

ARIZONA STATE SENATE

50TH LEGISLATURE FIRST REGULAR SESSION

MINUTES OF COMMITTEE ON APPROPRIATIONS

DATE: February 22, 2011

TIME: 2:00 P.M.

ROOM: SHR109

CHAIRMAN: Senator Andy Biggs

VICE-CHAIRMAN: Senator Ron Gould

ANALYST: Katy Yanez

INTERN: Andrew Larsen

**COMMITTEE
SECRETARY:** Shelley Ponce

ATTENDANCE

BILLS

<u>Committee Members</u>	<u>Pr</u>	<u>Ab</u>	<u>Ex</u>	<u>Bill Number</u>	<u>Disposition</u>
Senator Aboud	X			HB 2016	DPA
Senator Allen	X			SB 1013	DPA/SE
Senator Cajero Bedford	X			SB 1039	DPA/SE
Senator Crandall	X			SB 1113	DPA
Senator Klein	X			SB 1115	DPA/SE
Senator Melvin	X			SB 1141	DPA/SE
Senator Murphy	X			SB 1303	HELD
Senator Schapira	X			SB 1308	DPA
Senator Shooter	X			SB 1309	DPA
Senator Sinema	X			SB 1353	DP
Senator Smith	X			SB 1380	DPA/SE
Senator Gould Vice-Chairman	X			SB 1405	DPA
Senator Biggs, Chairman	X			SB 1407	DP
				SB 1451	HELD
				SB 1452	HELD
				SB 1497	DPA
				SB 1519	DPA
				SB 1540	DPA
				SB 1583	DP
				SB 1589	DP
				SB 1610	DP
				SB 1611	DP
				SCR 1014	DPA/SE
				SCR 1045	DP

Chairman Biggs called the meeting to order at 3:05 p.m. and attendance was noted.

CONSIDERATION OF BILLS

SB 1303 – schools; dropout recovery programs – HELD

Senator Biggs announced that SB 1303 would be HELD.

SB 1451 – high schools; board examination systems – HELD

Senator Biggs announced that SB 1451 would be HELD.

SB 1452 – schools; e-learning programs – HELD

Senator Biggs announced that SB 1452 would be HELD.

SB 1039 – technical correction; barber licenses; display – DO PASS AMENDED/STRIKE EVERYTHING

Jennifer Thomsen, Commerce and Energy Committee Analyst, explained the 4-page Melvin strike everything amendment dated 02/18/11 at 11:33 a.m. (Attachment A).

Senator Reagan, bill sponsor, further explained SB 1039.

Wendy Briggs, Arizona Bankers' Association, registered as neutral and provided information for the committee.

Senator Gould moved SB 1039 be returned with a DO PASS recommendation.

Senator Melvin moved the 4-page Melvin strike everything amendment dated 02/18/11 at 11:33 a.m. (Attachment A) be ADOPTED. The motion CARRIED by a voice vote.

Senator Gould moved SB 1039 be returned with an AS AMENDED, DO PASS recommendation. The motion CARRIED with a roll call vote of 13-0-0 (Attachment 1).

HB 2016 – JLBC; JCCR; reports – DO PASS AMENDED

Andrew Larsen, Appropriations Committee Intern, explained HB 2016 and the following amendments:

2-line Biggs amendment dated 02/21/11 at 12:06 p.m. (Attachment B)

9-line Aboud amendment dated 02/21/11 at 9:36 a.m. (Attachment C)

Senator Gould moved HB 2016 be returned with a DO PASS recommendation.

Senator Gould moved the 2-line Biggs amendment dated 02/21/11 at 12:06 p.m. (Attachment B) be ADOPTED. The motion CARRIED by a voice vote.

Senator Aboud moved the 9-line Aboud amendment dated 02/21/11 at 9:36 a.m. (Attachment C) be ADOPTED. The motion FAILED by voice vote.

Senator Gould moved HB 2016 be returned with an AS AMENDED, DO PASS recommendation. The motion CARRIED with a roll call vote of 12-1-0 (Attachment 2).

