ARIZONA STATE SENATE

55th LEGISLATURE
FIRST REGULAR SESSION

MINUTES OF COMMITTEE ON COMMERCE

DATE: February 17, 2021 **TIME:** 2:00 P.M. **ROOM:** SHR 1

CHAIRMAN: Senator J.D. Mesnard **VICE-CHAIRMAN:** Senator Michelle Ugenti-Rita

ANALYST: Laura Benitez

ATTENDANCE

Committee Members	Pr	Ab	Ex
Senator Borrelli*	X		
Senator Bowie*	X		
Senator Gabaldón*	X		
Senator Livingston	X		
Senator Navarrete	X		
Senator Pace	X		
Senator Peshlakai*	X		
Senator Ugenti-Rita, Vice-Chairman	X		
Senator Mesnard, Chairman	X		

BILLS

Bill Number	Disposition
SB 1154	FAILED
SB 1156	DPA/SE
SB 1304	DPA/SE
SB 1402	HELD
SB 1434	DPA
SB 1496	HELD
SB 1598	DP
SB 1605	DP
SB 1647	FAILED
SB 1715	DISCUSS ONLY
SB 1787	HELD
SB 1797	DPA
SB 1803	DP

This meeting will be held via teleconference software. Members of the public may access a livestream of the meeting here:
https://www.azleg.gov/videoplayer/?clientID=6361162879&eventID=2021021114

*Participated remotely via a teleconference platform.

Chairman Mesnard called the meeting to order at 3:41 p.m. and attendance was noted.

Senator Mesnard explained the order listed of the agenda items.

CONSIDERATION OF BILLS

SB 1402 – tobacco; retail; licensing. – HELD

Senator Mesnard stated that SB 1402 would be HELD.

SB 1496 – e-liquids; tobacco products; vapor products – HELD

Senator Mesnard stated that SB 1496 would be HELD.

SB 1787 – unemployment insurance; benefits; duration – HELD

Senator Mesnard stated that SB 1787 would be HELD.

SB 1154 – technical corrections; valuation; personal property – FAILED

Laura Benitez, Commerce Committee Analyst, explained the 2-page Mesnard strike everything amendment dated 02/08/2021 at 11:49 a.m. (Attachment A) and the 4-line Borrelli amendment to the Mesnard strike everything amendment dated 02/16/2021 at 01:30 p.m. (Attachment B).

Senator Mesnard, bill sponsor, provided comments regarding the Mesnard strike everything amendment and answered questions posed by the Committee.

Tom Savage, on behalf of League of Arizona Cities and Towns, participated remotely via a teleconference platform, testified in opposition to the Mesnard strike everything amendment and answered questions posed by the Committee.

Senator Livingston discussed his concerns and offered comments on the Mesnard strike everything amendment.

Senator Mesnard answered additional questions posed by the Committee and provided additional comments regarding the Mesnard strike everything amendment.

Senators Ugenti-Rita, Livingston, Mesnard offered comments.

Senator Borrelli, participated remotely via a teleconference platform, answered questions posed by the Committee and offered comments on the Borrelli amendment.

The Committee discussed the Mesnard strike everything amendment and the Borrelli amendment.

Attached is a list noting the individuals who registered their position on SB 1154 (Attachment C).

Senator Ugenti-Rita moved that SB 1154 receive a DO PASS recommendation.

Senator Ugenti-Rita moved the 2-page Mesnard strike everything amendment dated 02/08/2021 at 11:49 a.m. (Attachment A) be ADOPTED.

Senator Ugenti-Rita moved the 4-line Borrelli amendment to the Mesnard strike everything amendment dated 02/16/2021 at 01:30 p.m. (Attachment B) be ADOPTED. The motion CARRIED by voice vote.

Senator Ugenti-Rita moved the 2-page Mesnard strike everything amendment AS AMENDED to SB 1154 dated 02/08/2021 at 11:49 a.m. (Attachment A) be ADOPTED. The motion CARRIED by voice vote.

