

ARIZONA STATE SENATE

51ST LEGISLATURE FIRST REGULAR SESSION

MINUTES OF COMMITTEE ON GOVERNMENT AND ENVIRONMENT

DATE: March 21, 2013 **TIME:** 2:39 p.m. **ROOM:** SHR 3

CHAIRMAN: Senator Gail Griffin **VICE-CHAIRMAN:** Senator Judy Burges

ANALYST: Sharon Langford **INTERN:** Yesenia Pinales

ASSISTANT ANALYST: David Fernandez **COMMITTEE SECRETARY:** Toy Brown

ATTENDANCE

BILLS

<u>Committee Members</u>	<u>Pr</u>	<u>Ab</u>	<u>Ex</u>	<u>Bill Number</u>	<u>Disposition</u>
Senator Crandell	X			HB 2113	DP
Senator Farley	X			HB 2178	DP
Senator Hobbs	X			HB 2209	DP
Senator Jackson Jr.	X			HB 2331	DPA/SE
Senator Ward	X			HB 2242	DPA/SE
Senator Burges, Vice-Chairman	X			HB 2244	HELD
Senator Griffin, Chairman	X			HB 2245	DP
				HB 2282	DP
				HB 2296	DPA
				HB 2322	DP
				HB 2371	DP
				HB 2404	DPA/SE
				HB 2456	DP
				HB 2463	DPA/SE
				HB 2484	DP
				HB 2533	HELD
				HB 2543	DPA
				HB 2544	DPA/SE
				HB 2547	DP
				HB 2551	DPA/SE
				HB 2578	DP
				HB 2591	DP
				HB 2599	DP
				HB 2647	DPA/SE
				HCM 2007	DP

Chairman Griffin called the meeting to order at 2:39 p.m. and attendance was taken.

APPROVAL OF MINUTES

Senator Griffin stated without objection, the minutes of March 18, 2013, were approved.

CONSIDERATION OF BILLS

HB 2322 – rule making; restrictions – DO PASS

Sharon Langford, Government and Environment Committee Analyst, explained HB 2322.

Senator Burges moved HB 2322 be returned with a DO PASS recommendation. The motion CARRIED with a roll call vote of 4-3-0 (Attachment 1).

HB 2242 – false registration; penalty (now: electronic notary study committee) – DO PASS AMENDED/STRIKE EVERYTHING

Bill Ritz, Finance Committee Analyst, explained the 2-page Griffin strike everything amendment dated 3/19/13 at 4:20 p.m. (Attachment A).

Senator Burges moved HB 2242 be returned with a DO PASS recommendation.

Senator Burges moved the 2-page Griffin amendment dated 3/19/13 at 4:20 p.m. (Attachment A) be ADOPTED. The motion CARRIED by a voice vote.

Senator Burges moved HB 2242 be returned with an AS AMENDED, DO PASS recommendation. The motion CARRIED with a roll call vote of 7-0-0 (Attachment 2).

HB 2244 – technical correction; critical infrastructure information (now: information technology; interoperable radio communication) – HELD

Senator Griffin announced that HB 2244 would be HELD.

HB 2463 – appearance bonds; exoneration – DO PASS AMENDED/STRIKE EVERYTHING

Sharon Langford, Government and Environment Committee Analyst, explained the 9-page Griffin strike everything amendment dated 3/19/13 at 8:23 a.m. (Attachment B).

David Kimball, Arizona Rock Products Association, testified in support of the strike everything amendment.

Senator Burges moved HB 2463 be returned with a DO PASS recommendation.

Senator Burges moved the 9-page Griffin strike everything amendment dated 3/19/13 at 8:23 a.m. (Attachment B) be ADOPTED. The motion CARRIED by voice vote.

Senator Burges moved HB 2463 be returned with an AS AMENDED, DO PASS recommendation. The motion CARRIED with a roll call vote of 7-0-0 (Attachment 3).

HB 2551 – financial institution records; disclosure; notice – DO PASS AMENDED/STRIKE EVERYTHING

Yesenia Pinales, Government and Environment Committee Intern, explained the 2-page Crandell strike everything amendment dated 3/19/13 at 11:25 a.m. (Attachment C).

Representative Gowan, bill sponsor, further explained the strike everything amendment.

Sandy Bahr, Conservation Director, Sierra Club, Grand Canyon Chapter, testified in opposition to the strike everything amendment.

Jack Husted, Chairman, Arizona Game and Fish Commission, testified in support of the strike everything amendment and answered questions posed by the Committee.

Jen Sweeney, Deputy Director, Arizona Association of Counties, testified in support of the strike everything amendment and answered questions posed by the Committee.

David Tenney, President of County Supervisors Association, Navajo County Board of Supervisors, testified in support of the strike everything amendment.

Senator Crandell further explained the strike everything amendment.