SB 1583 – nursing board; membership – DO PASS

Andrew Larsen, Appropriations Committee Intern, explained SB 1583.

Senator Nelson, bill sponsor, further explained SB 1583.

Sara Sparman, Arizona Association of Nurse Anesthetists, testified in support of SB 1583.

Senator Gould moved SB 1583 be returned with a DO PASS recommendation. The motion CARRIED with a roll call vote of 13-0-0 (Attachment 3).

SB 1540 – political flyers; petitions; homeowners' associations – DO PASS AMENDED

Bill Boyd, Government Reform Committee Analyst, explained SB 1540 and the 19-line Melvin amendment dated 02/21/11 at 12:50 p.m. (Attachment D).

Richard Brinkley, representing himself, testified in support of SB 1540.

Vince Leach, representing himself, testified in support of SB 1540.

Senator Melvin moved SB 1540 be returned with a DO PASS recommendation.

Senator Melvin moved the 19-line Melvin amendment dated 02/21/11 at 12:50 p.m. (Attachment D) be ADOPTED. The motion CARRIED by a voice vote.

Senator Melvin moved SB 1540 be returned with an AS AMENDED, DO PASS recommendation. The motion CARRIED with a roll call vote of 11-2-0 (Attachment 4).

Senators Aboud, Crandall, Klein and Schapira explained their votes.

Recess

At 4:05 p.m. Senator Biggs RECESSED the committee subject to the sound of the gavel.

Reconvene

At 4:32 p.m. Senator Biggs RECONVENED the committee.

APPROVAL OF MINUTES

Senator Biggs stated that without objection, the minutes of February 15, 2011 were approved.

Senator Biggs announced that due to similar topics, SB 1308 and SB 1309 would be discussed together.

Garth Kamp, Judiciary Committee Analyst, explained SB 1308 and the following amendments:

2-line Gould amendment dated 02/11/11 at 1:56 p.m. (Attachment E)
5-line Aboud amendment dated 02/14/11 at 11:03 a.m. (Attachment F)

Mr. Kamp explained SB 1309 and the following amendments:

2-line Gould amendment dated 02/11/11 2:02 p.m. (Attachment G)
5-line Aboud amendment dated 02/14/11 at 11:09 a.m. (Attachment H)

Brenda Rascon, graduate student, representing herself, testified in opposition to SB 1308 and SB 1309.

Valerie Roller, GOP Chairman LD14, testified in support of SB 1308 and SB 1309.

Katie Dionne, American Citizen, representing herself, testified in support of SB 1308 and SB 1309.

Glenn Hamer, President/CEO, Arizona Chamber of Commerce & Industry, testified in opposition to SB 1308 and SB 1309.

Michelle Bolton, V.P. of Public Affairs, Greater Phoenix Chamber of Commerce, testified in opposition to SB 1308 and SB 1309.

Anjali Abraham, Public Policy Director, American Civil Liberties Union of Arizona, testified in opposition to SB 1308 and SB 1309.

John Eastman, Donald P. Kennedy Chair in Law and Former Dean, representing himself, testified in support of SB 1308 and SB 1309.

Senator Sinema distributed "Selective Service System" (Attachment I).

SB 1308 – interstate compact; birth certificates – DO PASS AMENDED

Senator Gould moved SB 1308 be returned with a DO PASS recommendation.

Senator Gould moved the 2-line Gould amendment dated 02/11/11 at 1:56 p.m. (Attachment E) be ADOPTED. The motion CARRIED by a voice vote.

Senator Aboud moved the 5-line Aboud amendment dated 02/14/11 at 11:03 a.m. (Attachment F) be ADOPTED. The motion FAILED by a voice vote.

Senator Gould moved SB 1308 be returned with an AS AMENDED, DO PASS recommendation. The motion CARRIED with a roll call vote of 8-5-0 (Attachment 5).

Senators Aboud, Allen, Crandall, Murphy, Schapira, Sinema and Gould explained their votes.

SB 1309 – Arizona citizenship – DO PASS AMENDED

Senator Gould moved SB 1309 be returned with a DO PASS recommendation.

