

# ARIZONA STATE SENATE

48TH LEGISLATURE  
FIRST REGULAR SESSION

## MINUTES OF COMMITTEE ON TRANSPORTATION

**DATE:** February 13, 2007      **TIME:** 1:30 p.m.      **ROOM:** SHR 1

**CHAIRMAN:** Senator Gould      **VICE CHAIRMAN:** Senator Gorman

**ANALYST:** Dallas Gold      **INTERN:** Elizabeth Hegedus-Berthold

**COMMITTEE  
SECRETARY:** Bill Ritz

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### ATTENDANCE

### BILLS

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<u>Committee Members</u>	<u>Pr</u>	<u>Ab</u>	<u>Ex</u>	<u>Bill Number</u>	<u>Disposition</u>
Senator Blendu	X			SB 1524	HELD
Senator Rios		X		SB 1576	FAILED
Senator Soltero	X			SB 1582	DPA/SE
Senator Gorman, Vice Chairman	X			SB 1585	DPA
Senator Gould, Chairman	X			SB 1586	DP
				SB 1587	DP
				SB 1597	DPA/SE
				SB 1635	DP
				SB 1636	DP
				SB 1640	DPA
				SCR 1027	DPA/SE

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### PRESENTATION

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Geoff Segal, Director of Government Reform from REASON

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

## **APPROVAL OF MINUTES**

**Senator Gould moved the minutes of February 6, 2007 be approved. Without objection, the minutes were approved as distributed.**

## **PRESENTATION**

**Geoff Segal, Director of Government Reform Policy, Reason Foundation,** delivered a presentation in regards to Multimodal Optimization of Urban Freeway Corridors and answered questions posed by the Committee members.

## **CONSIDERATION OF BILLS**

Senator Gould announced SB 1524 would be held.

### **SCR 1027 – state mine inspector; election; repeal – DO PASS AMENDED/ STRIKE EVERYTHING**

**Senator Gorman moved to reconsider the vote whereby the Committee FAILED to pass SCR 1027. The motion CARRIED by voice vote.**

**Senator Gorman moved SCR 1027 be returned with a DO PASS recommendation.**

**Senator Gorman moved the 19-line Gould strike everything amendment dated 2/9/07 at 4:29 p.m. (Attachment A). The motion CARRIED by voice vote.**

**Senator Gorman moved SCR 1027 be returned with an AS AMENDED, DO PASS, recommendation. The motion CARRIED with a roll call vote of 3-1-1 (Attachment 1).**

### **SB 1585 – HOV lane conversion; toll lane – DO PASS AMENDED**

**Dallas Gold, Transportation Research Analyst,** explained SB 1585 and the Gould verbal amendment (Attachment B).

**Martin Keck, representing self,** testified in opposition to SB 1585 and answered questions posed by the Committee members.

**Leonard Gilroy, Senior Policy Analyst, Reason Foundation,** answered questions posed by the Committee members.

**Geoff Segal, Director of Government Reform Policy, Reason Foundation,** testified as neutral to SB 1585 and answered questions posed by the Committee members.

**Senator Gorman moved SB 1585 be returned with a DO PASS recommendation.**

**Senator Gorman moved the following verbal amendment to SB 1585:**

**Page 1, line 6, after “101” insert “, State Route 51”**

**The motion CARRIED by voice vote.**

**Senator Gorman moved SB 1585 be returned with an AS AMENDED, DO PASS, recommendation. The motion CARRIED with a roll call vote of 4-0-1 (Attachment 2).**

In explanation of his vote, Senator Soltero stated “I am not sure how exactly this is going to work but as time progresses we need to start looking at options and this seems to be one of the options. Will it work for us? We do not know yet. For the sake of debate I will vote ‘Yes’.”

**SB 1586 – transportation projects; unsolicited proposals – DO PASS**

**Elizabeth Hegedus-Berthold, Transportation Research Intern, explained SB 1586.**

Senator Gould further explained SB 1586 and answered questions posed by the Committee members.

**Senator Gorman moved SB 1586 be returned with a DO PASS recommendation. The motion CARRIED with a roll call vote of 3-1-1 (Attachment 3).**

In explanation of his vote, Senator Soltero stated “Since I do not have enough information in regards to this issue I am really tentative on voting ‘Yes’ on this so I will have to vote ‘No’.”

In explanation of her vote, Senator Gorman stated “I hear the sponsor say that he wants to make this bill work and he has already stated into the record that he would be willing to work on an amendment. I am assuming that would take place on the floor so that we do not have a wildcat submission without a fee causing a burden on the resources of ADOT so with that I vote ‘Aye’.”

