

# ARIZONA STATE SENATE

## 52ND LEGISLATURE SECOND REGULAR SESSION

### MINUTES OF COMMITTEE ON GOVERNMENT

**DATE:** March 16, 2016

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

**ROOM:** SHR3

**CHAIRMAN:** Senator John Kavanagh

**VICE-CHAIRMAN:** Senator Sylvia Allen

**ANALYST:** Robin Hillyard

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#### 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			HB 2121	DPA/SE
Senator Contreras	X			HB 2159	DP
Senator Meza	X			HB 2171	DPA
Senator Quezada	X			HB 2245	DPA/SE
Senator Smith	X			HB 2296	DP
Senator Allen, Vice-Chairman	X			HB 2297	DP
Senator Kavanagh, Chairman	X			HB 2353	HELD
				HB 2398	DP
				HB 2474	DPA/SE
				HB 2484	DP
				HB 2492	DISC/HELD
				HB 2497	DPA/SE
				HB 2501	DP
				HB 2517	DP
				HB 2537	DP
				HB 2568	DPA
				HB 2600	DP
				HB 2610	DP
				HB 2635	DP
				HCM 2002	DP
				HCR 2023	DPA
				HCR 2035	DP

Chairman Kavanagh called the meeting to order at 2:32 p.m. and attendance was taken.

## **APPROVAL OF MINUTES**

**Senator Kavanagh stated that without objection, the minutes of March 9, 2016 were approved.**

## **CONSIDERATION OF BILLS**

### **HB 2353 - regulatory boards; sunrise; draft legislation – HELD**

Senator Kavanagh stated that HB 2353 would be HELD.

### **HB 2245 - schools; cellular telephone tower workers – DO PASS AMENDED/STRIKE EVERYTHING**

**Jeffrey Ong, Government Committee Assistant Analyst,** explained the 19-line Allen strike everything amendment dated 03/14/16 at 9:35 a.m. (Attachment A).

**Senator Allen moved HB 2245 be returned with a DO PASS recommendation.**

**Senator Allen moved the 19-line Allen strike everything amendment dated 03/14/16 at 9:35 a.m. (Attachment A) be ADOPTED. The motion CARRIED by voice vote.**

**Senator Allen moved HB 2245 be returned with an AS AMENDED, DO PASS recommendation. The motion CARRIED with a roll call vote of 6-0-1 (Attachment 1).**

### **HB 2610 - Indian nations; tribes; legislative day – DO PASS**

**Robin Hillyard, Government Committee Analyst,** explained HB 2610.

**Senator Allen moved HB 2610 be returned with a DO PASS recommendation. The motion CARRIED with a roll call vote of 6-0-1 (Attachment 2).**

### **HB 2474 - county floodplain regulations; mobile homes – DO PASS AMENDED/STRIKE EVERYTHING**

**Brandi Lease, Water and Energy Committee Analyst,** explained the 9-page Kavanagh strike everything amendment dated 03/14/16 at 9:55 a.m. (Attachment B).

**Representative Ackerley, bill sponsor,** further explained the strike everything amendment.

**Senator Allen moved HB 2474 be returned with a DO PASS recommendation.**

**Senator Allen moved the 9-page Kavanagh strike everything amendment dated 03/14/16 at 9:55 a.m. (Attachment B) be ADOPTED. The motion CARRIED by voice vote.**

**Senator Allen moved HB 2474 be returned with an AS AMENDED, DO PASS recommendation. The motion CARRIED with a roll call vote of 7-0-0 (Attachment 3).**

**HB 2635 - municipalities; taxes and fees; notification – DO PASS**

Jeffrey Ong, Government Committee Assistant Analyst, explained HB 2635.

Senator Allen moved HB 2635 be returned with a DO PASS recommendation. The motion CARRIED with a roll call vote of 7-0-0 (Attachment 4).

**HB 2484 - estimates; state budget; notice – DO PASS**

Robin Hillyard, Government Committee Analyst, explained HB 2484.

Senator Allen moved HB 2484 be returned with a DO PASS recommendation. The motion CARRIED with a roll call vote of 4-3-0 (Attachment 5).

**HB 2501 - health regulatory boards; transfer; DHS – DO PASS**

Jeffrey Ong, Government Committee Assistant Analyst, explained HB 2501.

Christina Corieri, Arizona Governor's Office, testified in support of HB 2501.

