



# The Daily Senator

Arizona Senate — 45th Legislature

TUESDAY  
APRIL 2, 2002  
SECOND REGULAR SESSION  
DAY SEVENTY-NINE

## Birthdays:

Miguel Rendon—Lead Custodian

## Mind-Bending Puzzle:

What number comes next in this sequence:

0...10...1110...3110 ...132110...  
1113122110 ...??

*Answer on page 12*

## Floor Schedule:

Tuesday 11:00 am

Wednesday 11:00 am

Thursday 11:00 am

## Inside This Issue:

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## SENATOR JACK JACKSON

Senator Jackson got his start in government when he was elected to the Navajo Nation Council, serving on the Education Committee. The council is made up of 88 members elected from tribal chapter houses. In 1984 he was elected to the House of Representatives with the initial intention of serving a few terms and then moving onto something else. Eighteen years later he finds himself in his second term at the Senate. "I enjoy it so much and believe there are a lot of important issues that are yet to be addressed," said Senator Jackson. In the Senate, Senator Jackson serves on the Transportation, Government and Education committees.



Dedication to Education is what best describes Senator Jackson's interests, both in his career and his legislative goals. He received a degree in secondary education from Arizona State University in 1957, after which he taught for 12 years in Window Rock. He then worked for Dine' College as the Director of Student Affairs. His efforts have been focused at combining western education with traditional Navajo tradition. "Indian people have a knowledge that they have had for many years. If they can bring that into a system and integrate it with western knowledge it will be relevant."

Senator Jackson plans to run for re-election in the fall with the hopes of "establishing a formal relationship between Tribes and the State through education." He believes that mistrust exists between the two governments, resulting in part from the territorial legislatures' application for statehood in 1912. The failure to consult with the tribes divided up Indian nations, resulting in problems ranging from congressional districting to the division of school districts. In an effort to reunite Indian Nations separated by state boundaries, Senator Jackson sponsored SB1252. The bill would allow students who are members of a nation located in both Arizona and a border state to be admitted to schools in Arizona, ensuring they don't have to travel long distances to a school within their states' district.

In addition, he is responsible for introducing the Indian Nations Legislative Day. This brings Indian Nation leaders to the Legislature to meet with leadership and discuss Indian issues. Resulting from efforts like these, Senator Jackson feels, "since arriving at the Legislature, Navajo people are coming closer with county, state and federal government." Ultimately he hopes to achieve sovereignty on tribal lands. He views sovereignty as "full control of an area and people that are self sufficient and self reliant."

*If any Senator would like to publish or request an article about an issue or bill they are working on, please contact the office of The Daily Senator at 364-0807.*



# Today in the Senate

Tuesday, April 2

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## **9:30 AM appropriations (SHR 109)**

*With the permission of the President this committee will not meet.*

## **11:00 AM Floor and Third Read**

**THIRD READ AGENDA:** See blue insert

### **1:30 PM Judiciary (SHR 1)**

#### ***Executive Nominations:***

- Robers E. Schmitt, Commission on Appellate Court Appointments
- Ronald David Rice, Commission on Appellate Court Appointments
- Thomas Franklin Stabler, Jr., Arizona State Lottery Commission
- Stanton Bloom, Commission on Trial Court Appointments, Pima County

#### **HB2110 dementia patients; guardians (Huppenthal)**

Allows a court to discharge an incapacitated person's court-appointed attorney if, after considering certain facts, the court determines representation is no longer necessary.

#### **HB2203 juvenile detention costs (Carruthers)**

Allows a juvenile court that commits a child to a juvenile detention facility to direct the child or the child's estate, parent, guardian or custodian to bear the cost of the child's maintenance, including food, clothing, shelter and supervision.

#### **HB2251 dog bites; defense (Brotherton)**

Clarifies that if a defendant's dog attacks another person, the legal defense of provoking a dog to attack will be judged by whether a reasonable person would expect that the conduct or circumstances would be likely to provoke a dog.

#### **HB2264 commercial landlord tenant; attorney fees (Somers)**

Requires the court to assess damages, attorney fees and court costs in an action involving a commercial landlord-tenant dispute.

#### **HB2282 theft of identity (Marsh)**

Clarifies that identity theft may occur whether or not the victim suffers any economic loss as a result of the offense.

#### **HB2335 juvenile corrections; omnibus (Voss)**

Provides victims the opportunity to submit statements to the Arizona Department of Juvenile Corrections regarding a juvenile's discharge from the ADJC.

#### **HB2341 immigration and nationality law practice (Voss)**

Changes from a class 1 misdemeanor to a class 6 felony the unauthorized practice of immigration and nationality law and authorizes the Attorney General to investigate violations in accordance with consumer fraud laws.

#### **HB2344 bad checks; notice (Voss)**

Adds two methods of mail delivery that a bad check recipient of can use to notify the check's issuer.

#### **HB2353 venue change; fee payments; time (Voss)**

Changes the time period during which a person must pay filing fees from 30 days after an order for change of venue is issued to 30 days after the new court receives the case files.

*Proposed Strike Everything Amendment:* Arizona Civil Rights Act; revisions.

#### **HCR2012state lottery; continuation (Allen)**

Refers to the voters the continuation of the Arizona State Lottery and the Arizona State Lottery Commission.

