28 7. Ceasing to discharge the duties of office for the period
29 of three consecutive months. ~~except when prevented by sickness or~~
30 ~~when absent from the state by permission of the legislature.~~

31 8. Conviction of a felony or an offense involving a violation
32 of his official duties.

33 9 Failure of the person elected or appointed to such office
34 to file his official oath or bond within the time prescribed by law.

1 10. Decision of a competent tribunal declaring void his elec-
2 tion or appointment.

3 Sec. 3. Section 2-121, Arizona Revised Statutes, is amended
4 to read:

5 2-121. Aeronautics board; members; appointment; terms;
6 chairman; compensation

7 A. The aeronautics board shall be composed of seven persons
8 appointed by the governor, ~~with the advice and consent of the senate,~~
9 PURSUANT TO SECTION 38-211. The members shall be selected on the basis
10 of experience and interest in aviation, with not more than two members
11 of the board being residents of any one county.

12 ~~B. Appointments to fill vacancies on the board shall be filled~~
13 ~~by the governor only with persons qualified pursuant to subsection A~~
14 ~~of this section and such appointments shall be for a term of five years.~~
15 ~~In the event of a vacancy caused other than by expiration of term, the~~
16 ~~appointment shall be for the unexpired term only.~~

17 B. APPOINTMENTS MADE PURSUANT TO SUBSECTION A OF THIS SECTION
18 SHALL BE FOR A TERM OF FIVE YEARS AND SHALL EXPIRE ON THE THIRD MONDAY
19 IN JANUARY OF THE FIFTH YEAR.

20 C. The board shall elect a chairman from its membership. The
21 chairman shall preside at meetings of the board and shall be respon-
22 sible for keeping a complete record of meetings of the board.

23 D. Each member of the board shall receive compensation as de-
24 termined pursuant to section 38-611 for each day that he is necessarily
25 employed in the discharge of his duties.

26 Sec. 4. Section 3-101, Arizona Revised Statutes, is amended
27 to read:

28 3-101. Commission; members; qualifications; terms;
29 oath and bond; compensation

30 A. There shall be an Arizona commission of agriculture and
31 horticulture consisting of three members appointed by the governor
32 ~~with the advice and consent of the senate~~ PURSUANT TO SECTION 38-211
33 for terms of six years. The term of one member shall expire June 30
34 ON THE THIRD MONDAY IN JANUARY each even-numbered year. Each member

1 shall be a qualified elector, the owner of either a commercial orchard
2 or otherwise improved agricultural land within the state and his prin-
3 cipal occupation and business shall be fruit growing or farming. One
4 member shall be identified with the cotton-growing industry. If a
5 member ceases to possess any of such qualifications his office shall
6 be automatically vacated. A commissioner may be removed by the gover-
7 nor for cause. Appointment to fill a vacancy caused other than by
8 expiration of term shall be for the unexpired portion thereof.

9 B. The chairman of the commission shall receive a salary as
10 determined pursuant to section 38-611. For attendance at meetings,
11 the other members shall receive compensation as determined pursuant
12 to section 38-611, but they shall not be paid for more than sixty
13 days attendance per annum.

14 Sec. 5. Section 3-602, Arizona Revised Statutes, is amended
15 to read:

16 3-602. State dairy commissioner; terms; qualifications;
17 salary; chief deputy and deputies

18 A. A state dairy commissioner shall be appointed by the governor.
19 ~~with-the-advice-and-consent-of-the-senate.~~ The term of office of the
20 commissioner shall be for two years and shall expire on February 1 of
21 every odd-numbered year. The commissioner shall be a person experienced
22 in the dairy industry and possessed of technical and educational quali-
23 fications or practical experience in the production, handling and test-
24 ing of milk, and in other matters relating to the dairy industry. The
25 commissioner shall qualify by taking and filing the official oath of
26 office. He shall devote full time to the duties of the office and
27 shall receive compensation in an amount as determined pursuant to
28 section 38-611.

29 B. The commissioner may appoint a chief deputy who shall re-
30 ceive a salary as determined pursuant to section 38-611, and such
31 additional deputies as he deems necessary who shall receive a salary
32 as determined pursuant to section 38-611. Each deputy shall qualify
33 by taking and filing the oath of office.

1 Sec. 6. Section 3-709, Arizona Revised Statutes, is amended
2 to read:

3 3-709. State egg inspection board; appointment;
4 qualifications; appointment of state egg
5 inspector; qualifications; salary; employees
6 and deputies; duties; reports

7 A. There is established a state egg inspection board composed of
8 five members. The Arizona poultry federation board of directors shall
9 recommend a list of qualified persons for each vacancy and one shall
10 be appointed by the governor. ~~with the advice and consent of the senate.~~
11 Members shall be residents of this state. They shall be selected on the
12 basis of their knowledge, technical or educational qualifications, or
13 practical experience in the production or distribution of eggs or egg
14 products and shall at the time of their appointment be actually engaged
15 in the production or wholesale distribution of egg or egg products.

16 B. Of the members first appointed one shall serve for a term
17 to expire February 1, 1969, and one each for terms expiring one, two,
18 three and four years thereafter. Succeeding members shall be appointed
19 for terms of five years. The member having the shortest term remain-
20 ing shall act as chairman. A vacancy caused by other than expiration
21 of a term shall be filled in the same manner as described in subsection
22 A of this section, by the governor for the unexpired term. ~~subject to~~
23 ~~confirmation by the senate.~~

24 C. Regular meetings shall be held at least quarterly at such
25 place as the chairman shall determine. Special meetings may be called
26 by the chairman or by a majority of the board. A majority of the mem-
27 bers shall constitute a quorum to transact business. Members of the
28 board shall receive no salary and are not eligible to claim reimburse-
29 ment for travel or any other expenses.

30 D. The board shall appoint the state egg inspector. The in-
31 specter shall qualify by taking and filing the official oath of office.
32 He shall be possessed of not less than three years' experience in the
33 production, sale and determining of standards and grades of eggs. He
34 shall be possessed of technical and educational qualifications or

1 practical experience in the handling and inspection of eggs, and in all
2 matters relating to the egg industry. He shall provide administrative,
3 secretarial and office services required. He shall devote full time to
4 the duties of the office and shall receive an annual salary as deter-
5 mined pursuant to section 38-611.

6 E. The inspector with the approval of the board may appoint one
7 chief deputy and such additional deputies as he deems necessary within
8 the limitation of funds authorized therefor. Each deputy shall qualify
9 by taking and filing the oath of office.

10 F. The duties of inspectors shall be to inspect, weigh and ex-
11 amine dried eggs, frozen eggs and eggs in the shell being advertised
12 or offered for sale to determine the condition, quality, grade and
13 weight thereof. They may examine records of a person advertising or
14 offering for sale eggs or egg products. They shall enforce the provi-
15 sions of this article and other laws relating to the sale of eggs under
16 the supervision and direction of the board.

17 G. The board shall keep a record of all activities, receipts
18 and expenditures of the office. Not later than September 1 each year
19 it shall make a written report to the governor of business transacted
20 by the office during the preceding fiscal year.

21 Sec. 7. Section 4-111, Arizona Revised Statutes, is amended
22 to read:

23 4-111. State liquor board; department of liquor licenses
24 and control; members of board; superintendent;
25 appointment and removal

26 A. There is created the department of liquor licenses and con-
27 trol which shall consist of the state liquor board and the office of
28 superintendent of the department.

29 B. The board shall consist of three members to be appointed by
30 the governor ~~by-and-with-the-consent-of-the-senate~~ PURSUANT TO SECTION
31 38-211. Of the members first appointed, one shall serve for three
32 years, one for two years, and one for one year. Thereafter, the term
33 of members shall be for three years. ~~Any-vacancy-on-the-board-shall-be~~
34 ~~filled-by-appointment-by-the-governor-by-and-with-the-consent-of-the~~

1 senate. THE TERM OF ONE MEMBER SHALL EXPIRE ON THE THIRD MONDAY IN
2 JANUARY EACH YEAR. The governor may remove any member of the board
3 for cause.

4 C. The member whose term next expires shall act as chairman and
5 the member whose term next expires after that of the chairman shall act
6 as vice-chairman. A majority of the board shall constitute a quorum,
7 but no decision of the board on any matter shall be valid unless made
8 upon the concurrence of a majority of the members.

9 D. Members of the board shall receive compensation as determined
10 pursuant to section 38-611 for each day while engaged in the business
11 of the board.

12 E. No person shall be appointed to serve on the board unless he
13 shall have been a resident of this state for not less than five years
14 prior to his appointment. No more than two members shall be of the
15 same political party and no more than two members shall be appointed
16 from the same county. No member of the board or any employee thereof
17 shall serve on a committee of a political party nor engage in any political
18 activity other than voting.

19 F. The governor shall appoint the superintendent who shall be a
20 qualified elector of the state and experienced in administrative matters
21 and enforcement procedures. He shall serve concurrently with the
22 governor but may be removed by the governor for the following causes:
23 fraud in securing appointment, incompetency, inefficiency, inexcusable
24 neglect of duty, insubordination, dishonesty, drunkenness on duty, addiction
25 to the use of narcotics or habit-forming drugs, inexcusable absence
26 without leave, final conviction of a felony or a misdemeanor involving
27 moral turpitude, discourteous treatment of the public, improper
28 political activity, wilful disobedience or misuse of state property.
29 He shall be paid a salary as determined pursuant to section 38-611.

30 Sec. 8. Section 5-102, Arizona Revised Statutes, is amended to
31 read:

32 5-102. Arizona racing commission; members; appointment;
33 terms; vacancy

34 There shall be an Arizona racing commission consisting of five

1 members, who shall be appointed by the governor with-the-advice-and
2 consent-of-the-senate PURSUANT TO SECTION 38-211. Of the members first
3 appointed one shall serve for a term of two years and two each for four
4 and six years respectively. Thereafter appointment shall be for a term
5 of six years WHICH SHALL EXPIRE ON THE THIRD MONDAY IN JANUARY OF THE
6 SIXTH YEAR. Appointment-to-fill-a-vacancy-caused-other-than-by-expira-
7 tion-of-term-shall-be-for-the-unexpired-term.

8 Sec. 9. Section 5-223, Arizona Revised Statutes, is amended
9 to read:

10 5-223. Arizona state athletic commission; appoint-
11 ment; terms; compensation

12 A. There is created the Arizona state athletic commission con-
13 sisting of three members appointed by the governor. with-the-consent
14 of-the-senate. Of the members first appointed, one shall serve for a
15 term expiring on January 1, 1959, and one each for terms expiring one
16 and two years thereafter. Their successors shall be appointed for
17 terms of three years.

18 B. The commissioners shall receive compensation as determined
19 pursuant to section 38-611 for each day they act in their official ca-
20 pacity, not to exceed one hundred days each year.

21 Sec. 10. Section 6-111, Arizona Revised Statutes, is amended
22 to read:

23 6-111. State banking department; superintendent of
24 banks; appointment; term; qualifications;
25 salary; oath

26 A. There shall be a state banking department which shall have
27 charge of the execution of the laws of this state relating to banks
28 and other financial institutions and relating to the businesses con-
29 ducted by each.

30 B. The chief officer of the state banking department shall be
31 the superintendent of banks who may also be called the state bank ex-
32 aminer or examiner.

33 C. The superintendent of banks shall be appointed by the gover-
34 nor, by-and-with-the-consent-of-the-senate, PURSUANT TO SECTION 38-211,

1 for a term of four years WHICH SHALL EXPIRE ON THE THIRD MONDAY IN
2 JANUARY OF THE FOURTH YEAR. The superintendent shall be a citizen of
3 the United States and of the state, and shall be chosen solely for his
4 qualifications and fitness to perform the duties of his office under
5 the laws of the state.

6 D. The annual salary of the superintendent shall be as determined
7 pursuant to section 38-611. Before entering upon the duties of his of-
8 fice, the superintendent shall take and subscribe to the oath of office
9 as prescribed by law.

10 Sec. 11. Section 15-101.01, Arizona Revised Statutes, is amended
11 to read:

12 15-101.01. State board of education; members; appoint-
13 ment; terms; vacancies

14 A. The state board of education shall be composed of the-following
15 members: the superintendent of public instruction, the president of a
16 state university or a state college, three lay members, a member of the
17 state junior college board, a superintendent of a high school district,
18 a classroom teacher and a county school superintendent. A member who is
19 a president of a state university or a state college shall not succeed
20 himself.