Senator Allen moved HB 2501 be returned with a DO PASS recommendation. The motion CARRIED with a roll call vote of 4-3-0 (Attachment 6).

Senator Quezada explained his vote.

**HB 2492 - DOR; costs; penalties; recovery – DISC/HELD (Continued)**

Stephanie Holford, Government Committee Intern, explained the 3-page Kavanagh strike everything amendment dated 03/10/16 at 2:55 p.m. (Attachment C).

Megan Kintner, Arizona Association of Counties, testified in opposition to the strike everything amendment.

Senator Kavanagh stated that HB 2492 would be HELD until later in the meeting.

**HB 2600 - technical correction; double punishment (now: repeal; state boards and committees) – DO PASS**

Robin Hillyard, Government Committee Analyst, explained HB 2600.

Sandy Bahr, Chapter Director, Sierra Club, Grand Canyon Chapter, testified in opposition to HB 2600.

Rene Guillen, Policy Advisor, Arizona Governor's Office, distributed a handout entitled "Board Consolidation and Elimination" (Attachment D) and a letter from Alan Everett (Attachment E). Mr. Guillen testified in support of HB 2600.

James Keegan, Deputy Director, Arizona State Parks Board, testified in support of HB 2600 and answered questions posed by the Committee.

**Lani Lott, Executive Director, Arizona Heritage Alliance**, testified in opposition to HB 2600.

**Senator Allen moved HB 2600 be returned with a DO PASS recommendation. The motion CARRIED with a roll call vote of 4-3-0 (Attachment 7).**

Senator Allen explained her vote.

**HB 2568 - community facilities districts; formation; governance – DO PASS AMENDED**

**Stephanie Holford, Government Committee Intern**, explained HB 2568 and the 9-page Kavanagh amendment dated 03/15/16 at 2:22 p.m. (Attachment F).

**Representative Gowan, bill sponsor**, further explained HB 2568.

**Patrice Kraus, League of Arizona Cities and Towns**, testified in opposition to HB 2568 and answered questions posed by the Committee.

**Larry Lange, City of Goodyear**, answered questions posed by the Committee.

**Susie Stevens, Landowners for Arizona's Economic Development Coalition**, testified in support of HB 2568.

**Craig Sullivan, County Supervisors Association**, testified in opposition to HB 2568 and answered questions posed by the Committee.

**Carter Froelich, Managing Principle of the Development Planning and Financing Group**, testified in support of HB 2568 and answered questions posed by the Committee.

**Spencer Kamps, Home Builders Association of Central Arizona**, testified in support of HB 2568 with the Kavanagh amendment.

**Senator Allen moved HB 2568 be returned with a DO PASS recommendation.**

**Senator Allen moved the 9-page Kavanagh amendment dated 03/15/16 at 2:22 p.m. (Attachment F) be ADOPTED. The motion CARRIED by voice vote.**

**Senator Allen moved HB 2568 be returned with an AS AMENDED, DO PASS recommendation. The motion CARRIED with a roll call vote of 5-1-1 (Attachment 8).**

**HB 2492 - DOR; costs; penalties; recovery – DISC/HELD**

Senator Kavanagh stated that HB 2492 would be HELD.

**HB 2497 - local governments; permits; equipment – DO PASS AMENDED/STRIKE EVERYTHING**

**Robin Hillyard, Government Committee Analyst**, explained the 10-page Kavanagh strike everything amendment dated 03/14/16 at 2:57 p.m. (Attachment G) and the 2-line Kavanagh amendment dated 03/16/16 at 8:51 a.m. (Attachment H) to the strike everything amendment.

**Michael Stull, Cox Communications**, testified in support of the strike everything amendment.

**Senator Allen moved HB 2497 be returned with a DO PASS recommendation.**

**Senator Allen moved the 10-page Kavanagh strike everything amendment dated 03/14/16 at 2:57 p.m. (Attachment G) be ADOPTED.**

**Senator Allen moved the 2-line Kavanagh amendment dated 03/16/16 at 8:51 a.m. (Attachment H) to the strike everything amendment be ADOPTED. The motion CARRIED by voice vote.**

**Senator Allen moved the 10-page Kavanagh strike everything amendment dated 03/14/16 at 2:57 p.m. (Attachment G) AS AMENDED be ADOPTED. The motion CARRIED by voice vote.**

**Senator Allen moved HB 2497 be returned with an AS AMENDED, DO PASS recommendation. The motion CARRIED with a roll call vote of 7-0-0 (Attachment 9).**

### **HCR 2035 - clean elections; lobbying; rulemaking – DO PASS**

**Jeffrey Ong, Government Committee Assistant Analyst**, explained HCR 2035.

**Samantha Pstross, Arizona Advocacy Network**, testified in opposition to HCR 2035 and answered questions posed by the Committee.

