



WEEKLY REPORT

ARIZONA GAME AND FISH DEPARTMENT

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Arizona Game and Fish Commission

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W *Weekly Report* is published by the Arizona Game and Fish Department's Legislative and Government Affairs Division. During the state's legislative session, we provide a summary of legislation that pertains to the Department, and a tracking list of bills that may have potential impacts to the state's wildlife and wildlife resources. The Legislative and Government Affairs Staff also actively monitor and report on Congressional Legislation with potential impacts to the Department, and those reports are also available online at: http://www.azgfd.gov/inside_azgfd/legislative_affairs.shtml. If there are issues you would like to address, please let us know. Send an email to: aquiles@azgfd.gov

Legislative News:

- This is the final weekly update for Arizona's 49th Legislature, 1st Regular Session.
- After an extremely obdurate month of tenuous budget negotiations and full calendars containing policy legislation, the Legislature passed a fiscal 2010 budget excluding the extant tax referendum that failed to garner enough member support. The Governor resultantly line-item vetoed provisions in the feed bill and its trailer bill, as well as vetoed the majority of the budget reconciliation bills.
- Governor Brewer has also called a 3rd Special Session to begin Monday, July 6th to address the fiscal needs of the state. Legislative Websites include the placeholder bills in preparation for the fiscal measures that lie ahead.
- The Department's aquatic invasive species bill, HB2157 passed its introductory session on the final day of session. This relatively precedential state legislation establishes statutory tools to manage and mitigate for damage caused by aquatic invasive species, such as the quagga mussel, that invade water bodies in the state and negatively impact native species and habitat. The measure was vetted with various stakeholders throughout the legislative process, including SRP, CAP and several municipal water authorities as these non-native species also create substantial economic impacts to their respective hydro infrastructure. The bill currently awaits Governor approval.

POSTED CALENDARS AND COMMITTEE HEARINGS

Quick Reference AGFD-Related Legislation (For Period Ending Friday, July 3, 2009)

Support

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| H2064: WILDLIFE; GUIDES; WASTED MEAT | The definition of "guide" in game and fish statutes is changed. Also, the list of actions which may result in the Game and Fish Commission revoking or suspending a license is expanded to include taking wildlife and permitting an edible portion to go to waste. | First sponsor: Rep. Konopnicki | 5/12House COW approved with floor amend #4275 . |
| H2157: WILDLIFE; AQUATIC INVASIVE SPECIES | The director of the Game and Fish Department is authorized to establish an aquatic invasive species program to establish a list of aquatic invasive species and to take steps to eradicate or abate their spread. Establishes prohibitions against possessing, importing, placing or releasing an aquatic invasive species in this state. Watercraft or any equipment that has been in waters where aquatic invasive species are located must be decontaminated or not allowed to enter Arizona waters for 30 days. Violators are subject to a fine of up to \$1000; intentional violation is a class 6 (lowest) felony. Exemptions for the owners of canals or other water delivery systems, water treatment facilities, drainage facilities. AS PASSED HOUSE. | First sponsor: Rep. McLain | 7/1passed Senate 16-12 . House concurred in Senate amendments and passed on final reading 37-5 ; ready for governor. |

Oppose

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| H2235: GAME & FISH COMMISSIONERS; APPOINTMENT | Game and Fish Commission members must have a continuous recorded registration with the same political party or as an independent for at least 5 years immediately preceding the appointment, must have held a valid hunting or combination hunting and fishing license for at least those 5 years, and must have been an Arizona resident for at least 10 years. Applications for appointment to the Commission are public records. | First sponsor: Rep. Jerry Weiers | 3/11House mil-pub held. |
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Monitor

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| H2014: MUNICIPALITIES; EXCHANGE OF REAL PROPERTY | The authority for a municipality to exchange a parcel of real estate it owns for another that is of substantially equal value is no longer limited to parcels located within the incorporated limits of the city or town. AS PASSED HOUSE. | First sponsor: Rep. Konopnicki | 6/26 passed Senate 19-4 ; ready for governor. |
| H2027: WEAPONS; PEACE OFFICERS; POSSE; RESERVES | A person who has received firearms training approved by the Arizona Peace Officer Standards and Training Board and who volunteers for a sheriff's posse or reserve duty is exempt from the requirement to have concealed carry permit while on duty. Likewise, a permit to carry a weapon is not required of a retired law enforcement officer who possesses an ID that states the person is honorably retired from a law enforcement agency. Also, the criminal classification for using a weapon to commit or further an act of terrorism is increased to a class 2 felony (from class 3). | First sponsor: Rep. Kavanagh | 2/4 from House mil-pub do pass. |
| H2050: TECH CORRECTION; | Minor change to Title 17 (game and fish) pertaining to the taking of wildlife. Apparent striker bus. | First sponsor: | 1/13 referred to House |

