

ARIZONA STATE SENATE

47TH LEGISLATURE SECOND REGULAR SESSION

MINUTES OF COMMITTEE ON NATURAL RESOURCES AND RURAL AFFAIRS

DATE: February 15, 2006

TIME: 1:30 p.m.

ROOM: SHR 109

CHAIRMAN: Senator Flake

VICE CHAIRMAN: Senator Blendu

ANALYST: Fred Breedlove

INTERN: Daniel Anglin

**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 Arzberger	x			SB 1143	DP
Senator Bee	x			SB 1251	DPA/SE
Senator Cannell	x			SB 1350	DPA
Senator Jarrett	x			SB 1356	DP
Senator Rios	x			SB 1438	DP
Senator Blendu, Vice Chairman	x			SB 1472	DPA
Senator Flake, Chairman	x			SB 1476	DP
				SB 1508	DPA
				SB 1541	DPA
				SB 1550	DPA
				SB 1551	DPA
				SB 1554	DPA
				SB 1555	FAILED
				SCR 1035	DPA

Chairman Flake called the meeting to order at 1:37 p.m. and attendance was taken.

APPROVAL OF MINUTES

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

CONSIDERATION OF BILLS

SB 1350 – pesticides; child care facilities; notification – DO PASS AMENDED

Beth Kohler Lazare, Health Research Analyst, explained SB 1350. She explained the 2 page Cannell amendment dated 2/14/06 at 4:03 p.m. (Attachment A)

Senator Allen, bill sponsor, testified in support of SB 1350 and answered questions posed by the Committee.

Stuart Goodman, Arizona Structural Pest Control Commission, testified in support of SB 1350 and answered questions posed by the Committee.

Sandy Bahr, Conservation Director, Sierra Club - Grand Canyon Chapter, testified in support of SB 1350.

Senator Flake announced the individuals who registered their position on the bill (Attachment B).

Senator Blendu moved SB 1350 be returned with a DO PASS recommendation.

Senator Cannell moved the 2 page Cannell amendment dated 2/14/06 at 4:03 p.m. be ADOPTED. The motion CARRIED by voice vote.

Senator Blendu moved SB 1350 be returned with an AS AMENDED, DO PASS recommendation. The motion CARRIED with a roll call vote of 7-0-0 (Attachment 1).

In explanation of his vote, Senator Bee stated that he had a sibling affected by pesticides sprayed in school and voted "aye."

SB 1356 – hazardous air pollutants; de minimis – DO PASS

Fred Breedlove, Natural Resources and Rural Affairs Research Analyst, explained SB 1356.

Senator Allen, bill sponsor, testified in support of SB 1356.

Roger Ferland, Partner, Quarles & Brady Streich Lang Law Firm, AAI., testified in support of SB 1356.

Senator Flake announced the individuals who registered their position on the bill (Attachment B).

Ginny Dickey, Legislative Liaison, Arizona Department of Environmental Quality (ADEQ), testified in support of SB 1356.

Pat Cunningham, Deputy Director, ADEQ, testified in support of SB 1356 and answered questions posed by the Committee.

Senator Blendu moved SB 1356 be returned with a DO PASS recommendation. The motion CARRIED with a roll call vote of 5-2-0 (Attachment 2).

SB 1143 – small water systems; interim operators. – DO PASS

Daniel Anglin, Natural Resources and Rural Affairs Research Intern, explained SB 1143.

Senator Arzberger, bill sponsor, spoke on behalf of SB 1143.

Senator Flake announced the individuals who registered their position on the bill (Attachment B).

Senator Arzberger moved SB 1143 be returned with a DO PASS recommendation. The motion CARRIED with a roll call vote of 7-0-0 (Attachment 3).

SB 1508 – regulation of off-highway vehicles – DO PASS AMENDED

Fred Breedlove, Natural Resources and Rural Affairs Research Analyst, explained SB 1508. He explained the 2 line Flake amendment dated 2/14/06 at 9:16 a.m. (Attachment C)

Senator Flake, bill sponsor, spoke on behalf of SB 1508.