**Eric Spencer, Arizona Secretary of State's Office**, testified in support of HCR 2035.

**Scot Mussi, President, Arizona Free Enterprise Club**, testified in support of HCR 2035.

**Senator Allen moved HCR 2035 be returned with a DO PASS recommendation. The motion CARRIED with a roll call vote of 4-3-0 (Attachment 10).**

### **HB 2159 - ASRS; rulemaking exemption – DO PASS**

**Robin Hillyard, Government Committee Analyst**, explained HB 2159.

**Nicholas Ponder, Arizona State Retirement System**, testified in support of HB 2159.

**Senator Allen moved HB 2159 be returned with a DO PASS recommendation. The motion CARRIED with a roll call vote of 6-1-0 (Attachment 11).**

### **HB 2121 - clean elections; voter education – DO PASS AMENDED/STRIKE EVERYTHING**

**Stephanie Holford, Government Committee Intern**, explained the 2-page Kavanagh strike everything amendment dated 03/11/16 at 10:01 a.m. (Attachment I).

**Senator Allen moved HB 2121 be returned with a DO PASS recommendation.**

**Senator Allen moved the 2-page Kavanaugh strike everything amendment dated 03/11/16 at 10:01 a.m. (Attachment I) be ADOPTED. The motion CARRIED by voice vote.**

**Senator Allen moved HB 2121 be returned with an AS AMENDED, DO PASS recommendation. The motion CARRIED with a roll call vote of 4-3-0 (Attachment 12).**

**HB 2171 - weights and measures; omnibus – DO PASS AMENDED**

**Kaitlyn Neff, Transportation Committee Analyst,** explained HB 2171 and the following amendments:

21-page Kavanaugh amendment dated 03/15/16 at 1:02 p.m. (Attachment J)  
2-line Kavanaugh amendment dated 03/16/16 at 12:53 p.m. (Attachment K) to the 21-page  
Kavanaugh amendment dated 03/15/16 at 1:02 p.m. (Attachment J)

**Trish Hart, Arizona Food Marketing Alliance,** testified in support of HB 2171.

**John MacDonald, Total Transit,** testified in support of HB 2171.

**Senator Allen moved HB 2171 be returned with a DO PASS recommendation.**

**Senator Allen moved the 21-page Kavanaugh amendment dated 03/15/16 at 1:02 p.m. (Attachment J) be ADOPTED.**

**Senator Allen moved the 2-line Kavanaugh amendment dated 03/16/16 at 12:53 p.m. (Attachment K) to the 21-page Kavanaugh amendment dated 03/15/16 at 1:02 p.m. (Attachment J) be ADOPTED. The motion CARRIED by voice vote.**

**Senator Allen moved the 21-page Kavanaugh amendment dated 03/15/16 at 1:02 p.m. (Attachment J) AS AMENDED be ADOPTED. The motion CARRIED by voice vote.**

**Senator Allen moved HB 2171 be returned with an AS AMENDED, DO PASS recommendation. The motion CARRIED with a roll call vote of 6-0-1 (Attachment 13).**

**HB 2296 - charitable organizations; campaign finance disclosure – DO PASS**

**Robin Hillyard, Government Committee Analyst,** explained HB 2296.

**Jon Riches, Goldwater Institute,** testified in support of HB 2296 and answered questions posed by the Committee.

**Senator Allen moved HB 2296 be returned with a DO PASS recommendation. The motion CARRIED with a roll call vote of 4-3-0 (Attachment 14).**

**HB 2297 - political advertisements; contributors; disclosure – DO PASS**

**Robin Hillyard, Government Committee Analyst,** explained HB 2297.

**Senator Allen moved HB 2297 be returned with a DO PASS recommendation. The motion CARRIED with a roll call vote of 4-3-0 (Attachment 15).**

Senators Quezada and Kavanagh explained their votes.

**HB 2517 - businesses; professions; regulation restrictions – DO PASS**

**Robin Hillyard, Government Committee Analyst**, explained HB 2517.

**Representative Petersen, bill sponsor**, further explained HB 2517.

**Jon Riches, Goldwater Institute**, testified in support of HB 2517 and answered questions posed by the Committee.

**Brian Hummell, American Cancer Society/Cancer Action Network**, testified in opposition to HB 2517 and answered questions posed by the Committee.

