ARIZONA HOUSE OF REPRESENTATIVES
Fifty-sixth Legislature - First Regular Session
COMMITTEE ON COMMERCE
Report of Regular Meeting
Tuesday, February 14, 2023
House Hearing Room 3 -- 2:00 P.M.

Convened 2:33 P.M.
Recessed 6:06 P.M.
Reconvened 6:30 P.M.
Adjourned 9:30 P.M.

MINUTES RECEIVED
CHIEF CLERK'S OFFICE
2-15-23

Members Present

Representative Aguilar
Representative Austin
Representative Carter
Representative Gress
Representative Heap
Representative Hendrix
Representative Ortiz
Representative Sun
Representative Carbone, Vice-Chairman
Representative Wilmeth, Chairman

Members Absent

Agenda
Original Agenda – Attachment 1

Request to Speak
Report – Attachment 2

Committee Attendance
Report – Attachment 3

Committee Action

Bill	Action	Vote	Attachments
HB2108	DPA	6-3-1-0	4, 5, 6
HB2293	DP	10-0-0-0	7, 8
HB2209	DP	7-2-1-0	9, 10
HB2446	DPA	10-0-0-0	11, 12, 13
HB2208	DP	9-1-0-0	14, 15
HB2634	DP	8-2-0-0	16, 17, 18
HB2732	DP	6-3-0-1	19, 20
HB2404	DP	9-1-0-0	21, 22
HB2780	FAILED	5-5-0-0	23, 24
HB2049	DPA/SE	10-0-0-0	25, 26, 27
HB2809	DP	10-0-0-0	28, 29
HB2223	DPA	9-0-0-1	30, 31, 32
HB2206	DP	10-0-0-0	33, 34, 35, 36
HB2200	DPA/SE	8-2-0-0	37, 38, 39
HCR2043	DPA	6-4-0-0	40, 41, 42
HB2770	DP	10-0-0-0	43, 44
HB2382	FAILED	5-5-0-0	45, 46, 47
HB2402	DP	6-4-0-0	48, 49
HB2251	DPA	8-1-1-0	50, 51, 52

Susan Nelson

Susan Nelson, Committee Secretary
February 15, 2023

(Original attachments on file in the Office of the Chief Clerk; video archives available at http://www.azleg.gov)

REVISED #2 - 2/14/23 REVISED #2 - 2/14/23 REVISED #2 - 2/14/23

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CONVENED: 2:33pm
Recessed 6:06 p.m
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Adjourned 9:30 p.m

REGULAR MEETING AGENDA

COMMITTEE ON COMMERCE

DATE Tuesday, February 14, 2023 ROOM HHR 3 TIME 2:00 P.M. ~~Upon adj. of special Commerce meeting~~

Members of the public may access a livestream of the meeting here:
https://www.azleg.gov/videoplayer/?clientID=6361162879&eventID=2023021066

Members:

Representative Aguilar	Representative Heap	Representative Sun
Representative Austin	Representative Hendrix	Representative Carbone, Vice-Chairman
Representative Carter	Representative Ortiz	Representative Wilmeth, Chairman
Representative Gress		

Bills		Short Title	Strike Everything Title
10 **HB2049	DPA/SE 10.0.0.0	bank deposits; technical correction (Dunn) COM, RULES	**S/E: unemployment insurance; employer; limitations**
1 *HB2108	DPA 6.3.1.0	unemployment benefits; requirements; disqualifications (Livingston) COM held 0-0-0-0-0, RULES	
14 **HB2200	DPA/SE 8.2.0.0	liquor; liability; technical correction (Wilmeth) COM, RULES	**S/E: appropriation; infrastructure grant program**
13 HB2206	DP 10.0.0.0	software licensure (Wilmeth) COM, RULES	
5 HB2208	DP 9.1.0.0	department of liquor licenses; continuation (Wilmeth) COM, RULES	

Attachment 1

Bills		Short Title	Strike Everything Title
3 HB2209	DP 7-2-1-0	economic opportunity; industrial development authority (Wilmeth) COM, RULES	
12 HB2223	DPA 9-0-0-1	liquor; licensing; processes; procedures (Gress: Wilmeth) COM, RULES	
19 HB2251	DPA 8-1-1-0	condominiums; insurance coverage; claims (Wilmeth) COM, RULES	
2 HB2293	DP 10-0-0-0	liquor; purchase; identification (Cook) COM, RULES	
17 **HB2382	FAILED 5-5-0-0	technical correction; chiropractic (Gress) COM, RULES	**S/E: administrative decision; appeal; court costs**
18 HB2402	DP 6-4-0-0	small business incubator program (Gress) COM, RULES	
8 HB2404	DP 9-1-0-0	franchises; regulation (Travers: Quiñonez, Sandoval, et al) COM, RULES	
4 *HB2446	DPA 10-0-0-0	smart and safe fund; distribution (Martinez: Cook, Gress, et al) COM held 0-0-0-0-0, RULES	
6 HB2634	DP 8-2-0-0	housing trust fund; donations; form (Bravo: Wilmeth, Kaiser) COM, RULES	
7 **HB2732	DP 6-3-0-1	micro-business loans; report; appropriation (Blattman) COM, APPROP, RULES	
16 HB2770	DP 10-0-0-0	uniform commercial code; 2022 amendments (Wilmeth) COM, RULES	

Bills		Short Title	Strike Everything Title
9 HB2780	FAILED 5.5.0.0	condominiums; termination; agreement (Schwiebert: Wilmeth, Kaiser) COM, RULES	
11 HB2809	DP 10.0.0.0	public infrastructure improvements; reimbursement (Carbone: Austin, Biasiucci, et al) COM, RULES	
15 HCR2043	DPA 6.4.0.0	compensation; state preemption; limitation (Gress: Marshall, Nguyen, et al) COM, RULES	

** If printed, first read and assigned
* On previous agenda

ORDER OF BILLS TO BE SET BY THE CHAIRMAN

~~JY~~
~~RA~~
JY
~~02/08/2023~~
~~02/10/2023~~
02/14/2023

People with disabilities may request reasonable accommodations such as interpreters, alternative formats, or assistance with physical accessibility. If you require accommodations, please contact the Chief Clerk's Office at (602) 926-3032 or through Arizona Relay Service 7-1-1.

Information Registered on the Request to Speak System

House Commerce (2/14/2023)

HB2049, bank deposits; technical correction

Neutral:

Kathy Ber, DES Director of Legislative Services, Arizona Department Of Economic Security

Oppose:

Craig McDermott, representing self; Norman Fuchs, representing self

HB2108, unemployment benefits; requirements; disqualifications

Support:

Brian Sikma, representing self; Susan Lindahl, representing self; Thomas Burke, representing self; Allen Skillicorn, representing self

Neutral:

Kathy Ber, DES Director of Legislative Services, Arizona Department Of Economic Security

Oppose:

Matthew Flanagan, representing self; Christian Fernandez, representing self; Ben Scheel, Opportunity Arizona; Adam Metzendorf, representing self; Taylor Nelson, representing self; kathleen mayer, representing self; Dave Long, representing self; Pat VanMaanen, representing self; Steve Ramos, representing self; Saundra Cole, representing self; Shirley Muney, representing self; Martha Clark-Benoit, representing self; Janet Larkin, representing self; Steven Linder, representing self; Rebecca Smith Gross, representing self; Judith Robbins, representing self; Peggie Jo Vincent, representing self; marilyn duerbeck, representing self; Maria Salvucci, representing self; Craig McDermott, representing self; Kevin Brown, representing self; Mary Ann Graffagnino, representing self; Beatriz Urrea, representing self; Amy Arnold, representing self; Lisa Olson, representing self; DOUG ARNOLD, representing self; Karen Syversen, representing self; Christina Mollica, representing self; Dianne Post, representing self; Elizabeth Putnam-Hidalgo, representing self; Cynthia Couture, representing self; Sherrilynn James, representing self; Kathleen Pettycrew, representing self; Donita Ramos, representing self; Margaret Baca, representing self; Bryna Koch, representing self; Mary Grove, representing self; Brenda White, representing self; Kathryn Kaczmarek, representing self; SUSAN ARNOLD, representing self; Elizabeth Kelchner, representing self; Katherine Doman Sheydayi, representing self; Elizabeth Schauer, representing self; Elizabeth Goff, representing self; Charlie Silver, representing self; Ruth Lambert, representing self; Barbara Oliver, representing self; Robert Stansfield, representing self; Barbara Hutchinson, representing self; Christine Whitley, representing self; Becky Sayler, representing self; Susan Morris, representing self; Brent Gibbs, representing self; Sally Harvey, representing self; Alexei Sheydayl, representing self; Robin LaVoie, representing self; Julie Golding, representing self; Janet Wilson, representing self; Karen VanAllen, representing self; Christine Keitges, representing self; Jackie Rich, representing self; Sharon Lee, representing self; Stephanie Romero, representing self; Lawrence Peters, representing self; Suzanne Berger, representing self; Linda Reichert, representing self; Linda Edwards, representing self; Kathy Fraser, representing self; Kimberlee McClure, representing self; Jeri Dow, representing self; Suzanne Mead, representing self; Murdock Holloway, representing self; Jennifer Jones, representing self; Janet Senf, representing self; Kathy Pyner, representing self; Marilyn Coyle, representing self; Penny Boone, representing self; Margaret Winchell, representing self; Ralph Meredith, representing self; Gayle Meredith, representing self; Mary Santy, representing self; Diane Lings, representing self; GARY LEW OLIVER, representing self; Margaret Adams , representing self; Polemnia Amazeen, representing self; Jeffrey Fortney, representing self; Mary Fortney, representing self; Marilyn Childs, representing self; Mariette Francis, representing self; Vickey Finger, representing self; Virginia Dotson, representing self; Janell Alewyn, representing self; Kathleen Dubbs, representing self; Nancy Santori, representing self; Teresa Akrish, representing self; Mary-Jeanne Fincher, representing self; Barbara Lynn Carpenter, representing self; Susan Collins, representing self; Stephen Coyle, representing self; Jo Ann Caruthers, representing self; Edna Weigel, representing self; Michael Pyska, representing self; Mary Marshall, representing self; Kathleen Collins, representing self; Steve Gorman-Hackstadt, representing self; Rebecca Haynes, representing self; Carolyn Blackmore, representing self; Mary Nelson, representing self; Teresa Neiberg, representing self; Howard Neiberg, representing self; Karen Harris, representing self; Sarah Harris, representing self; Eileen Hollowell, representing self; Crystal Bazarnic, representing self; Gary Rulapaugh, representing self; Melinda Iyer, representing self; Ariana Flores, representing self; Emily Norton, representing self; Irene Arango, representing self; Candice Fremouw, representing self; Margaret Owen, representing self; Kathryn Anderson, representing self; Jacolyn B Marshall, representing self; William Yohey, representing self; Elizabeth Brauer, representing self; Robert Fisher, representing self; Susan McMillan, representing self; Roy Verdery, representing self; Barbara Larson, representing self; Alice Patricia Price, representing self; Carol Garnett, representing self; Jennifer Dawson, representing self; Sandra Rizzo, representing self; Laurie Munn, representing self; Margaret Lacey, representing self; David Williams, representing self; Linda Block, representing self; Paula Van Derven, representing self; Diane Klock, representing self; Michelle Helmken, representing self; Jean Meconi, representing self; Kathy Boelte, representing self; Allison Jackson, representing self; Bruce Flocken, representing self; Elizabeth Lyons, representing self; Jennifer Hanley, representing self; Carolyn Lowther, representing self; Sandra Adler, representing self; ALICE BUCK, representing self; Loretta O'Connor, representing self; Mary Lisa, representing self; Claudia Oreck-Teplitsky, representing self; Cynthia Wagner, representing self; Nancy Hancock, representing self; Kathleen Schanus-Gohl, representing self; Claire Bickel, representing self; Dwight Moore, representing self; Barbara Hollway, representing self; Nelson Morgan, representing self; Robert Larson, representing self; Jane Atkins, representing self; Shelley Stephenson, representing self; Joseph Alexander, representing self; Christine McLachlan-Comer, representing self; Nataly Reed, representing self; Sharon Ehrlich, representing self; Lisa Maczura, representing self; George Ehrlich, representing self; Athol Sutton, representing self; Donna Sullivan, representing self; Francis Copple, representing self; Frederick James, representing self; Christopher Cerrato, representing self; Rebecca Shook, representing self; Jacqueline deSa, representing self; Angela Buer, representing self; Nicole Fordey, representing self; Jessica Ebel, representing self; DEBRA GORDON, representing self; Denise Hudson, representing self; Srinivas Manne, representing self; Victor Peterson, representing self; Laura Pearl, representing self; Devon Sloan, representing self; Carol Campbell, representing self; Dana Jolly, representing self; LINDA GANTVERG, representing self; Kristin Sellers, representing self; Eric Kadel, representing self; Eric Harris, representing self; Jerry Wegenast, representing self; Jerrold Borchardt, representing self; Dieter Knecht, representing self; Laura Libman, representing self; Lisa Koenig, representing self; jeff green, representing self; Kathleen Sauer, representing self; Lois Hansen, representing self; Kathleen Woessner, representing self; Kathleen Butler, representing self; leadawn anderton, representing self; Sheila Green, representing self; Marcia Tingley, representing self; Marilyn Murov, representing self; Rivko Knox, representing self; Judy Wegenast, representing self; Leslie Hirsch, representing self; Charles Turner, representing self; Margaret Tinsley, representing self; Aaron Essif, representing self; Leslie Hanson, representing self; Jill Anderson, representing self; Beth Ballmann, representing self; Barbara Jones, representing self; Janie Smieszek, representing self; Sharon Regen, representing self; Gabe Leadley, representing self; Lori Taniguchi, representing self; RITA DEPUYDT, representing self; Jennifer Turrell, representing self; Nora Welsh, representing self; Thomas Dunning, representing self; Sarah Bihms LD29, representing self; David Myers, representing self; Patricia Van Tuyl, representing self; Alina Donnell, representing self; Susan Heck, representing self; Peggy Glenn, representing self; Dan Schwartzstein, representing self; Gary Townsend, representing self; Sally Caruso, representing self; Suzette Taillac-Streit, representing self; Sundrop Carter, representing self; Lora Lida Walradt, representing self; Dan Roskey, representing self; Theresa Prichard, representing self; Brandy Reese, representing self; Kathryn Dorn, representing self; Nancy Lecrone Nonini, representing self; Peggy Church, representing self; Joyce Howard, representing self; Cynthia Paster, representing self; Teresa Gerschutz, representing self; Roger Blain, representing self; HELI NIELSON, representing self; Nora Plonsky, representing self

All Comments:

Brian Sikma, Self: Representing Opportunity Solutions Project; kathleen mayer, Self: you can't force people to take jobs that you deem "suitable" under threat of a criminal penalty - unemployed folks have right too. talk about authoritarian.; Janet Larkin, Self: Are we not here to help folks obtain jobs, so we don't have another homeless person on the streets?; Mary Ann Graffagnino, Self: This takes valuable and irreplaceable time away from an unemployed person that he/she could better use to search for a job. This would be one more burden placed on an unemployed person, most of whom are desperately looking for a job.; Beatriz Urrea, Self: This punitive bill leaves no room for correcting misinformation, instead carrying automatic criminal penalties; Lisa Olson, Self: This is a punitive bill that would waste valuable time from several entities, including prospective employers who would not welcome this extra burden.; Karen Syversen, Self: This punitive bill leaves no room for correcting misinformation, yet carries automatic criminal penalties.; Elizabeth Putnam-Hidalgo, Self: Stop trying to slow down the payment of unemployment insurance.; Cynthia Couture, Self: punitive to those seeking employment. It's already difficult enough to be unemployed.; Kathryn Kaczmarek, Self: This bill is punitive to the extreme. I strongly disagree with fining the unemployed for not providing adequate documentation of their job hunting efforts. AZ ranks very low nationally in providing unemployment benefits as it is.; Barbara Oliver, Self: Have a heart! Unemployment is hard enough without attaching criminal penalties to it.; Christine Whitley, Self: I have friends who have become unemployed through no fault of their own. This bill is punitive. AZ is in the bottom 5 nationally for unemployment benefits. It would behoove legislators to start looking how to solve that when proposing a bill.; Susan Morris, Self: This assumes that the unemployed would rather receive a meager amount of $ than work for $$. I don't believe that's true.; Jackie Rich, Self: Need to include room for correcting misinformation. AZ low unemployment benefits is reason enough for someone to take a job- this is unnecessary.; Lawrence Peters, Self: Puts an undue burden on the potential employer to report the applicant. What defines a "suitable" job offer. Bill does not allow individual to correct any misinformation.; Linda Edwards, Self: Too punitive; Jennifer Jones, Self: This punitive bill leaves no room for correcting misinformation, instead carrying automatic criminal penalties. At a weekly maximum of just $320, Arizona ranks in the bottom 5 nationally for unemployment benefits.; Kathy Pyner, Self: We need less govt interference.; Penny Boone, Self: This punitive bill leaves no room for correcting misinformation. It carries automatic criminal penalties. It is cruel and solves no problem. I oppose.; Margaret Winchell, Self: Punitive; Mary Santy, Self: Stop getting in the way of Arizonans in need.; Virginia Dotson, Self: This bill is overly punitive.; Kathleen Dubbs, Self: this is just a mean-spirited bill; Mary-Jeanne Fincher, Self: It is already difficult to get unemployment benefits, which are paltry in AZ. Don't increase the pain for folks who are already hurting.; Mary Marshall, Self: Too cumbersome and reduces AZ jobless benefits even more.; Rebecca Haynes, Self: The punitive bill leaves no room for correcting misinformation, instead carrying automatic criminal penalties. And a "suitable" job offer is not defined.; Melinda Iyer, Self: Unnecessarily punitive; Candice Fremouw, Self: Suitable and search actions are subjective; Margaret Owen, Self: This bill that seeks to "punish" unemployed folks is beneath the dignity of a lawmaker. There are already requirements in place (loss thru no fault of their own; compelling personal reason) in order to be eligible for unemployment.; Elizabeth Brauer, Self: This bill is ridiculously harsh for the unemployed.;

Roy Verdery, Self: Bill aimed at punishing the unemployed or forcing them to work as virtual slaves.; Carol Garnett, Self: It's hard enough to find a suitable job. Don't put the responsibility on the employer to report.; Jennifer Dawson, Self: The punitive bill leaves no room for correcting misinformation, instead carrying automatic criminal penalties. UNACCEPTABLE.; Sandra Rizzo, Self: With AZ at the almost bottom of unemployment insurance, why make a punitive action like this a law?; Loretta O'Connor, Self: Vicious. Niggardly. What a nasty, demotivating, selfish idea.; Cynthia Wagner, Self: The punitive bill leaves no room for correcting misinformation, instead carrying automatic criminal penalties.; Nelson Morgan, Self: Unemployment is hard enough without this punitive bill.; Lisa Maczura, Self: Yikes!; Angela Buer, Self: This punitive bill leaves no room for correcting misinformation and instead carries an automatic criminal penalty. At a weekly maximum of just $320, Arizona ranks in the bottom 5 nationally for unemployment benefits. I OPPOSE; Eric Kadel, Self: If the automatic criminal penalties was removed, this maybe a more palatable bill.; Jerry Wegenast, Self: This will not save any money; Kathleen Sauer, Self: So, let me get this straight: this bill would allow potential employers, offering a terrible job at terrible wages, to snitch on the unemployed person with the temerity to refuse this job? Do I have this right?; Lois Hansen, Self: We have one of the lowest payments for unemployment insurance. Dont criminalize people who lost a job for reasons outside of their control; Marcia Tingley, Self: A punitive bill with no room for correcting misinformation.; Marilyn Murov, Self: 2108 is cruel and repressive. Individuals know what jobs suit them, not DES. No one should be forced to take a job that doesn't fit them and then be denied unemployment if they leave and look for other work. 5 work searches/week is unreasonable.; Rivko Knox, Self: AZ's unemployment benefits are already very low -$230/wk. This bill assumes people are cheating, lying &trying to lose a job!!! It leaves no room for correcting misinformation & instead carries criminal penalties.; Margaret Tinsley, Self: This bill only makes life harder for the unemployed. It does not solve a problem. Please vote no.; Aaron Essif, Self: We already rank in the bottom 5 states nationally for unemployment benefits.; Beth Ballmann, Self: AZ ranks in the bottom 5 nationally for unemployment benefits. This punitive bill leaves no room for correcting misinformation, instead carrying automatic criminal penalties.; Janie Smieszek, Self: Don't make it harder for people already experiencing stress; Sharon Regen, Self: Not fair to rural people who have a harder time finding a job; RITA DEPUYDT, Self: This would add to the burden of state employees and would be excessively punitive to those already under stress due to unemployment.; Jennifer Turrell, Self: Arizona is already in the bottom 5 states for unemployment benefits and treatment of the unemployed. With no room for mistakes and by adding criminal penalties this bill adds real punitive injury to insult. We can do better than this. Oppose.; Thomas Dunning, Self: This bill intends to criminalize people who have lost their jobs. Lose your job, go to jail. Cruel, outrageous, and despicable. then there is the irony: Arizona is among the five states which provide the least money to unemployed persons. Shame.; Sarah Bihms LD29, Self: Bill requires unemployment recipients to prove 5 job searches/week, punishes refusal of job offers with criminal penalties, low benefits ($320/week max). Limits eligibility to job loss through no fault or personal reasons. Vote no.; Patricia Van Tuyl, Self: Carries automatic criminal penalties, leaving no room for correcting information. AZ already ranks in bottom 5 nationally for unemployment benefits. Cruel and unusual!; Gary Townsend, Self: Arizona ranks in the bottom 5 nationally for unemployment benefits. Currently people must lose their job through no fault of their own or a compelling personal reason in order to be eligible for unemployment.; Lora Lida Walradt, Self: Punishing the unemployed is not the solution.; Theresa Prichard, Self: seeks to create a punitive process without providing for mistakes, misinformation and correction. Unnecessary.; Brandy Reese, Self: People who are in a precarious position and in the most need, have the least access to unemployment benefits. This makes that hurdle even harder to clear. Unnecessarily strict and mean-spirited.; Kathryn Dorn, Self: One job search per day (on average), every single week, or someone loses their only economic lifeline? Seriously? Unless every member of this Legislature has searched *that* hard for a job, please vote this destructive mess of a bill down.

HB2200, liquor; liability; technical correction

Support:

Brian Murray, LUCID USA, INC; Jenn Daniels, representing self

HB2206, software licensure

Support:

Scott Drexel, representing self; Chad Lersch, representing self; Wendy Briggs, VMWARE; Shaun Rieve, VMWARE; Shelbe Hunsaker, Amazon Web Services

Oppose:

John Kelly, Principal, MICROSOFT CORPORATION; Michael Mattmiller, representing self; Paul Tighe, representing self

All Comments:

Chad Lersch, Self: On behalf of VMware who supports flexibility and interoperability of state IT to drive innovation and support best value procurements.; Shelbe Hunsaker, Amazon Web Services: -; Michael Mattmiller, Self: representing Microsoft Corporation; Paul Tighe, Self: There is no need for the state to regulate software licensing for school districts. This could have unintended consequences for many districts.

