

Chairman Tibshraeny called the meeting to order at 10:35 a.m. and attendance was taken.

EXECUTIVE NOMINATIONS

David Eugene Palma – Director, Department of Fire, Building and Life Safety – CONFIRMATION RECOMMENDED

Mr. Palma reviewed his resume and answered questions posed by the committee.

Senator Harper moved the Committee on Government Institutions recommend to the full Senate the CONFIRMATION of David Eugene Palma as the Director of the Department of Fire, Building and Life Safety. The motion CARRIED with a roll call vote of 5-0-3 (Attachment 1).

Robert Israel – Member, Information Technology Authorization Committee – CONFIRMATION RECOMMENDED

Senator Harper moved the Committee on Government Institutions recommend to the full Senate the CONFIRMATION of Robert Israel as a Member of the Information Technology Authorization Committee. The motion CARRIED with a roll call vote of 5-0-3 (Attachment 2).

Joseph Smith – Member, State Personnel Board – CONFIRMATION RECOMMENDED

Mr. Smith reviewed his resume and answered questions posed by the committee.

Senator Harper moved the Committee on Government Institutions recommend to the full Senate the CONFIRMATION of Joseph Smith as a Member of the State Personnel Board. The motion CARRIED with a roll call vote of 6-0-2 (Attachment 3).

Alan Maguire – Member, Public Safety Personnel Retirement System Fund Manager – CONFIRMATION RECOMMENDED

Mr. Maguire reviewed his resume and answered questions posed by the committee.

Senator Harper moved the Committee on Government Institutions recommend to the full Senate the CONFIRMATION of Alan Maguire as a Member of the Public Safety Personnel Retirement System Fund Manager. The motion CARRIED with a roll call vote of 6-0-2 (Attachment 4).

Lisa C. Gerwitz – Member, Fire Safety Committee – CONFIRMATION RECOMMENDED

Ms. Gerwitz reviewed her resume and answered questions posed by the committee.

Senator Harper moved the Committee on Government Institutions recommend to the full Senate the CONFIRMATION of Lisa C. Gerwitz as a Member of the Fire Safety Committee. The motion CARRIED with a roll call vote of 6-0-2 (Attachment 5).

CONSIDERATION OF BILLS

HB 2333 – department of gaming; continuation – DO PASS

Megan Selvey, Government Institutions Committee Intern, explained HB 2333.

Mark Brnovich, Director, Department of Gaming, testified in support of HB 2333.

Senator Harper moved HB 2333 be returned with a DO PASS recommendation. The motion CARRIED with a roll call vote of 5-1-2 (Attachment 6).

HB 2599 – state treasurer’s operating fund (now: state parks fund; voluntary contributions) – DO PASS AMENDED

Megan Selvey, Government Institutions Committee Intern, explained HB 2599 and the 2-page Harper amendment dated 04/07/10 at 10:15 a.m. (Attachment A).

Barry Aarons, Arizona Tourism Alliance, Apache County, Greenlee County, Tucson Convention and Visitors Bureau, testified in support of HB 2599.

Representative John Kavanagh, bill sponsor, further explained HB 2599.

Senator Tibshraeny noted the individuals that registered their position on the bill (Attachment B).

Jay Ziemann, Assistant Director, Arizona State Parks Board, testified in support of HB 2599.

Senator Harper moved HB 2599 be returned with a DO PASS recommendation.

Senator Harper moved the 2-page Harper amendment dated 04/07/10 at 10:15 a.m. (Attachment A) be ADOPTED. The motion CARRIED by a voice vote.

Senator Harper moved HB 2599 be returned with an AS AMENDED, DO PASS recommendation. The motion CARRIED with a roll call vote of 5-1-2 (Attachment 7).

Senators Harper, Burton Cahill, and Tibshraeny explained their votes.

HB 2609 – officeholder expense accounts; statewide; legislative – DO PASS AMENDED

Bill Boyd, Government Institutions Committee Analyst, explained HB 2609 and the 17-line Tibshraeny amendment dated 04/07/10 at 2:53 p.m. (Attachment C).

Representative John Kavanagh, bill sponsor, further explained HB 2609.

Senator Harper moved HB 2609 be returned with a DO PASS recommendation.

Senator Harper moved the 17-line Tibshraeny amendment dated 04/07/10 at 2:53 p.m. (Attachment C) be ADOPTED. The motion CARRIED by a voice vote.

Senator Harper moved HB 2609 be returned with an AS AMENDED, DO PASS recommendation. The motion CARRIED with a roll call vote of 4-2-2 (Attachment 8).

Senator Tibshraeny explained his vote.

HB 2729 – election equipment certification committee; membership – DO PASS

Bill Ritz, Government Institutions Committee Assistant Analyst, explained HB 2729.

