

ARIZONA HOUSE OF REPRESENTATIVES
Fifty-second Legislature – First Regular Session

COMMITTEE ON COMMERCE

Report of Regular Meeting
Wednesday, February 11, 2015
House Hearing Room 1 -- 9:30 a.m.

Convened 9:32 a.m.
Recessed
Reconvened
Adjourned 9:49 a.m.

Members Present

Mrs. Fernandez
Mr. Lawrence
Ms. Mach
Mr. Rivero
Mr. Shope
Mrs. Norgaard, Vice-Chairman
Mr. Petersen, Chairman

Members Absent

Mr. Espinoza

Request to Speak

Report – Attachment 1

Presentations

Name

None

Organization

Attachments (Handouts)

Committee Action

Bill

Action

Vote

Attachments

**(Summaries,
Amendments, Roll Call)**

HB2313 HELD
HB2360 DP
HB2362 DPA
HCR2029 DP

7-0-0-1

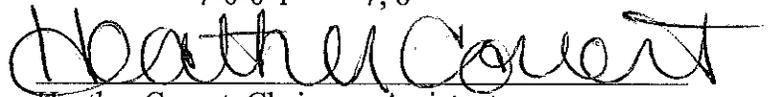
2, 3

6-1-0-1

4, 5, 6

7-0-0-1

7, 8



Heather Covert, Chairman Assistant

February 12, 2015

(Original attachments on file in the Office of the Chief Clerk; video archives available at <http://www.azleg.gov>)

Information Registered on the Request to Speak System

House Commerce (2/11/2015)

HB2313, motor vehicle franchises; motorcycle dealers

Support:

Mike Williams, APACHE HONDA; Leonard Clark Clark, representing self; Justin Johnson, representing self; Gina Marra, representing self; brian ruiterman, representing self; Mike Richards, representing self

Neutral:

Kevin Blesty, ADOT

Oppose:

Don Isaacson, AZ AUTOMOBILE DEALERS ASSN; Tom Farley, AZ AUTOMOBILE DEALERS ASSN; Bobbi Sparrow, AZ AUTOMOBILE DEALERS ASSN; Cheyenne Walsh, AZ AUTOMOBILE DEALERS ASSN; Jeff Sandquist, RIDENOW POWERSPORTS MANAGEMENT GROUP; bill nash, representing self; Marilyn Purvis, RIDENOW POWERSPORTS MANAGEMENT GROUP; Tyler Steimel, representing self; Eric Bushamie, representing self; Rob Smith, representing self; Dan Howard, representing self; Gary Hengeveld, representing self; Cliff Allison, representing self; Jessie Hanna, AZ AUTOMOBILE DEALERS ASSN; John Jenkins, representing self; John Niemann, representing self; Tim Robinson, representing self; Tony Campbell, representing self; Frank Stubbs, representing self; Jack Stubbs, representing self; Mark Tkach, representing self; Bill Coulter, representing self; John Morotti, representing self; Erik Knoebel, Jet Ski Unlimited, Kawasaki; Jeremy Gerlach, RIDENOW POWERSPORTS MANAGEMENT GROUP; Eric Blodgett, representing self; Richard Dowse, representing self; Louie Hirth, representing self; Jeff Chapman, representing self

All Comments:

Don Isaacson, AZ AUTOMOBILE DEALERS ASSN: Opposed to striker; Jeff Sandquist, RIDENOW POWERSPORTS MANAGEMENT GROUP: RideNow is opposed to the bill and the strike-everything amendment; Justin Johnson, Self: Representing Harley Davidson of Scottsdale; Gina Marra, Self: Representing GoAZ; Kevin Blesty, ADOT: Department questions the strikers proposed placement of authority in Title 44.; bill nash, Self: OPPOSED TO THE UNDERLYING BILL AND THE STRIKER; Tyler Steimel, Self: On behalf of - Sierra Vista Harley Davidson, Old Pueblo Harley Davidson, and Harley Davidson of Tucson. All three are opposed to the underlying bill and striker; Eric Bushamie, Self: On behalf of Arrowhead Harley Davidson and Roadrunner Harley Davidson. Opposed to the underlying bill and striker; Rob Smith, Self: Outdoor Sports Prescott is opposed to the underlying bill and striker.; Dan Howard, Self: North Valley Honda Kawasaki is opposed to the underlying bill and striker; Gary Hengeveld, Self: Northland Motorsports in Flagstaff is opposed to the underlying bill and striker; Cliff Allison, Self: Cochise Motorsports is opposed to the underlying bill and striker; Jessie Hanna, AZ AUTOMOBILE DEALERS ASSN: Opposed to the strike-everything amendment; John Jenkins, Self: Motocity in Avondale is opposed to the underlying bill and striker; John Niemann, Self: Adrenalin Motorsports Kawasaki in Casa Grande is opposed to the underlying bill and striker; Tim Robinson, Self: Iron City in Phoenix and Iron City in Casa Grande are both opposed to the underlying bill and striker; Tony Campbell, Self: Mother Road Harley Davidson in Kingman is opposed to the underlying bill and striker; Frank Stubbs, Self: Buddy Stubbs Harley Davidson in Phoenix is opposed to the underlying bill and striker; Jack Stubbs, Self: Buddy Stubbs in Anthem is opposed to the underlying bill and striker; Mark Tkach, Self: RideNow is opposed to the underlying bill and striker; Bill Coulter, Self: against the bill and striker; John Morotti, Self: Against the Bill

