

2-2-16

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

COMMITTEE ON COUNTY AND MUNICIPAL AFFAIRS

Report of Regular Meeting
Monday, February 1, 2016
House Hearing Room 4 -- 2:00 p.m.

Convened 2:38 p.m.

Recessed

Reconvened

Adjourned 2:56 p.m.

Members Present

Mr. Boyer
Ms. Fann
Mrs. Gabaldón
Mr. Gray
Ms. Plumlee
Mr. Coleman, Chairman

Members Absent

Ms. Alston
Mr. Rivero, Vice-Chairman

Agenda

Original Agenda – Attachment 1

Request to Speak

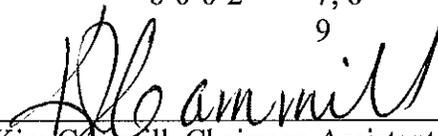
Report – Attachment 2

Presentations

<u>Name</u>	<u>Organization</u>	<u>Attachments (Handouts)</u>
None		

Committee Action

<u>Bill</u>	<u>Action</u>	<u>Vote</u>	<u>Attachments (Summaries, Amendments, Attendance)</u>
HB2146	DP	6-0-0-2	3, 4
HB2247	DP	6-0-0-2	5, 6
HB2255	DP	6-0-0-2	7, 8
	Committee Attendance		9



 Kim Gammill, Chairman Assistant
 2-2-16

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

Convene 2:38pm
Adjourned 2:56pm

REVISED - 01/28/16

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

REGULAR MEETING AGENDA

COMMITTEE ON COUNTY AND MUNICIPAL AFFAIRS

DATE Monday, February 1, 2016 ROOM HHR 4 TIME 2:00 P.M.

Members:

Ms. Alston	Mrs. Gabaldón	Mr. Rivero, Vice-Chairman
Mr. Boyer	Mr. Gray	Mr. Coleman, Chairman
Ms. Fann	Ms. Plumlee	

Committee of Reference, Rep. Bolding will be replaced by Rep. Plumlee

Bills	Short Title	Strike Everything Title
→ HB2041	_____ newspapers; public notice publication _____ (Finchem, Borrelli, Lawrence, et al) _____ CMA, RULES	
HB2146	<u>DP</u> municipalities; property sale threshold; election (Leach: Finchem, Pratt, et al) <u>6002</u> CMA, RULES	
HB2247	<u>DP</u> county merit system; terms; hearings (Gray) <u>6002</u> CMA, RULES	
HB2255	<u>DP</u> service animals; licensing; fee waiver (Brophy McGee) <u>6002</u> CMA, RULES	
→ HB2525	_____ eounties; annual audits _____ (Thorpe) _____ CMA, RULES	

ORDER OF BILLS TO BE SET BY THE CHAIRMAN

kjg
1/26/16
1/28/16

People with disabilities may request reasonable accommodations such as interpreters, alternative formats, or assistance with physical accessibility. If you require accommodations, please contact the Chief Clerk's Office at (602) 926-3032, TDD (602) 926-3241.

Information Registered on the Request to Speak System

House County and Municipal Affairs (2/1/2016)

HB2146, municipalities; property sale threshold; election

Support:

Heather Wilkey, Town Of Gilbert; Tom Belshe, League Of Arizona Cities And Towns; Sara Sparman, Town Of Queen Creek; Erin Roper, representing self; Paul Jepson, City Of Maricopa

All Comments:

Erin Roper, Self: The City of Kingman supports this bill.

HB2247, county merit system; terms; hearings

Support:

Michelle Hindman, MARICOPA COUNTY; Justin Pierce, representing self; Robert Dalager, representing self

HB2255, service animals; licensing; fee waiver

Support:

Veronica Wiley, representing self

All Comments:

Veronica Wiley, Self: I represent the Foundation for Service Dog Support



HOUSE OF REPRESENTATIVES

HB 2146

municipalities; property sale threshold; election
Prime Sponsor: Representative Leach, et al., LD 11

X Committee on County and Municipal Affairs

Caucus and COW

House Engrossed

OVERVIEW

HB 2146 increases the value threshold from \$500,000 to \$1,500,000 for the requirement to conduct a special election before the sale of a municipality's real property.

PROVISIONS

1. Increases the value threshold for triggering the requirement to conduct a special election before the sale of a municipality's real property from \$500,000 to \$1,500,000.

CURRENT LAW

A.R.S. § 9-402 (A) allows a municipality to sell and convey all or part of real or personal property, whether or not the property is dedicated to public use.

A.R.S. § 9-402 (B) states a sale of real or personal property by a city or town shall not be made until an invitation for bids for the purchase of the property has been published and posted as a notice in three or more public places within the city or town.

A.R.S. § 9-403 prohibits the sale of a municipality's real property exceeding \$500,000 without first holding a special election called for the purpose of submitting to the voters in the municipality the question of selling or not selling the property. Statute requires the election take place within the corporate limits of the city or town on a consolidated election date. The ballot must contain a description of the property proposed for sale and the governing body's reason for wanting to sell. Upon a majority vote in favor of selling, the governing body may sell the property at public auction to the highest bidder for cash, after giving notice as prescribed by statute.