### **1:30 PM Health (SHR 2)**

*With the permission of the President this committee will not meet.*

### **Unanimous Consent Calendar**

*The following bills have passed Senate committees unamended. Protests must be filed no later than:*

**Wednesday, April 3, 2002 at 11:37 AM**

#### **HB2005 real estate department; subdivisions (Huffman)**

Limits the amount of time an existing public report may be used by a subsequent owner of a subdivision lot to claim exemption from subdivision public report requirements to two years. Restricts lot reservations to Arizona property only and the authority to take reservations to two years.

COM (5-0-1-0)

# Today in the Senate

Tuesday, April 2



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**HB2006 real estate department; licensing; regulation (Huffman)**

Makes various changes to the statutes relating to the functions and duties of the Department of Real Estate with respect to education requirements and enforcement authority.

COM (5-0-1-0)

**HB2007 real estate department; sunset continuation (Somers)**

Continues the Arizona Real Estate Department until July 1, 2012.

COM (5-0-1-0)

**HB2012 board of osteopathic examiners; continuation (Huppenthal)**

Continues the Arizona Board of Osteopathic Examiners in Medicine and Surgery for five years.

HEALTH (7-0-1-0)

**HB2014 board of dispensing opticians (Huppenthal)**

Continues the Board of Dispensing Opticians for ten years.

HEALTH (7-0-1-0)

**HB2015 chiropractic board; continuation (Huppenthal)**

Continues the Board of Chiropractic Examiners for ten years.

HEALTH (7-0-1-0)

**HB2017 board of nursing; continuation (Huppenthal)**

Continues the Board of Nursing for ten years.

HEALTH (7-0-1-0)

**HB2020 board of psychologist examiners; reciprocity (Huppenthal)**

Makes several changes to the licensure laws under the Board of Psychologist Examiners.

HEALTH (7-0-1-0)

**HB2065 state department of corrections; continuation (Hanson)**

Continues the Arizona Department of Corrections until July 1, 2012.

JUD (6-0-2-0)

**HB2123 cross-certification; postal inspectors (Pierce)**

Adds federal peace officers employed by the US Postal Inspector to the list of federal peace officers who may apply for certification as peace officers in Arizona.

JUD (6-0-2-0)

**HB2279 motor vehicle dealer franchises (Leff)**

Makes numerous changes to the Arizona motor vehicle dealer franchise law.

COM (5-0-1-0)

**HB2358 judges pro tempore; terms (Voss)**

Extends the term of judges pro tempore and justices of the peace pro tempore from six months to 12 months.

JUD (5-0-3-0)

**HCM2002 urban Indian health issues (Gullett)**

Urges Congress to reauthorize the Indian Health Care Improvement Act.

HEALTH (7-0-1-0)

## Upcoming in the Senate

Wednesday, April 3—Thursday, April 4

### Wednesday, April 3

**8:30 AM Commerce (SHR 1)**

**Executive Nominations:**

- Robert Paul Waddell, Commerce and Economic Development Commission
- Randall Mark Bunder, State Board of Funeral Directors and Embalmers

**HB2008 real estate recovery fund (Somers)**

**HB2152 motor vehicle dealers; factories (Cooley)**

**HB2167 commission on the arts; continuation (Somers)**

**HB2264 commercial landlord tenant; attorney fees (Somers)**

**HB2265 job training programs; administration (Somers)**



# Upcoming in the Senate

Wednesday, April 3–Thursday, April 4

## Wednesday, April 3 (continued)

### HB2396 solicitations; charitable organizations (Anderson)

Requires independent solicitors to identify themselves to potential donors during charitable solicitations, prohibits the registering of "look alike" names and requires charities to disclose if any employees, board members or vendors have felony convictions. Establishes a class 1 misdemeanor for an independent solicitor who fails to comply with solicitation disclosure requirements or conducts any unlawful act or practice relating to the planning, conduct or execution of a solicitation.

### HB2413 swimming pool; spa; construction contracts (Leff)

### HB2672 Arizona housing department; finance authority (Flake)

#### 10:00 AM Family Services (SHR 3)

### HB2011 infant death advisory council; continuation (Huppenthal)

### HB2095 DES; child support enforcement (Hershberger)

### HB2329 adoption fees (Voss)

### SR1003 children; rights (Solomon)

*\*SR1003 will be heard with Permission of the President.*

## 11:00 AM COW

### 1:15 PM Rules (Second Floor Caucus Room)

AGENDA: TBA

## 1:30 PM COW and Third Read

Upon Adjournment of Floor

Democratic Caucus (First Floor Caucus Room)  
Republican Caucus (Second Floor Caucus Room)

## Thursday, April 4

### 8:30 AM Natural Resources, Agriculture, and Environment

*With permission of the President, the committee will not meet.*

### 10:30 AM Transportation (SHR 2)

### HB2116 self storage facilities; vehicle foreclosures (Weason)

### HB2478 vehicle impounds; poststorage hearings (Pearce)

### HB2591 driver license revocation; suspension; accidents (Foster)

## 11:00 AM Floor (Third Read, if necessary)

### 1:30 PM Education (SHR 1)

#### *Executive Nominations:*

- Onnie Susan Shekerjian, State Board for Charter Schools
- Judeth Elizabeth Badgley, State Board of Education

### HB2098 family college savings program (Huffman)

### HB2165 school districts; bonding; computers; prohibition (Gray)

### HB2198 school district insurance; procedures (Binder)

### HB2532 experimental schools; square footage exemption (Knaperek)

### 1:30 PM Banking and Insurance (SHR 2)

### HB2074 escrow agents; disbursement of monies (Carpenter)

### HB2198 school district insurance; procedures (Binder)

### HB2248 deferred presentment; fund; information (May)

### HB2277 insurance; third party intermediary; bond (Leff)

### HB2344 bad checks; notice (Voss)

Adds two methods of mail delivery that a bad check recipient of can use to notify the check's issuer.

