

# ARIZONA STATE SENATE

## 50TH LEGISLATURE SECOND REGULAR SESSION

### MINUTES OF COMMITTEE ON GOVERNMENT REFORM

**DATE:** February 15, 2012      **TIME:** 8:00 A.M.      **ROOM:** SHR1

**CHAIRMAN:** Senator Rick Murphy      **VICE-CHAIRMAN:** Senator Lori Klein

**ANALYST:** Bill Boyd      **INTERN:** Courtney Pigaga

**COMMITTEE  
SECRETARY:** Shelley Ponce

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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 Antenori	X			SB 1155	DPA/SE
Senator Burges	X			SB 1161	DPA/SE
Senator Gallardo	X			SB 1162	DPA/SE
Senator Lujan	X			SB 1164	DPA/SE
Senator Smith	X			SB 1165	DPA/SE
Senator Klein, Vice-Chairman	X			SB 1166	DPA/SE
Senator Murphy, Chairman	X			SB 1202	DPA/SE
				SB 1203	DPA/SE
				SB 1204	DPA/SE
				SB 1205	DPA/SE
				SB 1348	DP
				SB 1438	DP
				SB 1450	DPA
				SB 1468	DP
				SB 1469	DP
				SB 1470	DPA
				SB 1480	DP
				SB 1503	DPA/SE
				SB 1505	HELD

Chairman Murphy called the meeting to order at 8:17 a.m. and attendance was noted.

## **APPROVAL OF MINUTES**

**Senator Murphy stated that without objection, the minutes of February 8, 2012 were approved.**

## **COMMITTEE OF REFERENCE**

Senator Murphy appointed Senator Antenori to replace Senator Gould and Senator Lujan to replace Senator Sinema on the Committee of Reference.

## **CONSIDERATION OF BILLS**

### **SB 1348 – state poet laureate; establishment – DO PASS**

**Courtney Pigaga, Government Reform Committee Intern**, explained SB 1348.

**Senator Al Melvin, bill sponsor**, further explained SB 1348.

**Gail Browne, representing herself**, testified in support of SB 1348.

Senator Murphy noted the individuals that registered their position on the bill (Attachment A).

**Senator Klein moved SB 1348 be returned with a DO PASS recommendation. The motion CARRIED with a roll call vote of 5-1-1 (Attachment 1).**

### **SB 1505 – technical correction; child custody – HELD**

Senator Murphy stated that SB 1505 would be HELD.

### **SB 1468 – legal fees; homeowners' associations – DO PASS**

**Courtney Pigaga, Government Reform Committee Intern**, explained SB 1468.

**Pat Haruff, Coalition of Homeowners for Rights and Education (CHORE)**, testified in support of SB 1468.

**Jeff Sandquist, Arizona Association of Community Managers (AACM)**, testified in opposition to SB 1468.

**Kevin DeMenna, The Community Associations Institute**, testified in opposition to SB 1468.

**Brian Lincks, Vice President, City Property Management, Arizona Association of Community Managers (AACM)**, testified in opposition to SB 1468 and answered question posed by the Committee.

**Mark Holmgren, Community Associations Institute**, testified in opposition to SB 1468 and answered questions posed by the Committee.

Senator Murphy noted the individuals that registered their position on the bill (Attachment A).

**Senator Klein moved SB 1468 be returned with a DO PASS recommendation. The motion CARRIED with a roll call vote of 4-3-0 (Attachment 2).**

Senators Burges, Smith, Antenori, Klein and Murphy explained their votes.

**SB 1469 – homeowners' associations; liens – DO PASS**

**Courtney Pigaga, Government Reform Committee Intern,** explained SB 1469.

**Pat Haruff, Coalition of Homeowners for Rights and Education (CHORE),** testified in support of SB 1469.

**Darin Fisher, CEO, Vision Community Management, representing himself,** testified in opposition to SB 1469.

**Brian Lincks, Vice President, City Property Management, Arizona Association of Community Managers (AACM),** testified in opposition to SB 1469.

**Kevin DeMenna, The Community Associations Institute,** testified in opposition to SB 1469.

**Mark Holmgren, Community Associations Institute,** testified in opposition to SB 1469.

Senator Murphy noted the individuals that registered their position on the bill (Attachment A).

**Senator Klein moved SB 1469 be returned with a DO PASS recommendation. The motion CARRIED with a roll call vote of 5-2-0 (Attachment 3).**

Senators Burges, Smith, Antenori, Klein and Murphy explained their votes.

**SB 1202 – technical correction; veterans; conservatorship – DO PASS AMENDED/STRIKE EVERYTHING**

**Liisa Laikko, Education Committee Analyst,** explained the 2-page Klein strike everything amendment dated 02/10/12 at 1:30 p.m. (Attachment B).

