

2-8-16

COMMITTEE ON MILITARY AFFAIRS AND PUBLIC SAFETY

Report of Regular Meeting
Thursday, February 4, 2016
House Hearing Room 5 -- 9:00 a.m.

Convened 9:07 a.m.
Recessed
Reconvened
Adjourned 12:20 p.m.

Members Present

Mr. Andrade
Mr. Campbell
Mr. Cardenas
Mr. Farnsworth E
Mr. Kern
Ms. Mach
Mr. Finchem, Vice-Chairman
Mr. Borrelli, Chairman

Members Absent

Agenda

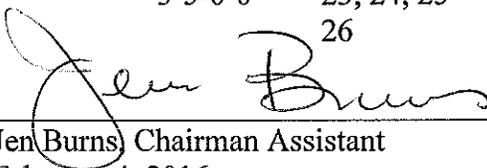
Original Agenda – Attachment 1

Request to Speak

Report – Attachment 2

Committee Action

<u>Bill</u>	<u>Action</u>	<u>Vote</u>	<u>Attachments (Summaries, Amendments, Attendance)</u>
HB2287	DPA	7-1-0-0	3, 4, 5
HB2329	DP	6-2-0-0	6, 7
HB2198	DPA S/E	8-0-0-0	8, 9, 10
HB2074	DPA	8-0-0-0	11, 12, 13
HB2365	DPA	8-0-0-0	14, 15, 16
HB2514	DPA S/E	8-0-0-0	17, 18, 19
HCM2006	DPA	8-0-0-0	20, 21, 22
HB2105	FAILED	3-5-0-0	23, 24, 25
	COMMITTEE ATTENDANCE		26


Jen Burns, Chairman Assistant
February 4, 2016

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

Convened : 9:07 am
Adjourned : 12:20 PM

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

REGULAR MEETING AGENDA

COMMITTEE ON MILITARY AFFAIRS AND PUBLIC SAFETY

DATE Thursday, February 4, 2016

ROOM HHR 5

TIME 9:00 A.M.

Members:

Mr. Andrade
Mr. Campbell
Mr. Cardenas

Mr. Farnsworth E
Mr. Kern
Ms. Mach

Mr. Finchem, Vice-Chairman
Mr. Borrelli, Chairman

Bills	Short Title	Strike Everything Title
HB2074	<u>DPA</u> public safety employees; omnibus (Borrelli)	
	<u>8.0.0.0</u> MAPS, RULES	
*HB2105	<u>FAILED</u> veterans with disabilities; benefits (Lovas)	
	<u>3.5.0.0</u> MAPS held 0-0-0-0-0, RULES	
*HB2198	<u>DPA S/E</u> fire districts; vacancies; board operations (Coleman, Carter, Fann, et al)	
	<u>8.0.0.0</u> MAPS disc/held 0-0-0-0-0, RULES	
HB2287	<u>DPA</u> presiding constable; selection; duties (Bowers)	
	<u>7.1.0.0</u> MAPS, RULES	
*HB2329	<u>DP</u> appropriation; veterans' services; veterans' home. (Barton, Borrelli, Gowan, et al)	
	<u>6.2.0.0</u> MAPS held 0-0-0-0-0, APPROP, RULES	
HB2365	<u>DPA</u> study committee; Arizona's 911 system (Thorpe, Carter, Coleman, et al)	
	<u>8.0.0.0</u> MAPS, RULES	
HB2514	<u>DPA S/E</u> restricted vehicle use; DUI; repeal (Borrelli, Fann, Finchem, et al)	
	<u>8.0.0.0</u> MAPS, RULES	

Bills	Short Title	Strike Everything Title
HCM2006	<u>DPA</u> toxic exposure; urging Congress (Andrade, Borrelli, Campbell, et al)	
	<u>B.O.O.</u> MAPS, RULES	

* On previous agenda

ORDER OF BILLS TO BE SET BY THE CHAIRMAN

jb
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 Military Affairs and Public Safety (2/4/2016)

HB2074, public safety employees; omnibus

Testified in support:

James Mann, FRATERNAL ORDER OF POLICE (AZ STATE LODGE); Cheyenne Walsh, FRATERNAL ORDER OF POLICE (AZ STATE LODGE)

Support:

Don Isaacson, FRATERNAL ORDER OF POLICE (AZ STATE LODGE); Michael Gardner, PROFESSIONAL FIRE FIGHTERS OF AZ; Jerry Landau, Arizona Judicial Council; Miryam Gutier-Elm, Maricopa County Sheriff's Office

Oppose:

Janice Goldstein, Arizona Trial Lawyers Association

All Comments:

Janice Goldstein, Arizona Trial Lawyers Association: We oppose the expansion of governmental immunities.; Jerry Landau, Arizona Judicial Council: Support the cancer insurance provision, neutral on the liability provision

HB2105, veterans with disabilities; benefits

Testified as neutral:

Jorge Canaca, Arizona Game And Fish Commission, AZ GAME AND FISH DEPT; Bill Fathauer, Arizona Department Of Transportation

Support:

Terry Hill, representing self; Joyce Hill, representing self; Willie Stubbs, representing self; Melody Judd, representing self

All Comments:

Willie Stubbs, Self: I think this is a good way to honor our Veterans.

HB2198, fire districts; vacancies; board operations

Support:

John Flynn, Arizona Fire District Association

HB2287, presiding constable; selection; duties

Support:

Lita Dixon, representing self; Megan Kintner, AZ ASSOCIATION OF COUNTIES; Ken Sumner, representing self; Mark Sinclair, representing self; Bret Roberts, representing self; Vince Roberts, representing self; RC Brown, representing self; Marge Cummings, representing self; Frank Fontes, representing self; Bennet Bernal, representing self; Mary Dorgan, representing self; George Gradillas, representing self; colette philip, representing self; John Nozar, representing self; Colette Philip, representing self; Dennis Dowling, representing self; Phil Hazlett, representing self

Neutral:

Jerry Landau, Arizona Judicial Council

Oppose:

Gary Johnson, representing self

All Comments:

Lita Dixon, Self: Constable-Navajo County; Ken Sumner, Self: Maricopa County Constable, Vice President of Az. Constables Association; Bret Roberts, Self: Constable Maricopa/Stanfield Pinal County Precinct #8; Gary Johnson, Self: Just adds more bureaucracy.; Jerry Landau, Arizona Judicial Council: Neutral with the amendment, opposed without; Vince Roberts, Self: Pima County Constable President Arizona Constables Association; RC Brown, Self: Pima County Constable; Frank Fontes, Self: Pima County Constable; Bennet Bernal, Self: Pima County Constable; Mary Dorgan, Self: Pima County Constable; George Gradillas, Self: Pima County Constable; colette philip, Self: Pima County Constable; John Nozar, Self: John Nozar Yuma County Constable In support.; Dennis Dowling, Self: Constable - Bagdad/Yarnell JP

HB2329, appropriation; veterans' services; veterans' home.

Testified in support:

Terry Hill, representing self; David Lucier, representing self; Richard Travis, representing self; William Weldon, representing self; John Stigmon, representing self

Testified as neutral:

David Hampton, Arizona Department Of Veterans Services

Support:

Joyce Hill, representing self; Robert Medler, TUCSON METROPOLITAN CHAMBER OF COMMERCE; Melody Judd, representing self; Sarah Ells, representing self; Elisha Dorfsmith, representing self; Julianne Hartzell, representing self

All Comments:

Terry Hill, Self: Veterans of Foreign Wars, Department of Arizona supports this bill. A new veterans home in Flagstaff is needed.; Elisha Dorfsmith, Self: This funding is desperately needed for a veterans' home to serve all of Northern Arizona.; David Hampton, Arizona Department Of Veterans Services: I can provide background on how VA funds veteran homes if necessary.; Richard Travis, Self: Representing the City of Flagstaff Mayor Nabours of Flagstaff Councilman Oravits of Flagstaff Councilwoman Brewster of Flagstaff

HB2365, study committee; Arizona's 911 system

Testified in support:

Scott Smith, City Of Phoenix

Testified as neutral:

Michael DiMaria, CENTURYLINK, INC

Support:

Lana Mook, representing self; Amber Wakeman, City Of El Mirage; Heather Wilkey, Town Of Gilbert; Jessica Blazina, City Of Avondale; Margot Leal, City Of Phoenix; Ryan Peters, City Of Chandler; Dale Wiebusch, Legislative Associate, LEAGUE OF ARIZONA CITIES & TOWNS; Rob Bohr, GOODYEAR, CITY OF; John Thomas, AMERICAN MEDICAL RESPONSE; Michael Colletto, PROFESSIONAL FIRE FIGHTERS OF AZ; Ryan Peters, CHANDLER, CITY OF; John Flynn, Arizona Fire District Association; Miryam Gutier-Elm, Maricopa County Sheriff's Office

All Comments:

Scott Smith, City Of Phoenix: I have Phoenix Fire Chief Kara Kalkbrenner with me to say a few words on the importance of this bill.