### HB2355 trustee's sales; excess proceeds (Voss)

# Yesterday in the Senate

Monday, April 1



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## Government

### **SB1454 tourism and sports authority oversight (Gnant)**

(Voting No: Burns, Martin)

An emergency measure that expands the entities allowed to provide the land, infrastructure and parking facilities associated with the multipurpose facility of the Tourism and Sports Authority (TSA) to include any county, city, town, municipal corporation or Indian tribe. Provides additional monitoring of the Authority's financial activities. *Government Amendment:* Requires the site host to either allow a financial review of their books or provide an alternative method for assurance of payment such as deposits into a trust account, posting a bond or providing a letter of credit. Allows the TSA to own or lease the land for the facility. Addresses the TSA's liability regarding roads. Expands the site host to include the state or a department of the state, a person, corporation or business entity. Defines required elements of the agreement with a tribe such as a waiver of sovereign immunity to permit the enforcement by the TSA of the agreements, consent to the jurisdiction of the state and federal courts by the tribe and acknowledgement that state and federal law governs the interpretation of agreements.

FOR: Tourism & Sports Authority; Fiesta Bowl; Edward Casper (self); City of Surprise; City of Avondale

AGAINST: Arizona Tourism Alliance

Senator Gerard withdrew her amendment since the Mitchell amendment covered the same subjects. Senator Martin expressed concern about whether or not the NFL has looked at the bill. Senator Jackson was concerned about the Tribes' sovereignty being threatened by the bill. In addition, he expressed concern that no tribe members were at the meeting to testify. Senator Burns said it is crucial to put the issue on the ballot again with one specific site and a comprehensive financing proposal, she proposed this in an amendment, however the amendment failed to pass.

### **DPA (4-2-0-0) Next: Rules**

## Rules

**Informational hearing on HB 2550 school districts; desegregation; report:** The members were informed that HB 2550 was identical to SB 1213, which already passed Third Reading of Bills in the Senate. There will be an Aguirre Floor Amendment to incorporate the Rules Amendment and Lopez Floor Amendment to SB 1213 that were adopted.

### **HB2005 real estate department; subdivisions (Huffman)**

Limits the amount of time an existing public report may be used by a subsequent owner of a subdivision lot to claim exemption from subdivision public report requirements to two years. Restricts lot reservations to Arizona property only and the authority to take reservations to two years.

**PFC**

### **HB2006 real estate department; licensing; regulation (Huffman)**

Makes various changes to the statutes relating to the functions and duties of the Department of Real Estate with respect to education requirements and enforcement authority.

**PFC**

### **HB2007 real estate department; sunset continuation (Somers)**

Continues the Arizona Real Estate Department until July 1, 2012.

**PFC**

### **HB2012 board of osteopathic examiners; continuation (Huppenthal)**

Continues the Arizona Board of Osteopathic Examiners in Medicine and Surgery for five years.

**PFC**

### **HB2014 board of dispensing opticians (Huppenthal)**

Continues the Board of Dispensing Opticians for ten years.

**PFC**

### **HB2015 chiropractic board; continuation (Huppenthal)**

Continues the Board of Chiropractic Examiners for ten years.

**PFC**

### **HB2017 board of nursing; continuation (Huppenthal)**

Continues the Board of Nursing for ten years.

**PFC**



# Yesterday in the Senate

Monday, April 1

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**HB2020 board of psychologist examiners; reciprocity (Huppenthal) PFC**

Makes several changes to the licensure laws under the Board of Psychologist Examiners.

**HB2029 board of dental examiners; omnibus (Huppenthal) PFC**

Makes numerous changes to the statutes governing the Board of Dental Examiners. *Health Amendment:* Expands the authority of the Board to deny an application for a certificate for specified reasons.

**HB2065 state department of corrections; continuation (Hanson) PFC**

Continues the Arizona Department of Corrections until July 1, 2012.

**HB2123 cross-certification; postal inspectors (Pierce) PFC**

Adds federal peace officers employed by the US Postal Inspector to the list of federal peace officers who may apply for certification as peace officers in Arizona.

**HB2279 motor vehicle dealer franchises (Leff) PFC**

Makes numerous changes to the Arizona motor vehicle dealer franchise law.

**HB2358 judges pro tempore; terms (Voss) PFC**

Extends the term of judges pro tempore and justices of the peace pro tempore from six months to 12 months.