Senator Harper moved HB 2729 be returned with a DO PASS recommendation. The motion CARRIED with a roll call vote of 6-0-2 (Attachment 9).

HB 2608 – constables; jurisdiction – DO PASS AMENDED

Megan Selvey, Government Institutions Committee Intern, explained HB 2608 and the 5-page Tibshraeny amendment dated 04/07/10 at 12:47 p.m. (Attachment D).

Anjali Abraham, Associate Government Affairs Director, Arizona Association of Counties, testified in support of HB 2608.

Senator Tibshraeny noted the individuals that registered their position on the bill (Attachment B).

Senator Harper moved HB 2608 be returned with a DO PASS recommendation.

Senator Harper moved the 5-page Tibshraeny amendment dated 04/07/10 at 12:47 p.m. (Attachment D) be ADOPTED. The motion CARRIED by a voice vote.

Senator Harper moved HB 2608 be returned with an AS AMENDED, DO PASS recommendation. The motion CARRIED with a roll call vote of 6-0-2 (Attachment 10).

HB 2462 – private property trespass towers – DO PASS AMENDED

Bill Ritz, Government Institutions Committee Assistant Analyst, explained HB 2462 and the 12-line Tibshraeny amendment dated 04/06/10 at 8:59 a.m. (Attachment E).

Representative Ed Ableser, bill sponsor, further explained HB 2462 and answered questions posed by the committee.

Jack Hegarty, Lieutenant Colonel, Highway Patrol, Arizona Department of Public Safety, registered as neutral on HB 2462 and stated the department currently has no funding for it.

Senator Tibshraeny noted the individuals that registered their position on the bill (Attachment B).

Garry Hays, Auto Citi Towing LLC, testified in support of HB 2462.

Senator Antenori moved HB 2462 be returned with a DO PASS recommendation.

Senator Antenori moved the 12-line Tibshraeny amendment dated 04/06/10 at 8:59 a.m. (Attachment E) be ADOPTED. The motion CARRIED by a voice vote.

Senator Antenori moved HB 2462 be returned with an AS AMENDED, DO PASS recommended. The motion CARRIED with a roll call vote of 5-0-3 (Attachment 11).

HB 2175 – city annexation procedure – DO PASS AMENDMENT/STRIKE EVERYTHING

Fareed Bailey, Natural Resources, Infrastructure and Public Debt Committee Assistant Analyst, explained the 2-page Antenori strike everything amendment dated 04/06/10 at 1:14 p.m. (Attachment F).

Senator Tibshraeny noted the individuals that registered their position on the bill (Attachment B).

Stuart Goodman, AAA Arizona, testified in support of the strike everything amendment.

Senator Antenori moved HB 2175 be returned with a DO PASS recommendation.

Senator Antenori moved the 2-page Antenori strike everything amendment dated 04/06/10 at 1:14 p.m. (Attachment F) be ADOPTED. The motion CARRIED by a voice vote.

Senator Antenori moved HB 2175 be returned with an AS AMENDED, DO PASS recommendation. The motion CARRIED with a roll call vote of 5-0-3 (Attachment 12).

HB 2602 – county recorder records; access – DO PASS AMENDED

Bill Boyd, Government Institutions Committee Analyst, explained HB 2602 and the 3-line Tibshraeny amendment dated 04/07/10 at 10:21 a.m. (Attachment G).

Jen Sweeney, Government Affairs Director, Arizona Association of Counties, testified in support of HB 2602.

Senator Tibshraeny noted the individuals that registered their position on the bill (Attachment B).

Senator Antenori moved HB 2602 be returned with a DO PASS recommendation.

Senator Antenori moved the 3-line Tibshraeny amendment dated 04/07/10 at 10:21 a.m. (Attachment G) be ADOPTED. The motion CARRIED by a voice vote.

Senator Antenori moved HB 2602 be returned with an AS AMENDED, DO PASS recommendation. The motion CARRIED with a roll call vote of 6-0-2 (Attachment 13).

Senator Burton Cahill explained her vote.

HB 2470 – public defender; duties; reimbursement – DO PASS

Garth Kamp, Judiciary Committee Analyst, explained HB 2470.

Elizabeth Hegedus-Berthold, Research Analyst, County Supervisors Association of Arizona, testified in support of HB 2470.

Gary Pearlmuter, County Legal Defender, Coconino County, testified in support of HB 2470.

Senator Antenori moved HB 2470 be returned with a DO PASS recommendation. The motion CARRIED with a roll call vote of 6-0-2 (Attachment 14).

HB 2452 – cities; towns; urbanized areas; incorporation – DO PASS

Bill Boyd, Government Institutions Committee Analyst, explained HB 2452.

Senator Antenori moved HB 2452 be returned with a DO PASS recommendation. The motion CARRIED with a roll call vote of 6-0-2 (Attachment 15).