and Striker; Erik Knoebel, Jet Ski Unlimited, Kawasaki: Against the bill and the striker.; Jeremy Gerlach, RIDENOW POWERSPORTS MANAGEMENT GROUP: Against the bill and striker; Eric Blodgett, Self: against the bill and striker; Richard Dowse, Self: Against the bill and striker; Louie Hirth, Self: Against the bill and the striker on behalf of Liberty Motorsports in Yuma.; Jeff Chapman, Self: Against the bill and striker on behalf of Kelly's Kawasaki, Victory Mesa and Arizona Kawasaki Apache Junction.

HB2360, liquor licenses; stores; proximity; exception

Testified in support:

Mike Williams, CIRCLE K

Support:

Leonard Clark Clark, representing self

Neutral:

Pearlette Ramos, Arizona Department Of Liquor Licenses And Control

All Comments:

Pearlette Ramos, Arizona Department Of Liquor Licenses And Control: The department is neutral and has no objection to the proposed language.

HB2362, department of liquor licenses; continuation

Support:

Steve Barclay, BEER & WINE DISTRIBUTORS OF ARIZONA; Leonard Clark Clark, representing self; Pearlette Ramos, Arizona Department Of Liquor Licenses And Control

All Comments:

Pearlette Ramos, Arizona Department Of Liquor Licenses And Control: The department supports passage of this continuation bill and is available to answer any questions.

HCR2029, persons with disabilities; employment; support

Support:

Brandy Petrone, AZ Association Of Providers For People With Disabilities; Leonard Clark Clark, representing self; Susan Cannata, The Arc Of Arizona



HOUSE OF REPRESENTATIVES

HB 2360

liquor licenses; stores; proximity; exception

Sponsors: Representatives Shope, Cardenas; Espinoza, et al.

X Committee on Commerce

Caucus and COW

House Engrossed

OVERVIEW

HB 2360 permits certain grocery stores with limited liquor sales to be located and operate in proximity to a school or church.

HISTORY

Arizona Revised Statutes (A.R.S.) Title 4, delegates the power to regulate, license and investigate the production, sale and distribution of alcoholic beverages to the Department of Liquor Licenses and Control (Department). The Arizona State Liquor Board operates separately from the Department, consisting of seven members appointed by the governor and confirmed by the Senate to three year terms. In order to regulate alcoholic beverages throughout the state, the Department issues 19 different license types, each of them subject to specific requirements.

Current law prohibits retail liquor licenses from being issued if the premises is within 300 horizontal feet of a church, school or fenced recreational area adjacent to a school at the time of the original application. Current exemptions to this rule include: restaurant licenses; special event licenses; hotel-motel licenses; government licenses; the playing area of a golf course; and beer and wine licenses at a not-for-profit performing arts theatre with a permanent seating capacity of at least 250 persons.

PROVISIONS

1. Exempts from the 300 feet restriction on licensing near a school or church, any grocery store with retail space of at least 4500 square feet and that derives less than 50% of its gross revenues from liquor sales.
2. Makes a technical change.