Senator Gould moved the 2-line Gould amendment dated 02/11/11 2:02 p.m. (Attachment G) be ADOPTED. The motion CARRIED by a voice vote.

Senator Aboud moved the 5-line Aboud amendment dated 02/14/11 at 11:09 a.m. (Attachment H) be ADOPTED. The motion FAILED by a voice vote.

Senator Gould moved SB 1309 be returned with an AS AMENDED, DO PASS recommendation. The motion CARRIED with a roll call vote of 8-5-0 (Attachment 6).

SB 1353 – moving violations; assessment; enforcement; equipment – DO PASS

Andrew Larsen, Appropriations Committee Intern, explained SB 1353.

Senator Antenori, bill sponsor, further explained SB 1353.

Mike Williams, Arizona Police Association, Phoenix Law Enforcement Association, testified in support of SB 1353.

Senator Gould moved SB 1353 be returned with a DO PASS recommendation. The motion CARRIED with a roll call vote of 13-0-0 (Attachment 7).

Senators Crandall, Murphy and Schapira explained their votes.

SB 1380 – council on long-term care; reports – DO PASS AMENDED/STRIKE EVERYTHING

Katy Yanez, Appropriations Committee Analyst, explained the 2-page Melvin strike everything amendment dated 02/18/11 at 3:04 p.m. (Attachment J).

Senator Antenori, bill sponsor, further explained the strike everything amendment.

Senator Gould moved SB 1380 be returned with a DO PASS recommendation.

Senator Melvin moved the 2-page Melvin strike everything amendment dated 02/18/11 at 3:04 p.m. (Attachment J) be ADOPTED. The motion CARRIED by a voice vote.

Senator Gould moved SB 1380 be returned with an AS AMENDED, DO PASS recommendation. The motion CARRIED with a roll call vote of 9-3-1 (Attachment 8).

Senators Aboud, Crandall, Melvin, Murphy, Sinema and Gould explained their votes.

Recess

At 7:51 p.m. Senator Biggs RECESSED the committee until the sound of the gavel.

Reconvene

At 8:23 p.m. Senator Biggs RECONVENED the committee.

SB 1013 – technical correction; abandoned vehicles; monies – DO PASS AMENDED/STRIKE EVERYTHING

Katy Yanez, Appropriations Committee Analyst, explained the 34-page Shooter strike everything amendment dated 02/11/11 at 2:58 p.m. (Attachment K).

Senator Gould moved SB 1013 be returned with a DO PASS recommendation.

Senator Gould moved the 34-page Shooter strike everything amendment dated 02/11/11 at 2:58 p.m. (Attachment K) be ADOPTED. The motion CARRIED by a voice vote.

Senator Gould moved SB 1013 be returned with an AS AMENDED, DO PASS recommendation. The motion CARRIED with a roll call vote of 11-0-2 (Attachment 9).

SB 1611 – immigration omnibus – DO PASS

Amber O'Dell, Public Safety and Human Services Committee Analyst, explained SB 1611.

Senator Pearce, bill sponsor, further explained SB 1611.

Senator Gould moved SB 1611 be returned with a DO PASS recommendation.

Senator Gould WITHDREW his motion.

George Pauk, MD, Physicians for a National Health Program, testified in opposition to SB 1611.

Jaime Farrant, Policy Director, Border Action Network, testified in opposition to SB 1611.

Kathy Jorgensen, Society of St. Vincent de Paul, testified in opposition to SB 1611.

Senator Gould moved SB 1611 be returned with a DO PASS recommendation. The motion CARRIED with a roll call vote of 7-6-0 (Attachment 10).

Senators Aboud, Cajero Bedford, Crandall, Melvin, Murphy, Schapira, Shooter, Smith, Klein, Sinema, Gould and Biggs explained their votes.

SB 1589 – authorized third parties; ADOT – DO PASS

Andrew Larsen, Appropriations Committee Intern, explained SB 1589.

Senator Griffin, bill sponsor, further explained SB 1589.

Ken Quartermain, Motor Vehicle Providers Association, testified in support of SB 1589.

Kevin Biesty, Legislative Liaison, Arizona Department of Transportation (ADOT), registered as neutral and provided information to the committee.