21 B. Each member, other than the superintendent of public instruction,
22 shall be appointed by the governor ~~with-the-advice-and-consent-of-the~~
23 ~~senate~~ PURSUANT TO SECTION 38-211. ~~An-appointment-to-fill-a-vacancy~~
24 ~~caused-other-than-by-expiration-of-term,-shall-be-for-the-unexpired-per-~~
25 ~~tion-of-the-term-only.~~

26 C. The initial members of the state board of education shall be
27 appointed by the governor with the advice and consent of the senate for
28 the following terms and thereafter each term shall be four years:

29 1. The president of a state university or a state college and one
30 lay member shall be appointed for a term ending on the first Monday in
31 January, 1966.

32 2. The superintendent of a high school district and a classroom
33 teacher shall be appointed for a term ending on the first Monday in Jan-
34 uary, 1967.

1 3. The member of the state junior college board and one lay
2 member shall be appointed for a term ending on the first Monday in
3 January, 1968.

4 4. The county school superintendent and a lay member shall be
5 appointed for a term ending on the first Monday in January, 1969.
6 THEREAFTER, EACH TERM SHALL EXPIRE ON THE THIRD MONDAY IN JANUARY OF
7 THE FOURTH YEAR.

8 Sec. 12. Section 15-656, Arizona Revised Statutes, is amended
9 to read:

10 15-656. Members; appointment; terms; vacancies; oath

11 A. There shall be a state board of directors for junior colleges
12 which shall consist of fourteen members, one from each county, appointed
13 by the governor ~~with-the-advice-and-consent-of-the-senate~~ PURSUANT TO
14 SECTION 38-211, a representative of the board of regents, the super-
15 intendent of public instruction, and the director of the division of
16 vocational education.

17 B. The term of each appointive member shall be seven years, to
18 begin and end on the ~~first~~ THIRD Monday in January. The terms of two
19 members shall expire each year. Of the members first appointed, two
20 shall be appointed for a term expiring on the first Monday of January,
21 1962, and two each for terms expiring on the first Monday of January
22 for each year to 1968, inclusive. Subsequent appointive members re-
23 sulting from expiration of term shall be appointed for the full term
24 of seven years.

25 C. ~~When a vacancy occurs among the appointive membership, other~~
26 ~~than from expiration of term, the governor shall appoint a member to~~
27 ~~fill the vacancy. The appointee shall serve until his successor quali-~~
28 ~~fies or the end of the session of the senate next following his appoint-~~
29 ~~ment. During such session a member shall be appointed and confirmed to~~
30 ~~serve for the unexpired term in which the vacancy occurred.~~

31 D. C. Each appointive member of the commission shall, before
32 entering upon the duties of his office, take an oath of office.

1 Sec. 13. Section 15-721, Arizona Revised Statutes, is amended
2 to read:

3 15-721. Members; appointment; terms; vacancies; oath

4 A. The Arizona board of regents shall consist of eight appointive
5 members, the governor, and the state superintendent of public instruction
6 as ex officio members.

7 B. Appointive members shall be appointed by the governor with
8 ~~the advice and consent of the senate~~ PURSUANT TO SECTION 38-211. The
9 term of each appointive member shall be eight years, to begin and end
10 on the ~~first~~ THIRD Monday in January of an odd numbered year. The terms
11 of two members shall expire every odd numbered year.

12 ~~C. -- If a vacancy among the appointive membership occurs other than~~
13 ~~from expiration of term, the governor shall appoint a member to fill~~
14 ~~such vacancy. -- The appointee shall serve until the end of the session~~
15 ~~of the senate next following his appointment. -- During such session a~~
16 ~~member shall be appointed and confirmed to serve for the unexpired term~~
17 ~~in which the vacancy occurred.~~

18 D. C. Each appointive member of the board shall take the oath
19 of office before entering upon the duties of his office.

20 Sec. 14. Section 17-201, Arizona Revised Statutes, is amended
21 to read:

22 17-201. Game and fish department and game and fish
23 commission members; appointment; removal;
24 meetings

25 A. The laws of the state relating to wildlife shall be adminis-
26 tered by the game and fish department. Control of the department is
27 vested in the game and fish commission. The commission shall consist
28 of five members, appointed by the governor ~~with the advice and consent~~
29 ~~of the senate~~ PURSUANT TO SECTION 38-311. Not more than three members
30 shall be members of the same political party, and all members shall
31 be residents of different counties. Members shall be well informed on
32 the subject of wildlife and requirements for its conservation. Appoint-
33 ments shall be for a term of five years, ~~but an appointment to fill a~~

1 ~~vacancy shall be for the unexpired portion of a term.~~ AND SHALL EXPIRE
2 ON THE THIRD MONDAY IN JANUARY OF THE FIFTH YEAR.

3 B. The governor may, after public hearing, remove a member for
4 inefficiency, neglect of duty or misconduct in office. Upon removal
5 of a member the governor shall file in the office of the secretary of
6 state a complete statement of all charges made against the members and
7 his findings thereon, together with a complete record of the proceedings.

8 C. Each member of the commission while attending general or specif-
9 ic meetings of the commission or while performing official duties for
10 the commission shall receive compensation as determined pursuant to
11 section 38-611. A commission member who is otherwise employed as a
12 public officer shall not receive such payment if it is prohibited by law.
13 Compensation and expenses shall be paid monthly from the game and fish
14 fund.

15 D. The commission shall have its principal office at the state
16 capitol but meetings may be held at any time or place within the state.
17 The commission shall meet at least once quarterly. Meetings may be
18 held at the call of the chairman or majority of the commission. A ma-
19 jority of the commission shall constitute a quorum to transact business.

20 Sec. 15. Section 18-102, Arizona Revised Statutes, is amended to
21 read:

22 18-102. Highway department and highway commission;
23 highway districts; members; qualifications;
24 vacancies; compensation

25 A. The highways of the state shall be administered by the highway
26 department. Control of the department is vested in the highway commis-
27 sion.

28 D. The highway commission shall consist of five members, one from
29 each of the five highway districts into which the state is divided, as
30 follows:

- 31 1. First district, Maricopa and Yuma counties.
- 32 2. Second district, Pima, Pinal and Santa Cruz counties.
- 33 3. Third district, Cochise, Graham and Greenlee counties.

1 4. Fourth district, Apache, Gila and Navajo counties.

2 5. Fifth district, Coconino, Mohave and Yavapai counties.

3 C. The governor shall appoint a member of the commission, with
4 ~~the advice and consent of the senate,~~ PURSUANT TO SECTION 38-211 for
5 a term of five years upon the expiration of a term of office of a mem-
6 ber. THE TERMS SHALL EXPIRE ON THE THIRD MONDAY IN JANUARY OF THE FIFTH
7 YEAR. ~~An appointment to fill a vacancy in office other than by expira-~~
8 ~~tion of term shall be for the unexpired term of the office in which the~~
9 ~~vacancy occurs.~~

10 D. A person shall not be qualified to be a member of the commis-
11 sion who has not been a resident and taxpayer of the state and county
12 from which he is chosen for at least five years immediately prior to his
13 appointment.

14 E. A member shall not be appointed from the same county two terms
15 in succession. If a highway district includes two or more counties the
16 appointment of members for the district shall be rotated so that no
17 county will have a successive appointment.

18 F. If a member removes to another county in the same district
19 which is not entitled to have a member at the time, or to another dis-
20 trict, his office shall become vacant.

21 G. Each member shall receive compensation as determined pursuant
22 to section 38-611 for not to exceed two hundred days in any year.

23 Sec. 16. Section 20-141, Arizona Revised Statutes, is amended
24 to read:

25 20-141. Director of insurance; appointment; term;
26 qualifications; compensation

27 A. There shall be a director of insurance who shall be appointed
28 by the governor, ~~subject to approval by the senate,~~ PURSUANT TO SECTION
29 38-211.

30 B. The term of the director shall be six years AND SHALL EXPIRE
31 ON THE THIRD MONDAY IN JANUARY OF THE SIXTH YEAR, but he may be removed
32 by the governor for cause.

33 C. The director shall be a person well versed in insurance matters

1 who have as been a resident of the state for at least three years prior
2 to appointment.

3 D. The director shall receive compensation as determined pur-
4 suant to section 38-611.

5 Sec. 17. Section 23-101, Arizona Revised Statutes, is amended
6 to read:

7 23-101. Industrial commission; members; qualifications;
8 appointment; terms; compensation; removal

9 A. There shall be an industrial commission of Arizona.

10 B. The commission shall be composed of five members appointed by
11 the governor ~~with the consent of the senate~~ PURSUANT TO SECTION 38-211.
12 Each member shall be appointed for a term of five years. The terms of
13 the members serving on the commission on the effective date of this
14 section shall terminate January 8, 1969. Of the members of the commis-
15 sion first appointed, one shall serve for a term ending January 8, 1970,
16 and one each for terms ending one, two, three, and four years thereafter.
17 ~~Appointment to fill a vacancy caused other than expiration of term shall~~
18 ~~be for the unexpired portion of the term.~~ THEREAFTER ONE TERM SHALL
19 EXPIRE ON THE THIRD MONDAY IN JANUARY OF EACH YEAR. Not more than three
20 members of the commission shall belong to the same political party. The
21 chairman of the commission shall be appointed by and serve at the plea-
22 sure of the governor. The members of the commission shall have been
23 residents of the state for five years immediately preceding their origi-
24 nal appointment.

25 C. Each commissioner shall receive a salary of fifty dollars per
26 day for each day in which he performs his duties as a commissioner.

27 D. The governor may remove a member of the commission for inef-
28 ficiency, neglect of duty, malfeasance, misfeasance or nonfeasance in
29 office.

30 Sec. 18. Section 23-641, Arizona Revised Statutes, is amended to
31 read:

32 23-641. Employment security commission; organization;
33 quorum; effect of vacancy

1 addition, the member shall be the owner or principal stockholder of the
2 corporation. Members shall be appointed by the governor ~~with-the-advice~~
3 ~~and-consent-of-the-senate~~, for terms of office of five years each, such
4 terms to expire on June 30. Appointment to fill a vacancy caused other
5 than by expiration of term shall be for the unexpired portion of the
6 term only.

7 B. The board shall keep a complete record of its proceedings,
8 make reports to the governor as required by him, and make annual reports
9 to the legislature.

10 C. Each member shall receive compensation as determined pursuant
11 to section 38-611 for the time necessarily employed in discharging his
12 duties, but in no year shall the board be in session more than sixty
13 days, except upon call of the governor.

14 Sec. 20. Section 24-151, Arizona Revised Statutes, is amended
15 to read:

16 24-151. State veterinarian; appointment; qualifications;
17 compensation

18 A. There shall be a state veterinarian, who shall be appointed
19 by the governor ~~with-the-advice-and-consent-of-the-senate~~, and shall
20 hold office at the pleasure of the livestock sanitary board.

21 B. The person appointed shall be a skilled veterinarian who is
22 a graduate of a recognized school of veterinary medicine and licensed
23 to practice veterinary medicine in this state.

24 C. The veterinarian shall receive compensation as determined pur-
25 suant to section 38-611.

26 Sec. 21. Section 26-305, Arizona Revised Statutes, is amended to
27 read:

28 26-305. Division of emergency services; duties;
29 director; term; qualifications; com-
30 pensation

31 A. There is created in the office of the governor the division of
32 emergency services.

33 B. The division shall prepare for and coordinate those emergency

1 addition, the member shall be the owner or principal stockholder of the
2 corporation. Members shall be appointed by the governor ~~with-the-advice~~
3 ~~and-consent-of-the-senate~~, for terms of office of five years each, such
4 terms to expire on June 30. Appointment to fill a vacancy caused other
5 than by expiration of term shall be for the unexpired portion of the
6 term only.

7 B. The board shall keep a complete record of its proceedings,
8 make reports to the governor as required by him, and make annual reports
9 to the legislature.

10 C. Each member shall receive compensation as determined pursuant
11 to section 38-611 for the time necessarily employed in discharging his
12 duties, but in no year shall the board be in session more than sixty
13 days, except upon call of the governor.

