

ARIZONA STATE SENATE

46TH LEGISLATURE SECOND REGULAR SESSION

MINUTES OF COMMITTEE ON NATURAL RESOURCES AND TRANSPORTATION

DATE: April 6, 2004 **TIME:** 1:30 p.m. **ROOM:** SHR 109

CHAIRMAN: Senator Binder **VICE CHAIRMAN:** Senator Jarrett

ANALYST: Kerri Morey **INTERN:** Graham Twaddell
Dustin Alvarado

**COMMITTEE
SECRETARY:** Carol Dager

ATTENDANCE

BILLS

<u>Committee Members</u>	<u>Pr</u>	<u>Ab</u>	<u>Ex</u>	<u>Bill Number</u>	<u>Disposition</u>
Senator Allen	X			HB 2055	FAILED
Senator Arzberger	X			HB 2127	DPA/SE
Senator Blendu	X			HB 2137	FAILED
Senator Brown	X			HB 2140	DPA/SE
Senator Cannell	X			HB 2190	DPA
Senator Jarrett, Vice Chairman	X			HB 2207	DPA
Senator Binder, Chairman	X			HB 2238	DP
				HB 2277	DP
				HB 2278	DP
				HB 2279	DPA/SE
				HB 2355	DPA/SE
				HB 2405	DP
				HB 2421	DP
				HB 2449	DISCUSSION/HELD
				HB 2463	DP
				HB 2484	DP
				HB 2549	DPA/SE
				HB 2590	DPA
				HB 2591	DP
				HB 2616	DPA
				HB 2651	DP
				HB 2677	HELD
				HCM 2011	DPA

GOVERNOR'S APPOINTMENTS

<u>Name</u>	<u>Position</u>	<u>Recommendation</u>
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Chairman Binder called the meeting to order at 1:34 p.m., and attendance was taken.

APPROVAL OF MINUTES

Senator Binder moved the minutes of March 23 and March 30, 2004, be approved. Without objection, the minutes were approved as distributed.

CONSIDERATION OF BILLS

HCM 2011 – Luke air force base preservation – DO PASS AMENDED

Kerri Morey, Senate Natural Resources and Transportation Committee Analyst, explained HCM 2011.

Ms. Morey also explained the Cannell two-page amendment dated 04/05/04 at 9:49 a.m.

Representative Nelson, sponsor of the bill, provided additional information about the bill.

Jeff Sandquist, Lobbyist, West Valley Community Action Coalition, testified in support of the bill.

Senator Binder announced the individuals who registered their position on the bill (Attachment A).

Senator Jarrett moved HCM 2011 be returned with a DO PASS recommendation.

Senator Cannell moved his two-page amendment dated 04/05/04, 9:49 a.m. be ADOPTED (Attachment B). The motion CARRIED with a voice vote.

Senator Jarrett moved HCM 2011 be returned with an AS AMENDED, DO PASS recommendation. The motion CARRIED with a roll call vote of 7-0-0. (Attachment 1)

HB 2140 – military training routes (now: military training; route map; disclosure) – DO PASS AMENDED/STRIKE EVERYTHING

Ms. Morey explained the Blendu 97-page strike-everything amendment to HB 2140 dated 04/02/04 at 4:20 p.m.

Representative Nelson, sponsor of the bill, provided additional information about the bill.

Michael Racy, Lobbyist, Pima County, testified in support of the bill.

Senator Binder announced the individuals who registered their position on the bill (Attachment A).

Senator Jarrett moved HB 2140 be returned with a DO PASS recommendation.

Senator Jarrett moved the Blendu 97-page strike-everything amendment dated 04/02/04, 4:20 p.m. be ADOPTED (Attachment C). The motion CARRIED with a voice vote.

Senator Jarrett moved HB 2140 be returned with an AS AMENDED, DO PASS recommendation. The motion CARRIED with a roll call vote of 7-0-0. (Attachment 2)

HB 2137 – game and fish commission members – FAILED

Graham Twaddell, Senate Natural Resources and Transportation Committee Intern, explained HB 2137.

Representative Nelson, sponsor of the bill, provided additional information about the bill.

Hays Gilstrap, Commissioner, Arizona Game and Fish Department, testified in opposition to the bill.

Suzanne Gilstrap, President, Capitol Consulting, Wildlife Conservation Council, testified in opposition to the bill.

Senator Binder announced the individuals who registered their position on the bill (Attachment A).

Senator Jarrett moved HB 2137 be returned with a DO PASS recommendation. The motion FAILED with a roll call vote of 1-6-0. (Attachment 3)

HB 2549 – healthy forest pilot program – DO PASS AMENDED/STRIKE EVERYTHING

Ms. Morey explained the Jarrett 49-page strike-everything amendment to HB 2549 dated 04/01/04 at 1:00 p.m.