HB2208, department of liquor licenses; continuation

Support:

Don Isaacson, Arizona Licensed Beverage Association; Jessie Armendt, Republic National Distributing Company Of Arizona; Nicole LaSlavic, ARIZONA LODGING AND TOURISM ASSOCIATION; Tom Farley, Wine Spirits Wholesalers Association Of Arizona; Steve Barclay, BEER & WINE DISTRIBUTORS OF ARIZONA

HB2209, economic opportunity; industrial development authority

Support:

Dianne McCallister, Arizona Technology Council; Eric Emmert, Arizona Association For Economic Development , East Valley Chambers Of Commerce Alliance ; Mike Huckins, GREATER PHOENIX CHAMBER OF COMMERCE; Brian Murray, LUCID USA, INC; Heather Bernacki Wilkey, QUEEN CREEK, TOWN OF; Courtney Coolidge, AZ CHAMBER OF COMMERCE; Marc Osborn, Kutak Rock LLP; Kelly McGuire, representing self

Neutral:

Brett Galley, Arizona Commerce Authority

All Comments:

Marc Osborn, Kutak Rock LLP: Available to answer questions; Kelly McGuire, Self: Legal counsel for Arizona IDA

HB2223, liquor; licensing; processes; procedures

Support:

Don Isaacson, Arizona Licensed Beverage Association; Steve Barclay, BEER & WINE DISTRIBUTORS OF ARIZONA; Camila Alarcon, ARIZONA CRAFT BREWERS GUILD; Dr Garrison Ellam, ARIZONA CRAFT PRODUCERS ASSN; Stuart Goodman, Southern Glazer's Wine And Spirits; Trish Hart, AZ FOOD MARKETING ALLIANCE; Janna Day, ANHEUSER-BUSCH COMPANIES; Dan Bogert, AZ RESTAURANT ASSOCIATION; Jessie Armendt, Republic National Distributing Company Of Arizona; Nicole LaSlavic, ARIZONA LODGING AND TOURISM ASSOCIATION; Tom Farley, Wine Spirits Wholesalers Association Of Arizona; Michelle Ahlmer, AZ RETAILERS ASSN; Rob Fullmer, representing self

Neutral:

Marshall Pimentel, LEAGUE OF ARIZONA CITIES & TOWNS

All Comments:

Dr Garrison Ellam, ARIZONA CRAFT PRODUCERS ASSN: The Arizona Craft Producers' Association urge support for this bill, which is a concensus of both stakeholders and regulatory agency.; Michelle Ahlmer, AZ RETAILERS ASSN: AZ Retailers Association supports HB2223 and the amendment to HB2223. This will modernize the statute and put Arizona in alignment with other states.; Rob Fullmer, Self: 2223 allows our breweries to have off sale retail parity w/ the small wineries and distilleries of our state through a festival license. It reduces tax red-tape. It is the sum total of competing interests working together in concensus. AZBrewers

HB2251, condominiums; insurance coverage; claims

Support:

Dennis J Legere, ARIZONA HOMEOWNERS COALITION; Kerry L. Hayden, UNITED SERVICES AUTOMOBILE ASSN (USAA); Kathryn Kendall, representing self; Joyce Monsanto, representing self; Joe Thesing, USAA; Lynne Weaver, representing self; Fred Fischer, representing self; Patricia Cowan, representing self; Sean Baguley, representing self; Ron Meyerink, representing self; Paul Fitch, representing self; Bryan Hawk, representing self; Eva Kuo, representing self; Carol Fiore, representing self; Catherine McGurk, representing self; Dale Enlow, representing self; Marianne Mccloskey, representing self; Wayne Dwight, representing self; Bibiana Law, representing self; Mike Boisvert, representing self; Charles Weber, representing self; Kevin O'Reilly, representing self; Tom Barns, representing self; Linda Ross, representing self; Margaret Mandell, representing self; Debra Morin, representing self; Mike Morin, representing self; Chris Nelson, representing self; Roseanne and Steve Elson, representing self; Melanie Teixeira, representing self; Debra Lynn Corey, representing self; David Hill, representing self; Karen Cwiak, representing self; Lisa Marx, representing self; Pierre Desombre, representing self; Fox Noble, representing self; Sid Leach, representing self; Mark LaPalm, representing self; John Krahn, representing self; Carole Benson, representing self; Gloria Leach, representing self; Randy Leier, representing self; S Sherwood, representing self; Mark Zieser, representing self; Carolyn Wefsenmoe, representing self; Irene Smith, representing self; Teresa Pinter, representing self; Clare Scarpulla, representing self; Kellie Benway, representing self; Greg Williams, representing self; Paul Isherwood, representing self; Sherokee Ilse, representing self; Marcia Tolin, representing self; Donna Harting, representing self; Theresa Kim West, representing self; Rod Lippert, representing self; Donna Siverly, representing self; Pamela Maddern, representing self; Jennifer Hand, representing self; Ann Friday, representing self; Lora Rudolph, representing self

Oppose:

Chad Gallacher, representing self

All Comments:

Dennis J Legere, ARIZONA HOMEOWNERS COALITION: This bill represents an innovative approach to a long-standing problem with associations refusing to honor their obligation to repair properties damaged by a failure emulating from common elements. Requiring unit owners to sue the association to get; Joyce Monsanto, Self: Homeowners need to regulate these items; Ron Meyerink, Self: Protect the owners from preadatory practices.; Eva Kuo, Self: Please support the rights of condominium unit owners to report property losses under the Association's insurance policy.; Linda Ross, Self: This is particularly important in my HOA where they make owners pay for their faulty infrastructure, especially plumbing. I live in Toscana where Statesman used poor plumbing. They also built the condo that had the major flood a few weeks ago.; Debra Morin, Self: Please support this important bill; Mike Morin, Self: Please pass this bill; Roseanne and Steve Elson, Self: Vote for this bill. Condo owners have been abused in my community, Toscana, and it is time for our representatives to take positive action. You work for the people of AZ, not just the special interest groups who contribute heavily to your campaign; David Hill, Self: Passage of this bill is essential in order to level the playing field for homeowners with respect to insurance protection in the HOA. At my HOA, roof damage occurred in the commons area but spread to individual units. Unit owners had to pay. Unfair!; Carole Benson, Self: Please pass bill 2251; Carolyn Wefsenmoe, Self: Long overdue.; Irene Smith, Self: Please support the bill!!! Homeowner pays the premium and should have the right to make an insurance claim when HOA refuses to perform their fiduciary duty and leave the homeowner desperate, result in property value decreased.; Teresa Pinter, Self: Support this bill that entitles unit owners in a condominium to file claims against the association's hazard/liability insurance directly if the association fails to pay for damages to their units that originated from common elements.; Greg Williams, Self: It is important that homeowners have the right to claim damages due to elements that are within the common insurance policy of the association. Many homeowners have had to sue to have claims even reviewed.; Pamela Maddern, Self: HOA managers should be turning in condo damage to the insurance companies. It is their duty and it should be unlawful for them not to be be taking care of these properties in a timely manner.; Jennifer Hand, Self: We fully support this bill and it needs to move through the committee; Ann Friday, Self: I am in full support of this bill; Lora Rudolph, Self: I agree with position of AZ Homeowners Coalition. Dennis Legere will appear and speak. I can appear if necessary. I am a female business owner operating business from home. If I have damages resulting from HOA negligence I have a right to collect.

HB2293, liquor; purchase; identification

Support:

Dan Bogert, AZ RESTAURANT ASSOCIATION; Don Isaacson, Arizona Licensed Beverage Association; Steve Barclay, BEER & WINE DISTRIBUTORS OF ARIZONA

HB2382, technical correction; chiropractic

Oppose:

Spencer Kamps, HOME BUILDERS ASSOCIATION OF CENTRAL AZ

All Comments:

Spencer Kamps, HOME BUILDERS ASSOCIATION OF CENTRAL AZ: We oppose the striker.

HB2402, small business incubator program

Support:

Shaun Rieve, JUSTICE ACTION NETWORK

HB2404, franchises; regulation

Support:

Tiffany Cianci, representing self; Patricia Naylor, representing self; Nigel Chan, representing self; Leslee Martin, representing self; Carol Schroeder, representing self; Dorothy Stingley, representing self; Maria Lena Rabe, representing self; Shane Sender, representing self

Oppose:

Courtney Coolidge, AZ CHAMBER OF COMMERCE; Nicole LaSlavic, ARIZONA LODGING AND TOURISM ASSOCIATION

All Comments:

Carol Schroeder, Self: Arizona Franchisee - The Little Gym Franchise; Dorothy Stingley, Self: Arizona Franchisee - McDonald's; Maria Lena Rabe, Self: Arizona Based Franchisee - Gress District 4; Shane Sender, Self: Arizona constituent and franchisee

HB2446, smart and safe fund; distribution

Support:

Lee Miller, representing self; James Candland, AZ FIRE DISTRICT ASSN; Sabrina Vazquez, UNIVERSITY OF ARIZONA; Kendra Burton, AZ STATE UNIVERSITY; Catcher Baden, AZ BOARD OF REGENTS; Michael Colletto, representing self; John Flynn, AZ FIRE DISTRICT ASSN; Tom Caretto, representing self

All Comments:

Catcher Baden, AZ BOARD OF REGENTS: ABOR is supportive of the unamended bill as introduced; Michael Colletto, Self: I represent the PFFA Support the amendment; John Flynn, AZ FIRE DISTRICT ASSN: The Arizona Fire District Association supports HB2446 with the proposed committee amendment which is a technical correction to include fire districts that operate as joint power authorities as provided by law to the fund distribution; Tom Caretto, Self: The Professional Fire Fighters support this amendment and legislation.

HB2634, housing trust fund; donations; form

Support:

Francesca Pardes, representing self; Angela Buer, representing self; Peggy Glenn, representing self; Natalya Brown, Urban Phoenix Project; Eric Kadel, representing self; Nathan Levinsky, representing self; howard epstein, representing self; kathleen mayer, representing self; Brandy Petrone, The Human Services Campus, Inc.; Dave Long, representing self; Mary Pradelt, representing self; Shirley Muney, representing self; Martha Clark-Benoit, representing self; Janet Larkin, representing self; Steven Linder, representing self; Rebecca Smith Gross, representing self; Judith Robbins, representing self; Peggie Jo Vincent, representing self; marilyn duerbeck, representing self; Kevin Brown, representing self; Mary Ann Graffagnino, representing self; Beatriz Urrea, representing self; Amy Arnold, representing self; Lisa Olson, representing self; DOUG ARNOLD, representing self; Karen Syversen, representing self; Sallie Kladnik, representing self; Christina Mollica, representing self; Dianne Post, representing self; Elizabeth Putnam-Hidalgo, representing self; Carol Maas, representing self; Sherrilynn James, representing self; Kathleen Pettycrew, representing self; Steven Finger, representing self; Donita Ramos, representing self; Margaret Baca, representing self; Bryna Koch, representing self; Mary Grove, representing self; Brenda White, representing self; Kathryn Kaczmarek, representing self; SUSAN ARNOLD, representing self; Elizabeth Kelchner, representing self; Katherine Doman Sheydayi, representing self; Elizabeth Schauer, representing self; Elizabeth Goff, representing self; Charlie Silver, representing self; Ruth Lambert, representing self; Barbara Oliver, representing self; Robert Stansfield, representing self; Barbara Hutchinson, representing self; Christine Whitley, representing self; Becky Sayler, representing self; Susan Morris, representing self; Brent Gibbs, representing self; Sally Harvey, representing self; David Lujan, THE ARIZONA CENTER FOR ECONOMIC PROGRESS; Alexei Sheydayl, representing self; Robin LaVoie, representing self; Janet Wilson, representing self; Erin Edwards, representing self; Karen VanAllen, representing self; Louise Good, representing self; Christine Keitges, representing self; Jackie Rich, representing self; Sharon Lee, representing self; Stephanie Romero, representing self; Lawrence Peters, representing self; Suzanne Berger, representing self; Linda Reichert, representing self; Linda Edwards, representing self; Kathy Fraser, representing self; Kimberlee McClure, representing self; Jeri Dow, representing self; Suzanne Mead, representing self; Murdock Holloway, representing self; Jennifer Jones, representing self; Janet Senf, representing self; Peggy Yeargain-Williams, representing self; Kathy Pyner, representing self; Marilyn Coyle, representing self; Joan Murphy, representing self; Penny Boone, representing self; Margaret Winchell, representing self; Ralph Meredith, representing self; Gayle Meredith, representing self; Anne Leota Hart, representing self; Mary Santy, representing self; Diane Lings, representing self; Margaret Adams , representing self; Polemnia Amazeen, representing self; Jeffrey Fortney, representing self; Mary Fortney, representing self; Marilyn Childs, representing self; Vickey Finger, representing self; Virginia Dotson, representing self; Janell Alewyn, representing self; Kathleen Dubbs, representing self; Paula Feely, representing self; Teresa Akrish, representing self; Mary-Jeanne Fincher, representing self; Barbara Lynn Carpenter, representing self; Susan Collins, representing self; Stephen Coyle, representing self; Jo Ann Caruthers, representing self; Edna Weigel, representing self; Michael Pyska, representing self; Gaelle Esposito, Urban Phoenix Project; Mary Marshall, representing self; Kathleen Collins, representing self; Steve Gorman-Hackstadt, representing self; Dorothy Reed-Inman, representing self; Rebecca Haynes, representing self; Carolyn Blackmore, representing self; Mary Nelson, representing self; Marie Thearle, representing self; Teresa Neiberg, representing self; Howard Neiberg, representing self; Karen Harris, representing self; Sarah Harris, representing self; Rosalind Wattel, representing self; Eileen Hollowell, representing self; Crystal Bazarnic, representing self; Gary Rulapaugh, representing self; Melinda Iyer, representing self; Ariana Flores, representing self; Emily Norton, representing self; Irene Arango, representing self; Candice Fremouw, representing self; Margaret Owen, representing self; Kathryn Anderson, representing self; Mary Maclin, representing self; Charlotte Lis, representing self; Jacolyn B Marshall, representing self; William Yohey, representing self; Elizabeth Brauer, representing self; Margaret Bruns, representing self; Robert Fisher, representing self; Susan McMillan, representing self; Roy Verdery, representing self; Barbara Larson, representing self; Alice Patricia Price, representing self; Carol Garnett, representing self; Jennifer Dawson, representing self; Sandra Rizzo, representing self; Laurie Munn, representing self; Margaret Lacey, representing self; Linda Block, representing self; Paula Van Derven, representing self; Diane Klock, representing self; Annarose Lilly, representing self; Michelle Helmken, representing self; Kathy Boelte, representing self; Allison Jackson, representing self; Bruce Flocken, representing self; Elizabeth Lyons, representing self; Carolyn Lowther, representing self; Sandra Adler, representing self; ALICE BUCK, representing self; Loretta O'Connor, representing self; Mary Lisa, representing self; Cynthia Wagner, representing self; Nancy Hancock, representing self; Kathleen Schanus-Gohl, representing self; Ilene Riffle, representing self; Claire Bickel, representing self; Dwight Moore, representing self; Barbara Hollway, representing self; Nelson Morgan, representing self; Robert Larson, representing self; Sharon Ehrlich, representing self; Linda Cooke, representing self; Lisa Maczura, representing self; George Ehrlich, representing self; Athol Sutton, representing self; Jane Atkins, representing self; Francis Copple, representing self; Rebecca Shook, representing self; Frederick James, representing self; Jacqueline deSa, representing self; Nicole Fordey, representing self; Jessica Ebel, representing self; Denise Hudson, representing self; Srinivas Manne, representing self; Devon Sloan, representing self; Laura Pearl, representing self; Carol Campbell, representing self; Dana Jolly, representing self; LINDA GANTVERG, representing self; Connie Cockrell, representing self; Kristin Sellers, representing self; Eric Harris, representing self; Jerrold Borchardt, representing self; Dieter Knecht, representing self; Linda Paul, representing self; Laura Libman, representing self; Lisa Koenig, representing self; Kathleen Woessner, representing self; Kathleen Sauer, representing self; Kathleen Butler, representing self; leadawn anderton, representing self; Sheila Green, representing self; Marcia Tingley, representing self; Marilyn Murov, representing self; Rivko Knox, representing self; Judy Wegenast, representing self; Leslie Hirsch, representing self; Margaret Tinsley, representing self; Aaron Essif, representing self; Leslie Hanson, representing self; Jill Anderson, representing self; Beth Ballmann, representing self; JOHN FIENE, representing self; Christine McLachlan-Comer, representing self; Janie Smieszek, representing self; Sharon Regen, representing self; Barbara Jones, representing self; Gabe Leadley, representing self; Lori Taniguchi, representing self; RITA DEPUYDT, representing self; Jennifer Turrell, representing self; Nora Welsh, representing self; Thomas Dunning, representing self; Sarah Bihms LD29, representing self; David Myers, representing self; Alina Donnell, representing self; Susan Heck, representing self; Steven Moortel, Chicanos Por La Causa; Dan Schwartzstein, representing self; Carol Kurimsky, representing self; Gary Townsend, representing self; Sally Caruso, representing self; Suzette Taillac-Streit, representing self; Sundrop Carter, representing self; Lora Lida Walradt, representing self; Dan Roskey, representing self; Margaret Cordovano, representing self; Abdi Lopez, representing self; Kathryn Dorn, representing self; Brandy Reese, representing self; Nancy Lecrone Nonini, representing self; Peggy Church, representing self; Joyce Howard, representing self; Teresa Gerschutz, representing self; Karina Sampson, representing self; HELI NIELSON, representing self; Nora Plonsky, representing self; Micheal Slattery, representing self; Joseph Alexander, representing self

Neutral:

Lauren King, LAND TITLE ASSOCIATION OF ARIZONA (LTAA)

Oppose:

Allen Skillicorn, representing self; Nataly Reed, representing self; Gail Kamaras, representing self; Donna Sullivan, representing self; Christopher Cerrato, representing self; Cynthia Couture, representing self; GARY LEW OLIVER, representing self; Nancy Santori, representing self; Jerry Wegenast, representing self; Julie Golding, representing self; jeff green, representing self; Steve Ramos, representing self; Maria Salvucci, representing self; Claudia Oreck-Teplitsky, representing self; Shelley Stephenson, representing self

All Comments:

Francesca Pardes, Self: It is essential to use the Housing Trust Funds to house people experiencing homelessness as was its original intention. All of our cities desperately need more affordable housing. This is a crisis that has to be addressed now!; Angela Buer, Self: Arizona needs more affordable housing; metro Phoenix ranks in the top 10 nationwide for the most severe shortages. The Housing Trust Fund should receive donation monies to be effective in addressing this problem. I SUPPORT; Eric Kadel, Self: A real solution to a real problem.; howard epstein, Self: Founder of the Arizona Housing Fund; Mary Pradelt, Self: The Housing Trust Fund in need of this additional funding; Martha Clark-Benoit, Self: Finally, a bill I can support, could do more to help the homeless issue here in AZ.; Janet Larkin, Self: Housing is a priority if we're going to tackle homelessness and poverty.; Mary Ann Graffagnino, Self: Homelessness is horrible and we need to do everything including supporting this wonderful bill to help our homeless sisters and brothers have a place to call home, besides a tent.; Beatriz Urrea, Self: YES! Arizona desperately needs more public housing. Pass this bill, please!; Lisa Olson, Self: AZ desperately needs more affordable housing, as we have a very large population of unhoused people living here. I SUPPORT THIS BILL!; Karen Syversen, Self: I think buyers and sellers of houses should be offered the choice of donating money to the Housing Trust fund.; Elizabeth Putnam-Hidalgo, Self: Yes to this wonderful proposal. We desperately need more housing, and this could help to get us there.; Kathleen Pettycrew, Self: Great idea; Margaret Baca, Self: AZ needs more housing!; Mary Grove, Self: I support this bill because it provides a step forward in eliminating homelessness in our state.; Kathryn Kaczmarek, Self: This is a much needed bill for the homeless population of our state. This bill improves the quality of life in all neighborhoods.; Elizabeth Kelchner, Self: AZ needs more affordable housing Housing Trust Fund could help. Use long disused blights like Kmart at I-17/Northern for housing shelter and services, transitional housing, tiny home step-ups in parking lot?; Barbara Oliver, Self: AZ needs more affordable housing and investment in the Housing Trust Fund would accomplish that. It's a good step toward solving our homeless crisis.; Susan Morris, Self: This is a bill from the heart -- enabling low income folks to have a small chance of acquiring a home. I, and many others with a sense of fairness, would donate.; Sally Harvey, Self: This is a good idea!; David Lujan, THE ARIZONA CENTER FOR ECONOMIC PROGRESS: The Housing Trust Fund provides critical resources to help Arizonans find affordable housing. HB2634 is a good step forward in providing needed funding for housing in Arizona.; Louise Good, Self: Arizona desperately needs more affordable housing. The Housing Trust Fund needs more funds.; Christine Keitges, Self: more affordable housing is needed; Jackie Rich, Self: A win win for low income housing and homeless people at no expense to the state.; Lawrence Peters, Self: Bolstering the Housing Trust Fund is a sensible way to chip away at homelessness. This bill is in stark contrast to Livingston's "tent cities" bill. The legislature must take the lead in tackling this nationwide & intransigent situation.; Linda Reichert, Self: We need more investment in affordable housing to address Arizona's housing shortage.; Linda Edwards, Self: Finally...a forward-thinking bill that's not punitive.; Murdock Holloway, Self: Mistakenly chosen.; Jennifer Jones, Self: Arizona desperately needs more affordable housing; metro Phoenix ranks in the top 10 nationwide for the most severe shortages. We need this bill to help address our problems of unhoused Arizonans.; Penny Boone, Self: Az desperately needs more affordable housing. Metro Phoenix ranks in the top 10 nationwide for the most severe shortages. This bill is a step to solving the housing problem. I support!!!; Margaret Winchell, Self: Arizona desperately needs more affordable housing; Anne Leota Hart, Self: Finally! A piece of legislation that will help to address affordable housing shortages in our state.; Vickey Finger, Self: This can be a part of the solution.; Virginia Dotson, Self: This would really help with the housing shortage.; Janell Alewyn, Self: YES!; Mary-Jeanne Fincher, Self: Facilitating contributions to the Housing Fund would be a good thing.; Mary Marshall, Self: It's a start!; Rebecca Haynes, Self: Arizona desperately needs more affordable housing; metro Phoenix ranks in the top 10 nationwide for the most severe shortages. Housing analysts have been asking for more investment in the fund for years.; Sarah Harris, Self: I support.; Eileen Hollowell, Self: Investing in the Housing Trust Fund is very good public policy; Crystal Bazarnic, Self: Great idea!; Melinda Iyer, Self: Metro Phoenix ranks in the top 10 nationwide for the most severe affordable housing shortages. Housing analysts have been asking for more investment in this fund for years. Please pass this bill.; Margaret Owen, Self: Thank you Mr. Bravo. This is very helpful, especially with the current affordable housing crisis in Arizona.; Elizabeth Brauer, Self: We need affordable housing. This is a good way to improve the situation.; Roy Verdery, Self: As a State, we need all the help we can to support low-cost housing and ease the homelessness crisis.; Carol Garnett, Self: More investment in affordable housing for the homeless and low-income people.; Jennifer Dawson, Self: YES!! AZ desperately needs more affordable housing; metro Phoenix ranks in the top 10 nationwide for the most severe shortages. Housing analysts have been asking for more investment in the fund for years. PLEASE DO IT!!; Sandra Rizzo, Self: A very good move that can help to work at addressing our housing issues.; Diane Klock, Self: Arizona desperately needs more affordable housing; Bruce Flocken, Self: I support this bill.; Cynthia Wagner, Self: Arizona desperately needs more affordable housing;; Ilene Riffle, Self: Arizona desperately needs more affordable housing; metro Phoenix ranks in the top 10 nationwide for the most severe shortages. Housing analysts have been asking for more investment in the fund for years.; Nelson Morgan, Self: More support for the Housing Trust Fund is needed.; Lisa Maczura, Self: GREAT IDEA! Good way to participate in keeping our communities safe, livable, and healthy economically.; Athol Sutton, Self: We need more affordable housing. Support; Jacqueline deSa, Self: Arizona desperately needs more affordable housing; metro Phoenix ranks in the top 10 nationwide for the most severe shortages.; Cynthia Couture, Self: Great idea! Let's get the homeless off the streets.; Jerry Wegenast, Self: not a good idea - just appropriate funds; Laura Libman, Self: We need to fund solutions to our homeless problem. We have a severe affordable housing problem.; Lisa Koenig, Self: We need real solutions for our homelessness crisis such as this bill proposes. Please vote YES.; leadawn anderton, Self: could really help homeless situation in the state; Marcia Tingley, Self: AZ desperately needs more affordable housing. This is one way to help provide it. Support.; Marilyn Murov, Self: I have owned a home in Flagstaff for over 40 years. If I had moved here more recently, I would never have been able to own a home or possibly even rent. The Housing Trust Fund could use these donated dollars for affordable housing.; Rivko Knox, Self: Great idea to allow real estate buyers & sellers to donate to the HTF!!! Much needed during this housing/homelessness crisis.; Margaret Tinsley, Self: This is a good idea, given Arizona's housing shortage. Please vote yes.; Aaron Essif, Self: Desperately NEEDED!; Beth Ballmann, Self: AZ desperately needs more affordable housing. This is a "no cost" way to increase funding for it.; JOHN FIENE, Self: Let's support housing for working class people who cannot afford it.; Janie Smieszek, Self: Support this way to help the homeless.; RITA DEPUYDT, Self: This bill would allow for additional funding to the Housing Trust Fund on a voluntary basis. There is no reason to oppose it.; Jennifer Turrell, Self: Arizona desperately needs more affordable housing and to do better by our vulnerable citizens who are experiencing homelessness. I strongly support this bill and hope that we will do more to deal with this crisis positively.; Thomas Dunning, Self: Arizona, especially, has a housing shortage, ranking in the top ten for the most severe housing shortages. allowing home buyers and sellers voluntarily to donate to the Housing Trust Fund would impose no mandate yet provide help with the shortage.; Sarah Bihms LD29, Self: Please support: Bill revives Housing Trust Fund, provides $10-$20 million/year for homeless housing. Phoenix faces severe housing shortages, need for more fund investment. Bill enables real estate buyers/sellers to donate to fund.; Gary Townsend, Self: Arizona desperately needs more affordable housing; metro Phoenix ranks in the top 10 nationwide for the most severe shortages. Housing analysts have been asking for more investment in the fund for years.; Lora Lida Walradt, Self: Good step towards developing more affordable housing!; Abdi Lopez, Self: This is a bill in the right direction. The homeless community needs our help and designing systems to fund programs is a great start!; Kathryn Dorn, Self: Please pass this (and, if possible, chip in some state money, too)! We need myriad more affordable houses/apartments than currently exist in our state!; Brandy Reese, Self: Arizona desperately needs more affordable housing; metro Phoenix ranks in the top 10 nationwide for the most severe shortages. Housing analysts have been asking for more investment in the fund for years.; Teresa Gerschutz, Self: Metro PHX ranks in the top 10 nationwide for the most severe shortage, SUPPORT this bill.; Lauren King, LAND TITLE ASSOCIATION OF ARIZONA (LTAA): The Land Title Association of Arizona is neutral on this bill WITH the committee amendment specifying that this is an optional program - not a mandate - for escrow agents.