**HB2359 dialysis technicians; standards; quality committee (Cannell) PFCA**

Requires hemodialysis treatment facilities to use certified hemodialysis technicians. Creates the Dialysis Quality Committee. *Health Amendment:* Changes, from January 1, 2004 to April 1, 2003, the date on which hemodialysis treatment facilities must begin using certified hemodialysis technicians. Changes, from January 1, 2004 to April 1, 2003, the date on which noncertified employees providing hemodialysis treatment are classified as hemodialysis technician trainees. Eliminates the requirement of the Committee to create a consumer quality perception tracking system. Removes the requirement of the Committee to recommend minimum training requirements for dialysis technicians. Makes conforming and technical changes. *Rules Amendment:* Makes technical changes in reference to the bill and the amendment.

**HB2464 Arizona prescription drug advisory council (Gullett) PFCA**

Establishes the Arizona Prescription Drug Advisory Council as a clearing house for information regarding prescription drug assistance programs. *Health Amendment:* Allows DHS to accept gifts and grants to cover the costs of providing administrative support to the Board. Establishes a fund for the deposit of the gifts and grants. Conditions establishment of the Council on the availability of at least \$100,000. Makes clarifying, conforming and technical changes. *Rules Amendment:* Makes technical changes in reference to the bill and the amendment.

**HB2542 physician assistants (Huppenthal) PFC**

Makes numerous changes to the statutes governing the Joint Board on the Regulation of Physician Assistants and increases the scope of practice of physician assistants. *Health Amendment:* Expands the definition of advisory letter. Clarifies the prescription authority for schedule IV and V controlled substances applies to each drug for each patient. Eliminates the requirement for a supervising physician's written consent for a refill of a PA's prescription for a controlled substance.

**HCM2002 urban Indian health issues (Gullett) PFC**

Urges Congress to reauthorize the Indian Health Care Improvement Act.

# Yesterday in the Senate

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## Committee of the Whole 1

### **SB1067 safe schools act; revisions (Petersen)**

**DPA**

Redefines the crime of interference with or disruption of an educational institution and modifies the requirements for school governing boards to report conduct on educational property to local law enforcement agencies.

*Education Amendment:*

ADOPTED

Removes the provision that would have permitted possession of a deadly weapon on school grounds to be charged as a class 6 felony without requiring the possession to occur in conjunction with other specified terms.

*Rules Amendment:*

ADOPTED

Makes technical changes.

*Petersen Floor Amendment:*

ADOPTED

Requires school districts to report any "serious offense" as defined by ARS 13-604. Requires reporting of conduct that actually poses a threat of death or injury to anyone on school grounds to law enforcement. Provides that school districts or school districts employees are not precluded from reporting crimes other than those required to be reported by this statute.

### **SB1089 TANF; child eligibility requirements (Hartley)**

**DPA**

Restores eligibility for temporary assistance for needy families to children born during specified time periods.

*Family Services Amendment:*

ADOPTED

Clarifies the new regulations will affect the year 2003 and forward.

*Petersen Floor Amendment:*

ADOPTED

Stipulates that a child born after July 26, 1995 and before the effective date of this act remains ineligible for Temporary Assistance for Needy Families benefits after this act becomes effective.

### **SB1094 veterans' property tax exemption amounts (Hartley)**

**DPA**

Establishes a property tax exemption for eligible veterans conditional upon voters amending the Arizona Constitution.

*Hartley Floor Amendment:*

ADOPTED

Requires veterans to meet income limitation requirements comparable to the income limitation requirements on widows, widowers and the disabled in order to be exempt from property taxation. Any property which has a total assessment greater than \$10,000 would not be eligible for the tax exemption. The income limitation is \$413,200 if no children under the age of 18 reside in the home and \$18,840 if one or more children under the age of 18 reside in the home or the child residing in the home is disabled.

### **SB1154 caregiver and resource expansion program (Gerard)**

**DPA**

Requires universities, hospitals and healthcare organizations to create a caregiver and resource expansion program to increase the number of nurses in the state.

*Education Amendment:*

ADOPTED

Requires the plan for fiscal year 2002-2003 to base the obligation for universities and community colleges to expand enrollment to 200 new students consistent with the level of resources committed by hospitals for funding clinical rotations and providing adjunct faculty for nursing education programs from personnel employed by the hospital.

### **SB1257 bonding authority; board of regents (Hellon)**

**RETAINED**

Removes the requirement that the Legislature authorize the level of bonds the Arizona Board of Regents (ABOR) can issue and stipulates that ABOR is authorized to issue bonds if it does not spend more than ten percent of its annual capital debt expenditures and receives approval from the Joint Legislative Committee on Capital Review.

### **SB1378 state employees; Arizona government university (Solomon)**

**RETAINED**

Establishes the Arizona Government University to design, implement and administer a statewide employee training program.

*Appropriations Amendment:* Requires the JLBC to approve any fees for the program administered by AZGU as recommended by the director of DOA and any change in the rate established for payments being made by a state agency to AZGU and it exempts the Legislature, Judiciary, Arizona Board of Regents and Universities from its authority.



# Yesterday in the Senate

Monday, April 1

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## **SCR1003 veterans' property tax exemption (Hartley)**

Requests voter approval during the next general election of a constitutional amendment extending property tax exemptions to all veterans who meet certain requirements.

*Rules Amendment:*

Clarifies language.

