

# ARIZONA STATE SENATE

## 50TH LEGISLATURE FIRST REGULAR SESSION

### MINUTES OF COMMITTEE ON COMMERCE AND ENERGY

**DATE:** February 16, 2011

**TIME:** 9:00 a.m.

**ROOM:** SHR 109

**CHAIRMAN:** Senator Melvin

**VICE- CHAIRMAN:** Senator Griffin

**ANALYST:** Jennifer Thomsen

**INTERN:** Samantha Macchiaroli

**ASSISTANT**

**ANALYST:** Fareed Bailey

**COMMITTEE**

**SECRETARY:** Toy Brown

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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 Cajero Bedford	X			SB 1041	DPA/SE
Senator Driggs	X			SB 1173	HELD
Senator Meza	X			SB 1337	DPA
Senator Reagan	X			SB 1403	DPA/SE
Senator Yarbrough	X			SB 1503	DP
Senator Griffin, Vice-Chairman	X			SB 1517	DP
Senator Melvin, Chairman	X			SB 1535	DP
				SB 1537	DP
				SB 1547	DPA
				SB 1548	DP
				SB 1569	FAILED
				SCM1007	DP
				SCR1050	FAILED

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#### EXECUTIVE NOMINATIONS

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<u>Name</u>	<u>Position</u>	<u>Recommendation</u>
Scott Bradley Fletcher	Member, Arizona State Boxing and Mixed Martial Arts Commission	CONFIRMATION
Manuel T. Gonzalez	Member, Arizona Housing Finance Authority	CONFIRMATION
David A. Everett	Director, Department of Liquor Licenses and Control	CONFIRMATION

Chairman Melvin called the meeting to order at 9:12 a.m. and attendance was noted.

## **APPROVAL OF MINUTES**

**Senator Melvin stated that without objection, the minutes of February 9, 2011 were approved.**

## **EXECUTIVE NOMINATIONS**

### **Scott Bradley Fletcher, Member, Arizona State Boxing and Mixed Martial Arts Commission – CONFIRMATION RECOMMENDED**

Mr. Fletcher gave an overview of his resume and answered questions posed by the Committee.

**Senator Griffin moved the Committee on Commerce and Energy recommend to the full Senate the CONFIRMATION of Scott Bradley Fletcher as a Member of the Arizona State Boxing and Mixed Martial Arts Commission. The motion CARRIED with a roll call vote of 6-0-1 (Attachment 1).**

### **Manuel T. Gonzalez, Member, Arizona Housing Finance Authority – CONFIRMATION RECOMMENDED**

Mr. Gonzalez gave an overview of his resume and answered questions posed by the Committee.

**Senator Griffin moved the Committee on Commerce and Energy recommend to the full Senate the CONFIRMATION of Manuel T. Gonzalez as a Member of the Arizona Housing Finance Authority. The motion CARRIED with a roll call vote of 6-0-1 (Attachment 2).**

### **David A. Everett, Director, Department of Liquor Licenses and Control – CONFIRMATION RECOMMENDED**

Mr. Everett gave an overview of his resume and answered questions posed by the Committee.

**Senator Griffin moved the Committee on Commerce and Energy recommend to the full Senate the CONFIRMATION of David A. Everett as Director of the Department of Liquor Licenses and Control. The motion CARRIED with a roll call vote of 6-0-1 (Attachment 3).**

## **CONSIDERATION OF BILLS**

### **SB 1403 – certificates; line siting committee – DO PASS AMENDED/STRIKE EVERYTHING**

**Jennifer Thomsen, Commerce and Energy Committee Research Analyst, explained the 4-page Griffin strike everything amendment dated 2/11/11 at 2:47 p.m. (Attachment A) and answered questions posed by the Committee.**

**Senator Shooter, bill sponsor,** further explained the bill and answered questions posed by the Committee.

**Mark Minter, Executive Director, Arizona Builders' Alliance,** testified in support of the bill and answered questions posed by the Committee.

**Eric Christen, Executive Director, Coalition for Fair Employment in Construction,** distributed a handout "Coalition for Fair Employment in Construction" (Attachment B) and testified in support of the bill and answered questions posed by the Committee.

**David Martin, Lobbyist, Arizona Chapter, Associated General Contractors,** testified in support of the bill and answered questions posed by the Committee.

**Senator Griffin moved SB 1403 be returned with a DO PASS recommendation.**

**Senator Griffin moved the 4-page Griffin strike everything amendment dated 2/11/11 at 2:47 p.m. (Attachment A) be ADOPTED. The motion CARRIED with a voice vote.**

**Senator Griffin moved SB 1403 be returned with an AS AMENDED, DO PASS recommendation. The motion CARRIED with a roll call vote of 7-0-0 (Attachment 4).**

Senators Cajero Bedford, Meza and Reagan explained their votes.