HB2732, micro-business loans; report; appropriation

HB2770, uniform commercial code; 2022 amendments

Support:

Benjamin Orzeske, representing self; Tim Berg, AZ COMMISSION ON UNIFORM STATE LAWS

All Comments:

Benjamin Orzeske, Self: Legislative Counsel Uniform Laws Commission; Tim Berg, AZ COMMISSION ON UNIFORM STATE LAWS: Chair of Arizona Commission on Uniform State Laws

HB2780, condominiums; termination; agreement

Support:

Dennis J Legere, ARIZONA HOMEOWNERS COALITION; Hazel Chandler, representing self; Kathryn Kendall, representing self; Eric Buckeye, representing self; Joyce Monsanto, representing self; Lynne Weaver, representing self; Fred Fischer, representing self; Patricia Cowan, representing self; Dianne Post, representing self; Sean Baguley, representing self; Ron Meyerink, representing self; Paul Fitch, representing self; Barbara Oliver, representing self; Kurt Gronlund, representing self; Janet Wilson, representing self; Bryan Hawk, representing self; Jeffrey Fortney, representing self; Mary Fortney, representing self; Marilyn Childs, representing self; Eva Kuo, representing self; Carol Fiore, representing self; Elysa Daniels, representing self; Catherine McGurk, representing self; Dale Enlow, representing self; Marianne Mccloskey, representing self; Wayne Dwight, representing self; Bibiana Law, representing self; Mike Boisvert, representing self; Charles Weber, representing self; Linda Ross, representing self; Margaret Mandell, representing self; Debra Morin, representing self; Mike Morin, representing self; Chris Nelson, representing self; Melanie Teixeira, representing self; Debra Lynn Corey, representing self; David Hill, representing self; Karen Cwiak, representing self; Lisa Marx, representing self; Stanley Ambis, representing self; Raymond Wasson, representing self; Kathleen Harden-Wasson, representing self; Fox Noble, representing self; Sid Leach, representing self; Mark LaPalm, representing self; John Krahn, representing self; Carole Benson, representing self; Gloria Leach, representing self; Randy Leier, representing self; S Sherwood, representing self; Mark Zieser, representing self; Carolyn Wefsenmoe, representing self; Irene Smith, representing self; Teresa Pinter, representing self; Clare Scarpulla, representing self; Kellie Benway, representing self; Greg Williams, representing self; Paul Isherwood, representing self; Sherokee Ilse, representing self; Marcia Tolin, representing self; Donna Harting, representing self; Theresa Kim West, representing self; Rod Lippert, representing self; Stephen Gordon, representing self; Donna Siverly, representing self; Pamela Maddern, representing self; Jennifer Hand, representing self; Irene Engel, representing self; Jason Adams, representing self; Patrick Engel, representing self; Ann Friday, representing self; Lora Lida Walradt, representing self; Lora Rudolph, representing self

Oppose:

Charles Markle, representing self; Chad Gallacher, representing self; John Walradt, representing self

All Comments:

Dennis J Legere, ARIZONA HOMEOWNERS COALITION: This bill reflects the true purpose of the termination clause in most declarations, under the existing terms of those declarations and provides simple guidance on the process to accomplish that end. This separates termination from any sale of the Con; Hazel Chandler, Self: I urge you to pass HB2780 without delay. I have owned my condo since 2006 and it affordable housing on a fixed income. I cannot afford to live elsewhere. Please pass this bill to allow protect our ability to remain in our condos.; Joyce Monsanto, Self: We need this bill to pass as it is of our rights; Ron Meyerink, Self: Condo owners are just as important as owners in planned community HOAs. They deserve protection too.; Barbara Oliver, Self: In this affordable housing shortage, the least we can do is make sure that Arizonans are not being being driven out of their homes by out-of-state investors.; Jeffrey Fortney, Self: Arizonans should not lose their homes to out of state investors; Mary Fortney, Self: We must prioritize keeping Arizonans in their homes over out of state investors' interests.; Eva Kuo, Self: Please support the property rights of Arizona's condominium unit owners. Do not allow termination agreements to change the voting rights or allocated interest of unit owners nor to unduly restrict their access to private or common property.; Debra Morin, Self: Please support this important bill; Mike Morin, Self: -lease support this important bill; Debra Lynn Corey, Self: People should not be able to take property belonging to another person. This HB could be better but is nonetheless an improvement to the existing statute.; David Hill, Self: It is my fervent hope that homeowners at my HOA will one day be able to reorganize with a competent BOD that safeguards the rights and privileges of homeowners and fair provisions in the declarations. Passage of this bill is critical to that end.; Raymond Wasson, Self: Please allow for owners being able to operate free from covenants levied by the developer.; Kathleen Harden-Wasson, Self: Please support this effort for the owners to end covenants and all other actions created by the developers.; Carole Benson, Self: Please pass bill HB2780; Carolyn Wefsenmoe, Self: Protect homeowners property rights; Irene Smith, Self: Please support this bill for the homeowners' benefit, provide an alternative way to manage the community by the homeowners and for the homeowners, instead of being treated like deaf or blind person by some HOA who does everything violating the CC&R.; Teresa Pinter, Self: Support this bill & protect condo owner property rights. This bill gives condo unit owners the ability to end covenants and everything created by the developer and put in place whatever unit owners believe necessary for continued community operation.; Greg Williams, Self: This bill is important to HOA property owners. Please pass this bill.; Pamela Maddern, Self: Please support this bill. Condominium owners have a right to not be taken advantage of by HOAs and investors.; Jennifer Hand, Self: We fully support this bill and it needs to move through the committee; Irene Engel, Self: My husband and I are elderly and fearful that we will be forced out of out condo where we have lived for 17 years. We have a mortgage that is reasonable, but rent would be double what we are paying, and not affordable for us. Where would we go?; Jason Adams, Self: Homeowners should not be forced to unwillingly sell their homes.; Ann Friday, Self: This is an important bill that I fully support.; Lora Lida Walradt, Self: Condo owners should not be forced out of their homes they worked hard to purchase by wealthy investors.; Lora Rudolph, Self: I agree with position of AZ Homeowners Coalition. Dennis Legere will appear and speak. I can appear if necessary. I am a female business owner, operate business from my home. Please protect me from HOA greed having power over me and my livelihood.; Charles Markle, Self: I am an expert practitioner in this area of law, and I represent several private equity firms that are opposed to this amendment to the uniform condominium act, which similar amendments have been rejected as unconstitutional as this should be also.; John Walradt, Self: LD-8. So an investor can come in, take total control of the units, force me to sell to the investor below market value, make me liable for the balance, and then I'm on the street with a huge debt I cannot pay. THIS IS NEITHER FAIR NOR RIGHT!

HB2809, public infrastructure improvements; reimbursement

Support:

Timothy Bourcet, representing self; Mayor Julia Wheatley, representing self; Danny Seiden, AZ CHAMBER OF COMMERCE; John Kelly, Principal, INTEL CORPORATION; Dianne McCallister, Arizona Technology Council; Eric Emmert, Arizona Association For Economic Development , East Valley Chambers Of Commerce Alliance ; Tom

Belshe, League Of Arizona Cities And Towns; Mike Huckins, GREATER PHOENIX CHAMBER OF COMMERCE; Chris Clark, QUEEN CREEK CHAMBER OF COMMERCE; Martha O'Connor, representing self; Courtney Coolidge, AZ CHAMBER OF COMMERCE; Ginna Carico, GOODYEAR, CITY OF; Grace Appelbe, AZ Manufacturers Council; Michelle Bolton, representing self; Laura French, TAIWAN SEMICONDUCTOR MANUFACTURING COMPANY, LTD.; Ryan Peters, CHANDLER, CITY OF; Heather Bernacki Wilkey, QUEEN CREEK, TOWN OF

All Comments:

Timothy Bourcet, Self: Speaking on behalf of Chris Camacho, GPEC CEO in support of 2809; Eric Emmert, Arizona Association For Economic Development , East Valley Chambers Of Commerce Alliance : .; Michelle Bolton, Self: representing Intel Corporation; Laura French, TAIWAN SEMICONDUCTOR MANUFACTURING COMPANY, LTD.: updating to reflect company

HCR2043, compensation; state preemption; limitation

Support:

Dan Bogert, AZ RESTAURANT ASSOCIATION; Don Isaacson, Arizona Licensed Beverage Association; Trish Hart, AZ FOOD MARKETING ALLIANCE; Chad Heinrich, NATIONAL FEDERATION OF INDEPENDENT BUSINESS; Marcus Dell'Artino, Tucson Metro Chamber Of Commerce; Eric Emmert, East Valley Chambers Of Commerce Alliance ; Joanne Johnson, representing self; Gina Griffiths, representing self; Mike Huckins, GREATER PHOENIX CHAMBER OF COMMERCE; Gary Johnson, representing self; Aimee Yentes, AZ FREE ENTERPRISE CLUB; C D Tavares, representing self; Robert Gumfory, representing self; Gayle Peters, representing self; Charles McCain, representing self; Jeanne Tavares, representing self; Linda Jorgensen, representing self; Courtney Coolidge, AZ CHAMBER OF COMMERCE; John Yoder, representing self; Debbie Joy, representing self; Nikki Colletti, representing self; Vicki Vaughn, representing self; Nicole LaSlavic, ARIZONA LODGING AND TOURISM ASSOCIATION; Claribeth Davis, representing self; Scottsdale Parent, representing self; Laurie Foster, representing self; LouAnn Sedgwick, representing self; Michal Joyner, representing self; Mary Grace Werner, representing self; Joseph Myers, representing self; linda letzer, representing self; Teri Grunewald, representing self; John Tanzi, representing self; Mary Kay Ruwette, representing self; Roger Smith, representing self; Ann Pendarvis, representing self; Roy Morales, representing self; Nancy Osgood, representing self; Earl Carlow, representing self; Aaron Strassberg, representing self; Sallie Orbas, representing self; Marina Reed, representing self; Brent Meadows, representing self; Janet Klepacz, representing self; christopher klepacz, representing self; Peter Asencio, representing self; Maria Lopez, representing self; Marc Monterey, representing self; Carol Stines, representing self; Eric Lovelis, representing self; Donna Hale, representing self; Danielle Ramos, representing self; Ann Starr, representing self; Jennifer Marriott, representing self; Paul Marriott, representing self; Katheryn Tuberty, representing self; Catherine Day, representing self; Charles Moffett, representing self; Robert Stark, representing self; Mary Jamsa, representing self; Cindy Barnes, representing self; Laura Belcourt, representing self; Michael Mote, representing self; Pam Throw, representing self; Wayne Throw, representing self; Sandee McKinlay, representing self; Chris Russo, representing self; Danny Costa, representing self; Karl Stone, representing self; John Reed, representing self; Lois Dold, representing self; michael swindling, representing self; Thomas Burke, representing self; Phil Sahag, representing self; Cory Ray, representing self; Pauline Chilson, representing self; Darrell Chilson, representing self; Doctor Ashleigh Dixon, representing self; Allen Skillicorn, representing self; Christine Dix, representing self

Oppose:

Lena Avalos, representing self; Natalya Brown, LIVING UNITED FOR CHANGE IN ARIZONA; Matthew Flanagan, representing self; Christian Fernandez, representing self; Ben Scheel, Opportunity Arizona; Taylor Nelson, representing self; Arisbeth Valenzuela , representing self; kathleen mayer, representing self; Dave Long, representing self; Pat VanMaanen, representing self; Saundra Cole, representing self; Mary Pradelt, representing self; Janet Larkin, representing self; Steven Linder, representing self; Rebecca Smith Gross, representing self; Peggie Jo Vincent, representing self; marilyn duerbeck, representing self; Maria Salvucci, representing self; Craig McDermott, representing self; Kevin Brown, representing self; Mary Ann Graffagnino, representing self; Beatriz Urrea, representing self; Amy Arnold, representing self; Lisa Olson, representing self; DOUG ARNOLD, representing self; Karen Syversen, representing self; Sallie Kladnik, representing self; Christina Mollica, representing self; Dianne Post, representing self; Carol Maas, representing self; Sherrilynn James, representing self; Molly McGovern, representing self; Donita Ramos, representing self; Margaret Baca, representing self; Daniella Smith, Arizona Coalition For Working Families; Bryna Koch, representing self; Mary Grove, representing self; Brenda White, representing self; Kathryn Kaczmarek, representing self; SUSAN ARNOLD, representing self; Elizabeth Kelchner, representing self; Katherine Doman Sheydayi, representing self; Elizabeth Schauer, representing self; Elizabeth Goff, representing self; Charlie Silver, representing self; Ruth Lambert, representing self; Barbara Oliver, representing self; Robert Stansfield, representing self; Barbara Hutchinson, representing self; Christine Whitley, representing self; Becky Sayler, representing self; Susan Morris, representing self; Brent Gibbs, representing self; Sally Harvey, representing self; David Lujan, THE ARIZONA CENTER FOR ECONOMIC PROGRESS; Alexei Sheydayl, representing self; Robin LaVoie, representing self; Julie Golding, representing self; Janet Wilson, representing self; Erin Edwards, representing self; Karen VanAllen, representing self; Christine Keitges, representing self; Jackie Rich, representing self; Sharon Lee, representing self; Stephanie Romero, representing self; Lawrence Peters, representing self; Suzanne Berger, representing self; Linda Reichert, representing self; Linda Edwards, representing self; Kathy Fraser, representing self; Kimberlee McClure, representing self; Jeri Dow, representing self; Murdock Holloway, representing self; Jennifer Jones, representing self; Peggy Yeargain-Williams, representing self; Joan Murphy, representing self; Penny Boone, representing self; Margaret Winchell, representing self; Ralph Meredith, representing self; Gayle Meredith, representing self; Kelly Lake-Warnberg, representing self; Diane Lings, representing self; GARY LEW OLIVER, representing self; Margaret Adams , representing self; Polemnia Amazeen, representing self; Jeffrey Fortney, representing self; Mary Fortney, representing self; Marilyn Childs, representing self; Dora Vasquez, AZ ALLIANCE FOR RETIRED AMERICANS; Christopher Gilfillan, representing self; Robert Larson, representing self; Nataly Reed, representing self; Ilene Riffle, representing self; Sharon Ehrlich, representing self; Edna Weigel, representing self; Nelson Morgan, representing self; Susan Collins, representing self; George Ehrlich, representing self; Athol Sutton, representing self; Lisa Maczura, representing self; Patricia Van Tuyl, representing self; Jane Atkins, representing self; Francis Copple, representing self; Frederick James, representing self; Christopher Cerrato, representing self; Rebecca Shook, representing self; Nicole Fordey, representing self; Kathleen Dubbs, representing self; Angela Buer, representing self; Victor Peterson, representing self; ALICE BUCK, representing self; DEBRA GORDON, representing self; Denise Hudson, representing self; Srinivas Manne, representing self; Laura Pearl, representing self; Devon Sloan, representing self; Kathleen Schanus-Gohl, representing self; Carol Campbell, representing self; Allison Jackson, representing self; Jennifer Dawson, representing self; Dana Jolly, representing self; Sandra Adler, representing self; Mariette Francis, representing self; Barbara Hollway, representing self; Kristin Sellers, representing self; Connie Cockrell, representing self; Nancy Santori, representing self; Eric Harris, representing self; Jerrold Borchardt, representing self; Eric Kadel, representing self; Jerry Wegenast, representing self; Barbara Larson, representing self; Laura Libman, representing self; Linda Paul, representing self; Roy Verdery, representing self; Lisa Koenig, representing self; Rebecca Haynes, representing self; Vickey Finger, representing self; jeff green, representing self; Linda Block, representing self; Crystal Bazarnic, representing self; Margaret Lacey, representing self; Kathleen Woessner, representing self; Gary Rulapaugh, representing self; Kathleen Sauer, representing self; Emily Norton, representing self; Jean Meconi, representing self; Debbie Odle, representing self; Sheila Green, representing self; Janell Alewyn, representing self; Marcia Tingley, representing self; Marilyn Murov, representing self; Rivko Knox, representing self; Jennifer Hanley, representing self; Leslie Hirsch, representing self; Charles Turner, representing self; Laurie Munn, representing self; Jo Ann Caruthers, representing self; Margaret Tinsley, representing self; Teresa Akrish, representing self; Marie Thearle, representing self; Michelle Helmken, representing self; Aaron Essif, representing self; Mary-Jeanne Fincher, representing self; Sandra Rizzo, representing self; Carolyn Lowther, representing self; Loretta O'Connor, representing self; Diane Klock, representing self; Jill Anderson, representing self; Candice Fremouw, representing self; Beth Ballmann, representing self; JOHN FIENE, representing self; Irene Arango, representing self; Christine McLachlan-Comer, representing self; Dwight Moore, representing self; Barbara Jones, representing self; Claire Bickel, representing self; Gabe Leadley, representing self; Carol Garnett, representing self; Annarose Lilly, representing self; Mary Lisa, representing self; RITA DEPUYDT, representing self; Jennifer Turrell, representing self; Gaelle Esposito, LIVING UNITED FOR CHANGE IN ARIZONA; Nora Welsh, representing self; Sarah Bihms LD29, representing self; Keaton Hill, Arizona Building Trades; David Myers, representing self; Jacolyn B Marshall, representing self; Alina Donnell, representing self; Barbara Lynn Carpenter, representing self; Dan Schwartzstein, representing self; Claudia Oreck-Teplitsky, representing self; Carol Kurimsky, representing self; Gary Townsend, representing self; Sally Caruso, representing self; Kathy Boelte, representing self; William Yohey, representing self; Nancy Hancock, representing self; Donna Corbin, representing self; Mark Visser, representing self; Scott Grzybowski, representing self; Counilwoman Sharron Grzybowski, representing self; Suzette Taillac-Streit, representing self; Shelley Stephenson, representing self; Michael Pyska, representing self; Sundrop Carter, representing self; Ariana Flores, representing self; Lora Lida Walradt, representing self; Elizabeth Lyons, representing self; Kathryn Anderson, representing self; Theresa Prichard, representing self; Margaret Owen, representing self; Paula Feely, representing self; Margaret Cordovano, representing self; Kathryn Dorn, representing self; Brandy Reese, representing self; Nancy Lecrone Nonini, representing self; Peggy Church, representing self; Virginia Dotson, representing self; Bruce Flocken, representing self; Steve Gorman-Hackstadt, representing self; Janie Smieszek, representing self; Alice Patricia Price, representing self; Melinda Iyer, representing self; Joyce Howard, representing self; Cynthia Paster, representing self; Francesca Pardes, representing self; Teresa Gerschutz, representing self; Roger Blain, representing self; Karina Sampson, representing self; HELI NIELSON, representing self; Nora Plonsky, representing self; Micheal Slattery, representing self; Joseph Alexander, representing self; Kathleen Collins, representing self; Mary Marshall, representing self; Dorothy Reed-Inman, representing self

All Comments:

Gayle Peters, Self: Disastrous for businesses who would have to comply with a patchwork of regulations; Nikki Colletti, Self: Municipalities should not be able to dictate private employee wages; Vicki Vaughn, Self: Private employee wages should be determined by the business and the market, not by government! Please support this bill.; LouAnn Sedgwick, Self: The government should not be making things more difficult for small businesses. PC/1st chair LD13; Michal Joyner, Self: Plese vote yes to put this bill on the ballot. Businesses must not be subjected to anymore regulation and oversight.; Mary Grace Werner, Self: What business does the government or political organizations have in regulating employee compensation benefits? That is not their business. The more they are given, the more they take.; Joseph Myers, Self: I am for approval in 2024 to make an appropriate response to efforts to coerce small business payment practicces. This legislation will be a positive for small businesses; Teri Grunewald, Self: Municipalities should not be allowed to dictate to private businesses.; Nancy Osgood, Self: As a PC in LD12 I support this bill.; Marina Reed, Self: Less government regulation in our lives is needed.; Peter Asencio, Self: I am a PC Captain Yavapai County; Maria Lopez, Self: As a State Committeeman and Precinct Committeeman, I strongly support this bill.; Carol Stines, Self: Governments should NOT be allowed to dictate wages. Most politicians have never been entrepreneurs and have no understanding of running a business; Donna Hale, Self: PC134, LD18, State Committeemen; Catherine Day, Self: PC watching elected officials and canvassing the neighborhood to alert we the people of what elected officials are doing with our freedoms; Mary