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| TRAPPING LICENSE | | Rep. Seel | rules only. |
| H2088: GROWING SMARTER FUND; SWEEP; EXTENSION | Minor change in title 27 (minerals, gas & oil) pertaining to mineral products on state trust land. Apparent striker bus. | First sponsor: Rep. Nichols | 5/12 FAILED to pass House 36-22 (required 3/4 vote) . |
| H2125: NONPROFIT CLUBS; PERMISSIBLE RAFFLES | Nonprofit booster clubs, civic clubs, political clubs or political organizations may conduct raffles as long as proceeds do not exceed \$10,000, club members manage the raffle and do not receive monetary benefits other than those received by all participants, and the club's earnings are not used for the personal benefits of any club member. AS PASSED HOUSE. | First sponsor: Rep. Lesko | 6/25 from Senate gov inst do pass. |
| H2126: TAX REFUND CHECKOFF BOXES | The requirement for checkoff boxes for voluntary contributions to certain state funds to be on the first page of the individual income tax return form is eliminated. Applies to tax years beginning January 1, 2010. Due to voter protection, this bill requires a 3/4 vote of each house of the legislature for passage. | First sponsor: Rep. Lesko | 6/18 from Senate fin do pass. |
| H2128: TECH CORRECTION; OFF-HIGHWAY VEHICLES | Minor change in Title 28 (transportation), relating to off-highway vehicle equipment. Apparent striker bus. | First sponsor: Rep. Jerry Weiers | 3/4 House mil-pub held. |
| H2135: STATE CONTRACTS; PARTICIPATION GOAL; VETERANS | Effective January 1, 2010, the Department of Administration must establish a goal of awarding 3% or more of specified state procurement contracts to veteran owned businesses (defined). The Department must establish by rule procedures for meeting the goal, including compiling a registry of veteran owned businesses. | First sponsor: Rep. Jerry Weiers | 6/8 from House rules okay. |
| H2150: ANIMALS; FIGHTING | The crime of dog fighting is renamed animal fighting and is expanded to include any fight in which animals are intended to injure each other. Animal fighting, like dog fighting, is a class 5 (second lowest) felony. Similarly, the class 6 felony of stealing a dog for the purpose of dog fighting is expanded to stealing an animal for fighting. Exemption is provided for animals trained to protect livestock from predators | First sponsor: Rep. Sinema | 2/19 from House jud with amend #4072 . |
| H2174: FIREARMS; GAME REFUGES | Concealed weapons permit holders may carry firearms or game-taking devices on a game refuge. | First sponsor: Rep. Antenori | 2/2 House nat res-rural held. |
| H2177: FIREARMS; GAME REFUGE; CCW | Creates national park support districts as special taxing districts that can be formed in communities that are located entirely within 10 miles of the outer boundaries of a national park or national monument and at least 3 miles outside the boundaries of incorporated cities or towns. The processes for forming a district, appointing the initial district board of directors, and electing subsequent board members are specified. District powers and duties are listed. Districts are authorized to levy an excise tax of up to 5% on business activity and to enter into contracts for public infrastructure projects. Retroactive to January 1, 2009. | First sponsor: Rep. Konopnicki | 5/6 House COW approved with amend #4051 . NOTE SHORT TITLE CHANGE. |
| H2217: LOBBYISTS; GIFT BAN | Lobbyist gift ban laws are re-written, deleting language prohibiting gifts of more than \$10. Various exceptions are provided, including an education event (defined), non-recreational travel (defined), a special function, food and beverage not exceeding \$25, and services rendered on matters pertaining to holding or being a candidate for public office. The secretary of state must biennially adjust the per-meal limit on food and beverage according to the percentage change in the consumer price index for the preceding two years. | First sponsor: Rep. Ableser | 1/20 referred to House gov , jud . |
| H2231: BALD EAGLE; ENDANGERED SPECIES ACT | Establishes regulations for endangered and threatened species, under the direction of the Game and Fish Department and Commission. Provisions include a process of investigations and research for the Commission to develop a list of native wildlife species that are threatened or endangered, | First sponsor: Rep. Ableser | 1/20 referred to House nat res-rural , appro . |

