

ARIZONA STATE SENATE

47TH LEGISLATURE
SECOND REGULAR SESSION

MINUTES OF COMMITTEE ON COMMERCE AND ECONOMIC DEVELOPMENT

DATE: February 15, 2006

TIME: 8:15 a.m.

ROOM: SHR 1

CHAIRMAN: Senator Leff

VICE CHAIRMAN: Senator Waring

ANALYST: Brandy Petrone

INTERN: Layla Hassin

ASSISTANT

ANALYST: Heidi Gannuscio

COMMITTEE

SECRETARY: Jeff Turner

ATTENDANCE

BILLS

Committee Members

	<u>Pr</u>	<u>Ab</u>	<u>Ex</u>	<u>Bill Number</u>	<u>Disposition</u>
Senator Aboud	x			SB 1211	DPA
Senator Allen	x			SB 1215	FAILED
Senator Blendu	x			SB 1216	DP
Senator Chevront	x			SB 1276	DPA
Senator Miranda	x			SB 1341	DP
Senator Tibshraeny	x			SB 1347	DP
Senator Waring, Vice Chairman	x			SB 1364	DPA
Senator Leff, Chairman	x			SB 1368	DPA
				SB 1374	DPA/SE
				SB 1393	DPA/SE
				SB 1416	DPA
				SB 1497	DP
				SB 1513	DPA/SE
				SB 1542	HELD

Chairman Leff called the meeting to order at 8:25 a.m. and attendance was taken.

APPROVAL OF MINUTES

Senator Leff moved the minutes of February 8, 2006 be approved. Without objection, the minutes were approved as distributed.

CONSIDERATION OF BILLS

SB 1497 – plumbing code and commission; repeal – DO PASS

Layla Hassin, Commerce and Economic Development Research Intern, explained SB 1497.

Spencer Kamps, Deputy Director, Home Builders Association of Central Arizona, testified in support of SB 1497 and answered questions posed by the Committee.

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

David Nakagawara, Building Safety Manager, Arizona Building Officials, testified in support of SB 1497 and answered questions posed by the Committee.

Senator Waring moved SB 1497 be returned with a DO PASS recommendation. The motion CARRIED with a roll call vote of 8-0-0 (Attachment 1).

In explanation of his vote, Senator Miranda stated that he thought the plumbers were not in favor of the bill, but did not make contact with him and he voted “aye.”

SB 1416 – lease termination; domestic violence; stalking – DO PASS AMENDED

Brandy Petrone, Commerce and Economic Development Research Analyst, explained SB 1416. She explained the 7-page Leff amendment dated 2/14/06 at 1:15 p.m. (Attachment B)

Senator Hellon, bill sponsor, testified in support of SB 1416 and answered questions posed by the Committee.

Dale Wiebusch, Director of Systems Advocacy, Arizona Coalition Against Domestic Violence, testified in support of SB 1416 and against the 7-page Leff amendment. He answered questions posed by the Committee.

Senator Waring moved SB 1416 be returned with a DO PASS recommendation.

Senator Waring moved the 7-page Leff amendment dated 2/14/06 at 1:15 p.m. be ADOPTED. The motion CARRIED by voice vote.

Senator Waring moved SB 1416 be returned with an AS AMENDED, DO PASS recommendation. The motion CARRIED with a roll call vote of 8-0-0 (Attachment 2).

In explanation of her vote, Senator Aboud stated that she supported the inclusion of domestic violence in this bill and voted “aye.”

In explanation of his vote, Senator Chevront told the Committee that domestic violence was not exclusive to women and voted “aye.”

SB 1368 – liquor licenses; distance restrictions – DO PASS AMENDED

Heidi Gannuscio, Commerce and Economic Development Assistant Analyst, explained SB 1368. She explained the 10-line Miranda amendment dated 2/14/06 at 1:35 p.m. (Attachment C)

Tom Verploegen, President, Downtown Mesa Association, testified in support of SB 1368 and answered questions posed by the Committee.

Jason Baran, City of Tucson, testified in support of SB 1368 and answered questions posed by the Committee.

Donavan Durban, Executive Director, Tuscon Downtown Alliance, answered questions posed by the Committee.

Senator Waring moved SB 1368 be returned with a DO PASS recommendation.