Jamsa, Self: This bill is needed to prevent cities and towns from dictating private employees wages and benefits. Without this bill businesses would have to comply with a patchwork of regulations. I am in favor of this bill.; Michael Mote, Self: As a former business owner I am in favor of this bill since government entities should not have the authority to regulate employee comppensations or benefits.; Chris Russo, Self: I'm a PC from PV. All anyone has to do is look at commiefornia to see government can't run itself, So how can they run a business they know nothing about. leave the business of businessing to businesses. They know best.; Arisbeth Valenzuela , Self: Representing Mi Familia Vota; kathleen mayer, Self: let municipalities decide what is best for their citizens. if you left everything up to the Chamber of Commerce no one could make a living wage.; Pat VanMaanen, Self: This doesn't belong in our constitution. What happened to local control?; Mary Ann Graffagnino, Self: Cities and towns are very different in the cost of living . Flagstaff is very expensive and a higher minimum wage not dictated by a statewide minimum wage is most appropriate; Beatriz Urrea, Self: This would be clearly state overreach. Eliminate this bill!; Lisa Olson, Self: I'm confused by republicans who claim they want the power to make decisions locally, but block other communities from making decisions about their communities. I strongly OPPOSE THIS BILL.; Karen Syversen, Self: Let cities govern themselves. Stop punishing Flagstaff for paying their workers higher wages. It's what their voter wanted and passed.....leave them alone!; Christina Mollica, Self: I am registered voter in LD29. Cities should have local control and be able to set their own minimum wage.; Kathryn Kaczmarek, Self: Cities need to be allowed to set minimum wage standards without the interference of the legislature or changing our state constitution.; Barbara Oliver, Self: NO MORE contitutional amednments! Especially one designed to ban cities and towns from regulating wages. Especially one designed to punish Flagstaff!; Christine Whitley, Self: I am opposed to bills being pushed by legislators with a specific caucus agenda. Legislators take an oath of office to serve the public. We need bills addressing AZ's water crisis, funding public education and providing affordable housing.; Susan Morris, Self: Stop trying to impose state laws on cities and towns that each have their own problems to address. Keep to your bailiwick.; Sally Harvey, Self: Let cities have autonomy; Jackie Rich, Self: Unnecessary state interference with local government.; Lawrence Peters, Self: Amending state constitution should only be done for vital matters. This is a shocking abuse of legislative power. Republican Big Government gross intrusion into the right of municipalities to govern themselves.; Linda Reichert, Self: Since cost of living is not uniform across the whole state, it is not sensible to regulate wages and other employee benefits on a state-wide basis.; Penny Boone, Self: I oppose this right-wing extremist effort to override municipalities right to manage their own wages & benefits. OPPOSE!; Kelly Lake-Warnberg, Self: some locations have a higher cost of living and need a higher minimum wage to keep employees.; Ilene Riffle, Self: Cities and towns should be to regulate these issues as they choose; Edna Weigel, Self: Doesn't need to be in constitution. Let cities & counties do their jobs.; Nelson Morgan, Self: Cities should have the right to approve a higher minimum wage. Local costs and views can differ significantly in different parts of the state.; Lisa Maczura, Self: Let the cities and towns provide leadership if many in the legislature are unwilling to do so. Let the towns mind the town's business. The legislature's job is to provide actual, useful leadership for AZ, not to be micro-managers of cities.; Patricia Van Tuyl, Self: This is another attempt by proponents of "local control" to make the state the only "local" entity within the state to establish policies and regulations. Cities don't count.; Kathleen Dubbs, Self: Blatantly anti-local control! Citizens of cities and towns should be free to make their own decisions on such things.; Srinivas Manne, Self: Local municipalities should be free to set their minimum wages higher than the state to account for local cost of living.; Carol Campbell, Self: It costs more to live in certain cities.; Jennifer Dawson, Self: The state has no business telling cities and towns how to regulate employee benefits and wages. This is punitive - Legislators have been trying to penalize Flagstaff for years for setting a higher minimum wage than the state-mandated one.; Eric Kadel, Self: Let local government govern their locals!; Jerry Wegenast, Self: not a constitutional issue; Linda Paul, Self: This definitely does not belong in the constitution!; Roy Verdery, Self: Employee benefits are a local issue, affecting the local economy and resources. They are not a state issue.; Rebecca Haynes, Self: Legislators have been trying to penalize Flagstaff for years for setting a higher minimum wage than the state-mandated one. Raise the state minimum instead!;

Margaret Lacey, Self: Stay out of the municipalities' business!; Kathleen Sauer, Self: It looks like Rep. Grass is afraid that progressive ideas implemented by cities will catch on. Can't have that, can we?; Jean Meconi, Self: State overreach of local municipalities. It is very expensive to live in some areas in Arizona than others. Wages, benefits etc. should reflect this.; Debbie Odle, Self: Local governments should be able to make decisions that make sense for their municipalities. They ultimately answer to their voters.; Marcia Tingley, Self: Employee wages and benefits should not be a statewide issue and should definitely NOT be enshrined in the AZ Constitution. Oppose.; Marilyn Murov, Self: This should not be in the Constitution. I voted against the Flagstaff minimum wage but I still respect and want them to have the ability to regulate their own wages and employee benefits.; Rivko Knox, Self: A way to 'punish' Flagstaff that raised its minimum wage above the state's. Let local voters decide what works for them; cost of living varies from place to place, so higher wages can make great economic sense & improve life for all.; Margaret Tinsley, Self: This is not a state wide issue but should be decided on the local level. Phoenix wage standards may not be appropriate in Kearney. Please vote no.; Aaron Essif, Self: Some cities NEED higher wages and/or benefits.; Mary-Jeanne Fincher, Self: Local control means that the political subdivision closest to the problem can craft a solution. This bill is a bad idea.; Sandra Rizzo, Self: A vindictive bill. Takes away authority of cities.; Beth Ballmann, Self: States should not limit the freedom of cities to pass their own regulations. They assuredly should not penalize them for this.; JOHN FIENE, Self: What ever happened to home rule? Republicans are just punishing Flagstaff and Tucson, with everyone else caught in the crossfire. Really bad legislation.; Carol Garnett, Self: Let the cities and counties determine what is best for their citizens. They know better what is needed for workers in their communities and it is different in different parts of the state.; RITA DEPUYDT, Self: I oppose this attempt by the state legislature to control Arizona cities with regard to employee wages and benefits.; Jennifer Turrell, Self: I strongly oppose this bill. It seems targeted at punishing cities like Flagstaff for setting a higher minimum wage than the rest of the state. COL is high in Flagstaff and min wage needs to be too. As it is, $15 min wage cannot cover COL. Oppose.; Sarah Bihms LD29, Self: This bill would ban cities and towns from regulating employee benefits and wages, making it a statewide issue. It's an attempt to penalize Flagstaff for its higher minimum wage, but was blocked by a judge last year. Vote No.; Dan Schwartzstein, Self: Why is a Republican from a swing district trying to take local control away from Arizona towns and cities? Local decisions should be made at a local level.; Gary Townsend, Self: Similar legislation was blocked by a judge as unconstitutional.; Donna Corbin, Self: This bill is a transparent attempt to punish AZ cities who want to increase minimum wage in their municipalities.; Mark Visser, Self: As a conservative, I don't believe the state should interfere with local governments; Counilwoman Sharron Grzybowski, Self: I'm not sure I understand the purpose of this bill. Why take the power given to us in state statute away?; Lora Lida Walradt, Self: State overreach and intrusion into city, town, county sovereignty to set wages, benefits for their citizens. Major power grab here.; Theresa Prichard, Self: the state constitution is not the place for this politically driven proposal that disallows the local communities to make decisions for themselves.; Margaret Owen, Self: I support LOCAL management of cities and towns. Let local communities do what they feel is best for their own citizens. Amend the constitution for this? No. This bill sounds like over-reach.; Margaret Cordovano, Self: A city or town should have the right to set a higher standard than the state requires for minimum wage and employee benefits, if that is what its residents want.; Kathryn Dorn, Self: Our state should set a floor for wages and other forms of worker compensation, not a ceiling. If you're annoyed that Flagstaff's higher minimum wage makes the city look better than the rest of our state, please just raise the statewide minimum wage!; Brandy Reese, Self: Stop trying to add garbage to the AZ Constitution. Preempting cities' and towns' abilities to self-regulate is a bad practice. Smaller, more local government is best. Cities and towns are more knowledgable about their own needs.; Virginia Dotson, Self: No, the cities and towns know best what their areas' needs are.; Melinda Iyer, Self: Please stop trying to preempt the rights of charter cities.; Teresa Gerschutz, Self: Let's keep this issue local, allow cities and towns to regulate. OPPOSE this bill.

PLEASE COMPLETE THIS FORM FOR THE PUBLIC RECORD

HOUSE OF REPRESENTATIVES

Please PRINT Clearly

Committee on Commerce

Bill Number HCR 2043

Date

☐ Support ☐ Oppose ☐ Neutral

Name Arianna Reyes

Need to Speak? ☒ Yes ☐ No

Representing

Are you a registered lobbyist?

Complete Address

E-mail Address

Phone Number

Comments:

FIVE-MINUTE SPEAKING LIMIT

PLEASE COMPLETE THIS FORM FOR THE PUBLIC RECORD

HOUSE OF REPRESENTATIVES

Please PRINT Clearly

Committee on Commerce

Bill Number HCR2043

Date 2/14/2023

☐ Support ☑ Oppose ☐ Neutral

Name Mayra Vargas

Need to Speak? ☑ Yes ☐ No

Representing self

Are you a registered lobbyist? NO

Complete Address 9201 S. Avenida del Yaqui, Guadalupe, Az 85283

E-mail Address mayra@-corazonaz.org

Phone Number

Comments:

FIVE-MINUTE SPEAKING LIMIT

PLEASE COMPLETE THIS FORM FOR THE PUBLIC RECORD

HOUSE OF REPRESENTATIVES

Please PRINT Clearly

Committee on Commerce

Bill Number HB 2404

Date 2-14-2023

☒ Support ☐ Oppose ☐ Neutral

Name Dorothy Stingley

Need to Speak? ☒ Yes ☐ No

Representing

Are you a registered lobbyist? NO

Complete Address

E-mail Address dsting1952@stingleymcd.com

Phone Number

Comments: Disability Accomodation Request - Speech Impedipent

FIVE-MINUTE SPEAKING LIMIT

ARIZONA STATE LEGISLATURE

Fifty-sixth Legislature - First Regular Session

COMMITTEE ATTENDANCE RECORD

COMMITTEE ON **COMMERCE**

CHAIRMAN: Justin Wilmeth VICE-CHAIRMAN: Michael Carbone

DATE	02/14/23	/23	/23	/23	/23
CONVENED	2:33p m	m	m	m	m
RECESSED	6:06 p.m				
RECONVENED	6:30p.m				
ADJOURNED	9:30PM				
MEMBERS					
Aguilar	✓				
Austin	✓				
Carter	✓				
Gress	✓				
Heap	✓				
Hendrix	✓				
Ortiz	✓				
Sun	✓				
Carbone, Vice-Chairman	✓				
Wilmeth, Chairman	✓				

√ Present --- Absent exc Excused

Attachment 3

ARIZONA HOUSE OF REPRESENTATIVES

Fifty-sixth Legislature
First Regular Session

<u>HB 2108</u>: unemployment benefits; requirements; disqualifications
Sponsor: Representative Livingston, LD 28
Committee on Commerce

<u>Overview</u>
Creates requirements and factors to determine the validity and eligibility for Unemployment Insurance (UI) benefits.

<u>History</u>
The Department of Economic Security (DES) administers the unemployment insurance benefit program, which provides temporary financial relief to eligible unemployed individuals who separate from their previous employers at no fault of their own. In order to be eligible for UI <u>benefits</u>, an individual must be able to work, available for work and actively seeking work. Further, the individual must engage in a systematic and sustained effort to search for work on at least four different days each week and make at least four work search contacts each week.

DES examines any claim for benefits and determines whether the claim is valid. DES must promptly notify the claimant of the determination. The claimant has 15 days from the date the notification was mailed to appeal the determination.

Individuals who fail to apply for available and suitable work, actively engage in seeking work, accept suitable work when offered or return to customary self-employment as directed by DES are disqualified from UI benefits (<u>Title 23, Chapter 4, A.R.S.</u>).

<u>Provisions</u>
1. Prevents DES from paying UI benefits until an initial or ongoing claim is cross-checked for validity against outlined data sets. (Sec. 2)
2. Stipulates a claim will not be paid and the claimant is disqualified from receiving benefits and referred for prosecution if a cross-check indicates that the claim is ineligible or fraudulent. (Sec. 2)
3. Directs DES, prior to paying benefits, to examine any initial claim and confirm the claim's validity if the claim:
   a) Was submitted electronically through an internet address located outside of Arizona;
   b) References an address for which another current claim was submitted; or
   c) Is associated with a direct deposit for a bank account already sued for another current claim. (Sec. 2)
4. Allows DES to refer the matter for prosecution if a fraudulent claim was filed. (Sec. 2)
5. Clarifies the individual is disqualified for benefits for failure *to actively seek and apply for suitable work, to accept an offer of suitable work or accept reemployment at the same employer, if offered.* (Sec. 3)

☐ Prop 105 (45 votes)	☐ Prop 108 (40 votes)	☐ Emergency (40 votes)	☐ Fiscal Note

Attachment 4

6. Requires the individual to conduct at least five specified work search actions each week to qualify as actively seeking and applying for suitable work. (Sec. 3)
7. Stipulates the individual must provide a weekly report that details the work search actions for every week a benefit is sought. (Sec. 3)
8. Directs an employer to report to DES when an individual who was a previous employee:
   a) Refuses to return to work or accept an offer of suitable work; or
   b) Fails to appear for a scheduled interview or respond to an offer of employment. (Sec. 3)
9. Permits employers to submit the required report to DES either digitally or through email. (Sec. 3)
10. Requires DES to conduct an independent review of each submitted report to determine whether an individual should be disqualified from receiving benefits. (Sec. 3)
11. Makes technical changes. (Sec. 1)

Fifty-sixth Legislature
First Regular Session

Commerce
H.B. 2108

PROPOSED

HOUSE OF REPRESENTATIVES AMENDMENTS TO H.B. 2108

(Reference to printed bill)

Page 1, line 31, strike "G" insert "E"

Page 2, between lines 4 and 5, insert:

"Sec. 2. Section 23-771, Arizona Revised Statutes, is amended to read:

23-771. Eligibility for benefits

A. An unemployed individual is eligible to receive benefits with respect to any week only if the department finds that the individual:

1. Has registered for work at and thereafter has continued to report at an employment office in accordance with the regulations prescribed by the department.

2. Has made a claim for benefits in accordance with section 23-772.

3. Is able to work.

4. IS AVAILABLE FOR WORK.

~~4.~~ 5. Except for an individual who is applying for shared work benefits pursuant to article 5.1 of this chapter, ~~is available for work and both of the following apply:~~

~~(a) The individual has engaged in a systematic and sustained effort to obtain work during at least four days of the week.~~

~~(b) The individual has made at least one job contact per day on four different days of the week.~~ ACTIVELY SEEKS AND APPLIES FOR SUITABLE WORK AND:

(a) CONDUCTS AT LEAST FIVE WORK SEARCH ACTIONS EACH WEEK IN ORDER TO QUALIFY AS ACTIVELY SEEKING AND APPLYING FOR SUITABLE WORK. THE ACTIONS SHALL INCLUDE ANY OF THE FOLLOWING:

(i) SUBMITTING RESUMES.

(ii) COMPLETING JOB APPLICATIONS.

(iii) ATTENDING JOB FAIRS.

(iv) ATTENDING INTERVIEWS WITH POTENTIAL EMPLOYERS.

(v) ATTENDING A DEPARTMENT-APPROVED TRAINING PROGRAM, WHICH SHALL COUNT AS ONE WORK SEARCH ACTION FOR THE WEEK THE INDIVIDUAL ATTENDED THE TRAINING PROGRAM.

(b) IF THE INDIVIDUAL IS APPLYING FOR A WEEKLY BENEFIT, PROVIDES A WEEKLY REPORT TO THE DEPARTMENT THAT DETAILS THE INDIVIDUAL'S WORK SEARCH ACTIONS FOR EVERY WEEK A BENEFIT IS SOUGHT.

~~5.~~ 6. Has been unemployed for a waiting period of one week. A week is not counted as a week of unemployment for the purpose of this paragraph:

(a) Unless it occurs within the benefit year that includes the week with respect to which the individual claims payment of benefits.

(b) Unless the individual was eligible for benefits with respect to the week as provided in this section and sections 23-775, 23-776 and 23-777.

(c) If benefits have been paid in respect to the week.

~~6.~~ 7. Has met one of the following requirements:

(a) Has been paid wages for insured work during the individual's base period equal to at least one and one-half times the wages paid to the individual in the calendar quarter of the individual's base period in which the wages were highest, and the individual has been paid wages for insured work in one calendar quarter of the individual's base period equal to an amount that is equal to at least three hundred ninety times the minimum wage prescribed by section 23-363 that is in effect when the individual files a claim for benefits.

(b) For a benefit year beginning on or after September 2, 1984, has been paid wages for insured work during at least two quarters of the individual's base period and the amount of the wages paid in one quarter would be sufficient to qualify the individual for the maximum weekly benefit amount payable under this chapter and the total of the individual's base-period wages is equal to or greater than the taxable limit as specified in section 23-622, subsection B, paragraphs 1 and 2.

~~7.~~ 8. Following the beginning date of a benefit year established under this chapter or the unemployment compensation law of any other state and before the effective date of a subsequent benefit year under this chapter, has performed services whether or not in employment as defined in section 23-615 for which wages were payable in an amount equal to or in excess of eight times the weekly benefit amount for which the individual is otherwise qualified under section 23-779. In making a determination under this paragraph, the department shall use information available in its records or require the individual to furnish necessary information within thirty days after the date notice is given that the information is required.

B. If an unemployed individual cannot establish a benefit year as defined in section 23-609 due to receipt during the base period of compensation for a temporary total disability pursuant to chapter 6 of this title, or any similar federal law, the individual's base period shall be the first four of the last five completed calendar quarters immediately preceding the first day of the calendar week in which the disability began. Wages previously used to establish a benefit year may not be reused. This subsection does not apply unless all of the following occur:

1. The individual has filed a claim for benefits not later than the fourth calendar week of unemployment after the end of the period of disability.

2. The claim is filed within two years after the period of disability begins.

3. The individual meets the requirements of subsection A of this section.

4. The individual has attempted to return to the employment where the temporary total disability occurred.

C. If an unemployed individual is a member of the national guard or other reserve component of the United States armed forces, the individual is not considered to be either employed or unavailable for work by reason of the individual's participation in drill, training or other national guard or reserve activity that occurs on not more than one weekend per month or in lieu of a weekend drill or the equivalent.

D. The department shall not disqualify an individual from receiving benefits under this chapter on the basis of the individual's separation from employment if the individual is a victim of domestic violence and leaves employment due to a documented case involving domestic violence pursuant to section 13-3601 or 13-3601.02. Benefits paid to an individual pursuant to this subsection shall not be charged against an employer's account pursuant to section 23-727, subsection G.

E. The department shall not disqualify an individual from receiving benefits under this chapter on the basis of the individual's separation from employment if the individual was terminated from employment for not receiving a COVID-19 vaccine or COVID-19 booster shot required by the employer. Benefits paid to an individual pursuant to this subsection shall not be charged against an employer's account pursuant to section 23-727 if the employer's requirement that employees receive the COVID-19 vaccine or COVID-19 booster shot is required by law.

F. For the purposes of subsection A, paragraph 6 of this section, wages shall be counted as wages for insured work for benefit purposes with respect to any benefit year only if that benefit year begins subsequent to the date on which the employing unit by which those wages were paid has become an employer subject to this chapter."

Renumber to conform

House Amendments to H.B. 2108

Page 4, line 21, after "OR" insert "TO"

Strike lines 27 through 39

Page 5, line 2, strike "D" insert "B"

Reletter to conform

Amend title to conform

JUSTIN WILMETH

2108WILMETH.docx
02/13/2023
9:25 AM
C: SK

Adopted ✓ # of Verbals ____
Failed ____ Withdrawn ____
Not Offered ____ Analysts Initials ____

Attachment 5

ARIZONA HOUSE OF REPRESENTATIVES
Fifty-sixth Legislature - First Regular Session

ROLL CALL VOTE

COMMITTEE ON Commerce BILL NO. HB 2108

DATE February 14, 2023 MOTION: DPA

	PASS	AYE	NAY	PRESENT	ABSENT
Aguilar			✓		
Austin			✓		
Carter		✓			
Gress		✓			
Heap		✓			
Hendrix		✓			
Ortiz			✓		
Sun				✓	
Carbone, Vice-Chairman		✓			
Wilmeth, Chairman		✓			
		6	3	1	0

Susan Nelson
COMMITTEE SECRETARY

APPROVED:

JUSTIN WILMETH, Chairman
MICHAEL CARBONE, Vice-Chairman

ATTACHMENT 6

ARIZONA HOUSE OF REPRESENTATIVES

Fifty-sixth Legislature
First Regular Session

HB2293: liquor; purchase; identification
Sponsor: Representative Cook, LD 7
Committee on Commerce

Overview

Allows a valid unexpired border crossing card to be used as valid proof that the person is of legal drinking age.

History

Current statute stipulates the following written instruments as the only types of identification acceptable to be demanded if a licensee, an employee of the licensee or any other person questions or has reason to question that the person ordering, purchasing, attempting to purchase or otherwise procuring or attempting to procure the serving or delivery of spirituous liquor or entering a portion of a licensed premises when the primary use is the sale or service of spirituous liquor is under the legal drinking age:

1) An unexpired driver license issued by this state;
2) An unexpired driver license issued by any other state, the District of Columbia, any territory of the United States or Canada if the license includes a picture of the person and the person's date of birth;
3) An unexpired nonoperating identification license;
4) A form of identification license issued by any other state, the District of Columbia, any territory of the United States or Canada if the license is substantially equivalent to a nonoperating identification license and includes a picture of the person and the person's date of birth;
5) An unexpired armed forces identification card that includes the person's picture and date of birth; and
6) A valid unexpired passport or a valid unexpired resident alien 19 card that (A.R.S. § 4-241).

A *written instrument* is either any paper, document or other instrument that contains written or printed matter or its equivalent or any token, stamp, seal, badge, trademark, graphical image, access device or other evidence or symbol of value, right, privilege or identification (A.R.S. § 13-2001).

Provisions

1. Adds a valid unexpired border crossing card, issued by the US government containing a photograph of the person and the date of birth, as a valid type of identification when purchasing liquor. (Sec.1)
2. Makes technical changes. (Sec. 1)

☐ Prop 105 (45 votes) ☐ Prop 108 (40 votes) ☐ Emergency (40 votes) ☐ Fiscal Note

Attachment 7

ARIZONA HOUSE OF REPRESENTATIVES
Fifty-sixth Legislature - First Regular Session

ROLL CALL VOTE

COMMITTEE ON Commerce BILL NO. HB 2293

DATE February 14, 2023 MOTION: DP

	PASS	AYE	NAY	PRESENT	ABSENT
Aguilar		✓			
Austin		✓			
Carter		✓			
Gress		✓			
Heap		✓			
Hendrix		✓			
Ortiz		✓			
Sun		✓			
Carbone, Vice-Chairman		✓			
Wilmeth, Chairman		✓			
		10	0	0	0

Susan Nelson
COMMITTEE SECRETARY

APPROVED:

JUSTIN WILMETH, Chairman
MICHAEL CARBONE, Vice-Chairman

ATTACHMENT 8

ARIZONA HOUSE OF REPRESENTATIVES

Fifty-sixth Legislature
First Regular Session

HB 2209: economic opportunity; industrial development authority
Sponsor: Representative Wilmeth, LD 2
Committee on Commerce

Overview

Continues the Arizona Office of Economic Opportunity (Office) for eight years and makes clarifications to the Arizona Finance Authority (AFA) board membership and duties.

History

Arizona Office of Economic Opportunity

Laws 2016, Chapter 372, established the Office to: 1) monitor the state's tax and regulatory competitiveness; 2) serve as the state's workforce planning coordinator and provide economic and demographic research and analysis; 3) provide administrative support and analytic support to the Arizona Finance Authority; 4) analyze state and local regulatory costs to businesses; and 5) provide analytical support to the Arizona Commerce Authority. The director of the Office is appointed by the Governor and is responsible for the direction, operation and control of the Office (A.R.S. § 41-5302).

Established within the Office is the AFA which is statutorily required to establish the Arizona Industrial Development Authority (AIDA) and serve as the board for the AIDA. The AFA is governed by a board of directors, consisting of five members who are appointed by the Governor (A.R.S. §§ 41-5353, 41-5356).

Sunset Review Process

The sunset review process provides a system for the Legislature to evaluate the need to continue the existence of state agencies which are reviewed by a legislative committee of reference (COR). The COR is required to hold a public hearing, receive testimony from agency officials and the public and consider certain sunset factors in determining whether to recommend continuing, consolidating or terminating the agency (A.R.S 41-2954).

The Senate Commerce and House Commerce COR held a public meeting on January 10, 2023 and recommended that the Legislature continue the Office for eight years. The Office terminates on July 1, 2023, unless continued by the Legislature (A.R.S. § 41-3023.15).