Representative Chase, sponsor of the bill, provided additional information about the bill.

Richard Hubbard, Deputy State Land Commissioner, State Land Department, testified in opposition to the bill.

Brian Livingston, Executive Director, Arizona Police Association, testified in support of the bill.

Kathy Boatman, representing herself, testified in support of the bill.

Sylvia Allen, President, Freedom for America League, testified in support of the bill.

Russell Smoldon, Lobbyist, Salt River Project, testified in support of the bill.

Sandy Bahr, Conservation Director, Sierra Club, Grand Canyon Chapter, testified in opposition to the bill.

Senator Jarrett distributed letters of support received by several Congressmen (Attachment D).

Senator Binder announced the individuals who registered their position on the bill (Attachment A).

Senator Jarrett moved HB 2549 be returned with a DO PASS recommendation.

Senator Jarrett moved her 49-page strike-everything amendment dated 04/01/04, 1:00 p.m. be ADOPTED (Attachment E). The motion CARRIED with a voice vote.

Senator Jarrett moved HB 2549 be returned with an AS AMENDED, DO PASS recommendation. The motion CARRIED with a roll call vote of 7-0-0. (Attachment 4)

HB 2127 – jail inmates; meal costs – DO PASS AMENDED/STRIKE EVERYTHING

Ms. Morey explained the Binder 20-page strike-everything amendment to HB 2127 dated 04/01/04 at 1:20 p.m.

Representative O’Halleran, sponsor of the bill, provided additional information about the bill.

Jim Paxon, Forestry and Fire Consultant, testified in support of the bill.

Darrell Willis, Fire Chief, City of Prescott, testified in support of the bill.

Joseph Donaldson, Mayor, City of Flagstaff, testified in support of the bill.

Bas Aja, Director, Government Relations, Arizona Cattlemen's Association, testified in opposition to the bill.

Senator Binder announced the individuals who registered their position on the bill (Attachment A).

Senator Jarrett moved HB 2127 be returned with a DO PASS recommendation.

Senator Jarrett moved the Binder 20-page strike-everything amendment dated 04/01/04, 1:20 p.m. be ADOPTED (Attachment F). The motion CARRIED with a voice vote.

Senator Jarrett moved HB 2127 be returned with an AS AMENDED, DO PASS recommendation. The motion CARRIED with a roll call vote of 7-0-0. (Attachment 5)

HB 2591 – retired race horses; adoption; surcharge – DO PASS

Kimberly Martineau, Senate Commerce Committee Assistant Analyst, explained HB 2591.

Representative Chase, sponsor of the bill, provided additional information about the bill.

Henry Evans, Arizona State Horsemen’s Association, testified in support of the bill.

Senator Binder announced the individuals who registered their position on the bill (Attachment A).

Senator Jarrett moved HB 2591 be returned with a DO PASS recommendation. The motion CARRIED with a roll call vote of 6-0-1. (Attachment 6)

HB 2590 – stored water; recovery wells – DO PASS AMENDED

Ms. Morey explained HB 2590.

Ms. Morey also explained the Arzberger 11-page amendment dated 04/05/04 at 2:09 p.m.

Representative Burns, sponsor of the bill, provided additional information about the bill.

Stuart Goodman, Lobbyist, Southern Arizona Water Users Association, testified in support of the bill.

Jim Hartdegen, Arizona Water Well Association, testified in support of the bill.

Senator Binder announced the individuals who registered their position on the bill (Attachment A).

Senator Blendu moved HB 2590 be returned with a DO PASS recommendation.

Senator Arzberger moved her 11-page amendment dated 04/05/04, 2:09 p.m. be ADOPTED (Attachment G). The motion CARRIED with a voice vote.

Senator Blendu moved HB 2590 be returned with an AS AMENDED, DO PASS recommendation. The motion CARRIED with a roll call vote of 5-2-0. (Attachment 7)

HB 2190 – water quality fees – DO PASS AMENDED

Mr. Twaddell explained HB 2190.

Mr. Twaddell also explained the Allen 12-line amendment dated 04/05/04 at 5:45 p.m.

Jim Buster, Legislative Liaison, Arizona Department of Environmental Quality (ADEQ), testified in support of the bill.

Senator Binder announced the individuals who registered their position on the bill (Attachment A).

Senator Blendu moved HB 2190 be returned with a DO PASS recommendation.

Senator Allen moved her 12-line amendment dated 04/05/04, 5:45 p.m. be ADOPTED (Attachment H). The motion CARRIED with a voice vote.

Senator Blendu moved HB 2190 be returned with an AS AMENDED, DO PASS recommendation. The motion CARRIED with a roll call vote of 5-0-2. (Attachment 8)

HB 2207 – air quality; fuel formulations – DO PASS AMENDED

Ms. Morey explained HB 2207.