*Hartley Floor Amendment:*

Requires veterans to meet income limitation requirements comparable to the income limitation requirements on widows, widowers and the disabled in order to be exempt from property taxation. Any property which has a total assessment greater than \$10,000 would not be eligible for the tax exemption. The income limitation is \$413,200 if no children under the age of 18 reside in the home and \$18,840 if one or more children under the age of 18 reside in the home or the child residing in the home is disabled.

**DPA**

ADOPTED

ADOPTED

## **Committee of the Whole 2**

## **SB1386 school fund account expenditures (Petersen)**

Allows a school district to expend monies from the civic center school fund and the community school program fund for maintenance and operation or unrestricted capital outlay after the needs of the respective school funds are met and additional monies are available.

**RETAINED**

## **SB1409 Indian water settlements; storage credits (Guenther)**

Allows Indian communities who have entered into a water rights settlement that provides for off reservation storage of Central Arizona Project water to accrue up to 10,000 acre feet annually in long-term storage credits.

*NRAE Amendment:*

Clarifies the language.

*Rules Amendment:*

Makes technical changes.

**DPA**

ADOPTED ON FLOOR

ADOPTED ON FLOOR

## **SB1427 security enhancement act (Richardson)**

Conforms Arizona law to the USA PATRIOT Act, creates new crimes related to terrorism and modifies existing crimes.

*Judiciary Amendment*

Provides members of the Arizona National Guard with protection under the federal Soldiers and Sailors Civil Relief Act and the Uniformed Services Employment and Reemployment Rights Act. Clarifies mental state for class 2 felony terrorism, amends definitions, changes from 60 to 10 days the extension of time that a court can grant in the delay of service of the receipt that is required when a property is taken under a warrant, eliminates class 5 felony terrorism.

*Rules Amendment:*

Makes technical changes.

*Martin Floor Amendment:*

Raises the dollar threshold level from one thousand to three thousand for the definition of "money accumulation business" and the required recording of personal identification information.

**DPA**

ADOPTED ON FLOOR

ADOPTED ON FLOOR

ADOPTED ON FLOOR

## **SB1429 retail electricity; competition (Gnant)**

Makes technical corrections to the statute governing electric power competition.

*Gnant Floor Amendment:*

Repeals the Joint Legislative Study Committee on Electric Deregulation Study Issues.

**DPA**

ADOPTED ON FLOOR

# Yesterday in the Senate

Monday, April 1



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## **SB1455 income tax credit; nurses (Gnant)**

**FAILED**

Creates a tax credit for the cost of postsecondary education tuition and fees for licensed nurses working in Arizona.

**ADOPTED ON FLOOR**

*Gnant Floor Amendment:*

Allows all licensed nurses providing full-time patient care in the State to apply for the tax credit. Limits the use of the nurse's income tax credit to taxable years ending before January 1, 2009. Limits the amount of the allowable credit to the maximum in-state tuition charged by a State university during the year the taxpayer graduated. Requires a taxpayer to submit to the Department of Revenue a statement of scholarships, grants, waivers and other reductions received in the year which the credit is claimed. Repeals the nurse's income tax credit on December 31, 2009 and makes technical changes.

**ADOPTED ON FLOOR**

*Rios Floor Amendment:*

Through December 31, 2009 reduces by 35 % the sales and use tax exemption for food that restaurants provide employees. Contains a legislative intent clause explaining that the purpose of the reduction is to provide a source of funding for the nursing tax credit. Contains various technical changes.

## **SB1464 schools; L.E.A.P. programs (Bennett)**

**DPA**

Makes numerous changes to provisions associated with the local education accountability program.

**ADOPTED ON FLOOR**

*Education Amendment:*

If an existing LEAP school or other selected schools are in compliance with LEAP requirements, it should continue to operate in the LEAP program during the next school year. Provides an exception to the provision that prohibits a school with a "failing school" achievement profile for the preceding year from being eligible to participate in the LEAP program. This applies if it has employed a new principal who wishes to participate in the LEAP program after that profile designation has been determined. Removes the April 1 deadline for the school district governing board to approve or disapprove of the application.

## **SCR1016 state land exchanges; military airports (Bundgaard)**

**RETAINED**

Allows state trust land to be exchanged for land in high noise and accident potential zones surrounding military airports. This measure is subject to voter approval at the next general election.

### **Committee of the Whole 3**

## **HB2003 Arizona wine commission membership (Gleason)**

**DP**

Changes the membership of the Arizona Wine Commission by replacing the Director of the Arizona Department of Commerce with the Director of the Arizona Department of Agriculture.

## **HB2031 state mineral leases; renewal; confidentiality (Flake)**

**DPA**

Authorizes the State Land Commissioner to require that persons holding mineral leases on state trust land provide information regarding the mineral potential of the land.

**ADOPTED**

*Rules Amendment:*

Makes clarifying and technical changes.

## **HB2048 game and fish commission; continuation (O'Halleran)**

**DP**

Continues the Arizona Game and Fish Department, the Director of the Department and the Commission until July 1, 2012.

## **HB2059 department of agriculture omnibus act (Gleason)**

**DPA**

Conforms Arizona statutes to federal regulations relating to organic food certification, eliminates commercial ratite slaughter registration fees and allows the Arizona Department of Agriculture to suspend dairy licenses.