Provisions

1. Continues, retroactively to July 1, 2023, the Office of Economic Opportunity until July 1, 2031. (Sec. 1, 2, 9)
2. Repeals the Office under certain conditions. (Sec. 2)
3. Removes the authority of the director of the Office to provide staffing support to an industrial development authority. (Sec. 3)
4. Defines *Arizona Industrial Development Authority* as the industrial development authority established by the AFA. (Sec. 4)

☐ Prop 105 (45 votes)	☐ Prop 108 (40 votes)	☐ Emergency (40 votes)	☐ Fiscal Note

Attachment 9

5. Specifies that AFA board of directors (Board) members who are reappointed are excluded from the requirement to submit fingerprints for state and federal criminal background checks. (Sec. 5)
6. Allows current members of the Board who have yet to be reappointed or replaced after term expiration to continue to serve until reappointment or replacement. (Sec. 5)
7. Removes the prohibition for the Board to meet in executive session by audioconference or videoconference. (Sec. 5)
8. Specifies that Board members are prohibited from having direct or indirect personal financial interests in any AFA, AIDA or other project. (Sec. 5)
9. Includes a purpose statement. (Sec. 8)
10. Makes clarifying and technical changes. (Sec. 3, 4, 6, 7)

ARIZONA HOUSE OF REPRESENTATIVES
Fifty-sixth Legislature - First Regular Session

ROLL CALL VOTE

COMMITTEE ON Commerce BILL NO. HB 2209

DATE February 14, 2023 MOTION: DP

	PASS	AYE	NAY	PRESENT	ABSENT
Aguilar		✓			
Austin		✓			
Carter	✓			✓	
Gress		✓			
Heap			✓		
Hendrix			✓		
Ortiz		✓			
Sun		✓			
Carbone, Vice-Chairman		✓			
Wilmeth, Chairman		✓			
		7	2	1	0

APPROVED:

JUSTIN WILMETH, Chairman
MICHAEL CARBONE, Vice-Chairman

Susan Nelson
COMMITTEE SECRETARY

ATTACHMENT 10

ARIZONA HOUSE OF REPRESENTATIVES

Fifty-sixth Legislature
First Regular Session

HB 2446: smart and safe fund; distribution
Sponsor: Representative Martinez, LD 16
Committee on Commerce

Overview

Amends the list of recipients who receive a portion of monies from the Smart and Safe Arizona Fund (Fund).

History

In 2020, the voters approved Proposition 207 which legalized the adult use of and prescribed the regulation and taxation for recreational marijuana. Prop 207 established the Fund which consists of monies derived from an excise tax on the sale of marijuana products, license and registration fees and certain civil penalties. Fund monies are first used to pay for administration and enforcement costs relating to the implementation of Prop 207. Remaining Fund monies are distributed to specified entities on a percentage basis:

1) 33% to community college districts for investing in and providing workforce development programs, job training, career and technical education and STEM programs;
2) 31.4% to municipal police and fire departments, fire districts and county sheriffs' departments in proportion to the number of members in the Public Safety Personnel Retirement System and the Public Safety Personnel Defined Contribution Retirement Plan for personnel costs;
3) 25.4% to the Arizona Highway User Revenue Fund;
4) 10% to the Justice Reinvestment Fund; and
5) .2% to the Attorney General.
(A.R.S. § 36-2856)

Provisions

1. Includes Indian reservation police agencies, Indian reservation firefighting agencies, university police departments at institutions under the jurisdiction of the Arizona Board of Regents, the Department of Public Safety and joint powers authorities to the list of recipients who receive the portion (31.4%) of Fund monies relating to public safety. (Sec. 1)
2. Applies retroactively to January 1, 2021. (Sec. 2)
3. Contains a Prop 105 clause. (Sec. 3)
4. Makes conforming changes. (Sec. 1)

☒ Prop 105 (45 votes)	☐ Prop 108 (40 votes)	☐ Emergency (40 votes)	☐ Fiscal Note

Attachment 11

Fifty-sixth Legislature
First Regular Session

Commerce
H.B. 2446

PROPOSED

HOUSE OF REPRESENTATIVES AMENDMENTS TO H.B. 2446

(Reference to printed bill)

Page 2, line 12, after the first comma strike remainder of line

Strike lines 13 and 14

Line 15, strike "SAFETY,"

Amend title to conform

JUSTIN WILMETH

2446WILMETH.docx
02/09/2023
02:26 PM
H: PRB/ls

Adopted ✓ # of Verbals ______
Failed ______ Withdrawn ______
Not Offered ____ Analysts Initials ___

Attachment 12

ARIZONA HOUSE OF REPRESENTATIVES
Fifty-sixth Legislature - First Regular Session

ROLL CALL VOTE

COMMITTEE ON **Commerce** BILL NO. HB 2446

DATE February 14, 2023 MOTION: DPA

	PASS	AYE	NAY	PRESENT	ABSENT
Aguilar		✓			
Austin		✓			
Carter		✓			
Gress		✓			
Heap		✓			
Hendrix		✓			
Ortiz		✓			
Sun		✓			
Carbone, Vice-Chairman		✓			
Wilmeth, Chairman		✓			
		10	0	0	0

APPROVED:

JUSTIN WILMETH, Chairman
MICHAEL CARBONE, Vice-Chairman

Susan Nelson
COMMITTEE SECRETARY

ATTACHMENT 13

ARIZONA HOUSE OF REPRESENTATIVES

Fifty-sixth Legislature
First Regular Session

HB 2208: department of liquor licenses; continuation
Sponsor: Representative Wilmeth, LD 2
Committee on Commerce

Overview

Continues the Arizona Department of Liquor Licenses and Control (DLLC) for eight years.

History

Arizona Department of Liquor License and Control

DLLC regulates the manufacture, distribution and sale of liquor in this state through the issuance of 21 different licenses. DLLC is primarily responsible for: 1) licensing all liquor manufactures, suppliers and wholesalers and retailers doing business in the state; 2) enforcing liquor laws by investigating complaints, conducting investigations and performing audits of select licensed establishments; and 3) imposing sanctions for violations of state liquor laws (Title 4, A.R.S.).

DLLC consists of the State Liquor Board and the Office of the Director of the Department. The State Liquor Board consists of seven members appointed by the Governor for three-year terms. Five of the members cannot be financially interested directly or indirectly in business licensed to deal with spirituous liquors, one of whom shall be a current elected municipal official. Two members must currently be engaged in business in the spirituous liquor industry or have been engaged in the past, at least one member must currently be a retail licensee or employee of a retail licensee. One member must be a member of a neighborhood association recognized by a city, town or county (A.R.S. § 4-111).

Sunset Review Process

The sunset review process provides a system for the Legislature to evaluate the need to continue the existence of state agencies which are reviewed by a legislative committee of reference (COR). The COR is required to hold a public hearing, receive testimony from agency officials and the public and consider certain sunset factors in determining whether to recommend continuing, consolidating or terminating the agency (A.R.S 41-2954).

The Senate Commerce and House Commerce COR held a public meeting on January 10, 2023 and recommended that the Legislature continue DLLC for eight years. DLLC terminates on July 1, 2023, unless continued by the Legislature (A.R.S. 41-3023.14).

Provisions

1. Continues, retroactively to July 1, 2023, DLLC until July 1, 2031. (Sec 1, 2, 4)
2. Repeals DLLC on January 1, 2032. (Sec. 2)
3. Contains a purpose statement. (Sec. 3)

☐ Prop 105 (45 votes)	☐ Prop 108 (40 votes)	☐ Emergency (40 votes)	☐ Fiscal Note

Attachment 14

ARIZONA HOUSE OF REPRESENTATIVES
Fifty-sixth Legislature - First Regular Session

ROLL CALL VOTE

COMMITTEE ON Commerce BILL NO. HB 2208

DATE February 14, 2023 MOTION: DP

	PASS	AYE	NAY	PRESENT	ABSENT
Aguilar		✓			
Austin		✓			
Carter		✓			
Gress		✓			
Heap		✓			
Hendrix			✓		
Ortiz		✓			
Sun		✓			
Carbone, Vice-Chairman		✓			
Wilmeth, Chairman		✓			
		9	1	0	0

APPROVED:

JUSTIN WILMETH, Chairman
MICHAEL CARBONE, Vice-Chairman

Susan Nelson
COMMITTEE SECRETARY

ATTACHMENT 15

ARIZONA HOUSE OF REPRESENTATIVES

Fifty-sixth Legislature
First Regular Session

HB 2634: housing trust fund; donations; form
Sponsor: Representative Bravo, LD 26
Committee on Commerce

Overview

Provides a means for buyers and sellers of real estate to donate to the Housing Trust Fund.

History

The Housing Trust Fund consists of monies received from an annual unclaimed property deposit of $2,500,000, additionally from monies received from loan repayments and earn interest. On approval of the Department of Housing, Fund monies are spent for developing projects and programs connected with providing housing opportunities for low- and moderate-income households and for housing affordability programs. A portion of the monies must be used exclusively for housing in rural areas. Further, Fund monies may be spent on constructing or renovating facilities and on housing assistance, including support services, for person who have been determined to be seriously mentally ill and to be chronically resistance to treatment (A.R.S. 41-3955).

Provisions

1. Directs a title insurer to provide a form to real estate buyers and sellers that would allow them to donate monies to the Housing Trust Fund. (Sec. 1)
2. Makes a clarifying change. (Sec. 2)

☐ Prop 105 (45 votes) ☐ Prop 108 (40 votes) ☐ Emergency (40 votes) ☐ Fiscal Note

Attachment 16

ARIZONA HOUSE OF REPRESENTATIVES
Fifty-sixth Legislature - First Regular Session

ROLL CALL VOTE

COMMITTEE ON Commerce BILL NO. HB 2634

DATE February 14, 2023 MOTION: DP

	PASS	AYE	NAY	PRESENT	ABSENT
Aguilar		✓			
Austin		✓			
Carter			✓		
Gress		✓			
Heap		✓			
Hendrix			✓		
Ortiz		✓			
Sun		✓			
Carbone, Vice-Chairman		✓			
Wilmeth, Chairman		✓			
		8	2	0	0

APPROVED:

JUSTIN WILMETH, Chairman
MICHAEL CARBONE, Vice-Chairman

Susan Nielsen
COMMITTEE SECRETARY

ATTACHMENT 17

ARIZONA HOUSING FUND

Bringing the Homeless Home.

HB 2634

Escrow Donation Form

Agent's Name:________________ Office Name:________________

Address:________________

Title Company:________________

Address:________________

Escrow Officer:________________ Escrow Number:________________

I hereby authorize and instruct you to pay a donation to the Arizona Housing Fund in the following amount:

☐ $25.00 Residential Transaction Donation ☐ $100.00 Commercial Transaction Donation

☐ Other Amount:________________

Made payable to Arizona Housing Fund at Arizona Community Foundation on behalf of:

Name:________________ ☐ Buyer ☐ Seller

Address:________________

All contributions and a copy of this form shall be disbursed to:

Arizona Housing Fund at Arizona Community Foundation
2201 E. Camelback Road, #405B
Phoenix, AZ 85016
Tax ID# 86-0348306

Signature:________________ Date:________________

Thank you for helping our homeless neighbors find a home for good. 100% of your donation will go to building affordable housing.

A donation has been made to the Arizona Housing Fund. The Arizona Community Foundation has exclusive legal control over the contributed assets. For tax reporting purposes, no goods or services were provided in exchange for this contribution. Please retain this copy to serve as your tax receipt for the above referenced donation.

Attachment 18

ARIZONA HOUSE OF REPRESENTATIVES

Fifty-sixth Legislature
First Regular Session

HB 2732: micro-business loans; report; appropriation
Sponsor: Representative Blattman, LD 9
Committee on Commerce

Overview

An emergency measure that creates the Micro-Business Loan Fund (Fund) which provides low-interest loans to community development financial institutions (Financial Institutions) that provide loans to Arizona micro-businesses. Appropriates $10,000,000 in FY 2024 to the Fund.

Provisions

1. Establishes the Fund consisting of continuously appropriated legislative appropriations. (Sec. 1)
2. Stipulates Fund monies are to be used to provide low-interest loans to Financial Institutions that provide loans to *micro-businesses*. (Sec. 1)
3. Defines *micro-business* as a business that is located in this state, that is independently owned and operated and that employs five or fewer people. (Sec. 1)
4. Instructs DIFI to administer the Fund and lend available monies to Financial Institutions. (Sec. 1)
5. Outlines the criteria the Financial Institutions must fulfill to qualify for a disbursement from the fund. (Sec. 1)
6. Specifies the micro-business loans may be used for:
   a) Operations, creations and job retention;
   b) Working capital;
   c) Acquisition or improvement of real property;
   d) Acquisition of machinery and equipment; and
   e) Refinancing of debt obligations. (Sec. 1)
7. Instructs DIFI to market and advertise the Fund to minority-owned and woman-owned businesses that are unable to access traditional funding sources. (Sec. 1)
8. Permits the Financial Institutions to disburse a micro-loan or regular loan that must not exceed a principal amount of $25,000. (Sec. 1)
9. Mandates the Financial Institutions to certify with DIFI that the loan to a micro-business complies with the Fund requirements. (Sec. 1)
10. Specifies the Fund amount used by the Financial Institutions cannot exceed 25% of the principal amount of the loan and allows DIFI to set rules to increase the cap of the loan. (Sec. 1)
11. Permits the Financial Institutions to charge an application, commitment and loan guarantee fee that is created by the Financial Institution's management. (Sec. 1)

☐ Prop 105 (45 votes)	☐ Prop 108 (40 votes)	☒ Emergency (40 votes)	☐ Fiscal Note

Attachment 19

12. Stipulates all fees that the Financial Institution charges are waived for micro-loans that are less than $5,000
13. Requires DIFI, within six months after the establishment Fund, to evaluate and examine if there is a need to increase, and how to increase, the number of microfinance lenders in Arizona. (Sec. 1)
14. Instructs DIFI, by February 1, 2024, to submit a report of its findings and recommendations to the Governor, President of the Senate, Speaker of the House of Representatives and provide a copy to the Secretary of State. (Sec. 1)
15. Appropriates $10,000,000 from the state General Fund in FY 2024 to the Fund. (Sec. 2)
16. Cites this act as the "Support Micro-businesses Act". (Sec. 3)
17. Contains an emergency clause. (Sec. 4)

ARIZONA HOUSE OF REPRESENTATIVES
Fifty-sixth Legislature - First Regular Session

ROLL CALL VOTE

COMMITTEE ON Commerce BILL NO. HB 2732

DATE February 14, 2023 MOTION: DP

	PASS	AYE	NAY	PRESENT	ABSENT
Aguilar		✓			
Austin		✓			
Carter			✓		
Gress		✓			
Heap			✓		
Hendrix			✓		
Ortiz		✓			
Sun		✓			
Carbone, Vice-Chairman					✓
Wilmeth, Chairman		✓			
		6	3	0	1

APPROVED:

JUSTIN WILMETH, Chairman
MICHAEL CARBONE, Vice-Chairman

Susan Nelson
COMMITTEE SECRETARY

ATTACHMENT 20

ARIZONA HOUSE OF REPRESENTATIVES

Fifty-sixth Legislature
First Regular Session

HB 2404: franchises; regulation
Sponsor: Representative Travers, LD 12
Committee on Commerce

Overview

Establishes requirements and regulations for Franchises.

Provisions

Franchises (Sec. 1)

1. Establishes statutory requirements and regulations for a *Franchise* which is a contract that grants a franchisee the right to engage in the business of offering, selling or distributing goods or services under a marketing plan or system prescribed in substantial part by a franchisor.
2. Stipulates any condition or provision purporting to bind a person to waive compliance with statutory Franchise requirements is contrary to public policy and void.
3. Applies Franchise requirements to any franchise that is domiciled in this State or the franchised business is or has been operated in this State.
4. Stipulates Franchise requirements do not apply to certain nonprofit organizations if specified criteria are met.
5. Prohibits a franchisor from terminating a franchise prior to the expiration except for good cause and outlines the limitations of good cause.
6. Permit the reasonable termination without an opportunity to cure provided outlined criteria are met.
7. Asserts there is a lawful termination or nonrenewal of certain separate motor fuel franchises provided the franchise expressly allows termination for a specified reason.
8. Provides responsibilities for a franchisor regarding a lawful termination or nonrenewal of a franchisee.
9. Provides conditions under which a franchisor is not required to purchase any items, inventory, supplies, or furnishings.
10. Delineates exemptions from Franchise requirements.
11. Requires a franchisor to renew a franchise unless a written notice of the intent not to renew is provided to the franchisee at least 180 days before the end of the agreement and outlined conditions are met.
12. Specifies the conditions for nonrenewal does not prohibit a franchisor from offering or agreeing to extend the term of the franchise in order to satisfy the time of the notice of nonrenewal requirement.

☐ Prop 105 (45 votes)	☐ Prop 108 (40 votes)	☐ Emergency (40 votes)	☐ Fiscal Note

Attachment 21

13. Prohibits a franchisor from denying the surviving spouse, heirs or estate of a deceased franchisee or the majority shareholder of the franchisee the opportunity to participate in the ownership of the franchise under a valid franchise agreement.
14. Outlines the requirements and rights of the individual who participates in the ownership of the franchise.
15. Specifies a franchisor is not prohibited from exercising the right of refusal to purchase a franchise, assets or interest after receiving an offer to purchase by a bona fide purchaser to purchase the franchise, assets or interest.
16. Specifies a franchisor is prohibited from preventing the sale or transfer of a franchise to a qualified person.
17. Asserts a franchisee does not have the right to sell or transfer a franchise without the written consent of the franchisor.
18. Requires a franchisor who is exercising the right of refusal to offer the seller payment that is at least equal to the value offered in the bona fide offer.
19. Provides requirements for a notice of a franchisee's intent to sell, assign or transfer a franchise.
20. Instructs the franchisor to notify the franchisee of the approval or disapproval of the proposed sale, assignment or transfer of the franchise within 60 days of receiving the necessary information and documentation.
21. Deems the sale, assignment or transfer approved unless disapproved by the franchisor.
22. Requires a franchisor to include in the notice of disapproval a statement stating the reasons for the disapproval.
23. Specifies in any action in which the franchisor's disapproval is an issue, the decision is a question of fact.
24. Specifies the disapproval provisions does not prohibit summary judgment when the reasonableness of transfer approval or disapproval can be decided as a matter of law.
25. Adds the disapproval provisions does not:
    a) Require a franchisor to exercise the contractual right of first refusal; or
    b) Prohibit a franchisor from exercising the right of refusal to purchase a franchise, asset or interest after receiving a bona fide offer from a proposed purchase.
26. Provides requirements for all notices of termination or nonrenewal.
27. Entitles a franchisee to receive the fair market value of the franchised business, assets and any other damages if the franchisor unlawfully terminates or fails to renew a franchisee.
28. Permits a court to grant preliminary and permanent injunctions for Franchise violations.
29. Allows the franchisor to offset any prior recovery by the franchisee and any sums that the franchisee owes the franchisor.
30. Entitles the franchisee that purchases a franchise from the franchisor all damages flowing from the purchase or to rescission of the franchise agreement if the franchisor violates federal law.
31. Asserts the Franchise requirements do not abrogate the right of a franchisee to sue under any other law.
32. Provides rights of association for a franchisor.

33. Prescribes enforcement provisions relating to rights of association, including statute of limitations on enforcement of a violation by a cause of action.
34. Asserts a provision in a franchise agreement restricting venue to a forum outside this State is void.
35. Outlines the applicability of Franchise requirements.
36. Prohibits a franchisor from modifying a franchise agreement or require a general release in exchange for any assistance related to a declared state or federal emergency.
37. Contains a severability clause.
38. Defines pertinent terms.

ARIZONA HOUSE OF REPRESENTATIVES
Fifty-sixth Legislature - First Regular Session

ROLL CALL VOTE

COMMITTEE ON Commerce BILL NO. HB 2404

DATE February 14, 2023 MOTION: DP

	PASS	AYE	NAY	PRESENT	ABSENT
Aguilar		✓			
Austin		✓			
Carter		✓			
Gress			✓		
Heap		✓			
Hendrix		✓			
Ortiz		✓			
Sun		✓			
Carbone, Vice-Chairman		✓			
Wilmeth, Chairman		✓			
		9	1	0	0

APPROVED:

JUSTIN WILMETH, Chairman
MICHAEL CARBONE, Vice-Chairman

Susan Nelson
COMMITTEE SECRETARY

ATTACHMENT 22

ARIZONA HOUSE OF REPRESENTATIVES

Fifty-sixth Legislature
First Regular Session

HB2780: condominiums; termination; agreement
Sponsor: Representative Schwiebert, LD 2
Committee on Commerce

Overview
Modifies the requirements for terminating a condominium.

History
The declaration for creating a condominium must contain:
1) The name of the condominium and the name of the association;
2) The name of every county in which any portion of the condominium is located;
3) A legal description of the real estate included in the condominium;
4) A description of the boundaries of each unit created by the declaration;
5) A description of any limited common elements and of any porches, balconies, patios and entryways;
6) A description of any development rights and other special declarant rights with a legal description of the real estate, any time limit within which each of those rights must be exercised and any other conditions or limitations under which the rights may be exercised or will lapse;
7) An allocation to each unit of the allocated interests in the manner;
8) Any restrictions on use, occupancy and alienation of the units;
9) All matters required by statutorily prescribed requirements; and
10) A statement that the assessment obligation of the unit owner is secured by a lien on the owner's unit in favor of the association. (A.R.S. § 33-1215)

All meetings of the unit owners' association and the board of directors, and any regularly scheduled committee meetings, are open to all members of the association or any person designated by a member in writing as the member's representative. All members or designated representatives so desiring must be permitted to attend and speak at an appropriate time during the deliberations and proceedings (A.R.S. § 33-1248).

A condominium is a real estate, portions of which are designated for separate ownership and the remainder of which is designated for common ownership solely by the owners of the separate portions. Real estate is not a condominium unless the undivided interests in the common elements are vested in the unit owners (A.R.S. § 33-1202).

A condominium unit owners' association must be organized no later than the date the first unit in the condominium is conveyed. The membership of the association at all times must consist exclusively of all the unit owners or, following termination of the condominium, of all former unit owners entitled to distributions of proceeds, or their heirs, successors or assigns. The association must be organized as a profit or nonprofit corporation or as an unincorporated association (A.R.S. § 33-1241).

☐ Prop 105 (45 votes)	☐ Prop 108 (40 votes)	☐ Emergency (40 votes)	☐ Fiscal Note

Attachment 23

Provisions

Termination of a Condominium (Sec. 1)

1. Clarifies a condominium *and its declaration* may be terminated only *as prescribed in the declaration, if available.*
2. Specifies a condominium may be terminated only by written consent of at least 80% of the votes of unit owners, if the declaration is not available.
3. Deletes language related to termination agreement of at least 95% of unit owners and the requirement to hold a meeting at least 30 days before recording a termination agreement.
4. Requires any agreement terminating the condominium declaration to contain the requisite number of unit owners' signatures and their printed names and unit numbers.
5. Stipulates the termination agreement must:
   a) Be signed and notarized by the person or entity presenting the termination agreement;
   b) Describe the proposed organizational structure for making decisions and managing the common property; and
   c) Clearly state that it will become the new declaration for the condominium.
6. Requires the termination agreement to contain the statutorily required contents, is prohibited from changing the voting rights or allocated interest of the unit owners as previously established in the declaration and add or alter a restriction on the use of private or common property unless reasonable notice of that restriction was previously provided.
7. Requires the board of directors, on notification that an individual or entity has obtained the necessary approvals to terminate the declaration, to call a special open meeting at least 15 days but not more than 30 days after the date of the notification.
8. Directs the individual or entity presenting the termination agreement to provide the original signed and notarized termination agreement to the board of directors.
9. Specifies any unit owner present at the meeting must be provided the opportunity to speak before a vote of the board of directors to ratify the termination agreement.
10. Requires the board of directors to confirm that the termination agreement contains the approval of the requisite number of unit owners and, if no legitimate reason has been presented to delay the ratification, to ratify the agreement.
11. Requires the association to take actions necessary to prepare for and record the ratified termination agreement within 50 days after the date of ratification.
12. Adds that the ratification of a termination agreement includes providing every unit owner a copy of the recorded document.
13. Deletes language relating to the selling of condominium real estate following a termination and what is considered as the respective interest of the unit owners.
14. Specifies each unit owner may sell the unit owner's interest in the individual unit, its real estate and the unit owner's interest in the common property as a single parcel subject to the recorded termination agreement.
15. Stipulates all financial assets and loans or continuing obligations of previous condominium association, following termination, transfer to the owners in common as organized under the termination agreement.
16. States that recording the termination agreement extinguishes:
    a) The declaration and all amendments, except the plat defining the real estate;

b) The previous condominium association however organized and any power or authority of its board of directors;
c) All other condominium documents, including articles of incorporation, bylaws, rules and design control standards;
d) All existing contracts entered into by the previous condominium association, within the termination clauses of those contracts;
e) All outstanding fines, penalties or fees that are applied to individual units by the previous condominium association, other than common expense assessments; and
f) All noncommon expense assessment liens established by the previous condominium association on individual units.

