

PURSUANT TO A.R.S. SECTION 38-431 THE GILA COUNTY BOARD OF SUPERVISORS WILL HOLD AN OPEN MEETING IN THE SUPERVISORS' AUDITORIUM, 1400 EAST ASH STREET, GLOBE, ARIZONA. ONE OR MORE BOARD MEMBERS MAY PARTICIPATE IN THE MEETING BY TELEPHONE CONFERENCE CALL OR BY INTERACTIVE TELEVISION VIDEO (ITV). **ANY MEMBER OF THE PUBLIC IS WELCOME TO ATTEND THE MEETING VIA ITV WHICH IS HELD AT 610 E. HIGHWAY 260, BOARD OF SUPERVISORS' CONFERENCE ROOM, PAYSON, ARIZONA.** THE AGENDA IS AS FOLLOWS:

REGULAR MEETING - TUESDAY, JANUARY 18, 2011 - 10 A.M.

- 1 Call to Order - Pledge of Allegiance – Invocation
- 2 **PRESENTATIONS:**
 - A Presentation of the 2011 Gila County Law Enforcement Agencies' Calendar Contest winners from the Miami School District by County Attorney Daisy Flores. Presented
 - B Recognition of the following 12 employees for December's "Spotlight on Employees" Program: Barney Branstetter, John Jackson, Geoff Little, Steve Leneberg, Mike Moore, Allen Oswald, Dean Rodgers, Danny Savage, Smokey Slaughter, Thomas Tanner, Porter Wilbanks and Travis Wills. **(Juley Bocardo-Homan)** Presented
- 3 **PUBLIC HEARINGS:**
 - A **(Motion to adjourn as the Gila County Board of Supervisors and to convene as the Gila County Flood Control District Board of Directors.)** Denied
Public Hearing: Information/Discussion/Action to consider the floodplain variance request submitted by Roy and Rose Goodwin for parcel no. 201-14-018C in Tonto Basin, and to direct the Floodplain Administrator to record to deed that the property is not in compliance with the Gila County Floodplain Management Ordinance. **(Steve Sanders/Darde de Roulhac)**
(Motion to adjourn as the Gila County Flood Control District Board of Directors and to reconvene as the Gila County Board of Supervisors)
- 4 **REGULAR AGENDA ITEMS:**
 - A Information/Discussion/Action to consider providing a Gila County Economic Development Grant to the City of Globe in the amount of \$65,000 for the Old Dominion Historic Mine Park project. **(Thea Wilshire)** Approved
 - B Information/Discussion/Action to approve the United States Marshals Service Limited Use Agreement for Detention Services between Gila County, on behalf of the Gila County Juvenile Detention Center, and the United States Marshals Service to Approved

provide bed space for the custody and care of Federal detainees for the period of October 29, 2010, through October 28, 2011 at a rate of \$131.40 per day per detainee. **(Kendall Rhyne)**

- C Information/Discussion/Action to approve Offer and Acceptance Solicitation No. ADES11-00000414 between the Arizona Department of Economic Security, Rehabilitation Services Administration, and Gila County, dba Gila Employment and Special Training (GEST), to provide extended supported employment services to vocational rehabilitation clients. **(David Caddell)** Approved
- D Information/Discussion/Action to approve the distribution of LTAF II (Local Transportation Assistance Funds II) funds to senior centers and other transportation entities for their continued operation per the attached list. **(Steve Stratton)** Approved
- E Information/Discussion/Action to adopt "Policy and Procedure for the Abandonment of County Highways, Local Streets, Avenues, Alleys and for the Extinguishment of Easements within Gila County", which replaces "Guidelines for Vacation of Public Roadways" policy. **(Steve Sanders)** Tabled
- F Information/Discussion/Action to approve a Change Order in the amount of \$212,961.59 for Dean Douglas Development, whereby the Contractor will complete the paving, sidewalks, and bank stabilization at the new Public Works Complex. **(Steve Stratton)** Approved
- G Information/Discussion/Action to adopt Resolution No. 11-01-04 establishing guidelines for the selection of the Gila County Redistricting Advisory Committee. **(Linda Eastlick)** Adopted
- H Information/Discussion/Action to consider the adoption of Resolution No. 11-01-05, a resolution of the Board of Supervisors in support of changes being made to the Arizona Revised Statutes which would allow a provisional community college district to transition to community college district. Adopted
- 5 **CONSENT AGENDA ACTION ITEMS:**
- A Approval of a one year renewal of Support Agreement No. GILA-GXY-GLO1 between Gila County and CommVault Systems, Inc., in the amount of \$14,955.81, to provide backup and data restoration for all County digital information, for the period of January 18, 2011, through January 17, 2012. Approved
- B Approval of Amendment No. 1 to an Intergovernmental Agreement (Contract No. DE111006001) between the Arizona Department of Economic Security and Gila County, which adds Section 48.0 - Background Checks for Employment through the Central Approved

Registry and revises the numbering of the Attachments Section 48.0 to 49.0.

