

# ARIZONA STATE LEGISLATURE

## SENATE NATURAL RESOURCES, ENERGY AND WATER COMMITTEE OF REFERENCE AND HOUSE LAND, AGRICULTURE AND RURAL AFFAIRS COMMITTEE OF REFERENCE FOR THE SUNSET REVIEW OF THE ARIZONA DEPARTMENT OF AGRICULTURE AND SUNSET REVIEW OF THE AGRICULTURAL EMPLOYMENT RELATIONS BOARD

### Minutes of the Meeting

January 12, 2021

10:00 a.m., SHR 109 This meeting will be held via teleconference software.

Members of the public may access a livestream of the meeting here:

<https://www.azleg.gov/videoplayer/?eventID=2021011020>

### Members Present:

Senator Sine Kerr, Co-Chair  
Senator Kirsten Engel\*  
Senator David Gowan\*  
Senator Rick Gray\*  
Senator Juan Mendez\*  
Senator Lisa Otondo\*  
Senator Wendy Rogers\*  
Senator T.J. Shope  
Senator Victoria Steele\*

Representative Timothy M. Dunn, Co-Chair  
Representative Brenda Barton\*  
Representative David Cook\*  
Representative Andrea Dalessandro\*  
Representative Mitzi Epstein\*  
Representative Gail Griffin\*  
Representative Joel John  
Representative Frank Pratt\*  
Representative Diego Rodriguez\*  
Representative Lorenzo Sierra\*

\* Member participated remotely via a teleconference platform.

### Members Excused:

Representative Arlando Teller

### Staff:

Kaitlyn Neff, Senate Research Staff  
Paul Bergelin, House Research Staff

Co-Chair Kerr called the meeting to order at 10:05 a.m. and attendance was taken.

### Sunset Review of the Arizona Department of Agriculture

#### Presentation by the Office of the Auditor General

Rosa Ellis, Office of the Auditor General (OAG), electronically distributed and explained a PowerPoint presentation entitled "Arizona Department of Agriculture; Performance Audits and Sunset Review" (Attachment A). Ms. Ellis gave an overview of the Department of Agriculture, explained the findings of the OAG audit and the response by the department. Ms. Ellis answered questions posed by the Committee.

## **Response of the Arizona Department of Agriculture**

**Mark Killian, Director, Arizona Department of Agriculture**, electronically distributed a handout entitled "Arizona Department of Agriculture and Arizona Consumers 61 Different Kinds of Inspections that Impact the Lives of Arizona Consumers" (Attachment B), gave an overview of the department and explained the department's response to the OAG audit. Mr. Killian answered questions posed by the Committee.

## **Public Testimony**

**Shelly Tunis, Yuma Fresh Vegetable Association**, testified in support of the continuation of the Arizona Department of Agriculture and answered questions posed by the Committee.

Mr. Killian answered additional questions posed by the Committee.

## **Discussion and Recommendations**

The Committee discussed the continuation and the length of the continuation of the Arizona Department of Agriculture.

**Representative Dunn moved that the Senate Natural Resources, Energy and Water Committee of Reference and House Land, Agriculture and Rural Affairs Committee of Reference make the recommendation to continue the Arizona Department of Agriculture for eight years, until July 1, 2029, with the additional recommendation that the Department of Agriculture report to the legislature on the status of its progress in implementing the Auditor General's recommendations monthly until they are all satisfied.**

**Senator Mendez made a substitute motion to continue the Arizona Department of Agriculture for eight years with a motion to recommend the continue the Department of Agriculture for two years. Senator Engel seconded the motion. The substitute motion FAILED by voice vote.**

**Senator Kerr called for a voice vote on the motion made by Representative Dunn that the Senate Natural Resources, Energy and Water Committee of Reference and House Land, Agriculture and Rural Affairs Committee of Reference make the recommendation to continue the Arizona Department of Agriculture for eight years, until July 1, 2029, with the additional recommendation that the Department of Agriculture report to the legislature on the status of its progress in implementing the Auditor General's recommendations monthly until they are all satisfied. The motion CARRIED by voice vote.**

## SUNSET REVIEW OF THE AGRICULTURAL EMPLOYMENT RELATIONS BOARD

### Response of the Agricultural Employment Relations Board

**Steve Barclay, Chairman and public member, Agricultural Employment Relations Board (AERB)**, gave an overview of the Board's response to the Sunset questionnaire and explained the need for AERB. Mr. Barclay answered questions posed by the Committee.

### Public Testimony

**Shelly Tunis, Yuma Fresh Vegetable Association**, testified in support of the continuation of the Agricultural Employment Relations Board.

### Discussion and Recommendations

The Committee discussed the continuation of the Agricultural Employment Board and the length of the continuation.

**Representative Dunn moved that the Senate Natural Resources, Energy and Water Committee of Reference and the House Land, Agriculture and Rural Affairs Committee of Reference make the recommendation to continue the Agricultural Employment Relations Board for eight years, until July 1, 2029. The motion CARRIED by voice vote.**

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

There being no further business, the meeting was adjourned at 12:03 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>)