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| | prohibited acts relating to those species and penalties for violations, the development of recovery plans and management programs, and enforcement authority for game rangers, wildlife managers and other peace officers. The Arizona bald eagle is required to remain listed as an endangered species through 2016. | | |
| H2232: WILDLIFE CONSERVATION SPECIAL PLATES | The list of special vehicle license plates is expanded to include a "wildlife conservation" plate, provided that by December 31, 2009, \$32,000 is paid to the Department of Transportation for start-up costs. Of the \$25 annual license fee, \$8 is deposited into the State Highway Fund, and the remaining \$17 is donated to the newly created Wildlife Conservation Special Plate Fund, for which funds are allocated for habitat improvement or restoration and wildlife conservation related programs. AS PASSED HOUSE. | First sponsor: Rep. Jerry Weiers | 6/16 referred to Senate nat res-inf. |
| H2240: RULE-MAKING; STATE AGENCIES; MORATORIUM | State agencies are prohibited from making any new rule that would impose increased monetary or regulatory costs on other state agencies, political subdivisions, persons, or individuals. Exemptions for rule-making done to avoid a violation of a federal law or court order that could result in sanctions or to prevent an imminent threat to public health or safety. Self-repeals July 1, 2010. Emergency clause. AS PASSED HOUSE. | First sponsor: Rep. Tobin | 6/8 referred to Senate gov inst. |
| H2250: PUBLIC TRUSTS LANDS; USE PERMIT | The State Land Department may grant a permit for a political subdivision to use public trust lands along the Colorado River if the use will be consistent with the public trust. The Land Dept is also authorized to issue use permits without auction for any state lands except those held in trust for various state beneficiaries (i.e, those defined and described in Article 10 of the state Constitution.) AS PASSED HOUSE. | First sponsor: Rep. McLain | 6/23 from Senate nat res-inf with amend #4733 . |
| H2253: LEGAL NOTICES; PUBLICATION; COMMITTEE | Establishes a ten-member legislative committee on published public legal notices to determine whether and what changes are required to statutes governing newspaper publication of legal or public notices. An interim report is required by Nov. 30, 2010. A final report is due by Nov. 30, 2011. AS PASSED HOUSE. | First sponsor: Rep. Jones | 6/8 referred to Senate gov inst. |
| H2264: AGENCIES; FUND SOURCES; EXPENDITURES; REPORT | The Governor's Office and every state agency and budget unit must submit a monthly report to the JLBC that details all sources of monies, the purposes for which the money will be expended and the caseloads for each population for which the monies are intended to provide services. Instead of a monthly report, budget units may satisfy this requirement by posting the information daily on its official website. | First sponsor: Rep. Crump | 6/24 from Senate appro do pass. |
| H2275: MINING STUDY COMMISSION | Establishes a 15-member Mining Study Committee to review state regulations pertaining to the mining industry and to recommend changes to streamline procedures and relieve unnecessary government burdens. Annual reports are due by Dec 31, 2009 and 2010. Self-repeals on Jan 1, 2011. Session law only; does not change statutes. AS PASSED HOUSE. | First sponsor: Rep. Jones | 6/23 from Senate nat res-inf do pass. |
| H2279: STATE DEBT; EXPENDITURES; REPORT | The list of duties of the JLBC is expanded to include an analysis of state debt, terms of financing, the impact of the debt on taxes and expenditures, the appropriate revenue streams dedicated for repayment and the total amount of state debt. The Department of Revenue must provide directly to the JLBC that portion of the Dec. 15 annual report to the Governor and Legislature on outstanding indebtedness and debt limitations that pertain to the state's debt and expenditures. | First sponsor: Rep. Kavanagh | 6/24 from Senate appro do pass. |
| H2282: EQUINE TRIPPING; VIOLATION | Knowingly or intentionally tripping an equine for entertainment or sport is a class 1 misdemeanor, punishable by at least 48 consecutive hours in jail and a fine of at least \$1000 for a first offense, 30 consecutive days in jail and a fine of at least \$2000 for a second offense, and 90 consecutive days in jail | First sponsor: Rep. Sinema | 2/19 from House jud do pass. |

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| | and a fine of at least \$2000 for a third or subsequent offense. | | |
| H2289: CLAIM OF PUBLIC RIGHTS-OF-WAY | Arizona, on behalf of itself and its political subdivisions, asserts and claims rights-of-way across public lands acquired from the effective date of applicable federal law through October 21, 1976, and does not recognize or consent to the exchange, waiver or abandonment of any of these rights-of-way unless by formal, written official action recorded by the county recorder. | First sponsor: Rep. Jones | 1/20 referred to House nat res-rural . |
| H2328: PUBLIC RECORDS; NAME REDACTION | Public officers may remove the name, address, telephone number, and email address of the sending party of an email that is disclosed as a public record. | First sponsor: Rep. Boone | 1/20 referred to House gov . |
| H2350: WILDFIRE PROTECTION; FUEL; PRIVATE PROPERTY | County boards of supervisors are required instead of allowed to adopt a current wildland-urban interface code, and must compel owners or lessees of property located in unincorporated areas to establish and maintain defensible space (defined) around the property pursuant to the code. | First sponsor: Rep. Mason | 1/20 referred to House nat res-rural , gov . |
| H2369: FEDERAL MONIES; LEGISLATIVE APPROPRIATIONS | The Legislature claims authority to appropriate non-custodial federal monies, defined as all federal monies other than grants and awards to the universities or to the Dept of Emergency and Military Affairs, and monies awarded directly to school districts or community colleges. In appropriating federal money, the Legislature must specify the purposes for which the money will be used, consistent with federal law. AS PASSED HOUSE. | First sponsor: Rep. Murphy | 7/1 passed Senate 18-10 ; ready for governor. |
| H2380: PERSONAL INFO; INTERNET; ELIGIBLE PERSONS | A person eligible to request that their personal information not be made available on the Internet must make a written demand to the person who is posting that information to not communicate it. It is unlawful to continue to do so. The written demand, which must contain prescribed information, is effective for four years. | First sponsor: Rep. Jerry Weiers | 6/16 retained on House COW calendar. |
| H2401: ADMINISTRATIVE RULES OVERSIGHT COMMITTEE | An Administrative Rules Oversight Committee is established, consisting of 5 members of the House of Representatives, 5 Senators, and the Governor or designee. It is given oversight over all rules except those specifically exempted from the Administrative Procedures Act by statute. The committee sunsets on July 1, 2017. An intent section states the committee may review any rule or agency practice alleged to constitute a rule for "conformity with statute and legislative intent." AS PASSED HOUSE. | First sponsor: Rep. Williams | 7/1 passed Senate 17-11 ; ready for governor. |
| H2424: ILLEGAL DUMPING; PENALTIES | The penalty for the class 1 (highest) misdemeanor crime of criminal littering is set at \$1,800 which cannot be waived or suspended. Half of the fine is to be deposited in the general fund of the jurisdiction in which the violation occurred. The crime covers instances where the amount of material is 300 pounds or less or 100 cubic feet in volume or less and was not done for a commercial purpose. Additionally, the perpetrator is responsible for all costs to clean the property and dispose of the illegally dumped material. If the material is dumped on property that is more than 40 acres in size, the perpetrator retains ownership of the material until the person properly disposes of it. AS PASSED HOUSE. | First sponsor: Rep. McGuire | 6/26 from Senate rules okay. |
| H2467: WESTERN CLIMATE INITIATIVE; PROHIBITION | The Dept of Environmental Quality is forbidden from participating in the Western Climate Initiative that is operated by the Western States Governors Association. | First sponsor: Rep. Biggs | 3/10 from House rules okay. Stricken from House consent calendar by Chad Campbell. |
| H2539: OFF-HIGHWAY VEHICLES; MINORS; RESTRICTIONS | Persons under 18 are prohibited from operating off-road or all-terrain vehicles between midnight and 5 a.m. At other times the person must have a valid driver license or be accompanied by a person 18 or older who does hold a valid driver license. Exemptions for hunting, ranching, farming or competitive events. | First sponsor: Rep. McGuire | 2/12 referred to House trans-inf . |

