

ARIZONA STATE SENATE

52ND LEGISLATURE SECOND REGULAR SESSION

MINUTES OF COMMITTEE ON JUDICIARY

DATE: February 18, 2016 **TIME:** 9:00 A.M. **ROOM:** SHR109
CHAIRMAN: Senator Adam Driggs **VICE-CHAIRMAN:** Senator Nancy Barto
ANALYST: Amber Witter

ATTENDANCE

Committee Members

	<u>Pr</u>	<u>Ab</u>	<u>Ex</u>	<u>Bill Number</u>	<u>Disposition</u>
Senator Contreras	X			SB 1018	DP
Senator Dalessandro	X			SB 1061	DP
Senator Pierce	X			SB 1102	DPA
Senator Quezada	X			SB 1200	DPA
Senator Worsley	X			SB 1271	DP
Senator Barto, Vice-Chairman	X			SB 1294	DPA/SE
Senator Driggs, Chairman	X			SB 1296	DPA
				SB 1307	DPA
				SB 1364	DP
				SB 1406	HELD
				SB 1412	DPA/SE
				SB 1413	DPA
				SB 1414	DPA
				SB 1449	DPA/SE
				SB 1510	DPA/SE
				SB 1515	DPA/SE
				SB 1516	DPA

BILLS

Chairman Driggs called the meeting to order at 9:08 a.m. and attendance was taken.

APPROVAL OF MINUTES

Senator Driggs stated, without objection, the minutes of February 11, 2016 were approved.

CONSIDERATION OF BILLS

SB 1307 - community property; life sentence; spouse – DO PASS AMENDED

Amber Witter, Judiciary Committee Analyst, explained SB 1307 and the 14-line Driggs amendment dated 02/17/16 at 9:20 a.m. (Attachment A).

Senator Griffin, bill sponsor, further explained SB 1307.

Deanna Gulli, representing herself, testified in support of SB 1307.

Senator Griffin answered questions posed by the Committee.

Senator Barto moved SB 1307 be returned with a DO PASS recommendation.

Senator Barto moved the 14-line Driggs amendment dated 02/17/16 at 9:20 a.m. (Attachment A) be ADOPTED. The motion CARRIED by voice vote.

Senator Barto moved SB 1307 be returned with an AS AMENDED, DO PASS recommendation. The motion CARRIED with a roll call vote of 7-0-0 (Attachment 1).

SB 1061 - process servers; motor vehicle records – DO PASS

Jessica Newland, Transportation Committee Intern, explained SB 1061.

Senator Kavanagh, bill sponsor, further explained SB 1061.

John Tavernaro, Certified Process Server, testified in support of SB 1061 and answered questions posed by the Committee.

Senator Barto moved SB 1061 be returned with a DO PASS recommendation. The motion CARRIED with a roll call vote of 4-3-0 (Attachment 2).

Senators Pierce, Quezada and Driggs explained their votes.

SB 1018 - aid; execution of process; injury – DO PASS

Amber Witter, Judiciary Committee Analyst, explained SB 1018.

Senator Kavanagh, bill sponsor, further explained SB 1018 and answered questions posed by the Committee.

John Tavernaro, Certified Process Server, testified in support of SB 1061.

Senator Barto moved SB 1018 be returned with a DO PASS recommendation. The motion CARRIED with a roll call vote of 7-0-0 (Attachment 3).

SB 1449 - unmanned aircraft; prohibited operations – DO PASS AMENDED/STRIKE EVERYTHING

Kaitlyn Neff, Natural Resources Committee Analyst, explained the 7-page Worsley strike everything amendment dated 02/15/16 at 1:30 p.m. (Attachment B).

Senator Kavanagh, bill sponsor, further explained the strike everything amendment and answered questions posed by the Committee.

Stuart Goodman, Consumer Technology Association, testified in support of the strike everything amendment.

Senator Kavanagh answered additional questions posed by the Committee.

Dale Wiebusch, Legislative Associate, League of Arizona Cities & Towns, testified in opposition to the strike everything amendment.