Senator Burges moved HB 2551 be returned with a DO PASS recommendation.

Senator Burges moved the 2-page Crandell strike everything amendment dated 3/19/13 at 11:25 a.m. (Attachment C) be ADOPTED. The motion CARRIED by voice vote.

Senator Burges moved HB 2551 be returned with an AS AMENDED, DO PASS recommendation. The motion CARRIED with a roll call vote of 4-3-0 (Attachment 4).

Senator Jackson explained his vote.

HB 2404 – property managers; records; storage – DO PASS AMENDED/STRIKE EVERYTHING

David Fernandez, Government and Environment Committee Assistant Analyst, explained the 4-page Griffin strike everything amendment dated 3/19/13 at 2:12 p.m. (Attachment D) and the 2-page Farley amendment dated 3/20/13 at 9:55 a.m. (Attachment E).

Senator Farley further explained the amendment.

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

Jeff Schlegel, representing himself, Southwest Efficiency Project, testified in opposition to the strike everything amendment.

Spencer Kamps, Deputy Director, Home Builder Association of Central Arizona, testified in support of the strike everything amendment and in opposition to the Farley amendment. Mr. Kamps answered questions posed by the Committee.

Courtney Gilstrap LeVinus, Arizona Multihousing Association, answered questions posed by the Committee.

Daran Wastchak, representing himself, testified in support of the strike everything amendment.

Senator Burges moved HB 2404 be returned with a DO PASS recommendation.

Senator Burges moved the 4-page Griffin strike everything amendment dated 3/19/13 at 2:12 p.m. (Attachment D) be ADOPTED.

Senator Farley moved the 2-page Farley amendment dated 3/20/13 at 9:55 a.m. (Attachment E) to the 4-page Griffin strike everything amendment dated 3/19/13 at 2:12 p.m. (Attachment D) be ADOPTED. The motion FAILED by voice vote.

The motion to ADOPT the 4-page Griffin strike everything amendment dated 3/19/13 at 2:12 p.m. CARRIED by voice vote.

Senator Burges moved HB 2404 be returned with an AS AMENDED, DO PASS recommendation. The motion CARRIED with a roll call vote of 4-3-0 (Attachment 5).

HB 2544 – city parcel tax; prohibition – DO PASS AMENDED/STRIKE EVERYTHING

Sharon Langford, Government and Environment Committee Analyst, explained the 9-page Griffin strike everything amendment dated 3/18/13 at 11:32 a.m. (Attachment F).

Representative Olson, bill sponsor, further explained the strike everything amendment.

Mike Gardner, Arizona Power Authority, testified in support of the strike everything amendment.

Senator Burges moved HB 2544 be returned with a DO PASS recommendation.

Senator Burges moved the 9-page Griffin strike everything amendment dated 3/18/13 at 11:32 a.m. (Attachment F) be ADOPTED. The motion CARRIED by voice vote.

Senator Burges moved HB 2544 be returned with an AS AMENDED, DO PASS recommendation. The motion CARRIED with a roll call vote of 6-0-1 (Attachment 6).

Senator Burges explained her vote.

HB 2231 – state fees; payment; alternative methods (now: payment; alternative methods; state fees) – DO PASS AMENDED/STRIKE EVERYTHING

Jake Agron, Judiciary Committee Analyst, explained the 2-page Griffin strike everything amendment dated 3/19/13 at 8:16 a.m. (Attachment G).

John Burns, President, Arizona Bail Bondsman Association, testified in support of the strike everything amendment.

Senator Burges moved HB 2231 be returned with a DO PASS recommendation.

Senator Burges moved the 2-page Griffin strike everything amendment dated 3/19/13 at 8:16 a.m. (Attachment G) be ADOPTED. The motion CARRIED by voice vote.

Senator Burges moved HB 2231 be returned with an AS AMENDED, DO PASS recommendation. The motion CARRIED with a roll call vote of 5-0-2 (Attachment 7).

Senator Crandell explained his vote.

HB 2547 – AHCCCS; birth outcome committee – DO PASS

Marianne Yamnik, Health and Human Services Committee Analyst, explained HB 2547 and answered questions posed by the Committee.

Representative Townsend, bill sponsor, distributed a handout entitled "AHCCCS Birth Outcome Study Committee" (Attachment H). Representative Townsend further explained HB 2547 and answered questions posed by the Committee.

Jennifer Carusetta, Chief Legislative Liaison, AHCCCS, testified as neutral to HB 2547 and answered questions posed by the Committee.

Senator Burges moved HB 2547 be returned with a DO PASS recommendation. The motion CARRIED with a roll call vote of 7-0-0 (Attachment 8).

HB 2282 – recall; primary; general election – DO PASS

Sharon Langford, Government and Environment Committee Analyst, explained HB 2282.

Representative Smith, bill sponsor, further explained HB 2282 and answered questions posed by the Committee.