**ARIZONA HOUSE OF REPRESENTATIVES
Fifty-second Legislature - Second Regular Session**

ROLL CALL VOTE

COMMITTEE ON _____ COUNTY AND MUNICIPAL AFFAIRS _____ BILL NO. HB 2146

DATE February 1, 2016 MOTION: DP

	PASS	AYE	NAY	PRESENT	ABSENT
Ms. Alston					✓
Mr. Boyer		✓			
Ms. Fann		✓			
Mrs. Gabaldón		✓			
Mr. Gray		✓			
Ms. Plumlee		✓			
Mr. Rivero, Vice-Chairman					✓
Mr. Coleman, Chairman		✓			
		6	0	0	2

[Signature]

COMMITTEE SECRETARY

APPROVED
[Signature]

DOUG COLEMAN, Chairman
TONY RIVERO, Vice-Chairman

ATTACHMENT _____



HOUSE OF REPRESENTATIVES

HB 2247

county merit system; terms; hearings
Prime Sponsor: Representative Gray, LD 21

X Committee on County and Municipal Affairs

Caucus and COW

House Engrossed

OVERVIEW

HB 2247 permits the board of supervisors (BOS) to appoint a member of the county merit system commission (commission) to a five-year term if that individual is also appointed to the county merit system council (council).

PROVISIONS

1. Allows the BOS to appoint a member of the commission to a five-year term if the member of the commission is the same member that the BOS appoints to the council.
2. Requires a commission member's term to extend to the date which the member's current term on the council expires. The subsequent term of office will be five years.
3. Mandates a written order stating a reason any officer or employee was dismissed, suspended or demoted in rank or compensation to be filed in the officer's or employee's official county personnel record, rather than the clerk of the BOS.
 - a. Specifies that the officer or employee can appeal an order through the clerk of the commission within 10 *calendar* days after the order is presented to the officer or employee.
4. Specifies that the commission must set a date for an appeal hearing within 20 *calendar* days after receiving the order and appeal.
5. Requires an appeal hearing of a dismissal, suspension or demotion in which (1) a single hearing officer has been appointed by the commission; or (2) a single hearing officer or administrative law judge has been appointed by the merit system council or appeals board that will conduct the appeal hearing to be open to the public unless both parties consent to a closed hearing or the hearing officer determines good cause exists to close the hearing.

CURRENT LAW

Currently, A.R.S. § 11-353 requires the BOS to appoint a county merit system commission, when a merit system is adopted, to assist in the administration of the merit system. The commission consists of five members who serve four year terms and until a successor is appointed. Commission members are selected among qualified electors of the county. Specifically, not more than three members of a commission can be from the same political party.

A.R.S. § 11-356 states that an officer or employee of the classified civil service can be dismissed, suspended or demoted in rank or compensation by the appointing authority after appointment or promotion is complete via written order. Currently, an order must be filed with the clerk of the BOS.

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

ROLL CALL VOTE

COMMITTEE ON COUNTY AND MUNICIPAL AFFAIRS BILL NO. HB 2247

DATE February 1, 2016 MOTION: DP

	PASS	AYE	NAY	PRESENT	ABSENT
Ms. Alston					✓
Mr. Boyer		✓			
Ms. Fann		✓			
Mrs. Gabaldón		✓			
Mr. Gray		✓			
Ms. Plumlee		✓			
Mr. Rivero, Vice-Chairman					✓
Mr. Coleman, Chairman		✓			
		6	0	0	2

APPROVED:

Doug Coleman
 DOUG COLEMAN, Chairman
 TONY RIVERO, Vice-Chairman

R. Kammi
 COMMITTEE SECRETARY

ATTACHMENT _____



HOUSE OF REPRESENTATIVES

HB 2255

service animals; licensing; fee waiver

Prime Sponsor: Representative Brophy McGee, LD 28

X Committee on County and Municipal Affairs

Caucus and COW

House Engrossed

OVERVIEW

HB 2255 prohibits city, town, or county board of supervisors (BOS) from charging a license fee for a service dog to a person who trains the service animal.

PROVISIONS

1. Specifies that a city, town or county BOS may not charge a license fee for a service dog to a person that trains a service animal.
2. Adjusts the definition of *service animal* to include any dog or miniature horse in training to do the work of a service animal.
3. Makes technical and conforming changes.

CURRENT LAW

A.R.S. § 11-1024 (5) defines a *service animal* as any dog or miniature horse that is individually trained to do work or perform tasks for the benefit of an individual with a disability, including a physical, sensory, psychiatric, intellectual or other mental disability. A service animal does not include other species of animals, whether wild or domestic or trained or untrained.

A.R.S. § 9-500.32 (A) states a municipality is prohibited from charging an individual who has a disability and who uses a service animal, or an individual who uses a search and rescue dog a license fee for that dog.

A.R.S § 11-1008 (A) states the BOS of each county may set a license fee that shall be paid for each dog three months of age or older that is kept, harbored or maintained within the boundaries of Arizona for at least 30 consecutive days of a calendar year.

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

ROLL CALL VOTE

COMMITTEE ON COUNTY AND MUNICIPAL AFFAIRS BILL NO. HB 2255

DATE February 1, 2016 MOTION: DP

	PASS	AYE	NAY	PRESENT	ABSENT
Ms. Alston					✓
Mr. Boyer		✓			
Ms. Fann		✓			
Mrs. Gabaldón		✓			
Mr. Gray		✓			
Ms. Plumlee		✓			
Mr. Rivero, Vice-Chairman					✓
Mr. Coleman, Chairman		✓			
		6	0	0	2

APPROVED:



DOUG COLEMAN, Chairman
 TONY RIVERO, Vice-Chairman


 COMMITTEE SECRETARY

ATTACHMENT _____

