

# **Government Institutions Committee**

Senator Jay Tibshraeny, Chairman



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# GOVERNMENT INSTITUTIONS COMMITTEE

## LEGISLATION ENACTED

emergency telecommunication services; administrative costs (S.B. 1048) – Chapter 112

Increases, from three to five percent, the amounts deposited annually in the Emergency Telecommunications Revolving Fund that the Arizona Department of Administration may use for administrative costs and local area network management contracts with public safety answering points.

population thresholds; counties (S.B. 1073) – Chapter 113

Adjusts county population thresholds to reflect population increases in Maricopa and Pima county.

deed restrictions; for sale signs (S.B. 1148) – Chapter 60

Stipulates, with certain exceptions, that an instrument of conveyance of real property may not contain any restrictions on the indoor or outdoor display of for sale signs or sign riders by the property owner. Requires signs offering property for sale conform to the industry standard size and excludes an instrument of conveyance of real property that does not already prohibit or restrict displays of for sale signs and riders.

convenience fee; definition (S.B. 1151) – Chapter 93

Expands the definition of *convenience fee* to include credit card transactions made through a voice response system.

~~trust lands; conservation; technical correction~~ (NOW: elections; hospital districts) (S.B. 1155) – Chapter 7 E

SEE PUBLIC SAFETY & HUMAN SERVICES COMMITTEE.

cooperative purchasing agreements (S.B. 1235) – Chapter 181

Clarifies that a cooperative purchasing agreement for the procurement of construction or professional services must comply with qualifications based selection laws.

weapons; peace officers; posse; reserves (S.B. 1242) – Chapter 182 E

An emergency measure, effective July 13, 2009, that allows a sheriff to authorize members of the sheriff's volunteer posse who have received specified firearms training to carry a deadly weapon without a concealed carry weapon (CCW) permit while on duty. Excludes certain law enforcement officers from CCW permit training requirements and exempts, subject to certain requirements, misconduct involving weapons violations relating to the carrying of a concealed deadly weapon without a permit. Requires, on request, the law enforcement agency or the sheriff to issue a photographic identification verifying the officer's service. Increases, from a class 3 to a class 2

felony, the penalty for misconduct involving weapons related to terrorism. Specifies that, notwithstanding any other law and except for statutory restrictions, a peace officer shall not be prohibited from carrying a firearm if the peace officer is in compliance with specified firearm requirements.

open meeting law; minutes; notice (S.B. 1303) – Chapter 27

Clarifies the posting requirements for public meeting notices and codifies public meeting notice posting requirements for charter schools.

county merit system; hearing officers (NOW: project financing review; extension; repeal) (S.B. 1313) – Chapter 28

Extends a project financing pilot program for nonprofit senior housing to December 31, 2014.

emergency mutual aid agreements (S.B. 1323) – Chapter 29

Allows a county, city, town, private water or wastewater utility or special taxing district to enter into mutual aid agreements with other entities that provide water or wastewater. A mutual aid agreement must address responses to water and wastewater emergencies and must specify how the cost incurred by a responding service provider will be paid by a service provider that requests aid.

county supervisors; membership; number (NOW: county supervisors; membership) (H.B. 2101 / S.B. 1442) – Chapter 134

Lowers, from 200,000 to 175,000, the population requirement for a county to have a five-member board of supervisors (BOS) and call an election to change from a three-member to a five-member BOS. Contains, for a county with a three-member BOS that exceeds 175,000 persons according to the 2000 U.S. decennial census, an applicability clause specifying requirements relating to the election of two additional supervisors for a two-year term and the formation of five supervisorial districts.

reviser's technical corrections; 2009 (H.B. 2105) – Chapter 34

Makes technical corrections to the 2009 version of the Arizona Revised Statutes. Portions of the bill include various retroactive enactments.

state treasurer; investment pools (H.B. 2271) – Chapter 166

Allows the Treasurer to invest trust and treasury monies in long-term local government investment pools and requires the management fees collected from trust and treasury monies to be deposited according to the requirements relating to investment pools. Transfers and renumbers 41-177, to 35-326.01, relating to long-term government investment pools.

community facilities districts; renewable energy (NOW: county renewable energy incentive districts) (H.B. 2336) – Chapter 86

Allows a governing body of a city or town, or a county board of supervisors, to designate a renewable energy district (district) if all of the following apply: a) the proposed district consists of vacant or underused property, or other property deemed suitable by the governing body; b) the proposed district is located in an area compatible with the construction and operation of renewable energy equipment; and c) the proposed district does not conflict with the city's or town's general plan or a county's comprehensive plan.