HB2514, restricted vehicle use; DUI; repeal

Testified in support:

Tom Farley, Arizona Association Of Realtors

Support:

Nicole LaSlavic, AZ ASSOCIATION OF REALTORS

HCM2006, toxic exposure; urging Congress

Support:

Terry Hill, representing self; Joyce Hill, representing self; Melody Judd, representing self; Sandy Bahr, Sierra Club - Grand Canyon Chapter

All Comments:

Terry Hill, Self: Veterans of Foreign Wars, Department of Arizona supports this bill

PLEASE COMPLETE THIS FORM FOR THE PUBLIC RECORD



HOUSE OF REPRESENTATIVES

Please PRINT Clearly

Committee on MAPS Bill Number 2329
 Date 2/4/16 Support Oppose Neutral
 Name Jeff Oravits Need to Speak? Yes No
 Representing City of Flagstaff Are you a registered lobbyist? No
 Complete Address _____
 E-mail Address _____ Phone Number _____
 Comments: Services Over 18,000 Veterans

FIVE-MINUTE SPEAKING LIMIT

PLEASE COMPLETE THIS FORM FOR THE PUBLIC RECORD



HOUSE OF REPRESENTATIVES

Please PRINT Clearly

Committee on Maps Bill Number 2329
 Date 2/4/16 Support Oppose Neutral
 Name Mayor Terry Anderson Need to Speak? Yes No
 Representing City of Flagstaff Are you a registered lobbyist? _____
 Complete Address _____
 E-mail Address _____ Phone Number _____
 Comments: _____

FIVE-MINUTE SPEAKING LIMIT

PLEASE COMPLETE THIS FORM FOR THE PUBLIC RECORD



HOUSE OF REPRESENTATIVES

Please PRINT Clearly

Committee on MAPS Bill Number 2365
 Date 2/4/16 Support Oppose Neutral
 Name Anna Falkbrenner Need to Speak? Yes No
 Representing City of Phoenix Fire Are you a registered lobbyist?
 Complete Address _____
 E-mail Address _____ Phone Number _____
 Comments: _____

FIVE-MINUTE SPEAKING LIMIT

PLEASE COMPLETE THIS FORM FOR THE PUBLIC RECORD



HOUSE OF REPRESENTATIVES

Please PRINT Clearly

Committee on MAPS Bill Number 2365
 Date 2/4/16 Support Oppose Neutral
 Name Liz Graeber Need to Speak? Yes No
 Representing City of Phoenix Are you a registered lobbyist? _____
 Complete Address _____
 E-mail Address _____ Phone Number _____
 Comments: _____

FIVE-MINUTE SPEAKING LIMIT

PLEASE COMPLETE THIS FORM FOR THE PUBLIC RECORD



HOUSE OF REPRESENTATIVES

Please PRINT Clearly

Committee on MAPS Bill Number HCM 2006

Date 02-04-16 Support Oppose Neutral

Name John Mendibles Need to Speak? Yes No

Representing American Legion Are you a registered lobbyist? _____

Complete Address _____

E-mail Address _____ Phone Number _____

Comments: _____

FIVE-MINUTE SPEAKING LIMIT

PLEASE COMPLETE THIS FORM FOR THE PUBLIC RECORD



HOUSE OF REPRESENTATIVES

Please PRINT Clearly

Committee on Military Affairs & Public Safety Bill Number HB 2105, HCMC 2006

Date Feb. 4, 2016 Support Oppose Neutral

Name Gene Crego Need to Speak? Yes No

Representing Vietnam Veterans of America Are you a registered lobbyist? NO

Complete Address P.O. Box 40092 Mesa, AZ 85274

E-mail Address genecrego@gmail.com Phone Number 926-600-0562

Comments: _____

FIVE-MINUTE SPEAKING LIMIT



HOUSE OF REPRESENTATIVES

HB 2287

presiding constable; selection; duties

Prime Sponsor: Representative Bowers, LD 25

X Committee on Military Affairs and Public Safety

Caucus and COW

House Engrossed

OVERVIEW

HB 2287 requires the constables of a county with four or more constables to elect a presiding constable and associate presiding constable for the county.

PROVISIONS

1. Requires the constables of a county with four or more constables to elect one constable to serve as the presiding constable and another to act as the associate presiding constable.
2. Prescribes that the duties of the presiding constable are:
 - a. To serve as the liaison between the constables within the county and the county manager or other departments;
 - b. To assign deputy constables within the county;
 - c. To assign and manage clerical staff for the county constables; and
 - d. To assign, in a constable's absence, any court orders in need of service to another constable within the county.
3. Stipulates that the associate presiding constable must perform the duties and exercise the powers of the presiding constable during the absence or inability to act of the presiding constable.
4. Allows a majority of the constables within a county to vote to remove the presiding constable or associate presiding constable and select a new constable to complete the term.
5. Sets the terms of the presiding constable and associate presiding constable at two-year terms.
6. Requires the constables within a county to elect a presiding constable and associate presiding constable by February 1, 2017 and every two years thereafter, or within 30 days of any vacancy.
7. Stipulates that the presiding judge of the superior court of the county must appoint a presiding constable or associate presiding constable if the constables within the county do not elect the positions by the required dates.

CURRENT LAW

Constables are elected to four year terms by the qualified electors within a justice precinct to serve and return all processes, warrants, and notices directed or delivered to them by a justice of the peace or competent authority (A.R.S. § 22-101 and A.R.S. § 22-131).

PROPOSED

HOUSE OF REPRESENTATIVES AMENDMENTS TO H.B. 2287

(Reference to printed bill)

- 1 Page 1, line 15, strike "PRESIDING JUDGE OF THE SUPERIOR COURT OF THE"; after
2 "COUNTY" insert "MANAGER"
3 Amend title to conform

SONNY BORRELLI

2287BORRELLI
01/27/2016
12:46 PM
C: SP

Attachment 4

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

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

ROLL CALL VOTE

COMMITTEE ON MILITARY AFFAIRS AND PUBLIC SAFETY BILL NO. HB 2287

DATE February 4, 2016 MOTION: DPA

	PASS	AYE	NAY	PRESENT	ABSENT
Mr. Andrade		✓			
Mr. Campbell		✓			
Mr. Cardenas		✓			
Mr. Farnsworth E			✓		
Mr. Kern		✓			
Ms. Mach		✓			
Mr. Finchem, Vice-Chairman		✓			
Mr. Borrelli, Chairman		✓			
		7	1	0	0

APPROVED:

Sonny Borrelli
SONNY BORRELLI, Chairman
MARK FINCHEM, Vice-Chairman

David Burns
COMMITTEE SECRETARY

ATTACHMENT _____



HOUSE OF REPRESENTATIVES

HB 2329

appropriation; veterans' services; veterans' home.

Prime Sponsor: Representative Barton, LD 6

X Committee on Military Affairs and Public Safety

Committee on Appropriations

Caucus and COW

House Engrossed

OVERVIEW

HB 2329 appropriates \$10 million dollars to the Department of Veterans Services (DVS) for the construction of a veterans' home in Flagstaff, Arizona.

PROVISIONS

1. Appropriates \$10 million dollars from the General Fund to DVS in Fiscal Year 2017, for distribution to Flagstaff, Arizona for the purpose of constructing a veterans' home.

CURRENT LAW

Not currently addressed in statute.

ADDITIONAL INFORMATION

A veterans' home is a facility designed to provide skilled nursing and rehabilitative care for geriatric and chronically ill veterans and dependent/surviving spouses throughout the state of Arizona. Under partnership with the Federal Department of Veterans' Affairs, state veterans' homes are built with 65% to 35% matching funds, with the state paying 35% and the federal government paying the remaining 65%. Currently, there are veterans' homes located in Tucson and Phoenix and in 2014, the state appropriated \$9.2 million to construct a veterans' home in Yuma, AZ.

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

ROLL CALL VOTE

COMMITTEE ON MILITARY AFFAIRS AND PUBLIC SAFETY BILL NO. HB 2329

DATE February 4, 2016 MOTION: DP

	PASS	AYE	NAY	PRESENT	ABSENT
Mr. Andrade		✓			
Mr. Campbell		✓			
Mr. Cardenas		✓			
Mr. Farnsworth E			✓		
Mr. Kern		✓			
Ms. Mach		✓			
Mr. Finchem, Vice-Chairman			✓		
Mr. Borrelli, Chairman		✓			
		4	2	0	0

[Signature]
 COMMITTEE SECRETARY

APPROVED:
[Signature]
 SONNY BORRELLI, Chairman
 MARK FINCHEM, Vice-Chairman

ATTACHMENT _____



HOUSE OF REPRESENTATIVES

HB 2198

fire districts; vacancies; board operations

Prime Sponsor: Representative Coleman, LD 16

X Committee on Military Affairs and Public Safety

Caucus and COW

House Engrossed

STRIKE-EVERYTHING SUMMARY

The strike-everything amendment to HB 2198 makes changes to statute regarding how a vacancy is filled on a fire district board (board).

PROVISIONS

1. Requires a fire district board to have a quorum of members in order to fill a vacancy on the board, unless the vacancy is a result of the expiration of a term.
2. Requires a quorum of board members to fill a vacancy within 90 days after the date of the vacancy.
3. Requires a county board of supervisors to appoint an interim member, if the vacancy is not filled within the 90 day statutory timeframe.
4. Specifies that if a board does not have a sufficient number of members to obtain a quorum, the county board of supervisors must appoint interim district board members to fill the vacancies, or an administrator who is required to serve until the next general election.
5. States that a majority of the board constitutes a quorum.
6. Requires the fire district association to annually submit a report which lists the fire chiefs and elected officials who have attended mandatory training.
7. Makes technical changes.

CURRENT LAW

A.R.S. § 48-803 outlines the procedures that are to be taken in the event that a vacancy, other than from expiration of a term, occurs on a fire district board. When a vacancy occurs, the remaining members are to appoint an interim member to fill the vacancy within 90 days after the date of the vacancy. If the remaining members fail to fill the vacancy within the time allotted, the fire district board's respective county board of supervisors has an additional 60 days to appoint an interim member. If an entire fire district board resigns, the county board of supervisors is required to appoint an administrator, who is to administer the board with the same duties and obligations of the elected board.

PROPOSED

HOUSE OF REPRESENTATIVES AMENDMENTS TO H.B. 2198

(Reference to printed bill)

1 Strike everything after the enacting clause and insert:

2 "Section 1. Section 48-803, Arizona Revised Statutes, is amended to
3 read:

4 48-803. District administered by a district board; report

5 A. In a district that the board of supervisors estimates has a
6 population of fewer than four thousand inhabitants, the district board may
7 consist of three or five members. In a district that the board of
8 supervisors estimates has a population of four thousand or more inhabitants,
9 the district board shall consist of five members, and for a noncontiguous
10 county island fire district formed pursuant to section 48-851, the board
11 shall consist of five members. The estimate of population by the board of
12 supervisors is conclusive and shall be based on available census information,
13 school attendance statistics, election or voter registration statistics,
14 estimates provided by state agencies or the county assessor, or other
15 information as deemed appropriate by the board of supervisors. If the board
16 of supervisors determines, at any time prior to one hundred twenty days
17 before the next regular scheduled election for members of a district board,
18 that the population of a fire district administered by a district board
19 consisting of three members exceeds four thousand inhabitants, estimated as
20 provided in this section, the board of supervisors shall order an increase in
21 the number of members of the district board. If the board of supervisors
22 determines at any time prior to one hundred eighty days before the next
23 regularly scheduled election for members of a district board that the
24 population of a fire district administered by a district board that consists
25 of five members exceeds fifty thousand inhabitants as prescribed in this
26 section, the board of supervisors shall inform the district board that it may
27 expand to seven members. Any expansion to seven members shall occur by

Attachment 9
Adopted # of Verbals _____
Failed _____ Withdrawn _____
Not Offered _____ Analysts Initials _____

1 majority vote of the district board. The increase is effective for the
2 election of the additional members at the next regular election of members of
3 the district board.