**SB 1041 – technical correction; conservation easements – DO PASS AMENDED/STRIKE EVERYTHING**

**Jennifer Thomsen, Commerce and Energy Committee Research Analyst,** explained the 31-page Reagan strike everything amendment dated 2/14/11 at 12:57 p.m. (Attachment C) and answered questions posed by the Committee.

**Senator Reagan, bill sponsor,** further explained the bill and answered questions posed by the Committee.

**Barry Broome, Greater Phoenix Economic Council,** testified in support of the bill and answered questions posed by the Committee.

**Julie Engel, Greater Yuma Economic Development Corporation,** testified in support of the bill and answered questions posed by the Committee.

**Joe Snell, President and CEO, Tucson Regional Economic Opportunities,** testified in support of the bill and answered questions posed by the Committee.

**Mr. Broome** further answered questions posed by the Committee.

**Mr. Snell** further answered questions posed by the Committee.

**Christine MacKay, Economic Development Director, City of Chandler**, testified in support of the bill and answered questions posed by the Committee.

**Jim Lundy, President, Alliance Bank, Arizona Bankers Association**, testified in support of the bill and answered questions posed by the Committee.

**Steve Barclay, Lobbyist, Cancer Treatment Centers of America**, testified in support of the bill and answered questions posed by the Committee.

**Mr. Broome** further answered questions posed by the Committee.

**Senator Griffin moved SB 1041 be returned with a DO PASS recommendation.**

**Senator Griffin moved the 31-page Reagan strike everything amendment dated 2/14/11 at 12:57 p.m. (Attachment C) be ADOPTED. The motion CARRIED with a voice vote.**

**Senator Griffin moved SB 1041 be returned with an AS AMENDED, DO PASS recommendation. The motion CARRIED with a roll call vote of 7-0-0 (Attachment 5).**

**SB 1173 – enterprise zone tax credits; trusts – HELD**

**Jennifer Thomsen, Commerce and Energy Committee Research Analyst**, explained the bill and answered questions posed by the Committee.

**Steve Barclay, Lobbyist, Cancer Treatment Centers of America**, testified in support of the bill and answered questions posed by the Committee.

Senator Melvin announced that SB 1173 would be HELD.

**SB 1337- disclosure; collect call rates – DO PASS AMENDED**

**Samantha Macchiaroli, Commerce and Energy Committee Intern**, explained the bill and the 9-line Melvin amendment dated 2/15/11 at 1:44 p.m. (Attachment D) and answered questions posed by the Committee.

**Susan Anable, Manager Government Relations, Cox Communications**, testified in support of the bill and answered questions posed by the Committee.

**Senator Antenori, bill sponsor**, further explained the bill and answered questions posed by the Committee.

**Senator Griffin moved SB 1337 be returned with a DO PASS recommendation.**

**Senator Griffin moved the 9-line Melvin amendment dated 2/15/11 at 1:44 p.m. (Attachment D) be ADOPTED. The motion CARRIED with a voice vote.**

**Senator Griffin moved SB 1337 be returned with an AS AMENDED, DO PASS recommendation. The motion CARRIED with a roll call vote of 7-0-0 (Attachment 6).**

**SB 1503 – low-profit limited liability companies – DO PASS**

**Samantha Macchiaroli, Commerce and Energy Committee Intern,** explained the bill and answered questions posed by the Committee.

**Senator Driggs, bill sponsor,** further explained the bill and answered questions posed by the Committee.

**Pouria Paknejad, Esq., Attorney, representing self,** distributed a handout "Program-Related Investment by Private Foundation" (Attachment E), testified in support of the bill and answered questions posed by the Committee.

**Senator Griffin moved SB 1503 be returned with a DO PASS recommendation. The motion CARRIED with a roll call vote of 5-0-2 (Attachment 7)**

**SB 1517 – animal abuse; reporting – DO PASS**

**Jennifer Thomsen, Commerce and Energy Committee Research Analyst,** explained the bill and answered questions posed by the Committee.

**Senator Aboud, bill sponsor,** further explained the bill and answered questions posed by the Committee.

**Kathleen Mayer, Deputy Pima County Attorney, Pima County Attorney's Office,** testified in support of the bill and answered questions posed by the Committee.

**Senator Griffin moved SB 1517 be returned with a DO PASS recommendation. The motion CARRIED with a roll call vote of 5-1-1 (Attachment 8).**

**SB 1535 – store display shelf pricing – DO PASS**

**Samantha Macchiaroli, Commerce and Energy Committee Intern,** explained the bill and answered questions posed by the Committee.