Hank Rogers, Apache County ATV Roughriders Club, testified in support of SB 1508 and answered questions posed by the Committee.

Sanford Cohen, President, Prescott Open Trails Association, testified in support of SB 1508.

Drew John, Supervisor, Graham County, testified in support of SB 1508.

Senator Flake announced the individuals who registered their position on the bill (Attachment B).

Senator Blendu moved SB 1508 be returned with a DO PASS recommendation.

Senator Blendu moved the 2 line Flake amendment dated 2/14/06 at 9:16 a.m. be ADOPTED. The motion CARRIED by voice vote.

Senator Blendu moved SB 1508 be returned with an AS AMENDED, DO PASS recommendation. The motion CARRIED with a roll call vote of 7-0-0 (Attachment 4).

SB 1555 – veterinarians; licensure exceptions – FAILED

Daniel Anglin, Natural Resources and Rural Affairs Research Intern, explained SB 1555. He explained the 3 line Flake amendment dated 2/14/06 at 9:24 a.m. (Attachment D)

Senator Flake, bill sponsor, spoke on behalf of SB 1555.

Lisa Ross-Williams, President, Arizona Alliance for Animal Owners Rights, introduced **Susan Peterson, constituent of District 30, representing self**, who testified in support of SB 1555 and answered questions posed by the Committee.

Lisa Ross-Williams submitted a handout entitled “SB 1555”, produced by the *Arizona Alliance for Animal Owner Rights, Inc.* (Attachment E)

Richard Crisler, DVM, Arizona Veterinarian Medical Examiners Board, testified in opposition to SB 1555.

Dr, Michael Lent, President-elect Arizona Veterinary Medical Association, testified in opposition to SB 1555 and answered questions posed by the Committee.

Senator Flake announced the individuals who registered their position on the bill (Attachment B).

Senator Blendu moved SB 1555 be returned with a DO PASS recommendation.

Senator Blendu moved the 3 line Flake amendment dated 2/14/06 at 9:24 a.m. be ADOPTED. The motion CARRIED by voice vote.

Senator Blendu moved SB 1555 be returned with an AS AMENDED, DO PASS recommendation. The motion FAILED with a roll call vote of 3-4-0 (Attachment 5).

In explanation of her vote, Senator Arzberger stated that she believes animal owners have the freedom to choose any care they want for their animals and this bill was unnecessary and voted “no.”

In explanation of his vote, Senator Bee, remarked that he was in support of various alternative medicines for people and animals and encouraged animal owners to establish a Board of alternative care for animals in the future and voted “no.”

SB 1541 – equine dentistry exception; veterinarians – DO PASS AMENDED

Daniel Anglin, Natural Resources and Rural Affairs Research Intern, explained SB 1541. He explained the 22 line Rios amendment dated 2/14/06 at 1:42 p.m. (Attachment F)

Senator Rios, bill sponsor, spoke on behalf of SB 1541.

Chip Sarchett, Vice President, Arizona Association of Equine Dental Practitioners, testified in support of SB 1541 and answered questions posed by the Committee.

Dick Powell, merchant, representing self, testified in support of SB 1541 and answered questions posed by the Committee.

Edward Taylor, Veterinarian, Arizona Veterinarian Medical Association, testified in opposition to SB 1541.

Senator Flake announced the individuals who registered their position on the bill (Attachment B).

Senator Rios moved SB 1541 be returned with a DO PASS recommendation.

Senator Rios moved the 22 line Rios amendment dated 2/14/06 at 1:42 p.m. be ADOPTED. The motion CARRIED by voice vote.

Senator Rios moved SB 1541 be returned with an AS AMENDED, DO PASS recommendation. The motion CARRIED with a roll call vote of 7-0-0 (Attachment 6).

In explanation of her vote, Senator Arzberger stated that she wanted to make sure an animal owner could still treat their own animal and voted "aye."