Senator Garcia explained HB 2452 explained his vote.

HB 2766 – tenant notice; foreclosures – DO PASS AMENDED

Bill Ritz, Government Institutions Committee Assistant Analyst, explained HB 2766 and the 17-line Antenori amendment dated 04/07/10 at 10:24 a.m. (Attachment H).

Meghaen Duger, Arizona Associations of Realtors, testified in opposition to HB 2766 and the amendment.

Courtney Gilstrap Levinus, Arizona Multihousing Association (AMA), Arizona Real Estate Investors Association (AZREIA) and Arizona Rental Property Owners and Landlords Association (ARPOLA), testified in opposition to HB 2766 and the amendment.

Senator Tibshraeny noted the individuals that registered their position on the bill (Attachment B).

Senator Antenori moved HB 2766 be returned with a DO PASS recommendation.

Senator Antenori moved the 17-line Antenori amendment dated 04/07/10 at 10:24 a.m. (Attachment H) be ADOPTED.

Senator Antenori moved the following verbal amendment (Attachment I) to the 17-line Antenori amendment to HB 2766:

Page 1, line 5, strike “IN” insert “WITH”

The motion CARRIED by a voice vote.

Senator Antenori moved the 17-line Antenori amendment dated 04/07/10 at 10:24 a.m. (Attachment H) be ADOPTED AS AMENDED. The motion CARRIED by a voice vote.

Senator Antenori moved HB 2766 be returned with an AS AMENDED, DO PASS recommendation. The motion CARRIED with a roll call vote of 6-0-2 (Attachment 16).

HB 2478 – PSPRS; local board composition – DO PASS AMENDED/STRIKE EVERYTHING

Bill Boyd, Government Institutions Committee Analyst, explained the 20-line Tibshraeny strike everything amendment dated 04/06/10 at 1:49 p.m. (Attachment J) and the 7-line Tibshraeny amendment dated 04/07/10 at 2:08 p.m. (Attachment K) to the strike everything amendment.

Ken Strobeck, Executive Director, League of Arizona Cities and Towns, testified in support of the strike everything amendment.

Spencer Kamps, Deputy Director, Home Builders Association of Central Arizona, testified in support of the strike everything amendment.

Senator Tibshraeny noted the individuals that registered their position on the bill (Attachment B).

Senator Antenori moved HB 2478 be returned with a DO PASS recommendation.

Senator Antenori moved the 20-line Tibshraeny strike everything amendment dated 04/06/10 at 1:49 p.m. (Attachment J) be ADOPTED.

Senator Antenori moved the 7-line Tibshraeny amendment dated 04/07/10 at 2:08 p.m. (Attachment K) to the strike everything amendment be ADOPTED. The motion CARRIED by a voice vote.

Senator Antenori moved the 20-line Tibshraeny strike everything amendment dated 04/06/10 at 1:49 p.m. (Attachment J) be ADOPTED AS AMENDED. The motion CARRIED by a voice vote.

Senator Antenori moved HB 2478 be returned with an AS AMENDED, DO PASS recommendation. The motion CARRIED with a roll call vote of 7-0-1 (Attachment 17).

Senator Burton Cahill explained her vote.

HB 2260 – regulatory rule making – DO PASS AMENDED

Bill Ritz, Government Institutions Assistant Analyst, explained HB 2260 and the 9-page Antenori amendment dated 04/07/10 at 12:21 p.m. (Attachment L).

Marcus Osborn, Manager of Government and Public Affairs, Arizona Chamber of Commerce/Arizona Manufacturers Council, testified in support of the strike everything amendment.

Senator Tibshraeny noted the individuals that registered their position on the bill (Attachment B).

Senator Antenori moved HB 2260 be returned with a DO PASS recommendation.

Senator Antenori moved the 9-page Antenori amendment dated 04/07/10 at 12:21 p.m. (Attachment L) be ADOPTED. The motion CARRIED by a voice vote.

Senator Antenori moved HB 2260 be returned with an AS AMENDED, DO PASS recommendation. The motion CARRIED with a roll call vote of 5-1-2 (Attachment 18).

HB 2615 - emergency communications; antennae; accommodation – HELD

Bill Boyd, Government Institutions Committee Analyst, explained HB 2615.

Senator Tibshraeny stated that the committee gave unanimous consent to hear HB 2615 today.

Representative Nancy McLain, bill sponsor, further explained HB 2615.

Michael LeBeouf, representing himself, testified in support of HB 2615.

William Maynard, representing himself, testified in support of HB 2615.

Senator Tibshraeny announced that HB 2615 would be HELD.

APPROVAL OF MINUTES

Senator Tibshraeny stated that without objection, the minutes of April 1, 2010 were approved.

There being no further business, the meeting was adjourned at 12:00 p.m.

Respectfully submitted,

Shelley Ponce
Committee Secretary

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