17. Stipulates a community is deemed to satisfy the definition of a condominium following termination and remains subject to the protections and obligations of regulation relating to condominiums.

18. States that the recorded termination agreement, along with the previously recorded plat, becomes the new declaration for the property.

19. Allows a person or entity to purchase the entire condominium property by acquiring title from all unit owners and tenants in common by negotiating the purchase or each property and either terminating the declaration or without terminating the declaration.

20. Permits the purchaser to record a document to terminate the declaration for the condominium and any amendments to and restatements of the declaration on completing the purchase of the entire property, terminating the condominium.

Miscellaneous

21. Specifies insurance proceeds must be distributed in proportion to the unit owners' respective interests in the condominiums as prescribed in the terminated declaration. (Sec. 3)

22. Makes technical and conforming changes. (Sec. 1, 2, 3)

ARIZONA HOUSE OF REPRESENTATIVES
Fifty-sixth Legislature - First Regular Session

ROLL CALL VOTE

COMMITTEE ON Commerce BILL NO. HB 2780

DATE February 14, 2023 MOTION: FAILED

	PASS	AYE	NAY	PRESENT	ABSENT
Aguilar		✓			
Austin		✓			
Carter			✓		
Gress			✓		
Heap			✓		
Hendrix			✓		
Ortiz		✓			
Sun		✓			
Carbone, Vice-Chairman			✓		
Wilmeth, Chairman		✓			
		5	5	0	0

Susan Nelson
COMMITTEE SECRETARY

APPROVED:

JUSTIN WILMETH, Chairman
MICHAEL CARBONE, Vice-Chairman

ATTACHMENT 24

ARIZONA HOUSE OF REPRESENTATIVES

Fifty-sixth Legislature
First Regular Session

HB 2049: bank deposits; technical correction
S/E: unemployment insurance; employer; limitations
Sponsor: Representative Dunn, LD 25
Committee on Commerce

Summary of the Strike-Everything Amendment to HB 2049

Overview
Asserts after three years from the date the employee separates from employment, the employer of record terminates.

History
Employers are required to pay unemployment taxes on the first $8,000 in gross wages paid to each employee in a calendar year. The tax rates are based on the employers "reserve ratio". New employers are assigned a tax rate of 2% for a minimum of two years. The tax rate will vary depending on: 1) the amount of taxes paid; 2) the amount of unemployment benefits paid to former employees; 3) the average size of annual taxable payroll; and 4) the overall solvency of the Unemployment Trust Fund.

Employers who paid wages to a claimant in the base period of the claim share the costs of the benefits paid to the claimant through "charges" made to the employer's experience rating accounts. Charging an employer's account for the payment of benefits to a former employee means that the total amount of taxes paid on the account is reduced by the total amount of benefits charged to the account when the tax rate for the next calendar year is calculated (Unemployment Guide).

Provisions
1. Specifies the employer of record terminates after three years from the date the employee separates from employment. (Sec. 1)

☐ Prop 105 (45 votes)	☐ Prop 108 (40 votes)	☐ Emergency (40 votes)	☐ Fiscal Note

Attachment 25

Fifty-sixth Legislature
First Regular Session

Commerce
H.B. 2049

PROPOSED

HOUSE OF REPRESENTATIVES AMENDMENTS TO H.B. 2049

(Reference to printed bill)

Strike everything after the enacting clause and insert:

"Section 1. Title 23, chapter 4, article 1, Arizona Revised Statutes, is amended by adding section 23-613.02, to read:

23-613.02. Employer; limitations

FOR UNEMPLOYMENT CONTRIBUTION PURPOSES, THE EMPLOYER OF RECORD TERMINATES AFTER THREE YEARS FROM THE DATE THE EMPLOYEE SEPARATES FROM EMPLOYMENT."

Amend title to conform

JUSTIN WILMETH

2049WILMETH SE.docx
02/10/2023
11:50 AM
H: PRB/ls

Adopted ✓ # of Verbals ____
Failed ____ Withdrawn ____
Not Offered ____ Analysts Initials ____

Attachment 26

ARIZONA HOUSE OF REPRESENTATIVES
Fifty-sixth Legislature - First Regular Session

ROLL CALL VOTE

COMMITTEE ON **Commerce** BILL NO. HB 2049

DATE February 14, 2023 MOTION: DPA/SE

	PASS	AYE	NAY	PRESENT	ABSENT
Aguilar		✓			
Austin		✓			
Carter		✓			
Gress		✓			
Heap		✓			
Hendrix		✓			
Ortiz		✓			
Sun		✓			
Carbone, Vice-Chairman		✓			
Wilmeth, Chairman		✓			
		10	0	0	0

Susan Nelson
COMMITTEE SECRETARY

APPROVED:

JUSTIN WILMETH, Chairman
MICHAEL CARBONE, Vice-Chairman

ATTACHMENT 27

ARIZONA HOUSE OF REPRESENTATIVES

Fifty-sixth Legislature
First Regular Session

HB 2809: public infrastructure improvements; reimbursement
Sponsor: Representative Carbone, LD 25
Committee on Commerce

Overview

Modifies the total amount paid to a city, town or county for infrastructure improvements related to manufacturing facilities to the lesser of the tax revenues received from persons conducting business under the Prime Contracting Classification derived from contracts to construct buildings and associated improvements for the benefit of a manufacturing facility or 80% of the total cost of public infrastructure improvements.

History

Current law provides that a city, town or county may be paid up to 80% of the cost of public infrastructure improvements for the benefit of a manufacturing facility and that the funds distributed are from tax revenues received from persons conducting business under the Prime Contracting Classification derived from contracts to construct buildings and associated improvements for the benefit of a manufacturing facility. Additionally, the total amount paid to all cities, towns and counties shall not exceed $100,000,000. (A.R.S. § 42-5032.02)

Provisions

1. Revises the total amount paid to a city, town or county to construct buildings and associated improvements for the benefit of a manufacturing facility is the lesser of the tax revenues received from persons conducting business under the Prime Contracting Classification derived from contracts to construct buildings and associated improvements for the benefit of a manufacturing facility or 80% of the total cost of the public infrastructure improvements. (Sec. 1)
2. Makes technical changes. (Sec. 1)

☐ Prop 105 (45 votes)	☐ Prop 108 (40 votes)	☐ Emergency (40 votes)	☐ Fiscal Note

Attachment 28

ARIZONA HOUSE OF REPRESENTATIVES
Fifty-sixth Legislature - First Regular Session

ROLL CALL VOTE

COMMITTEE ON Commerce BILL NO. HB 2809

DATE February 14, 2023 MOTION: DP

	PASS	AYE	NAY	PRESENT	ABSENT
Aguilar		✓			
Austin		✓			
Carter		✓			
Gress		✓			
Heap		✓			
Hendrix		✓			
Ortiz		✓			
Sun		✓			
Carbone, Vice-Chairman		✓			
Wilmeth, Chairman		✓			
		10	0	0	0

Susan Nelson
COMMITTEE SECRETARY

APPROVED:

JUSTIN WILMETH, Chairman
MICHAEL CARBONE, Vice-Chairman

ATTACHMENT 29

ARIZONA HOUSE OF REPRESENTATIVES

Fifty-sixth Legislature
First Regular Session

HB 2223: liquor; licensing; processes; procedures
Sponsor: Representative Gress, LD 4
Committee on Commerce

Overview

Establishes a Microbrewery Festival License and makes various changes to liquor statutes.

History

DLLC regulates the manufacture, distribution and sale of liquor in this state through the issuance of 21 different licenses. DLLC is primarily responsible for: 1) licensing all liquor manufactures, suppliers and wholesalers and retailers doing business in the state; 2) enforcing liquor laws by investigating complaints, conducting investigations and performing audits of select licensed establishments; and 3) imposing sanctions for violations of state liquor laws (Title 4, A.R.S.).

Provisions

Microbrewery Festival License

1. Allows the Director of DLLC (Director) to temporarily issue a microbrewery festival license that allows:
   a) The sampling of microbrewery products on the festival premises; and
   b) The sale of products for consumption on and off the festival premises. (Sec. 4)
2. Provides approval requirements by a county's board of supervisors or by a municipal governing body. (Sec. 4)
3. Requires a license denial to be forwarded to the Director within 60 days of submission of an application, unless the applicant has requested additional time for consideration. (Sec. 4)
4. Specifies the local government approval process does not apply to physical locations that are fully located within a licensed premises. (Sec. 4)
5. Limits the time a microbrewery festival license may be issued to a maximum of 150 days.
6. Permits the Director to establish a fee for each day of each event for a microbrewery festival license. (Sec. 4)
7. Allows any microbrewery to apply for a microbrewery festival license. (Sec. 4)
8. Allows a representative of the licensed microbrewery to consume small amounts of the product for quality control purposes. (Sec. 4)
9. Permits the Director to, with permission of the state fair organizers or county fair organizers, issue a microbrewery fair license and establish a fee for each day for a fair license. (Sec. 4)
10. Permits a microbrewery to allow the sampling and sale of products for consumption on and off the fair premises. (Sec. 4)

☐ Prop 105 (45 votes) ☐ Prop 108 (40 votes) ☐ Emergency (40 votes) ☐ Fiscal Note

Attachment 30

11. Exempts microbrewery festival licenses from statutory requirements relating to spirituous liquor licensure. (Sec. 4)
12. Excludes a microbrewery festival license or microbrewery fair license from statute relating to restrictions on licensing premises near school buildings. (Sec. 5)

Miscellaneous

13. Stipulates the Director may extend the time limits for action by a local governing body, regarding licensure, transfer or acquisition of control, if determined that it is in the public's best interest. (Sec. 2)
14. Specifies the Director or the applicant must agree to grant a local governing body's request for an extension of the time limit. (Sec. 2)
15. Removes the minimum 60-day time frame for an applicant to send a copy of the extension of premises application to the local governing body. (Sec. 6)
16. Permits the Director to act on an application for an extension of premises before the expiration of the 60-day period if the local governing body has made an advisory recommendation. (Sec. 6)
17. Includes a valid unexpired consular identification card that was issued using *biometric identity verification techniques* as an acceptable type of identification to purchase liquor. (Sec. 7)
18. Increase the total market value of promotional items that may be furnished without cost to an on-sale retailer from $500 to $700. (Sec. 8)
19. Excludes refrigerators from being considered as a *promotional item.* (Sec. 8)
20. Permits a representative of a licensed *craft producer* to consume small amounts and serve products of *craft producer* on the premises of an off-sale retailer or a retailer with off-sale privileges. (Sec. 9)
21. Defines *craft producer* as a licensed farm winery, a licensed microbrewery or a licensed craft distiller. (Sec. 1)
22. Changes the tax payment due date for a farm winery, manufacturer, microbrewery, craft distiller or direct shipment licensee from monthly to annually or on or before the twentieth day of the first month of the year. (Sec. 10)
23. Changes the sworn return due date for a farm winery, manufacturer, microbrewery, craft distiller or direct shipment licensee from monthly to annually. (Sec. 10)
24. Applies the changes to the tax payment due date beginning January 1, 2024. (Sec. 11)
25. Makes technical changes. (Sec. 1, 2, 3, 7, 10)

Fifty-sixth Legislature
First Regular Session

Commerce
H.B. 2223

PROPOSED

HOUSE OF REPRESENTATIVES AMENDMENTS TO H.B. 2223

(Reference to printed bill)

Page 7, strike lines 24 through 45

Page 8, strike lines 1 through 6, insert:

"Sec. 2. Section 4-203, Arizona Revised Statutes, is amended to read:

4-203. Licenses; issuance; transfer; reversion to state

A. A spirituous liquor license shall be issued only after satisfactory showing of the capability, qualifications and reliability of the applicant and, with the exception of wholesaler, producer, government or club licenses, that the public convenience requires and that the best interest of the community will be substantially served by the issuance. If an application is filed for the issuance of a transferable or nontransferable license, other than for a craft distiller license, a microbrewery license or a farm winery license, for a location that on the date the application is filed has a valid license of the same series, or in the case of a restaurant license application filed for a location with a valid hotel-motel license, issued at that location, there shall be a rebuttable presumption that the public convenience and best interest of the community at that location was established at the time the location was previously licensed. The presumption may be rebutted by competent contrary evidence. The presumption shall not apply once the licensed location has not been in use for more than one hundred eighty days and the presumption shall not extend to the personal qualifications of the applicant.

B. The license shall be to manufacture, sell or deal in spirituous liquors only at the place and in the manner provided in the license. A

Attachment 31

separate license shall be issued for each specific business, and each shall specify:

1. The particular spirituous liquors that the licensee is authorized to manufacture, sell or deal in.

2. The place of business for which issued.

3. The purpose for which the liquors may be manufactured or sold.

C. A spirituous liquor license issued to a bar, a liquor store or a beer and wine bar shall be transferable as to any permitted location within the same county, if the transfer meets the requirements of an original application. A spirituous liquor license may be transferred to a person qualified to be a licensee, if the transfer is pursuant to either judicial decree, nonjudicial foreclosure of a legal or equitable lien, including security interests held by financial institutions pursuant to section 4-205.05, a sale of the license, a bona fide sale of the entire business and stock in trade, or other bona fide transactions that are provided for by rule. Any change in ownership of the business of a licensee, directly or indirectly, as defined by rule is deemed a transfer, except that there is no transfer if a new artificial person is added to the ownership of a licensee's business but the controlling persons remain identical to the controlling persons that have been previously disclosed to the director as part of the licensee's existing ownership.

D. All applications for a new license pursuant to section 4-201 or for a transfer to a new location pursuant to subsection C of this section shall be filed with and determined by the director, except when the governing body of the city or town or the board of supervisors receiving an application pursuant to section 4-201 orders disapproval of the application or when the director, the state liquor board or any aggrieved party requests a hearing. The application shall then be presented to the state liquor board, and the new license or transfer shall not become effective unless approved by the state liquor board.

E. A person who assigns, surrenders, transfers or sells control of a liquor license or business that has a spirituous liquor license shall notify the director within thirty business days after the assignment, surrender, transfer or sale. A spirituous liquor license shall not be leased or subleased. A concession agreement entered into under section 4-205.03 is not considered a lease or sublease in violation of this section.

F. If a person other than those persons originally licensed acquires control over a license or licensee, the person shall file notice of the acquisition with the director within thirty business days after the acquisition of control and a list of officers, directors or other controlling persons on a form prescribed by the director. There is no acquisition of control if a new person is added to the ownership of a licensee's business but the controlling persons remain identical to the controlling persons that have been previously disclosed to the director as part of the licensee's existing ownership. All officers, directors or other controlling persons shall meet the qualifications for licensure as prescribed by this title. On request, the director shall conduct a preinvestigation before the assignment, sale or transfer of control of a license or licensee, the reasonable costs of which, not more than $1,000, shall be borne by the applicant. The preinvestigation shall determine whether the qualifications for licensure as prescribed by this title are met. On receipt of notice of an acquisition of control or request of a preinvestigation, the director, within fifteen days after receipt, shall forward the notice of the acquisition of control to the local governing body of the city or town, if the licensed premises is in an incorporated area, or the county, if the licensed premises is in an unincorporated area. The director shall include in the notice to the local governing body written instructions on how the local governing body may examine, free of charge, the results of the department's investigation regarding the capabilities, qualifications and reliability of all officers, directors or other controlling persons listed in the application for acquisition of control. The local governing body, or the governing body's designee, may provide the director with a recommendation, either in favor of or against the acquisition of control, within sixty days after the director mails the notice, but section 4-201 does not apply to the acquisition of control provided for in this section. A local governing body may charge not more than one fee, regardless of the number of licenses held by the applicant, for review of one or more applications for acquisition of control submitted to the department at the same time and for the same entity. Within one hundred five days after filing the notice of the acquisition of control, the director shall determine whether the applicant is qualified, capable and reliable for licensure. A recommendation by the local governing body, or the governing body's designee, against the acquisition of control or denial by the director shall be set for a hearing before the board. The person who has acquired control of a license or licensee has the burden of an original application at the hearing, and the board shall make its determination pursuant to section 4-202 and this section with respect to capability, reliability and qualification.

G. A licensee who holds a license in nonuse status for more than five months shall be required to pay a $100 surcharge for each month thereafter. The surcharge shall be paid at the time the license is returned to active status. A license automatically reverts to the state after being held in continuous nonuse for more than thirty-six months. The director may waive the surcharge and may extend the time period provided in this subsection for good cause if the licensee files a written request for an extension of time to place the license in active status before the date of the automatic reversion. Unless the reverted license of the licensee has been subsequently reissued, the director shall relieve a licensee or its legal representative from a prior license reversion under this section if the request for such relief is filed in writing not later than two years after the date of reversion. A license shall not be deemed to have gone into active status if the license is transferred to a location that at the time of or immediately before the transfer had an active license of the same type, unless the licenses are under common ownership or control.

H. A restructuring of a licensee's business is not an acquisition of control, a transfer of a spirituous liquor license or the issuance of a new spirituous liquor license if both of the following apply:

1. All of the controlling persons of the licensee and the new business entity are identical.

2. There is no change in control or beneficial ownership.

I. If subsection H of this section applies, the licensee's history of violations of this title is the history of the new business entity. The director may prescribe a form and shall require the applicant to provide the necessary information to ensure compliance with this subsection and subsections F and G of this section.

J. Notwithstanding subsection B of this section, the holder of a retail license in this state having off-sale privileges, except a bar, beer and wine bar or restaurant licensee, may take orders by telephone, mail, fax or catalog, through the internet or by other means for the sale and delivery of spirituous liquor off of the licensed premises to a person in this state in connection with the sale of spirituous liquor. Notwithstanding the definition of "sell" prescribed in section 4-101, the placement of an order and payment pursuant to this section is not a sale until delivery has been made. At the time that the order is placed, the licensee shall inform the purchaser that state law requires a purchaser of spirituous liquor to be at least twenty-one years of age and that the person accepting delivery of the spirituous liquor is required to comply with this state's age identification requirements as prescribed in section 4-241, subsections A and K. The licensee may maintain a delivery service and may contract with one or more independent contractors, that may also contract with one or more independent contractors, or may contract with a common carrier for delivery of spirituous liquor if the spirituous liquor is loaded for delivery at the premises of the retail licensee in this state and delivered in this state. Except if the person delivering the order has personally retrieved and bagged or otherwise packaged the container of spirituous liquor for delivery and the licensee records, or requires to be recorded electronically, the identification information for each delivery, all containers of spirituous liquor delivered pursuant to this subsection shall be conspicuously labeled with the words "contains alcohol, signature of person who is twenty-one years of age or older is required for delivery". The licensee is responsible for any violation of this title or any rule adopted pursuant to this title that is committed in connection with any sale or delivery of spirituous liquor. Delivery must be made by an employee of the licensee or other authorized person as provided by this section who is at least twenty-one years of age to a customer who is at least twenty-one years of age and who displays an identification at the time of delivery that complies with section 4-241, subsection K. The retail licensee shall collect payment for the full price of the spirituous liquor from the purchaser before the product leaves the licensed premises. The director shall adopt rules that set operational limits for the delivery of spirituous liquors by the holder of a retail license having off-sale privileges. With respect to the delivery of spirituous liquor, for any violation of this title or any rule adopted pursuant to this title that is based on the act or omission of a licensee's employee or other authorized person, the mitigation provision of section 4-210, subsection G applies, with the exception of the training requirement. For the purposes of this subsection and notwithstanding the definition of "sell" prescribed in section 4-101, section 4-241, subsections A and K apply only at the time of delivery. For the purposes of compliance with this subsection, an independent contractor, a subcontractor of an independent contractor, the employee of an independent contractor or the employee of a subcontractor is deemed to be acting on behalf of the licensee when making a delivery of spirituous liquor for the licensee.

K. Except as provided in subsection J of this section, Arizona licensees may transport spirituous liquors for themselves in vehicles owned, leased or rented by the licensee.

L. Notwithstanding subsection B of this section, an off-sale retail licensee may provide consumer tasting of wines off of the licensed premises subject to all applicable provisions of section 4-206.01.

M. The director may adopt reasonable rules to protect the public interest and prevent abuse by licensees of the activities permitted such licensees by subsections J and L of this section.

N. Failure to pay any surcharge prescribed by subsection G of this section or failure to report the period of nonuse of a license shall be grounds for revocation of the license or grounds for any other sanction provided by this title. The director may consider extenuating circumstances if control of the license is acquired by another party in determining whether or not to impose any sanctions under this subsection.

O. If a licensed location has not been in use for three years, the location must requalify for a license pursuant to subsection A of this section and shall meet the same qualifications required for issuance of a new license except when the director deems that the nonuse of the location was due to circumstances beyond the licensee's control and an extension of time has been granted pursuant to subsection G of this section.

P. If the licensee's interest is forfeited pursuant to section 4-210, subsection L, the location shall requalify for a license pursuant to subsection A of this section and shall meet the same qualifications required for issuance of a new license except when a bona fide lienholder demonstrates mitigation pursuant to section 4-210, subsection K.

Q. The director may implement a procedure for the issuance of a license with a licensing period of two years.

R. For any sale of a farm winery or craft distiller or change in ownership of a farm winery or craft distiller directly or indirectly, the business, stock-in-trade and spirituous liquor may be transferred with the ownership, in compliance with the applicable requirements of this title.

S. Notwithstanding subsection B of this section, bar, beer and wine bar, liquor store, beer and wine store or restaurant licensees in this state may take orders by telephone, mail, fax or catalog, through the internet or by other means for the sale and delivery of spirituous liquor off the licensed premises as follows:

1. Bar licensees for beer, wine, distilled spirits and mixed cocktails.

2. Beer and wine bar licensees for beer and wine.

3. Liquor store licensees for beer, wine, distilled spirits and mixed cocktails.

4. Beer and wine store licensees for beer and wine.

5. Restaurant licensees for any of the following:

(a) Mixed cocktails, with the sale of menu food items for consumption on or off the licensed premises, if the restaurant holds a permit issued pursuant to section 4-203.07 and section 4-205.02, subsection K or a lease pursuant to section 4-203.06.

(b) Beer if the restaurant holds a permit issued pursuant to section 4-205.02, subsection H.

(c) Beer, wine and distilled spirits if the restaurant holds an off-sale privileges lease with a bar or liquor store pursuant to section 4-203.07.

(d) Beer and wine if the restaurant holds an off-sale privileges lease with a beer and wine bar pursuant to section 4-203.07.