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| H2550: POSSESSING DANGEROUS WILDLIFE; PROHIBITED | With certain exceptions, a person is prohibited from possessing, harboring or importing dangerous wildlife (identified in this bill as a members of one of 58 named species). A legislative intent section states the purpose of this act is to protect the safety and health of the wildlife population of the state from wildlife being held as pets. | First sponsor: Rep. Chad Campbell | 2/19 referred to House nat res-rural, com. |
| H2576: PROCUREMENT SERVICES; OUTSOURCING PROHIBITED | The state may not award a contract or provide any "development assistance" (defined to include tax credits and the like) to a vendor, contractor or subcontractor or to an applicant for development assistance who performs the work at a site outside of the U.S. All bids and applications for assistance must include a certification that the work will be done in the U.S. | First sponsor: Rep. Fleming | 2/17 referred to House gov, com. |
| H2643 (Chapter 12): BUDGET TRAILER; GENERAL APPROPRIATIONS | Minor change in Title 28 (transportation). Probable striker bus for a budget trailer bill. | First sponsor: Rep. Adams | 7/1 Substituted in Senate for identical S1470 and passed 16-12 ; ready for governor. Signed by governor with line-item exceptions. Chap. 12, Laws 2009. |
| HCM2006: STATE LAND; NATURAL RESOURCES | The Legislature urges Congress to refrain from passing new legislation that would withdraw any Arizona land under federal control from mining and to refrain from imposing any new wilderness designations on federal land in the state without the unanimous support of Arizona's congressional delegation. Further, it urges the U.S. Forest Service to not limit the public's right to mine, graze, or recreate on federal land. AS PASSED HOUSE. | First sponsor: Rep. Jones | 7/1 passed Senate 19-7 ; to secretary of state. |
| HCR2003: LEGISLATURE; DESIGNATED SEAT | The 2010 general election ballot is to carry the question of whether to amend the state Constitution to designate two separate seats in the House of Representatives for each legislative district. Candidates would be required to file to run for either seat A or seat B. | First sponsor: Rep. Crump | |
| HCR2028: VOTER-PROTECTED FUNDING; TEMPORARY DEFICIT SUSPENSION | The 2010 general election ballot is to carry the question of whether to amend Article IV, Part 1, Section 1, of the state Constitution to permit the Legislature, if a budget deficit exists and with approval of the Governor, to divert and appropriate funds created or allocated by initiative or referendum. | First sponsor: Rep. Biggs | |
| HCR2029: FUNDING BALLOT MEASURES; REAUTHORIZATION | The 2010 general election ballot is to carry the question of whether to amend Article IV, Part 1, of the state Constitution to limit the effective period for an approved initiative that authorizes or requires expenditure of state monies to eight years. The measure must be resubmitted to the electorate at the end of the eight year period. Retroactive to cover all previous initiatives or referenda that expend state funds, all of which must be re-referred to the electorate at the immediate next general election. | First sponsor: Rep. Stevens | |
| HCR2030: OPPOSE FEDERAL POINT SOURCE DISCHARGE PGM | The members of the Legislature oppose the federal Point Source Discharge Program as unnecessary and too costly and further oppose federal legislation that expands federal jurisdiction while emasculating state jurisdiction. The Legislature also asserts it is not in the state's interests to amend the Federal Clean Water Act in a manner that would force states to relinquish their current authority over certain water resources. AS PASSED HOUSE. | First sponsor: Rep. Stevens | 7/1 passed Senate 20-8 ; to secretary of state. |
| HCR2033: INITIATIVE & REFERENDUM REFORM | The 2010 general election ballot is to carry the question of whether to amend various parts of the state Constitution to require that a measure referred by the Legislature to the ballot must receive a 2/3 majority in each chamber. Also the number of signatures required for an initiative that proposes a constitutional amendment is reduced to 10% (from 15%) of the number of total votes cast for governor | First sponsor: Rep. Sinema | |