Senator Barto moved SB 1449 be returned with a DO PASS recommendation.

Senator Barto moved the 7-page Worsley strike everything amendment dated 02/15/16 at 1:30 p.m. (Attachment B) be ADOPTED. The motion CARRIED by voice vote.

Senator Barto moved SB 1449 be returned with an AS AMENDED, DO PASS recommendation. The motion CARRIED with a roll call vote of 7-0-0 (Attachment 4).

Senators Contreras and Worsley explained their votes.

SB 1200 - uniform transfers to minors; age – DO PASS AMENDED

Amber Witter, Judiciary Committee Analyst, explained SB 1200 and the 12-line Driggs amendment dated 02/17/16 at 9:47 a.m. (Attachment C).

Senator Sherwood, bill sponsor, further explained SB 1200.

Senator Barto moved SB 1200 be returned with a DO PASS recommendation.

Senator Barto moved the 12-line Driggs amendment dated 02/17/16 at 9:47 a.m. (Attachment C) be ADOPTED. The motion CARRIED by voice vote.

Senator Barto moved SB 1200 be returned with an AS AMENDED, DO PASS recommendation. The motion CARRIED with a roll call vote of 7-0-0 (Attachment 5).

Senator Quezada explained his vote.

SB 1102 - guardians; duties; access to ward – DO PASS AMENDED

Amber Witter, Judiciary Committee Analyst, explained SB 1102 and the 7-line Barto amendment dated 02/17/16 at 9:53 a.m. (Attachment D).

Senator Barto moved SB 1102 be returned with a DO PASS recommendation.

Senator Barto moved the 7-line Barto amendment dated 02/17/16 at 9:53 a.m. (Attachment D) be ADOPTED. The motion CARRIED by voice vote.

Senator Barto moved SB 1102 be returned with an AS AMENDED, DO PASS recommendation. The motion CARRIED with a roll call vote of 6-0-1 (Attachment 6).

SB 1271 - notaries; unlawful practices; immigration – DO PASS

Alexandria Saquella, Judiciary Committee Intern, explained SB 1271.

Ruben Reyes, Vice Chair, Arizona Immigration Lawyers Association, testified in support of SB 1271.

Vel Pina, Owner, Americana Services, testified in opposition to SB 1271.

Edward Maldonado, Los Abrigados, testified in support of SB 1271.

Rick DeBruhl, State Bar of Arizona, registered as neutral to SB 1271 and testified regarding the problems initiating this legislation.

Senator Barto moved SB 1271 be returned with a DO PASS recommendation. The motion CARRIED with a roll call vote of 7-0-0 (Attachment 7).

Senator Dalessandro explained her vote.

SB 1296 - guardianship; proceedings; ward's relationships – DO PASS AMENDED

Amber Witter, Judiciary Committee Analyst, explained SB 1296 and the 2-page Driggs amendment dated 02/17/16 at 2:46 p.m. (Attachment E).

Amy Love, Legislative Liaison, Arizona Supreme Court, testified in support of SB 1296.

Senator Barto moved SB 1296 be returned with a DO PASS recommendation.

Senator Barto moved the 2-page Driggs amendment dated 02/17/16 at 2:46 p.m. (Attachment E) be ADOPTED. The motion CARRIED by voice vote.

Senator Barto moved SB 1296 be returned with an AS AMENDED, DO PASS recommendation. The motion CARRIED with a roll call vote of 7-0-0 (Attachment 8).

SB 1364 - claim; notice; public entity; exception – DO PASS

Emily Mercado, Health and Human Services Committee Analyst, explained SB 1364.

Senator Cajero Bedford, bill sponsor, further explained SB 1364.

Janice Crowder, representing herself, testified in support of SB 1364.

Robert Wolkin, representing himself, testified in support of SB 1364 and answered questions posed by the Committee.

John MacDonald, Maricopa Integrated Healthcare System, testified in opposition to SB 1364.