Senator Ugenti-Rita moved that SB 1154 AS AMENDED, receive a DO PASS recommendation. The motion FAILED with a roll call vote of 4-5-0 (Attachment 1 and 1a).

Senators Livingston and Pace explained their vote.

SB 1304 – state elections; contest; technical correction – DO PASS AMENDED/STRIKE EVERYTHING

Laura Benitez, Commerce Committee Analyst, explained the 25-page Ugenti-Rita strike everything amendment dated 02/15/2021 at 01:50 p.m. (Attachment D) and the 15-line Ugenti-Rita amendment to the Ugenti-Rita strike everything amendment dated 02/16/2021 at 1:36 p.m. (Attachment E).

Senator Ugenti-Rita, bill sponsor, provided comments regarding the Ugenti-Rita strike everything amendment.

Alejandro Angel, Civil Engineer, member of the American Council of Engineering Companies (ACEC), also member of the Arizona Board of Technical Registration, participated remotely via a teleconference platform, testified in opposition to the Ugenti-Rita strike everything amendment and stated his concerns with the Ugenti-Rita strike everything amendment.

Gregory Harris, Lewis Roca Rothgerber Christie, representing National Council of Examiners for Engineering and Surveyors, participated remotely via a teleconference platform, testified in opposition to the Ugenti-Rita strike everything amendment and stated his concerns with the Ugenti-Rita strike everything amendment.

Senator Ugenti-Rita provided closing comments regarding the Ugenti-Rita strike everything amendment.

The Committee discussed the Ugenti-Rita strike everything amendment.

Attached is a list noting the individuals who registered their position on SB 1304 (Attachment C).

Senator Ugenti-Rita moved that SB 1304 receive a DO PASS recommendation.

Senator Ugenti-Rita moved the 25-page Ugenti-Rita strike everything amendment dated 02/15/2021 at 01:50 p.m. (Attachment D) be ADOPTED.

Senator Ugenti-Rita moved the 15-line Ugenti-Rita amendment to the Ugenti-Rita strike everything amendment dated 02/16/2021 at 1:36 p.m. (Attachment E) be ADOPTED. The motion CARRIED by voice vote.

Senator Ugenti-Rita moved the 25-page Ugenti-Rita strike everything amendment AS AMENDED to SB 1304 dated 02/15/2021 at 01:50 p.m. (Attachment D) be ADOPTED. The motion CARRIED by voice vote.

Senator Ugenti-Rita moved that SB 1304 AS AMENDED, receive a DO PASS recommendation. The motion CARRIED with a roll call vote of 6-3-0 (Attachment 2 and 2a).

Senators Borrelli, Bowie and Navarrete explained their vote.

SB 1156 – forfeiture of office; technical correction – DO PASS AMENDED/STRIKE EVERYTHING

Laura Benitez, Commerce Committee Analyst, explained the 22-page Mesnard strike everything amendment dated 02/15/2021 at 04:40 p.m. (Attachment F).

Senator Mesnard, bill sponsor, provided comments regarding the Mesnard strike everything amendment.

Becky Hill, representing the American Chemistry Council, participated remotely via a teleconference platform, testified in support of the Mesnard strike everything amendment.

Sandy Bahr, Sandy Bahr, Chapter Director, Sierra Club, Grand Canyon Chapter, participated remotely via a teleconference platform, testified in opposition to the Mesnard strike everything amendment and stated her concerns with the Mesnard strike everything amendment.

Prapti Muhuri, American Chemistry Council, participated remotely via a teleconference platform, testified in support of the Mesnard strike everything amendment and answered questions posed by the Committee.

Amanda Stone, Arizona Department of Environmental Quality, participated remotely via a teleconference platform, testified as neutral to the Mesnard strike everything amendment and stated her concerns with the Mesnard strike everything amendment. Ms. Stone answered questions posed by the Committee.

Ms. Hill and Ms. Muhuri answered questions posed by the Committee.