- C Authorization of the Chairman's signature on various documents entered into between Gila County and Konica Minolta Business Solutions U.S.A., Inc. (KMBS) for the purchase of a Konica Minolta Bizhub 552DS digital copier/scanner/fax that will be used by the Board of Supervisors in Payson as follows: Order Agreement in the amount \$7,948.00, Advantage CPC Maintenance Contract at a cost of \$149.92 per month, (1,799.04) per year; and Contract Information Form. Authorized
- D Approval of the reappointments of Paul Julien and John Perlman as Justices of the Peace Pro Tempore for the Payson Regional Justice Court and the reappointments of Rebecca Baeza, Peter DeNinno, Dee Flake, John Huffman and Ronnie McDaniel as Justices of the Peace Pro Tempore for Payson and Globe Regional Justice Courts. The term for the reappointments shall be for one year (January 1, 2011, through December 31, 2011). Approved
- E Approval of the November 2010 monthly departmental activity report submitted by the Payson Regional Justice of the Peace. Approved
- F Approval of the November 2010 monthly departmental activity report submitted by the Clerk of the Superior Court. Approved
- G Approval of Human Resources reports for the weeks of January 11, 2011 and January 18, 2011. Approved
- H Approval of finance reports/demands/transfers for the weeks of January 11, 2011, and January 18, 2011. Approved
- 6 **CALL TO THE PUBLIC:** Call to the Public is held for public benefit to allow individuals to address issue(s) within the Board's jurisdiction. Board members may not discuss items that are not specifically identified on the agenda. Therefore, pursuant to Arizona Revised Statute §38-431.01(G), action taken as a result of public comment will be limited to directing staff to study the matter, responding to criticism, or scheduling the matter for further discussion and decision at a future date.
- 7 At any time during this meeting pursuant to A.R.S. §38-431.02(K), members of the Board of Supervisors and the Chief Administrator may present a brief summary of current events. No action may be taken on issues presented.

IF SPECIAL ACCOMMODATIONS ARE NEEDED, PLEASE CONTACT THE RECEPTIONIST AT (928) 425-3231 AS EARLY AS POSSIBLE TO ARRANGE THE ACCOMMODATIONS. FOR TTY, PLEASE DIAL 7-1-1 TO REACH THE ARIZONA RELAY SERVICE AND ASK THE OPERATOR TO CONNECT YOU TO (928) 425-3231.

THE BOARD MAY VOTE TO HOLD AN EXECUTIVE SESSION FOR THE PURPOSE OF OBTAINING LEGAL ADVICE FROM THE BOARD'S ATTORNEY ON ANY MATTER LISTED ON THE AGENDA PURSUANT TO A.R.S. SECTION 38-431.03(A)((3)

THE ORDER OR DELETION OF ANY ITEM ON THIS AGENDA IS SUBJECT TO MODIFICATION AT THE MEETING

**BOARD OF SUPERVISORS MINUTES
GILA COUNTY, ARIZONA**

Date: January 18, 2010

MICHAEL A. PASTOR
Chairman

JOHN F. NELSON
Clerk of the Board

TOMMIE C. MARTIN
Vice-Chairman

By: Marilyn Brewer
Chief Deputy Clerk

SHIRLEY L. DAWSON
Member

Gila County Courthouse
Globe, Arizona

PRESENT: Michael A. Pastor, Chairman; Tommie C. Martin, Vice-Chairman (via ITV conferencing); Shirley L. Dawson, Supervisor; Don McDaniel, Jr., County Manager; Marian Sheppard, Chief Deputy Clerk; and Bryan Chambers, Chief Deputy County Attorney.

Item 1 – Call to Order – Pledge of Allegiance – Invocation

The Gila County Board of Supervisors met in a regular session at 10:00 a.m. this date in the Board of Supervisors hearing room. Marian Sheppard led the Pledge of Allegiance and Reverend Bart Campbell of the Church of Christ in Globe delivered the invocation.

Minutes for redistricting item only...

4G. Information/Discussion/Action to adopt Resolution No. 11-01-04 establishing guidelines for the selection of the Gila County Redistricting Advisory Committee.

