ARIZONA HOUSE OF REPRESENTATIVES
Fifty-fourth Legislature - Second Regular Session

COMMITTEE ON COMMERCE

Report of Regular Meeting
Tuesday, February 11, 2020
House Hearing Room 3 -- 2:00 P.M.

Convened 2:52 P.M.
Recessed
Reconvened
Adjourned 5:02 P.M.

MINUTES RECEIVED
CHIEF CLERK'S OFFICE
2-13-20

Members Present
Mr. Biasiucci
Ms. Butler
Mr. Chávez
Ms. Epstein
Mr. Kern
Mr. Meza
Mr. Roberts
Mr. Grantham, Vice-Chairman
Mr. Weninger, Chairman

Agenda
Original Agenda – Attachment 1

Request to Speak
Report – Attachment 2

Committee Attendance
Report – Attachment 3

Committee Action

Bill	Action	Vote	Attachments
HB2669	DPA	9-0-0-0	4, 5, 6
HB2643	DPA	9-0-0-0	7, 8, 9
HB2380	DP	5-4-0-0	10, 11
HB2529	DP	6-1-1-1	12, 13
HB2501	DP	8-1-0-0	14, 15
HB2739	DPA	7-1-0-1	16, 17, 18
HB2628	DPA	7-1-1-0	19, 20, 21
HB2498	DP	8-0-0-1	22, 23
HB2453	DPA	8-0-0-1	24, 25, 26, 27
HB2635	HELD		

Iris McMahon
Iris McMahon, Committee Secretary
February 13, 2020

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

CORRECTED
REVISED - 2/07/20

CORRECTED
REVISED - 2/07/20

CORRECTED
REVISED - 2/07/20

Convened: 2:52pm

ARIZONA HOUSE OF REPRESENTATIVES
Fifty-fourth Legislature - Second Regular Session

Adjourned: 5:02pm

REGULAR MEETING AGENDA

COMMITTEE ON COMMERCE

DATE Tuesday, February 11, 2020 ROOM HHR 3 TIME 2:00 P.M.

Members:

Mr. Biasiucci	Ms. Epstein	Mr. Roberts
Ms. Butler	Mr. Kern	Mr. Grantham, Vice-Chairman
Mr. Chávez	Mr. Meza	Mr. Weninger, Chairman

	Bills		Short Title	Strike Everything Title
3	HB2380	5-4-0-0	product liability; civil action; limitation.	
			(Blackman: Biasiucci, Bolick, et al)	
		DP	COM, JUD w/d, RULES	
9	HB2453	8-0-0-1	DHS; exemption; certain foods; wineries	
			(Griffin)	
		DPA	COM, RULES	
8	HB2498	8-0-0-1	unmanned aircraft study committee	
			(Weninger)	
		DP	COM, RULES	
5	HB2501	8-1-0-0	commerce authority; adult workforce education.	
			(Carroll: Allen J, Biasiucci, et al)	
		DP	COM, ED, RULES	
→	~~HB2522~~		~~bingo; licenses; taxes.~~	
			~~(Lieberman: Dunn)~~	
			~~COM, RULES~~	
4	*HB2529	6-1-1-1	nonretaliation policies; health care institutions	
			(Shah)	
		DP	HHS dp 9-0-0-0-0, COM, RULES	

Attachment 1

CORRECTED Bills		CORRECTED Short Title	CORRECTED Strike Everything Title
7	HB2628	7-1-1-0 DPA	health care insurance; amendments (Bolick: Carroll) COM, RULES
	**HB2635	HELD	mobile home parks; caregivers (Blackman: Bolick) COM held 0-0-0-0-0, RULES
2	*HB2643	9-0-0-0 DPA	insurance; optometrists; contracts; covered services (Weninger: Blackman, Cobb, et al) RA, COM, RULES
1	HB2669	9-0-0-0 DPA	online dating fraud; member notice (Cobb) COM, RULES
6	HB2739	7-1-0-1 DPA	liquor omnibus (Weninger) COM, RULES