Ms. Morey also explained the Allen five-page amendment dated 04/05/04 at 2:00 p.m. and the Allen nine-line amendment dated 04/05/04 at 3:10 p.m.

Jim Buster, Legislative Liaison, ADEQ, testified in support of the bill.

Jim Norton, President, Arizona Association of Industries, testified in support of the bill.

Senator Binder announced the individuals who registered their position on the bill (Attachment A).

Senator Allen moved HB 2207 be returned with a DO PASS recommendation.

Senator Allen moved her five-page amendment dated 04/05/04, 2:00 p.m. be ADOPTED (Attachment I). The motion CARRIED with a voice vote.

Senator Allen moved her nine-line amendment dated 04/05/04, 3:10 p.m. be ADOPTED (Attachment J). The motion CARRIED with a voice vote.

Senator Allen moved HB 2207 be returned with an AS AMENDED, DO PASS recommendation. The motion CARRIED with a roll call vote of 5-0-2. (Attachment 9)

HB 2355 – driver licenses; source of identification – DO PASS AMENDED/STRIKE EVERYTHING

Ms. Morey explained the Blendu 11-page strike-everything amendment to HB 2355 dated 04/02/04 at 12:55 p.m.

Ms. Morey also explained the Arzberger two-line amendment dated 04/05/04 at 1:36 p.m.

Former Senator Russell Bowers, Executive Director, Arizona Rock Products Association, testified in support of the bill.

Senator Binder announced the individuals who registered their position on the bill (Attachment A).

Senator Jarrett moved HB 2355 be returned with a DO PASS recommendation.

Senator Blendu moved his 11-page strike-everything amendment dated 04/02/04, 12:55 p.m. be ADOPTED (Attachment K). The motion CARRIED with a voice vote.

Senator Arzberger moved her two-line amendment to the strike-everything amendment dated 04/05/04, 1:36 p.m. be ADOPTED (Attachment L). The motion CARRIED with a voice vote.

Senator Jarrett moved the Blendu strike-everything amendment AS AMENDED be ADOPTED. The motion CARRIED with a voice vote.

Senator Jarrett moved HB 2355 be returned with an AS AMENDED, DO PASS recommendation. The motion CARRIED with a roll call vote of 7-0-0. (Attachment 10)

HB 2421 – water monitoring assistance program; continuation – DO PASS

Victoria Regens, Senate Research Director, explained HB 2421.

Representative Gullett, sponsor of the bill, provided additional information about the bill.

Jim Buster, Legislative Liaison, ADEQ, testified in support of the bill.

Senator Binder announced the individuals who registered their position on the bill (Attachment A).

**Senator Jarrett moved HB 2421 be returned with a DO PASS recommendation.
The motion CARRIED with a roll call vote of 6-0-1. (Attachment 11)**

HB 2463 – towed vehicles; release; insurance companies (now: towed vehicles; insurance companies; release) – DO PASS

Ms. Regens explained HB 2463.

John Mangum, Cactus Towing, testified in support of the bill.

Senator Binder announced the individuals who registered their position on the bill (Attachment A).

**Senator Jarrett moved HB 2463 be returned with a DO PASS recommendation.
The motion CARRIED with a roll call vote of 7-0-0. (Attachment 12)**

HB 2238 – vehicle identification number; frame replacement – DO PASS

Dustin Alvarado, Senate Natural Resources and Transportation Committee Intern, explained HB 2238.

Kerry Hayden, Government Affairs Representative, Farmers Insurance Group, testified in support of the bill.

Senator Binder announced the individuals who registered their position on the bill (Attachment A).

**Senator Jarrett moved HB 2238 be returned with a DO PASS recommendation.
The motion CARRIED with a roll call vote of 5-0-2. (Attachment 13)**

HB 2405 – disabled license plates; misuse; penalty – DO PASS

Ms. Martineau explained HB 2405.

Representative Clark, sponsor of the bill, provided additional information about the bill.

Senator Binder announced the individuals who registered their position on the bill (Attachment A).

**Senator Jarrett moved HB 2405 be returned with a DO PASS recommendation.
The motion CARRIED with a roll call vote of 6-0-1. (Attachment 14)**

HB 2651 – municipal tank closures; counties – DO PASS

Ms. Morey explained HB 2651.

Jim Buster, Legislative Liaison, ADEQ, testified in support of the bill.

Greg Jones, Operations Manager, Geomechanics Southwest, Inc., testified in opposition to the bill.

Senator Binder announced the individuals who registered their position on the bill (Attachment A).