Linda Eastlick, Elections Director, stated that as a result of 2010 Census, the County must review each of its districts and review the data from the Census and make a determination as to whether the County needs to redistrict its supervisorial districts. The Census will also affect the Gila County Community College board districts and probably will affect the City of Globe also. Ms. Eastlick recommended that in an effort to maintain as fair a process and as apolitical a process as possible and to avoid the perception that there are hidden agendas, that the County go forward with a process that will allow individual members of the public to make application to their supervisor or to have the supervisor send applications to people that would like to be considered as a member of a redistricting advisory committee. This resolution and the guidelines set forth are not only for the committee selection guidelines, but it also gives an overview of what the committee members would be required to do. She stated that it's not a simple process and frequently the public may become involved and not understand that there is quite a bit required of individuals. As far as the selection guidelines are concerned, in general it would be expected that each member is a registered voter within the state of Arizona,

and has been registered continuously with the same political party or registered as an unaffiliated individual for 3 or more years preceding their appointment. Within 3 or more years previous to the appointment, the members shall not have been appointed to, elected to, or a candidate for any partisan public office or community college board, served as an officer of a political party, served as a registered paid lobbyist or served as an officer of a candidate's campaign committee. She stated that much of that language comes from the Arizona Constitution regarding the redistricting board that is put together for the state of Arizona. She also noted that current County employees would not serve as members of the committee and that during the tenure of the committee and three years thereafter, the committee members would be ineligible for partisan office or public office or registration as a paid lobbyist. Ms. Eastlick stated that individuals that meet those application guidelines would be put into a pool and then the Board would select 9 members to be a part of the final advisory committee. She stated that the selection would begin with the Chairman of the Board making the first selection, the Vice Chairman making the second selection and members at large making the selection thereafter. Ms. Eastlick stated that while the duties and responsibilities of the committee are not limited to what she was presenting, she wanted to highlight some of them and noted that the committee will be asked to work in as honest, independent and impartial fashion as possible. She stated that this is a very political process that will be made as a13 political as possible, but nevertheless it will be a very political process. The committee will be asked to work under the direction and the guidance of the Gila County Elections staff and the hired consultants as well as the Board of Supervisors; the committee members will attend all planning meetings and all presentations and hearings that will be set in the future; they will be required to report the outcome from these public meetings; they will be evaluating all of the public input and redistricting proposals under the guidance of the Elections Department staff and consultants; and will then make proposals to the Board of Supervisors. She stated that individuals in the public will also be encouraged to submit their comments and their recommendations for redistricting. Ms. Eastlick recommended that the Board approve the Resolution and the guidelines so the process can then move forward with the receipt of the applications and selection of the committee. She would like to have the committee selected and approved at the March 1, 2010, Board meeting. Vice-Chairman Martin stated that she knows of a lady who wants to apply for this committee who moved here from Europe and she may fall short of the requirement to have been a citizen for 3 years. This lady wonders if the Board would make an exception for her to be able to apply. Ms. Eastlick recommended that the lady fill out an application, which will be available through each of the Board members and that application will also be a selfinterest disclosure where room is provided at the bottom of the form to state that information and provide the reason she should still be considered. The names of any applicants in that situation would be brought to the Board and by a unanimous decision, the Board would need to determine if that person

would be eligible to participate on the committee. Mr. Chambers stated that in regard to Vice-Chairman Martin's scenario, he believes that the way the guidelines are written, they say that a person applying has to be a registered voter for 3 years and then they also say that the Gila County Director of Elections shall review related background information and remove any applicant that does not meet the qualifications in these guidelines. He stated if that is a concern, the Board may want to consider changing the 3-year requirement to 2 years because as it is written the Elections Director would have to pull that application. Ms. Eastlick explained that on the application process it is indicated to the applicant to explain why they feel that their answer(s) should not disqualify them from serving on the committee. She noted that exceptions could be granted only by a unanimous vote of the Board. Mr. Chambers suggested that if that statement is on the application then there should be a paragraph written in the guidelines stating that there can be adjustments made or requirements waived, which would obviously be at the discretion of the Board as to whether or not they want adjustments possible; otherwise, it should be taken off of the application form. Ms. Eastlick recommended that the Board approve the guidelines with the modification to item 2G. Mr. McDaniel recommended that the wording could be changed to read in item G on page 1, "That the Gila County Department of Elections shall review related applicant background information and shall submit qualified applicants to the Board for approval" and take out "remove any applicant who does not meet the qualifications of these guidelines." That way if the Board wants to waive any of those they can do so. The form that Ms. Eastlick has submitted with regard to applicants then is consistent with that and the wording then is taken care of and it allows the elections staff to review each applicant and make a determination. Ms. Eastlick recommended removing the word "qualified" and just adding "shall submit the applicants to the Board for approval." The Elections staff could submit that list with a notation if there is any issue. Mr. Chambers stated that he agreed that the word "qualified" should be removed because the applicant still wouldn't be qualified. He did advise that it could open up a very big hole in the whole procedure. Vice-Chairman Martin stated that the only reason she brought this up was because this lady would be an excellent person to have on this committee because of her perspective as a new citizen and as a fairly new voter taking a look at the redistricting process. Chairman Pastor stated that one of his concerns is that there have been other questions from those who are not registered voters, who want to be part of the committee and if the Board starts changing its guidelines, it may be opening "a big old can of worms." Mr. Chambers provided additional legal advice by stating that the Board is not required to have any guidelines or a redistricting committee. He believes that for good reasons, the Elections Director has proposed this and it's probably a very good idea to have a citizens' committee that can actually list input from people all over the county whether they are registered to vote or not. If the Board wishes to make some sort of exception, his recommendation was to just change the requirement from 3 years to 2 years as far as being a registered voter, which would get around