14 Sec. 20. Section 24-151, Arizona Revised Statutes, is amended
15 to read:

16 24-151. State veterinarian; appointment; qualifications;
17 compensation

18 A. There shall be a state veterinarian, who shall be appointed
19 by the governor ~~with-the-advice-and-consent-of-the-senate~~, and shall
20 hold office at the pleasure of the livestock sanitary board.

21 B. The person appointed shall be a skilled veterinarian who is
22 a graduate of a recognized school of veterinary medicine and licensed
23 to practice veterinary medicine in this state.

24 C. The veterinarian shall receive compensation as determined pur-
25 suant to section 38-611.

26 Sec. 21. Section 26-305, Arizona Revised Statutes, is amended to
27 read:

28 26-305. Division of emergency services; duties;
29 director; term; qualifications; com-
30 pensation

31 A. There is created in the office of the governor the division of
32 emergency services.

33 B. The division shall prepare for and coordinate those emergency

1 services which may be required to reduce the impact of disaster on
2 persons or property.

3 C. Through the powers vested in the governor, the division shall
4 coordinate the cooperative effort of all governmental agencies including
5 the federal government, the state, and its political subdivisions and
6 provide the necessary direction and control of state personnel and
7 equipment to alleviate suffering and loss resulting from disaster.

8 D. The director of the division of emergency services shall be
9 appointed by the governor, ~~with-the-advice-and-consent-of-the-senate~~
10 PURSUANT TO SECTION 38-211, to serve at the pleasure of the governor.
11 The director shall be selected on the basis of demonstrated ability in
12 governmental functions or business administration and shall have general
13 knowledge of contingency planning and disaster preparedness. He shall
14 devote full time to the office and shall hold no other office.

15 E. The compensation of the director of the division of emergency
16 services shall be as determined pursuant to section 38-611.

17 F. Employees other than the director shall be employees as de-
18 fined by section 38-901.

19 G. The director of the department of civil defense on the effec-
20 tive date of this chapter shall be the director of the division of
21 emergency services until a successor is appointed and qualifies.

22 Sec. 22. Section 27-514, Arizona Revised Statutes, is amended
23 to read:

24 27-514. Commission; appointment; terms; compensation

25 A. There is created an oil and gas conservation commission.

26 B. The commission shall consist of the state land commissioner
27 ex officio who shall have no vote, and five members to be appointed by
28 the governor ~~with-the-advice-and-consent-of-the-senate~~ PURSUANT TO
29 SECTION 38-211, no more than three of whom shall be of the same poli-
30 tical party. The appointive members shall be United States citizens
31 and shall have been residents of Arizona for not less than the five
32 years immediately preceding their appointment. Three members of the
33 commission shall constitute a quorum for the transaction of business.

1 C. Of the members first appointed, one shall be appointed for
2 a term ending December 31, 1960, and one each for terms ending one,
3 two, three and four years thereafter. Subsequent appointments shall
4 be for a full term of five years, ~~but appointment to fill a vacancy~~
5 ~~arising from a cause other than expiration of term shall be for the~~
6 ~~unexpired portion of the term only, subject to senate confirmation~~
7 WHICH SHALL EXPIRE ON THE THIRD MONDAY IN JANUARY IN THE FIFTH YEAR.
8 Such appointee shall be entitled to serve in the interim pending con-
9 firmation. If the senate fails to confirm, another person shall be
10 appointed and his name submitted for senate confirmation. The initial
11 appointments shall be made by the governor on or before July 1, 1959,
12 and the names of those members initially appointed shall be submitted
13 by the governor not later than January 31, 1960, to the senate for
14 confirmation.

15 D. Appointive members of the commission shall receive compen-
16 sation as determined pursuant to section 38-611 for each day actually
17 spent in the performance of official duties.

18 Sec. 23. Section 30-105, Arizona Revised Statutes, is amended
19 to read:

20 30-105. Arizona power authority commission

21 A. The purposes of the authority shall be effectuated by and
22 through the Arizona power authority commission and other necessary
23 personnel. The powers and authority vested in the commission shall
24 be exercised by a majority of the members then in office.

25 B. The commission shall consist of five electors appointed by
26 the governor ~~with the approval of the senate~~ PURSUANT TO SECTION 38-211.
27 The members shall be electors qualified by administrative and business
28 experience. No member shall hold any other salaried public office or
29 be associated with any public service corporation engaged in generat-
30 ing, distributing or selling power to the public generally in this
31 state for profit, nor shall any member have any interest in any business
32 that may be adversely affected by the operation of the authority in
33 the discharge of its duties.

1 C. The term of office of each member shall be six years. The
2 terms of two members shall expire on March-1 THE THIRD MONDAY IN JANU-
3 ARY of each odd-numbered year, except that on March-1 THE THIRD MONDAY
4 IN JANUARY of each sixth year the term of one member shall expire.
5 Members of the commission may be removed by the governor for cause.
6 ~~Any member appointed to fill a vacancy occurring other than by expira-~~
7 ~~tion of a term shall serve only for the unexpired term of the member~~
8 ~~he succeeds. Members appointed shall be competent to act between the~~
9 ~~time of their appointment and the time of confirmation or rejection by~~
10 ~~the senate.~~

11 Sec. 24. Section 30-653, Arizona Revised Statutes, as amended
12 by Laws 1970, chapter 70, section 3, is amended to read:

13 30-653. Arizona atomic energy commission;
14 qualifications; terms

15 A. There shall be an Arizona atomic energy commission which shall
16 consist of the executive director of the department of economic planning
17 and development, the commissioner of the state department of health and
18 ten additional members who shall be appointed by the governor. ~~with the~~
19 ~~advice and consent of the senate.~~ The ten additional members shall be
20 appointed from among persons possessing not less than four years of ed-
21 ucation or experience in the use or control of atomic energy or radiation.
22 Such members shall also be associated with one or more of the following
23 fields: Medicine including radiology, radiation protection, higher ed-
24 ucation, nuclear services, manufacturing, electric power generation,
25 agriculture, mining, or other commerce. No more than two members shall
26 be appointed as representatives of any one of the fields named in this
27 subsection.

28 B. The term of office of each appointed member shall be five years.
29 Of the members first appointed two shall serve for terms ending January
30 1, 1965, and two each for terms ending one, two, three and four years
31 thereafter. A vacancy caused other than by expiration of the term
32 shall be filled in the same manner as the original appointments, but
33 shall be only for the balance of the unexpired term.

1 C. Members of the commission shall receive compensation for sub-
2 sistence and travel as allowed by law for other state officers, while
3 attending meetings or performing their powers or duties under the pro-
4 visions of this chapter. The executive director of the department of
5 economic planning and development and the commissioner of the state de-
6 partment of health shall receive no compensation for their service under
7 this chapter, but shall be reimbursed for travel and other necessary
8 expenses incurred in the performance of official duties as provided by
9 law for other state officers.

10 D. A majority of the membership of the commission shall consti-
11 tute a quorum for the transaction of business. The commission shall
12 elect from among its membership a chairman and such other officers it
13 deems necessary; to serve for such terms as the commission determines.

14 Sec. 25. Section 31-401, Arizona Revised Statutes, is amended
15 to read:

16 31-401. Board of pardons and paroles; qualifications;
17 appointment; officers

18 A. There shall be a board of pardons and paroles which shall con-
19 sist of three members to be appointed by the governor ~~by-and-with-the~~
20 ~~advice-and-consent-of-the-senate~~ PURSUANT TO SECTION 38-211.

21 B. The members of the board shall serve on a full-time basis and
22 the compensation of members shall be as determined pursuant to section
23 38-611. Each member shall be appointed on the basis of broad profes-
24 sional or educational qualifications and experience and shall have dem-
25 onstrated an interest in the state's correctional program. No more than
26 one member from the same professional discipline shall be a member of
27 the board at the same time.

28 C. Of the members of the board first appointed, one shall be ap-
29 pointed for a term expiring January 1, 1970, and one each for terms ex-
30 piring one and two years thereafter. Upon the expiration of any of the
31 terms, the appointee or successor shall be appointed for a term of three
32 years AND ONE TERM SHALL EXPIRE ON THE THIRD MONDAY IN JANUARY OF EACH
33 YEAR. ~~Appointment-to-fill-a-vacancy-caused-other-than-by-expiration-of~~

1 ~~term shall be for the unexpired portion of the term.~~

2 D. A member of the board may be removed by the governor for cause.

3 E. Members of the board shall select from among its members a
4 chairman and such other officers as it deems advisable. The board may
5 make rules and regulations, not inconsistent with law, as it deems prop-
6 er for the conduct of its business. The board may from time to time
7 amend or change the rules and regulations and shall cause them to be
8 published and distributed as provided by the administrative procedures
9 act.

10 Sec. 26. Section 32-1302, Arizona Revised Statutes, is amended to
11 read:

12 32-1302. Board of funeral directors and embalmers

13 A. There shall be a state board of funeral directors and embalmers
14 which shall consist of three members appointed by the governor ~~with the~~
15 ~~advise and consent of the senate~~, for terms of two years each, to begin
16 and end on July 1.

17 B. The members shall be residents of the state, and two of the
18 members shall be qualified practicing funeral directors and embalmers
19 and one a qualified employed embalmer.

20 C. An appointment to fill a vacancy resulting other than from ex-
21 piration of term shall be for the unexpired term. The governor may re-
22 move a member for incompetence or improper conduct. Revocation of the
23 certificate of qualification of a member shall automatically remove the
24 member from office.

25 D. Before entering upon the duties of the office, each appointee
26 shall take an oath before an officer competent to administer oaths that
27 he is legally qualified to hold the office and will faithfully perform
28 the duties thereof.

29 E. Members of the board shall receive compensation as determined
30 pursuant to section 38-611 for attendance upon meetings.

31 Sec. 27. Section 32-1702, Arizona Revised Statutes, is amended
32 to read:

33 32-1702. Board of optometry

1 A. There shall be a board of optometry which shall consist of
2 three members appointed by the governor, ~~with the advice and consent~~
3 ~~of the senate~~, for terms of four years. Each member shall have been
4 engaged in the actual practice of optometry in this state for at least
5 three years immediately prior to appointment.

6 B. The term of one member of the board shall expire July 1, 1956
7 and every fourth year thereafter, the term of one member shall expire
8 July 1, 1958 and every fourth year thereafter, and the term of one mem-
9 ber shall expire July 1, 1959 and every fourth year thereafter.

10 C. The governor may remove any member for neglect of duty, in-
11 competency, improper or unprofessional conduct, or when his certificate
12 or license has been revoked or suspended. Appointment to fill a vacancy
13 caused other than by expiration of term shall be for the unexpired por-
14 tion of the term.

15 Sec. 28. Section 32-1902, Arizona Revised Statutes, is amended
16 to read:

17 32-1902. Arizona state board of pharmacy

18 A. There shall be an Arizona state board of pharmacy which shall
19 consist of five members appointed by the governor. ~~with the advice and~~
20 ~~consent of the senate~~. No person shall be appointed to the board unless
21 he has been registered as a pharmacist in this state or any other juris-
22 diction for a period of ten years and registered as a pharmacist and a
23 resident in this state for a period of at least five years immediately
24 prior to the date of appointment. Each member shall serve for a term
25 of five years, one term to expire each year on January 31, except that
26 a member shall serve until his successor is appointed and has qualified.
27 Vacancies occurring on the board other than by expiration of term of of-
28 fice shall be filled for the unexpired portion of the term only.

29 B. On or before January 15 of each year the secretary of the Ari-
30 zona pharmaceutical association may submit to the governor a list of the
31 names of at least seven of its members who have been nominated by the as-
32 sociation, and who meet the requirements as provided in this section for
33 the next occurring vacancy on the board. The governor may make his

1 appointments of registered pharmacists to the board from the nominees
2 on the list or from others having the necessary qualifications.

3 C. Appointees to the board shall, within thirty days after their
4 appointment, take and subscribe to an oath or affirmation, before a
5 properly qualified officer, that they will faithfully and impartially
6 perform the duties of their office and such oath or affirmation shall
7 be filed with the secretary of state.