**SB 1587 – transportation; innovative partnerships program – DO PASS**

**Dallas Gold, Transportation Research Analyst, explained SB 1587.**

**Senator Gorman moved SB 1587 be returned with a DO PASS recommendation. The motion CARRIED with a roll call vote of 4-0-1 (Attachment 4).**

In explanation of his vote, Senator Blendu stated “As I hear everything, we hear the words innovative and public-private partnership. Words mean things and I haven’t heard anything innovative. There is nothing new about what we are doing. We are talking about building a road and the same people are going to pay for it no matter how. Whether it be a toll road, which I am not entirely sold on, or whether we get on the hook and borrow the money and build the road sooner, the same people end up paying for everything and that is the consumer. I am willing to move this forward and talk about some of those innovative ideas but I have not heard one yet but I will vote ‘Aye’.”

**SB 1597 – special license plates; commission; stickers – DO PASS AMENDED/  
STRIKE EVERYTHING**

**Bill Boyd, Senate Special Projects Coordinator**, explained SB 1597 and the 11-page Gould strike everything amendment dated 2/9/07 at 9:02 a.m. (Attachment C).

**Kevin Biesty, Legislative Liaison, Arizona Department of Transportation**, testified in support of SB 1597 and answered questions posed by the Committee members.

**Senator Gorman moved SB 1597 be returned with a DO PASS recommendation.**

**Senator Gorman moved the 11-page Gould strike everything amendment dated 2/9/07 at 9:02 a.m. The motion CARRIED by voice vote.**

**Senator Gorman moved SB 1597 be returned with an AS AMENDED, DO PASS, recommendation. The motion CARRIED with a roll call vote of 4-0-1 (Attachment 5).**

In explanation of his vote, Senator Blendu stated “I want to apologize to the members of the Commission who donated their time in good faith and say I am sorry for your experience and that you got sued. We didn’t mean for that to happen. I hope the state stepped up to the bar and protected you and I vote ‘Aye’.”

**SB 1635 – FAST lanes – DO PASS**

**Bill Boyd, Senate Special Projects Coordinator**, explained SB 1635.

Senator Gorman further explained SB 1635 and answered questions posed by the Committee members.

**Senator Gorman moved SB 1635 be returned with a DO PASS recommendation. The motion CARRIED with a roll call vote of 4-0-1 (Attachment 6).**

**SB 1576 – public highway authorities – FAILED**

**Dallas Gold, Transportation Research Analyst**, explained SB 1576, the 32-page Gould strike everything amendment dated 2/9/07 at 3:41 p.m. (Attachment D), and the 14-line Gould amendment to the 32-page Gould strike everything amendment dated 2/12/07 at 2:17 p.m. (Attachment E).

**Senator Tibshraeny** further explained SB 1576 and answered questions posed by the Committee members.

**James Ray, Chief Council, Federal Highway Administration**, testified as neutral to SB 1576 and answered questions posed by the Committee members.

**John Langmore, representing self**, answered questions posed by the Committee members.

**Wendy Briggs, Arizona Trucking Association**, testified in opposition to SB 1576 and answered questions posed by the Committee members.

**Branden Lombardi, Associate, Land Advisors Organization**, testified in support of SB 1576.

**Senator Gorman moved SB 1576 be returned with a DO PASS recommendation.**

**Senator Gorman moved the 32-page Gould strike everything amendment dated 2/9/07 at 3:41 p.m.**

**Senator Gorman moved the 14-line Gould amendment to the 32-page Gould strike everything amendment dated 2/12/07 at 2:17 p.m. The motion CARRIED by voice vote.**

**Senator Gorman moved the 32-page Gould strike everything amendment dated 2/9/07 at 3:41 p.m. AS AMENDED. The motion CARRIED by voice vote.**

**Senator Gorman moved SB 1576 be returned with an AS AMENDED, DO PASS, recommendation. The motion FAILED with a roll call vote of 2-2-1 (Attachment 7).**

In explanation of his vote, Senator Blendu stated "I am going to vote 'Aye' to move this forward. I made a commitment. I don't think this is the final bill. I wouldn't vote for this bill. We said that we were going to put everything on the table and if we can massage this and make it work and show the tax payers a benefit, I am willing to give it a chance. But, it needs fixing so I will vote 'Aye'."

In explanation of his vote, Senator Soltero stated "We keep hearing about how the state doesn't have the funds to address our needs for transportation. If we don't start exploring other avenues to build roads I think we are going to have a bigger problem yet so I will vote 'Aye'."