Vice-Chairman Martin's concerns, but would not completely open the door to all exceptions to the guidelines; however, the Board doesn't have to have any guidelines at all. He noted that the County requirements are different from the state redistricting committee requirements because the state's requirements are part of the Arizona Constitution. Supervisor Dawson made the motion to adopt Resolution No. 11-01-04 establishing guidelines for the selection of the Gila County Redistricting Advisory Committee as submitted by the Elections Director with the change of citizenship from three years to two years. Ms. Eastlick requested that the motion be amended to change the registered voter requirement from three years to two years rather than the citizenship. Supervisor Dawson amended her motion to change the registered voter requirement from 3 years to 2 years. The motion was seconded by Vice-Chairman Martin and unanimously approved. **(A copy of the Resolution is permanently on file in the Board of Supervisors' Office.)**

Regular Agenda Item 4- G**Regular BOS Meeting****Meeting Date:** 01/18/2011**Submitted For:** Linda Eastlick, Elections Director
Submitted By: Marian Sheppard, Clerk of the Board of Supervisors**Department:** Elections Department**Presenter's Name:** Linda Eastlick

Information**Request/Subject**

Resolution No. 11-01-04 establishing guidelines for the selection of the Gila County Redistricting Advisory Committee.

Background Information

ARS 11-212 and 11-252 (2) require the board of Supervisors meet following the decennial census and divide the county into supervisorial districts. Thus, redistricting for Gila County will be done in 2011. The Board of Supervisors may, at their discretion, establish a citizens Redistricting Committee. The Article 4, Part 2 Section 1 of the Arizona Constitution provides for the establishment of an independent redistricting commission on a State level.

Evaluation

The Board of Supervisors desires to establish fair and equitable guidelines for the appointment of a citizens Redistricting Advisory Committee. The Redistricting Advisory Committee will work under the auspices of the Board of Supervisors, the Gila County Director of Elections, and consultants to obtain public input, hold public hearings, and review alternative redistricting plans. The Arizona Constitution redistricting commission selection process provides appropriate background information for the development of fair and equitable County selection guidelines

Conclusion

In order to ensure citizen appointments are fair and equitable, the guidelines contained in Resolution No. 11-01-04 have been developed for the Board's consideration.

Recommendation

It is recommended the Board of Supervisors adopt Resolution 11-01-04 and establish fair and equitable guidelines for the appointment of a citizens Redistricting Advisory Committee.

Suggested Motion

Information/Discussion/Action to adopt Resolution No. 11-01-04 establishing guidelines for the selection of the Gila County Redistricting Advisory Committee.
(Linda Eastlick)

Attachments

Resolution 11-01-04

Redistricting Advisory Committee Guidelines

AZ Constitution Article 4

ARS 11-212

ARS 11-251 (2)

After recording, return to:
Marian Sheppard, Chief Deputy Clerk
Board of Supervisors



RESOLUTION NO. 11-01-04

A RESOLUTION OF THE BOARD OF SUPERVISORS OF GILA COUNTY, ARIZONA, ESTABLISHING GUIDELINES FOR THE SELECTION OF THE GILA COUNTY REDISTRICTING ADVISORY COMMITTEE

WHEREAS, pursuant to A.R.S. §11-212 the Gila County Board of Supervisors shall meet at the county seat December 1 following the release of the United States decennial census data and divide the county into three districts and shall define the boundaries and limits of each district and make the division equal or with not more than ten percent difference in population, and;

WHEREAS, the Gila County Board of Supervisors is desirous of establishing a Gila County Redistricting Advisory Committee to collect public input to the redistricting process, and;

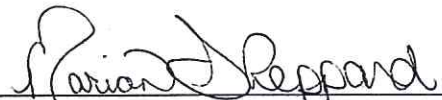
WHEREAS, the Article 4 Part 2 Section 1 of the Arizona Constitution sets forth guidelines for the State independent redistricting commission, and;

WHEREAS, the Gila County Board of Supervisors is desirous of establishing guidelines for selection of the Gila County Redistricting Advisory Committee members.

NOW, THEREFORE, BE IT RESOLVED that the Gila County Board of Supervisors does hereby adopt the attached "Gila County Redistricting Advisory Committee Selection Guidelines."

PASSED AND ADOPTED this 18th day of January 2011.