The Committee discussed the Mesnard strike everything amendment.

Attached is a list noting the individuals who registered their position on SB 1156 (Attachment C).

Senator Ugenti-Rita moved that SB 1156 receive a DO PASS recommendation.

Senator Ugenti-Rita moved the 22-page Mesnard strike everything amendment to SB 1156 dated 02/15/2021 at 04:40 p.m. (Attachment F) be ADOPTED. The motion CARRIED by voice vote.

Senator Ugenti-Rita moved that SB 1156 AS AMENDED, receive a DO PASS recommendation. The motion CARRIED with a roll call vote of 6-3-0 (Attachment 3 and 3a).

Senator Borrelli explained his vote.

SB 1434 – criminal history; required disclosure; limitations – DO PASS AMENDED

Maelinn Chow, Commerce Committee Intern, explained SB 1434 and the 14-line Navarrete amendment dated 02/16/2021 at 04:15 p.m. (Attachment G).

Senator Quezada, bill sponsor, provided comments regarding SB 1434, stated that he is in support of the Navarrete amendment and answered questions posed by the Committee.

Ellen Katz, William E. Morris Institute for Justice, participated remotely via a teleconference platform, testified in support of SB 1434.

Senator Quezada provided closing comments regarding SB 1434.

The Committee discussed SB 1434.

Attached is a list noting the individuals who registered their position on SB 1434 (Attachment C).

Senator Ugenti-Rita moved that SB 1434 receive a DO PASS recommendation.

Senator Ugenti-Rita moved the 14-line Navarrete amendment to SB 1434 dated 02/16/2021 at 04:15 p.m. (Attachment G) be ADOPTED. The motion CARRIED by voice vote.

Senator Ugenti-Rita moved that SB 1434 AS AMENDED, receive a DO PASS recommendation. The motion CARRIED with a roll call vote of 9-0-0 (Attachment 4 and 4a).

Senators Livingston, Pace and Mesnard explained their vote.

SB 1797 – fantasy sports betting; event wagering – DO PASS AMENDED

Laura Benitez, Commerce Committee Analyst, explained SB 1797 and the 5-page Mesnard amendment dated 02/09/2021 at 11:19 a.m. (Attachment H).

Senator Shope, bill sponsor, provided comments regarding SB 1797.

Ms. Benitez answered questions posed by the Committee.

Anni Foster, Arizona Governor's Office, participated remotely via a teleconference platform, testified in support of SB 1797 and answered questions posed by the Committee.

The Committee discussed and offered comments on SB 1797.

Ms. Foster answered additional questions posed by the Committee.

Brittney Kaufmann, Arizona Board of Regents, participated remotely via a teleconference platform, testified in opposition to SB 1797 and stated her concerns with the bill.

Stephen Roe Lewis, Governor of the Gila River Indian Community, participated remotely via a teleconference platform, testified in support of SB 1797, provided comments regarding SB 1797 and answered questions posed by the Committee.

The Committee further discussed and offered additional comments on SB 1797.

Ms. Benitez answered additional questions posed by the Committee.

Ms. Foster answered additional questions posed by the Committee.

Ms. Benitez answered additional questions posed by the Committee.

The Committee further discussed and offered additional comments on SB 1797.

Ms. Foster answered additional questions posed by the Committee.

John MacDonald, representing Hualapai Tribe, also Havasupai Tribe, participated remotely via a teleconference platform, testified in support of SB 1797.

Dr. Damon Clarke, Tribal Chairman, Hualapai Tribe, participated remotely via a teleconference platform, testified in support of SB 1797 and provided comments regarding SB 1797.

Amilyn Pierce, Vice President Government Affairs, Arizona Diamondbacks, participated remotely via a teleconference platform, testified in support of SB 1797, provided comments regarding SB 1797 and answered questions posed by the Committee.