In explanation of her vote, Senator Gorman stated "I really want to be able to vote 'Yes' for this bill. Particularly because of my respect for the Senator and I know how hard he has worked on it. Something in my gut tells me this is kind of like the last vote on the light rail. I have seen too many bills so far that have commitments coming out of Committee but time just plays a factor and nothing happens to them or not the right things happen to them and they end up in the wild, if you will, on the floor for a vote. I have a great amount of reserve about what this bill creates that is far reaching beyond the ability to build roads. While, if it is changed, I may support it on the floor, I am going to have to vote 'No' today just to provide a little pause in this cycle."

**SB 1582 – DUI; treatment; ignition interlock device – DO PASS AMENDED/ STRIKE EVERYTHING**

**Elizabeth Hegedus-Berthold, Transportation Research Intern**, explained SB 1582, the 37-page Gould strike everything amendment dated 2/9/07 at 3:48 p.m. (Attachment F), and the 2-page Gould amendment to the 37-page strike everything amendment dated 2/12/07 at 4:37 p.m. (Attachment G).

**Senator Linda Gray** further explained SB 1582.

**Brigitte Targosz, representing self**, testified in support of SB 1582.

**Gary Bilovesky, President, Continuous Alcohol Monitoring**, testified in support of SB 1582 and answered questions posed by the Committee members.

**Senator Gorman moved SB 1582 be returned with a DO PASS recommendation.**

**Senator Gorman moved the 37-page Gould strike everything amendment dated 2/9/07 at 3:48 p.m.**

**Senator Gorman moved the 2-page Gould amendment to the 37-page Gould strike everything amendment dated 2/12/07 at 4:37 p.m. The motion CARRIED by voice vote.**

**Senator Gorman moved the 37-page Gould strike everything amendment dated 2/9/07 at 3:48 p.m. AS AMENDED. The motion CARRIED by voice vote.**

**Senator Gorman moved SB 1582 be returned with an AS AMENDED, DO PASS, recommendation. The motion CARRIED with a roll call vote of 4-0-1 (Attachment 8).**

### **SB 1640 – foreign motor carriers – DO PASS AMENDED**

**Elizabeth Hegedus-Berthold, Transportation Research Intern, explained SB 1640, the 3-line Gould amendment dated 2/12/07 at 3:01 p.m. (Attachment H), and answered questions posed by the Committee members.**

**Senator Verschoor further explained SB 1640.**

**Senator Gorman moved SB 1640 be returned with a DO PASS recommendation.**

**Senator Gorman moved the 3-line Gould amendment dated 2/12/07 at 3:01 p.m. The motion CARRIED by voice vote.**

**Senator Gorman moved SB 1640 be returned with an AS AMENDED, DO PASS, recommendation. The motion CARRIED with a roll call vote of 3-0-2 (Attachment 9).**

### **Reconsideration of SB 1597**

**Senator Gorman moved to reconsider the vote whereby the Committee passed SB 1597 and the amendments to SB 1597. The motion CARRIED by voice vote.**

**Senator Gorman moved SB 1597 be returned with a DO PASS recommendation. Senator Gorman moved the 11-page Gould strike everything amendment dated 2/9/07 at 9:02 a.m.**

**Senator Gorman moved the following verbal amendment to the 11-page Gould strike everything amendment (Attachment I):**

**Page 3, line 24, strike “DIRECTOR” insert “LEGISLATURE IN CONSULTATION WITH THE DIRECTOR”**

**The motion CARRIED by voice vote.**

**Senator Gorman moved the 11-page Gould strike everything amendment dated 2/9/07 at 9:02 a.m. AS AMENDED. The motion CARRIED by voice vote.**

**Senator Gorman moved SB 1597 be returned with an AS AMENDED, DO PASS, recommendation. The motion CARRIED with a roll call vote of 3-0-2 (Attachment 10).**

**SB 1636 – stolen vehicles; license plate images – DO PASS**

**Elizabeth Hegedus-Berthold, Transportation Research Intern, explained SB 1636.**

**Bridget Manock, Government Relations Director, City of Scottsdale, testified in opposition to SB 1636 and answered questions posed by the Committee members.**

**Brian Wilcox, Lieutenant and Legislative Liaison, Arizona Department of Public Safety, testified in opposition to SB 1636.**

**David Denlinger, Commander, Arizona Department of Public Safety, testified in opposition to SB 1636.**

**Senator Gorman moved SB 1636 be returned with a DO PASS recommendation. The motion CARRIED with a roll call vote of 3-0-2 (Attachment 11).**

There being no further business, the meeting was adjourned at 4:44 p.m.

Respectfully submitted,

Bill Ritz  
Committee Secretary

(Audio recordings and attachments on file in the Secretary of Senate's Office/Resource Center, Room 115. Audio archives are available at <http://www.azsenate.gov>).