Senator Burges moved HB 2282 be returned with a DO PASS recommendation. The motion CARRIED with a roll call vote of 4-3-0 (Attachment 9).

Senator Farley explained his vote.

HB 2178 – flood control districts; administrative actions – DO PASS

Yesenia Pinales, Government and Environment Committee Intern, explained HB 2178.

Representative Fann, bill sponsor, further explained HB 2178.

Rory Hays, Maricopa Flood Control District, further explained HB 2178.

Senator Burges moved HB 2178 be returned with a DO PASS recommendation. The motion CARRIED with a roll call vote of 7-0-0 (Attachment 10).

HB 2113 – municipal annexation; size; exception (now: size; exception; municipal annexation) – DO PASS

David Fernandez, Government and Environment Committee Assistant Analyst, explained HB 2113.

Representative Pratt, bill sponsor, further explained HB 2113.

Senator Burges moved HB 2113 be returned with a DO PASS recommendation. The motion CARRIED with a roll call vote of 7-0-0 (Attachment 11).

HB 2296 – underground storage tank program – DO PASS AMENDED

Sharon Langford, Government and Environment Committee Analyst, explained HB 2296 and the 22-line Griffin amendment dated 3/20/13 at 3:45 p.m. (Attachment I).

Representative Pratt, bill sponsor, further explained HB 2296.

Tom Dorn, American Petroleum Marketers Association, testified in support of HB 2296 and answered questions posed by the Committee.

Henry Darwin, Director of Arizona Department of Environmental Quality, testified as neutral to HB 2296 and answered questions posed by the Committee.

Senator Burges moved HB 2296 be returned with a DO PASS recommendation.

Senator Burges moved the 22-line Griffin amendment dated 3/20/13 at 3:45 p.m. (Attachment I) be ADOPTED. The motion CARRIED by voice vote.

Senator Burges moved HB 2296 be returned with an AS AMENDED, DO PASS recommendation. The motion CARRIED with a roll call vote of 7-0-0 (Attachment 12).

Senators Crandell and Ward explained their votes.

HB 2209 – industrial development authorities – DO PASS

Sharon Langford, Government and Environment Committee Analyst, explained HB 2209.

Representative Brophy McGee, bill sponsor further explained HB 2209.

Marcus Osborn, Public Affairs Specialist, Phoenix Industrial Development Authority, testified in support of HB 2209.

**Senator Burges moved HB 2209 be returned with a DO PASS recommendation.
The motion CARRIED with a roll call vote of 6-0-1 (Attachment 13).**

Senator Ward explained her vote.

HB 2599 – procurement code; amendments – DO PASS

Sharon Langford, Government and Environment Committee Analyst, explained HB 2599.

Representative Pierce, bill sponsor, further explained HB 2599 and answered questions posed by the Committee.

Chad Heinrich, Greater Phoenix Chamber of Commerce, testified as neutral to HB 2599.

Alan Ecker, Program Associate, Arizona Department of Administration, further explained HB 2599. Mr. Ecker testified in support of the bill.

Dean Miller, Interim Executive Director, Arizona Corporation Commission, IBM, testified in support of HB 2599.

**Senator Burges moved HB 2599 be returned with a DO PASS recommendation.
The motion CARRIED with a roll call vote of 7-0-0 (Attachment 14).**

HB 2484 – veterans; hiring preference; tax credit – DO PASS

Joshua Spears, Public Safety Committee Intern, explained HB 2484.

Representative Cardenas, bill sponsor, further explained HB 2484 and answered questions posed by the Committee.

David Hampton, Public Information Officer, Arizona Department of Veterans Services, testified as neutral to HB 2484.

Representative Borrelli, Arizona Legislative Veterans Caucus, testified in support of HB 2484.

David Lucier, Arizona Veterans and Military Leadership Alliance, testified in support of HB 2484.

Representative Borrelli further explained HB 2484.

Senator Burges moved HB 2484 be returned with a DO PASS recommendation. The motion CARRIED with a roll call vote of 7-0-0 (Attachment 15).

Senators Crandell, Farley, Jackson, Ward and Griffin explained their votes.

HB 2456 – revenue allocation districts – DO PASS

David Fernandez, Government and Environment Committee Assistant Analyst, explained HB 2456 and answered questions posed by the Committee.

Representative Lovas, bill sponsor, further explained HB 2456.

Eric Emmert, East Valley Chambers of Commerce Alliance, testified in support of HB 2456.

Senator Burges moved HB 2456 be returned with a DO PASS recommendation. The motion CARRIED with a roll call vote of 5-2-0 (Attachment 16).

Senator Ward and Crandell explained their votes.

HB 2543 – provisional community colleges; nonresident tuition – DO PASS AMENDED

Kody Kelleher, Education Committee Analyst, explained HB 2543 and the 2-page Griffin amendment dated 3/20/13 at 3:36 p.m. (Attachment J).