4 B. If a vacancy occurs on the district board other than from
5 expiration of a term, A QUORUM OF the ~~remaining~~ board members shall fill the
6 vacancy by appointment of an interim member and except for a district formed
7 pursuant to article 3 of this chapter, A QUORUM OF the ~~remaining~~ board
8 members shall fill the vacancy within ninety days after the date the vacancy
9 occurs. Except for a district formed pursuant to article 3 of this chapter,
10 if the ~~remaining~~ QUORUM OF district board members do not appoint an interim
11 member within that ninety-day period, the board of supervisors shall appoint
12 an interim member to the district board within sixty days after expiration of
13 the ninety-day period, and if the district is located in more than one
14 county, the board of supervisors of the county in which the majority of the
15 assessed valuation of the district is located shall make the appointment
16 after the expiration of the ninety-day period. If the entire board resigns
17 or for any reason cannot fulfill its duties, OR DOES NOT HAVE REMAINING BOARD
18 MEMBERS SUFFICIENT TO CONSTITUTE A QUORUM OF THE BOARD, the board of
19 supervisors shall appoint INTERIM DISTRICT BOARD MEMBERS TO FILL THE
20 VACANCIES, OR an administrator to administer the district with the same
21 duties and obligations of the elected board ~~If the board of supervisors fails~~
22 ~~to appoint an administrator within thirty days after the resignation of the~~
23 ~~entire board or its inability to fulfill its duties, a special election shall~~
24 ~~be held to fill the vacancies on the fire district board TO SERVE UNTIL THE~~
25 NEXT ELECTION. A MAJORITY OF THE BOARD CONSTITUTES A QUORUM FOR THE
26 TRANSACTION OF BUSINESS.

27 C. Members of the district board shall serve without compensation, but
28 may be reimbursed for actual expenses incurred in performing duties required
29 by law.

30 D. The board of a fire district shall appoint or hire a fire chief.

31 E. The district board shall elect from its members a chairman and a
32 clerk. Except for a district formed pursuant to article 3 of this chapter,
33 the election of the chairman and the clerk must occur at the district board
34 meeting that first occurs in the month immediately following each general
35 election.

36 F. For districts formed under article 3 of this chapter, of the
37 members first elected to district boards consisting of three members, the two

1 people receiving the first and second highest number of votes shall be
2 elected to four-year terms, and the person receiving the third highest number
3 of votes shall be elected to a two-year term. Of the members first elected
4 to district boards consisting of five members, the three people receiving the
5 first, second and third highest number of votes shall be elected to four-year
6 terms, and the two people receiving the fourth and fifth highest number of
7 votes shall be elected to two-year terms. Thereafter, the term of office of
8 each district board member shall be four years from the first day of the
9 month next following such member's election. Of the members elected as
10 additional members to a five-member district board, the person with the
11 highest number of votes is elected to a four-year term and the person with
12 the second highest number of votes is elected to a two-year term. If a
13 district resolves to increase the governing board to seven members pursuant
14 to subsection A of this section, the governing board may appoint two
15 additional members to serve until the next general election. After the
16 general election at which the two additional members are elected, the newly
17 elected member with the highest number of votes serves a four-year term and
18 the other member serves a two-year term. Thereafter, the term of office for
19 these two new members is four years.

20 G. For any fire district THAT IS administered by a three-member board
21 and that levies taxes in a fiscal year in the amount of five hundred thousand
22 dollars or more, the district must be administered by a five-member board. ~~---~~
23 Beginning with the first general election held after the end of the fiscal
24 year in which the district levied the prescribed amount, the change to a
25 five-member board must occur as prescribed in this subsection. On levying
26 the prescribed amount, the district may not reorganize as a three-member
27 board regardless of any subsequent change in the district's levy. For three-
28 person boards with a single vacancy for an existing board membership position
29 and that are adding two additional members, the three persons with the
30 highest number of votes are elected to a four-year term of office. For
31 three-person boards with two vacancies for existing board membership
32 positions and that are adding two additional members, the three persons with
33 the first, second and third highest numbers of votes are elected to four-year
34 terms of office and the person with the fourth highest number of votes is
35 elected to a two-year term of office. Thereafter, all terms of office for
36 members of these five-person boards of directors must be four years. This
37 subsection applies to any three-member board that is expanding to a five-

1 member board, regardless of whether the expansion is the result of the amount
2 of the district's levy. This subsection does not apply to districts formed
3 under article 3 of this chapter.

4 H. Beginning with the 2014 general election and except for a district
5 formed pursuant to article 3 of this chapter, all persons who are elected or
6 appointed to a fire district board and the fire chief who is appointed or
7 hired by the district board shall attend professional development training
8 that is provided by an association of Arizona fire districts. District board
9 members and the fire chief shall complete at least six hours of professional
10 development training, with board members completing their training within one
11 year after the date of the certification of their election and for the fire
12 chief, within one year after the date of hiring. The fire district shall
13 reimburse board members and the fire chief for the reasonable costs of the
14 training. The professional development training must include training on
15 open meetings laws, finance and budget matters and laws relating to fire
16 district governance and other matters that are reasonably necessary for the
17 effective administration of a fire district.

18 I. On or before December 31 of each year, the fire district
19 association that has provided training required pursuant to subsection H of
20 this section shall submit a report that ~~describes the compliance with~~ LISTS
21 THE ELECTED OFFICIALS AND FIRE CHIEFS WHO ATTENDED the training requirements
22 to the county board of supervisors for every county in which the fire
23 district operates. The annual report must include at least the following:

24 1. A compilation of the professional development training delivered by
25 the association pursuant to this section and the names of the fire district
26 board members and fire chiefs who ~~are compliant and noncompliant with the~~
27 ~~requirements of~~ ATTENDED TRAINING AS REQUIRED BY this section.

28 2. Recommendations regarding improvements to the laws of this state or
29 to administrative actions that are required under the laws of this state
30 pertaining to fire districts.

31 J. For fire district governing board members and fire chiefs who are
32 required to attend professional development training pursuant to subsection H
33 of this section, a fire district governing board member or fire chief who
34 fails to complete the professional development training within the time
35 prescribed in this section is guilty of nonfeasance in office. Any person
36 may make a formal complaint to the county board of supervisors regarding this
37 failure to comply, and the county board of supervisors may submit the

House Amendments to H.B. 2198

1 complaint to the county attorney for possible action. The county attorney
2 may take appropriate action to achieve compliance, including filing an action
3 in superior court against a fire district governing board member or a fire
4 chief for failure to comply with the professional development training
5 requirements prescribed in this section. If the court determines that a fire
6 district governing board member or fire chief failed to comply with the
7 professional development training requirements prescribed in this section,
8 the court shall issue an order removing the fire district governing board
9 member from office or the fire chief from employment or appointment with the
10 district. Any vacancy in the office of a fire district governing board as a
11 result of a court order that is issued pursuant to this subsection must be
12 filled in the manner provided by law."

13 Amend title to conform

SONNY BORRELLI

2198BORRELLI
02/01/2016
04:59 PM
H: rh/ajh

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

ROLL CALL VOTE

COMMITTEE ON MILITARY AFFAIRS AND PUBLIC SAFETY BILL NO. HB 2198

DATE February 4, 2016 MOTION: DPA S/E

	PASS	AYE	NAY	PRESENT	ABSENT
Mr. Andrade		✓			
Mr. Campbell		✓			
Mr. Cardenas		✓			
Mr. Farnsworth E		✓			
Mr. Kern		✓			
Ms. Mach		✓			
Mr. Finchem, Vice-Chairman		✓			
Mr. Borrelli, Chairman		✓			
		8	0	0	0

APPROVED:


 SONNY BORRELLI, Chairman
 MARK FINCHEM, Vice-Chairman



 COMMITTEE SECRETARY

ATTACHMENT _____



HOUSE OF REPRESENTATIVES

HB 2074

public safety employees; omnibus

Prime Sponsor: Representative Borrelli, LD 5

X Committee on Military Affairs and Public Safety

Caucus and COW

House Engrossed

OVERVIEW

HB 2074 makes changes to statute relating to the Firefighter, Peace Officer and Corrections Officer Cancer Insurance Policy Program (Program), qualified immunity and the redemption of prior service.

PROVISIONS

1. Provides qualified immunity for an injury caused by a peace officer, if the injury occurred while administering emergency care at the scene of an emergency occurrence, or if the injury occurred as the result of a failure to act or arrange further medical treatment or care.
 - a. Qualified immunity is not provided if the officer intended to cause injury or was grossly negligent.
2. Expands eligibility for the Program to include probation officers, dispatchers and various other members of the Correctional Officer Retirement Plan. ([click here](#))
3. Specifies that the Public Safety Personnel Retirement System (PSPRS) discount rate for the redemption of prior service is to be implemented beginning January 1, 2018.
 - a. Contains a retroactive date of August 2, 2012.
4. Makes technical and conforming changes.

CURRENT LAW

A.R.S. § 12-820.02 outlines various instances in which qualified immunity is provided to a public employee who is acting within the scope of their job and is neither grossly negligent nor intending to cause injury.

Title 38, Article 3, A.R.S. establishes the Program, which provides supplemental insurance coverage related to cancer and specifies that the Program is voluntary and all members are required to pay the costs of the program. Statute also outlines eligibility requirements for individuals who wish to opt into the program.

A.R.S. § 38-853.01 allows any active PSPRS member to redeem up to 60 months of prior service if certain conditions are met. In order to buy back time, an eligible individual must pay into the system any amounts withdrawn as a refund plus interest and, if any, the additional amount determined by an actuary in order to equal the present value of projected benefits.