Attest:


Marian Sheppard Chief Deputy Clerk

GILA COUNTY BOARD OF SUPERVISORS


Michael A. Pastor, Chairman

GILA COUNTY
REDISTRICTING ADVISORY COMMITTEE GUIDELINES
January, 2011

In an effort to ensure a fair and unbiased redistricting, a fair and unbiased selection process of Redistricting Advisory Committee members, and a clear understanding of the role of the Committee members, the Gila County Board of Supervisors hereby adopts the following guidelines:

1. Each year following the decennial census, a Gila County Redistricting Advisory Committee (hereinafter "Committee") shall be established to provide recommendations for the redistricting of the Gila County Board of Supervisor Districts.
2. Committee Selection Guidelines:
 - a) Each year following the decennial census, the Board of Supervisors, or its designee, shall establish a pool of persons who are willing to serve on and are qualified for appointment to the Committee.
 - b) Members of the public able to conform to selection guidelines and who are interested in serving on the Committee should contact their respective Gila County Supervisor to be placed on the nomination list.
 - c) Each member shall be a registered Arizona voter who has been continuously registered with the same political party, or registered as unaffiliated with a political party, for three or more years immediately preceding appointment.
 - d) Within the three years previous to appointment, members shall not have: (1) been appointed to, elected to, or a candidate for any partisan public office or community college board; (2) served as an officer of a political party; (3) served as a registered paid lobbyist; nor (4) served as an officer of a candidate's campaign committee.
 - e) Current County Employees may not serve as members of the Committee.
 - f) During tenure of the Committee and for three years thereafter, Committee members shall be ineligible for partisan public office or for registration as a paid lobbyist.
 - g) The Gila County Division of Elections shall review related applicant background information and remove any applicant who does not meet the qualifications of these guidelines..
 - h) All applicants who meet the qualifications of these guidelines according to the Gila County Division of Elections shall constitute the Gila County Redistricting Advisory Committee Applicant Pool.

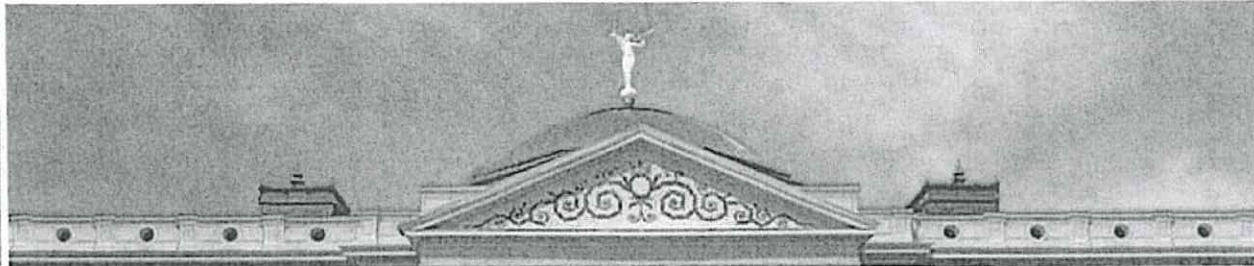
- i) The Committee shall consist of nine members. No more than four members of the Committee shall be members of the same political party and at least one member of the Committee shall not be registered with either of the two largest political parties in Arizona. No more than two members shall reside in the same precinct.
3. Appointments to the Committee shall be made as follows:
 - a) The Chairman of the Board of Supervisors shall make one appointment to the Committee from the Gila County Redistricting Advisory Committee Applicant Pool followed by one appointment from the pool made in turn by each of the following: the Vice Chair of the Gila County Board of Supervisors, and the third member of the Board of Supervisors. This process is repeated until all nine members are appointed.
 - b) Any vacancy in the above nine Committee positions remaining as of March 1 of the year following the decennial census shall be filled from the pool of nominees by action of the Board of Supervisors and shall be consistent with all provisions of paragraph 2 above.
 4. Duties and Responsibilities of Committee members include, but are not limited to:
 - a) Select a chair and vice chair. The nine Committee members shall select by majority vote one of their members to serve as chair and one of their members to serve as vice-chair. If the Committee fails to select a chair or vice chair, the Board of Supervisors shall appoint a chair or vice chair from amongst the nine members.
 - b) Work on the Committee in an honest, independent, and impartial fashion and to upholding public confidence in the integrity of the redistricting process.
 - c) Work under the direction and guidance of the Gila County Election's staff and consultants.
 - d) Attend planning meetings with County Election's staff and consultants.
 - e) Attend presentation/hearing meetings and conduct interactive dialogue with the public for the purposes of providing information and gathering public input.
 - f) Provide for reporting the outcome of public meetings. Outcome materials must be made available to the public. The official record shall be addressed to the Board of Supervisors and submitted to Election's staff for review and dissemination.
 - g) Evaluate public input and redistricting proposals under the direction and guidance of Election's staff and consultants.
 - h) Make formal presentations to the Board of Supervisors in conjunction with Elections staff and consultants.
 - i) Attend at least 2/3 of all planning and presentation/hearing meetings.