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| | at the last gubernatorial election. | | |
| S1001: GOVERNMENT ENTITIES; WEB & VIDEO CONFERENCING | Requires the purchase, training and usage of on-line Web and video conference software by statewide governmental agencies, municipalities, counties, school districts, state universities and community college districts. Software functionality must include capability to calculate cost savings from using Web and video conferencing software. Establishes a Web and Video Conferencing Savings Committee consisting of three members from both the House of Representatives and Senate, and five members appointed by the governor to collect and compile the reported cost savings of each government entity. Self-repeals on January 1, 2014. [Note: session law only; does not change statutes.] | First sponsor: Sen. Waring | 6/18 from Senate gov inst with amend #4653 . |
| S1021: INCOME TAX; TAX REFUND CHECK-OFF BOXES | For tax years beginning Jan 1, 2010, the requirement that all voluntary tax refund check-off boxes (e.g., for contributions to the domestic violence shelter fund, the clean elections fund, the child abuse prevention fund, etc.) must appear on the first page of the state's income tax form is deleted. Because of the change to the voter-approved Clean Elections law, this bill requires a 3/4 majority in each chamber for passage (Prop 105: Voter Protection Act). | First sponsor: Sen. Waring | 6/10 Senate fin held. |
| S1027 (Chapter 10): BUDGET RECONCILIATION; CAPITAL OUTLAY; FY 09-10 | Makes various appropriations for capital expenditures for FY2009-10, including \$188 million to the Dept of Transportation for state highway construction; \$27 million for airport planning and development; and \$4.3 million to the Game & Fish Dept for various projects. Eliminates a previous appropriation of \$450,000 for costs associated with the renovation of the state capitol complex. AS READY FOR GOVERNOR \$1 million to the Dept of Administration for major maintenance and repair of state buildings; a reduction to \$50,000 from \$500,000 in the appropriations All session law, no change to statutes. AS PASSED SENATE. | First sponsor: Sen. Pearce | 7/1 signed by governor. Chap. 10, Laws 2009. |
| S1035: BUDGET RECONCILIATION; GENERAL GOVERNMENT; FY09-10 | Makes statutory and session law changes related to general government operations for fiscal 09-10, including requiring recipients of federal public benefits to prove lawful presence in the country. (Formerly only state-sponsored benefits required proof of lawful presence). A list of acceptable documentation is provided. Makes a number of changes to local government's authority to levy development fees including imposing a three-year moratorium on development fees. Also places a three-year moratorium on municipality's ability to modify or enact new building codes. Also for a three-year period, cities may not increase the tax imposed on construction contracting without a vote of the people. Authorizes counties to furlough classified employees without violating personnel policies which otherwise would permit an employee to appeal a salary reduction; and as session law permits state agency directors to require covered employees to work reduced hours. Eliminates the \$25 million appropriation to the Twenty-First Century Fund previously authorized for FY09-10. Authority over the Dept of Library Archives and Public Records is transferred to the Secretary of State from the Legislature. The building at 14 North 18th Ave currently occupied by the Secretary of State is to be sold or leased by end end of June 2010. Stipulates that appropriations for all state agencies may be for one fiscal year (currently a number of smaller agencies have biennial budgets). The state telecommunications contract ostensibly in effect until Jan 2012 must be rebid with a new contract in effect by Sept 30, 2009. Unrestricted federal monies received during the fiscal year shall be deposited in the state general Fund to pay for "essential government services." More. AS READY FOR GOVERNOR. | First sponsor: Sen. Pearce | 7/1 VETOED message . |
| S1038: TECH | Minor change in Title 35 (Public Finance), relating to | First | 6/24 |

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| CORRECTION; AGENCY ACCOUNTS | payment of state agency accounts. Apparent striker bus. | sponsor: Sen. Pearce | from Senate appro with amend #4781 . |
| S1077: TECH CORRECTION; STATE TRUST LANDS | Minor change to Title 37 (public lands) pertaining to trust land suitable for conservation. Apparent striker bus. | First sponsor: Sen. Nelson | 6/23 from Senate nat res-inf with amend #4779 . |
| S1099: UNIFORM STATE LAWS COMMISSION | A three-member Commission on Uniform State Laws is created to investigate and recommend the adoption of laws similar or identical to legislation in other states. Members are appointed by the governor; at least one meeting per year is required. Sunsets on July 1, 2019. | First sponsor: Sen. C. Allen | 6/4 referred to Senate rules only. |
| S1115: ANIMAL CONTROL | The crime of dog fighting is renamed animal fighting and is expanded to include any fight in which animals are intended to injure each other. Animal fighting, like dog fighting, is a class 5 (second lowest) felony. Similarly, the class 6 felony of stealing a dog for the purpose of dog fighting is expanded to stealing an animal for fighting. Exemption is provided for animals trained to protect livestock from predators. The Dept of Agriculture must establish and maintain a registry of equine rescue facilities. Qualifications to be registered as an equine rescue facility are prescribed. The director of the dept may assess a fee for initial and renewal registrations. Inspections of dog kennels by county animal control agents are a prerequisite of receiving a permit if the kennel houses 20 or more dogs. An inspection is authorized in stated instances if the kennel houses fewer than 20 dogs. AS PASSED SENATE. | First sponsor: Sen. Paton | 6/29 House COW approved. Passed House 53-1 ; ready for governor. |
| S1142: PUBLIC EXPENDITURE TRANSPARENCY DATABASE | By January 1, 2011, all counties, municipalities with a population of 5,000 persons or more, school districts and charter schools with more than 600 pupils, and all community college districts must establish and maintain an official Internet website. The website must contain a free searchable database that contains comprehensive information on revenue and expenditures by the entity. Information that must be contained in the database is specified. AS PASSED SENATE. | First sponsor: Sen. Paton | 6/25 passed Senate 20-9 ; ready for House. |
| S1151: CONVENIENCE FEE; DEFINITION | A convenience fee (previously limited to transactions conducted over an Internet portal operated by the state) may be charged on transactions on a voice response portal as well. | First sponsor: Sen. Tibshraeny | 6/26 House COW approved. Passed House 45-4 ; ready for governor. |
| S1155 (Chapter 7): WILLIAMS HOSPITAL DISTRICT; SPECIAL ELECTION | A hospital district with a population of fewer than 20,000 persons is permitted to hold a special, mail ballot election to authorize continuation of a secondary property tax to fund operations. The election must be concluded by June 30, 2009. [Legislative staff identifies the district as one organized in Williams.] Emergency clause. AS PASSED SENATE. | First sponsor: Sen. Pierce | 6/17 signed by governor. Chap. 7, Laws 2009. |
| S1168: STORAGE; FIREARMS; MOTOR VEHICLES | A property owner or business entity is prohibited from enforcing a policy or rule that does not permit persons to carry firearms in their vehicles as long as the vehicle is locked (or the storage location of the firearm is locked) and the firearm is not visible from the outside. This prohibition does not apply if the vehicle is owned by a government entity or by the person's private employer if the owner of the vehicle does not consent to the transportation of the firearm. Certain other circumstances under which the prohibition does not apply, for example if the property owner provides temporary and secure firearm storage or a parking facility that is secured by a locked fence or if the property is owned by a defense contractor and the property is located on a military base. AS PASSED HOUSE. | First sponsor: Sen. Pearce | 6/29 Senate concurred in House amendments and passed on final reading 18-9 ; ready for governor. |
| S1171: STATE AGENCY RULE MAKING; MORATORIUM | With some exceptions, the state may not impose a new rule that would impose an increased monetary or regulatory cost on businesses, other state agencies, political subdivisions or individuals. Self- | First sponsor: Sen. Pearce | 6/12 from Senate gov inst with amend #4475 . |