Senator Jarrett moved HB 2651 be returned with a DO PASS recommendation. The motion CARRIED with a roll call vote of 6-0-1. (Attachment 15)

HB 2449 – identity verification; driver licenses; documents – DISCUSSION/HELD

Nicholas Klingerman, Senate Appropriations Committee Intern, explained the Binder 27-line strike-everything amendment to HB 2449 dated 04/01/04 at 1:33 p.m. (Attachment M).

Sandy Bahr, Conservation Director, Sierra Club, Grand Canyon Chapter, testified in support of the bill.

Tom Ryan, Attorney, Arizona Trial Lawyers Association, testified in opposition to the bill.

Michael Golightly, Commissioner, Arizona Game and Fish Commission, testified in support of the bill.

Joe Sigg, Director, Government Relations, Arizona Farm Bureau, testified in opposition to the bill.

Senator Binder explained that she would be holding the bill.

Senator Binder announced the individuals who registered their position on the bill (Attachment A).

HB 2616 – department of agriculture; omnibus act – DO PASS AMENDED

Mr. Twaddell explained HB 2616.

Mr. Twaddell also explained the Cannell eight-line amendment dated 04/05/04 at 3:26 p.m. and the Brown 11-line amendment dated 04/05/04 at 4:55 p.m.

Rick Lavis, Executive Vice President, Arizona Cotton Growers, testified in support of the bill.

Senator Binder announced the individuals who registered their position on the bill (Attachment A).

Senator Jarrett moved HB 2616 be returned with a DO PASS recommendation.

Senator Brown moved his 11-line amendment dated 04/05/04, 4:55 p.m. be ADOPTED (Attachment N). The motion CARRIED with a voice vote.

Senator Cannell moved his eight-line amendment dated 04/05/04, 3:26 p.m. be ADOPTED (Attachment O). The motion CARRIED with a voice vote.

Senator Allen moved HB 2616 be returned with an AS AMENDED, DO PASS recommendation. The motion CARRIED with a roll call vote of 6-0-1. (Attachment 16)

HB 2277 – water; CAGR; technical correction (now: water supply; replenishment; conservation) – DO PASS

Ms. Morey explained HB 2277.

Tom McCann, Attorney, Central Arizona Project, testified in support of the bill.

Senator Binder announced the individuals who registered their position on the bill (Attachment A).

Senator Jarrett moved HB 2277 be returned with a DO PASS recommendation. The motion CARRIED with a roll call vote of 5-0-2. (Attachment 17)

HB 2278 – assured water supply certificate; assignment – DO PASS

Ms. Morey explained HB 2278.

Michael Pearce, Attorney, Home Builders Association of Central Arizona, testified in support of the bill.

Senator Binder announced the individuals who registered their position on the bill (Attachment A).

Senator Jarrett moved HB 2278 be returned with a DO PASS recommendation. The motion CARRIED with a roll call vote of 6-0-1. (Attachment 18)

HB 2279 – statewide solid waste management plans – DO PASS AMENDED/STRIKE EVERYTHING

Ms. Martineau explained the Arzberger five-page strike-everything amendment to HB 2279 dated 04/02/04 at 8:20 a.m.

Philip MacDonnell, Lobbyist, Waste Management, testified in support of the bill.

Senator Binder announced the individuals who registered their position on the bill (Attachment A).

Senator Jarrett moved HB 2279 be returned with a DO PASS recommendation.

Senator Jarrett moved Arzberger five-page strike-everything amendment dated 04/02/04, 8:20 p.m. be ADOPTED (Attachment P). The motion CARRIED with a voice vote.

Senator Jarrett moved HB 2279 be returned with an AS AMENDED, DO PASS recommendation. The motion CARRIED with a roll call vote of 6-0-1. (Attachment 19)

HB 2484 – air pollution control; rules; notice (now: WQARF; revisions) – DO PASS

Ms. Morey explained HB 2484.

Senator Binder announced the individuals who registered their position on the bill (Attachment A).

**Senator Jarrett moved HB 2484 be returned with a DO PASS recommendation.
The motion CARRIED with a roll call vote of 6-0-1. (Attachment 20)**

HB 2055 – military gunnery range; study committee – FAILED

Mr. Alvarado explained HB 2055.

Senator Binder announced the individuals who registered their position on the bill (Attachment A).

**Senator Jarrett moved HB 2055 be returned with a DO PASS recommendation.
The motion FAILED with a roll call vote of 2-4-1. (Attachment 21)**

HB 2677 – underground storage tanks; insurance; repeal (now: storage tanks; underground) – HELD

Senator Binder announced that she would be holding HB 2677.

There being no further business, the meeting was adjourned at 5:15 p.m.

Respectfully submitted,

Carol Dager
Committee Secretary

(Tapes and attachments on file in the Secretary of the Senate's Office/Resource Center, Room 115.)