Senator Gould moved SB 1589 be returned with a DO PASS recommendation. The motion CARRIED with a roll call vote of 9-3-1 (Attachment 11).

Senators Schapira and Biggs explained their votes.

SB 1141 – technical correction; escape; secure facility – DO PASS AMENDED/STRIKE EVERYTHING

Katy Yanez, Appropriations Committee Analyst, explained the 3-page Smith strike everything amendment dated 02/17/11 at 10:13 a.m. (Attachment L).

Stacey Morley, Director, Policy Development & Government Relations, Arizona Department of Education, answered questions posed by the committee.

Senator Gould moved SB 1141 be returned with a DO PASS recommendation.

Senator Smith moved the 3-page Smith strike everything amendment dated 02/17/11 at 10:13 a.m. (Attachment L) be ADOPTED. The motion CARRIED by voice vote.

Senator Gould moved SB 1141 be returned with an AS AMENDED, DO PASS recommendation. The motion CARRIED with a roll call vote of 9-4-0 (Attachment 12).

SB 1405 – hospital admissions; restrictions – DO PASS AMENDED

Garth Kamp, Judiciary Committee Analyst, explained SB 1405 and the 2-page Smith amendment dated 02/21/11 at 2:35 p.m. (Attachment M).

Robert Haasch, representing himself, testified in opposition to SB 1405 and answered questions posed by the committee.

Marinah Valenzuela Farrell, Midwife, representing herself, testified in opposition to SB 1405.

Javier Perez, Priest, Immaculate Conception Catholic Church, testified in opposition to SB 1405.

Steve Barclay, Lobbyist, Mayo Clinic Arizona, testified in opposition to SB 1405 and answered questions posed by the committee.

Senator Smith moved SB 1405 be returned with a DO PASS recommendation.

Senator Smith moved the 2-page Smith amendment dated 02/21/11 at 2:35 p.m. (Attachment M) be ADOPTED. The motion CARRIED by a voice vote.

Senator Smith moved SB 1405 be returned with an AS AMENDED, DO PASS recommendation. The motion CARRIED with a roll call vote of 8-5-0 (Attachment 13).

Senators Aboud, Allen, Crandall, Murphy, Schapira, and Sinema explained their votes.

SB 1610 – state firearm – DO PASS

Garth Kamp, Judiciary Committee Analyst, explained SB 1610.

Todd Rathner, Legislative Consultant, Colt's Manufacturing, testified in support of SB 1610.

Senator Gould moved SB 1610 be returned with a DO PASS recommendation. The motion CARRIED with a roll call vote of 9-4-0 (Attachment 14).

Senator Aboud explained her vote.

SB 1407 – schools; data; noncitizen students – DO PASS

Katy Yanez, Appropriations Committee Analyst, explained SB 1407.

Senator Gould moved SB 1407 be returned with a DO PASS recommendation. The motion CARRIED with a roll call vote of 8-5-0 (Attachment 15).

Senators Schapira, Sinema, Smith and Gould explained their votes.

SB 1497 – joint powers exercise; separate entities – DO PASS AMENDED

Bill Boyd, Government Reform Committee Analyst, explained SB 1497 and the 15-line Allen amendment dated 02/16/11 at 2:22 p.m. (Attachment N).

Senator Allen moved SB 1497 be returned with a DO PASS recommendation.

Senator Allen moved the 15-line Allen amendment dated 02/16/11 at 2:22 p.m. (Attachment N) be ADOPTED. The motion CARRIED by a voice vote.

Senator Allen moved SB 1497 be returned with an AS AMENDED, DO PASS recommendation. The motion CARRIED with a roll call vote of 9-4-0 (Attachment 16).

Senators Sinema and Biggs explained their votes.

SB 1113 – ALTCS; care facilities; standards – DO PASS AMENDED

Andrew Larsen, Appropriations Committee Intern, explained SB 1113 and the 4-line Biggs amendment dated 02/21/11 at 1:31 p.m. (Attachment O).

Senator Gould moved SB 1113 be returned with a DO PASS recommendation.