**ADOPTED**

*NRAE Amendment:*

A technical correction that corrects an improper reference to federal code.



# Yesterday in the Senate

Monday, April 1

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**HB2060 department of agriculture commodity development (Gleason)**

Allows the Director of the Department of Agriculture to sell products labeled with the "Arizona Grown" trademark.

*NRAE Amendment:*

Adds an emergency clause.

**DPA**

ADOPTED

**HB2061 environmental education council; continuation (Gray)**

Continues the Arizona Advisory Council on Environmental Education until July 1, 2012, and qualifies private schools and nonprofit home school organizations for environmental education grants.

**RET ON CAL**

**HB2076 schools; revenue bonds; investments (Gray)**

Contains an emergency clause that broadens the investment authority of the State Treasurer or bond trustee for school facilities revenue bonds and school improvement revenue bonds.

*Finance Committee Amendment:*

Makes the bill effective on the signature of the Governor.

**DPA**

ADOPTED

**HB2088 income tax subtraction; dividends; repeal (May)**

Eliminates the corporate income tax subtraction for dividend income received from Arizona corporations.

*Finance Committee Amendment:*

Clarifies that the Attorney General's office may also receive confidential information for the purposes of enforcing the Tobacco Master Settlement Agreement and other agreements related to which the State is a party.

**DPA**

ADOPTED

**HB2105 county infill incentives (Huffman)**

Authorizes a county board of supervisors to designate and establish an infill incentive district in any unincorporated area to encourage redevelopment.

*Government Amendment:*

Prohibits the district from impairing the ability of utilities to provide services and prohibits the district from being in violation of the county comprehensive plan.

**DPA**

ADOPTED

**HB2207 county maps and plats; recording (Nelson)**

Makes changes to the title and size prerequisites for recording maps and plats.

*Government Amendment:*

Requires maps and plats presented for recording to include the name of the owner of record of the area being surveyed.

*Rules Amendment:*

Makes technical changes.

**DPA**

ADOPTED

ADOPTED

**Third Reading**

**SB1102 cities and towns; technical correction (Mitchell)**

(Voting No: Bundgaard, Burns, Cirillo, Daniels, Gerard, Gnant, Hamilton, Hartley, Martin, Petersen, Smith; Not Voting: Bee, Bennett, Jackson, Jarrett)

Makes technical changes.

**Failed (15-11-4)**

**SB1103 counties; technical correction (Mitchell)**

(Voting No: Bennett, Bundgaard, Burns, Cirillo, Daniels, Gerard, Gnant, Hamilton, Hartley, Martin, Petersen, Smith; Not Voting: Bee, Jackson, Jarrett)

Makes technical changes.

**Failed (15-12-3)**

**SB1110 state government; technical correction (Blanchard)**

(Voting No: Aguirre, Bennett, Burns, Cirillo, Daniels, Gerard, Gnant, Hamilton, Hartley, Hellon, Martin, Petersen, Smith, Solomon; Not Voting: Bee, Jackson, Jarrett)

Makes technical changes.

**Failed (13-14-3)**

# Yesterday in the Senate

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**SB1111 state government; lands; technical correction (Blanchard)**

**Passed (16-11-3)**

(Voting No: Aguirre, Bennett, Burns, Daniels, Gerard, Gnant, Hamilton, Hartley, Hellon, Martin, Smith; Not Voting: Bee, Jackson, Jarrett)

Makes technical changes.

**SB1239 retirees; health insurance; enhanced subsidy (Arzberger)**

**Passed (27-0-3)**

(Not Voting: Bee, Jackson, Jarrett)

Retroactive to July 1, 2001, includes in the definition of "nonservice area" locations outside Arizona, for the purposes of administering a temporary rural retiree healthcare subsidy. Sunsets the current definition of a "nonservice" area and replaces it with a broader definition to include locations outside the state of Arizona. This amendment is retroactive to July 1, 2001.

**SB1270 biotechnology research; appropriation (Gerard)**

**Passed (24-3-3)**

(Voting No: Gnant, Hartley, Lopez; Not Voting: Bee, Jackson, Jarrett)

Appropriates \$500,000 annually for ten years beginning in FY 2002-2003 from the health research fund for a biotechnology medical research foundation.

**SB1341 hospitals; emergency services (Gerard)**

**Passed (22-5-3)**

(Voting No: Bennett, Brown, Burns, Gnant, Martin; Not Voting: Bee, Jackson, Jarrett)

Requires general hospitals, rural general hospitals and certain special hospitals to provide emergency services 24 hours a day, 7 days a week in a designated hospital area. Eliminates the transfer agreement and maintaining privileges at general hospitals requirements for special hospitals and outpatient surgical centers. Eliminates the exemption from the emergency services requirement for a special hospital that is operated by an entity that operates at least one general hospital within the same county.

**SB1346 Arizona correctional industries; technical correction (Guenther)**

**Passed (17-10-3)**

(Voting No: Bennett, Bundgaard, Burns, Daniels, Gerard, Gnant, Hamilton, Hartley, Hellon, Martin; Not Voting: Bee, Jackson, Jarrett)

Makes a technical change.