8 Sec. 29. Section 32-2002, Arizona Revised Statutes, is amended
9 to read:

10 32-2002. Board of physical therapy examiners; members;
11 qualifications; terms; compensation

12 A. There shall be a board of physical therapy examiners. The
13 board shall be composed of three members who shall be appointed by the
14 governor. ~~with-the-advice-and-consent-of-the-senate.~~ A board member
15 shall be a resident of the state chosen from a list of three physical
16 therapists certified under this chapter, submitted by the Arizona physi-
17 cal therapy association, inc.

18 B. The term of office of each member shall be three years. The
19 term of one member shall expire February 1 each year. Appointment to
20 fill a vacancy arising other than from expiration of term shall be for
21 the unexpired portion of the term only.

22 C. Board members shall receive compensation as determined pur-
23 suant to section 38-611 for each day actually spent in board meetings.

24 Sec. 30. Section 32-2062, Arizona Revised Statutes, is amended
25 to read:

26 32-2062. Board of examiners; qualifications; appointment;
27 terms; compensation

28 A. The state board of psychologist examiners shall consist of
29 five members who shall be appointed by the governor. ~~and-confirmed~~
30 ~~by-the-senate.~~

31 B. Each member of the board shall be a citizen of the United
32 States, a resident of this state at the time of appointment and
33 certified under the provisions of this chapter, except for the members

1 of the board first appointed, who shall be persons who have been engaged
2 in rendering services, teaching, or researching in psychology for a
3 period of at least five years. The board shall at all times, except
4 for the period when a vacancy exists, have at least two members repre-
5 senting the departments of psychology in the state universities. The
6 composition of the board shall represent the diverse fields of psychology,
7 with two members representing general-experimental psychology and three
8 members representing the fields of applied psychology.

9 C. Each member shall serve for a term of five years. Of the mem-
10 bers of the board first appointed, one shall be appointed for a term
11 ending June 30, 1966, and one each for terms one, two, three and four
12 years thereafter.

13 D. A vacancy on the board occurring other than by the expiration of
14 term shall be filled by appointment by the governor for the unexpired term.
15 The governor, after a hearing, may remove any member of the board for mis-
16 conduct, incompetency or neglect of duty.

17 E. Members of the board shall receive compensation as determined
18 pursuant to section 38-611 for each day actually and necessarily spent
19 in the performance of their duties.

20 F. The board shall hold a regular annual meeting at which it shall
21 select from its members a chairman and a secretary and other meetings
22 shall be held at such times as the rules of the board may provide. No-
23 tice of such meetings shall be given in such manner as provided in the
24 rules.

25 Sec. 31. Section 32-2104, Arizona Revised Statutes, is amended to
26 read:

27 32-2104. Real estate board; members; terms;
28 qualifications; compensation

29 A. There shall be a real estate board composed of seven members
30 who shall be appointed by the governor. ~~with-the-advice-and-consent~~
31 ~~of-the-senate.~~ The term of office of each member shall be six years,
32 the terms of two members to expire January 31 each odd numbered year
33 except that each third odd numbered year the terms of three members

1 shall expire. Appointment to fill a vacancy occurring other than by
2 expiration of term shall be filled by appointment for the unexpired
3 portion of the term only.

4 B. To be eligible for appointment as a member of the board a
5 person shall be a real estate broker and actively engaged as such in
6 the state for five years. Not more than two members shall be appointed
7 from any one county.

8 C. Members of the board shall receive compensation as determined
9 pursuant to section 38-611 for each day spent in attending regular or
10 special meetings of the board.

11 Sec. 32. Section 32-2304, Arizona Revised Statutes, is amended
12 to read:

13 32-2304. Structural pest control board

14 A. The structural pest control board is created to consist of
15 five members appointed by the governor, ~~with the consent of the senate,~~
16 as follows:

17 1. Two members who shall represent public interest and shall be
18 versed in the field of public health, pesticides, entomology, or struc-
19 tural pest control practices.

20 2. Three members whose principal business for not less than five
21 preceeding years has been the practice of structural pest control with-
22 in the state of Arizona.

23 B. Each member shall serve for a term of five years. Of the mem-
24 bers of the board first appointed, one shall be appointed for a term
25 ending June 30, 1966, and one each for terms one, two, three and four
26 years thereafter.

27 C. No person shall serve as a member of the board for more than
28 two consecutive terms.

29 D. Vacancies that occur for whatever reason other than expira-
30 tion of term, shall be filled for the unexpired portion of the term by
31 the governor.

32 Sec. 33. Section 36-102, Arizona Revised Statutes, is amended
33 to read:

1 36-102. State board of health; appointment; qualifi-
2 cations; terms; compensation

3 A. The state board of health shall consist of five members who
4 shall be appointed by the governor ~~with-the-advice-and-consent-of-the~~
5 ~~senate~~ PURSUANT TO SECTION 38-211. Two members of the board shall be
6 licensed practitioners of medicine and surgery who have been engaged
7 in the practice of medicine in the state and who have proved themselves
8 vitally concerned with public health, to be chosen from a list of five
9 persons submitted by the Arizona medical association. One member of
10 the board shall be a registered professional nurse with a public health
11 background, to be chosen from a list of three nurses submitted by the
12 Arizona state nurses association. Two members of the board shall be
13 persons selected for their interest in public health, one of whom may
14 be a lay person. The governor shall be an ex officio member of the
15 board without voting privilege.

16 D. The term of each appointive member shall be five years, one
17 term to expire ~~February-1~~ ON THE THIRD MONDAY OF JANUARY each year.
18 Upon expiration of the term of a member a successor shall be appointed
19 for a full term of five years. Appointment to fill a vacancy resulting
20 other than from expiration of term shall be for the unexpired portion
21 of the term.

22 C. Members of the board shall receive compensation as determined
23 pursuant to section 38-611.

24 Sec. 34. Section 36-122, Arizona Revised Statutes, is amended
25 to read:

26 36-122. Arizona health planning authority; appointment;
27 qualifications; terms; compensation

28 A. There shall be an Arizona health planning authority. The
29 authority shall consist of eleven members who shall be appointed by
30 the governor. ~~with-the-advice-and-consent-of-the-senate.~~ One member
31 of the authority shall be a licensed practitioner of medicine and surg-
32 ery who is engaged in the practice of medicine in the state and who is
33 particularly concerned with public health, to be chosen from a list of

1 three persons, submitted by the Arizona medical association. One member
2 of the authority shall be a licensed practitioner of medicine and surgery
3 who is engaged in the practice of medicine in the state, to be chosen
4 from a list of three persons submitted by the Arizona osteopathic associa-
5 tion. One member of the authority shall be a licensed practitioner of
6 medicine and surgery who is engaged in the practice of medicine in the
7 state and who is certified as a specialist in psychiatry by the American
8 board of psychiatry, to be chosen from a list of three persons to be
9 submitted by the Arizona medical association, who shall be representa-
10 tive of mental health interests. One member of the authority shall be
11 a licensed practitioner of pharmacy in the state, to be chosen from a
12 list of three persons submitted by the Arizona state pharmaceutical
13 association. One member of the authority shall be a registered pro-
14 fessional nurse with training and experience in public health nursing,
15 to be chosen from a list of three persons, submitted by the Arizona
16 state nurses association. One member of the authority shall be an
17 administrator of a licensed Arizona hospital, to be chosen from a list
18 of three persons submitted by the Arizona hospital association. One
19 member of the authority shall be the dean of the college of medicine
20 at the university of Arizona, who shall be representative of the educa-
21 tion of health services personnel. One member of the authority shall
22 be a licensed practitioner of dentistry in the state, to be chosen
23 from a list of three persons submitted by the Arizona dental association.
24 One member of the authority shall have specialized knowledge of the
25 care of mental retardates, to be chosen from a list of three persons
26 submitted by the Arizona association for retarded children. One mem-
27 ber of the authority shall be an engineer registered in Arizona. One
28 member of the authority shall be a lay person who is particularly con-
29 cerned with public health. The governor shall be an ~~ex-officio~~ EX OF-
30 FICIO member of the authority without voting privilege. The governor
31 may request from such association such additional lists of names of
32 persons proposed for appointment to the authority as he may need.

1 E. Of the members first appointed, the psychiatrist, the osteo-
2 pathic physician and the dentist shall be appointed for terms expiring
3 February 1, 1969; the physician, the nurse and the engineer shall be
4 appointed for terms expiring February 1, 1970, and the remaining mem-
5 bers shall be appointed for terms expiring February 1, 1971, except
6 that the dean of the college of medicine shall continue to serve by
7 virtue of his office. Upon expiration of the term of a member, a suc-
8 cessor shall be appointed for a full term of three years. A member
9 other than the dean of the college of medicine may be reappointed for
10 a period not to exceed two successive full terms. Appointment to fill
11 a vacancy resulting other than from expiration of term shall be for
12 the unexpired portion of the term.

13 C. Members of the authority not otherwise paid by the state or
14 a political subdivision of the state shall receive compensation as
15 determined pursuant to section 38-611 in lieu of subsistence when active-
16 ly engaged in the business of the authority.

17 Sec. 35. Section 36-203, Arizona Revised Statutes, is amended
18 to read:

19 36-203. State hospital board; membership; terms;
20 compensation; secretary

21 A. The state hospital shall be under the charge and control of
22 the state hospital board, subject to the provisions of this article.

23 B. The state hospital board shall consist of five members who
24 shall be appointed by the governor PURSUANT TO SECTION 38-211. The
25 members shall be persons identified with and interested in social wel-
26 fare and the care and treatment of the mentally ill.

27 C. The term of each member shall be five years, one term to
28 expire February-1 ON THE THIRD MONDAY IN JANUARY each year. Upon the
29 expiration of a term a successor shall be appointed for a full term of
30 five years. ~~Appointment-to-fill-a-vacancy-resulting-other-than-from~~
31 ~~expiration-of-term-shall-be-for-the-unexpired-portion-of-the-term.~~

32 D. Members of the board shall receive no compensation for their
33 services as such. The board shall select a secretary from among its

1 members or employ a secretary and in either case the compensation for
2 the secretary shall be as determined pursuant to section 38-611.

3 Sec. 36. Section 36-553, Arizona Revised Statutes, is amended
4 to read:

5 36-553. Arizona board of mental retardation

6 A. The board shall consist of seven members who have demonstrated
7 a conscientious interest in community problems related to mental retard-
8 ation. Each member shall be appointed by the governor, ~~with the advice~~
9 ~~and consent of the senate~~ PURSUANT TO SECTION 38-211. At least one
10 member shall be the parent or guardian of a mentally retarded person.
11 There shall be no more than two members appointed from one county. There
12 shall be no more than four members from the same political party. Of
13 the members first appointed, terms shall be staggered so that not more
14 than one term expires on ~~February 1~~ THE THIRD MONDAY IN JANUARY each
15 year. Thereafter, all members shall serve for a term of seven years. No
16 member shall serve more than one complete seven-year term. ~~An appoint-~~
17 ~~ment to fill a vacancy other than for expiration of term shall be for~~
18 ~~the unexpired portion of the term.~~ The board shall elect a chairman,
19 a vice chairman, and a secretary annually, and shall meet at least month-
20 ly. A record of all proceedings shall be maintained.

21 B. Notwithstanding the provisions of subsection A OF THIS SECTION,
22 the membership of the initial board shall consist of the present members
23 of the Arizona children's colony board who shall be appointed to the
24 Arizona board of mental retardation on the effective date of this chap-
25 ter to serve for the duration of the term each is serving. In addition,
26 a sixth member shall serve for a term ending ~~February 1~~, ON THE THIRD
27 MONDAY IN JANUARY, 1976, and a seventh member for a term ending one
28 year thereafter.

29 C. Each board member shall receive twenty dollars for each day
30 spent in attending meetings of the board and shall be reimbursed for
31 travel and subsistence expenses incurred in the performance of his duties
32 as provided for other state officers.

33 D. If any board member fails to attend, without cause, three

1 consecutive regular monthly board meetings his office may be deemed
2 vacated and the governor may appoint a successor.

3 Sec. 37. Section 36-1704, Arizona Revised Statutes, is amended
4 to read:

5 36-1704. Hearing board

6 A. There shall be an air pollution control hearing board ap-
7 pointed by the governor ~~and-with-the-advice-and-consent-of-the-senate~~
8 PURSUANT TO SECTION 38-211.

