

# ARIZONA STATE SENATE

## 52ND LEGISLATURE SECOND REGULAR SESSION

### MINUTES OF COMMITTEE ON GOVERNMENT

**DATE:** February 10, 2016

**TIME:** 2:00 P.M.

**ROOM:** SHR3

**CHAIRMAN:** Senator John Kavanagh

**VICE-CHAIRMAN:** Senator Sylvia Allen

**ANALYST:** Robin Hillyard

---

#### ATTENDANCE

#### BILLS

<u>Committee Members</u>	<u>Pr</u>	<u>Ab</u>	<u>Ex</u>	<u>Bill Number</u>	<u>Disposition</u>
Senator Burges	X			SB 1004	DPA
Senator Contreras	X			SB 1057	DPA
Senator Meza	X			SB 1166	DPA
Senator Quezada	X			SB 1235	DP
Senator Smith	X			SB 1236	DPA
Senator Allen, Vice-Chairman	X			SB 1238	DP
Senator Kavanagh, Chairman	X			SB 1306	DPA
				SB 1316	DP
				SB 1353	HELD
				SB 1382	DP
				SB 1418	DP
				SB 1419	HELD
				SB 1421	DPA
				SB 1440	DP
				SB 1485	HELD
				SB 1486	HELD
				SB 1487	HELD
				SB 1504	DPA
				SB 1511	FAILED

---

#### EXECUTIVE NOMINATIONS

---

<u>Name</u>	<u>Position</u>	<u>Recommendation</u>
Joseph E. Abodeely	Member, Arizona Historical Society Board	CONFIRMATION
Voie Chase Coy	Member, Arizona Historical Society Board	CONFIRMATION
Robin L. Horta	Member, Arizona Historical Society Board	CONFIRMATION
Philip J. Horwitz	Member, Arizona Historical Society Board	CONFIRMATION
Patrick D. Lukens	Member, Arizona Historical Society Board	CONFIRMATION
Meredith Peabody	Member, Arizona Historical Society Board	CONFIRMATION

Chairman Kavanagh called the meeting to order at 2:58 p.m. and attendance was taken.

## **APPROVAL OF MINUTES**

**Senator Kavanagh stated that without objection, the minutes of February 3, 2016 were approved.**

## **CONSIDERATION OF BILLS**

### **SB 1353 - state employee suggestion program; awards – HELD**

Senator Kavanagh stated that SB 1353 would be HELD.

### **SB 1419 - inmate medical services; rate structure – HELD**

Senator Kavanagh stated that SB 1419 would be HELD.

### **SB 1485 - payroll deductions; charitable contributions; prohibition – HELD**

Senator Kavanagh stated that SB 1485 would be HELD.

### **SB 1486 - presidential preference election; appropriation; repeal – HELD**

Senator Kavanagh stated that SB 1486 would be HELD.

### **SB 1487 - state law; local violations; penalties – HELD**

Senator Kavanagh stated that SB 1487 would be HELD.

## **EXECUTIVE NOMINATIONS**

### **Joseph E. Abodeely – Member, Arizona Historical Society Board – CONFIRMATION RECOMMENDED**

**Stephanie Holford, Government Committee Intern**, gave an overview of the Arizona Historical Society Board and the resume of Joseph E. Abodeely.

**Joseph E. Abodeely** reviewed his resume.

**Senator Allen moved the Government Committee recommend to the full Senate the CONFIRMATION of Joseph E. Abodeely as a Member of the Arizona Historical Society Board. The motion CARRIED with a roll call vote of 7-0-0 (Attachment 1).**

### **Voie Chase Coy – Member, Arizona Historical Society Board – CONFIRMATION RECOMMENDED**

**Stephanie Holford, Government Committee Intern**, gave an overview of the resume of Voie Chase Coy.

**Voie Chase Coy** reviewed his resume and answered questions posed by the Committee.

**Senator Allen moved the Government Committee recommend to the full Senate the CONFIRMATION of Voie Chase Coy as a Member of the Arizona Historical Society Board. The motion CARRIED with a roll call vote of 7-0-0 (Attachment 2).**

**Robin L. Horta – Member, Arizona Historical Society Board – CONFIRMATION RECOMMENDED**

**Stephanie Holford, Government Committee Intern, gave an overview of the resume of Robin L. Horta.**

**Robin L. Horta reviewed her resume.**

**Senator Allen moved the Government Committee recommend to the full Senate the CONFIRMATION of Robin L. Horta as a Member of the Arizona Historical Society. The motion CARRIED with a roll call vote of 7-0-0 (Attachment 3).**