**Daniel Romm, County Supervisors Association of Arizona**, testified in opposition to HB 2517.

**Patrice Kraus, League of Arizona Cities and Towns**, testified in opposition to HB 2517 and answered questions posed by the Committee.

**Marcus Dell'Artino, Arizona Ambulance Association**, testified as neutral to HB 2517 with a possible floor amendment.

Representative Petersen further explained HB 2517.

**Senator Allen moved HB 2517 be returned with a DO PASS recommendation. The motion CARRIED with a roll call vote of 4-3-0 (Attachment 16).**

Senator Allen explained her vote.

**HB 2537 - supreme court justices; number – DO PASS**

**Amber Witter, Judiciary Committee Analyst**, explained HB 2537.

**Jerry Landau, Government Affairs Director, Arizona Supreme Court, Arizona Judicial Council**, testified as neutral to HB 2537 and answered questions posed by the Committee.

**Representative Mesnard, bill sponsor**, further explained HB 2537 and answered questions posed by the Committee.

Mr. Landau answered additional questions posed by the Committee.

**Senator Allen moved HB 2537 be returned with a DO PASS recommendation. The motion CARRIED with a roll call vote of 4-3-0 (Attachment 17).**

**HB 2398 - bank deposits; technical correction (now: fireworks; definition) – DO PASS**

**Amber Witter, Judiciary Committee Analyst**, explained HB 2398.

**Representative Kern, bill sponsor**, further explained HB 2398.

**Kristin Cipolla, Legislative Liaison, County Supervisors Association of Arizona**, testified in opposition to HB 2398.

**Steve Ramos, representing himself**, testified in opposition to HB 2398.

**Tom Dorn, BJ Alan Company/Phantom Fireworks**, testified in opposition to HB 2398.

**Mary Maybeno, representing herself**, testified in opposition to HB 2398.

**Jim Ford, Deputy Chief and Fire Marshal, City of Scottsdale**, testified in opposition to HB 2398 and answered questions posed by the Committee.

**Barry Aarons, City of Prescott and City of Scottsdale**, testified in opposition to HB 2398.

**Mike Williams, Arizona Fireworks Retail Association**, testified in support of HB 2398 and answered questions posed by the Committee.

**Representative Gowan** testified in support of HB 2398.

**Senator Allen moved HB 2398 be returned with a DO PASS recommendation. The motion CARRIED with a roll call vote of 4-3-0 (Attachment 18).**

Senators Contreras and Smith explained their votes.

**HCR 2023 - proposition 105; legislative authority – DO PASS AMENDED**

**Stephanie Holford, Government Committee Intern**, explained HCR 2023 and the 12-line Kavanagh amendment dated 03/15/16 at 2:29 p.m. (Attachment L).

**Representative Thorpe, bill sponsor**, further explained HCR 2023.

**Samantha Pstross, Arizona Advocacy Network**, testified in opposition to HCR 2023 and answered questions posed by the Committee.

**Brian Hummell, American Cancer Society/Cancer Action Network**, testified in opposition to HCR 2023.

**Joanne Mizell, representing herself**, testified in opposition to HCR 2023 and answered questions posed by the Committee.

**Senator Allen moved HCR 2023 be returned with a DO PASS recommendation.**

**Senator Allen moved the 12-line Kavanagh amendment dated 03/15/16 at 2:29 p.m. (Attachment L) be ADOPTED. The motion CARRIED by voice vote.**

**Senator Allen moved HCR 2023 be returned with an AS AMENDED, DO PASS recommendation. The motion CARRIED with a roll call vote of 4-3-0 (Attachment 19).**

Senators Quezada, Smith and Allen explained their votes.

**HCM 2002 - state bar; rules; first amendment – DO PASS**

**Amber Witter, Judiciary Committee Analyst**, explained HCM 2002.

**Representative Kern, bill sponsor**, further explained HCM 2002.

**Rick DeBruhl, State Bar of Arizona**, testified in opposition to HCM 2002.

Representative Kern further explained HCM 2002.

**Senator Smith moved HCM 2002 be returned with a DO PASS recommendation. The motion CARRIED with a roll call vote of 4-3-0 (Attachment 20).**

Senator Quezada explained his vote.

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

There being no further business, the meeting was adjourned at 6:33 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>)