Attachment 2

ARIZONA HOUSE OF REPRESENTATIVES
Fifty-second Legislature - First Regular Session

ROLL CALL VOTE

COMMITTEE ON _____ COMMERCE _____ BILL NO. HB 2360

DATE February 11, 2015 MOTION: DP

	PASS	AYE	NAY	PRESENT	ABSENT
Mr. Espinoza					✓
Mrs. Fernandez		✓			
Mr. Lawrence		✓			
Ms. Mach		✓			
Mr. Rivero		✓			
Mr. Shope		✓			
Mrs. Norgaard, Vice-Chairman		✓			
Mr. Petersen, Chairman		✓			
		7	0	0	1

Deborah Couest
 COMMITTEE SECRETARY

APPROVED: 

 WARREN H. PETERSEN, Chairman
 JILL NORGAARD, Vice-Chairman

ATTACHMENT _____



HOUSE OF REPRESENTATIVES

HB 2362

department of liquor licenses; continuation
Sponsors: Representatives Shope, Cardenas

X Committee on Commerce

Caucus and COW

House Engrossed

OVERVIEW

HB 2362 continues the Arizona Department of Liquor Licenses and Control (Department) for 10 years.

HISTORY

The Joint Legislative Audit Committee (JLAC) assigned the Sunset Review of the Department to the House of Representatives Commerce and the Senate Commerce, Energy and Military Committee of Reference (COR). The COR held one public hearing on Wednesday, November 19, 2014, to review the performance audit conducted by the COR and to receive public testimony.

Session Laws 1967, Chapter 133, established the Department and defined their powers, duties and responsibilities. Authorized by Arizona Revised Statutes (A.R.S.) Title 4, the Department licenses, investigates and regulates the production, distribution, and sale of alcoholic beverages in order to meet its mission *to protect public safety and support economic growth through the responsible sale and consumption of liquor, and to efficiently license qualified applicants*. The Department consists of three divisions: the Administration Division, the Licensing Division and the Investigations Division.

The current Arizona State Liquor Board (Board) operates independently from the Department and consists of seven members appointed by the governor and confirmed by the Senate to serve three-year terms. An executive director administers the daily functions. The Board is responsible for hearing all liquor license applications that are protested by the public, governing body of a city, town or county, or the Department's director. The Board may also protest an application and review appeals made against a decision made by the director. As of August 2014, there were 11,914 active licenses under the Department.

The Department was last audited by the Auditor General's Office in 2009 assigned by JLAC. The forty-ninth legislature, second regular session (2010) continued the Department for five years. The Department's operating budget for FY 2015 is \$3,589,200 and 45.2 FTEs.

PROVISIONS

1. Continues the Department for 10 years, until July 1, 2025.
2. Contains a purpose clause.
3. Makes the provisions retroactive to July 1, 2015.

Attachment 4

PROPOSED

HOUSE OF REPRESENTATIVES AMENDMENTS TO H.B. 2362

(Reference to printed bill)

- 1 Page 1, lines 5 and 6, strike "41-3025.12" insert "41-3023.12"
- 2 Line 7, strike "2025" insert "2023"
- 3 Line 9, strike "2025" insert "2023"
- 4 Line 10, strike "2026" insert "2024"
- 5 Amend title to conform

WARREN H. PETERSEN

2362-p1-petersen
2/9/15
11:31 AM
H:ajs

Attachment 5

Adopted # of Verbals _____
Failed _____ Withdrawn _____
Not Offered _____ Analysts Initials _____



HOUSE OF REPRESENTATIVES

HCR 2029

persons with disabilities; employment; support

Sponsors: Representatives Lawrence, Cardenas, Carter, et al.

X Committee on Commerce

Caucus and COW

House Engrossed

OVERVIEW

HCR 2029 proclaims the Legislature's support for the employment of persons with disabilities among Arizona businesses.

HISTORY

The Americans with Disabilities Act (ADA) prohibits discrimination in employment against qualified individuals on the basis of disability. The ADA defines a *disability* as a physical or mental impairment that substantially limits a major life activity such as hearing, seeing, speaking, walking, breathing, performing manual tasks, and caring for oneself.

Currently, only 20.3% of Americans with disabilities, including veterans who acquired disabilities during service to our country, participate in the labor force. The unemployment rate among persons with disabilities is 11.2%, which is more than double the unemployment rate among persons without disabilities.

According to *disabilitystatistics.org*, only 33.6% of Arizonans with disabilities aged 18 to 64 were employed in 2012.

PROVISIONS

1. Proclaims support for the employment of persons with disabilities.
2. Provides a statement of encouragement for Arizona businesses to hire from this population.

Attachment 7