Requires a governing body that establishes a district to adopt a renewable energy incentive plan which may include: a) expedited zoning or rezoning procedures; b) expedited processing of plans, proposals and permits; c) waivers or abatement of zoning fees, processing fees, improvement district fees and development fees; and d) waivers or abatement of development standards and procedural requirements.

Requires a county board of supervisors to hold an informational hearing regarding a proposed district and to notify the owners of property within a proposed district and within one mile of the district by first class mail at least 15 days prior to the hearing.

administrative rules oversight committee (H.B. 2401) – Chapter 171

Establishes the Administrative Rules Oversight Committee (AROC) and states that AROC has oversight on any rules except those rules exempted by statute. Establishes AROC membership and requires Legislative Council to provide staff support.

dogs; cats; release from pound (H.B. 2458) – Chapter 106

Restricts pounds and animal shelters from releasing impounded dogs and cats unless certain criteria are met. Requires animal shelters to hold impounded dogs and cats for at least 72 hours and make reasonable efforts to locate their owners prior to surgical sterilization. Eliminates nitrogen gas as a euthanizing agent.

voter registration; technical correction (NOW: sports authority districts) (H.B. 2572) – Chapter 122

Allows the county board of supervisors in any county with a population between 500,000 and 2,000,000 to form a Sports Authority District (District) and ask voters to approve taxing and bonding authority for the purpose of financing stadiums, multipurpose facilities and youth sports facilities. Stipulates that the boundaries of the District are the entire county and that the board of supervisors will serve as the Board of Directors for the Authority. Stipulates that the District is a separate corporate and political body, independent of the state and county, with all the rights and powers of a municipal corporation, except to acquire property by eminent domain. Imposes, if approved by the voters, the following transaction privilege or excise taxes: car rentals (.35 percent), hotels/motels (.45 percent), amusements and sporting events (.35 percent), restaurants/bars (.25 percent), and retail activities (.15 percent). Reduces the tax rates by 50 percent and dedicates the revenues exclusively to youth and amateur sports if at least two Major League Baseball (MLB) franchises do not enter into 10-year binding contracts within six years after the District is established; reinstates the tax to the full amount if two franchises subsequently enter into 10-year contracts. Creates an Authority Board and

establishes methods for the appointment of its members and their duties. Allows the Authority to acquire land or to construct, finance, improve and promote existing or proposed MLB spring training facilities, and allows revenues to be used to retain or attract MLB spring training operations. Requires the Authority to spend at least 10 percent of its General Fund revenues to promote youth sports and recreation. Requires an Auditor General performance audit in 2011 and every five years thereafter. Contains a conditional repeal if the election to levy taxes and issue bonds for the purpose of establishing the District fails.

library districts; county reimbursement (H.B. 2581) – Chapter 53

Includes county free library districts on the list of special taxing districts counties may receive reimbursement from for the costs of provided services.

### **LEGISLATION VETOED**

consumer fireworks; novelties; sales (NOW: consumer fireworks) (H.B. 2258) – VETOED

Allows the sale of permissible consumer fireworks to the public, unless otherwise regulated by an incorporated city or town. Requires the State Fire Marshal to adopt rules relating to the sale of consumer fireworks and allows retail establishments that are in compliance with those rules to sell consumer fireworks. Prohibits the sale or authorization of the sale of consumer fireworks to anyone under the age of 16.

In her veto message, the Governor states her support for responsible fireworks usage, but fears the language contained in H.B. 2258 does not sufficiently address the fire risk to federal, state and county lands.