9 B. The hearing board shall consist of five members. The five
10 members shall be knowledgeable in the field of air pollution. Each board
11 member shall serve for a term of three years ONE TERM SHALL EXPIRE ON
12 THE THIRD MONDAY IN JANUARY OF EACH YEAR. Of the members first appoint-
13 ed, two shall be appointed for terms of one year each, two shall be ap-
14 pointed for terms of two years each, and one shall be appointed for the
15 full term of three years.

16 C. The hearing board shall select a chairman and vice chairman
17 and such other officers as it deems necessary.

18 D. Hearing board members shall serve with compensation as pre-
19 scribed by law for the board of health.

20 Sec. 38. Section 37-131, Arizona Revised Statutes, is amended to
21 read:

22 37-131. State land commissioners; appointment;
23 term; removal; compensation

24 A. There shall be a state land commissioner who shall be the ex-
25 ecutive officer of the state land department.

26 B. The commissioner shall be appointed by the governor subject
27 ~~to-confirmation-by-the-senate~~ PURSUANT TO SECTION 38-211. The term
28 of the land commissioner initially appointed under Laws 1950, 1st spe-
29 cial session, chapter 30, section 1 shall end on the third Monday in
30 January, 1957. Thereafter the commissioner shall be appointed for a
31 term of six years. Appointment to fill a vacancy in the office of
32 commissioner resulting other than from expiration of term shall be for
33 the unexpired portion of the term.

1 C. The commissioner may be removed by the governor for cause, after
2 public hearing, and shall be entitled to representation by counsel, to
3 a written statement of the charges, and to confront witnesses appearing
4 against him.

5 D. The commissioner shall receive compensation as determined
6 pursuant to section 38-611.

7 Sec. 39. Section 37-213, Arizona Revised Statutes, is amended to
8 read:

9 37-213. Board of appeals; membership; appointment;
10 term; salary

11 A. There shall be a board of appeals which shall consist of three
12 members, one of whom shall be appointed from each of three districts
13 into which the state is divided as follows:

14 1. First district: Pima, Santa Cruz, Cochise, Graham and Greenlee
15 counties.

16 2. Second district: Maricopa, Yuma, Pinal and Gila counties.

17 3. Third district: Mohave, Yavapai, Coconino, Apache and Navajo
18 counties.

19 B. To be eligible for appointment as a member of the board a
20 person shall be experienced in the classification and appraisal of all
21 types of real estate.

22 C. The members of the board shall be appointed by the governor.
23 ~~with-the-advice-and-consent-of-the-senate.~~ The term of office of each
24 member shall be six years, to end January 31 of the sixth year after his
25 appointment. The term of one member shall expire on January 31 each
26 even numbered year. Appointments to fill vacancies resulting other
27 than from expiration of term shall be for the unexpired portion of the
28 term only.

29 D. Each member of the board shall receive compensation as deter-
30 mined pursuant to section 38-611.

31 Sec. 40. Section 38-742, Arizona Revised Statutes, is amended
32 to read:
33

1 38-742. State retirement system board; qualifications;
2 term; removal

3 A. There shall be a state retirement system board consisting of
4 five members appointed by the governor ~~subject to confirmation by the~~
5 ~~senate~~ PURSUANT TO SECTION 38-211. One member shall be appointed from
6 among the employees of the system or the participants of the plan to
7 represent the employee members of the system and one member shall be
8 appointed to represent the employees of employer participants of the
9 system or plan and three lay members shall be appointed to represent
10 the public, except that one of the members shall also be a member of
11 the investment advisory council. Each member shall have not less than
12 five years of administrative management experience. Of the members
13 first appointed, two shall be appointed for a term of one year and
14 three members each for a term of two years. A member may be reap-
15 pointed. Upon the expiration of any term, a successor shall be ap-
16 pointed for a full term of two years WHICH SHALL EXPIRE ON THE THIRD
17 MONDAY IN JANUARY OF THE SECOND YEAR. ~~Appointment to fill a vacancy~~
18 ~~resulting otherwise than from expiration of term shall be made in the~~
19 ~~same manner as the initial appointments for the unexpired portion of~~
20 ~~the term only.~~

21 B. Board members shall receive necessary traveling expenses and
22 subsistence as provided by law for other state officers while away from
23 home on business of the board.

24 C. A member may be removed from the board by the governor for
25 a violation of any provision of this article or if a member is absent
26 from three consecutive meetings.

27 Sec. 41. Section 38-847, Arizona Revised Statutes, is amended
28 to read:

29 38-847. Administration of system; local boards; powers
30 and duties; rules and regulations

31 A. The administration of the system and responsibility for making
32 effective the provisions thereof for each employer are vested in a
33 retirement board, which in the case of employees of the state, other

1 than the department of public safety, shall be the Arizona state re-
2 tirement system board. The department of public safety, each county,
3 each municipal fire department, and municipal police department shall
4 have a local board. Each local board shall be constituted as follows:

5 1. The mayor or chief elected official as chairman, two members
6 elected by secret ballot by members employed by the appropriate em-
7 ployer and two citizens, one of whom shall be the head of the merit
8 system if it exists for the group of members, appointed by the mayor or
9 chief elected official and with the approval of the city council or
10 governing body of the employer. The three appointed members of the
11 department of public safety local board shall be appointed by the gov-
12 ernor. ~~with-the-approval-of-the-senate.~~

13 2. The appointed two citizens shall serve on both local boards
14 in a city where both fire and police department employees are members.

15 B. Upon the taking effect of this system for an employer, the
16 appointments and elections of board members shall take place with one
17 elective and appointive board member serving a term ending two years
18 after the effective date for the employer and one elective and appoint-
19 ive board member serving a term ending four years after the effective
20 date. Thereafter, every second year, and as a vacancy occurs, an office
21 shall be filled for a term of four years in the same manner as previously
22 provided.

23 C. Each member of a board shall, within ten days after his ap-
24 pointment or election, take an oath of office that, so far as it devolves
25 upon him, he shall diligently and honestly administer the affairs of the
26 board and that he shall not knowingly violate or willingly permit to be
27 violated any of the provisions of law applicable to the system.

28 D. A board shall have such powers as may be necessary to dis-
29 charge the following duties:

30 1. To construe and interpret the system, decide all questions of
31 eligibility and service credits, and determine the amount, manner and
32 time of payment of any benefits under the system.

33 2. To prescribe procedures to be followed by members and their

1 beneficiaries in filing applications for benefits.
2 3. To make a determination as to the right of any person to a
3 benefit and to afford any person dissatisfied with such determination
4 the right to a hearing thereon.
5 4. To receive from the employers and from members such informa-
6 tion as shall be necessary for the proper administration of the system
7 and to forward such information to the fund manager.
8 5. To distribute, in such manner as the board determines to be
9 appropriate, information explaining the system received from the fund
10 manager.
11 6. To furnish the employer, the fund manager, and the legislature,
12 upon request, such annual reports with respect to the administration
13 of the system as are reasonable and appropriate.
14 7. To receive and review the actuarial valuation of the system
15 for their group of members.
16 8. To receive and review reports of the financial condition and
17 of the receipts and disbursements of the fund from the fund manager.
18 9. To appoint a medical board, which shall be composed of a
19 designated physician or a clinic other than the employer's regular em-
20 ployee or contractee. If required, other physicians may be employed to
21 report on special cases.
22 E. A board shall have no power to add to, subtract from or modi-
23 fy any of the terms of the system, nor to change or add to any benefits
24 provided by the system, nor to waive or fail to apply any requirement
25 of eligibility for benefits under the system.
26 F. A board shall, from time to time, establish and adopt such rules
27 and regulations as it deems necessary or desirable. All rules and de-
28 cisions of a board shall be uniformly and consistently applied to all
29 members in similar circumstances.
30 G. Any rule or decision which is not inconsistent with the provisions
31 of the system shall be conclusive and binding upon all persons affected
32 by it. If any person is granted a hearing upon his appeal from any
33 ruling or decision by the board and the board's original determination

1 is affirmed, the applicant may file an appeal with the superior court
2 within thirty days from the receipt by registered mail of the affirma-
3 tion of such ruling or decision. The superior court shall be in the
4 county where the board is located and the proceedings on the appeal
5 shall be a trial de novo.

6 H. When making a ruling, determination or calculation, the board
7 shall be entitled to rely upon information furnished by the employer,
8 the fund manager, independent legal counsel, or the actuary for the
9 system.

10 I. Each member of a board shall be entitled to one vote. A major-
11 ity shall be necessary for a decision by the members of a board at any
12 meeting of the board.

13 J. The board shall adopt such bylaws as it deems desirable. The
14 board shall elect a secretary who may, but need not, be a member of the
15 board. The secretary of the board shall keep a record of all meetings
16 and forward all necessary communications to the fund manager and the
17 actuary.

18 K. The fees of the medical board and of local legal counsel and
19 all other expenses of the board necessary for the administration of the
20 system shall be paid by the fund manager at such rates and in such amounts
21 from the expense account as the board shall approve. Such expenses shall
22 be reimbursed to the expense account from the employer's account in the
23 fund.

24 L. The board shall issue directions to the fund manager concerning
25 all benefits which are to be paid from the employer's account pursuant
26 to the provisions of the fund. The board shall keep on file, in such
27 manner as it may deem convenient or proper, all reports from the fund
28 manager and the actuary.

29 M. The local board and the individual members thereof shall be
30 indemnified from the assets of the fund against any and all liabilities
31 arising by reason of any act, or failure to act, made in good faith
32 pursuant to the provisions of the system, including expenses reasonably
33 incurred in the defense of any claim relating thereto.

1 Sec. 42. Section 38-848, Arizona Revised Statutes, is amended
2 to read:

3 38-848. Fund manager

4 A. The funds of the system, shall constitute a special fund in
5 the state treasury to be used for the payment of benefits provided under
6 the system. The special fund shall be operated and managed by the fund
7 manager. The fund manager shall consist of three members appointed by
8 the governor ~~and approved by the senate~~ and shall have such rights,
9 powers and duties as are set forth hereunder. The governor shall ap-
10 point one elected member from a local board to represent the employees,
11 one member to represent the state as an employer of public safety per-
12 sonnel, and one member to represent the cities as employers of public
13 safety personnel. The terms of the members shall be limited to three
14 years, and commencing with the first day of January, 1971, the governor
15 shall appoint one member to serve for one year, one member to serve for
16 two years, and one member to serve for three years, and thereafter all
17 members shall be appointed for a term of three years. Notwithstanding
18 any provision in this article to the contrary, all monies in the fund
19 shall be deposited, held and disbursed in the same manner and under the
20 same conditions and requirements as provided by law for other special
21 funds in the state treasury, except that monies in the fund shall not
22 be commingled with other state funds but shall be maintained in a sep-
23 arate account on the books of the depository. Such monies shall be
24 secured by the depository in which they are held to the same extent and
25 in the same manner as required by the general depository law of the
26 state. Any balance in the fund shall not lapse at any time but shall
27 be continuously available to the board for expenditure consistent with
28 this article.

29 B. All contributions under this system shall be forwarded to the
30 fund manager and shall be held, invested and reinvested by the fund
31 manager. All property and funds of the fund, including income from
32 investments and from all other sources, shall be retained for the ex-
33 clusive benefit of members, as provided in the system, and shall be

1 used to pay benefits to members or their beneficiaries, or to pay ex-
2 penses of operation and administration of the system and fund.

3 C. The fund manager shall have the full power, in his sole dis-
4 cretion to invest and reinvest, alter and change the funds accumulated
5 under the system. The fund manager may commingle securities and monies
6 of the fund subject to the crediting of receipts and earnings and
7 charging of payments to the account of the appropriate employer. In
8 making each and all of such investments, the fund manager shall exercise
9 the judgment and care under the circumstances then prevailing which
10 men of ordinary prudence, discretion, and intelligence exercise in the
11 management of their own affairs, not in regard to speculation but in
12 regard to the permanent disposition of their funds, considering the
13 probable income therefrom as well as the probable safety of their cap-
14 ital, provided:

15 1. That not more than fifty per cent of the pension fund shall
16 be invested at any given time in corporate stocks, based on cost value
17 of such stocks irrespective of capital appreciation.