**SB1347 private prisons; technical correction (Guenther)**

**Failed (11-16-3)**

(Voting No: Bennett, Bundgaard, Burns, Cirillo, Cumiskey, Daniels, Gerard, Gnant, Guenther, Hamilton, Hartley, Hellon, Lopez, Martin, Smith, Solomon; Not Voting: Bee, Jackson, Jarrett)

Makes a technical change.

**SB1348 special services fund; technical correction (Guenther)**

**Passed (16-11-3)**

(Voting No: Bennett, Bundgaard, Burns, Daniels, Gerard, Gnant, Hamilton, Hartley, Martin, Petersen, Smith; Not Voting: Bee, Jackson, Jarrett)

Makes a technical change.

**SB1437 workers' compensation; medical records privacy (Valadez)**

**Passed (18-9-3)**

(Voting No: Bennett, Bundgaard, Burns, Daniels, Hamilton, Hellon, Martin, Petersen, Smith; Not Voting: Bee, Jackson, Jarrett)

Requires the protection of private and personal health information of employees by trustees or employers regarding workers' compensation claims and files.



# Yesterday in the Senate

Monday, April 1

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## Democratic Caucus

### **HB2464 Arizona prescription drug advisory council (Gullett)**

Senator Cumiskey said that he believed it was a good bill and he plans to offer a floor amendment. Senator Solomon pointed out that it would take a million dollars from the tobacco tax revenue account that is currently being used to pay for something else.

### **HB2542 physician assistants (Huppenthal)**

Senator Aguirre questioned why the Civil Liberties Union was opposed to this bill. Senator Yrun responded that the bill in effect would place a new restriction on women's health care and this is why it was opposed by the Civil Liberties Union.

### **HB2550 school districts; desegregation; report (Huffman)**

Senator Aguirre commented that she intends to run floor amendments on this bill.

## Republican Caucus

### **HB2279 motor vehicle dealer franchises (Leff)**

Senator Cirillo said that this has been a highly controversial issue for a couple of sessions, and he is glad to finally see a compromise.

### **HB2464 Arizona prescription drug advisory council (Gullett)**

Senator Cirillo said that the bill is a good first step, and that he will oppose Cumiskey's floor amendment.

**FY '03 Budget:** Senator Bennett said that the budget working groups will meet tomorrow, their goal being to achieve similar spending levels in '03 as in '02. Senator Gerard said that the President's memo of current money bills is misleading, as the general fund bills are grouped with other fund bills, and requested that the caucus staff make a separate list of general fund bills. Senator Bennett also mentioned the possibility of convening a special session to handle the '03 budget shortly before the regular session ends, and then sine die the regular session to work only on the budget after the rest of the bills have been considered. He said that this may avoid negotiations with regular session bills and allow the members to focus on the '03 budget.

## First Reading of Bills

### **Bill:**

- HB2381 initiative and referendum; pamphlet; signatures (McClure)
- HB2401 corporations; documentation (Hatch-Miller)
- HB2631 educational institutions; entertainment ban; exception  
(now: entertainment ban exception; educational institutions) (Graf)

### **Referred to:**

- Government
- Commerce
- Government

## Puzzle Answer

311311222110

(Each term describes the previous one. We start with 0, which is one zero = 10. 10 is one one, one zero = 1110. 1110 is three ones, one zero = 3110, etc.)

# ARIZONA STATE SENATE

## THIRD READING

April 2, 2002

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**SB1067 safe schools act; revisions (Petersen)**

Redefines the crime of interference with or disruption of an educational institution and modifies the requirements for school governing boards to report conduct on educational property to local law enforcement agencies. Removes the provision that would have permitted possession of a deadly weapon on school grounds to be charges as a class 6 felony without requiring the possession to occur in conjunction with other specified terms. Requires school districts to report any "serious offense" as defined by ARS 13-604. Requires reporting of conduct that actually poses a threat of death or injury to anyone on school grounds to law enforcement. Provides that school districts or school district employees are not precluded from reporting crimes other than those required to be reported by this statute. Makes technical changes.

**SB1089 TANF; child eligibility requirements (Hartley)**

Restores eligibility for temporary assistance for needy families to children born during specified time periods. Clarifies the new regulations will affect the year 2003 and forward. Stipulates that a child born after July 26, 1995 and before the effective date of this act remains ineligible for Temporary Assistance for Needy Families benefits after this act becomes effective.

**SB1094 veterans' property tax exemption amounts (Hartley)**

Establishes a property tax exemption for eligible veterans conditional upon voters amending the Arizona Constitution. Requires veterans to meet income limitation requirements comparable to the income limitation requirements on widows, widowers and the disabled in order to be exempt from property taxation. Any property which has a total assessment greater than \$10,000 would not be eligible for the tax exemption. The income limitation is 413,200 if no children under the age of 18 reside in the home and 18,840 if one or more children under the age of 18 reside in the home or the child residing in the home is disabled.

**SB1154 caregiver and resource expansion program (Gerard)**

Requires universities, hospitals and healthcare organizations to create a caregiver and resource expansion program to increase the number of nurses in the state. Requires the plan for fiscal year 2002-2003 to base the obligation for universities and community colleges to expand enrollment to 200 new students consistent with the level of resources committed by hospitals for funding clinical rotations and providing adjunct faculty for nursing education programs from personnel employed by the hospital.