PROPOSED

HOUSE OF REPRESENTATIVES AMENDMENTS TO H.B. 2074

(Reference to printed bill)

- 1 Page 1, after line 45, insert:
2 "Sec. 2. Heading change
3 The article heading of title 38, chapter 4, article 3, Arizona Revised
4 Statutes, is changed from "FIREFIGHTER, PEACE OFFICER AND CORRECTIONS OFFICER
5 CANCER INSURANCE" to "PUBLIC SAFETY CANCER INSURANCE".
6 Renumber to conform
7 Page 2, lines 16 and 17, strike "firefighter, peace officer and corrections
8 officer" insert "PUBLIC SAFETY"
9 Line 19, strike "Firefighter, peace officer and corrections officer" insert
10 "Public safety"
11 Line 22, strike "firefighter, peace officer and corrections officer" insert
12 "PUBLIC SAFETY"
13 Lines 34 and 35, strike "firefighter, peace officer and corrections officer"
14 insert "PUBLIC SAFETY"
15 Lines 39 and 40, strike "firefighter, peace officer and corrections officer"
16 insert "PUBLIC SAFETY"
17 Page 3, between lines 32 and 33, insert:
18 "Sec. 5. Section 38-643, Arizona Revised Statutes, is amended to read:
19 38-643. Public safety cancer insurance policy program account
20 A. The ~~firefighter, peace officer and corrections officer~~ PUBLIC
21 SAFETY cancer insurance policy program account is established and shall be
22 under the exclusive control of the board. The board shall deposit monies
23 collected pursuant to section 38-642 in the account to pay the cost of
24 providing a group cancer insurance policy under the program and the cost of
25 administering the program.

Attachment 12

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

safety
2074

B. The board may use up to ten ~~per-cent~~ PERCENT of the monies sited in the account each year ending July 31 to pay the costs of administering the program, except that board attorney fees and court costs relating to the program shall be paid out of the account and are not subject to this limitation. If no monies are deposited in the account in a given year, the board may use up to five ~~per-cent~~ PERCENT of the monies deposited in the account in the most recent year in which there was a deposit to pay the costs of administering the program.

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C. The board shall cause an independent audit of the account to be performed at the end of each fiscal year and shall report the results of the audit to each employer within six months following the end of the fiscal year.

provisions

D. The employer contributions and securities in the account and investment earnings on monies in the account are exempt from state, county and municipal taxes.

insert

insert

E. The program is a welfare benefit plan or trust intended to pay expenses incurred in the treatment of cancer as provided in the policy of insurance secured or established by the board pursuant to section 38-642. The legislature intends that the program's income be excluded as gross income for the purposes of the assessment of federal income tax under section 115 of the internal revenue code and that coverage under the program be excluded as gross income to the employees or retirees under section 106 of the internal revenue code. The board may adopt additional program provisions as are necessary to fulfill its intent that the program's income and premiums are subject to federal income tax.

insert

insert

read:

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F. Employers, the board of trustees and any member of a local board do not guarantee the account in any manner against loss or depreciation and are not liable for any act or failure to act made in good faith pursuant to this article, including determinations on program claims."

to conform

PROPOSED

HOUSE OF REPRESENTATIVES AMENDMENTS TO H.B. 2074

(Reference to printed bill)

1 Page 1, after line 45, insert:

2 "Sec. 2. Heading change

3 The article heading of title 38, chapter 4, article 3, Arizona Revised
4 Statutes, is changed from "FIREFIGHTER, PEACE OFFICER AND CORRECTIONS OFFICER
5 CANCER INSURANCE" to "PUBLIC SAFETY CANCER INSURANCE".

6 Renumber to conform

7 Page 2, lines 16 and 17, strike "firefighter, peace officer and corrections
8 officer" insert "PUBLIC SAFETY"

9 Line 19, strike "Firefighter, peace officer and corrections officer" insert
10 "Public safety"

11 Line 22, strike "firefighter, peace officer and corrections officer" insert
12 "PUBLIC SAFETY"

13 Lines 34 and 35, strike "firefighter, peace officer and corrections officer"
14 insert "PUBLIC SAFETY"

15 Lines 39 and 40, strike "firefighter, peace officer and corrections officer"
16 insert "PUBLIC SAFETY"

17 Page 3, between lines 32 and 33, insert:

18 "Sec. 5. Section 38-643, Arizona Revised Statutes, is amended to read:
19 38-643. Public safety cancer insurance policy program account

20 A. The ~~firefighter, peace officer and corrections officer~~ PUBLIC
21 SAFETY cancer insurance policy program account is established and shall be
22 under the exclusive control of the board. The board shall deposit monies
23 collected pursuant to section 38-642 in the account to pay the cost of
24 providing a group cancer insurance policy under the program and the cost of
25 administering the program.

1 B. The board may use up to ten ~~per-cent~~ PERCENT of the monies
2 deposited in the account each year ending July 31 to pay the costs of
3 administering the program, except that board attorney fees and court costs
4 relating to the program shall be paid out of the account and are not subject
5 to this limitation. If no monies are deposited in the account in a given
6 year, the board may use up to five ~~per-cent~~ PERCENT of the monies deposited
7 in the account in the most recent year in which there was a deposit to pay
8 the costs of administering the program.

9 C. The board shall cause an independent audit of the account to be
10 performed at the end of each fiscal year and shall report the results of the
11 audit to each employer within six months following the end of the fiscal
12 year.

13 D. The employer contributions and securities in the account and
14 investment earnings on monies in the account are exempt from state, county
15 and municipal taxes.

16 E. The program is a welfare benefit plan or trust intended to pay
17 expenses incurred in the treatment of cancer as provided in the policy of
18 insurance secured or established by the board pursuant to section 38-642.
19 The legislature intends that the program's income be excluded as gross income
20 for the purposes of the assessment of federal income tax under section 115 of
21 the internal revenue code and that coverage under the program be excluded as
22 gross income to the employees or retirees under section 106 of the internal
23 revenue code. The board may adopt additional program provisions as are
24 necessary to fulfill its intent that the program's income and premiums are
25 not subject to federal income tax.

26 F. Employers, the board of trustees and any member of a local board do
27 not guarantee the account in any manner against loss or depreciation and are
28 not liable for any act or failure to act made in good faith pursuant to this
29 article, including determinations on program claims."

30 Renumber to conform

1 Page 4, between lines 27 and 28, insert:

2 "Sec. 7. Section 38-645, Arizona Revised Statutes, is amended to read:

3 38-645. Coverage

4 A. Coverage provided under the program shall provide benefits to
5 eligible persons to pay for expenses that are designated by the board and
6 that are incurred in the treatment of cancer, including treatments by clinics
7 or providers outside of the United States.

8 B. The board may provide for additional coverage or exclusions under
9 the program based on available monies in the ~~firefighter, peace officer and~~
10 ~~corrections officer~~ PUBLIC SAFETY cancer insurance policy program account.

11 C. Coverage under the ~~firefighter, peace officer and corrections~~
12 ~~officer~~ PUBLIC SAFETY cancer insurance policy program may be canceled,
13 changed or terminated by the board at any time without notice. If the
14 program is terminated, the board shall refund monies in the ~~firefighter,~~
15 ~~peace officer and corrections officer~~ PUBLIC SAFETY cancer insurance policy
16 program account on a pro rata basis to employers, excluding monies held in
17 reserve for benefits as determined by the board.

18 D. If the program is self-insured, benefits are limited to the assets
19 in the ~~firefighter, peace officer and corrections officer~~ PUBLIC SAFETY
20 cancer insurance policy program account and those benefits may be reduced or
21 eliminated at any time.

22 Sec. 8. Section 38-848, Arizona Revised Statutes, is amended to read:

23 38-848. Board of trustees; powers and duties; independent trust

24 fund; administrator; agents and employees

25 A. The board of trustees shall consist of seven members and shall have
26 the rights, powers and duties that are set forth in this section. The term
27 of office of members shall be five years to expire on the third Monday in
28 January of the appropriate year. Members are eligible to receive
29 compensation in an amount of fifty dollars a day, but not to exceed one
30 thousand dollars in any one fiscal year, and are eligible for reimbursement
31 of expenses pursuant to chapter 4, article 2 of this title. The board
32 consists of the following members appointed by the governor pursuant to
33 section 38-211:

1 1. Two elected members from a local board to represent the employees.

2 2. One member to represent this state as an employer of public safety
3 personnel. This member shall have the qualifications prescribed in
4 subsection T of this section.

5 3. One member to represent the cities as employers of public safety
6 personnel.

7 4. An elected county or state official or a judge of the superior
8 court, court of appeals or supreme court.

9 5. Two public members. These members shall have the qualifications
10 prescribed in subsection T of this section.

11 B. All monies in the fund shall be deposited and held in a public
12 safety personnel retirement system depository. Monies in the fund shall be
13 disbursed from the depository separate and apart from all monies or funds of
14 this state and the agencies, instrumentalities and subdivisions of this
15 state, except that the board may commingle the assets of the fund and the
16 assets of all other plans entrusted to its management in one or more group
17 trusts, subject to the crediting of receipts and earnings and charging of
18 payments to the appropriate employer, system or plan. The monies shall be
19 secured by the depository in which they are deposited and held to the same
20 extent and in the same manner as required by the general depository law of
21 this state. For purposes of making the decision to invest in securities
22 owned by the fund or any plan or trust administered by the board, the fund
23 and assets of the plans and the plans' trusts are subject to the sole
24 management of the board for the purpose of this article except that, on the
25 board's election to invest in a particular security or make a particular
26 investment, the assets comprising the security or investment may be chosen
27 and managed by third parties approved by the board. The board may invest in
28 portfolios of securities chosen and managed by a third party. The board's
29 decision to invest in securities such as mutual funds, commingled investment
30 funds, exchange traded funds, private equity or venture capital limited
31 partnerships, real estate limited partnerships or limited liability companies
32 and real estate investment trusts whose assets are chosen and managed by

1 third parties does not constitute an improper delegation of the board's
2 investment authority.

3 C. All contributions under this system and other retirement plans that
4 the board administers shall be forwarded to the board and shall be held,
5 invested and reinvested by the board as provided in this article. All
6 property and monies of the fund and other retirement plans that the board
7 administers, including income from investments and from all other sources,
8 shall be retained for the exclusive benefit of members, as provided in the
9 system and other retirement plans that the board administers, and shall be
10 used to pay benefits to members or their beneficiaries or to pay expenses of
11 operation and administration of the system and fund and other retirement
12 plans that the board administers.