18 2. That no more than five per cent of the pension fund shall be
19 invested in securities issued by any one institution, agency or corpor-
20 ation, other than securities issued as direct obligations of and fully
21 guaranteed by the United States government.

22 3. That not more than five per cent of the voting stock of any
23 one corporation shall be owned.

24 4. That stocks eligible for purchase shall be restricted to stocks
25 which, except for bank stocks and insurance stocks, are listed upon an
26 exchange registered with the federal securities and exchange commission
27 or its successors.

28 D. The fund manager shall not be held liable for the exercise of
29 more than ordinary care and prudence in the selection of investments and
30 shall not be limited to so-called "legal investments for trustees," but
31 all funds of the system shall be invested subject to all of the con-
32 ditions, limitations and restrictions imposed by law.

33 E. Except as provided in subsection C, of this section, the fund

- 1 manager may:
- 2 1. Invest and reinvest the principal and income of the pension
3 fund without distinction between principal and income.
- 4 2. Sell, exchange, convey, transfer, or otherwise dispose of any
5 investments of the fund held in the name of the system by private con-
6 tract or at public auction.
- 7 3. Also:
- 8 (a) Vote upon any stocks, bonds, or other securities.
- 9 (b) Give general or special proxies or powers of attorney with or
10 without power of substitution.
- 11 (c) Exercise any conversion privileges, subscription rights or
12 other options and to make any payments incidental thereto.
- 13 (d) Consent to or otherwise participate in corporate reorganiza-
14 tions or other changes affecting corporate securities and to delegate
15 discretionary powers and to pay any assessments or charges in connection
16 therewith.
- 17 (e) Generally exercise any of the powers of an owner with re-
18 spect to stocks, bonds, securities, or other investments held in the fund.
- 19 4. Make, execute, acknowledge, and deliver any and all other in-
20 struments that may be necessary or appropriate to carry out the powers
21 herein granted.
- 22 5. Register any investment held in the fund in the name of the
23 fund or in the name of a nominee.
- 24 6. At the expense of the system, may enter into an agreement with
25 any bank or banks for the safekeeping and handling of securities and other
26 investments coming into the possession of the fund manager. The agree-
27 ment shall be entered into under such terms and conditions as shall
28 secure the proper safeguarding, inventory, withdrawal and handling of the
29 securities and other investments. No access to and no deposit or with-
30 drawal of the securities from any place of deposit selected by the fund
31 manager shall be permitted or made except as the terms of the agree-
32 ment may provide.
- 33 7. Do all acts whether or not expressly authorized which may be

1 deemed necessary or proper for the protection of the investments held
2 in the fund.

3 F. An expense account shall be maintained for the system by the
4 fund manager. The account shall be credited with all contributions of
5 employers for the purpose of meeting their respective proportion of the
6 total operation and administrative expenses of the system during each
7 fiscal year, and it shall be charged with all disbursements for opera-
8 tion and administrative expenses incurred by the system. The surplus or
9 deficiency of this account at the end of the year shall be used in deter-
10 mining the expense rate applicable for the following fiscal year. In-
11 vestment expenses shall be accounted for separately and allocated against
12 investment income.

13 G. The fund manager, as soon as possible following the close of
14 each fiscal year, and in any event within a period of six months fol-
15 lowing the close of any year, shall cause to be transmitted to the gov-
16 ernor or the legislature an annual statement on the operation of the
17 system, containing, among other things:

- 18 1. A balance sheet.
- 19 2. A statement of income and expenditures for the year.
- 20 3. A report on an actuarial valuation of its assets and liabil-
21 ities.
- 22 4. A detailed statement of the investments acquired and disposed
23 of during the year.
- 24 5. A list of investments owned.
- 25 6. Any other statistical and financial data which may be neces-
26 sary for the proper understanding of the financial condition of the
27 system and the results of its operations. A synopsis of such annual
28 report shall be published for the information of members of the system.

29 H. The fund manager shall:

- 30 1. Maintain the accounts of the system, and issue statements to
31 each employer annually and to each member who may request it.
- 32 2. Prescribe the rate of interest that shall be credited to the
33 accumulated contributions each year.

1 3. Report the results of the actuarial valuations to the local
2 boards and employers.

3 4. Contract on a fee basis, with an independent investment counsel
4 to advise it in the investment management of the fund and with an inde-
5 pendent auditing firm to audit its accounting.

6 5. Permit the auditor general to make an annual audit the results
7 of which shall be transmitted to the governor and the legislature.

8 6. Contract on a fee basis with an actuary, who is a member of
9 the society of actuaries, and who shall make actuarial valuations of
10 the system, be the technical adviser of the fund manager on matters re-
11 garding the operation of the funds created by the provisions of the
12 system, and shall perform such other duties as are required in connection
13 therewith.

14 7. Employ, as administrator, a person, state department, or other
15 body to establish and maintain an adequate system of accounts and records
16 for the system, which shall be integrated with the accounts, records, and
17 procedures of the employers to the end that the same shall operate most
18 effectively and at minimum expense, and that duplication of records and
19 may be avoided.

20 I. The attorney general shall be the attorney for the fund manager
21 and shall represent him in any legal proceeding.

22 J. As of the date of the establishment of the retirement system,
23 the actuary shall make such investigation of the mortality, service and
24 compensation experience of the members of the system as the fund manager
25 shall authorize, and on the basis of such investigation he shall recom-
26 mend for adoption by the fund manager such tables as are required for
27 the appropriate actuarial valuation of the system. As soon as practic-
28 able after the adoption of the actuarial tables, the actuary shall make
29 a valuation based on such tables, of the assets and liabilities of the
30 funds created by the system, and prepare a report to each employer showing
31 the contributions sufficient to meet both the normal cost on a level
32 cost method and the prescribed interest on the past service cost for
33 its members. An employer shall have the option of making contributions

1 greater than the contributions specified in this section, in order to
2 reduce the past service cost for its members.

3 K. At least once in each five-year period after the effective
4 date, the actuary shall make an actuarial investigation into the mor-
5 tality, service and compensation experience of the members and benefi-
6 ciaries of the system and shall make a special valuation of the assets
7 and liabilities of the funds of the system. Taking into account the
8 results of such investigation and special valuation, the fund manager
9 shall adopt for the system such mortality, service and other tables as
10 shall be deemed necessary.

11 L. On the basis of such tables as the fund manager shall adopt,
12 the actuary shall make a valuation of the assets and liabilities of the
13 funds of the system not less frequently than each two years. The ac-
14 tuary's report shall stipulate the contributions requirement of each
15 employer participating in the system, provided that during fiscal years
16 1968-1969, and 1969-1970, employers shall not be required to contribute
17 a percentage which would exceed the percentage which would have been
18 contributed if the same percentage of payroll as contributed to exist-
19 ing pension systems by such employers in 1967-1968 were applied to the
20 payrolls in 1968-1969 and 1969-1970.

21 M. Neither the fund manager nor any of its members or employee
22 thereof shall directly or indirectly, for himself or as an agent, in
23 any manner use the funds or deposits of the fund except to make such
24 current and necessary payments as are authorized by the local boards,
25 nor shall the fund manager or any member or employee become an endorser
26 or surety or in any manner an obligor for monies loaned by or borrowed
27 from the fund.

28 Sec. 43. Section 38-902, Arizona Revised Statutes, is amended
29 to read:

30 38-902. State personnel commission; members;
31 appointment; term; vacancies; meet-
32 ings; compensation

33 A. There shall be a state personnel commission which shall consist

1 of five members appointed by the governor with-the-advice-and-consent-of
2 the-senate PURSUANT TO SECTION 38-211. No more than three members shall
3 belong to the same political party. Of the members appointed two shall
4 be persons interested in personnel administration, one shall be a pro-
5 fessional personnel administrator, one a state employee and one a person
6 active in business management. A member may be removed by the governor
7 for cause. The chairman of the state personnel commission shall serve
8 as ex-officio EX OFFICIO member of the law enforcement merit system
9 council without voting privileges.

10 B. The term of each member shall be five years, one term to ex-
11 pire June-30 ON THE THIRD MONDAY IN JANUARY each year. ~~except-that-a~~
12 ~~member-shall-continue-to-serve-until-his-successor-is-duly-appointed-and~~
13 ~~qualified.~~ Upon the expiration of the term of a member a successor
14 shall be appointed for a full term of five years. Of the members of
15 the commission first appointed, one shall be appointed for a term ending
16 June 30, 1969, and one each for terms ending one, two, three and four
17 years thereafter. THEREAFTER, ONE TERM SHALL EXPIRE ON THE THIRD MON-
18 DAY IN JANUARY OF EACH YEAR. The two persons appointed who have an in-
19 terest in personnel administration shall initially be appointed for the
20 terms ending June 30, 1969 and June 30, 1970. The governor shall ap-
21 point the members within thirty days after the effective date of this
22 chapter. ~~and-such-members-shall-serve-until-confirmed-or-denied-at-the~~
23 ~~next-regular-session-of-the-legislature.~~

24 ~~C.--Appointment-to-fill-a-vacancy-resulting-other-than-from-ex-~~
25 ~~piration-of-term-shall-be-for-the-unexpired-term-only.--An-appointee-to~~
26 ~~an-unexpired-term-shall-be-a-member-in-good-standing-until-the-senate~~
27 ~~convenes-and-confirms,-or-denies-confirmation-of,-the-appointment.--if~~
28 ~~the-appointment-is-confirmed,-the-appointee-shall-serve-the-remainder~~
29 ~~of-the-unexpired-term.--if-confirmation-is-denied,-a-new-member-shall~~
30 ~~be-appointed-by-the-governor,-with-the-advice-and-consent-of-the-senate,~~
31 ~~to-serve-the-unexpired-term.~~

32 D. C. The commission shall hold regular quarterly meetings and,
33 in addition, may hold special meeting, the commission deems necessary.

1 A chairman and vice-chairman shall be elected by the members of the first
2 meeting of each even-numbered year and the chairman shall not be permit-
3 ted to succeed himself. Meetings of the commission shall be open to
4 the public and executive sessions may be held as provided by law.

5 E. D. Any one of the following shall constitute the resignation
6 of a commissioner and authorize the governor to appoint a new member to
7 fill the unexpired term so vacated:

- 8 1. Absence from three consecutive quarterly meetings, or
- 9 2. Becoming a candidate for any elective public office, or
- 10 3. Accepting any appointive office or employment in the state
- 11 service, except the state employee who is designated to serve on the
- 12 state personnel commission as prescribed by subsection A of this section.

13 F. E. Members of the commission, except the person designated
14 as the state employee, shall be compensated pursuant to section 38-611
15 for each day actually spent for meetings of the commission. The member
16 of the commission designated as the state employee shall be paid his reg-
17 ular compensation for meetings of the commission.

18 Sec. 44. Section 41-502, Arizona Revised Statutes, is amended to
19 read:

20 41-502. Economic planning and development board;
21 composition; terms; governor's advisory
22 board; executive director

23 A. There shall be an economic planning and development board which
24 shall be composed of the following:

25 1. Members of the Arizona development board serving thereon prior
26 to the effective date of this article, consisting of fourteen members,
27 each of whom shall be a bona fide resident of a different county in the
28 state, appointed by the governor. ~~with-the-advice-and-consent-of-the~~
29 ~~senate.~~ Such members shall continue to serve until expiration of their
30 respective terms.

31 2. Five members appointed at large by the governor ~~with-the-consent~~
32 ~~of-the-senate~~ shall serve for a term concurrent with the term of the
33 governor, except that such additional members shall serve only until

1 June 30, 1971.

2 B. Upon expiration of a term of a member serving pursuant to the
3 provisions of paragraph 1, subsection A, thereafter the members appointed
4 or reappointed shall serve for a term of five years. The terms of four
5 members of the board shall expire on July 10 each year, except that on
6 July 10 of each fourth year, the term of two members shall expire. Any
7 vacancy occurring during a term of office shall be filled in the same
8 manner and from the same county as the original appointment, but shall
9 be only for the balance of the unexpired term.