Stacie Stern, Government Affairs Director for FanDuel Group, also Chairwoman for Fantasy Sports and Gaming Association, participated remotely via a teleconference platform, testified in support of SB 1797, provided comments regarding SB 1797 and answered questions posed by the Committee.

The Committee further discussed and offered additional comments on SB 1797.

Ms. Foster answered additional questions posed by the Committee.

Governor Lewis and Dr. Clarke answered additional questions posed by the Committee.

Ms. Foster and Governor Lewis answered additional questions posed by the Committee.

Don Isaacson, Arizona Licensed Beverage Association, participated remotely via a teleconference platform, testified in support of SB 1797 and answered questions posed by the Committee.

The Committee further discussed and offered additional comments on SB 1797.

Attached is a list noting the individuals who registered their position on SB 1797 (Attachment C).

Senator Ugenti-Rita moved that SB 1797 receive a DO PASS recommendation.

Senator Ugenti-Rita moved the 5-page Mesnard amendment to SB 1797 dated 02/09/2021 at 11:19 a.m. (Attachment H) be ADOPTED. The motion CARRIED by voice vote.

Senator Ugenti-Rita moved that SB 1797 AS AMENDED, receive a DO PASS recommendation. The motion CARRIED with a roll call vote of 6-3-0 (Attachment 5 and 5a).

Senators Bowie, Gabaldón, Livingston, Navarrete, Peshlakai, Borrelli and Pace explained their vote.

SB 1605 – workers' compensation; physicians; public safety – DO PASS

Laura Benitez, Commerce Committee Analyst, explained SB 1605.

Senator Gowan, bill sponsor, provided comments regarding SB 1605 and answered questions posed by the Committee.

Michael Colletto, representing Professional Fire Fighters of Arizona, participated remotely via a teleconference platform, testified in support of SB 1605 and provided comments regarding SB 1605.

Russell Smoldon, Arizona Self Insurers Association, participated remotely via a teleconference platform, testified as neutral to SB 1605 and stated his concerns with the bill.

Senator Gowan provided closing comments regarding SB 1605.

The Committee discussed SB 1605.

Attached is a list noting the individuals who registered their position on SB 1605 (Attachment C).

> **Senator Ugenti-Rita moved that SB 1605 receive a DO PASS recommendation. The motion CARRIED with a roll call vote of 9-0-0 (Attachment 6 and 6a).**

SB 1598 – real estate transaction coordinators – DO PASS

Maelinn Chow, Commerce Committee Intern, explained SB 1598.

Senator Gowan, bill sponsor, participated remotely via a teleconference platform, provided comments regarding SB 1598.

Angie Kauffman, Independent Arizona Transaction Coordinator, representing herself, participated remotely via a teleconference platform, testified in support of SB 1598 and answered questions posed by the Committee.

Stephanie Brower, Independent Arizona Transaction Coordinator, participated remotely via a teleconference platform, testified in support of SB 1598.

Elaine Barkl, Independent Arizona Transaction Coordinator, representing herself, participated remotely via a teleconference platform, testified in support of SB 1598 and answered questions posed by the Committee.

Tom Farley, on behalf of the Arizona Association of Realtors, participated remotely via a teleconference platform, testified in opposition to SB 1598 and stated his concerns with the bill.

Senator Gowan provided closing comments regarding SB 1598.

The Committee discussed SB 1598.

Attached is a list noting the individuals who registered their position on SB 1598 (Attachment C).

> **Senator Ugenti-Rita moved that SB 1598 with a DO PASS recommendation. The motion CARRIED with a roll call vote of 5-4-0 (Attachment 7 and 7a).**

Senators Livingston and Mesnard explained their vote.

SB 1647 – medical marijuana; funding; mental health – FAILED

Michael Hans, Government Committee Analyst, explained SB 1647 and the 9-line Mesnard amendment dated 02/16/2021 at 11:51 a.m. (Attachment I).

Senator Shope, bill sponsor, participated remotely via a teleconference platform, offered comments.