13 D. The board shall have the full power in its sole discretion to
14 invest and reinvest, alter and change the monies accumulated under the system
15 and other retirement plans and trusts that the board administers as provided
16 in this article. In addition to its power to make investments managed by
17 others, the board may delegate the authority the board deems necessary and
18 prudent to investment management pursuant to section 38-848.03, as well as to
19 the administrator, employed by the board pursuant to subsection K, paragraph
20 6 of this section, and any assistant administrators to invest the monies of
21 the system and other retirement plans and trusts that the board administers
22 if the administrator, investment management and any assistant administrators
23 follow the investment policies that are adopted by the board. The board may
24 commingle securities and monies of the fund, the elected officials'
25 retirement plan, the corrections officer retirement plan and other plans or
26 monies entrusted to its care, subject to the crediting of receipts and
27 earnings and charging of payments to the account of the appropriate employer,
28 system or plan. In making every investment, the board shall exercise the
29 judgment and care under the circumstances then prevailing that persons of
30 ordinary prudence, discretion and intelligence exercise in the management of
31 their own affairs, not in regard to speculation but in regard to the
32 permanent disposition of their funds, considering the probable income from
33 their funds as well as the probable safety of their capital, provided:

1 1. That not more than eighty ~~per-cent~~ PERCENT of the combined assets
2 of the system or other plans that the board manages shall be invested at any
3 given time in corporate stocks, based on cost value of such stocks
4 irrespective of capital appreciation.

5 2. That no more than five ~~per-cent~~ PERCENT of the combined assets of
6 the system or other plans that the board manages shall be invested in
7 corporate stock issued by any one corporation, other than corporate stock
8 issued by corporations chartered by the United States government or corporate
9 stock issued by a bank or insurance company.

10 3. That not more than five ~~per-cent~~ PERCENT of the voting stock of any
11 one corporation shall be owned by the system and other plans that the board
12 administers, except that this limitation does not apply to membership
13 interests in limited liability companies.

14 4. That corporate stocks and exchange traded funds eligible for direct
15 purchase shall be restricted to stocks and exchange traded funds that, except
16 for bank stocks, insurance stocks, stocks acquired for coinvestment in
17 connection with the system's or the plans' or trusts' commingled investments
18 and interests in limited liability companies and mutual funds, are either:

19 (a) Listed or approved on issuance for listing on an exchange
20 registered under the securities exchange act of 1934, as amended (15 United
21 States Code sections 78a through ~~78j~~ 78pp).

22 (b) Designated or approved on notice of issuance for designation on
23 the national market system of a national securities association registered
24 under the securities exchange act of 1934, as amended (15 United States Code
25 sections 78a through ~~78j~~ 78pp).

26 (c) Listed or approved on issuance for listing on an exchange
27 registered under the laws of this state or any other state.

28 (d) Listed or approved on issuance for listing on an exchange of a
29 foreign country with which the United States is maintaining diplomatic
30 relations at the time of purchase, except that no more than twenty ~~per-cent~~
31 PERCENT of the combined assets of the system and other plans that the board
32 manages shall be invested in foreign securities, based on the cost value of
33 the stocks irrespective of capital appreciation.

1 (e) An exchange traded fund that is recommended by the chief
2 investment officer of the system, that is registered under the investment
3 company act of 1940 (15 United States Code sections 80a-1 through 80a-64) and
4 that is both traded on a public exchange and based on a publicly recognized
5 index.

6 E. Notwithstanding any other law, the board shall not be required to
7 invest in any type of investment that is dictated or required by any entity
8 of the federal government and that is intended to fund economic development
9 projects, public works or social programs, but may consider such economically
10 targeted investments pursuant to its fiduciary responsibility. The board, on
11 behalf of the system and all other plans or trusts the board administers, may
12 invest in, lend monies to or guarantee the repayment of monies by a limited
13 liability company, limited partnership, joint venture, partnership, limited
14 liability partnership or trust in which the system and plans or trusts have a
15 financial interest, whether the entity is closely held or publicly traded and
16 that, in turn, may be engaged in any lawful activity, including venture
17 capital, private equity, the ownership, development, management, improvement
18 or operation of real property and any improvements or businesses on real
19 property or the lending of monies.

20 F. Conference call meetings of the board that are held for investment
21 purposes only are not subject to chapter 3, article 3.1 of this title, except
22 that the board shall maintain minutes of these conference call meetings and
23 make them available for public inspection within twenty-four hours after the
24 meeting. The board shall review the minutes of each conference call meeting
25 and shall ratify all legal actions taken during each conference call meeting
26 at the next scheduled meeting of the board.

27 G. The board shall not be held liable for the exercise of more than
28 ordinary care and prudence in the selection of investments and performance of
29 its duties under the system and shall not be limited to so-called "legal
30 investments for trustees", but all monies of the system and other plans that
31 the board administers shall be invested subject to all of the conditions,
32 limitations and restrictions imposed by law.

1 H. Except as provided in subsection D of this section, the board may:

2 1. Invest and reinvest the principal and income of all assets that the
3 board manages without distinction between principal and income.

4 2. Sell, exchange, convey, transfer or otherwise dispose of any
5 investments made on behalf of the system or other plans the board administers
6 in the name of the system or plans by private contract or at public auction.

7 3. Also:

8 (a) Vote on any stocks, bonds or other securities.

9 (b) Give general or special proxies or powers of attorney with or
10 without power of substitution.

11 (c) Exercise any conversion privileges, subscription rights or other
12 options and make any payments incidental to the exercise of the conversion
13 privileges, subscription rights or other options.

14 (d) Consent to or otherwise participate in corporate reorganizations
15 or other changes affecting corporate securities, delegate discretionary
16 powers and pay any assessments or charges in connection therewith.

17 (e) Generally exercise any of the powers of an owner with respect to
18 stocks, bonds, securities or other investments held in or owned by the system
19 or other plans whose assets the board administers.

20 4. Make, execute, acknowledge and deliver any other instruments that
21 may be necessary or appropriate to carry out the powers granted in this
22 section.

23 5. Register any investment held by the system or other plans whose
24 assets the board administers in the name of the system or plan or in the name
25 of a nominee or trust.

26 6. At the expense of the system or other plans that the board
27 administers, enter into an agreement with any bank or banks for the
28 safekeeping and handling of securities and other investments coming into the
29 possession of the board. The agreement shall be entered into under terms and
30 conditions that secure the proper safeguarding, inventory, withdrawal and
31 handling of the securities and other investments. No access to and no
32 deposit or withdrawal of the securities from any place of deposit selected by

1 the board shall be permitted or made except as the terms of the agreement may
2 provide.

3 7. Appear before local boards and the courts of this state and
4 political subdivisions of this state through counsel or appointed
5 representative to protect the fund or the assets of other plans that the
6 board administers. The board is not responsible for the actions or omissions
7 of the local boards under this system but may seek review or rehearing of
8 actions or omissions of local boards. The board does not have a duty to
9 review actions of the local boards but may do so in its discretion in order
10 to protect the fund. No limitations period precludes the board or
11 administrator from contesting, or requires the board or administrator to
12 implement or comply with, a local board decision that violates the internal
13 revenue code or that threatens to impair the tax qualified status of the
14 system or any plan administered by the board or administrator.

15 8. Empower the fund administrator to take actions on behalf of the
16 board that are necessary for the protection and administration of the fund or
17 the assets of other plans that the board administers pursuant to the
18 guidelines of the board.

19 9. Do all acts, whether or not expressly authorized, that may be
20 deemed necessary or proper for the protection of the investments held in the
21 fund or owned by other plans or trusts that the board administers.

22 10. Settle threatened or actual litigation against any system or plan
23 that the board administers.

24 I. Investment expenses and operation and administrative expenses of
25 the board shall be accounted for separately and allocated against investment
26 income.

27 J. The board, as soon as possible within a period of six months
28 following the close of any fiscal year, shall transmit to the governor and
29 the legislature a comprehensive annual financial report on the operation of
30 the system and other plans that the board administers containing, among other
31 things:

- 32 1. A balance sheet.
- 33 2. A statement of income and expenditures for the year.

1 3. A report on an actuarial valuation of its assets and liabilities.

2 4. A list of investments owned.

3 5. The total rate of return, yield on cost, and ~~per-cent~~ PERCENT of
4 cost to market value of the fund and the assets of other plans that the board
5 administers.

6 6. Any other statistical and financial data that may be necessary for
7 the proper understanding of the financial condition of the system and other
8 plans that the board administers and the results of their operations. A
9 synopsis of the annual report shall be published for the information of
10 members of the system, the elected officials' retirement plan or the
11 corrections officer retirement plan.

12 7. An analysis of the long-term level ~~per-cent~~ PERCENT of employer
13 contributions and compensation structure and whether the funding methodology
14 is sufficient to pay one hundred ~~per-cent~~ PERCENT of the unfunded accrued
15 liability under the elected officials' retirement plan.

16 8. An estimate of the aggregate employer contribution rate for the
17 public safety personnel retirement system for the next ten fiscal years and
18 an estimate of the aggregate employer contribution rate for the corrections
19 officer retirement plan for the next ten fiscal years.

20 9. An estimate of the employer contribution rates for the next ten
21 fiscal years for each of the following employers within the public safety
22 personnel retirement system:

23 (a) Department of liquor licenses and control.

24 (b) Department of public safety.

25 (c) Northern Arizona university.

26 (d) University of Arizona.

27 (e) Arizona state university.

28 (f) Arizona game and fish department.

29 (g) Department of law.

30 (h) Department of emergency and military affairs.

31 (i) Arizona state parks board.

1 10. An estimate of the employer contribution rates for the next ten
2 fiscal years for each of the following employers within the corrections
3 officer retirement plan:

4 (a) State department of corrections.

5 (b) Department of public safety.

6 (c) The judiciary.

7 (d) Department of juvenile corrections.

8 K. The board shall:

9 1. Maintain the accounts of the system and other plans that the board
10 administers and issue statements to each employer annually and to each member
11 who may request it.

12 2. Report the results of the actuarial valuations to the local boards
13 and employers.

14 3. Contract on a fee basis with an independent investment counsel to
15 advise the board in the investment management of the fund and assets of other
16 plans that the board administers and with an independent auditing firm to
17 audit the board's accounting.

18 4. Permit the auditor general to make an annual audit and the results
19 shall be transmitted to the governor and the legislature.

20 5. Contract on a fee basis with an actuary who shall make actuarial
21 valuations of the system and other plans that the board administers, be the
22 technical adviser of the board on matters regarding the operation of the
23 funds created by the provisions of the system, the elected officials'
24 retirement plan, the corrections officer retirement plan and the ~~firefighter,~~
25 ~~peace officer and corrections officer~~ PUBLIC SAFETY cancer insurance policy
26 program and perform other duties required in connection therewith. The
27 actuary must be a member of a nationally recognized association or society of
28 actuaries.

29 6. Employ, as administrator, a person, state department or other body
30 to serve at the pleasure of the board.