T. Notwithstanding the definition of "sell" prescribed in section 4-101, placing an order and paying for that order pursuant to subsection S of this section is not a sale until delivery has been made. At the time that the order is placed, the licensee shall inform the purchaser that state law requires a purchaser of spirituous liquor to be at least twenty-one years of age and that the person accepting delivery of the spirituous liquor is required to comply with this state's age identification requirements as prescribed in section 4-241, subsections A and K. The licensee may maintain a delivery service and may contract with one or more alcohol delivery contractors registered pursuant to section 4-205.13 for delivery of spirituous liquor if the spirituous liquor is packaged and tamperproof sealed by the bar, beer and wine bar, liquor store, beer and wine store or restaurant licensee or the licensee's employee and is loaded for delivery at the premises of the restaurant, beer and wine bar, liquor store, beer and wine store or bar licensee in this state and delivered in this state on the same business day. A liquor store or beer and wine store licensee may contract with one or more independent contractors as provided in subsection J of this section for delivery of spirituous liquor if the spirituous liquor is loaded for delivery at the premises of the liquor store or beer and wine store licensee in this state and delivered in this state on the same business day. All containers of spirituous liquor delivered pursuant to subsection S of this section shall be tamperproof sealed and conspicuously labeled with the words "contains alcohol, signature of person who is twenty-one years of age or older is required for delivery". The licensee is responsible for any violation of this title or any rule adopted pursuant to this title that is committed in connection with any sale or delivery of spirituous liquor. Delivery must be made by an employee of the licensee or an employee or authorized independent contractor of a registered alcohol delivery contractor as provided by this section who is at least twenty-one years of age and delivery must be made to a customer who is at least twenty-one years of age and who displays an identification at the time of delivery that complies with section 4-241, subsection K. The restaurant, beer and wine bar, liquor store, beer and wine store or bar licensee shall collect payment for the full price of the spirituous liquor from the purchaser before the product leaves the licensed premises. The director shall adopt rules that set operational limits for the delivery of spirituous liquor pursuant to this subsection and subsection S of this section with respect to the delivery of spirituous liquor. For any violation of this title or any rule adopted pursuant to this title that is based on the act or omission of a licensee's employee or a registered alcohol delivery contractor, the mitigation provision of section 4-210, subsection G applies, with the exception of the training requirement. For the purposes of this subsection and notwithstanding the definition of "sell" prescribed in section 4-101, section 4-241, subsections A and K apply only at the time of delivery. An alcohol delivery contractor, a subcontractor of an alcohol delivery contractor, an employee of an alcohol delivery contractor or an employee of a subcontractor is deemed to be acting on behalf of the licensee when making a delivery of spirituous liquor for the licensee. For the purposes of this subsection, "business day" means between the hours of 6:00 a.m. of one day and 2:00 a.m. of the next day.

U. A LICENSEE THAT HAS OFF-SALE PRIVILEGES AND THAT DELIVERS SPIRITUOUS LIQUOR AS PRESCRIBED IN THIS SECTION SHALL COMPLETE A WRITTEN

RECORD OF EACH DELIVERY AT THE TIME OF DELIVERY. THE WRITTEN RECORD SHALL INCLUDE ALL OF THE FOLLOWING:

1. THE NAME OF THE LICENSEE MAKING THE DELIVERY.
2. THE COMPLETE ADDRESS OF THE LICENSEE MAKING THE DELIVERY.
3. THE LICENSEE'S LICENSE NUMBER.
4. THE DATE AND TIME OF THE DELIVERY.
5. THE ADDRESS WHERE THE DELIVERY WAS MADE.
6. THE TYPE AND BRAND OF ALL SPIRITUOUS LIQUOR DELIVERED.

V. A LICENSEE THAT HAS OFF-SALE PRIVILEGES AND THAT DELIVERS SPIRITUOUS LIQUOR AS PRESCRIBED IN THIS SECTION SHALL OBTAIN THE FOLLOWING INFORMATION FROM THE INDIVIDUAL WHO ACCEPTS DELIVERY:

1. THE INDIVIDUAL'S NAME.
2. THE INDIVIDUAL'S DATE OF BIRTH.
3. THE INDIVIDUAL'S SIGNATURE. THE LICENSEE MAKING THE DELIVERY MAY USE AN ELECTRONIC SIGNATURE SYSTEM TO COMPLY WITH THE REQUIREMENTS OF THIS PARAGRAPH."

Page 14, line 2, strike "~~at~~"

Line 3, strike "~~least sixty days before submitting the application to the director~~" insert "at least sixty days before submitting the application to the director"

Amend title to conform

MATT GRESS

2223GRESS.docx
02/09/2023
12:32 PM
C: LAT

Adopted ✓ # of Verbals ____
Failed ____ Withdrawn ____
Not Offered ____ Analysts Initials ____

Attachment 31

ARIZONA HOUSE OF REPRESENTATIVES
Fifty-sixth Legislature - First Regular Session

ROLL CALL VOTE

COMMITTEE ON Commerce BILL NO. HB 2223

DATE February 14, 2023 MOTION: DPA

	PASS	AYE	NAY	PRESENT	ABSENT
Aguilar		✓			
Austin		✓			
Carter		✓			
Gress		✓			
Heap					✓
Hendrix		✓			
Ortiz		✓			
Sun		✓			
Carbone, Vice-Chairman		✓			
Wilmeth, Chairman		✓			
		9	0	0	1

Susan Nelson
COMMITTEE SECRETARY

APPROVED:

JUSTIN WILMETH, Chairman
MICHAEL CARBONE, Vice-Chairman

ATTACHMENT 32

ARIZONA HOUSE OF REPRESENTATIVES

Fifty-sixth Legislature
First Regular Session

HB 2206: software licensure
Sponsor: Representative Wilmeth, LD 2
Committee on Commerce

Overview
Prevents contracts for software application licensure from limiting an agency's choice of hardware to run the application.

History
Information technology is defined as all computerized and auxiliary automated information processing, telecommunications and related technology, including hardware, software, vendor support and related services, equipment and projects (A.R.S. § 18-101).

The Arizona Department of Administration is responsible for government information technology functions. The Department may contract with any public or private party for the purposes of developing, implementing and maintaining a coordinated statewide plan for information technology (A.R.S. § 18-104).

Provisions
1. Specifies a contract for software application licensure entered into by a public agency may not limit the public agency's ability to install or run the software on the hardware of the public agency's choosing. (Sec. 1)
2. Defines *public agency* as this State, the Arizona Board of Regents or a city, charter city, county, district, public authority or other political subdivision of this state. (Sec. 1)
3. Includes an applicability clause. (Sec. 2)

ARIZONA HOUSE OF REPRESENTATIVES
Fifty-sixth Legislature - First Regular Session

ROLL CALL VOTE

COMMITTEE ON **Commerce** BILL NO. HB 2206

DATE February 14, 2023 MOTION: DP

	PASS	AYE	NAY	PRESENT	ABSENT
Aguilar		✓			
Austin		✓			
Carter		✓			
Gress		✓			
Heap		✓			
Hendrix		✓			
Ortiz		✓			
Sun		✓			
Carbone, Vice-Chairman		✓			
Wilmeth, Chairman		✓			
		10	0	0	0

Susan Nelson
COMMITTEE SECRETARY

APPROVED:

JUSTIN WILMETH, Chairman
MICHAEL CARBONE, Vice-Chairman

ATTACHMENT 34

Coalition for Fair Software Licensing   ccia   NetChoice   ALLIANCE FOR DIGITAL INNOVATION

February 8, 2023

Representative Justin Wilmeth
Chair, House Committee on Commerce
1700 W. Washington Street
Phoenix, AZ 85007

Representative Michael Carbone
Vice Chair, House Committee on Commerce
1700 W. Washington Street
Phoenix, AZ 85007

RE: House Bill 2206, Concerning the Procurement of Information Technology Resources

Dear Mr. Chairman and Mr. Vice Chair,

On behalf of our organizations, we ask for your consideration and approval of House Bill 2206, which aims to maximize choice and flexibility for state agencies in the procurement of information technology products and services throughout the tech stack.

Arizona and its agencies have an incredible opportunity to transform their IT on the cloud, and unleashing cutting-edge technologies like machine learning and artificial intelligence. Moving workloads to the cloud can dramatically increase the State's capabilities, reduce costs, and free up much-needed resources. For example, the nonpartisan Government Accountability Office (GAO) found that 13 federal agencies saved $291 million in taxpayer dollars between 2014 and April 2019 alone by moving to the cloud. These savings can be realized at the state level as well.

Transitioning state mainframes to the cloud as an on-demand delivery of IT resources allows the State to effectively buy, own, and maintain its own data centers and servers, acquiring technology and other services on an as-needed basis. It is similar to how consumers flip a switch to turn on the lights in their homes, and the power company sends electricity.

To fully achieve the benefits of digital transformation, state governments must ensure agencies have the proper resources to modernize their existing IT infrastructure through a seamless and dynamic procurement process.

Attachment 35

An essential part of this transition is the ability to operate and maintain innovative technologies while keeping within the parameters of agency procurement budgets. By utilizing Arizona Strategic Enterprise Technology as a centrally managed procurement office, state agencies will have the flexibility to seek innovative IT solutions using the resources provided.

Arizona should have the ability to choose software solutions that best suit its budgetary and strategic needs. It should also have the freedom and flexibility to choose a cloud service provider without arbitrary restrictions. Unfortunately, we have heard from state executives across the country describing how some legacy providers are using their dependence on core and/or dominant software as leverage to push them into cloud service contracts that do not take into account their needs or digital transformation strategy.

Restrictive licensing practices – such as inflexible licensing agreements, limited integration capabilities, and tying of core products to adjacent services – can prevent States from accessing or utilizing the most cost-effective software available. This dynamic undermines digital transformation. It also puts taxpayer dollars at risk of waste, fraud and abuse. By further examining this issue, Arizona can practice better stewardship of taxpayer dollars and even uncover cost-savings that can be diverted to other projects or priorities that benefit Arizonans.

HB 2206 will ensure that Arizona software license negotiations and pricing remain independent and are not tied to cloud or hardware contracts. This will ensure that Arizona has the funding and flexibility to fulfill their mission as they see fit, while encouraging fair competition through the procurement process.

For these reasons we respectfully urge you to support HB 2206. If you have any questions regarding our support, please feel free to reach out to our organizations directly.

Sincerely,

Ryan Triplette
Executive Director
The Coalition for Fair Software Licensing

Ross Nordruft
Executive Director
Alliance for Digital Innovation

Steve DelBianco
President & CEO
NetChoice

Matt Schruers
President
Computer & Communications Industry Association

Coalition for
Fair Software
Licensing

Restrictive Software Licensing and Business Practices in the Cloud: What They Mean for Arizona.

Restrictive software licensing terms and business practices are reducing customer choice in the cloud, impeding states' digital transformation strategies, and putting taxpayer dollars at risk

Restrictive Software Licensing

Legacy software providers are leveraging the lack of healthy market competition for certain software – including productivity applications, operating systems, identity management, and even database software – with contractual, financial or technical barriers that limit choice in the cloud. This conduct imposes real costs on organizations of all sizes—not only unfairly restraining competition, but also putting innovation, cybersecurity, and digital transformation strategies at risk. For states and other public sector customers, this anticompetitive conduct undermines taxpayer stewardship and efficient procurement

State procurement offices execute software licensing agreements based on the contract specifications they receive from these software companies; however, these state offices frequently discover restrictions around license portability or financial penalties buried deeply in dense licensing terms. These terms restrict state offices from running the software of their choice on anything other than the software provider's own cloud platform. These restrictions limit choice for public sector entities, hampering cloud migration strategies.

The Economic Impacts of Restrictive Software Licensing in the Cloud in Arizona

Cloud computing services enable state officers to procure and operate IT systems in a way that improves efficiency, promotes resiliency, strengthens cybersecurity, and better utilizes taxpayer dollars. However, barriers to digital transformation can have real costs for state offices and their residents.

The U.S. Coalition for Fair Software Licensing

The Coalition for Fair Software Licensing was created to change these dynamics—to empower public sector customers to ensure their software partners operate under principles of fairness and transparency, delivering the greatest value for taxpayers. The goals of the Coalition mirror a successful effort that has been deployed in Europe to promote customer choice under dominant or legacy software providers.

The Coalition urges states to conduct oversight on the companies whose conduct does not align with the industry best practices outlined by the Principles for Fair Software Licensing, which ensure choice and transparency throughout the cloud transition process and ensure continued growth and efficiency of cloud services.

1. Licensing terms should be clear and intelligible
2. Freedom to bring previously purchased software to the cloud
3. Freedom to run on-premises software on the cloud provider of choice
4. Costs should be reduced through the efficient use of hardware
5. Freedom from retaliation for choice of cloud service
6. Avoiding customer lock-in through interoperable directory software
7. Equal treatment for software licensing fees in the cloud
8. Permitted uses of software should be reliable and predictable
9. Licenses should cover reasonably expected software uses

Legislative Solutions to Protect Competition and Consumer Choice in the Cloud

Throughout the U.S., policymakers at the state and federal level have enacted legislation codifying these principles of transparency and fairness to better protect taxpayer dollars.

State legislation:

- In 2022, both Missouri and Colorado passed laws requiring that any state contract for software licensing must be designed to run on any available desktop or server hardware and may not limit the ability of the agency to install and run the software on another cloud.

Federal legislation:

- National defense bill: The annual National Defense Authorization Act (NDAA) adopted a provision in the 2022 bill that orders the U.S. Government Accountability Office (GAO) to conduct a review of existing software licensing contracts and cloud adoption at the Department of Defense (DOD) if they have increased costs.

- Strengthening Agency Management and Oversight of Software Assets Act: This bipartisan, bicameral legislation – introduced by Sens. Gary Peters (D-Mich.) and Bill Cassidy (R-La.) in September and Reps. Cartwright (D-Pa.-08) and Brian Fitzpatrick (R-Pa.-01) in November 2022 – would require federal agency heads to produce a report on their respective agency's software contracts and entitlements. This report would require identifying redundancies, the extent to which software is interoperable, and total and related costs of enterprise software agreements.

- Letter to the Government Accountability Office (GAO): In December 2022, Sen. Ernst (R-Iowa) and Sen. Peters (D-Mich.) sent a letter to the GAO over concerns of federal government contracting for software licensing agreement practices. In this letter, the Senators ask that the GAO examine and provide a report on the impact of these restrictive software licenses.

#B 2206

Proposed introductory comments to consider (Chairman Wilmeth):

Arizona has continued to modernize IT systems to help improve our constituents' interaction with government. We want to continue with that positive momentum without limitations or costly restrictive licensing that stifles the innovation we see happening within state government.

This bill would ensure Arizona continues to modernize IT infrastructure and invest in cybersecurity by allowing the state to have the flexibility to choose what vendor is best suited for our agencies' budgets and missions, while reducing burdens on taxpayers. This bill will increase transparency in our procurement process, protect taxpayer dollars and promote competitive bidding that will lead to further innovation for the state.

Proposed questions to consider (Coalition on Fair Software Licensing):

1. Why is this legislation important for Arizona to address this issue now?
2. What would be the impact of this legislation on software licensing agreements where both parties are private companies?
3. What would be the impact of this legislation on existing software license agreements?
4. Would this legislation prevent companies from offering bundled IT products at a discount to the state?
5. Is there any way that this would result in increased costs to the state?

Proposed questions to consider (Microsoft):

1. I understand you recently made changes to your licensing practices with respect to European Cloud providers, why did you do that?
2. What is Microsoft's market share in office productivity software in the United States?
3. It seems to me that most software providers would want their software available to the largest number of customers, regardless of what hardware or cloud they operate on. Why isn't that the case for Microsoft? Is it because you already have 90% market share?
4. Prior to 2019, Microsoft didn't restrict its customers from running its software on the cloud service provider of their choice, why did Microsoft make this change?
5. In one of your blogs from 2022, it is mentioned that the only way customers can realize cost savings on their software licenses is to move everything under Microsoft Azure. Why are customers - including those in Arizona - forced to pay twice as much for the exact same licenses if they choose to continue using any cloud provider other than Microsoft?

ARIZONA HOUSE OF REPRESENTATIVES

Fifty-sixth Legislature
First Regular Session

HB 2200: liquor; liability; technical correction
S/E: appropriation; infrastructure grant program
Sponsor: Representative Wilmeth, LD 2
Committee on Commerce

Summary of the Strike-Everything Amendment to HB 2200

Overview
Appropriates $10,000,000 to the Arizona Commerce Authority (ACA) to administer an Arizona Infrastructure Grant Program.

History
The ACA was established in 2011 with the mission to provide private sector leadership in: 1) growing and diversifying the economy of Arizona; 2) creating high-quality employment in Arizona through expansion, attraction and retention of businesses; and 3) marketing Arizona for the purpose of expansion, attraction and retention of businesses (A.R.S. § 41-1502).

Provisions

Arizona Infrastructure Grant Program (Sec. 1)

1. Appropriates $10,000,000 from the state GF in FY 2024 to the ACA to administer an Arizona Infrastructure Grant Program.
2. Permits the ACA to use up to 1% of the appropriated amount for administration costs.
3. Instructs the ACA to use remaining appropriated monies to award grants to nonprofit organizations that are based in Arizona and:
   a) Are exempt from taxation;
   b) Qualify for federal funding pursuant to the Inflation Reduction Act of 2022;
   c) Have demonstrated the availability of resources or private investment from sources other than this State; and
   d) Have an operations agreement with a qualified federally registered bank.
4. Stipulates grant monies may be used for:
   a) Investments authorized by the Inflation Reduction Act of 2022, including projects in partnership with the private sector; and
   b) Investments in partnership with counties, cities, towns and special districts within water management areas.
5. Exempts the appropriation from lapsing.

☐ Prop 105 (45 votes) ☐ Prop 108 (40 votes) ☐ Emergency (40 votes) ☐ Fiscal Note

Attachment 37

Fifty-sixth Legislature
First Regular Session

Commerce
H.B. 2200

PROPOSED

HOUSE OF REPRESENTATIVES AMENDMENTS TO H.B. 2200

(Reference to printed bill)

Strike everything after the enacting clause and insert:

"Section 1. Appropriation; Arizona commerce authority; Arizona infrastructure grant program; exemption

A. The sum of $10,000,000 is appropriated from the state general fund in fiscal year 2023-2024 to the Arizona commerce authority to administer an Arizona infrastructure grant program.

B. The authority may not use more than one percent of the monies appropriated by this section to administer the grant program. The authority shall use the remaining monies appropriated by this section to award grants pursuant to title 41, chapter 24, Arizona Revised Statutes, to nonprofit organizations based in this state that:

1. Are exempt from taxation under section 501(c)(3) of the internal revenue code.

2. Qualify for federal funding pursuant to Public Law 117-169, 136 Stat. 1818.

3. Have demonstrated the availability of resources or private investment from sources other than this state for the purposes of the grant program.

4. Have an operations agreement with a qualified federally registered bank.

C. The grant monies awarded by the authority shall be used for any of the following:

Adopted √ # of Verbals ____
Failed ____ Withdrawn ____
Not Offered ____ Analysts Initials ____

Attachment 38

1. Investments authorized by Public Law 117-169, 136 Stat. 1818, including projects in partnership with, and that leverage investment from, the private sector.

2. Investments in partnership with counties, cities, towns and special districts within water management areas.

D. The appropriation made in subsection A of this section is exempt from the provisions of section 35-190, Arizona Revised Statutes, relating to lapsing of appropriations."

Amend title to conform

JUSTIN WILMETH

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02/09/2023
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C: MEB

ARIZONA HOUSE OF REPRESENTATIVES
Fifty-sixth Legislature - First Regular Session

ROLL CALL VOTE

COMMITTEE ON Commerce BILL NO. HB 2200

DATE February 14, 2023 MOTION: DPA/SE

	PASS	AYE	NAY	PRESENT	ABSENT
Aguilar		√			
Austin		√			
Carter	√		√		
Gress		√			
Heap		√			
Hendrix			√		
Ortiz		√			
Sun		√			
Carbone, Vice-Chairman		√			
Wilmeth, Chairman		√			
		8	2	0	0

Susan Nelson
COMMITTEE SECRETARY

APPROVED:

JUSTIN WILMETH, Chairman
MICHAEL CARBONE, Vice-Chairman

ATTACHMENT 39

ARIZONA HOUSE OF REPRESENTATIVES

Fifty-sixth Legislature
First Regular Session

HCR2043: compensation; state preemption; limitation
Sponsor: Representative Gress, LD 4
Committee on Commerce

Overview
Subject to voter approval, constitutionally preempts the regulation of employee benefits.

History
Current statute specifies the regulation of employee benefits, including nonwage compensation, paid and unpaid leave and other absences, meal breaks and rest periods is of statewide concern and not subject to further regulation by a city, town or other political subdivision of this State.

Nonwage compensation includes fringe benefits, welfare benefits, child or adult care plans, sick pay, vacation pay, severance pay, commissions, bonuses, retirement plan or pension contributions and other amounts promised to the employee that are more than the minimum compensation due an employee by reason of employment (A.R.S. § 23-204).

Provisions
1. Asserts the regulation of employee benefits, including wage and nonwage compensation, paid and unpaid leave and other absences, meal breaks and rest periods, is of statewide concern.
2. Specifies the regulation of employee benefits is not subject to further regulation by a city, town or other political subdivision of the State.
3. Adds that the preemption does not affect the authority of a city, town or county to set wages or benefits for municipal or county employees or limit a municipality's or county's authority to enter into contracts for personal services.
4. Instructs the Secretary of State to submit this proposition to the voters at the next general election.

☐ Prop 105 (45 votes) ☐ Prop 108 (40 votes) ☐ Emergency (40 votes) ☐ Fiscal Note

Attachment 40

Fifty-sixth Legislature
First Regular Session

Commerce
H.C.R. 2043

PROPOSED

HOUSE OF REPRESENTATIVES AMENDMENTS TO H.C.R. 2043

(Reference to printed resolution)

Page 1, line 12, strike "OTHER POLITICAL SUBDIVISION" insert "COUNTY"

Amend title to conform

MATT GRESS

~~HCR2043GRESS.docx~~
~~02/07/2023~~
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~~C: SK~~

HCR2043GRESS.docx
02/10/2023
04:47 PM
H: PRB/ls

Adopted ✓ # of Verbals ____
Failed ____ Withdrawn ____
Not Offered ____ Analysts Initials ____

Attachment 41

ARIZONA HOUSE OF REPRESENTATIVES
Fifty-sixth Legislature - First Regular Session

ROLL CALL VOTE

COMMITTEE ON Commerce BILL NO. HCR 2043

DATE February 14, 2023 MOTION: DPA

	PASS	AYE	NAY	PRESENT	ABSENT
Aguilar			✓		
Austin			✓		
Carter		✓			
Gress		✓			
Heap		✓			
Hendrix		✓			
Ortiz			✓		
Sun			✓		
Carbone, Vice-Chairman		✓			
Wilmeth, Chairman		✓			
		6	4	0	0

APPROVED:

JUSTIN WILMETH, Chairman
MICHAEL CARBONE, Vice-Chairman

Susan Nelson
COMMITTEE SECRETARY

ATTACHMENT 42

ARIZONA HOUSE OF REPRESENTATIVES

Fifty-sixth Legislature
First Regular Session

HB 2770: uniform commercial code; 2022 amendments
Sponsor: Representative Wilmeth, LD 2
Committee on Commerce

Overview

Makes various changes and updates to the Uniform Commercial Code.

History

The Uniform Law Commission (also known as the National Conference of Commissioners on Uniform State Laws) provides states with non-partisan, well-conceived and well-drafted legislation that brings clarity and stability to critical areas of state statutory law.

The Uniform Commercial Code is a comprehensive set of laws governing all commercial transactions in the United States. The code is not federal law, but a uniformly adopted state law. The 2022 amendments to the Uniform Commercial Code address emerging technologies, providing updated rules for commercial transactions involving virtual currencies, distributed ledger technologies (including blockchain), artificial intelligence and other technological developments. Additionally, the amendments add a new section addressing certain types of digital assets defined as "Controllable Electronic Records" (CERs).

Arizona's uniform commercial code governs the sales of goods, leases of personal property, negotiable instruments, bank deposits and collections, rights and obligations connected with fund transfers, letters of credit, investment securities and secured transactions.

