

ARIZONA STATE SENATE

50TH LEGISLATURE
FIRST REGULAR SESSION

MINUTES OF COMMITTEE ON BANKING AND INSURANCE

DATE: March 15, 2011 **TIME:** 2:00 p.m. **ROOM:** SHR 3

CHAIRMAN: Senator McComish **VICE-CHAIRMAN:** Senator Reagan

ANALYST: Bill Ritz **INTERN:** Zack Porter

**COMMITTEE
SECRETARY:** Toy Brown

ATTENDANCE

BILLS

<u>Committee Members</u>	<u>Pr</u>	<u>Ab</u>	<u>Ex</u>	<u>Bill Number</u>	<u>Disposition</u>
Senator Driggs	X			HB 2297	DP
Senator Gray	X			HB 2412	DP
Senator Lopez	X			HB 2476	DP
Senator Meza	X			HB 2584	HELD
Senator Reagan, Vice-Chairman	X			HB 2616	DP
Senator McComish, Chairman	X			HB 2617	FAILED

Chairman McComish called the meeting to order at 4:04 p.m. and attendance was noted.

APPROVAL OF MINUTES

Senator McComish stated that without objection, the minutes of March 8, 2011 were approved.

CONSIDERATION OF BILLS

HB 2412 – credit card agreements – DO PASS

Bill Ritz, Banking and Insurance Committee Research Analyst, explained the bill and answered questions posed by the Committee.

Mike Williams, Arizona Collectors Association, testified in support of the bill and answered questions posed by the Committee.

Ellen Katz, Litigation Director, William E. Morris Institute for Justice, testified in opposition to the bill and answered questions posed by the Committee.

Mr. Williams further answered questions posed by the Committee.

Senator Gray moved HB 2412 be returned with a DO PASS recommendation. The motion CARRIED with a roll call vote of 5-0-1 (Attachment 1).

RECESS

Senator McComish recessed the Committee at 4:16 p.m.

RECONVENE

Senator McComish reconvened the Committee at 4:58 p.m.

CONSIDERATION OF BILLS

HB 2584 – workers' compensation; directed care – HELD

Senator McComish announced that HB 2584 would be HELD.

HB 2476 – workers' compensation; certain diseases; exposure – DO PASS

Zack Porter, Banking and Insurance Committee Intern, explained the bill and answered questions posed by the Committee.

Brian Livingston, Executive Director, Arizona Police Association, distributed a handout "MRSA and the Workplace" (Attachment A), testified in support of the bill and answered questions posed by the Committee.

Levi Bolton, Vice President, Phoenix Law Enforcement Association, testified in support of the bill and answered questions posed by the Committee.

Representative Heinz, representing self, testified in support of the bill and answered questions posed by the Committee.

Jeff Gray, Legislative Liaison, Arizona Self Insurers Association, testified in opposition to the bill and answered questions posed by the Committee.

Mr. Livingston further answered questions posed by the Committee.

Mr. Bolton further answered questions by the Committee.

Mr. Gray further answered questions posed by the Committee.

**Senator Reagan moved HB 2476 be returned with a DO PASS recommendation.
The motion CARRIED with a roll call vote of 6-0-0 (Attachment 2).**

Senators Reagan and McComish explained their votes.

HB 2616 – workers' compensation; controlled substances – DO PASS

Zack Porter, Banking and Insurance Committee Intern, explained the bill and answered questions posed by the Committee.

Representative McLain, bill sponsor, further explained the bill and answered questions posed by the Committee.

James Stabler, Chief Counsel, SCF Arizona, testified in support of the bill and answered questions posed by the Committee.

**Senator Reagan moved HB 2616 be returned with a DO PASS recommendation.
The motion CARRIED with a roll call vote of 6-0-0 (Attachment 3).**

HB 2297 – escrow agents; recovery fund; repeal – DO PASS

Bill Ritz, Banking and Insurance Committee Research Analyst, explained the bill and answered questions posed by the Committee.

Representative McLain, bill sponsor, further explained the bill and answered questions posed by the Committee.

Larry Phelps, State Counsel, Land Title Association of Arizona, testified in support of the bill and answered questions posed by the Committee.

**Senator Reagan moved HB 2297 be returned with a DO PASS recommendation.
The motion CARRIED with a roll call vote of 6-0-0 (Attachment 4).**

HB 2617 – workers' compensation; settlement of claims – FAILED

Bill Ritz, Banking and Insurance Committee Research Analyst, explained the bill and answered questions posed by the Committee.

Senator McComish stated that, without objection, the McComish amendment dated 3/15/11 at 11:51 a.m. (Attachment B), submitted beyond the deadline, would be allowed for consideration by the Committee.

Mr. Ritz explained the 8-line McComish amendment dated 3/15/11 at 11:51 a.m. (Attachment B) and answered questions posed by the Committee.

Representative McLain, bill sponsor, further explained the bill and answered questions posed by the Committee.

James Stabler, Chief Counsel, SCF Arizona, testified as neutral to the bill and answered questions posed by the Committee.

Darryl Engle, Attorney, Association of Lawyers for Injured Workers, testified in opposition to the bill and answered questions posed by the Committee.

Terry Fox, Attorney, representing self, testified in opposition to the bill and answered questions posed by the Committee.

Levi Bolton, Vice President of Phoenix Law Enforcement Association, testified in opposition to the bill and answered questions posed by the Committee.

Jeff Gray, Legislative Liaison, Arizona Self Insurers Association, testified in support of the bill and answered questions posed by the Committee.

Senator Reagan moved HB 2617 be returned with a DO PASS recommendation.

Senator Reagan moved the 8-line McComish amendment dated 3/15/11 at 11:51 a.m. (Attachment B) be ADOPTED. The motion CARRIED with a voice vote.

Senator Reagan moved HB 2617 be returned with an AS AMENDED, DO PASS recommendation. The motion FAILED with a roll call vote of 3-3-0 (Attachment 5).

Senators Driggs, Gray and Reagan explained their votes.

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

There being no further business, the meeting was adjourned at 5:58 p.m.

Respectfully submitted,

Toy Brown
Committee Secretary

(Audio recordings and attachments on file in the Secretary of the Senate's Office/Resource Center, Room 115. Audio archives are available at <http://www.azsenate.gov>)