**Gabriela Saucedo Mercer, representing herself,** testified in support of the strike everything amendment and answered questions posed by the Committee.

**Janice Palmer, Governmental Relations Analyst, Arizona School Boards Association,** testified in opposition to the strike everything amendment.

**Dr. Moira Carney, Arizona Teacher for Justice,** testified in opposition to the strike everything amendment.

**Loretta Hunnicutt, Co-founder, Tucsonans United for Sound Districts (TU4SD),** testified in support of the strike everything amendment.

**Senator Klein moved SB 1202 be returned with a DO PASS recommendation.**

**Senator Klein moved the 2-page Klein strike everything amendment dated 02/10/12 at 1:30 p.m. (Attachment B) be ADOPTED.**

**Senator Antenori moved the following verbal amendment (Attachment C) to the strike everything amendment dated 02/10/12 at 1:30 p.m.:**

**Page 1, line 9, strike "USES PARTISAN BOOKS" insert "DURING CLASSROOM INSTRUCTION OR EXTRACURRICULAR SCHOOL ACTIVITIES"**

**Line 11, before "ENCOURAGES" insert "DURING CLASSROOM INSTRUCTION OR EXTRACURRICULAR SCHOOL ACTIVITIES,"**

**The motion CARRIED by voice vote.**

**Senator Klein moved the 2-page Klein strike everything amendment dated 02/10/12 at 1:30 p.m. (Attachment B) AS AMENDED be ADOPTED. The motion CARRIED by voice vote.**

**Senator Klein moved SB 1202 be returned with an AS AMENDED, DO PASS recommendation. The motion CARRIED with a roll call vote of 5-2-0 (Attachment 4).**

Senators Gallardo, Lujan, Smith, Klein and Murphy explained their votes.

**SB 1438 – drug lab remediation; investigators – DO PASS**

**Courtney Pigaga, Government Reform Committee Intern,** explained SB 1438.

**Senator John Nelson, bill sponsor,** further explained SB 1438.

**Ron Dalrymple, Director, Board of Technical Registration,** distributed a handout entitled "Drug Laboratory Site Remediation Program" (Attachment D) and testified in support of SB 1438.

Senator Murphy noted the individuals that registered their position on the bill (Attachment A).

**Senator Gould moved SB 1438 be returned with a DO PASS recommendation. The motion CARRIED with a roll call vote of 6-0-1 (Attachment 5).**

**SB 1470 – rules; data quality – DO PASS AMENDED**

**Bill Boyd, Government Reform Committee Analyst,** explained SB 1470 and the 9-page amendment dated 02/14/12 at 5:00 p.m. (Attachment E).

**Rory Hays, Maricopa County,** testified in opposition to SB 1470.

**David Kimball, Arizona Rock Products Association,** testified in support of SB 1470.

Senator Murphy noted the individuals that registered their position on the bill (Attachment A).

**Senator Klein moved SB 1470 be returned with a DO PASS recommendation.**

**Senator Klein moved the 9-page amendment dated 02/14/12 at 5:00 p.m. (Attachment E) be ADOPTED. The motion CARRIED by voice vote.**

**Senator Klein moved SB 1470 be returned with an AS AMENDED, DO PASS recommendation. The motion CARRIED with a roll call vote of 5-2-0 (Attachment 6).**

Senator Klein explained her vote.

**SB 1205 – taxation; trust income; technical correction – DO PASS AMENDED/STRIKE EVERYTHING**

**Liisa Laikko, Education Committee Intern**, explained the 2-page Klein strike everything amendment dated 02/13/12 at 5:00 p.m. (Attachment F) and the 7-line Klein amendment dated 02/14/12 at 11:10 a.m. (Attachment G) to the strike everything amendment.

**Floyd Brown, parent, representing himself**, testified in support of the strike everything amendment.

**Dr. Moira Carney, representing herself**, testified in opposition to the strike everything amendment.

**Senator Klein moved SB 1205 be returned with a DO PASS recommendation.**

**Senator Klein moved the 2-page Klein strike everything amendment dated 02/13/12 at 5:00 p.m. (Attachment K) be ADOPTED.**

**Senator Klein moved the 7-line Klein amendment dated 02/14/12 at 11:10 a.m. (Attachment G) to the strike everything amendment be ADOPTED. The motion CARRIED by voice vote.**

**Senator Klein moved the 2-page Klein strike everything amendment dated 02/13/12 at 5:00 p.m. (Attachment K) AS AMENDED be ADOPTED. The motion CARRIED by voice vote.**

**Senator Gould moved SB 1205 be returned with an AS AMENDED, DO PASS recommendation. The motion CARRIED with a roll call vote of 5-2-0 (Attachment 7).**

Senators Gallardo, Lujan, Smith, Klein and Murphy explained their votes.