10 C. Members of the board shall serve without compensation.

11 D. After June 30, 1971, the economic planning and development
12 board shall become the governor's advisory board.

13 E. The executive director of the department of economic planning
14 and development shall be appointed by the economic planning and devel-
15 opment board as constituted and prescribed by the terms of subsection
16 A, with the consent of the governor. The executive director shall have
17 responsible professional experience in economic planning or development.
18 The executive director shall serve for a term expiring on June 30, 1971
19 and thereafter shall be an appointee of the governor serving at the
20 pleasure of the governor.

21 Sec. 45. Section 41-511, Arizona Revised Statutes, is amended
22 to read:

23 41-511. Arizona state parks board; membership;
24 appointment; terms

25 A. There shall be an Arizona state parks board, which shall con-
26 sist of seven members. The state land commissioner shall be a member
27 and the remaining members, each of whom shall be a bona fide resident
28 of the state, shall be appointed by the governor and ~~their appointment~~
29 ~~confirmed by the senate~~ PURSUANT TO SECTION 38-211. ~~When the legislature~~
30 ~~is not in session, interim appointments may be made by the governor,~~
31 ~~and such appointments shall be subject to confirmation by the senate~~
32 ~~at the next regular or special session of the legislature.~~ The appoint-
33 ive members shall be selected because of their knowledge of and interest

1 in outdoor activities, multiple use of lands, archaeology, natural re-
2 sources and the value of the historical aspects of Arizona, and because
3 of their interest in the conservation of natural resources. Not less
4 than two of the appointive members shall be representative of the live-
5 stock industry, and one appointive member shall be professionally en-
6 gaged in general recreation work.

7 B. Of the members first appointed, one shall serve for a term
8 expiring the first Monday in January following the effective date of
9 this article, and one each for terms expiring one, two, three, four
10 and five years thereafter. Thereafter, all appointments shall be for
11 a full term of six years AND SHALL EXPIRE ON THE THIRD MONDAY IN JANUARY
12 OF THE SIXTH YEAR. ~~Appointment to fill a vacancy created other than~~
13 ~~by expiration of term shall be for the balance of the unexpired term.~~

14 Sec. 46. Section 41-591, Arizona Revised Statutes, is amended
15 to read:

16 41-591. Commission on uniform laws; terms; compensation

17 A. There shall be a commission on uniform state laws which shall
18 consist of three members appointed by the governor. ~~with the consent of~~
19 ~~the senate.~~ Immediately upon expiration of the terms of the members
20 serving on the date this section takes effect, the governor shall ap-
21 point three members, ~~with the advice and consent of the senate,~~ one
22 for a term of two years, one for a term of four years, and one for a
23 term of six years. Thereafter, appointment shall be made for a full
24 term of six years. Appointment to fill a vacancy caused other than
25 by expiration of term shall be for the unexpired term.

26 B. Members shall receive compensation as determined pursuant to
27 section 38-611 for each day spent in performance of their duties while
28 attending meetings.

29 Sec. 47. Section 41-602, Arizona Revised Statutes, is amended
30 to read:

31 41-602. Arizona veterans' service commission;
32 terms; compensation

33 A. There shall be an Arizona veterans' service commission which

1 shall consist of five members appointed by the governor. ~~with-the-advice~~
2 ~~and-consent-of-the-senate.~~ The terms of the members shall be for five
3 years, the term of one member to expire June 26 each year.

4 B. Members shall be veterans and shall be appointed from a list
5 of three names submitted by each veterans' organization in the state
6 holding a charter granted by congress. Not more than two members shall
7 be appointed from any list so submitted.

8 C. Appointment to fill a vacancy caused other than by expiration
9 of term shall be for the unexpired term.

10 D. Members of the commission shall serve without compensation.

11 E. The member serving the last year of his term shall be chairman
12 of the commission.

13 Sec. 48. Section 41-971, Arizona Revised Statutes, is amended to
14 read:

15 41-971. State department of public buildings maintenance;
16 superintendent; appointment; term; dismissal;
17 vacancy; compensation

18 A. There shall be a state department of public buildings main-
19 tenance under the direction of a superintendent appointed by the gover-
20 nor, ~~with-the-consent-of-the-senate,~~ for a term of five years. The per-
21 son first appointed as superintendent shall serve for a term expiring
22 on February 1, 1964.

23 B. The superintendent shall have qualifications which consist of
24 substantial administrative experience in responsible public or private
25 business and, in addition, wide experience in the field of building man-
26 agement. The governor may remove the superintendent for incompetency,
27 disability, immorality or for any abuse of his official powers or duties.

28 C. The compensation of the superintendent shall be as determined
29 pursuant to section 38-611.

30 D. Appointment to fill a vacancy resulting other than from ex-
31 piration of term shall be for the unexpired term only. ~~An appointee~~
32 ~~to-the-position-of-superintendent-to-an-unexpired-term-shall-hold-office~~
33 ~~until-the-senate-convenes-and-confirms-or-denies-confirmation-of-the~~

1 appointment.--if-the-appointment-is-confirmed,-the-appointee-shall
2 serve-the-remainder-of-the-unexpired-term.--if-confirmation-is-denied,
3 a-new-superintendent-shall-be-appointed-by-the-governor,-with-the-consent
4 of-the-senate,-to-serve-the-unexpired-term.

5 Sec. 49. Section 41-1401, Arizona Revised Statutes, is amended
6 to read:

7 41-1401. Civil rights commission; terms; vacancies;
8 organization; quorum; compensation

9 A. There is created the Arizona civil rights commission. The
10 commission shall be composed of seven members who shall be appointed
11 by the governor with-the-advice-and-consent-of-the-senate PURSUANT TO
12 SECTION 38-211. Not more than four of the members shall at any one time
13 be of the same political party. Each member shall serve for a term of
14 three years. Of the members of the commission first appointed, two
15 shall be appointed for terms ending January 31, 1966, two for terms end-
16 ing January 31, 1967, and three for terms ending January 31, 1968. THERE-
17 AFTER, THE TERMS SHALL EXPIRE ON THE THIRD MONDAY IN JANUARY OF THE AP-
18 PROPRIATE YEAR.

19 B. Appointment-to-fill-a-vacancy-resulting-other-than-from-ex-
20 piration-of-term-shall-be-for-the-unexpired-term-only.--An-appointee-to
21 an-unexpired-term-shall-be-a-member-in-good-standing-until-the-senate
22 convenes-and-confirms-or-denies-confirmation-of-the-appointment.--if
23 the-appointment-is-confirmed,-the-appointee-shall-serve-the-remainder-of
24 the-unexpired-term.--if-confirmation-is-denied,-a-new-member-shall-be
25 appointed-by-the-governor,-with-the-advice-and-consent-of-the-senate,
26 to-serve-the-unexpired-term. An appointment to fill a vacancy shall be
27 subject to the same limitation with respect to party affiliations as the
28 original appointment.

29 C. The commission shall elect from its membership a chairman
30 and vice chairman. The vice chairman shall act as chairman in the
31 absence or disability of the chairman, or in the event of a vacancy in
32 that office.

33 D. Four members of the commission shall constitute a quorum.

1 except that if the chairman appoints a subcommittee of the commission
2 a majority of the members of the subcommittee shall constitute a quorum.
3 The concurrence of four of the members when in session as a board shall
4 be the act of the commission.

5 E. Each member shall receive compensation as determined pursuant
6 to section 38-611 for each day in which he participates in meetings,
7 but not to exceed one thousand dollars in any fiscal year.

8 F. For the purposes of this chapter, "commission" means the Ari-
9 zona civil rights commission.

10 Sec. 50. Section 41-1603, Arizona Revised Statutes, is amended
11 to read:

12 41-1603. Director; appointment; qualifications;
13 compensation; removal for cause

14 A. The director of the department shall be appointed by the gover-
15 nor ~~with the consent of the senate~~ PURSUANT TO SECTION 38-211. The term
16 of the director first appointed shall expire on February-1, THE THIRD
17 MONDAY IN JANUARY, 1975. Thereafter the director shall serve a term
18 of six years.

19 B. The director, as minimum qualifications, shall have a master's
20 degree or its equivalent in credits from an accredited college or uni-
21 versity and at least ten years of experience in working in a correctional
22 program, including five years of progressively increasing responsibilities
23 in an administrative capacity.

24 C. The compensation of the director shall be as determined pur-
25 suant to section 38-611.

26 D. The director may be removed for cause by the governor prior to
27 the expiration of the term of the director.

28 Sec. 51. Section 41-1711, Arizona Revised Statutes, is amended
29 to read:

30 41-1711. Department of public safety; purpose;
31 location; qualifications of director;
32 responsibility

33 A. There shall be a department of public safety which is responsible

1 for creating and coordinating services for use by local law enforcement
2 agencies in protecting the public safety. The principal office and head-
3 quarters of the department shall be in the city in which the capitol is
4 located.

5 B. The department shall formulate plans with a view to establish-
6 ing modern services for prevention of crime, apprehension of violators,
7 training of law enforcement personnel, and the promotion of public safety.
8 The department shall in no way preempt the authority and jurisdiction of
9 established agencies of political subdivisions of the state.

10 C. The director shall be selected on the basis of training and
11 experience with a minimum of five years' experience in the administration
12 of law enforcement and shall have at least a bachelor's degree issued to
13 him by an accredited college or university.

14 D. The director shall be appointed by the governor, ~~subject to con-~~
15 ~~firmation by the senate,~~ PURSUANT TO SECTION 38-211 to serve for a term
16 of five years and shall be subject to removal for cause, including but
17 not limited to malfeasance, misfeasance and nonfeasance in office. THE
18 TERM SHALL EXPIRE ON THE THIRD MONDAY IN JANUARY OF THE FIFTH YEAR. The
19 director shall receive an annual compensation as determined pursuant to
20 section 38-611.

21 E. The director shall be directly responsible to the governor for
22 the conduct and the administration of the department. If the director
23 is unable to act, the governor shall direct the activities of the de-
24 partment during the period in which the director is unable to act.

25 F. The director shall prescribe procedures for use of department
26 personnel, facilities, equipment, supplies and other resources in as-
27 sisting search or rescue operations on request of the state director of
28 emergency services.

29 Sec. 52. Section 41-1821, Arizona Revised Statutes, is amended
30 to read:

31 41-1821. Council; membership; appointment; term;
32 vacancies; meetings; compensation;
33 acceptance of grants

1 A. There shall be an Arizona law enforcement officer advisory
2 council which shall consist of nine members appointed by the governor.
3 ~~with-the-advise-and-consent-of-the-senate.~~ Members shall be persons
4 with qualifications of experience or education in the field of law
5 enforcement. The membership shall include as members, two sheriffs,
6 two chiefs of city police, a college faculty member in public adminis-
7 tration or related field, the attorney general, the superintendent of
8 the patrol until such time as the director of the department is appointed
9 and thereafter the director of the department, and two public members.
10 The governor shall appoint a chairman from among the members at its
11 first meeting and every year thereafter, except that the director and
12 the superintendent of the highway patrol shall not be appointed chairman.
13 Meetings shall be held at least quarterly or upon call of the chairman
14 or by the written request of five members of the council or by the gover-
15 nor.

16 B. The term of each regular member shall be three years unless
17 a member vacates the public office, which qualified him for this ap-
18 pointment.

19 C. No compensation shall be paid for serving on the council.

20 D. The council may accept contributions, grants, gifts, dona-
21 tions, services or other financial assistance from any individual, as-
22 sociation, corporation or other organization having an interest in
23 police training, and from the United States of America and any of its
24 agencies or instrumentalities, corporate or otherwise. Such monies
25 shall be deposited in the fund created by section 41-1825.

26 E. Membership on the council shall not constitute the holding
27 of an office, and members of the council shall not be required to take
28 and file oaths of office before serving on the council. No member of
29 the council shall be disqualified from holding any public office or
30 employment, nor shall he forfeit any such office or employment by rea-
31 son of his appointment, notwithstanding the provisions of any general,
32 special or local law, ordinance or city charter.