SB 1551 – omnibus mining reclamation conformity act – DO PASS AMENDED

Daniel Anglin, Natural Resources and Rural Affairs Research Intern, explained SB 1551. He explained the 3 line Flake amendment dated 2/14/06 at 4:41 p.m. (Attachment G)

Russell Bowers, Executive Director, Arizona Rock Products Association, testified in support of SB 1551.

Senator Blendu moved SB 1551 be returned with a DO PASS recommendation.

Senator Blendu moved the 3 line Flake amendment dated 2/14/06 at 4:41 p.m. be ADOPTED. The motion CARRIED by voice vote.

Senator Blendu moved SB 1551 be returned with an AS AMENDED, DO PASS recommendation. The motion CARRIED with a roll call vote of 5-0-2 (Attachment 7).

SB 1554 – state trust land lease renewal – DO PASS AMENDED

Daniel Anglin, Natural Resources and Rural Affairs Research Intern, explained SB 1554. He explained the 27 line Flake amendment dated 2/14/06 at 4:17 p.m. (Attachment H) and answered questions posed by the Committee.

Richard Hubbard, Deputy Land Commissioner, Arizona State Land Department, testified in opposition to SB 1554 and answered questions posed by the Committee.

Russell Bowers, Executive Director, Arizona Rock Products Association, testified in support of SB 1554 and answered questions posed by the Committee.

Senator Flake, bill sponsor, spoke on behalf of the bill.

Craig Starkey, Senior Vice President, Arizona Cement, representing self, testified in support of SB 1554 and answered questions posed by the Committee.

Jerry Haggard, Attorney, testified in support of SB 1554 and answered questions posed by the Committee.

Sandy Bahr, Conservation Director, Sierra Club - Grand Canyon Chapter, testified in opposition to SB 1554.

Senator Flake announced the individuals who registered their position on the bill (Attachment B).

Senator Blendu moved SB 1554 be returned with a DO PASS recommendation.

Senator Blendu moved the 27 line Flake amendment dated 2/14/06 at 4:17 p.m. be ADOPTED. The motion CARRIED by voice vote.

Senator Blendu moved SB 1554 be returned with an AS AMENDED, DO PASS recommendation. The motion CARRIED with a roll call vote of 6-1-0 (Attachment 8).

In explanation of his vote, Senator Cannell stated that he wanted amendments added before it reached the Senate Floor and voted "aye."

In explanation of his vote, Senator Flake remarked that this was a very important bill and that the State needed to help and voted "aye."

SB 1550 – copper state park – DO PASS AMENDED

Fred Breedlove, Natural Resources and Rural Affairs Research Analyst, explained SB 1550. He explained the 2 page Flake amendment dated 2/14/06 at 3:39 p.m. (Attachment I)

Senator Flake, bill sponsor, spoke on behalf of SB 1550.

Senator Flake announced the individuals who registered their position on the bill (Attachment B).

Bruno Hegner, Vice President, Resolution Copper, testified in support of SB 1550.

Jay Ziemann, Assistant Director, Arizona State Parks, testified in support of SB 1550.

Krishna Parameswaran, Director Environmental Services, Asarco LLC, testified in support of SB 1550.

Sandy Bahr, Conservation Director, Sierra Club - Grand Canyon Chapter, testified in support of SB 1550.

Senator Blendu moved SB 1550 be returned with a DO PASS recommendation.

Senator Blendu moved the 2 page Flake amendment dated 2/14/06 at 3:39 p.m. be ADOPTED. The motion CARRIED by voice vote.

Senator Blendu moved SB 1550 be returned with an AS AMENDED, DO PASS recommendation. The motion CARRIED with a roll call vote of 5-0-2 (Attachment 9).

In explanation of her vote, Senator Rios, stated that this bill had a very positive “un-intended consequence” and voted “aye.”

SCR 1035 – food and agricultural security – DO PASS AMENDED

Daniel Anglin, Natural Resources and Rural Affairs Research Intern, explained SCR 1035. He explained the 9 line Flake amendment dated 2/14/06 at 8:55 a.m. (Attachment J)

Bas Aja, Director of Governmental Relations, Arizona Cattlemens’ Association, testified in support of SCR 1035.

