

Natural Resources Committee

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NATURAL RESOURCES COMMITTEE

LEGISLATION ENACTED

underground facility; damage; notice (S.B. 1163) – Chapter 23

Requires a person who is responsible for excavation operations to immediately notify the underground facilities operator and 911 or the local emergency response agency in the event an excavation damage results in the release of hazardous gases or liquids.

Mexican wolf; G&F approval; reporting (S.B. 1243) – Chapter 152

SEE THE WATER AND ENERGY COMMITTEE.

fire districts; wildland fires; budgets (S.B. 1244) – Chapter 219 E

An emergency measure, effective May 12, 2016, that does the following:

Fire District Assistance Tax – Eliminates, beginning in FY 2017 and retroactive to July 1, 2016, the \$400,000 Fire District Assistance Tax (FDAT) limit for consolidated districts and caps the amount of FDAT monies that a district that consolidated after July 1, 2014, can receive at the sum of the average of the amount of monies received by each district in the five fiscal years prior to consolidation.

Wildland Fire Reimbursement Claims – Directs the State Forester to certify a wildland fire reimbursement claim not yet paid by a federal agency to the State Treasurer, who must pay the claim from monies appropriated from the Budget Stabilization Fund.

County Fire District Budget Override Election – Allows the electors of a fire district voting in a regularly scheduled general election in November 2016 or 2017 to authorize a temporary budget override for five consecutive tax years that allows annual levies subject to a \$3.50 tax rate limit instead of the \$3.25 statutory limit.

~~body of water; aggregate mining~~ (NOW: pet store operators; dealers; regulations) (S.B. 1248) – Chapter 351

Establishes restrictions and permissions for pet store operators or pet dealers regarding the sale of a dog or cat. Prohibits a pet store operator or pet dealer from directly or indirectly obtaining a dog or cat for sale from a person required to be licensed by the U.S. Department of Agriculture who has committed specified violations. Classifies violations and civil penalties for knowingly obtaining dogs or cats for resale in violation of prescribed regulations.

Prohibits a city, town or county from imposing local regulation exceeding state law regarding the sale of dogs or cats or prohibiting the sale of dogs or cats by a pet store or pet dealer. A city, town or county may regulate the control of dogs if the regulation is not breed-specific.

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Establishes a nine-member Dog and Cat Breeder Study Committee to study breeding, regulatory models, spay and neuter clinics and pet adoption through September 30, 2017.

vehicle emissions inspection program; continuation (S.B. 1255) – Chapter 34

The Vehicle Emissions Inspection Program is continued until July 1, 2022.

pest management division (S.B. 1270) – Chapter 221

Retroactive to July 1, 2016, establishes the Division of Pest Management within the Arizona Department of Agriculture (ADA) to regulate pest management services. Transfers certain authority, duties and responsibilities and grants applicable licensing, registration, certification and regulation authority currently granted to the Office of Pest Management to the ADA. Establishes the Pest Management Trust Fund and the Pest Management Division Council. Makes changes to funding, administration and requirements regarding pest management.

agriculture omnibus (S.B. 1344) – Chapter 160

Restructures permissions and requirements relating to self-inspection by movers of livestock. Allows the Director of the Arizona Department of Agriculture (ADA) to implement and use monies from the Commercial Feed Trust Fund to assist with efforts of an Arizona Livestock Incident Response Team Agreement that is established between the ADA and a state university. Expands the requirement for the Director of the ADA to cooperate with the U.S. Department of Agriculture in the control and destruction or relocation of predatory wildlife to include reintroduced predatory wildlife. Extends the county board of supervisors' permission to control and destroy predatory wildlife to include reintroduced predatory wildlife.

G&F; heritage fund; expenditures (S.B. 1361) – Chapter 224

Reduces the minimum proportion of Game and Fish Heritage Fund monies that must be spent on property acquisition from 40 percent to 20 percent. For purposes of operation and maintenance of acquired property, the Game and Fish Commission may spend no more than 20 percent of monies allocated for identification, inventory, acquisition, protection and management, maintenance and operations of property with sensitive habitat. The Game and Fish Commission must provide a copy of the annual report to the Secretary of State.

private lands; use; enjoyment (S.B. 1433) – Chapter 169

SEE THE FEDERALISM, MANDATES AND FISCAL RESPONSIBILITY COMMITTEE.

racing commission; continuation; conforming changes (S.B. 1435) – Chapter 342

Retroactive to July 1, 2016, the Arizona Racing Commission is continued until July 1, 2024. Appropriates \$200,000 from the state General Fund in FY 2017 to the Arizona Department of Gaming for the Arizona Breeders' Award Fund.