1 Sec. 53. Section 42-122, Arizona Revised Statutes, is amended
2 to read:

3 42-122. Employment of director; qualifications;
4 compensation

5 A. The director of the division of appraisal and assessment
6 standards shall be the director of the department of property valua-
7 tion until the expiration of the term for which he was appointed which
8 expires on January 31, 1968. Thereafter, the governor ~~with-the-advice~~
9 ~~and-consent-of-the-senate~~ PURSUANT TO SECTION 38-211 shall appoint a
10 director to serve for a term of five years WHICH SHALL EXPIRE ON THE
11 THIRD MONDAY IN JANUARY OF THE FIFTH YEAR. The director shall be a
12 person of proven administrative ability.

13 B. The director shall receive a salary as determined pursuant
14 to section 38-611.

15 C. ~~In-the-event-of-a-vacancy-caused-other-than-by-expiration-of~~
16 ~~a-term,-the-director-shall-be-appointed-by-the-governor-with-the-advice~~
17 ~~and-consent-of-the-senate-for-the-unexpired-term.~~ A director may be
18 discharged for cause by the governor.

19 Sec. 54. Section 42-141, Arizona Revised Statutes, is amended
20 to read:

21 42-141. State board of property tax appeals

22 A. There is established a state board of property tax appeals
23 as an independent agency which shall not in any way be subject to the
24 supervision or control of the state tax commission or the state depart-
25 ment of property valuation, and the board shall have full power to equal-
26 ize the valuation of all property throughout the state.

27 B. The state board shall consist of three members appointed by
28 the governor ~~with-the-advice-and-consent-of-the-senate~~ PURSUANT TO SEC-
29 TION 38-211. Members shall be residents of this state. They shall be
30 selected on the basis of their knowledge of and experience in the use
31 of property valuation and appraisal procedures and shall have a minimum
32 of five years' professional experience as a certified public accountant,
33 a public accountant, a licensed real estate broker, an attorney, a

1 property appraiser accredited by a nationally recognized professional
2 organization, or other experience related to the use of property valu-
3 ation and appraisal procedures. Not more than two members shall be
4 members of the same political party. No member of the board shall hold
5 any other public office under the laws of this state or any of its poli-
6 tical subdivisions, nor be a candidate for an elective office under the
7 laws of this state, nor of any other state. No member of the board shall
8 hold any position of trust nor provide or engage in any occupation or
9 business which would corruptly conflict with his duties as a member of
10 the board, nor take part directly or indirectly in any election campaign
11 in the interest of any political party or other organization or any
12 candidate or measure to be voted on by the people. Nothing in this
13 subsection shall prohibit a person from properly and lawfully engaging
14 in his business or profession.

15 C. Of the members first appointed, one shall be appointed to
16 serve for a term to expire on February 1, 1970, and one each for terms
17 expiring ON THE THIRD MONDAY IN JANUARY two and four years thereafter.
18 The member having the shortest term remaining shall act as chairman
19 provided he has served on the board at least two years. If the member
20 having the shortest term remaining does not qualify to act as chairman,
21 the board shall elect its own chairman. Succeeding members shall be
22 appointed for terms of six years, but no member shall be appointed for
23 more than two terms. ~~A-vacancy-caused-other-than-by-expiration-of-a~~
24 ~~term-shall-be-filled-by-the-governor-for-the-unexpired-term-subject-to~~
25 ~~confirmation-by-the-senate.~~ The first board shall meet within thirty
26 days after its appointment and shall organize and adopt rules and reg-
27 ulations.

28 D. Each member of the board shall receive fifty dollars per day
29 for time spent in the performance of his duties. He shall also receive
30 such travel and other expenses as provided by law for other state officers.

31 E. The governor may remove any member for cause.

32 Sec. 55. Section 42-1504, Arizona Revised Statutes, is amended
33 to read:

1 42-1504. Estate tax commissioner; appointment and
2 removal; assistant estate tax commissioner;
3 powers; compensation

4 A. ~~The governor, with the advice and consent of the senate,~~ shall
5 appoint an estate tax commissioner for a term of six years who shall be
6 subject to removal by the governor for cause. The commissioner shall
7 have the right of appeal to the superior court of Maricopa county from
8 the order of removal.

9 B. The commissioner shall be paid compensation as determined pur-
10 suant to section 38-611.

11 C. The commissioner may appoint an assistant estate tax commis-
12 sioner and appraiser who shall hold office at the discretion of the
13 commissioner. The assistant commissioner shall be paid compensation as
14 determined pursuant to section 38-611.

15 D. The assistant commissioner shall exercise all the powers and
16 duties conferred upon the estate tax commissioner in the administration,
17 enforcement and collection of taxes imposed by this article.

18 E. The estate tax commissioner may appoint such additional as-
19 sistants necessary for collection of the taxes imposed by this article.
20 The compensation of all such additional assistants shall be as determined
21 pursuant to section 38-611.

22 Sec. 56. Section 44-2111, Arizona Revised Statutes, is amended
23 to read:

24 44-2111. State inspector of weights and measures;
25 appointment; term; compensation

26 There shall be a state inspector of weights and measures who shall
27 be appointed by the governor, ~~with the consent of the senate,~~ for a term
28 of two years, the term to begin and end February 1 each odd-numbered year.
29 The inspector shall receive compensation as determined pursuant to sec-
30 tion 38-611.

31 Sec. 57. Section 45-502, Arizona Revised Statutes, is amended
32 to read:

1 45-502. Arizona water commission; terms; qualifi-
2 cations; bond; compensation

3 A. There shall be an Arizona water commission which shall consist
4 of seven members, no more than four of whom shall be members of any one
5 major political party, and who, notwithstanding the provisions of any
6 law to the contrary now existing or hereafter enacted, are bona fide
7 residents of not less than five separate counties of the state, appointed
8 by the governor ~~with the advice and consent of the senate~~ PURSUANT TO
9 SECTION 38-211. The members shall be subject to removal for cause by
10 the governor.

11 B. The term of office of each member shall be six years, the
12 terms of two members to expire on the third Monday of January each odd
13 numbered year except that each fourth odd numbered year the term of one
14 member shall expire. ~~Appointment to fill a vacancy created otherwise~~
15 ~~than by expiration of term shall be for the unexpired term, and shall~~
16 ~~be subject to confirmation by the senate at the next following regular~~
17 ~~or special session of the legislature.~~

18 C. Notwithstanding the provisions of any law to the contrary now
19 existing or hereafter enacted, no person shall be appointed as a member
20 of the commission unless he is a qualified elector of the state.

21 D. Members shall attend all meetings of the commission unless
22 excused for good and sufficient reason, and shall devote to the affairs
23 of the commission such time and attention as may be necessary to execute
24 the powers, perform the duties and effectuate the purposes of this arti-
25 cle. Absence of a member, otherwise than on official business, from
26 three meetings of the commission in succession, shall automatically
27 terminate his membership on the commission and the governor, on due noti-
28 fication of the absences, shall appoint a successor.

29 E. Members of the commission shall each receive compensation as
30 determined pursuant to section 38-611, not to exceed three thousand dol-
31 lars in any calendar year.

32 Sec. 58. Section 46-111, Arizona Revised Statutes, is amended
33 to read:

1 46-111. State board of public welfare; members;

2 appointment; term; vacancies; meetings

3 A. There shall be a state board of public welfare which shall
4 consist of five members appointed by the governor with-the-advise-and
5 ~~consent-of-the-senate~~ PURSUANT TO SECTION 38-211. Members shall be ap-
6 pointed without regard to political affiliation, and shall be persons of
7 recognized interest in and knowledge of public welfare.

8 B. The term of each member shall be five years, one term to ex-
9 pire ~~January-31~~ ON THE THIRD MONDAY IN JANUARY each year, except that
10 a member shall continue to serve until his successor is duly appointed
11 and qualified. Upon the expiration of the term of a member a successor
12 shall be appointed for a full term of five years.

13 ~~C.--Appointment-to-fill-a-vacancy-resulting-other-than-from-expira-~~
14 ~~tion-of-term-shall-be-for-the-unexpired-term-only.--An-appointee-to-an~~
15 ~~unexpired-term-shall-be-a-member-in-good-standing-until-the-senate-con-~~
16 ~~venes-and-confirms-or-denies-confirmation-of-the-appointment.--If-the~~
17 ~~appointment-is-confirmed-the-appointee-shall-serve-the-remainder-of-the~~
18 ~~unexpired-term.--If-confirmation-is-denied-a-new-member-shall-be-appointed~~
19 ~~by-the-governor-with-the-advise-and-consent-of-the-senate-to-serve-the~~
20 ~~unexpired-term.~~

21 D. C. Absence from six regular monthly meetings by a board mem-
22 ber during any twelve month period shall constitute a resignation, and
23 any member who becomes a candidate for public office is automatically
24 disqualified from membership on the board, in which event a new member
25 shall be appointed to fill the unexpired term so vacated.

26 E. D. The board shall hold regular monthly meetings and, in
27 addition, may hold special meetings the board deems necessary.

28 Sec. 59. Section 46-261.09, Arizona Revised Statutes, is amended
29 to read:

30 46-261.09. Medical advisory committee; membership

31 A. A medical advisory committee shall be established for the
32 purpose of advising the welfare department and the health department
33 in the administration and operation of the program provided for by

1 this article.

2 B. The medical advisory committee shall consist of nine members.
3 The commissioner of the health department and the commissioner of the
4 welfare department shall be ex officio members. The other seven members
5 of the committee shall be appointed by the governor ~~with-the-advice-and~~
6 ~~consent-of-the-senate~~ and shall hold office for a term of four years or
7 until their successors are appointed. ~~and-qualify.~~ Of the members first
8 appointed one member shall serve for one year, one member for two years,
9 two members for three years, and three members for four years. The
10 respective terms of the first members shall be designated by the governor
11 at the time of their appointments.

12 C. The regular membership of the committee shall at all times
13 include three licensed physicians, one hospital administrator, one nursing
14 home administrator and two other nonmedical members.

15 D. Each appointive member of the committee shall serve without
16 compensation.

17 E. Vacancies shall be filled for unexpired terms in the same man-
18 ner as original appointments, maintaining original representation.

19 F. The committee shall elect a chairman, a vice chairman and a
20 secretary from among its members at its first regular meeting in each
21 fiscal year and shall adopt rules governing its proceedings. The com-
22 mittee shall hold a meeting at least once every six months and such other
23 special and regular meetings as may be deemed necessary.

24 Sec. 60. Section 46-501, Arizona Revised Statutes, is amended to
25 read:

26 46-501. State board of crippled children's services;
27 members; appointment; term; vacancies; meetings

28 A. There shall be an Arizona state board of crippled children's
29 services which shall consist of five members appointed by the governor
30 ~~with-the-consent-of-the-senate~~ PURSUANT TO SECTION 38-211. Members shall
31 be appointed without regard to political affiliation. The membership
32 shall include two physicians licensed to practice in the state of Ari-
33 zona who reside in different communities.

1 B. The term of each member shall be five years, except that a
2 member shall continue to serve until his successor is duly appointed
3 and qualified. Upon the expiration of the term of a member a succes-
4 sor shall be appointed for a full term of five years. Of the members
5 of the board first appointed, one shall be appointed for a term ending
6 January 31, 1962, and one each for terms ending one, two, three and
7 four years thereafter. THEREAFTER, ONE TERM SHALL EXPIRE ON THE THIRD
8 MONDAY IN JANUARY EACH YEAR.

9 ~~G. Appointment to fill a vacancy resulting other than from ex-~~
10 ~~piration of term shall be for the unexpired term only. An appointee~~
11 ~~to an unexpired term shall be a member in good standing until the senate~~
12 ~~convenes and confirms or denies confirmation of the appointment. If~~
13 ~~the appointment is confirmed, the appointee shall serve the remainder~~
14 ~~of the unexpired term. If confirmation is denied, a new member shall~~
15 ~~be appointed by the governor, with the advice and consent of the senate,~~
16 ~~to serve the unexpired term.~~

17 D. C. Absence from three consecutive meetings by a board mem-
18 ber shall constitute a resignation, and any member who becomes a can-
19 didate for public office is automatically disqualified from membership
20 on the board, in which event a new member shall be appointed to fill
21 the unexpired term so vacated.

22 E. D. The board shall meet a minimum of once each calendar
23 month and may hold special meetings the board deems necessary.

24 Sec. 61. Repeal

25 Section 30-653, Arizona Revised Statutes, as amended by Laws 1970,
26 chapter 204, section 87, is repealed.