Senator Flake announced the individuals who registered their position on the bill (Attachment B).

Senator Blendu moved SCR 1035 be returned with a DO PASS recommendation.

Senator Blendu moved the 9 line Flake amendment dated 2/14/06 at 8:55 a.m. be ADOPTED. The motion CARRIED by voice vote.

Senator Blendu moved SCR 1035 be returned with an AS AMENDED, DO PASS recommendation. The motion CARRIED with a roll call vote of 5-0-2 (Attachment 10).

SB 1251 – agency inspection report; deficiency correction – DO PASS AMENDED/ STRIKE EVERYTHING

Fred Breedlove, Natural Resources and Rural Affairs Research Analyst, explained the 7 page Flake Strike Everything amendment dated 2/13/06 at 9:28 a.m. (Attachment K)

Bas Aja, Director of Governmental Relations, Arizona Cattlemens’ Association, testified in support of SB 1251.

Dennis Moroney, Cattle Rancher, representing self, testified in support of SB 1251.

Senator Flake announced the individuals who registered their position on the bill (Attachment B).

Senator Blendu moved SB 1251 be returned with a DO PASS recommendation.

Senator Blendu moved the 7 page Flake Strike Everything amendment dated 2/13/06 at 9:28 a.m. be ADOPTED. The motion CARRIED by voice vote.

Senator Blendu moved SB 1251 be returned with an AS AMENDED, DO PASS recommendation. The motion CARRIED with a roll call vote of 7-0-0 (Attachment 11).

SB 1438 – unlawful feeding of wildlife – DO PASS

Fred Breedlove, Natural Resources and Rural Affairs Research Analyst, explained SB 1438.

Senator Hellon, bill sponsor, testified in support of SB 1438.

Bill McClean, Commissioner, Arizona Game and Fish Commission, testified in support of SB 1438.

Linda Searles, representing self, testified in support of SB 1438.

John Winterstein, Police Chief, Town of Paradise Valley, testified in support of SB 1438.

Senator Flake announced the individuals who registered their position on the bill (Attachment B).

Senator Blendu moved SB 1438 be returned with a DO PASS recommendation. The motion CARRIED with a roll call vote of 5-2-0 (Attachment 12).

In explanation of her vote, Senator Jarrett stated that with minimal jail space in Arizona, she could not support a bill that jailed people for feeding wild animals and voted “no.”

SB 1472 – racing; pari-mutuel wagering – DO PASS AMENDED

Fred Breedlove, Natural Resources and Rural Affairs Research Analyst, explained SB 1472. He explained the 3 page Flake amendment dated 2/14/06 at 3:57 p.m. (Attachment L)

John Mangum, Turf Paradise Racetrack, testified in support of SB 1472.

Jack Lasota, Tucson Greyhound Park, testified in opposition to SB 1472.

Jeffrey Goshner, Arizona Gaming Commission, testified in support of SB 1472.

Senator Flake announced the individuals who registered their position on the bill (Attachment B).

Senator Blendu moved SB 1472 be returned with a DO PASS recommendation.

Senator Blendu moved the 3 page Flake amendment dated 2/14/06 at 3:57 p.m. be ADOPTED. The motion CARRIED by voice vote.

Senator Blendu moved SB 1472 be returned with an AS AMENDED, DO PASS recommendation. The motion CARRIED with a roll call vote of 5-2-0 (Attachment 13).

SB 1476 – racing; advance deposit wagering – DO PASS

Fred Breedlove, Natural Resources and Rural Affairs Research Analyst, explained SB 1476.

Senator Flake announced the individuals who registered their position on the bill (Attachment B).

**Senator Blendu moved SB 1476 be returned with a DO PASS recommendation.
The motion CARRIED with a roll call vote of 5-2-0 (Attachment 14).**

There being no further business, the meeting was adjourned at 6:00 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.)