**Philip J. Horwitz – Member, Arizona Historical Society Board – CONFIRMATION RECOMMENDED**

**Stephanie Holford, Government Committee Intern, gave an overview of the resume of Philip J. Horwitz.**

**Philip J. Horwitz reviewed his resume.**

**Senator Allen moved the Government Committee recommend to the full Senate the CONFIRMATION of Philip J. Horwitz as a Member of the Arizona Historical Society Board. The motion CARRIED with a roll call vote of 7-0-0 (Attachment 4).**

**Patrick D. Lukens – Member, Arizona Historical Society Board – CONFIRMATION RECOMMENDED**

**Stephanie Holford, Government Committee Intern, gave an overview of the resume of Patrick D. Lukens.**

**Patrick D. Lukens reviewed his resume.**

**Senator Allen moved the Government Committee recommend to the full Senate the CONFIRMATION of Patrick D. Lukens as a Member of the Arizona Historical Society Board. The motion CARRIED with a roll call vote of 7-0-0 (Attachment 5).**

**Meredith Peabody – Member, Arizona Historical Society Board – CONFIRMATION RECOMMENDED**

**Stephanie Holford, Government Committee Intern, gave an overview of the resume of Meredith Peabody.**

**Meredith Peabody reviewed his resume.**

**Senator Allen moved the Government Committee recommend to the full Senate the CONFIRMATION of Meredith Peabody as a Member of the Arizona Historical Society Board. The motion CARRIED with a roll call vote of 7-0-0 (Attachment 6).**

## CONSIDERATION OF BILLS

### **SB 1166 - service animals; certification; registration; identification – DO PASS AMENDED**

**Jessica Newland, Natural Resources Committee Intern**, explained SB 1166 the 8-line Kavanagh amendment dated 02/09/16 at 10:01 a.m. (Attachment A).

**Senator McGuire, bill sponsor**, further explained SB 1166.

**Cheryl Chase, representing herself**, testified in support of SB 1166.

**Barbara Brandt, representing herself**, testified in support of SB 1166.

**Todd House, Supervisor, Pinal County Board of Supervisors, Treasurer, Paw for Life**, testified in support SB 1166 and answered questions posed by the Committee.

Senator McGuire answered additional questions posed by the Committee.

**Sarah Kader, Attorney, Arizona Center for Disability Law**, testified in opposition to SB 1166 and answered questions posed by the Committee.

**Ellen Katz, William E. Morris Institute for Justice**, testified in opposition to SB 1166 and answered questions posed by the Committee.

Senator McGuire answered additional questions posed by the Committee.

Mr. House answered additional questions posed by the Committee.

**Amy Porterfield, Associate Director, Southern Arizona Association for the Visually Impaired**, testified in support of SB 1166.

**Samantha Sopoci, representing herself**, read a letter from Denise Wetzler (Attachment B) and testified in opposition to SB 1166.

Senator Kavanagh noted the individuals who registered their position on the bill (Attachment C).

**Robert Kresmer, National Federation for the Blind**, testified in support of SB 1166.

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

**Senator Allen moved the 8-line Kavanagh amendment dated 02/09/16 at 10:01 a.m. (Attachment A) be ADOPTED. The motion CARRIED by voice vote.**

**Senator Allen moved SB 1166 be returned with an AS AMENDED, DO PASS recommendation. The motion CARRIED with a roll call vote of 6-1-0 (Attachment 7).**

Senators Contreras, Quezada and Smith explained their vote.

**SB 1504 - drop box; private property; consent – DO PASS AMENDED**

**Stephanie Holford, Government Committee Intern**, explained SB 1504 and the 10-line Kavanagh amendment dated 02/09/16 at 2:22 p.m. (Attachment D).

**Jeff Sandquist, Fight The Blight!**, testified in support of SB 1504 and answered questions posed by the Committee.

**Gregory Valladao, International Council of Shopping Centers (ICSC)**, testified in support of SB 1504.

Senator Kavanagh noted the individuals who registered their position on the bill (Attachment C).

**Senator Allen moved SB 1504 be returned with a DO PASS recommendation.**

**Senator Allen moved the 10-line Kavanagh amendment dated 02/09/16 at 2:22 p.m. (Attachment D) be ADOPTED. The motion CARRIED by voice vote.**

**Senator Allen moved SB 1504 be returned with an AS AMENDED, DO PASS recommendation. The motion CARRIED with a roll call vote of 7-0-0 (Attachment 8).**

**SB 1238 - advisory council; Indian health care – DO PASS**

**Robin Hillyard, Government Committee Analyst**, explained SB 1238.

**Senator Begay, bill sponsor**, further explained SB 1238.

**Alida Montiel, Member, Pascua Yaqui Tribe, Chairperson, Advisory Council on Indian Healthcare**, submitted a copy of her testimony (Attachment E) and testified in support of SB 1238.