Provisions

Leases

1. Includes a *hybrid lease* to the scope of statute relating to Leases. (Sec. 13)

Negotiable Instruments

2. Adds factors to determine what is considered as a *negotiable instrument.* (Sec. 21)
3. Modifies the definition of *issue.* (Sec. 22)
4. Removes restrictions relating to signing an instrument. (Sec. 23)
5. Specifies the obligation of a party to pay a check is not discharged solely by destruction of the check. (Sec. 24)

Funds Transfers

6. Adds that a security procedure may impose an obligation on the receiving bank or the customer. (Sec. 26)
7. Clarifies that requiring a payment order to be sent from a known email address, IP address or telephone number is not by itself a security procedure. (Sec. 26)

☐ Prop 105 (45 votes) ☐ Prop 108 (40 votes) ☐ Emergency (40 votes) ☐ Fiscal Note

Attachment 43

Letters of Credit

8. Clarifies that a letter of credit may be issued in any form that is a *signed* record, rather than be authenticated by a signature. (Sec. 34)
9. Stipulates that a branch of a bank is considered to be located at the address indicated in the branch's undertaking, if more than one address is indicated, at the address from which the undertaking was issued. (Sec. 35)

Documents of Title

10. Deletes the definition of *sign*. (Sec. 36)
11. Provides criteria and conditions in determining whether a person's power is exclusive and has control of an electronic document. (Sec. 37)

Investment Securities

12. Specifies a controllable account, controllable electronic record or controllable payment intangible is not a financial asset unless specified statutory criteria are applicable. (Sec. 39)
13. Modifies the conditions that determine whether a purchaser has control of a security entitlement. (Sec. 40)
14. Specifies a person that has control, relating to investment securities, is not required to acknowledge that the person has control of behalf of a purchaser. (Sec. 40)
15. Specifies the controlling person does not owe any duty to the purchaser and is not required to confirm the acknowledgment to any other person. (Sec. 40)
16. Asserts the local law of the issuer's jurisdiction or the securities intermediary's jurisdiction governs a specified matter or transaction. (Sec. 41)

Secured Transactions

17. Modifies the definition of *account* and *chattel paper.* (Sec. 43)
18. Defines *assignee, assignor, controllable account, controllable payment intangible, electronic money, money,* and *tangible money.* (Sec. 43)
19. Deletes the definition of *authenticate, electronic chattel paper, send* and *tangible chattel paper.* (Sec. 43)
20. Includes a condition in determining if a secured party has control of a deposit account. (Sec. 44)
21. Outlines certain conditions and criteria in determining if a purchaser has control of an authoritative electronic copy of a record evidencing chattel paper. (Sec. 46)
22. Outlines certain conditions and criteria in determining if a person has control of electronic money. (Sec. 46)
23. Specifies a condition in determining if a secured party has control of a controllable account or controllable payment intangible. (Sec. 46)
24. Specifies a person is not required to acknowledge or confirm if they have control. (Sec. 46)
25. Includes a condition in determining if a security interest is enforceable against the debtor and third parties with respect to the collateral. (Sec. 47)
26. Adds that a security interest may attach to consumer goods as proceeds, to a commercial tort claim or under an after-acquired property clause. (Sec. 48)
27. Adds a requirement for a secured party having control of an authoritative electronic copy of a record evidencing chattel paper, an electronic document, electronic money, or a controllable

electronic record to transfer the copy or control to the debtor or a person designated by the debtor. (Sec. 50)

28. Clarifies law governing perfection and priority of security interests in deposit accounts and investment property in relation to the bank's jurisdiction. (Sec. 54, 55)
29. Provides regulations of law governing perfection and priority of security interests in chattel paper, controllable accounts, controllable electronic records and controllable payment intangibles. (Sec. 56)
30. Adds that a security interest in controllable accounts, controllable electronic records, controllable payment intangibles or negotiable documents may be perfected by filing. (Sec. 58)
31. Includes controllable accounts, controllable electronic records, controllable payment intangibles, deposit accounts, electronic documents, electronic money, investment property and letter-of-credit rights to the statutory requirements relating to perfection by control. (Sec. 60)
32. Includes requirements relating to perfecting security interest in chattel paper by possession and control. (Sec. 61)
33. Specifies the criteria for a buyer to take free of a security interest of chattel paper, an electronic document, a controllable electronic record, and a controllable account or a controllable payment intangible. (Sec. 63)
34. Specifies the priority of security interest in controllable accounts, controllable electronic records and controllable payment intangibles. (Sec. 66)
35. Clarifies the priority of chattel paper relating to tangible copies and electronic copies. (Sec. 67)
36. stipulates a transferee of electronic money takes the money free of a security interest if the transferee obtains control of the money without acting in collusion with the debtor in violating the rights of the secured party. (Sec. 69)
37. Provides criteria in determining if a secured party owes a duty based on its status as a secured party to a person. (Sec. 78)
38. Modifies the contents of the notification of disposition of collateral form. (Sec. 81)
39. Prescribes instructions applicable to the notification of disposition of collateral form. (Sec. 81)
40. Modifies the contents of the notification before disposition of collateral form. (Sec. 82)
41. Prescribes instructions applicable to the notification before disposition of collateral form. (Sec. 82)
42. Includes certain limitations on liability of a secured party do not apply to limit the liability of a secured party to a person if specified conditions are met. (Sec. 89)

Controllable Electronic Records
Chapter 12 (Sec. 90)

43. Provides for the acquisition and purchase of rights applicable to a controllable account, controllable electronic record and controllable payment intangible.
44. Outlines criteria in determining if a person has control of a controllable electronic record, includes the exclusiveness of a power.

45. Specifies the person, who acknowledges the control of a controllable electronic record, does not owe any duty to the other person and is not required to confirm the acknowledgment.

46. Provides requirements for the discharge of account debtor on a controllable account or controllable payment intangible.

47. Specifies the requirements for account debtor are subject to law which establishes a different rule for an account debtor.

48. Asserts the local law of a controllable electronic record's jurisdiction govern a matter covered by statutory provisions relating to controllable electronic records.

49. Delineates rules for determining a controllable electronic record's jurisdiction.

50. Stipules the governing laws with respect to the District of Columbia.

51. Assert statutory rights by a purchase or qualifying purchaser are governed by the applicable law at the time of purchase

52. Defines pertinent terms.

Transitional Provisions
Chapter 13 (Sec. 90)

53. Asserts a transaction validly entered into before the effective date of this Act remain valid and may be terminated, completed, consummated or enforced as required or permitted by law.

54. Specifies certain statutory changes apply to a transaction, lien or other interest in property regardless of when it was entered into, created or acquired.

55. Asserts uniform commerce code laws, as amended in 2023, do not affect an action, case or proceeding commenced before the effective date of this Act.

56. Prescribes the enforceability of a security interest that was perfected or unperfected prior to the effective date of this Act.

57. Prescribes the effectiveness of actions taken before the effective date of this Act.

58. Stipulates the filing of a financing statement before the effective date of this Act is effective to perfect a security interest to the extent the filing would satisfy the statutory requirements for perfection.

59. Specifies the taking of an action before the effective date of this Act is sufficient for the enforceability of a securi9ty interest on the effective if the action would satisfy the statutory requirements for enforceability as amended in 2023.

60. Prescribes requirements in determining the priority of conflicting claims to collateral and the priority of conflicting claims relating to property.

61. Defines pertinent terms.

Miscellaneous

62. Modifies the scope and applicability of statute relating to security and other transactions. (Sec. 6)

63. Defines *electronic, hybrid transaction, hybrid lease*. (Sec. 2, 7, 14)

64. Modifies definitions of pertinent terms relating to the uniform commercial code. (Sec. 2)

65. Makes clarifying and technical changes. (Sec. 1- 5, 8-12, 14-20, 25, 27-33, 35, 37, 38, 42, 43, 47, 49-53, 57-59, 62-65, 68-77, 79, 80, 83-88)

ARIZONA HOUSE OF REPRESENTATIVES
Fifty-sixth Legislature - First Regular Session

ROLL CALL VOTE

COMMITTEE ON **Commerce** BILL NO. HB 2770

DATE February 14, 2023 MOTION: DP

	PASS	AYE	NAY	PRESENT	ABSENT
Aguilar		✓			
Austin		✓			
Carter		✓			
Gress		✓			
Heap		✓			
Hendrix		✓			
Ortiz		✓			
Sun		✓			
Carbone, Vice-Chairman		✓			
Wilmeth, Chairman		✓			
		10	0	0	0

APPROVED:

JUSTIN WILMETH, Chairman
MICHAEL CARBONE, Vice-Chairman

Susan Nelson
COMMITTEE SECRETARY

ATTACHMENT 44

ARIZONA HOUSE OF REPRESENTATIVES

Fifty-sixth Legislature
First Regular Session

HB 2382: technical correction; chiropractic
S/E: administrative decision; appeal; court costs
Sponsor: Representative Gress, LD 4
Committee on Commerce

Summary of the Strike-Everything Amendment to HB 2382

Overview
Requires a regulated party, who appeals a decision and is affirmed by the court, to pay the prevailing party's court costs and fees.

History
Title 41, Chapter 6, Article 10, A.R.S., outlines administrative hearing procedures. Generally, the first appeal is an internal review within the agency. The next step is usually through the Office of Administrative Hearings (OAH). A person may file a notice of appeal or request a hearing with an agency on an appealable agency action or contested case. The agency submits a request for a hearing with Office of Administrative Hearings (OAH), which is then scheduled, assigned an Administrative Law Judge (ALJ) and noticed with affected parties. The OAH conducts a hearing and the ALJ issues a decision. The agency may accept, reject or modify the decision. The agency decision is considered the final decision unless: 1) the agency fails to timely accept, reject or modify the ALJ's decision, in which case the OAH certifies the ALJ's decision as the final administrative decision; 2) the agency's decision is subject to review by a governor-appointed board or commission who makes a final administrative decision; or 3) the licensee, in cases involving licensing decisions, accepts the ALJ's decision as the final administrative decision. A party may file a petition to appeal the final administrative decision with the superior court.

In an action to review a final administrative decision, the court holds an evidentiary hearing to the extent necessary to determine whether to affirm, reverse, modify or vacate and remand the agency action. For review of a final administrative decision of an agency that regulates certain professions or occupations, the trial, if demanded in the notice of appeal or motion of an appellee other than the agency, is a trial de novo. A trial de novo is a new trial on an entire case, where both questions of fact and issues of law are determined as if there had been no previous trial (A.R.S. § 12-910).

Provisions
1. Stipulates the regulated party must pay all costs and legal fees of the prevailing party if the final administrative decision of an agency that regulates certain professions or occupations is appealed by the regulated party and the court affirms the final administrative decision. (Sec. 1)

☐ Prop 105 (45 votes)	☐ Prop 108 (40 votes)	☐ Emergency (40 votes)	☐ Fiscal Note

Attachment 45

Fifty-sixth Legislature
First Regular Session

Commerce
H.B. 2382

PROPOSED

HOUSE OF REPRESENTATIVES AMENDMENTS TO H.B. 2382

(Reference to printed bill)

Strike everything after the enacting clause and insert:

"Section 1. Section 12-910, Arizona Revised Statutes, is amended to read:

12-910. Scope of review

A. An action to review a final administrative decision shall be heard and determined with convenient speed. If requested by a party to an action within thirty days after filing a notice of appeal, the court shall hold an evidentiary hearing, including testimony and argument, to the extent necessary to make the determination required by subsection F of this section. The court may hear testimony from witnesses who testified at the administrative hearing and witnesses who were not called to testify at the administrative hearing.

B. Relevant and admissible exhibits and testimony that were not offered during the administrative hearing shall be admitted, and objections that a party failed to make to evidence offered at the administrative hearing shall be considered, unless either of the following is true:

1. The exhibit, testimony or objection was withheld for purposes of delay, harassment or other improper purpose.

2. Allowing admission of the exhibit or testimony or consideration of the objection would cause substantial prejudice to another party.

C. For review of final administrative decisions of agencies that are exempt from sections 41-1092.03, 41-1092.04, 41-1092.05, 41-1092.06, 41-1092.07, 41-1092.08, 41-1092.09, 41-1092.10, and 41-1092.11, pursuant to

Attachment 46

section 41-1092.02, the trial shall be de novo if trial de novo is demanded in the notice of appeal or motion of an appellee other than the agency and if a hearing was not held by the agency or the proceedings before the agency were not stenographically reported or mechanically recorded so that a transcript might be made. On demand of any party, if a trial de novo is available under this section, it may be with a jury, except that a trial of an administrative decision under section 25-522 shall be to the court.

D. For review of final administrative decisions of agencies that regulate a profession or occupation pursuant to title 32, title 36, chapter 4, article 6, title 36, chapter 6, article 7 or title 36, chapter 17, the trial shall be de novo if trial de novo is demanded in the notice of appeal or motion of an appellee other than the agency.

E. The record in the superior court shall consist of the record of the administrative proceeding, and the record of any evidentiary hearing, or the record of the trial de novo.

F. After reviewing the administrative record and supplementing evidence presented at the evidentiary hearing, the court may affirm, reverse, modify or vacate and remand the agency action. The court shall affirm the agency action unless the court concludes that the agency's action is contrary to law, is not supported by substantial evidence, is arbitrary and capricious or is an abuse of discretion. In a proceeding brought by or against the regulated party, the court shall decide all questions of law, including the interpretation of a constitutional or statutory provision or a rule adopted by an agency, without deference to any previous determination that may have been made on the question by the agency. In a proceeding brought by or against the regulated party, the court shall decide all questions of fact without deference to any previous determination that may have been made on the question by the agency. Notwithstanding any other law, this subsection applies in any action for judicial review of any agency action that is authorized by law.

G. Notwithstanding subsection F of this section, if the action arises out of title 20, chapter 15, article 2, the court shall affirm the agency action unless after reviewing the administrative record and supplementing evidence presented at the evidentiary hearing the court concludes that the action is not supported by substantial evidence, is contrary to law, is arbitrary and capricious or is an abuse of discretion.

H. This section does not apply to any agency action pursuant to title 40, chapter 2, article 5 or 6.2.

I. IF A FINAL ADMINISTRATIVE DECISION OF AN AGENCY THAT REGULATES A PROFESSION OR OCCUPATION PURSUANT TO TITLE 32 IS APPEALED BY THE REGULATED PARTY AND THE COURT AFFIRMS THE FINAL ADMINISTRATIVE DECISION, THE REGULATED PARTY SHALL PAY ALL COSTS AND LEGAL FEES OF THE PREVAILING PARTY."

Amend title to conform

MATT GRESS

2382GRESS SE.docx
02/09/2023
04:39 PM
C: MU

Adopted ✓ # of Verbals ____
Failed ____ Withdrawn____
Not Offered____ Analysts Initials ____

Attachment 46

ARIZONA HOUSE OF REPRESENTATIVES
Fifty-sixth Legislature - First Regular Session

ROLL CALL VOTE

COMMITTEE ON Commerce BILL NO. HB 2382

DATE February 14, 2023 MOTION: FAILED

	PASS	AYE	NAY	PRESENT	ABSENT
Aguilar			✓		
Austin			✓		
Carter			✓		
Gress		✓			
Heap		✓			
Hendrix		✓			
Ortiz			✓		
Sun			✓		
Carbone, Vice-Chairman		✓			
Wilmeth, Chairman		✓			
		5	5	0	0

Susan Nelson
COMMITTEE SECRETARY

APPROVED:

JUSTIN WILMETH, Chairman
MICHAEL CARBONE, Vice-Chairman

ATTACHMENT 47

ARIZONA HOUSE OF REPRESENTATIVES

Fifty-sixth Legislature
First Regular Session

HB2402: small business incubator program
Sponsor: Representative Gress, LD 4
Committee on Commerce

Overview

Appropriates $500,000 from the Federal Temporary Assistance for Needy Families Block Grant (Federal Assistance Grant) in FY 2024 to the Arizona Commerce Authority (ACA) for establishing and administering the Small Business Incubator Program (Program).

History

The ACA was established in 2011 with the mission to provide private sector leadership in: 1) growing and diversifying the economy of Arizona; 2) creating high-quality employment in Arizona through expansion, attraction and retention of businesses; and 3) marketing Arizona for the purpose of expansion, attraction and retention of businesses (A.R.S. § 41-1502).

The Arizona Department of Corrections (ADC) is established with the objective of encompassing the various institutions, facilities and programs which are now or may become a part of the correctional program of the state, and to provide the supervisory staff and administrative functions at the state level of all matters relating to the institutionalization, rehabilitation and community supervision functions of all adult offenders (A.R.S. § 41-1602).

Statute allows the Director to authorize an eligible inmate who is within 90 days of the inmate's earliest release date to participate in a community reentry work program and requires the director to adopt rules to implement the community reentry work program, including eligibility criteria for the selection of inmates. To be eligible, at a minimum, the inmate must:

1) Not have been convicted at any time of a violation of statute relating to kidnapping, sexual offense or arson, a violent crime or a dangerous crime against children;
2) Not currently be serving a sentence for a domestic violence offense;
3) Be classified by ADC as a low risk to the community;
4) Not have any felony detainers or US immigration and customs enforcement detainers;
5) Not have previously escaped or attempted to escape from a secure or nonsecure jail or prison facility or environment;
6) Have made satisfactory progress on the inmate's individualized corrections plan as determined by ADC;
7) Have maintained civil behavior while incarcerated as determined by ADC;
8) Be current on any restitution payments ordered by a court; and
9) Have a need and ability to benefit from a community reentry work program as determined by ADC. (A.R.S. § 41-1604.18).

Provisions

1. Establishes the Program in the ACA to assist current and former inmates who are participating in second chance centers to establish small businesses. (Sec. 1)

☐ Prop 105 (45 votes)	☐ Prop 108 (40 votes)	☐ Emergency (40 votes)	☐ Fiscal Note

Attachment 48

2. Defines *second chance center* as a program in which ADC and DES collaborate and bring comprehensive services to inmates who are nearing release and who are most likely to recidivate. (Sec. 1)
3. Appropriates $500,000 from the Federal Assistance Grant in FY 2024 to the ACA for establishing and administering the Program. (Sec. 2)
4. Exempts the appropriation from lapsing. (Sec. 2)

ARIZONA HOUSE OF REPRESENTATIVES
Fifty-sixth Legislature - First Regular Session

ROLL CALL VOTE

COMMITTEE ON **Commerce** BILL NO. HB 2402

DATE February 14, 2023 MOTION: DP

	PASS	AYE	NAY	PRESENT	ABSENT
Aguilar			✓		
Austin			✓		
Carter	✓	✓			
Gress		✓			
Heap		✓			
Hendrix		✓			
Ortiz	✓		✓		
Sun			✓		
Carbone, Vice-Chairman		✓			
Wilmeth, Chairman		✓			
		6	4	0	0

APPROVED:

JUSTIN WILMETH, Chairman
MICHAEL CARBONE, Vice-Chairman

Susan Nelson
COMMITTEE SECRETARY

ATTACHMENT 49

ARIZONA HOUSE OF REPRESENTATIVES

Fifty-sixth Legislature
First Regular Session

HB 2251: condominiums; insurance coverage; claims
Sponsor: Representative Wilmeth, LD 2
Committee on Commerce

Overview

Makes various changes to condominium insurance coverage laws.

History

In accordance with statute, a *common expense* is defined as expenditures made by financial liabilities of the association, together with any allocations to reserves. *Common elements* are defined as all portions of a condominium other than the units (A.R.S. 33-1202).

The unit owner's association (Association) must be formed by the date the first condominium is conveyed. The Association may be a profit or nonprofit, corporation or unincorporated organization. The membership of the association must be exclusively comprised of: 1) all the unit owners; 2) all previous unit owners entitled to distributions of proceeds after termination; or 3) their heirs, successors or assigns (A.R.S. 33-1241).

Historically, the Association must have property insurance on the common elements and liability insurance that begins by the first conveyance of a unit to a person. The insurance policies require the unit owner to be insured regarding liability that stems from interests in the common elements. Additionally, if an insurance loss occurs and there is other existing coverage in the unit owner's name of the same property, the Association's policy provides primary insurance. An insurer that is issuing a policy regarding condominiums must issue certificates or memoranda of insurance to the association and, with written request, to any mortgagee or beneficiary under a deed of trust.

In regard to insurance for condominiums, any damage or destruction will be repaired by the Association unless: 1) the condominium is terminated; 2) the repair or replacement is statutorily illegal; or 3) 80% of unit owners vote not to rebuild. The cost of repairs and replacements in excess are considered a common expense. Lastly, the Board of Directors, may obtain additional or greater amounts of insurance coverage if determined appropriate and a general requirement of additional or greater amounts of insurance are permitted (A.R.S. 33-1253).

Provisions

1. Adds that the Association's property insurance must include the units. (Sec. 1)
2. Removes the requirement that the Association's property insurance insure against fire and extended coverage perils, as determined by the board of directors. (Sec. 1)
3. Allows the Association to determine the liability insurance amount. (Sec. 1)
4. Specifies the Association's property insurance includes the units or any portion of the units, rather than if determined by the board of directors. (Sec. 1)
5. Adds that each unit owner is an insured person under the policy with respect to *property damage* arising out of the unit owner's interest in *the unit*. (Sec. 1)

☐ Prop 105 (45 votes)	☐ Prop 108 (40 votes)	☐ Emergency (40 votes)	☐ Fiscal Note

Attachment 50

6. Requires the Association's insurance policies to provide that each unit owner has the right to report a loss under the policy. (Sec. 1)
7. Stipulates that the insurance deductible is a common expense if the damage or destruction of the condominium originated from common elements or an event outside the units and common elements. (Sec. 1)
8. Stipulates that the unit owner is responsible for up to $10,000 of the insurance deductible, if the cause of damage to or destruction of the condominium originates from the unit. (Sec. 1)
9. Requires an annual written notice to each unit owner from the Association that informs the unit owners of their responsibility for the Association's property insurance deductible and the amount of the deductible. (Sec. 1)
10. Specifies the association's property insurance deductible amount that exceeds the unit owner's $10,000 responsibility is a common expense. (Sec. 1)
11. Allows the association to make an annual assessment against the unit owner who is responsible for the damage to or destruction of the condominium. (Sec. 1)
12. Makes clarifying and technical changes. (Sec. 1)

Fifty-sixth Legislature
First Regular Session

Commerce
H.B. 2251

PROPOSED

HOUSE OF REPRESENTATIVES AMENDMENTS TO H.B. 2251

(Reference to printed bill)

Page 1, line 8 after "UNITS" insert "IF APPLICABLE PER THE ASSOCIATION'S GOVERNING DOCUMENTS AND POLICY DECLARATIONS"

Line 37 after "UNIT" insert "IF APPLICABLE PER THE ASSOCIATION'S GOVERNING DOCUMENTS AND POLICY DECLARATIONS"

Page 2, line 4, after the period insert "EACH UNIT OWNER SHALL ADDITIONALLY REPORT THE LOSS TO THE ASSOCIATION."

Page 3, strike lines 10 through 17

Reletter to conform

Line 20, strike "PROPERTY"

Line 21, after "INSURANCE" strike remainder of line insert "DEDUCTIBLES FOR ALL PROPERTY AND LIABILITY COVERAGES."

Line 22, delete the second "THE" insert "EACH"

Strike lines 23 through 27

Reletter to conform

Line 33, strike "O" insert "K"

Amend title to conform

JUSTIN WILMETH

2251WILMETH.docx
02/10/2023
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Adopted ✓ # of Verbals ____
Failed ____ Withdrawn ____
Not Offered ____ Analysts Initials ____

Attachment 51

ARIZONA HOUSE OF REPRESENTATIVES
Fifty-sixth Legislature - First Regular Session

ROLL CALL VOTE

COMMITTEE ON Commerce BILL NO. HB 2251

DATE February 14, 2023 MOTION: DPA

	PASS	AYE	NAY	PRESENT	ABSENT
Aguilar			✓		
Austin				✓	
Carter		✓			
Gress		✓			
Heap		✓			
Hendrix		✓			
Ortiz		✓			
Sun		✓			
Carbone, Vice-Chairman		✓			
Wilmeth, Chairman		✓			
		8	1	1	0

Susan Nelson
COMMITTEE SECRETARY

APPROVED:

JUSTIN WILMETH, Chairman
MICHAEL CARBONE, Vice-Chairman

ATTACHMENT 52