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small property tax balance delinquency. (NOW: prohibition; live dog racing) (H.B. 2127) – Chapter 246

Prohibits live dog racing in Arizona after December 31, 2016. Currently authorized operations, prescribed daily pari-mutuel pool deposits and required purse allocations may continue through December 31, 2016. Allows approved permittees that conducted live dog racing in 2016 to continue to conduct advance deposit wagering on simulcast races at additional facilities; the consent of all licensed permittees in the county is required in order for an additional facility to conduct wagering through January 1, 2019. Beginning January 1, 2017, 20 percent of the simulcast commission fee paid by a permittee that conducted live dog racing in 2016 to a racing facility in Maricopa County must be distributed to the recognized horsemen's association in this state.

TPT; exemption, aerial applicators (H.B. 2133) – Chapter 181

SEE THE FINANCE COMMITTEE.

weights and measures; omnibus (H.B. 2171) – Chapter 232

Transfers certain specified authority, duties and responsibilities currently granted to the Department of Weights and Measures to the Arizona Department of Agriculture (ADA) Division of Weights and Measures (Division), except for the regulation of for-hire transportation, which is transferred to the Arizona Department of Transportation (ADOT). Allows the Associate Director of the Division to establish certain weights and measures training programs. Establishes penalties and an administrative hearing process for violations of weights and measures regulations.

Makes changes to labeling specifications, standard compliance petitions, fuel reformulation requirements, and transfer documentation of biodiesel motor fuel to conform to federal law. Sale of diesel fuel containing sulfur in excess of 15 parts per million, except locomotive and marine diesel fuel, is prohibited.

Effective October 1, 2018, fuel dispenser nozzles must be equipped with the following grip guards: green for retail diesel fuel and yellow for retail ethanol flex fuel. Other fuel dispenser nozzles may not display green or yellow grip guards.

Allows prices to be displayed near the point of display of a product, rather than on the package, and allows the price to be displayed at a service counter if the commodity is only available with the assistance of a salesperson.

Removes the requirement for license and regulation of commercial device taxi meters and instead requires a vehicle-for-hire operator to obtain a vehicle-for-hire permit in order to operate in the state. Prescribes requirements for vehicle-for-hire trade dress, documentation, and motor vehicle license and insurance. Requires ADOT to collect a \$24 fee for a three year vehicle-for-hire permit, not to exceed \$1,000 per applicant. ADOT may investigate complaints, inspect and test taxi meters, apply injunctions, and hire employees to assist with for-hire transportation duties. Establishes penalties for offering vehicle-for-hire services without a valid permit and for

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knowingly hindering, interfering or obstructing the inspection or testing of a taxi meter and subjects violations of permit requirements to civil penalties imposed by ADOT. The Director of ADOT may initiate judicial review proceedings for revocation or suspension of a permit and may refuse or revoke a permit until delinquent civil penalties and fees are paid in full. Specifies that transportation network companies are subject to regulation as transportation network companies, rather than vehicles-for-hire. Beginning September 1, 2016, licensed taxi, livery vehicle and limousine owners and drivers are exempt from paying a transaction privilege tax or similar taxes on income derived from transporting persons for hire.

The ADA and ADOT are exempt from rulemaking requirements related to the transfer of weights and measures for one year.

G&F; military spouses; resident licenses (H.B. 2324) – Chapter 191

Permits spouses of U.S. armed forces members that are permanently or temporarily stationed in Arizona to purchase a resident license for the taking of wildlife.

~~gold bonds; study committee~~ (NOW: primitive campgrounds; exemption; definition) (H.B. 2541) – Chapter 200

Exempts primitive camp and picnic grounds offered by the state or a political subdivision from following sewage, disposal, garbage and water standards mandated by the Department of Health Services. The camp and picnic grounds are still subject to approval by a county health department under prescribed sanitary regulations.

cooperative associations (H.B. 2614) – Chapter 349

SEE THE COMMERCE AND WORKFORCE DEVELOPMENT COMMITTEE.