* If out of primary committee
** On previous agenda

ORDER OF BILLS TO BE SET BY THE CHAIRMAN

im
~~02/05/2020~~
02/07/2020

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 (2/11/2020)

HB2669, online dating fraud; member notice

Testified in support:
Ryan O'Daniel, Match.Com

Support:
Casey Burton, representing self

HB2643, insurance; optometrists; contracts; covered services

Testified in support:
Marie Isaacson, AZ OPTOMETRIC ASSN; Julian Roberts, NATIONAL ASSOCIATION OF VISION CARE PLANS

Support:
Don Isaacson, AZ OPTOMETRIC ASSN; Robert Holden, NATIONAL ASSOCIATION OF VISION CARE PLANS; Blake Johnson, AVESIS; Barbara Meaney, NATIONAL ASSOCIATION OF VISION CARE PLANS; Annette Hanian, representing self; Stacey Meier, representing self; Mark Cardenas, AZ OPTOMETRIC ASSN

All Comments:
Robert Holden, NATIONAL ASSOCIATION OF VISION CARE PLANS: Supportive with the House Commerce Committee amendment.; Julian Roberts, NATIONAL ASSOCIATION OF VISION CARE PLANS: Supportive with the House Commerce Committee amendment.; Blake Johnson, AVESIS: Supportive with the House Commerce Committee amendment.; Barbara Meaney, NATIONAL ASSOCIATION OF VISION CARE PLANS: Supportive with the House Commerce Committee amendment.; Annette Hanian, Self: Representing AZ Optometric Assoc

HB2529, nonretaliation policies; health care institutions

Testified in support:
Steve Barclay, Arizona Medical Association, Arizona Osteopathic Medical Association

Testified as neutral:
Jennifer Carusetta, HEALTH SYSTEM ALLIANCE OF ARIZONA

Support:
Susan Cannata, The Arizona Academy Of Family Physicians; Laura Dearing, The Arizona Academy Of Family Physicians; Denise Link, PhD, WHNP, representing self; Jon Amores, AZ MEDICAL ASSN

Neutral:

Greg Ensell, AZ HOSPITAL & HEALTHCARE ASSN

HB2380, product liability; civil action; limitation.

Testified in support:

Chad Heinrich, NATIONAL FEDERATION OF INDEPENDENT BUSINESS

Testified as neutral:

Meghaen Dell'Artino, COXCOM INC

Testified as opposed:

Barry Aarons, AZ TRIAL LAWYERS ASSOCIATION

Support:

Ellen Poole, Executive Director, SW Region Govt Relations, American Property & Casualty Insurers; Terrance Traylor, representing self; Jose Borrajero, representing self; Spencer Kamps, HOME BUILDERS ASSOCIATION OF CENTRAL AZ; Michelle Ahlmer, AZ RETAILERS ASSN; Kay Reardon, representing self; Lynne Weaver, representing self; Jere Fredenburgh, representing self; Jered Skousen, representing self; April Pinger, representing self; James Dutton , representing self; Christine Maceri Genge, representing self; Dennis Genge, representing self; John Morris, representing self; Jennifer Wellsman, representing self; Brent Backus, representing self; Nan Nicoll, representing self; JoAnn Dutton, representing self; Mark Logan, representing self; Johanna Haver, representing self; George Moriarty, representing self; Walter Steiner, representing self; Jerry Clingman, representing self; Theresa Logan, representing self; Jen Springman, GREATER PHOENIX CHAMBER OF COMMERCE; Leiann Anderson, representing self; Ed Sangalli, representing self; Bob Jolley, representing self; Robert Scott, representing self; Courtney Coolidge, AZ CHAMBER OF COMMERCE

Oppose:

Joan Murphy, representing self; Sandy Bahr, Sierra Club - Grand Canyon Chapter; kathleen mayer, representing self; Rivko Knox, representing self; Judy Schwiebert, representing self; Peter Bengtson, representing self; Thomas Krepitch, representing self; Mary Pradelt, representing self; Harry Lumley, representing self; Mark Stambaugh, representing self; Laurel Hardin, representing self; howard johnson, representing self; Barbara Warren, representing self; Elna Otter, representing self; Kathleen Noble, representing self; Rose Sperry, representing self; Janet Larkin, representing self; Rebecca Smith Gross, representing self; Dawn Tripp, representing self; Peggie Jo Vincent, representing self; marilyn duerbeck, representing self; Kevin Brown, representing self; Beverly Janowitz-Price, representing self; Rosalind Switzer, representing self; Bonnie Barker, representing self; Kenneth Bierman, representing self; mary daly, representing self; Mary Ann Graffagnino, representing self; Beatriz Urrea, representing self; Doug Arnold , representing self; Dianne Post, representing self; margaret gallagher, representing self; richard sperry, representing self; Sandy Whitley, representing self; Kristen Wolfe, representing self; Karen Cusano, representing self; Bettina Bickel, representing self; Bryna Koch, representing self; Catherine Sigmon, representing self; Barbara Fraboni, representing self; Darrell Boomgaarden, representing self; Kathryn Kaczmarek, representing self; Susan Arnold, representing self; Elizabeth Schauer, representing self; Gail Kamaras, representing self; Charlie Silver, representing self; Barbara Oliver, representing self; Kristin Clark, representing self; Iain Hamp, representing self; David Douthit, representing self; Barbara Hutchinson, representing self; Ginger Hamp, representing self; Marcie Stone, representing self; SALLY CONNELLY, representing self; Susan Morris, representing

self; jill scherer, representing self; Brent Gibbs, representing self; Rebecca Olsen McHood, representing self; Julie Golding, representing self; Jillian Jones, representing self; Megan Astudillo, representing self; Sharon Gerrard, representing self; Brenda Nelson, representing self; Melinda Sims, representing self; Christine Keitges, representing self; Christopher Miller, representing self; Keith Bagwell , representing self; Lawrence Peters, representing self; Kathy Dixon, representing self; Elisabeth Haskell, representing self; Sarabeth Spencer, representing self; Marlene Verdery, representing self; Alexandra Dubois, representing self; Lynn Ashby, representing self; Claire Ellington, representing self; Linda Edwards, representing self; Kathy Fraser, representing self; Elizabeth Hamilton, representing self; Kimberlee McClure, representing self; Mary Martiniak, representing self; Murdock Holloway, representing self; Truly Bone, representing self; Anne Walsh, representing self; Gail Bliss, representing self; Linda Bentley, representing self; Rachel Rulmyr, representing self; Ryan Anderson, representing self; Susan Anderson, representing self; Janet Senf, representing self; Don Bentley, representing self; Marilyn Coyle, representing self; Wanda Kolomyjec, representing self; Penny Boone, representing self; Susanne Rose Muller, representing self; William Kelly, representing self; Anne Leota Hart, representing self; janice sandoz, representing self; Sarah Graff, representing self; Mary Santy, representing self; GARY LEW OLIVER, representing self; Margie Goulden, representing self; Margaret Adams , representing self; Robert Bulechek, representing self; Joan Mason, representing self; Jeffrey Fortney, representing self; Mary Fortney, representing self; Marilyn Childs, representing self; Mariette Francis, representing self; Virginia Dotson, representing self; Greer Warren, representing self; Dorothy Schumacher, representing self; Lori Cinnamond, representing self; Hayley Stenger, representing self; Kathleen Dubbs, representing self; Nancy Santori, representing self; Tamar Rala Kreiswirth, representing self; Sue Thorne, representing self; Margaret DeVries, representing self; Bradly Duell, representing self; Mary-Jeanne Fincher, representing self; Carrie L. Goode, representing self; Nickolas Stenger, representing self; Lydia Wilson, representing self; Roxanna Kearns, representing self; William S. James, representing self; Stephen Coyle, representing self; Jo Ann Caruthers, representing self; Sabrina Wishart, representing self; Paisley Rossetti, representing self; Kelli Lang, representing self; Norman Fuchs, representing self; Pamela Thompson, representing self; John Stuckey, representing self; Mary Nelson, representing self; Susan Phelps, representing self; Teresa Neiberg, representing self; Howard Neiberg, representing self; Irwin Sheer, representing self; Karen Harris, representing self; Caroline Anderson, representing self; Margaret Nichols, representing self; Roberta Kithcart, representing self; Peter Byrd, representing self; Gary Rulapaugh, representing self; Linda Petersen-Vargas, representing self; Emmie Cardella, representing self; Andrea Will, representing self; Jo Brookshier, representing self; Irene Arango, representing self; Margaret Owen, representing self; Chandra Goff, representing self; Sharon Haynes, representing self; Janet Tatman, representing self; Charlotte Lis, representing self; Carol Trunnell, representing self; Suzanne Mallamo , representing self; William Yohey, representing self; Leslie Hunten, representing self; Michael Weingarten, representing self; Joan Thomas, representing self; Mary Gaudio, representing self; Deborah North, representing self; Roy Verdery, representing self; Carol Garnett, representing self; Jennifer Dawson, representing self; Katherine Gaboury, representing self; Rita Day, representing self; Jennifer Huerta, representing self; Angélica Terrazas, AZ TRIAL LAWYERS ASSOCIATION; Sandra Rizzo, representing self; Laurie Munn, representing self; Danielle Pollett, representing self; Kate Van Roekel, representing self; Patricia Edelen, representing self; Margaret Lacey, representing self; Carol Stafford , representing self; Linda Block, representing self; Janet Herbert, representing self; Diane Nevill, representing self; Jean Meconi, representing self; Erin McCamish, representing self; Dave Tanguay, representing self; Elizabeth Lyons, representing self; Daniel DeVries, representing self; Carolyn Lowther, representing self; Melissa Amberson, representing self; Frederique Delhaye, representing self; Steve Marks, representing self; Susan Braverman, representing self; Nancy Hancock, representing self; Jisoo Kim, representing self; Deborah Howard, representing self; Barbara Swenson, representing self; Charles Albrecht, representing self; Nigel Taplin, representing self; Melanie Kishi, representing self; Kerrie Jo Yarnell Green, representing self; Austin Kerr, representing self; Arthur Kilduff, representing self; Sally Dooley, representing self; Beverly Cameron, representing self; Jane Atkins, representing self; Patrick Diehl, representing