Pele Fischer, on behalf of the Arizona Dispensaries Association, participated remotely via a teleconference platform, testified in support of SB 1647 and provided comments regarding SB 1647.

Mason Cave, representing himself, participated remotely via a teleconference platform, testified in opposition to SB 1647 and stated his concerns with the bill.

Brian Tassinari, on behalf of PureLabs, participated remotely via a teleconference platform, testified in opposition to SB 1647 and stated his concerns with the bill.

Barb Dow, representing PureLabs, participated remotely via a teleconference platform, testified in opposition to SB 1647 and stated her concerns with the bill.

George Griffeth, Chief Executive Officer, Level One Labs, participated remotely via a teleconference platform, testified in opposition to SB 1647, stated his concerns with the bill and answered questions posed by the Committee.

Ryan Treacy, representing C4 Laboratories, participated remotely via a teleconference platform, testified in opposition to SB 1647, stated his concerns with the bill and answered questions posed by the Committee.

Brett Mecum, representing the Arizona Cannabis Laboratory Association, participated remotely via a teleconference platform, testified in opposition to SB 1647 and stated his concerns with the bill.

Tory Roberg, on behalf of the Arizona Cannabis Laboratory Association, participated remotely via a teleconference platform, testified in opposition to SB 1647, stated her concerns with the bill and answered questions posed by the Committee.

Mr. Mecum answered questions posed by the Committee.

Mr. Griffeth answered additional questions posed by the Committee.

Ms. Fischer and Mr. Tassinari answered questions posed by the Committee.

Ms. Fischer and Mr. Tassinari answered additional questions posed by the Committee.

Mr. Hans answered questions posed by the Committee.

The Committee discussed and offered comments on SB 1647.

Attached is a list noting the individuals who registered their position on SB 1647 (Attachment C).

Senator Ugenti-Rita moved that SB 1647 receive a DO PASS recommendation.

Senator Ugenti-Rita moved the 9-line Mesnard amendment to SB 1647 dated 02/16/2021 at 11:51 a.m. (Attachment I) be ADOPTED. The motion CARRIED by voice vote.

Senator Ugenti-Rita moved that SB 1647 AS AMENDED, receive a DO PASS recommendation. The motion FAILED with a roll call vote of 3-6-0 (Attachment 8 and 8a).

Senator Navarrete explained his vote.

SB 1803 – unemployment insurance; notification; benefits – DO PASS

Laura Benitez, Commerce Committee Analyst, explained SB 1803.

Senator Peshlakai, bill sponsor, participated remotely via a teleconference platform, provided comments regarding SB 1803.

Kathy Ber, Director of Legislative Services, Arizona Department of Economic Security, participated remotely via a teleconference platform, testified as neutral to SB 1803 and answered questions posed by the Committee.

Senator Peshlakai provided closing comments regarding SB 1803.

The Committee discussed SB 1803.

Attached is a list noting the individuals who registered their position on SB 1803 (Attachment C).

Senator Ugenti-Rita moved that SB 1803 with a DO PASS recommendation. The motion CARRIED with a roll call vote of 5-4-0 (Attachment 9 and 9a).

Senators Livingston and Mesnard explained their vote.

SB 1715 – unemployment insurance; definition; benefit amount – DISCUSS ONLY

Senator Mesnard stated that SB 1715 would be DISCUSSION ONLY.

Laura Benitez, Commerce Committee Analyst, explained SB 1715.

Senator Bowie, bill sponsor, participated remotely via a teleconference platform, provided comments regarding SB 1715.

Senator Mesnard offered comments on SB 1715.

Kathy Ber, Director of Legislative Services, Arizona Department of Economic Security, participated remotely via a teleconference platform, testified as neutral to SB 1715 and answered questions posed by the Committee.

Attached is a list noting the individuals who registered their position on SB 1715 (Attachment C).

There being no further business, the meeting was adjourned at 9:36 p.m.

Respectfully submitted,

Imee L. Andrew
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)