- j) Abide by Arizona Open Meeting Law and conduct meetings open to the public with 72 or more hours public notice provided of each meeting. Abide by all other applicable Federal and State laws.
- k) Conduct business in public meetings only when a quorum is present. Seven committee members, including the chair or vice-chair, constitute a quorum. Seven or more affirmative votes are required for any official action.
- l) Present no less than two redistricting plans to the Board of Supervisors for consideration.
- m) Serve from the date of appointment by the Gila County Board of Supervisors through the preclearance new district boundary plan by the United States Department of Justice. Once the preclearance letter has been received, the committee shall meet to present the letter of preclearance to the Board of Supervisors. At that point, the Committee will automatically be dissolved.

5. Resignation or Termination from Appointment:

- a) After having been served written notice, and provided with an opportunity for a response, a member of the Committee may be removed by the Board of Supervisors for failure to attend scheduled Committee planning meetings or presentation/hearing meetings, substantial neglect of duty, gross misconduct in office, or inability to discharge the duties of office.
- b) Committee members who must resign should provide two-weeks notice in a written letter addressed to the Gila County Board of Supervisors and the Director, Gila County Division of Elections.
- c) In the event a vacancy on the Committee occurs, a new name shall be presented to the Board of Supervisors for appointment by the same member of the Board of Supervisors who submitted the vacating member's nomination. The nominee shall be of the same political party or status as was the member who vacated the office at the time of his or her appointment.
- d) In the event there is a vacancy of the chair or vice chair, the appointment of a new chair or vice chair shall be made by the remaining Committee members.
- e) If the appointment of a replacement committee member or chair is not made within a reasonable time following the presentation of the nominees, the Board of Supervisors, or its designee, shall make the appointment striving for political balance and fairness.
- f) Any newly appointed Committee member shall serve out the remainder of the original member's term.

Arizona State Legislature

Bill Number Search: 

Forty-ninth Legislature - Second Regular Session

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1. Senate; house of representatives; members; special session upon petition of members; congressional and legislative boundaries; citizen commissions

Section 1. (1) The senate shall be composed of one member elected from each of the thirty legislative districts established pursuant to this section.

The house of representatives shall be composed of two members elected from each of the thirty legislative districts established pursuant to this section.

(2) Upon the presentation to the governor of a petition bearing the signatures of not less than two-thirds of the members of each house, requesting a special session of the legislature and designating the date of convening, the governor shall promptly call a special session to assemble on the date specified. At a special session so called the subjects which may be considered by the legislature shall not be limited.

(3) By February 28 of each year that ends in one, an independent redistricting commission shall be established to provide for the redistricting of congressional and state legislative districts. The independent redistricting commission shall consist of five members. No more than two members of the independent redistricting commission shall be members of the same political party. Of the first four members appointed, no more than two shall reside in the same county. Each member shall be a registered Arizona voter who has been continuously registered with the same political party or registered as unaffiliated with a political party for three or more years immediately preceding appointment, who is committed to applying the provisions of this section in an honest, independent and impartial fashion and to upholding public confidence in the integrity of the redistricting process. Within the three years previous to appointment, members shall not have been appointed to, elected to, or a candidate for any other public office, including precinct committeeman or committeewoman but not including school board member or officer, and shall not have served as an officer of a political party, or served as a registered paid lobbyist or as an officer of a candidate's campaign committee.

(4) The commission on appellate court appointments shall nominate candidates for appointment to the independent redistricting commission, except that, if a politically balanced commission exists whose members are nominated by the commission on appellate court appointments and whose regular duties relate to the elective process, the commission on appellate court appointments may delegate to such existing commission (hereinafter called the commission on appellate court appointments' designee) the duty of nominating members for the independent redistricting commission, and all other duties assigned to the commission on appellate court appointments in this section.

(5) By January 8 of years ending in one, the commission on appellate court appointments or its designee shall establish a pool of persons who are willing to serve on and are qualified for appointment to the independent redistricting commission. The pool of candidates shall consist of twenty-five nominees, with ten nominees from each of the two largest political parties in Arizona based on party registration, and five who are not registered with either of the two largest political parties in Arizona.

(6) Appointments to the independent redistricting commission shall be made in the order set forth below. No later than January 31 of years ending in one, the highest ranking officer elected by the Arizona house of representatives shall make one appointment to the independent redistricting commission from the pool of nominees, followed by one appointment from the pool made in turn by each of the following: the minority party leader of the Arizona house of representatives, the highest ranking officer elected by the Arizona senate, and the minority party leader of the Arizona senate. Each such official shall have a seven-day period in which to make an appointment. Any official who fails to make an appointment within the specified time period will forfeit the appointment privilege. In the event that there are two or more minority parties within the house or the senate, the leader of the largest minority party by statewide party registration shall make the appointment.