Senator Miranda moved the 10-line Miranda amendment dated 2/14/06 at 1:35 p.m. be ADOPTED. The motion CARRIED by voice vote.

Senator Waring moved SB 1368 be returned with an AS AMENDED, DO PASS recommendation. The motion CARRIED with a roll call vote of 5-2-1 (Attachment 3).

In explanation of her vote, Senator Aboud remarked that until neighborhoods got involved in the discussion, she would vote “no.”

In explanation of her vote, Senator Allen stated that she would like to talk to the sponsor and voted “aye.”

In explanation of his vote, Senator Chevront said that he saw no reason to ban liquor establishments near churches and voted “aye.”

SB 1364 – restocking fees; disclosures – DO PASS AMENDED

Heidi Gannuscio, Commerce and Economic Development Assistant Analyst, explained SB 1364. She explained the 18-line Leff amendment dated 2/14/06 at 11:46 a.m. (Attachment D)

Senator Hellon, bill sponsor, testified in support of SB 1364.

Michelle Ahlmer, Executive Director, Arizona Retailers Association, testified as neutral on SB 1364.

Senator Waring moved SB 1364 be returned with a DO PASS recommendation.

Senator Waring moved the 18-line Leff amendment dated 2/14/06 at 11:46 a.m. be ADOPTED. The motion CARRIED by voice vote.

Senator Waring moved SB 1364 be returned with an AS AMENDED, DO PASS recommendation. The motion CARRIED with a roll call vote of 8-0-0 (Attachment 4).

SB 1276 – wine shipment; limited production winery – DO PASS AMENDED

Brandy Petrone, Commerce and Economic Development Research Analyst, explained SB 1276. She explained the 8-line Leff amendment dated 2/14/06 at 2:59 p.m. (Attachment E) She explained the 3-line Leff amendment dated 2/14/06 at 4:47 p.m. (Attachment F)

Senator Leff, bill sponsor, spoke on behalf of SB 1276.

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

Robert Lynch, Attorney, Arizona Wine Growers Association, testified in support of SB 1276 and answered questions posed by the Committee.

Lawrence Kraus, representing self, testified in support of SB 1276 and answered questions posed by the Committee.

Rodney Keeling, President, Arizona Wine Growers Association, testified in support of SB 1276 and answered questions posed by the Committee.

Rory Hays, Wine Institute, testified in opposition to SB 1276 and answered questions posed by the Committee.

Howard Romm, President, Republic Beverage Company, testified in opposition to SB 1276 and answered questions posed by the Committee. He submitted a handout entitled “Can’t Find What You’re Looking For?” (Attachment G).

Marcus Osborn, Manager of Governmental and Public Affairs, Protect 21 Coalition, testified in opposition to SB 1276.

Senator Waring moved SB 1276 be returned with a DO PASS recommendation.

Senator Waring moved the 8-line Leff amendment dated 2/14/06 at 2:59 p.m. be ADOPTED. The motion CARRIED by voice vote.

Senator Waring moved the 3-line Leff amendment dated 2/14/06 at 4:47 p.m. be ADOPTED. The motion CARRIED by voice vote.

Senator Waring moved SB 1276 be returned with an AS AMENDED, DO PASS recommendation. The motion CARRIED with a roll call vote of 5-3-0 (Attachment 5).

SB 1374 – workers’ compensation; safety plans – DO PASS AMENDED/ STRIKE EVERYTHING

Heidi Gannuscio, Commerce and Economic Development Assistant Analyst, explained the 5-page Leff Strike Everything amendment dated 2/13/06 at 9:37 a.m. (Attachment H) She explained the 3-line Leff amendment dated 2/14/06 at 1:16 p.m. (Attachment I) to the Strike Everything amendment.

Trevor Chait, Homebuilders Association, testified in support of SB 1374.

Senator Waring moved SB 1374 be returned with a DO PASS recommendation.

Senator Waring moved the 5-page Leff Strike Everything amendment dated 2/13/06 at 9:37 a.m. be ADOPTED.

Senator Waring moved the 3-line Leff amendment dated 2/14/06 at 1:16 p.m. to the Strike Everything amendment be ADOPTED. The motion CARRIED by voice vote.