Representative Orr, bill sponsor, further explained HB 2543.

Senator Griffin read the names of those in support of HB 2543.

Michael Racy, Lobbyist, Pima Community College, testified in support of HB 2543 and the amendment.

Senator Griffin stated that there was a letter received from an attorney representing Pima Community College, accepting the provisions that were worked out, subject to no substantial change. Senator Griffin asked Mr. Racy if a study committee was a substantial change.

Mr. Racy stated that a study committee was not a substantial change and that Pima Community College Governing Board is in support of the study committee. Mr. Racy stated the study committee does not make any change to the substance of the law, which is what the attorney was referring to in the letter and there is complete agreement between the parties.

Senator Burges moved HB 2543 be returned with a DO PASS recommendation.

Senator Burges moved the 2-page Griffin amendment dated 3/20/13 at 3:36 p.m. (Attachment J) be ADOPTED. The motion CARRIED by voice vote.

Senator Burges moved HB 2543 be returned with an AS AMENDED, DO PASS recommendation. The motion CARRIED with a roll call vote of 7-0-0 (Attachment 17).

RECESSED

Senator Griffin recessed the Committee at 5:56 p.m. to the sound of the gavel.

RECONVENED

Senator Griffin reconvened the Committee at 6:13 p.m.

HB 2533 – local governments; public notices; website – HELD

Senator Griffin announced that HB 2533 would be HELD.

HB 2245 – false claims; agriculture; technical correction (now: information technology; professional staff) – DO PASS

Yesenia Pinales, Government and Environment Committee Intern, explained HB 2245.

**Senator Burges moved HB 2245 be returned with a DO PASS recommendation.
The motion CARRIED with a roll call vote of 7-0-0 (Attachment 18).**

HB 2591 – governmental reporting; websites; budgets – DO PASS

David Fernandez, Government and Environment Committee Assistant Analyst, explained HB 2591 and answered questions posed by the Committee.

Representative Petersen, bill sponsor, further explained HB 2591.

**Senator Burges moved HB 2591 be returned with a DO PASS recommendation.
The motion CARRIED with a roll call vote of 7-0-0 (Attachment 19)**

HB 2578 – licensing; accountability; penalties; exceeding regulation – DO PASS

Joshua Spears, Public Safety Committee Intern, explained HB 2578.

Representative Petersen, bill sponsor, further explained HB 2578.

**Senator Burges moved HB 2578 be returned with a DO PASS recommendation.
The motion CARRIED with a roll call vote of 7-0-0 (Attachment 20).**

HB 2647 – special taxing districts – DO PASS AMENDED/STRIKE EVERYTHING

Sharon Langford, Government and Environment Committee Analyst, explained the 2-page Griffin strike everything amendment dated 3/19/13 at 12:52 p.m. (Attachment K) and the 2-line Griffin amendment to the strike everything amendment dated 3/20/13 at 12:55 p.m. (Attachment L).

Senator Burges moved HB 2647 be returned with a DO PASS recommendation.

Senator Burges moved the 2-page Griffin strike everything amendment dated 3/19/13 at 12:52 p.m. (Attachment K) be ADOPTED.

Senator Burges moved the 2-line Griffin amendment to the strike everything amendment dated 3/20/13 at 12:15 p.m. (Attachment L) be ADOPTED. The motion CARRIED by voice vote.

Senator Burges moved the 2-page Griffin strike everything amendment dated 3/19/13 at 12:52 p.m. AS AMENDED be ADOPTED (Attachment K). The motion CARRIED by voice vote.

Senator Burges moved HB 2647 be returned with an AS AMENDED, DO PASS recommendation. The motion CARRIED with a roll call vote of 4-3-0 (Attachment 21).

HB 2371 – technical correction; materials; resident preference (now: homeowners' associations; omnibus) – DO PASS

Amber Witter, Public Safety Committee Analyst, explained HB 2371.

Representative Ugenti, bill sponsor, further explained HB 2371.

Jeff Sandquist, Arizona Association of Community Managers, testified in support of HB 2371.

Senator Burges moved HB 2371 be returned with a DO PASS recommendation. The motion CARRIED with a roll call vote of 6-1-0 (Attachment 22).

HCM 2007 – Cherrybell; mail processing center – DO PASS

Yesenia Pinales, Government and Environment Committee Intern, explained HCM 2007.

Representative Dalessandro, bill sponsor, further explained HCM 2007.

Senator Burges moved HCM 2007 be returned with a DO PASS recommendation. The motion CARRIED with a roll call vote of 7-0-0 (Attachment 23).

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

There being no further business, the meeting was adjourned at 6:43 p.m.

Respectfully submitted,

Toy Brown
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>).

Committee on Government and Environment
March 21, 2013