(7) Any vacancy in the above four independent redistricting commission positions remaining as of March 1 of a year ending in one shall be filled from the pool of nominees by the commission on appellate court appointments or its designee. The appointing body shall strive for political balance and fairness.

(8) At a meeting called by the secretary of state, the four independent redistricting commission

members shall select by majority vote from the nomination pool a fifth member who shall not be registered with any party already represented on the independent redistricting commission and who shall serve as chair. If the four commissioners fail to appoint a fifth member within fifteen days, the commission on appellate court appointments or its designee, striving for political balance and fairness, shall appoint a fifth member from the nomination pool, who shall serve as chair.

(9) The five commissioners shall then select by majority vote one of their members to serve as vice-chair.

(10) After having been served written notice and provided with an opportunity for a response, a member of the independent redistricting commission may be removed by the governor, with the concurrence of two-thirds of the senate, for substantial neglect of duty, gross misconduct in office, or inability to discharge the duties of office.

(11) If a commissioner or chair does not complete the term of office for any reason, the commission on appellate court appointments or its designee shall nominate a pool of three candidates within the first thirty days after the vacancy occurs. The nominees shall be of the same political party or status as was the member who vacated the office at the time of his or her appointment, and the appointment other than the chair shall be made by the current holder of the office designated to make the original appointment. The appointment of a new chair shall be made by the remaining commissioners. If the appointment of a replacement commissioner or chair is not made within fourteen days following the presentation of the nominees, the commission on appellate court appointments or its designee shall make the appointment, striving for political balance and fairness. The newly appointed commissioner shall serve out the remainder of the original term.

(12) Three commissioners, including the chair or vice-chair, constitute a quorum. Three or more affirmative votes are required for any official action. Where a quorum is present, the independent redistricting commission shall conduct business in meetings open to the public, with 48 or more hours public notice provided.

(13) A commissioner, during the commissioner's term of office and for three years thereafter, shall be ineligible for Arizona public office or for registration as a paid lobbyist.

(14) The independent redistricting commission shall establish congressional and legislative districts. The commencement of the mapping process for both the congressional and legislative districts shall be the creation of districts of equal population in a grid-like pattern across the state. Adjustments to the grid shall then be made as necessary to accommodate the goals as set forth below:

A. Districts shall comply with the United States Constitution and the United States voting rights act;

B. Congressional districts shall have equal population to the extent practicable, and state legislative districts shall have equal population to the extent practicable;

C. Districts shall be geographically compact and contiguous to the extent practicable;

D. District boundaries shall respect communities of interest to the extent practicable;

E. To the extent practicable, district lines shall use visible geographic features, city, town and county boundaries, and undivided census tracts;

F. To the extent practicable, competitive districts should be favored where to do so would create no significant detriment to the other goals.

(15) Party registration and voting history data shall be excluded from the initial phase of the mapping process but may be used to test maps for compliance with the above goals. The places of residence of incumbents or candidates shall not be identified or considered.

(16) The independent redistricting commission shall advertise a draft map of congressional districts and a draft map of legislative districts to the public for comment, which comment shall be taken for at least thirty days. Either or both bodies of the legislature may act within this period to make recommendations to the independent redistricting commission by memorial or by minority report, which recommendations shall be considered by the independent redistricting commission. The independent redistricting commission shall then establish final district boundaries.

(17) The provisions regarding this section are self-executing. The independent redistricting commission shall certify to the secretary of state the establishment of congressional and legislative districts.

(18) Upon approval of this amendment, the department of administration or its successor shall make adequate office space available for the independent redistricting commission. The treasurer of the state shall make \$6,000,000 available for the work of the independent redistricting commission pursuant to the year 2000 census. Unused monies shall be returned to the state's general fund. In years ending in eight or nine after the year 2001, the department of administration or its successor shall submit to the legislature a recommendation for an appropriation for adequate redistricting expenses and shall make available adequate office space for the operation of the independent redistricting commission. The legislature shall make the necessary appropriations by a majority vote.

(19) The independent redistricting commission, with fiscal oversight from the department of administration or its successor, shall have procurement and contracting authority and may hire staff and consultants for the purposes of this section, including legal representation.

(20) The independent redistricting commission shall have standing in legal actions regarding the redistricting plan and the adequacy of resources provided for the operation of the independent redistricting commission. The independent redistricting commission shall have sole authority to determine whether the Arizona attorney general or counsel hired or selected by the independent redistricting commission shall represent the people of Arizona in the legal defense of a redistricting plan.

(21) Members of the independent redistricting commission are eligible for reimbursement of expenses pursuant to law, and a member's residence is deemed to be the member's post of duty for purposes of reimbursement of expenses.

(22) Employees of the department of administration or its successor shall not influence or attempt to influence the district-mapping decisions of the independent redistricting commission.