**SB1409 Indian water settlements; storage credits (Guenther)**

Allows Indian communities who have entered into a water rights settlement that provides for off reservation storage of Central Arizona Project water to accrue up to 10,000 acre feet annually in long-term storage credits. Makes technical changes. Clarifies the language.

**SB1427 security enhancement act (Richardson)**

Conforms Arizona law to the USA PATRIOT Act, creates new crimes related to terrorism and modifies existing crimes. Provides members of the Arizona National Guard with protection under the federal Soldiers and Sailors Civil Relief Act and the Uniformed Services Employment and Reemployment Rights Act. Clarifies mental state for class 2 felony terrorism, amends definitions, changes from 60 to 10 days the extension of time that a court can grant in the delay of service of the receipt that is required when a property is taken under a warrant, eliminates class 5 felony terrorism. Raises the dollar threshold level from one thousand to three thousand for the definition of "money accumulation business" and the required recording of personal identification information. Makes technical changes.

**SB1429 retail electricity; competition (Gnant)**

Makes technical corrections to the statute governing electric power competition. Repeals the Joint Legislative Study Committee on Electric Deregulation Study Issues.

**SB1464 schools; L.E.A.P. programs (Bennett)**

Makes numerous changes to provisions associated with the Local Education Accountability Program (LEAP). If an existing LEAP school or other selected schools are in compliance with LEAP requirements, it should continue to operate in the LEAP program during the next school year. Provides an exception to the provision that prohibits a school with a "failing school" achievement profile for the preceding year from being eligible to participate in the LEAP program. This applies if it has employed a new principal who wishes to participate in the LEAP program after that profile designation has been determined. Removes the April 1 deadline for the school district governing board to approve or disapprove of the application.

**SCR1003 veterans' property tax exemption (Hartley)**

Requests voter approval during the next general election of a constitutional amendment extending property tax exemptions to all veterans who meet certain requirements. Requires veterans to meet income limitation requirements comparable to the income limitation requirements on widows, widowers and the disabled in order to be exempt from property taxation. Any property which has a total assessment greater than \$10,000 would not be eligible for the tax exemption. The income limitation is 413,200 if no children under the age of 18 reside in the home and 18,840 if one or more children under the age of 18 reside in the home or the child residing in the home is disabled. Clarifies language.

**Consent Calendar**

**HB2039 department of veterans' services; continuation (McClure)**

Continues the Arizona Department of Veterans' Services and the Arizona Veterans' Service Advisory Commission for ten years.

**HB2081 PSPRS; prior service; redemption (Cannell)**

Allows all prior service to be redeemable if an employee is with an employer now covered under Public Safety Personnel Retirement System.

**HB2236 city marriage license; fees (Robson)**

Allows the local clerk to retain \$ 1.50 of the fee for issuance of a marriage license.

**HB2334 beneficiary deeds (Voss)**

Various clarifying and technical changes to Arizona's beneficiary deed law.

**HB2412 campaign finance; advertising disclosure (Leff)**

An emergency measure requiring the political committee to disclosure the four major funding sources on advertisements regarding support or opposition to a statewide ballot proposition.

## House Bills in Senate Committees - 2002

3 weeks left to hear House bills in Senate Committees

<u>Committee</u>	<u>Total Senate Bills</u>	<u>DP/DPA</u>	<u>%</u>	<u>Failed</u>	<u>%</u>	<u>No Action/Held</u>	<u>%</u>
Appropriations	9	1	11%	0	0%	8	89%
Banking & Insurance	11	5	45%	0	0%	6	55%
Commerce	12	4	33%	0	0%	8	67%
Education	9	1	11%	0	0%	8	89%
Family Services	4	0	0%	0	0%	4	100%
Finance	9	4	44%	0	0%	5	56%
Government	14	6	43%	0	0%	8	57%
Health	15	11	73%	0	0%	4	27%
Judiciary	20	4	20%	1	5%	15	75%
NRAE	28	15	54%	0	0%	13	46%
Transportation	11	4	36%	0	0%	7	64%
<b>Totals</b>	<b>142</b>	<b>55</b>	<b>39%</b>	<b>1</b>	<b>1%</b>	<b>86</b>	<b>61%</b>

## Senate Bills in Senate Committees - 2002

Through Committees on Friday, March 29

<u>Committee</u>	<u>Total Senate Bills</u>	<u>DP/DPA</u>	<u>%</u>	<u>Failed</u>	<u>%</u>	<u>No Action/Held</u>	<u>%</u>
Appropriations	83	24	29%	0	0%	59	71%
Banking & Insurance	27	21	78%	0	0%	6	22%
Commerce	45	29	64%	1	2%	15	33%
Education	75	32	43%	6	8%	37	49%
Family Services	34	26	76%	5	15%	3	9%
Finance	46	26	57%	4	9%	16	35%
Government	96	61	64%	2	2%	33	34%
Health	48	32	67%	0	0%	16	33%
Judiciary	65	34	52%	4	6%	27	42%
NRAE	48	36	75%	1	2%	11	23%
Transportation	25	9	36%	4	16%	12	48%
<b>Totals</b>	<b>592</b> *	<b>330</b>	<b>56%</b>	<b>27</b>	<b>5%</b>	<b>235</b>	<b>40%</b>

\* Will be greater than the number of bills dropped due to multiple committee assignments.