31 7. Establish procedures and guidelines for contracts with actuaries,
32 auditors, investment counsel and legal counsel and for safeguarding of
33 securities.

1 L. The administrator, under the direction of the board, shall:

2 1. Administer this article.

3 2. Be responsible for the recruitment, hiring and day-to-day
4 management of employees.

5 3. Invest the funds of the system and other plans that the board
6 administers as the board deems necessary and prudent as provided in
7 subsections D and H of this section and subject to the investment policies
8 and fund objectives adopted by the board.

9 4. Establish and maintain an adequate system of accounts and records
10 for the system and other plans that the board administers, which shall be
11 integrated with the accounts, records and procedures of the employers so that
12 the system and other plans that the board administers operates most
13 effectively and at minimum expense and that duplication of records and
14 accounts is avoided.

15 5. In accordance with the board's governance policy and procedures and
16 the budget adopted by the board, hire such employees and services the
17 administrator deems necessary and prescribe their duties, including the
18 hiring of one or more assistant administrators to manage the system's
19 operations, investments and legal affairs.

20 6. Be responsible for income, the collection of the income and the
21 accuracy of all expenditures.

22 7. Recommend to the board annual contracts for the system's actuary,
23 auditor, investment counsel, legal counsel and safeguarding of securities.

24 8. Perform additional duties and powers prescribed by the board and
25 delegated to the administrator.

26 M. The system is an independent trust fund and the board is not
27 subject to title 41, chapter 6. Contracts for goods and services approved by
28 the board are not subject to title 41, chapter 23. As an independent trust
29 fund whose assets are separate and apart from all other funds of this state,
30 the system and the board are not subject to the restrictions prescribed in
31 section 35-154 or article IX, sections 5 and 8, Constitution of Arizona.
32 Loans, guarantees, investment management agreements and investment contracts
33 that are entered into by the board are contracts memorializing obligations or

1 interests in securities that the board has concluded, after thorough due
2 diligence, do not involve investments in Sudan or Iran or otherwise provide
3 support to terrorists or in any way facilitate illegal immigration into the
4 United States. These contracts do not involve the procurement, supply or
5 provision of goods, equipment, labor, materials or services that would
6 require the warranties required by section 41-4401.

7 N. The board, the administrator, the assistant administrators and all
8 persons employed by them are subject to title 41, chapter 4, article 4. The
9 administrator, assistant administrators and other employees of the board are
10 entitled to receive compensation pursuant to section 38-611.

11 O. In consultation with the director of the department of
12 administration, the board may enter into employment agreements and establish
13 the terms of those agreements with persons holding any of the following
14 system positions:

- 15 1. Administrator.
- 16 2. Deputy or assistant administrator.
- 17 3. Chief investment officer.
- 18 4. Deputy chief investment officer.
- 19 5. Fiduciary or investment counsel.

20 P. The attorney general or an attorney approved by the attorney
21 general and paid by the fund shall be the attorney for the board and shall
22 represent the board in any legal proceeding or forum that the board deems
23 appropriate. The board, administrator, assistant administrators and
24 employees of the board are not personally liable for any acts done in their
25 official capacity in good faith reliance on the written opinions of the
26 board's attorney.

27 Q. At least once in each five-year period after the effective date,
28 the actuary shall make an actuarial investigation into the mortality, service
29 and compensation experience of the members and beneficiaries of the system
30 and other plans that the board administers and shall make a special valuation
31 of the assets and liabilities of the monies of the system and plans. Taking
32 into account the results of the investigation and special valuation, the

1 board shall adopt for the system and other plans that the board administers
2 those mortality, service and other tables deemed necessary.

3 R. On the basis of the tables the board adopts, the actuary shall make
4 a valuation of the assets and liabilities of the funds of the system and
5 other plans that the board administers not less frequently than every year.
6 By November 1 of each year the board shall provide a preliminary report and
7 by December 15 of each year provide a final report to the governor, the
8 speaker of the house of representatives and the president of the senate on
9 the contribution rate for the ensuing fiscal year.

10 S. Neither the board nor any member or employee of the board shall
11 directly or indirectly, for himself or as an agent, in any manner use the
12 monies or deposits of the fund except to make current and necessary payments,
13 nor shall the board or any member or employee become an endorser or surety or
14 in any manner an obligor for monies loaned by or borrowed from the fund or
15 the assets of any other plans that the board administers.

16 T. The members of the board who are appointed pursuant to subsection
17 A, paragraphs 2 and 5 of this section shall have at least ten years'
18 substantial experience as any one or a combination of the following:

19 1. A portfolio manager acting in a fiduciary capacity.

20 2. A securities analyst.

21 3. An employee or principal of a trust institution, investment
22 organization or endowment fund acting either in a management or an investment
23 related capacity.

24 4. A chartered financial analyst in good standing as determined by the
25 association for investment management and research.

26 5. A professor at the university level teaching economics or
27 investment related subjects.

28 6. An economist.

29 7. Any other professional engaged in the field of public or private
30 finances.

31 U. Financial or commercial information that is provided to the board,
32 employees of the board and attorneys of the board in connection with
33 investments in which the board has invested or investments the board has

House Amendments to H.B. 2074

- 1 considered for investment is confidential, proprietary and not a public
- 2 record if the information is information that would customarily not be
- 3 released to the public by the person or entity from whom the information was
- 4 obtained."
- 5 Renumber to conform
- 6 Page 5, line 11, strike "JANUARY 1, 2018" insert "JULY 1, 2017"
- 7 Amend title to conform

SONNY BORRELLI

2074BORRELLI
02/01/2016
1:22 PM
C: MJH

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

ROLL CALL VOTE

COMMITTEE ON MILITARY AFFAIRS AND PUBLIC SAFETY BILL NO. HB 2074

DATE February 4, 2016 MOTION: DPA

	PASS	AYE	NAY	PRESENT	ABSENT
Mr. Andrade		✓			
Mr. Campbell		✓			
Mr. Cardenas		✓			
Mr. Farnsworth E		✓			
Mr. Kern		✓			
Ms. Mach		✓			
Mr. Finchem, Vice-Chairman		✓			
Mr. Borrelli, Chairman		✓			
		8	0	0	0

APPROVED:

Sonny Borrelli
 SONNY BORRELLI, Chairman
 MARK FINCHEM, Vice-Chairman

James J. Burns
 COMMITTEE SECRETARY

ATTACHMENT _____



HOUSE OF REPRESENTATIVES

HB 2365

study committee; Arizona's 911 system

Prime Sponsor: Representative Thorpe, et al., LD 6

X Committee on Military Affairs and Public Safety

Caucus and COW

House Engrossed

OVERVIEW

HB 2365 establishes the study committee on Arizona's 911 system (committee).

PROVISIONS

1. Establishes the nine-member committee, consisting of the Governor or the Governor's designee, a member of the Senate, a member of the House of Representatives and members appointed by the Governor, Speaker of the House and President of the Senate, representing:
 - a. A city with a population over 1,000,000
 - b. A town with a population under 100,000
 - c. The law enforcement community
 - d. The firefighter community; and
 - e. The telecommunications industry
2. Requires the committee to examine and hold hearings related to:
 - a. The efficacy by which the telecommunication service excise tax is collected and remitted;
 - b. The impact that reductions in the telecommunication service excise tax and fund sweeps from the emergency telecommunication revolving fund have had on 911 services and the deployment of Arizona 911 wireless phase II and next generation transition;
 - c. The telecommunications service excise tax, the amount of funding collected and the expenditures made on 911 systems in other states;
 - d. The status of the deployment of Arizona 911 wireless phase II and the transition to next generation 911;
 - e. The necessity, requirements and costs to maintain the current 911 system; and
 - f. The funding mechanism required to provide and handle 911 calls.
3. Requires the committee to make recommendations by November 1, 2017, regarding funding mechanisms and upgrades to the 911 system.
4. Terminates the committee from and after December, 31, 2017.

CURRENT LAW

The Telecommunication Service Excise Tax (Title 42, Chapter 5, Article 5, Arizona Revised Statutes) is collected from public service corporations that offer telephone or telecommunications services, suppliers of wireless services and suppliers of any combination of wire and wireless services.

PROPOSED

HOUSE OF REPRESENTATIVES AMENDMENTS TO H.B. 2365

(Reference to printed bill)

1 Page 1, between lines 26 and 27, insert:

2 "10. The director of the department of public safety or the director's
3 designee.

4 B. The appointing authorities shall strive to achieve a bipartisan
5 balance in the membership of the study committee."

6 Reletter to conform

7 Amend title to conform

SONNY BORRELLI

2365Borrelli.doc
02/03/2016
10:13 AM
C: ns

Attachment 15

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

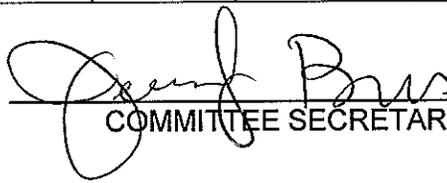
ARIZONA HOUSE OF REPRESENTATIVES
Fifty-second Legislature - Second Regular Session

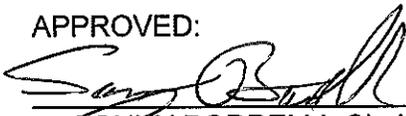
ROLL CALL VOTE

COMMITTEE ON MILITARY AFFAIRS AND PUBLIC SAFETY BILL NO. HB 2365

DATE February 4, 2016 MOTION: DPA

	PASS	AYE	NAY	PRESENT	ABSENT
Mr. Andrade		✓			
Mr. Campbell		✓			
Mr. Cardenas		✓			
Mr. Farnsworth E		✓			
Mr. Kern		✓			
Ms. Mach		✓			
Mr. Finchem, Vice-Chairman		✓			
Mr. Borrelli, Chairman		✓			
		8	0	0	0


 COMMITTEE SECRETARY

APPROVED:

 SONNY BORRELLI, Chairman
 MARK FINCHEM, Vice-Chairman

ATTACHMENT _____



HOUSE OF REPRESENTATIVES

HB 2514

restricted vehicle use; DUI; repeal

Prime Sponsor: Representative Borrelli, LD 5

X Committee on Military Affairs and Public Safety

Caucus and COW

House Engrossed

STRIKE-EVERYTHING SUMMARY

The strike-everything amendment to HB 2514 exempts real estate, cemetery, and membership camping brokers and salespersons from the prohibition of a person convicted of, or awaiting trial for a DUI within five years of applying for a fingerprint clearance card from driving any vehicle to transport employees or clients as a part of their employment.