**Senator Allen moved SB 1238 be returned with a DO PASS recommendation. The motion CARRIED with a roll call vote of 7-0-0 (Attachment 9).**

**SB 1306 - county development fees – DO PASS AMENDED**

**Robin Hillyard, Government Committee Analyst**, explained SB 1306 and the 4-line Kavanagh amendment dated 02/09/16 at 1:07 p.m. (Attachment F).

**Spencer Kamps, Home Builders Association of Central Arizona**, testified in support of SB 1306 and answered questions posed by the Committee.

**Mark Barnes, Pinal County Board of Supervisors**, testified in opposition to SB 1306 and answered questions posed by the Committee.

Senator Allen noted the individuals who registered their position on the bill (Attachment C).

**Senator Allen moved SB 1306 be returned with a DO PASS recommendation.**

**Senator Allen moved the 4-line Kavanagh amendment dated 02/09/16 at 1:07 p.m. (Attachment F) be ADOPTED. The motion CARRIED by voice vote.**

**Senator Allen moved SB 1306 be returned with an AS AMENDED, DO PASS recommendation. The motion CARRIED with a roll call vote of 7-0-0 (Attachment 10).**

Senators Burges, Contreras, Meza, Smith and Allen explained their votes.

**SB 1004 - garden produce; regulatory exemption – DO PASS AMENDED**

**Robin Hillyard, Government Committee Analyst**, explained SB 1004 and the 5-line Kavanagh amendment dated 02/09/16 at 2:48 p.m. (Attachment G).

**Senator Farnsworth, bill sponsor**, further explained SB 1004 and answered questions posed by the Committee.

**Shannon Whiteaker, Legislative Liaison, Arizona Department of Health Services**, registered as neutral on SB 1004 and talked about possible problems with SB 1004. Ms. Whiteaker answered questions posed by the Committee.

**Shelly Tunis, Attorney, Yuma Fresh Vegetable Association**, testified in opposition to SB 1004 and answered questions posed by the Committee.

**Adrienne Udarbe, representing herself**, testified in support of SB 1004.

**Cindy Gentry, representing herself**, testified in support of SB 1004.

Ms. Whiteaker answered additional questions posed by the Committee.

**Laura Oxley, Arizona Department of Agriculture**, testified in support of SB 1004.

**Caleb Stephens, International Rescue Committee**, testified in support of SB 1004.

**David Schwake, Food Director, Litchfield School District**, testified in support of SB 1004.

**Senator Allen moved SB 1004 be returned with a DO PASS recommendation.**

**Senator Allen moved the 5-line Kavanagh amendment dated 02/09/16 at 2:48 p.m. (Attachment G) be ADOPTED. The motion CARRIED by voice vote.**

**Senator Allen moved SB 1004 be returned with an AS AMENDED, DO PASS recommendation. The motion CARRIED with a roll call vote of 7-0-0 (Attachment 11).**

**SB 1057 - crimes; culpable mental state; requirement – DO PASS AMENDED**

**Robin Hillyard, Government Committee Analyst**, explained SB 1057 and the 18-line Kavanagh amendment dated 02/09/16 at 12:45 p.m. (Attachment H).

**Kimberly MacEachern, Arizona Prosecuting Attorneys Advisory Council**, testified in opposition to SB 1057 and answered questions posed by the Committee.

**Senator Allen moved SB 1057 be returned with a DO PASS recommendation.**

**Senator Allen moved the 18-line Kavanagh amendment dated 02/09/16 at 12:45 p.m. (Attachment H) be ADOPTED.**

**Senator Allen moved the following verbal amendment to the 18-line Kavanagh amendment dated 02/09/16 at 12:45 p.m. (Attachment H) amendment:**

**Page 1, lines 2, 9 and 16, strike “2016” insert “2017”  
Amend title to conform**

**The motion CARRIED by voice vote.**

**Senator Allen moved the 18-line Kavanagh amendment dated 02/09/16 at 12:45 p.m. (Attachment H) AS AMENDED be ADOPTED. The motion CARRIED by voice vote.**

**Senator Allen moved SB 1057 be returned with an AS AMENDED, DO PASS recommendation. The motion CARRIED with a roll call vote of 4-3-0 (Attachment 12).**

Senator Quezada explained his vote.

#### **SB 1440 - mining and mineral museum; transfer – DO PASS**

**Carolyn Speroni, Appropriations Committee Analyst**, explained SB 1440.

**Senator Griffin, bill sponsor**, further explained SB 1440 and answered questions posed by the Committee.

**Dick Zimmermann, representing himself**, testified in support of SB 1440.

**Jim Norton, Arizona Historical Society**, testified in opposition to SB 1440.

Senator Griffin further explained SB 1440 and answered additional questions posed by the Committee.

