

Week of January 20-24, 2014



Legislative Update

General Issues

Monday, January 13th signified the start of 51st Legislature, Second Regular Session. As of Friday January 24th, there have been 719 bills introduced.

The biggest news during Governor Brewer's State of the State speech was the announcement of the abolishment of Child Protective Services and the formation of a new agency headed by the current Department of Juvenile Corrections Director, Chuck Flanagan. Response to this announcement from legislators was mixed with many asking for more details of how this will be implemented. This will likely be one of the main issues that legislators will tackle during this Session.

Additionally, Governor Brewer indicated that she will seek legislation to eliminate the Transaction Privilege Tax on energy used by manufacturers. Rumors of this legislation surfaced several weeks ago and was originally said to be for the benefit of only one or two of the State's largest manufacturers. However, we are hearing that it will be much more broad-based and may apply to all manufacturing businesses. The fiscal impact to the State and local governments from such an inclusive tax reduction bill could be substantial.

Scottsdale Legislation

On November 20, 2013, the City Council approved the 2014 State Legislative Agenda. It was recommended that the City seek legislation on two issues: *Traffic Congestion from Taxis* and *Non-transferrable Liquor Licenses*. In addition, the City of Scottsdale will take an active part in running legislation for Street Light Improvement Districts which is being spearheaded by League of Cities and Towns.

SB 1152 – Transportation Safety Zones; Passenger Areas – SB 1152 will allow a city or town to establish two Transportation Safety Zones for the purpose of relieving traffic congestion. Inside a Transportation Safety Zone, a city or town council may establish dedicated traffic lanes for use by taxis, limousines, passenger carts, and other for-hire vehicles for the express purpose of picking up and dropping off passengers. Additionally, a city or town council may establish Passenger Convenience Areas where for-hire vehicles may temporarily park to wait for passengers. The Chairman of the Senate Public Safety Committee, Senator Chester Crandell (Heber) has agreed to be the sponsor of the bill.

Status: *SB 1552 was introduced by Senator Chester Crandell and has been assigned to the Senate Transportation Committee.*

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HB 2387 - Street Light Improvement Districts – This legislation will allow for the transfer of jurisdiction of county operated Street Light Improvement Districts (SLIDs) to a municipal SLID by a public vote of a city or town council. This will facilitate the transfer of approximately 40 SLIDs that are in Scottsdale’s boundaries but are still being operated and maintained by Maricopa County. Representative Michelle Ugenti has agreed to sponsor the bill.

Status: *HB 2387 was introduced by Representative Ugenti. It will be heard on Tuesday, January 28th in the House Government Committee.*

Non-Transferrable Liquor Licenses – At this time a sponsor has not been identified. Due to the strong opposition and negative feedback from liquor industry and state licensing representatives, it is recommended that legislation not be pursued this year.

Elections

HB 2196 – Election Law; Amendments; Repeal – HB 2196 would repeal the provision of HB 2305, which passed during last year’s legislative session and was signed by the Governor. During the interim, proponents of HB 2305 gathered enough signatures to place the approval of HB 2305 on the 2014 general election ballot.

HB 2305 requires a political committee that files petitions with the Secretary of State (SOS) to organize and group the signature sheets. It authorized the SOS to return as unfiled any signature sheets not organized and grouped and provided the ability of a political committee to increase the standard for challenging the validity of petition circulators by contracting for background checks by a private entity. It also adds strict compliance to requirements for initiatives, referenda and recalls, prohibited the collection of early ballots by a political committee or volunteer and assessed a criminal penalty for a violation, removed registrants from the Permanent Early Voting List under certain circumstances and amended the number of signatures required for nomination petitions.

Status: *HB 2196 was introduced by Representative Eddie Farnsworth (Gilbert) and was Held in the House Judiciary Committee on January 23rd.*

Public Retirement

HB 2050 – ASRS Membership; Section 218 Requirements – HB 2050 is legislation intended to address the issue of police and fire department personnel who may be misenrolled, due to ineligibility, in either the Arizona State Retirement System (ASRS) or the Public Safety Personnel Retirement System (PSPRS). HB 2050 would eliminate the current requirement that employees must be covered by a Section 218 Agreement to be eligible for participation in ASRS. A Section 218 Agreement is an agreement between the state, a municipality, and the Social

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Security Administration which prescribes Social Security and Medicare coverage for state and local government employees. HB 2050 will be amended to include provisions for converting improperly enrolled employees from one state retirement plan to another. Failure to implement measures such as those contained in HB 2050 may increase liability and financial costs to cities and towns impacted by public safety personnel misenrollments.

Status: *HB 2050 was introduced by Representative Phil Lovas (Peoria) and will be heard in the House Retirement and Insurance Committee on Tuesday, January 28.*

Recommended Action: *SUPPORT*

Public Safety

SB 1183 – Fire Access Roads; Limitation; Sprinklers – SB 1183 (and its identical bill HB 2489) will prohibit cities and towns from adopting any fire code or ordinance for a fire access road that directly or indirectly requires the installation of fire sprinklers in a one or two family residence or utility building. These bills are being advocated by the Central Arizona Homebuilders Association.

Status: *SB 1183 was introduced by Senator David Farnsworth (Mesa). The companion bill, HB 2489 was introduced by Representative Warren Petersen (Gilbert).*

Recommended Action: *OPPOSE*

Chicken Bills

SB 1151 – Fowl Regulation; Prohibition – For whatever reason, SB 1151 has received a lot of attention at the Capitol this week. If passed, SB 1151 would prohibit cities and towns from adopting a zoning ordinance that prohibits a resident of a single-family detached residence from keeping fowl in the backyard of the property. Municipalities may restrict the number of fowl. As stated in the bill, this is a matter of statewide concern.

Status: *SB 1151 was introduced by Representative David Farnsworth (Gilbert) and has been assigned to the Senate Government and Energy Committee.*

Recommended Action: *NONE at this time.*