PROVISIONS

1. Exempts the following professions from the requirement that a person convicted of, or awaiting trial for a DUI within five years of applying for a fingerprint clearance card must not drive any vehicle to transport employees or clients as part of their employment:
 - a. Real estate brokers and salespersons;
 - b. Cemetery brokers and salespersons; and
 - c. Membership camping brokers and salespersons.
2. Clarifies that this exemption does not apply to employees of the State Real Estate Department and other specific state agencies.
3. Makes technical changes.

CURRENT LAW

A.R.S. § 41-1758.03 prohibits any person who is awaiting trial for, or who has been convicted of a DUI within five years of applying for a fingerprint clearance card from driving any vehicle to transport employees or clients as part of their employment. Any person who is arrested for a DUI offense must have a driving restriction notification placed on their fingerprint clearance card (A.R.S. § 41-1758.04).

PROPOSED

HOUSE OF REPRESENTATIVES AMENDMENTS TO H.B. 2514

(Reference to printed bill)

1 Strike everything after the enacting clause and insert:

2 "Section 1. Section 41-1758.03, Arizona Revised Statutes, is amended
3 to read:

4 41-1758.03. Fingerprint clearance cards; issuance; immunity

5 A. On receiving the state and federal criminal history record of a
6 person, the division shall compare the record with the list of criminal
7 offenses that preclude the person from receiving a fingerprint clearance
8 card. If the person's criminal history record does not contain any of the
9 offenses listed in subsections B and C of this section, the division shall
10 issue the person a fingerprint clearance card.

11 B. A person who is subject to registration as a sex offender in this
12 state or any other jurisdiction or who is awaiting trial on or who has been
13 convicted of committing or attempting, soliciting, facilitating or conspiring
14 to commit one or more of the following offenses in this state or the same or
15 similar offenses in another state or jurisdiction is precluded from receiving
16 a fingerprint clearance card pursuant to this section:

- 17 1. Sexual abuse of a vulnerable adult.
18 2. Incest.
19 3. First or second degree murder.
20 4. Sexual assault.
21 5. Sexual exploitation of a minor.
22 6. Sexual exploitation of a vulnerable adult.
23 7. Commercial sexual exploitation of a minor.
24 8. Commercial sexual exploitation of a vulnerable adult.

Attachment 18

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

House Amendments to H.B. 2514

- 1 9. Child prostitution as prescribed in section 13-3212.
- 2 10. Child abuse.
- 3 11. Abuse of a vulnerable adult.
- 4 12. Sexual conduct with a minor.
- 5 13. Molestation of a child.
- 6 14. Molestation of a vulnerable adult.
- 7 15. A dangerous crime against children as defined in section 13-705.
- 8 16. Exploitation of minors involving drug offenses.
- 9 17. Taking a child for the purpose of prostitution as prescribed in
10 section 13-3206.
- 11 18. Neglect or abuse of a vulnerable adult.
- 12 19. Sex trafficking.
- 13 20. Sexual abuse.
- 14 21. Production, publication, sale, possession and presentation of
15 obscene items as prescribed in section 13-3502.
- 16 22. Furnishing harmful items to minors as prescribed in section
17 13-3506.
- 18 23. Furnishing harmful items to minors by internet activity as
19 prescribed in section 13-3506.01.
- 20 24. Obscene or indecent telephone communications to minors for
21 commercial purposes as prescribed in section 13-3512.
- 22 25. Luring a minor for sexual exploitation.
- 23 26. Enticement of persons for purposes of prostitution.
- 24 27. Procurement by false pretenses of person for purposes of
25 prostitution.
- 26 28. Procuring or placing persons in a house of prostitution.
- 27 29. Receiving earnings of a prostitute.
- 28 30. Causing one's spouse to become a prostitute.
- 29 31. Detention of persons in a house of prostitution for debt.
- 30 32. Keeping or residing in a house of prostitution or employment in
31 prostitution.
- 32 33. Pandering.

1 34. Transporting persons for the purpose of prostitution, polygamy and
2 concubinage.

3 35. Portraying adult as a minor as prescribed in section 13-3555.

4 36. Admitting minors to public displays of sexual conduct as
5 prescribed in section 13-3558.

6 37. Unlawful sale or purchase of children.

7 38. Child bigamy.

8 39. Trafficking of persons for forced labor or services.

9 C. A person who is awaiting trial on or who has been convicted of
10 committing or attempting, soliciting, facilitating or conspiring to commit
11 one or more of the following offenses in this state or the same or similar
12 offenses in another state or jurisdiction is precluded from receiving a
13 fingerprint clearance card, except that the person may petition the board of
14 fingerprinting for a good cause exception pursuant to section 41-619.55:

15 1. Manslaughter.

16 2. Endangerment.

17 3. Threatening or intimidating.

18 4. Assault.

19 5. Unlawfully administering intoxicating liquors, narcotic drugs or
20 dangerous drugs.

21 6. Assault by vicious animals.

22 7. Drive by shooting.

23 8. Assaults on officers or fire fighters.

24 9. Discharging a firearm at a structure.

25 10. Indecent exposure.

26 11. Public sexual indecency.

27 12. Aggravated criminal damage.

28 13. Theft.

29 14. Theft by extortion.

30 15. Shoplifting.

31 16. Forgery.

32 17. Criminal possession of a forgery device.

House Amendments to H.B. 2514

- 1 18. Obtaining a signature by deception.
- 2 19. Criminal impersonation.
- 3 20. Theft of a credit card or obtaining a credit card by fraudulent
- 4 means.
- 5 21. Receipt of anything of value obtained by fraudulent use of a
- 6 credit card.
- 7 22. Forgery of a credit card.
- 8 23. Fraudulent use of a credit card.
- 9 24. Possession of any machinery, plate or other contrivance or
- 10 incomplete credit card.
- 11 25. False statement as to financial condition or identity to obtain a
- 12 credit card.
- 13 26. Fraud by persons authorized to provide goods or services.
- 14 27. Credit card transaction record theft.
- 15 28. Misconduct involving weapons.
- 16 29. Misconduct involving explosives.
- 17 30. Depositing explosives.
- 18 31. Misconduct involving simulated explosive devices.
- 19 32. Concealed weapon violation.
- 20 33. Possession and sale of peyote.
- 21 34. Possession and sale of a vapor-releasing substance containing a
- 22 toxic substance.
- 23 35. Sale of precursor chemicals.
- 24 36. Possession, use or sale of marijuana, dangerous drugs or narcotic
- 25 drugs.
- 26 37. Manufacture or distribution of an imitation controlled substance.
- 27 38. Manufacture or distribution of an imitation prescription-only
- 28 drug.
- 29 39. Manufacture or distribution of an imitation over-the-counter drug.
- 30 40. Possession or possession with intent to use an imitation
- 31 controlled substance.

House Amendments to H.B. 2514

- 1 41. Possession or possession with intent to use an imitation
2 prescription-only drug.
- 3 42. Possession or possession with intent to use an imitation
4 over-the-counter drug.
- 5 43. Manufacture of certain substances and drugs by certain means.
- 6 44. Adding poison or other harmful substance to food, drink or
7 medicine.
- 8 45. A criminal offense involving criminal trespass under title 13,
9 chapter 15.
- 10 46. A criminal offense involving burglary under title 13, chapter 15.
- 11 47. A criminal offense under title 13, chapter 23.
- 12 48. Child neglect.
- 13 49. Misdemeanor offenses involving contributing to the delinquency of
14 a minor.
- 15 50. Offenses involving domestic violence.
- 16 51. Arson.
- 17 52. Kidnapping.
- 18 53. Felony offenses involving sale, distribution or transportation of,
19 offer to sell, transport or distribute or conspiracy to sell, transport or
20 distribute marijuana, dangerous drugs or narcotic drugs.
- 21 54. Robbery.
- 22 55. Aggravated assault.
- 23 56. Felony offenses involving contributing to the delinquency of a
24 minor.
- 25 57. Negligent homicide.
- 26 58. Criminal damage.
- 27 59. Misappropriation of charter school monies as prescribed in section
28 13-1818.
- 29 60. Taking identity of another person or entity.
- 30 61. Aggravated taking identity of another person or entity.
- 31 62. Trafficking in the identity of another person or entity.
- 32 63. Cruelty to animals.

1 64. Prostitution.

2 65. Sale or distribution of material harmful to minors through vending
3 machines as prescribed in section 13-3513.

4 66. Welfare fraud.

5 D. A person who is awaiting trial on or who has been convicted of
6 committing or attempting to commit a misdemeanor or felony violation of
7 section 28-1381, 28-1382 or 28-1383 in this state or the same or similar
8 offense in another state or jurisdiction within five years from the date of
9 applying for a fingerprint clearance card is precluded from driving any
10 vehicle to transport employees or clients of the employing agency as part of
11 the person's employment. The division shall place a notation on the
12 fingerprint clearance card that indicates this driving restriction. This
13 subsection does not preclude a person from driving a vehicle alone as part of
14 the person's employment. THIS SUBSECTION DOES NOT APPLY TO A PERSON WHO IS
15 LICENSED PURSUANT TO TITLE 32, CHAPTER 20, EXCEPT IF THE PERSON IS EMPLOYED
16 BY AN AGENCY AS DEFINED IN SECTION 41-1758.

17 E. Notwithstanding subsection C of this section, on receiving written
18 notice from the board of fingerprinting that a good cause exception was
19 granted pursuant to section 41-619.55, the division shall issue a fingerprint
20 clearance card to the person.

21 F. If the division denies a person's application for a fingerprint
22 clearance card pursuant to subsection C of this section and a good cause
23 exception is requested pursuant to section 41-619.55, the division shall
24 release, on request by the board of fingerprinting, the person's criminal
25 history record to the board of fingerprinting.

26 G. A person shall be granted a fingerprint clearance card if either of
27 the following applies:

28 1. An agency granted a good cause exception before August 16, 1999 and
29 no new precluding offense is identified. The fingerprint clearance card
30 shall specify only the program that granted the good cause exception. On the
31 request of the applicant, the agency that granted the prior good cause
32 exception shall notify the division in writing of the date on which the prior

1 good cause exception was granted and the date of the conviction and the name
2 of the offense for which the good cause exception was granted.

3 2. The board granted a good cause exception and no new precluding
4 offense is identified.