Senator Waring moved the 5-page Leff Strike Everything amendment dated 2/13/06 at 9:37 a.m. AS AMENDED, be ADOPTED. The motion CARRIED by voice vote.

Senator Waring moved SB 1374 be returned with an AS AMENDED, DO PASS recommendation. The motion CARRIED with a roll call vote of 6-0-2 (Attachment 6).

SB 1513 – housing affordability; impact statement – DO PASS AMENDED/ STRIKE EVERYTHING

Brandy Petrone, Commerce and Economic Development Research Analyst, explained the 3-page Leff Strike Everything amendment dated 2/13/06 at 3:12 p.m. (Attachment J) She explained the 2-line Leff amendment dated 2/14/06 at 12:07 p.m. (Attachment K) to the Strike Everything amendment. She answered questions posed by the Committee.

Scott Peterson, Vice President of Public Affairs, Arizona Chamber of Commerce and Industry, testified in support of SB 1513 and answered questions posed by the Committee.

David Selden, Arizona Chamber of Commerce and Industry, testified in support of SB 1513 and answered questions posed by the Committee.

Marcus Osborn, Manager of Governmental and Public Affairs, Yum Brands Restaurants, testified in support of SB 1513.

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

Senator Waring moved SB 1513 be returned with a DO PASS recommendation.

Senator Waring moved the 3-page Leff Strike Everything amendment dated 2/13/06 at 3:12 p.m. be ADOPTED.

Senator Waring moved the 2-line Leff amendment dated 2/14/06 at 12:07 p.m. to the Strike Everything amendment be ADOPTED. The motion CARRIED by voice vote.

Senator Waring moved the 3-page Leff Strike Everything amendment dated 2/13/06 at 3:12 p.m. AS AMENDED, be ADOPTED. The motion CARRIED by voice vote.

Senator Waring moved SB 1513 be returned with an AS AMENDED, DO PASS recommendation. The motion CARRIED with a roll call vote of 5-3-0 (Attachment 7).

In explanation of her vote, Senator Aboud stated that she might change her vote on the floor and voted “no.”

In explanation of his vote, Senator Chevront said that the bill did not seem to do anything and voted “no.”

SB 1215 – prospective employees; eligibility; verification – FAILED

Brandy Petrone, Commerce and Economic Development Research Analyst, explained SB 1215. She explained the 7-line Miranda amendment dated 2/14/06 at 4:11 p.m. (Attachment L)

Senator Brotherton, bill sponsor, testified in support of SB 1215.

Marty Thompson, Bar S Foods Company, testified in support of SB 1215.

Joe Sigg, Director of Government Relations, Arizona Farm Bureau, testified in opposition to SB 1215 and answered questions posed by the Committee. He submitted a handout about immigration enforcement (Attachment M).

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

Scott Peterson, Vice President of Public Affairs, Arizona Chamber of Commerce and Industry, testified in opposition to SB 1215 and answered questions posed by the Committee.

David Selden, Arizona Chamber of Commerce, testified in opposition to SB 1215.

Senator Waring moved SB 1215 be returned with a DO PASS recommendation.

Senator Miranda moved the 7-line Miranda amendment dated 2/14/06 at 4:11 p.m. be ADOPTED. The motion CARRIED by voice vote.

Senator Waring moved SB 1215 be returned with an AS AMENDED, DO PASS recommendation. The motion FAILED with a roll call vote of 4-4-0 (Attachment 8).

In explanation of his vote, Senator Chevront stated that this was a joint responsibility between the employer and the employee and voted “aye.”

In explanation of his vote, Senator Miranda told the Committee that the business community requested help but were not happy with legislative efforts and voted “aye.”

In explanation of his vote, Senator Tibshraeny, said that he was concerned about this bill impeding people who were here legally and could not spare the time it takes to go through this process and voted “no.”

SB 1216 – employment; illegal aliens; employer sanctions – DO PASS

Layla Hassin, Commerce and Economic Development Research Intern, explained SB 1216.

Senator Brotherton, bill sponsor, testified in support of SB 1216.

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

Senator Waring moved SB 1216 be returned with a DO PASS recommendation. The motion CARRIED with a roll call vote of 5-3-0 (Attachment 9).

In explanation of her vote, Senator Aboud stated that this bill was straight forward and voted “aye.”