Senator Barto moved SB 1364 be returned with a DO PASS recommendation. The motion CARRIED with a roll call vote of 7-0-0 (Attachment 9).

Senators Quezada, Worsley, Barto and Driggs explained their votes.

SB 1412 - incompetent; nonrestorable defendants; involuntary commitment – DO PASS AMENDED/STRIKE EVERYTHING

Amber Witter, Judiciary Committee Analyst, explained the 65-page Driggs strike everything amendment dated 02/16/16 at 4:53 p.m. (Attachment F).

Kathleen Mayer, Legislative Liaison, Pima County Attorney's Office, testified in support of the strike everything amendment.

Rebecca Baker, Legislative Liaison, Maricopa County Attorney's Office, testified in support of the strike everything amendment.

Rusty Stuart, Detective, Phoenix Police Department, Phoenix Law Enforcement Association, testified in support of the strike everything amendment.

Carol Olson, Psychiatrist, Maricopa Integrated Healthcare System, testified in opposition to the strike everything amendment.

Senator Barto moved SB 1412 be returned with a DO PASS recommendation.

Senator Barto moved the 65-page Driggs strike everything amendment dated 02/16/16 at 4:53 p.m. (Attachment F) be ADOPTED. The motion CARRIED by voice vote.

Senator Barto moved SB 1412 be returned with an AS AMENDED, DO PASS recommendation. The motion CARRIED with a roll call vote of 5-2-0 (Attachment 10).

Senator Quezada explained his vote.

SB 1515 - amusement gambling; definition; money – DO PASS AMENDED/STRIKE EVERYTHING

Alexandria Saquella, Judiciary Committee Intern, explained the 9-page Driggs strike everything amendment dated 02/16/16 at 11:16 a.m. (Attachment G).

Kelsey Lundy, Lobbyist, Fantasy Sports Trade Association, testified in support of the strike everything amendment.

Stacie Stern, General Manager, Head to Head Sports, testified in support of the strike everything amendment.

Cathi Herrod, Center for Arizona Policy, testified in opposition to the strike everything amendment.

Valerie Spicer, Executive Director, Arizona Indian Gaming Association, testified in opposition to the strike everything amendment and answered questions posed by the Committee.

Heidi Staudenmaier, representing herself, testified in support of the strike everything amendment and answered questions posed by the Committee.

Ms. Spicer answered additional questions posed by the Committee.

Senator Barto moved SB 1515 be returned with a DO PASS recommendation.

Senator Barto moved the 9-page Driggs strike everything amendment dated 02/16/16 at 11:16 a.m. (Attachment G) be ADOPTED. The motion CARRIED by voice vote.

Senator Barto moved SB 1515 be returned with an AS AMENDED, DO PASS recommendation. The motion CARRIED with a roll call vote of 5-2-0 (Attachment 11).

Senators Contreras, Dalessandro, Quezada, Worsley, Barto and Driggs explained their votes.

SB 1516 - campaign finance amendments – DO PASS AMENDED

Amber Witter, Judiciary Committee Analyst, explained SB 1516, the 10-page Driggs amendment dated 02/17/16 at 3:18 p.m. (Attachment H) and answered questions posed by the Committee.

Eric Spencer, State Elections Director, Secretary of State's Office, testified in support of SB 1516 and answered questions posed by the Committee.

Ms. Witter answered additional questions posed by the Committee.

Sandy Bahr, Sierra Club, Grand Canyon Chapter, testified in opposition to SB 1516.

Alison Porter, representing herself, testified in opposition to SB 1516.

Timothy La Sota, representing himself, testified in opposition to SB 1516 and answered questions posed by the Committee.

Thomas Collins, Arizona Citizens Clean Elections Commission, testified in opposition to SB 1516.

Senator Barto moved SB 1516 be returned with a DO PASS recommendation.

Senator Barto moved the 10-page Driggs amendment dated 02/17/16 at 3:18 p.m. (Attachment H) be ADOPTED. The motion CARRIED by voice vote.