5 H. The licensee or contract provider shall assume the costs of
6 fingerprint checks and may charge these costs to persons who are required to
7 be fingerprinted.

8 I. A person who is under eighteen years of age or who is at least
9 ninety-nine years of age is exempt from the fingerprint clearance card
10 requirements of this section. At all times the person shall be under the
11 direct visual supervision of personnel who have valid fingerprint clearance
12 cards.

13 J. The division shall conduct periodic state criminal history records
14 checks and may conduct federal criminal history records checks when
15 authorized pursuant to federal law for the purpose of updating the clearance
16 status of current fingerprint clearance card holders and may notify the board
17 of fingerprinting and the agency employing the person of the results of the
18 records check.

19 K. The division shall revoke a person's fingerprint clearance card on
20 receipt of a written request for revocation from the board of fingerprinting
21 pursuant to section 41-619.55.

22 L. If a person's criminal history record contains an offense listed in
23 subsection B or C of this section and the final disposition is not recorded
24 on the record, the division shall conduct research to obtain the disposition
25 within thirty business days after receipt of the record. If the division
26 cannot determine, within thirty business days after receipt of the person's
27 state and federal criminal history record information, whether the person is
28 awaiting trial on or has been convicted of committing or attempting,
29 soliciting, facilitating or conspiring to commit any of the offenses listed
30 in subsection B or C of this section in this state or ~~a~~ THE same or A
31 similar offense in another state or jurisdiction, the division shall not
32 issue a fingerprint clearance card to the person. If the division is unable

1 to make the determination required by this section and does not issue a
2 fingerprint clearance card to a person, the person may request a good cause
3 exception pursuant to section 41-619.55.

4 M. Except as provided in subsection N of this section, if after
5 conducting a state and federal criminal history records check the division
6 determines that it is not authorized to issue a fingerprint clearance card to
7 a person, the division shall notify the agency that licenses or employs the
8 person that the division is not authorized to issue a fingerprint clearance
9 card. This notice shall include the criminal history information on which
10 the denial was based. This criminal history information is subject to
11 dissemination restrictions pursuant to section 41-1750 and Public Law 92-544.

12 N. If, after conducting a state and federal criminal history records
13 check on a person who requests a fingerprint clearance card pursuant to
14 section 15-1881, the division determines that it is not authorized to issue a
15 fingerprint clearance card to the person, the division shall not notify the
16 agency. The division shall notify the person who requested the card that the
17 division is not authorized to issue a fingerprint clearance card. The notice
18 shall include the criminal history information on which the denial was
19 based. This criminal history information is subject to dissemination
20 restrictions pursuant to section 41-1750 and Public Law 92-544.

21 O. The division is not liable for damages resulting from:

22 1. The issuance of a fingerprint clearance card to a person who is
23 later found to have been ineligible to receive a fingerprint clearance card
24 at the time the card was issued.

25 2. The denial of a fingerprint clearance card to a person who is later
26 found to have been eligible to receive a fingerprint clearance card at the
27 time issuance of the card was denied.

28 P. The issuance of a fingerprint clearance card does not entitle a
29 person to employment.

House Amendments to H.B. 2514

- 1 Q. Notwithstanding any law to the contrary, a person may apply for and
- 2 receive a level I fingerprint clearance card pursuant to section 41-1758.07
- 3 to satisfy a requirement that the person have a valid fingerprint clearance
- 4 card issued pursuant to this section."
- 5 Amend title to conform

SONNY BORRELLI

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01/26/2016
4:02 PM
C: SP

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

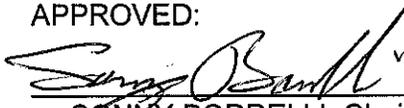
ROLL CALL VOTE

COMMITTEE ON MILITARY AFFAIRS AND PUBLIC SAFETY BILL NO. HB 2514

DATE February 4, 2016 MOTION: DPA S/E

	PASS	AYE	NAY	PRESENT	ABSENT
Mr. Andrade		✓			
Mr. Campbell		✓			
Mr. Cardenas		✓			
Mr. Farnsworth E		✓			
Mr. Kern		✓			
Ms. Mach		✓			
Mr. Finchem, Vice-Chairman		✓			
Mr. Borrelli, Chairman		✓			
		8	0	0	0

APPROVED:



 SONNY BORRELLI, Chairman
 MARK FINCHEM, Vice-Chairman



 COMMITTEE SECRETARY

ATTACHMENT _____



HOUSE OF REPRESENTATIVES

HCM 2006

toxic exposure; urging Congress

Prime Sponsor: Representative Andrade, LD 29

X Committee on Military Affairs and Public Safety

Caucus and COW

House Engrossed

OVERVIEW

HCM 2006 urges Congress to adopt legislation similar to the Toxic Exposure Act of 2015.

PROVISIONS

1. Urges Congress to adopt legislation that would establish, within the U.S. Department of Veterans Affairs, a national center for research on the diagnosis and treatment of health conditions of the descendants of veterans exposed to toxic substances during service in the U.S. armed forces.
2. Directs the Arizona Secretary of State to transmit copies of this Memorial to the President of the U.S. Senate, the Speaker of the U.S. House of Representatives and each Member of Congress from the state of Arizona.

CURRENT LAW

Not currently addressed in statute.

ADDITIONAL INFORMATION

Toxic Exposure Act of 2015.

PROPOSED

HOUSE OF REPRESENTATIVES AMENDMENTS TO H.C.M. 2006

(Reference to printed bill)

- 1 Page 1, line 21, after "Exposure" insert "Research"
- 2 Amend title to conform

SONNY BORRELLI

HCM2006BORRELLI
02/02/2016
01:35 PM
H: RH/rca

Attachment 21

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

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

ROLL CALL VOTE

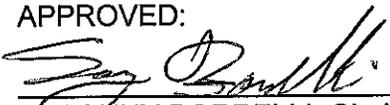
COMMITTEE ON MILITARY AFFAIRS AND PUBLIC SAFETY BILL NO. HCM 2006

DATE February 4, 2016 MOTION: DPA

	PASS	AYE	NAY	PRESENT	ABSENT
Mr. Andrade		✓			
Mr. Campbell		✓			
Mr. Cardenas		✓			
Mr. Farnsworth E		✓			
Mr. Kern		✓			
Ms. Mach		✓			
Mr. Finchem, Vice-Chairman		✓			
Mr. Borrelli, Chairman		✓			
		8	0	0	0


 COMMITTEE SECRETARY

APPROVED:


 SONNY BORRELLI, Chairman
 MARK FINCHEM, Vice-Chairman

ATTACHMENT _____



HOUSE OF REPRESENTATIVES

HB 2105

veterans with disabilities; benefits

Prime Sponsor: Representative Lovas, LD 22

X Committee on Military Affairs and Public Safety

Caucus and COW

House Engrossed

OVERVIEW

HB 2105 allows veterans with service-connected disabilities rated as at least 25% disabling to receive complimentary hunting licenses, free park passes and camping at Arizona state parks and exemptions from vehicle license tax and registration fees.

PROVISIONS

1. Allows the Arizona Game and Fish Commission (G&F) to issue a complimentary license to a veteran of the armed forces of the United States who has permanent service-connected disabilities rated as at least 25% disabling, rather than 100%.
2. Exempts veterans who have permanent service-connected disabilities from paying a vehicle license tax or registration fee if the veteran can provide a certificate of determination of at least 25% disability, rather than 100%.
3. Stipulates that the Arizona State Parks Board (Board), for any veteran who provides satisfactory evidence of a service-connected disability of at least 25%, must:
 - a. Issue a park pass at no charge that allows entrance to all state parks
 - b. Waive the camping and overnight parking fees issued by the Board for up to ten days a month

CURRENT LAW

A license is required by G&F to take, handle or possess wildlife (A.R.S. § 17-101 and A.R.S. § 17-331).

All vehicles registered for operation upon highways must pay a vehicle license tax (Article IX, Section 11, Constitution of Arizona). In addition, an eight dollar registration is required for all motor vehicles and a nine dollar fee is assessed for all motorcycles (A.R.S. § 28-2003).

PROPOSED

HOUSE OF REPRESENTATIVES AMENDMENTS TO H.B. 2105

(Reference to printed bill)

- 1 Page 1, line 15, strike "TWENTY-FIVE" insert "EIGHTY"
- 2 Line 32, strike "A TWENTY-FIVE" insert "AN EIGHTY"
- 3 Line 40, strike "TWENTY-FIVE" insert "EIGHTY"
- 4 Page 2, line 8, strike "TWENTY-FIVE" insert "EIGHTY"
- 5 Amend title to conform

ANTHONY KERN

2105KERN
02/02/2016
04:11 PM
H: rh/ajh

Attachment 24

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

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

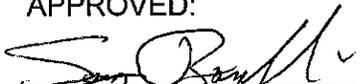
ROLL CALL VOTE

COMMITTEE ON MILITARY AFFAIRS AND PUBLIC SAFETY BILL NO. HB 2105

DATE February 4, 2016 MOTION: FAILED

	PASS	AYE	NAY	PRESENT	ABSENT
Mr. Andrade	✓		✓		
Mr. Campbell		✓			
Mr. Cardenas			✓		
Mr. Farnsworth E			✓		
Mr. Kern		✓			
Ms. Mach			✓		
Mr. Finchem, Vice-Chairman			✓		
Mr. Borrelli, Chairman		✓			
		3	5	0	0

APPROVED:



 SONNY BORRELLI, Chairman
 MARK FINCHEM, Vice-Chairman



 COMMITTEE SECRETARY

ATTACHMENT _____

ARIZONA STATE LEGISLATURE
 Fifty-second Legislature - Second Regular Session
COMMITTEE ATTENDANCE RECORD

COMMITTEE ON MILITARY AFFAIRS AND PUBLIC SAFETY

CHAIRMAN: Sonny Borrelli VICE-CHAIRMAN: Mark Finchem

DATE	2/4 /16	/16	/16	/16	/16
CONVENED	9:07 am	m	m	m	m
RECESSED					
RECONVENED					
ADJOURNED	12:20 PM				
MEMBERS					
Mr. Andrade	✓				
Mr. Campbell	✓				
Mr. Cardenas	✓				
Mr. Farnsworth E	✓				
Mr. Kern	✓				
Ms. Mach	✓				
Mr. Finchem, Vice-Chairman	✓				
Mr. Borrelli, Chairman	✓				

√ Present --- Absent exc Excused