**SB 1155 – governmental mall commission; report – DO PASS AMENDED/STRIKE EVERYTHING**

**Bill Boyd, Government Reform Committee Analyst**, explained the 4-page Murphy strike everything amendment dated 02/13/12 at 2:35 p.m. (Attachment H).

**Senator Andy Biggs, bill sponsor**, further explained the strike everything amendment.

**Senator Antenori moved SB 1155 be returned with a DO PASS recommendation.**

**Senator Antenori moved the 4-page Murphy strike everything amendment dated 02/13/12 at 2:35 p.m. (Attachment H) be ADOPTED. The motion CARRIED by voice vote.**

**Senator Antenori moved SB 1155 be returned with an AS AMENDED, DO PASS recommendation. The motion CARRIED with a roll call vote of 4-2-1 (Attachment 8).**

**SB 1204 – technical correction; taxes; game; fish – DO PASS AMENDED/STRIKE EVERYTHING**

**Liisa Laikko, Education Committee Analyst**, explained the 3-page Klein strike everything amendment dated 02/10/12 at 10:52 a.m. (Attachment I) and the following amendments to the strike everything amendment:

2-line Gallardo amendment dated 02/14/12 at 9:01 a.m. (Attachment J)  
7-line Lujan amendment dated 02/14/12 at 9:05 a.m. (Attachment K)

**Janice Palmer, Governmental Relations Analyst, Arizona School Boards Association**, testified in opposition to the strike everything amendment.

**Sydney Hay, A Plus Arizona - Every Child Can Learn**, testified in support of the strike everything amendment.

Senator Murphy noted the individuals that registered their position on the bill (Attachment A).

**Senator Klein moved SB 1204 be returned with a DO PASS recommendation.**

**Senator Klein moved the 3-page Klein strike everything amendment dated 02/10/12 at 10:52 a.m. (Attachment I) be ADOPTED.**

**Senator Gallardo moved 2-line Gallardo amendment dated 02/14/12 at 9:01 a.m. (Attachment J) to the strike everything amendment be ADOPTED. The motion FAILED by voice vote.**

**Senator Lujan moved the 7-line Lujan amendment dated 02/14/12 at 9:05 a.m. (Attachment K) to the strike everything amendment be ADOPTED. The motion FAILED by voice vote.**

**The motion to ADOPT the 3-page Klein strike everything amendment dated 02/10/12 at 10:52 a.m. (Attachment I) CARRIED by voice vote.**

**Senator Klein moved SB 1204 be returned with an AS AMENDED, DO PASS recommendation. The motion CARRIED with a roll call vote of 5-2-0 (Attachment 9).**

**SB 1203 – luxury tax; exemption; technical correction – DO PASS AMENDED/STRIKE EVERYTHING**

**Natalie Fleming, Education Committee Intern**, explained the 4-page Klein strike everything amendment dated 02/10/12 at 11:04 a.m. (Attachment L).

**Dr. Moira Carney, representing herself**, testified in opposition to the strike everything amendment.

**Senator Antenori moved SB 1203 be returned with a DO PASS recommendation.**

**Senator Antenori moved the 4-page Klein strike everything amendment dated 02/10/12 at 11:04 a.m. (Attachment L) be ADOPTED. The motion CARRIED by voice vote.**

**Senator Antenori moved SB 1203 be returned with an AS AMENDED, DO PASS recommendation. The motion CARRIED with a roll call vote of 4-2-1 (Attachment 10).**

Senators Lujan and Klein explained their votes.

**SB 1450 – public-private partnerships; public infrastructure – DO PASS AMENDED**

**Bill Boyd, Government Reform Committee Analyst,** explained SB 1450 and the 2-line Antenori amendment dated 02/13/12 at 10:36 a.m. (Attachment M).

Senator Klein noted the individuals that registered their position on the bill (Attachment A).

**Senator Antenori moved SB 1450 be returned with a DO PASS recommendation.**

**Senator Antenori moved the 2-line Antenori amendment dated 02/13/12 at 10:36 a.m. (Attachment M) be ADOPTED. The motion CARRIED by voice vote.**

**Senator Antenori moved SB 1450 be returned with an AS AMENDED, DO PASS recommendation. The motion CARRIED with a roll call vote of 6-0-1 (Attachment 11).**

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

**SB 1480 – road enhancement improvement districts – DO PASS**

**Courtney Pigaga, Government Reform Committee Intern,** explained SB 1480.

Senator Antenori noted the individuals that registered their position on the bill (Attachment A).