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| | repeals on July 1, 2010. | | |
| S1179: OFF-HIGHWAY VEHICLE FRANCHISES | Sellers of "off-highway vehicles" (defined in this bill) must be licensed and regulated. | First sponsor: Sen. Nelson | 6/4 referred to Senate nat res-inf. |
| S1188 (Chapter 11): BUDGET; GENERAL APPROPRIATIONS; FY 09-10 | The "feed bill" for fiscal 2009-10, generally making further lump sum reductions to agency budgets and fund sweeps as well as appropriating general fund monies to agencies and programs for fiscal 2009-10. Other highlights include restoring funding to the appraisal board and the Dept of Veterans' Services previously subjected to fund sweeps. Further delays the payment of May and June 2009 installments of basic state aid to schools to no later than Aug 29, 2009, from the earlier established deferral date of July 1, 2009. Requires \$76.8 million in Vehicle License Tax revenue otherwise earmarked for the State Highway Fund to be deposited into the General Fund. Transfers \$7 million in interest earnings from the Early Childhood Development and Health Fund (First Things First) to the General Fund. Defers \$25 million in payment to DES providers from the current fiscal year to fiscal 2009-10. Makes provisions to use federal stimulus funds and to revert a corresponding amount back from program budgets to the General Fund. More. AS READY FOR GOVERNOR. | First sponsor: Sen. Burns | 7/1 signed by governor with line-item exceptions. Chap. 11, Laws 2009. |
| S1208: LOBBYISTS; PROHIBITED ACTS | A registered lobbyist shall not provide to any public official information that the lobbyist knows to be false. Violation is a class 1 (highest) misdemeanor and is subject to a civil penalty. Additional punishment for conviction is being barred from acting as a lobbyist for three years. | First sponsor: Sen. McCune Davis | 6/11 from Senate gov inst do pass. |
| S1226: TECH CORRECTION; STOCKPOND REGISTRATION | Minor change in Title 45 (waters) pertaining to stockpond registration. Apparent striker bus. | First sponsor: Sen. Pierce | 6/22 Senate nat res-inf held. |
| S1237: PUBLIC RECORD REQUESTS | A person requesting access to a public record has 30 days to inspect, retrieve or pay for the record. It is a defense to any action brought under public record law if a person who requests a public record has previously requested but failed to inspect, retrieve or pay for copies of the record. | First sponsor: Sen. Nelson | 6/4 referred to Senate gov inst. |
| S1260: AGGREGATE MINE RECLAMATION LAW; EXEMPTION | Conditions are set forth under which an aggregate mining unit is exempt from regulatory and reclamation provisions otherwise required. Emergency clause. | First sponsor: Sen. S. Allen | 6/26 House COW approved. Passed House 34-15 ; ready for governor. |
| S1279: EQUINE TRIPPING | It is illegal to knowingly or intentionally trip a equine (horse, mule, etc). Violation is a class 1 (highest) misdemeanor and punishable by a fine of \$1,000 for a first offense and \$2,000 for a subsequent offense. | First sponsor: Sen. Paton | 6/19 Senate jud held. |
| S1287: APPROPRIATIONS; NOTICE REQUIREMENTS | The Legislature cannot consider either in committee or on the floor any appropriations or revenue measure unless it has been publicly available for at least 72 hours. Nor can the Legislature consider an amendment to an appropriations or revenue measure unless it has been publicly available for at least 24 hours. The requirement may be waived upon a 2/3 majority vote of the committee or chamber. | First sponsor: Sen. Gorman | 6/9 Senate appro held. |
| S1295: GAME & FISH COMMISSION; BISON | The authority granted to the Game and Fish Commission to purchase, sell or donate buffalo meat is changed to bison meat. The restriction against donating the meat to anything other than a charity or public institution is retained. | First sponsor: Sen. Nelson | 6/19 Retained on Senate COW calendar. |
| S1304: PUBLIC RECORDS; FEES | Unless a higher fee is specifically authorized in statute, a public body may not charge a fee for copies of public records that exceeds the cost of equipment, maintenance, and personnel time associated with reproducing the record. It may not include personnel costs associated with retrieving or redacting the document. Further, unless specifically permitted by statute, there shall be no cost to the | First sponsor: Sen. Tibshraeny | 6/4 referred to Senate gov inst. |