In explanation of his vote, Senator Blendu said it was already against the law and voted “no.”

In explanation of her vote, Senator Leff remarked that her bill did the same thing but was more comprehensive and voted “no.”

SB 1393 – multihousing; earnest money; escrow account – DO PASS AMENDED/ STRIKE EVERYTHING

Brandy Petrone, Commerce and Economic Development Research Analyst, explained the 13-page Chevront Strike Everything amendment dated 2/13/06 at 4:12 p.m. (Attachment N) She explained the 2-page Chevront amendment dated 2/14/06 at 2:39 p.m. (Attachment O) to the Strike Everything amendment.

Senator Chevront, bill sponsor, spoke on behalf of SB 1393.

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

Senator Chevront moved SB 1393 be returned with a DO PASS recommendation.

Senator Chevront moved the 13-page Chevront Strike Everything amendment dated 2/13/06 at 4:12 p.m. be ADOPTED.

Senator Chevront moved the 2-page Chevront amendment dated 2/14/06 at 2:39 p.m. to the Strike Everything amendment be ADOPTED. The motion CARRIED by voice vote.

Senator Chevront moved the 13-page Chevront Strike Everything amendment dated 2/13/06 at 4:12 p.m. AS AMENDED, be ADOPTED. The motion CARRIED by voice vote.

Senator Cheuvront moved SB 1393 be returned with an AS AMENDED, DO PASS recommendation. The motion CARRIED with a roll call vote of 8-0-0 (Attachment 10).

SB 1211 – industrial development bonds; review exception. – DO PASS AMENDED

Heidi Gannuscio, Commerce and Economic Development Assistant Analyst, explained SB 1211. She explained the 21-line Leff amendment dated 2/14/06 at 12:33 p.m. (Attachment P)

Senator Martin, bill sponsor, testified in support of SB 1211 and answered questions posed by the Committee.

Jeff Gray, Legislative Liaison, Arizona Department of Housing, testified in opposition to SB 1211 and answered questions posed by the Committee.

Don Isaccson, Arizona Association of Homes and Housing for the Aging, testified in support of SB 1211.

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

Steve Barclay, Lobbyist, Phoenix Industrial Development Authority, testified in opposition to SB 1211.

Senator Waring moved SB 1211 be returned with a DO PASS recommendation.

Senator Waring moved the 21-line Leff amendment dated 2/14/06 at 12:33 p.m. be ADOPTED. The motion CARRIED by voice vote.

Senator Waring moved SB 1211 be returned with an AS AMENDED, DO PASS recommendation. The motion CARRIED with a roll call vote of 7-0-1 (Attachment 11).

In explanation of his vote, Senator Tibshraeny stated that he would like to see the concerns of the housing authority addressed and voted “aye.”

SB 1341 – undesignated offenses; licensing; employment – DO PASS

Damion LeeNatali, Judiciary Research Intern, explained SB 1341. He explained the Judiciary amendment dated 2/3/06 at 2:38 p.m.

Senator Huppenthal, bill sponsor, testified in support of SB 1341 and answered questions posed by the Committee.

Senator Waring moved SB 1341 be returned with a DO PASS recommendation. The motion CARRIED with a roll call vote of 6-1-1 (Attachment 12).

SB 1347 – freezing consumer reports; identify theft – DO PASS

Brandy Petrone, Commerce and Economic Development Research Analyst, explained SB 1347.

Senator Huppenthal, bill sponsor, testified in support of SB 1347.

Lee Miller, Lobbyist, Arizona Association of Mortgage Brokers, testified in opposition to SB 1347 and answered questions posed by the Committee.

Michelle Ahlmer, Executive Director, Arizona Retailers Association, testified in opposition to SB 1347.

**Senator Waring moved SB 1347 be returned with a DO PASS recommendation.
The motion CARRIED with a roll call vote of 6-1-1 (Attachment 13).**

In explanation of her vote, Senator Allen stated that she was torn and voted “aye.”

In explanation of his vote, Senator Blendu said that people should be able to get their own information if they want it and voted “aye.”

In explanation of his vote, Senator Miranda remarked that if the bill were amended, he might vote aye on the floor and voted “no.”

There being no further business, the meeting was adjourned at 12:21 p.m.

Respectfully submitted,

Jeff Turner
Committee Secretary

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