**Senator Melvin, bill sponsor,** further explained the bill and answered questions posed by the Committee.

**Michelle Ahlmer, Executive Director, Arizona Retailers Association**, testified in support of the bill and answered questions posed by the Committee.

**Senator Griffin moved SB 1535 be returned with a DO PASS recommendation. The motion CARRIED with a roll call vote of 6-0-1 (Attachment 9).**

**SB 1537 – homeowners' associations; awnings – DO PASS**

**Fareed Bailey, Commerce and Energy Committee Assistant Research Analyst**, explained the bill and answered questions posed by the Committee.

**Senator Melvin, bill sponsor**, further explained the bill and answered questions posed by the Committee.

**Senator Griffin moved SB 1537 be returned with a DO PASS recommendation. The motion CARRIED with a roll call vote of 5-0-2 (Attachment 10).**

**SB 1547 – line siting; interstate transmission lines – DO PASS AMENDED**

**Jennifer Thomsen, Commerce and Energy Committee Research Analyst**, explained the bill and the 10-line Melvin amendment dated 2/15/11 at 8:39 a.m. (Attachment F) and answered questions posed by the Committee.

**Stan Barnes, Southwestern Power Group, Sun Zia Transmission Project**, testified in support of the bill and answered questions posed by the Committee.

**Tom Wray, Southwestern Power Group**, testified in support of the bill and answered questions posed by the Committee.

**Greg Patterson, IOWUA Director, Arizona Competitive Power Alliance**, testified in support of the bill and answered questions posed by the Committee.

**Sandy Bahr, Conservation Director, Sierra Club, Grand Canyon Chapter**, testified in opposition to the bill and answered questions posed by the Committee.

**Lori Lustig, Arizona Corporation Commission**, testified as neutral to the bill and answered questions posed by the Committee.

**Senator Melvin** further explained the bill and answered questions posed by the Committee.

**Russell Smoldon, Lobbyist, SRP**, testified as neutral to the bill and answered questions posed by the Committee.

**Senator Griffin moved SB 1547 be returned with a DO PASS recommendation.**

**Senator Griffin moved the 10-line Melvin amendment dated 2/15/11 at 8:39 a.m. (Attachment F) be ADOPTED. The motion CARRIED with a voice vote.**

**Senator Griffin moved SB 1547 be returned with an AS AMENDED, DO PASS recommendation. The motion CARRIED with a roll call vote of 5-1-1 (Attachment 11).**

**SB 1548 – nuclear fuel recycling; school funding – DO PASS**

**Fareed Bailey, Commerce and Energy Committee Assistant Research Analyst,** explained the bill and answered questions posed by the Committee.

**Senator Melvin, bill sponsor,** further explained the bill and answered questions posed by the Committee.

**Vince Leach, representing self,** testified in support of the bill and answered questions posed by the Committee.

**Richard Brinkley, representing self,** testified in support of the bill and answered questions posed by the Committee.

**Senator Griffin moved SB 1548 be returned with a DO PASS recommendation. The motion CARRIED with a roll call vote of 5-1-1 (Attachment 12).**

**SB 1569 – contractors; complaints by homebuyers – FAILED (continued)**

**Samantha Macchiaroli, Commerce and Energy Committee Intern,** explained the bill and answered questions posed by the Committee.

**Tyler Palmer, Legislative Liaison, Registrar of Contractors,** testified as neutral to the bill and answered questions posed by the Committee.

Senator Melvin informed the Committee that SB 1569 would be considered later in the Committee meeting.

**SCM 1007 – state lands; mining; exploration – DO PASS**

**Fareed Bailey, Commerce and Energy Committee Assistant Research Analyst,** explained the bill and answered questions posed by the Committee.

**Senator Melvin, bill sponsor,** further explained the bill and answered questions posed by the Committee.

**Senator Griffin moved SCM 1007 be returned with a DO PASS recommendation. The motion CARRIED with a roll call vote of 5-0-2 (Attachment 13).**

**SCR 1050 – corporation commission; districts – FAILED**

**Samantha Macchiaroli, Commerce and Energy Committee Intern**, explained the bill and answered questions posed by the Committee.

**Lori Lustig, Arizona Corporation Commission**, testified as neutral to the bill and answered questions posed by the Committee.

**Senator Griffin moved SCR 1050 be returned with a DO PASS recommendation. The motion FAILED with a roll call vote of 1-4-2 (Attachment 14).**

**SB 1569 – contractors; complaints by homebuyers – FAILED**

**Senator Griffin moved SB 1569 be returned with a DO PASS recommendation. The motion FAILED with a roll call vote of 0-5-2 (Attachment 15).**

Senator Reagan explained her vote.

Attached is a list noting the individuals who registered their position on the agenda items (Attachment G).

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

Respectfully submitted,

Toy Brown  
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.azsenate.gov>)