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| | public for inspecting a public record. | | |
| S1305: PUBLIC RECORDS; ELECTRONIC FORMAT; FEES | Unless a higher fee is specifically authorized in statute, a public body may not charge a fee for copies of public records that exceeds the cost of equipment, maintenance, and personnel time associated with reproducing the record. It may not include personnel costs associated with retrieving or redacting the document. Further, unless specifically permitted by statute, there shall be no cost to the public for inspecting a public record. Additional requirements are imposed on custodians of public records kept in digital format when asked for access to or copies of public records. Because of a potential increase in state revenue from fees imposed for digital copies of public records in state custody, this bill requires a 2/3 majority in each chamber for passage (per Prop 108). | First sponsor: Sen. Tibshraeny | 6/4 referred to Senate gov inst. |
| S1314: STATE BUILDINGS; JANITORIAL SERVICES | The Dept of Administration is instructed to transfer all monies dedicated for janitorial services to the agencies in each state-owned or state-leased building on a proportional basis by square footage. The agencies are authorized to hire current or former state employees to provide janitorial services. AS PASSED SENATE. | First sponsor: Sen. Verschoor | 7/1 passed House 34-21 ; ready for governor. |
| S1318: GEOSPATIAL DATA; GEOGRAPHIC INFO COUNCIL | The Arizona Geographic Information Council is given statutory authority. [Capitol Reports note: the council was originally formed by executive order.] Various definitions in statutes dealing with public lands are changed to replace incorporate terms such as "geospatial data and "geographic information systems." | First sponsor: Sen. Nelson | 7/1 passed House 55-0 ; ready for governor. |
| S1331: PRIME CONTRACTING DEDUCTION; UNIVERSITY IMPROVEMENTS | Revenue derived from the prime contracting sales tax from buildings built "for the benefit of" a state university is disbursed directly to the municipality where the building is located to pay up to 80% of infrastructure improvements associated with the project. The municipality is responsible for the remaining 20% of costs. A building built for the benefit of a state university is defined as one in which the university uses at least 80% of the building for academic purposes. Self-repeals on Dec 31, 2014. | First sponsor: Sen. Verschoor | 6/17 from Senate appro with amend #4552 . |
| S1345: ASRS; AMENDMENTS | Various changes to statutes governing the Arizona State Retirement System, including changing the way the average monthly compensation is calculated for members hired after July 1, 2010 to be the highest 60 months of the past 120 months. [Capitol Reports note: for members hired before July 1, 2010, the average compensation is based on the highest 36 months of the past 120 months.] Also for members hired after July 1, 2010, the number of points required for normal retirement is increased to 85 from 80. [Capitol Reports note: "points" refer to the sum of a member's age and years of credited service.] Much more. | First sponsor: Sen. Gould | 6/4 referred to Senate ret-rural . |
| S1348: MISLEADING PUBLIC OFFICIALS; VIOLATION | It is a class 1 (highest) misdemeanor for a person to provide false information to a public official if the person has reason to know the information is false. It is also illegal to withhold information from a public official with the intent to prejudice a decision by the official or a public body. A lobbyist convicted of a violation of this law is prohibited from acting as a lobbyist for three years. A public employee convicted of a violation of this law is subject to termination. | First sponsor: Sen. Gould | 6/18 Senate gov inst held. |
| S1356: VENTURE TRUCKS; REGULATION | Regulations are implemented for "venture trucks" defined as vehicles used primarily for cargo that has at least 4 wheels, an unladen weight not more than 1,800 pounds, a wheel base not exceeding 6'3" and a top speed of 25 mph. They are exempt from registration and insurance requirements. | First sponsor: Sen. Gould | 6/19 from Senate ret-rural with amend #4663 . |
| S1372: MERCHANDISING BUSINESSES FOR THE BLIND | Merchandising businesses operated as part of a public-private partnership agreement or as a rest stop improvement are added to the list of businesses exempt from mandatory preference to businesses | First sponsor: Sen. Gorman | 6/8 referred to Senate gov inst. |