Senator Barto moved SB 1516 be returned with an AS AMENDED, DO PASS recommendation. The motion CARRIED with a roll call vote of 4-3-0 (Attachment 12).

Senators Dalessandro, Quezada, Worsley and Driggs explained their votes.

SB 1413 - fiduciary access to digital assets – DO PASS AMENDED

Alex Vidal, Public Safety, Military and Technology Committee Analyst, explained SB 1413 and the 8-line Driggs amendment dated 02/10/16 at 1:58 p.m. (Attachment I).

Timothy Berg, Chair, Commission on Uniform State Laws, testified in support of SB 1413.

Senator Barto moved SB 1413 be returned with a DO PASS recommendation.

Senator Barto moved the 8-line Driggs amendment dated 02/10/16 at 1:58 p.m. (Attachment I) be ADOPTED. The motion CARRIED by voice vote.

Senator Barto moved SB 1413 be returned with an AS AMENDED, DO PASS recommendation. The motion CARRIED with a roll call vote of 7-0-0 (Attachment 13).

SB 1414 - electronic legal material – DO PASS AMENDED

Alexandria Saquella, Judiciary Committee Intern, explained SB 1414 and the 5-line Driggs amendment dated 02/09/16 at 4:42 p.m. (Attachment J).

Timothy Berg, Chair, Commission on Uniform State Laws, testified in support of SB 1414.

Charlotte Henderson, Arizona Association of Law Libraries, testified in support of SB 1414.

Senator Barto moved SB 1414 be returned with a DO PASS recommendation.

Senator Barto moved the 5-line Driggs amendment dated 02/09/16 at 4:42 p.m. (Attachment J) be ADOPTED. The motion CARRIED by voice vote.

Senator Barto moved SB 1414 be returned with an AS AMENDED, DO PASS recommendation. The motion CARRIED with a roll call vote of 7-0-0 (Attachment 14).

Senator Quezada explained his vote.

SB 1510 - judicial productivity credits; calculation; salary – DO PASS AMENDED/STRIKE EVERYTHING

Amber Witter, Judiciary Committee Analyst, explained the 6-page Driggs strike everything amendment dated 02/16/16 at 10:13 a.m. (Attachment K).

Kimberly MacEachern, Staff Attorney, Arizona Prosecuting Attorneys Advisory Council, testified in support of the strike everything amendment.

Senator Barto moved SB 1510 be returned with a DO PASS recommendation.

Senator Barto moved the 6-page Driggs strike everything amendment dated 02/16/16 at 10:13 a.m. (Attachment K) be ADOPTED. The motion CARRIED by voice vote.

Senator Barto moved SB 1510 be returned with an AS AMENDED, DO PASS recommendation. The motion CARRIED with a roll call vote of 7-0-0 (Attachment 15).

SB 1294 - claims; licensed professionals; expert witness – DO PASS AMENDED/STRIKE EVERYTHING

Amber Witter, Judiciary Committee Analyst, explained the 3-page Driggs strike everything amendment dated 02/16/16 at 3:27 p.m. (Attachment L).

Michelle Wilson, Environmental Program Manager, Arizona Department of Weights and Measures, further explained the strike everything amendment.

Steven Duplissis, Section Chief Council, Criminal Division, Arizona Attorney General's Office, testified in support of the strike everything amendment.

Senator Barto moved SB 1294 be returned with a DO PASS recommendation.

Senator Barto moved the 3-page Driggs strike everything amendment dated 02/16/16 at 3:27 p.m. (Attachment L) be ADOPTED. The motion CARRIED by voice vote.

Senator Barto moved SB 1294 be returned with an AS AMENDED, DO PASS recommendation. The motion CARRIED with a roll call vote of 7-0-0 (Attachment 16).

SB 1406 - reporting; untested sexual assault kits – HELD

Senator Driggs stated that SB 1406 would be HELD.

Attached is a list noting the individuals who registered their position on the bills (Attachment M).

There being no further business, the meeting was adjourned at 1:03 p.m.

Respectfully submitted,

Shelley Ponce
Committee Secretary

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