Senator Gould moved the 4-line Biggs amendment dated 02/21/11 at 1:31 p.m. (Attachment O) be ADOPTED.

Senator Gould moved the following verbal amendment to the 4-line Biggs amendment (Attachment P):

Page 1, line 2, after "PRIVATE" insert "STATE LICENSED"

The motion CARRIED by a voice vote.

Senator Gould moved the 4-line Biggs amendment dated 02/21/11 at 1:31 p.m. (Attachment O) AS AMENDED be ADOPTED. The motion CARRIED by a voice vote.

Senator Gould moved SB 1113 be returned with an AS AMENDED, DO PASS recommendation. The motion CARRIED with a roll call vote of 13-0-0 (Attachment 17).

SB 1519 – AHCCCS; termination – DO PASS AMENDED

Katy Yanez, Appropriations Committee Analyst, explained SB 1519 and the 2-page Biggs amendment dated 02/21/11 at 9:51 a.m. (Attachment Q).

Tom Jenney, Director, Americans for Prosperity, AZ (AFP), distributed "Notes on the Proposed 2012 Medicaid Opt-Out" (Attachment R) and testified in support of SB 1519.

Senator Gould moved SB 1519 be returned with a DO PASS recommendation.

Senator Gould moved the 2-page Biggs amendment dated 02/21/11 at 9:51 a.m. (Attachment Q) be ADOPTED. The motion CARRIED by a voice vote.

Senator Gould moved SB 1519 be returned with an AS AMENDED, DO PASS recommendation. The motion CARRIED with a roll call vote of 8-5-0 (Attachment 18).

Senators Allen, Klein, Melvin, Shooter, Smith, Crandall, Murphy, Schapira, Sinema, Gould and Biggs explained their votes.

Senator Biggs stated that SB 1115 and SCR 1014 would be discussed together.

Katy Yanez, Appropriations Committee Analyst, explained the 14-page Biggs strike everything amendment dated 02/17/11 at 3:39 p.m. (Attachment S) to SB 1115.

Ms. Yanez explained the 4-line Biggs strike everything amendment dated 02/18/11 at 12:24 p.m. (Attachment T) to SCR 1014.

David Martinez, Government Affairs Director, Arizona Students' Association, testified in opposition to SB 1115 and SCR 1014.

Thomas Anderes, President, Arizona Board of Regents, testified in opposition to SB 1115 and SCR 1014.

SB 1115 – JLBC; JCCR; reports – DO PASS AMENDED/STRIKE EVERYTHING

Senator Gould moved SB 1115 be returned with a DO PASS recommendation.

Senator Gould moved the 14-page Biggs strike everything amendment dated 02/17/11 at 3:39 p.m. (Attachment S) be ADOPTED. The motion CARRIED by a voice vote.

Senator Gould moved SB 1115 be returned with an AS AMENDED, DO PASS recommendation. The motion CARRIED with a roll call vote of 9-4-0 (Attachment 19).

Senators Crandall, Melvin, Murphy, Schapira, Shooter, Sinema and Smith explained their votes.

SCR 1014 – technical correction; transportation; public officers – DO PASS AMENDED/STRIKE EVERYTHING

Senator Gould moved SCR 1014 be returned with a DO PASS recommendation.

Senator Gould moved the 4-line Biggs strike everything amendment dated 02/18/11 at 12:24 p.m. (Attachment T) be ADOPTED. The motion CARRIED by a voice vote.

Senator Gould moved SCR 1014 be returned with an AS AMENDED, DO PASS recommendation. The motion CARRIED with a roll call vote of 9-4-0 (Attachment 20).

SCR 1045 – appellate, trial commissions; governor appointment – DO PASS

Garth Kamp, Judiciary Committee Analyst, explained SCR 1045.

Senator Gould moved SCR 1045 be returned with a DO PASS recommendation. The motion CARRIED with a roll call vote of 9-4-0 (Attachment 21).

Senator Sinema explained her vote.

Attached is a list noting the individuals who registered their position on the bills (Attachment U).

There being no further business, the meeting was adjourned at 2:17 a.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>)