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| | operated by the blind. | | |
| S1437: SCHOOLS; GUN SAFETY INSTRUCTORS; CERTIFICATION | Instructors for gun safety courses offered in schools may be certified by a national association of firearms owners. Formerly, only those certified by the Game and Fish Department were permitted to teach the course. | First sponsor: Sen. Melvin | 6/26 House COW approved. Passed House 49-1 ; ready for governor. |
| S1441: PUBLIC EXPENDITURE TRANSPARENCY | Beginning January 1, 2011, municipalities, counties, school districts, charter schools, and community college districts are required to establish and maintain an official website that is electronically searchable by the public and that contains a comprehensive database of expenditures of monies, including funding sources. The database must be updated within 30 days after the end of each fiscal year, and data must be kept in the database for at least 10 full fiscal years. The information that must be contained in a comprehensive database the state is already required to establish and maintain by 2011 is modified, and must include expenditures by budget unit, including state universities. | First sponsor: Sen. Melvin | 6/19 retained on Senate COW calendar. |
| S1444: APPROPRIATION OF FEDERAL MONIES | The Legislature retains the authority to appropriate "noncustodial federal monies" (defined). For unanticipated federal monies that may become available when the Legislature is not in session, the Legislature may make a lump sum appropriation. If the Legislature does not make an appropriation, the budget unit with lawful authority will administer and spend the monies according to federal and state law. | First sponsor: Sen. Melvin | 6/24 House appro held. |
| S1453: OUTSOURCING; STATE SERVICES POSITIONS; PROHIBITION | State agencies, boards, commissions, and departments are prohibited from entering into any agreement or performing any act that results in a state service position being directly or indirectly established or transferred outside of the U.S. | First sponsor: Sen. Hale | 6/18 Senate gov inst held. |
| S1458: PROCUREMENT; CONSTRUCTION; SPECIALIZED SERVICES | Various changes in procurement procedures for state construction contracts, including a requirement that a contractor for rail systems must perform at least 30% of the work with its own personnel. The term used to describe a construction contract in which one party both designs and builds a project is changed to "two-step design-build" from "design-build." A "one-step design-build" contract is also added to define those contracts in which the contracting agency may let separate contracts for pre-construction (including design) services and construction services. The definition of "construction-manager-at-risk" contracts is changed to permit one-step design-build contracts. The state agency is also authorized to award in a single procurement process multiple contracts to different entities for the same project, based on demonstrated competence and experience. Procedures for bid evaluation are prescribed. More. | First sponsor: Sen. Huppenthal | 6/8 referred to Senate gov inst . |
| S1461: STATE AGENCY BUDGETS; REVIEW | The Legislature requests that the governor direct the Office of Strategic Planning and Budgeting to review each agency's budget to find efficiencies that may yield "significant cost savings." An interim report is due by Jan. 11, 2010; a final report is due by Dec. 1, 2010. Session law only; does not change statute. | First sponsor: Sen. Gorman | 6/8 referred to Senate appro . |
| S1466: COUNCIL ON EFFICIENT GOVERNMENT | An eight-member Council on Efficient Government is established to review the level of service provided by government agencies and to determine whether efficiencies could be attained or the service could be improved through privatization. By June 30, 2010, the council shall prepare and maintain a classified inventory of state agency activities as to whether they are inherently governmental activities or whether they could be privatized (in whole or in part). Also includes procedures by which to review and analyze a business case for privatization. AS PASSED SENATE. | First sponsor: Sen. Gorman | 6/30 FAILED to pass House on reconsideration 29-30 . |
| S1470: BUDGET TRAILER; GENERAL APPROPRIATIONS | Minor change in Title 36 (public health & safety). Probable striker bus for a budget trailer bill. | First sponsor: Sen. Burns | 6/30 from Senate educ with amend #4953. From Senate rules okay. Senate COW |

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| | | | approved with amend #4953 and floor amend #4954 . NOTE SHORT TITLE CHANGE. See H2643. |
| SCR1006: STATE APPROPRIATION LIMIT; REDUCTION | The 2010 general election ballot is to carry the question of whether to amend Article IX, Section 17, of the state Constitution to reduce the maximum amount that the Legislature may appropriate in any fiscal year to 6.4% of the total personal income of the state from 7%. Effective for fiscal years beginning July 1, 2011. State revenue in excess of appropriations in any fiscal year must be paid as a refund to individuals who filed tax returns for that year. Also gives any resident of this state legal standing to bring a civil action in superior court to enforce compliance. | First sponsor: Sen. Pearce | 6/22 FAILED to pass Senate 14-15 . |
| SCR1009: VOTER-PROTECTION; TEMPORARY BUDGETARY SUSPENSION | The 2010 general election ballot is to carry the question of whether to amend the Article IV, Part 1, Section 1, of the state Constitution to require suspension of the protection afforded to appropriations stipulated by voter approved initiatives if doing so avoids a budget deficit. | First sponsor: Sen. Pearce | 6/27 from House rules okay. |
| SCR1030: TECH CORRECTION; BOND ELECTIONS | Minor change in Article VII, Section 13 of the state Constitution pertaining to bond elections. Apparent striker bus. | First sponsor: Sen. Nelson | 6/23 from Senate nat res-inf with amend #4735 . |

LEGEND

- Commission Direction – The Game and Fish Commission has given direction to the Department on these bills OR the department would like to address the commission about these bills.
- Oppose – The Game and Fish Commission has voted to oppose these bills.
- Support – The Game and Fish Commission has voted to support these bills.

AMEND C&P Constitutional and Proper as Amended by the House Rules Committee

APPROP Appropriations Committee

AGFD Arizona Game and Fish Department

C&P Constitutional and Proper

COW Committee of the Whole

DP Do Pass

DPA Do Pass as Amended

GF General Fund

GOV Government Committee

GR Government and Retirement Committee

H House Bill

HCR House Concurrent Resolution

HHR House Hearing Room

Hse. House of Representatives

JUD Judiciary Committee

PFC Proper for Consideration

PFCA Proper for Consideration as Amended by the Senate Rules Committee

S Senate Bill

S/E Strike Everything Amendment

Sen. Senate

SHR Senate Hearing Room

WM Ways and Means Committee

If you have questions relating to legislation, please contact:
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