**Senator Allen moved SB 1440 be returned with a DO PASS recommendation. The motion CARRIED with a roll call vote of 4-3-0 (Attachment 13).**

Senators Meza and Smith explained their votes.

#### **SB 1236 - estimates; state budget; notice – DO PASS AMENDED**

**Robin Hillyard, Government Committee Analyst**, explained SB 1236 and the 7-line Kavanagh amendment dated 02/04/16 at 9:56 a.m. (Attachment J).

**Boaz Witbeck, Americans for Prosperity Arizona**, distributed a handout entitled “AZ General Fund Budgets, Fiscal Years 2003-2017” (Attachment K) and testified in support of SB 1236.

Senator Allen noted the individuals who registered their position on the bill (Attachment C).

**Senator Smith moved SB 1236 be returned with a DO PASS recommendation.**

**Senator Allen moved the 7-line Kavanagh amendment dated 02/04/16 at 9:56 a.m. (Attachment J) be ADOPTED. The motion CARRIED by voice vote.**

**Senator Allen moved SB 1236 be returned with an AS AMENDED, DO PASS recommendation. The motion CARRIED with a roll call vote of 4-3-0 (Attachment 14).**

#### **SB 1235 - consideration of property rights; zoning – DO PASS**

**Robin Hillyard, Government Committee Analyst**, explained SB 1235.

**Senator Farnsworth, bill sponsor**, further explained SB 1235.

**Senator Allen moved SB 1235 be returned with a DO PASS recommendation. The motion CARRIED with a roll call vote of 6-0-1 (Attachment 15).**

Senators Quezada and Smith explained their votes.

#### **SB 1421 - boards; commissions; compensation; expenses – DO PASS AMENDED**

**Robin Hillyard, Government Committee Analyst**, explained SB 1421 and the 6-line Kavanagh amendment dated 02/09/16 at 1:26 p.m. (Attachment L).

**Senator Yee, bill sponsor**, further explained SB 1421.

**Debbie Davenport, Auditor General**, answered questions posed by the Committee.

**Senator Allen moved SB 1421 be returned with a DO PASS recommendation.**

**Senator Allen moved the 6-line Kavanagh amendment dated 02/09/16 at 1:26 p.m. (Attachment L) be ADOPTED. The motion CARRIED by voice vote.**

**Senator Allen moved SB 1421 be returned with an AS AMENDED, DO PASS recommendation. The motion CARRIED with a roll call vote of 7-0-0 (Attachment 16).**

#### **SB 1418 - state museum; fees; rulemaking – DO PASS**

**Jeffrey Ong, Government Committee Assistant Analyst**, explained SB 1418.

**Senator Griffin, bill sponsor**, further explained SB 1418.

**Philip Bashaw, Grand Canyon State Electric Cooperative**, testified in support of SB 1418.

**Senator Allen moved SB 1418 be returned with a DO PASS recommendation. The motion CARRIED with a roll call vote of 7-0-0 (Attachment 17).**

**SB 1382 - committee of reference; standing committee – DO PASS AMENDED**

**Robin Hillyard, Government Committee Analyst,** explained SB 1382.

**Senator Allen moved SB 1382 be returned with a DO PASS recommendation. The motion CARRIED with a roll call vote of 6-1-0 (Attachment 18).**

**SB 1316 - board of trustees; disincorporation; repeal – DO PASS**

**Stephanie Holford, Government Committee Intern,** explained SB 1316.

**Daniel Romm, County Supervisors Association of Arizona,** testified in support of SB 1316.

**Senator Allen moved SB 1316 be returned with a DO PASS recommendation. The motion CARRIED with a roll call vote of 7-0-0 (Attachment 19).**

**SB 1511 - county elected officers; salary increase – FAILED**

**Jeffrey Ong, Government Committee Assistant Analyst,** explained SB 1511.

**Trey Williams, Arizona Association of Counties,** testified in support of SB 1511 and answered questions posed by the Committee.

**Michael Jeanes, Clerk of the Court, Maricopa County,** testified in support of SB 1511.

**Toni Hellon, Clerk of the Superior Court, Pima County,** testified in support of SB 1511.

**Senator Allen moved SB 1511 be returned with a DO PASS recommendation. The motion FAILED with a roll call vote of 2-5-0 (Attachment 20).**

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

There being no further business, the meeting was adjourned at 7:31 p.m.

Respectfully submitted,

Shelley Ponce  
Committee Secretary

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

Committee on Government  
February 10, 2016