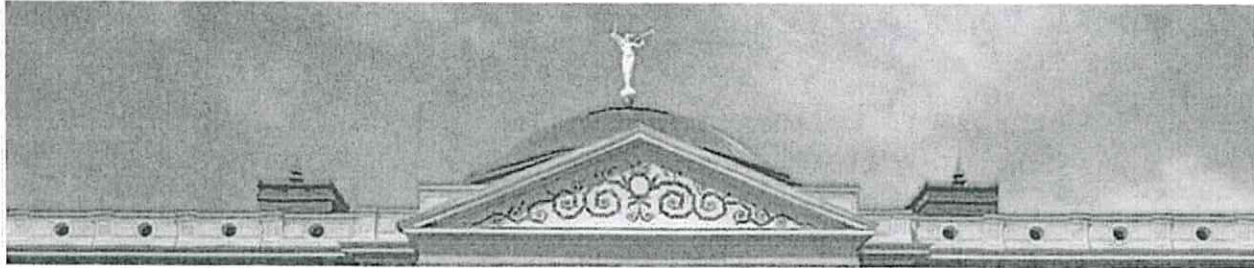
(23) Each commissioner's duties established by this section expire upon the appointment of the first member of the next redistricting commission. The independent redistricting commission shall not meet or incur expenses after the redistricting plan is completed, except if litigation or any government approval of the plan is pending, or to revise districts if required by court decisions or if the number of congressional or legislative districts is changed.

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11-212. Supervisorial districts

The board of supervisors shall meet at the county seat on or before December 1 following the release of the United States decennial census data and divide the county into three or five supervisorial districts as provided in this article, which shall be numbered, respectively, districts one, two and three or districts one, two, three, four and five. The board shall define the boundaries and limits of each district and make the division equal or with not more than ten per cent difference in population. The county may redistrict as often as deemed necessary between each United States decennial census.



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11-251. Powers of board
(L10, Ch. 238, sec. 1)

The board of supervisors, under such limitations and restrictions as are prescribed by law, may:

1. Supervise the official conduct of all county officers and officers of all districts and other subdivisions of the county charged with assessing, collecting, safekeeping, managing or disbursing the public revenues, see that such officers faithfully perform their duties and direct prosecutions for delinquencies, and, when necessary, require the officers to renew their official bonds, make reports and present their books and accounts for inspection.
2. Divide the counties into such districts or precincts as required by law, change them and create others as convenience requires.
3. Establish, abolish and change election precincts, appoint inspectors and judges of elections, canvass election returns, declare the result and issue certificates thereof.
4. Lay out, maintain, control and manage public roads, ferries and bridges within the county and levy such tax for that purpose as may be authorized by law.
5. Provide for the care and maintenance of the sick of the county, erect and maintain hospitals for that purpose and, in its discretion, provide a farm in connection with the county hospital and adopt ordinances for working the farm.
6. Provide suitable rooms for county purposes.
7. Purchase, receive by donation or lease real or personal property necessary for the use of the county prison and take care of, manage and control the property, but no purchase of real property shall be made unless the value has been previously estimated by three disinterested citizens of the county, appointed by the board for that purpose, and no more than the appraised value shall be paid for the property.
8. Cause to be erected and furnished a courthouse, jail and hospital and such other buildings as necessary, and construct and establish a branch jail, when necessary, at a point distant from the county seat.
9. Sell at public auction, after thirty days' previous notice given by publication in a newspaper of the county, stating the time and place of the auction, and convey to the highest bidder, for cash or contract of purchase extending not more than ten years from the date of sale and upon such terms and conditions and for such consideration as the board shall prescribe, any property belonging to the county that the board deems advantageous for the county to sell, or that the board deems unnecessary for use by the county, and shall pay the proceeds thereof into the county treasury for use of the county, except that personal property need not be sold but may be used as a trade-in on the purchase of personal property when the board deems this disposition of the personal property to be in the best interests of the county. When the property for sale is real property, the board shall have such property appraised by a qualified independent fee appraiser who has an office located in this state. The appraiser shall establish a minimum price, which shall not be less than ninety per cent of the appraised value. The notice regarding the sale of real property shall be published in the county where the property is situated and may be published in one or more other counties, and shall contain, among other things, the appraised value, the minimum acceptable sale price, and the common and legal description of the real property. Notwithstanding the requirement for a sale at public auction prescribed in this paragraph, a county and with unanimous consent of the board, without a public auction, may sell or lease any county property to any other duly constituted governmental entity, including the state, cities, towns and other counties. A county and with unanimous consent of the board, without public auction, may grant an easement on county property for public purposes to a utility as defined in section 40-491. A county and with unanimous consent of the board, without public auction, may sell or lease any county property for a specific use to any solely charitable, social or benevolent nonprofit organization incorporated or operating in this state. A county