**Senator Antenori moved SB 1480 be returned with a DO PASS recommendation. The motion CARRIED with a roll call vote of 6-0-1 (Attachment 12).**

**SB 1503 – technical correction; disabled parking; reciprocity – DO PASS AMENDED/STRIKE EVERYTHING**

**Courtney Pigaga, Government Reform Committee Intern,** explained the 23-line Burges strike everything amendment dated 02/13/12 at 2:48 p.m. (Attachment N).

Senator Antenori noted the individuals that registered their position on the bill (Attachment A).

**Senator Antenori moved SB 1503 be returned with a DO PASS recommendation.**

**Senator Antenori moved 23-line Burges strike everything amendment dated 02/13/12 at 2:48 p.m. (Attachment N). The motion CARRIED by voice vote.**

**Senator Klein moved SB 1503 be returned with an AS AMENDED, DO PASS recommendation. The motion CARRIED with a roll call vote of 6-0-1 (Attachment 13).**

**SB 1166 – condominium associations; technical correction – DO PASS AMENDED/STRIKE EVERYTHING**

**Bill Boyd, Government Reform Committee Analyst**, explained the 2-page Murphy amendment dated 02/13/12 at 11:41 a.m. (Attachment O).

**Senator Antenori moved SB 1166 be returned with a DO PASS recommendation.**

**Senator Antenori moved the 2-page Murphy amendment dated 02/13/12 at 11:41 a.m. (Attachment O) be ADOPTED. The motion CARRIED by voice vote.**

**Senator Gould moved SB 1166 be returned with an AS AMENDED, DO PASS recommendation. The motion CARRIED with a roll call vote of 7-0-0 (Attachment 14).**

**SB 1161 – state institutions; technical correction – DO PASS AMENDED/STRIKE EVERYTHING**

**Courtney Pigaga, Government Reform Committee Intern**, explained the 4-page Murphy strike everything amendment dated 02/13/12 at 12:06 p.m. (Attachment P).

**Senator Klein moved SB 1161 be returned with a DO PASS recommendation.**

**Senator Klein moved the 4-page Murphy strike everything amendment dated 02/13/12 at 12:06 p.m. (Attachment P) be ADOPTED. The motion CARRIED by voice vote.**

**Senator Klein moved SB 1161 be returned with an AS AMENDED, DO PASS recommendation. The motion CARRIED with a roll call vote of 7-0-0 (Attachment 15).**

Senator Lujan explained his vote.

**SB 1162 – technical correction; trust lands; access – DO PASS AMENDED/STRIKE EVERYTHING**

**Courtney Pigaga, Government Reform Committee Intern**, explained the 5-page Murphy strike everything amendment dated 02/13/12 at 3:29 p.m. (Attachment Q).

**Senator Klein moved SB 1162 be returned with a DO PASS recommendation.**

**Senator Klein moved the 5-page Murphy strike everything amendment dated 02/13/12 at 3:29 p.m. (Attachment Q) be ADOPTED. The motion CARRIED by voice vote.**

**Senator Klein moved SB 1162 be returned with an AS AMENDED, DO PASS recommendation. The motion CARRIED with a roll call vote of 6-0-1 (Attachment 16).**

**SB 1164 – technical correction; rebate set-aside – DO PASS AMENDED/STRIKE EVERYTHING**

**Bill Boyd, Government Reform Committee Analyst**, explained the 2-page Murphy strike everything amendment dated 02/13/12 at 11:38 a.m. (Attachment R).

**Senator Klein moved SB 1164 be returned with a DO PASS recommendation.**

**Senator Klein moved the 2-page Murphy strike everything amendment dated 02/13/12 at 11:38 a.m. (Attachment R) be ADOPTED. The motion CARRIED by voice vote.**

**Senator Klein moved SB 1164 be returned with an AS AMENDED, DO PASS recommendation. The motion CARRIED with a roll call vote of 7-0-0 (Attachment 17).**

**SB 1165 – technical correction; energy standards – DO PASS AMENDED/STRIKE EVERYTHING**

**Bill Boyd, Government Reform Committee Analyst**, explained the 2-page Murphy strike everything amendment dated 02/13/12 at 11:40 a.m. (Attachment S).

**Senator Klein moved SB 1165 be returned with a DO PASS recommendation.**

**Senator Klein moved the 2-page Murphy strike everything amendment dated 02/13/12 at 11:40 a.m. (Attachment S) be ADOPTED. The motion CARRIED by voice vote.**

**Senator Gould moved SB 1165 be returned with an AS AMENDED, DO PASS recommendation. The motion CARRIED with a roll call vote of 7-0-0 (Attachment 18).**

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

There being no further business, the meeting was adjourned at 12:46 p.m.

Respectfully submitted,

Shelley Ponce  
Committee Secretary

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