self; Linda Meigs, representing self; Gregory Hanson, representing self; John Sandoz, representing self; Miriam Black, representing self; Charlene Hoffman, representing self; REBECCA CELAYA, representing self; Pat Jayson, representing self; THOMAS GILLER, representing self; Linda Reichert, representing self; Donna Johnson, representing self

All Comments:

Jose Borrajero, Self: The shotgun practice of suing everyone in sight should be stopped. Defendants should be limited to those that could reasoably be held accountable.; Jere Fredenburgh, Self: ABSOLUTELY. If the seller did not cause the problem...just common sense.; Jered Skousen, Self: Limits liability of the seller if the seller did not cause the problem; Nan Nicoll, Self: We must be in favor of relief from being responsible when we did not cause the problem.; Joan Murphy, Self: When is the legislature going to protect citizens instead of just ripping us off?; kathleen mayer, Self: why must support for business interests come at the expense of consumer safety. R's don't really care about consumers, do they?; Rivko Knox, Self: Will harm consumers!!; Peter Bengtson, Self: I urge your opposition to this bill.; Laurel Hardin, Self: I favor fewer limits on product liability. What if someone dies from a badly made drug (prescription)?; Elna Otter, Self: This bill moves the wrong direction with respect to product liability. We need makers and vendors to assume more rather than less accountability.; Kathleen Noble, Self: We don't need more limits on product liability.; Mary Ann Graffagnino, Self: The last thing we need is a law that allows for more irresponsible behavior by big businesses.; Sandy Whitley, Self: I oppose this bill because it places additional limits on product liability and could allow for irresponsible behavior by big businesses rather than protecting the consumer.; Kathryn Kaczmarek, Self: I strongly oppose this bill, as it would place limits on product liability and sadly large corporations would conduct themselves irresponsibly. Not good for AZ.; Gail Kamaras, Self: What lobbyist wrote this one? We need more protection from bad products, not less.; Barbara Oliver, Self: We don't need any bill that would allow for more reprehensible behavior by big business.; Susan Morris, Self: Absolutely not. Don't let businesses off the hook when they are responsible for injuries.; Sharon Gerrard, Self: I believe this would cause more bad behavior on the part of big corporations.; Keith Bagwell , Self: There should be no additional limits on a victim's right to take legal action against a company whose product caused death or serious physical harm.; Lawrence Peters, Self: Why do R legislators routinely put forward bills that may harm citizens? Is this because they are cowtowing to dark money and big donors?; Kathy Dixon, Self: Big business doesn't need any more ways to escape responsibility; Elisabeth Haskell, Self: Does Arizona really need to make its consumers and citizens even MORE vulnerable to irresponsible practices of big businesses? The answer is NO! Our state's #1 priority should be protecting our people!; Lynn Ashby, Self: "When Corporations Rule the World" should be required reading for the sponsors of this bill. Will not benefit AZ citizenry in any way.; Elizabeth Hamilton, Self: I am completely against any effort to limit product liability in any way.; Penny Boone, Self: No! This is a law that allows for more irresponsible behavior by big businesses!; William Kelly, Self: Protect people, not corporations.; Anne Leota Hart, Self: This is another bill that will permit more irresponsible behavior by big businesses. Not what we need in Arizona.; Margie Goulden, Self: By limiting product liability, you are actually hurting the consumers; preventing them from getting a fair compensation for a product that fails. Please, support the consumers in this state, not the businesses.; Virginia Dotson, Self: Businesses should stand behind their products.; Greer Warren, Self: Oppose. This allows a pass for irresponsible behavior by big business. Protect citizens, not corporations.; Lori Cinnamond, Self: Which business lobbies bought this bill?; Sue Thorne, Self: Additional limits on Product Liability??? NO, NO, NO!!!! Big Business uses it's billions not to protect its customers , but to buy elections with dirty money, and encourage the capitalistic greed that goes along with administrators" mansions, etc.; Mary-Jeanne Fincher, Self: Product liability suits are sometimes the only means to get unsafe products off the market and to protect and compensate consumers who might or have been injured.; Roxanna Kearns, Self: Do not place additional limits on product liability. Consumers must have adequate protections.; Pamela Thompson, Self: Why would you support something that weakens protections for Arizonans? I guess you

would if you were in the pockets of Big Business.; John Stuckey, Self: If anything, product liability should be increased, not reduced. Allowing big businesses to behave even more irresponsibly than they do now is a very bad idea.; Irwin Sheer, Self: Anti-consumer pro-business legislation.; Margaret Nichols, Self: The last thing we need is a law that allows for more irresponsible behavior by big businesses.; Peter Byrd, Self: No limits on product liability are needed.; Margaret Owen, Self: I oppose this. Lawmakers should be protecting us, the the consumers, their constituents, not big business. This weakens protections for all of us with regard to products that can harm us. Goodness, what a strange thing to propose.; Carol Trunnell, Self: We don;'t need laws to encourage more irresponsible behavior by business.; William Yohey, Self: We need MORE accountability of irresponsible behavior by corporations not less!; Leslie Hunten, Self: No limits on corporate liability!; Mary Gaudio, Self: Protect consumers!; Roy Verdery, Self: Businesses, with their financial and legal clout, already get away with causing harm without consequence.; Carol Garnett, Self: Why reduce liability for products that may be dangerous and cause harm.; Katherine Gaboury, Self: The last thing we need is a law that allows for more irresponsible behavior by big businesses.; Rita Day, Self: This would allow more irresponsible behavior by big business by placing additional limits on product liability.; Sandra Rizzo, Self: This is not in the best interests of our citizens.; Laurie Munn, Self: Yes, let's by all means add another law that allows for even more irresponsible behavior and less accountability by big business. Who's funding this particular sponsor? Follow the money, people. Please vote no.; Patricia Edelen, Self: Do not sanction more irresponsibility from big business.; Janet Herbert, Self: Strongly oppose.; Diane Nevill, Self: We don't need more limits on product liability. Soon it will just be "buyer beware."; Steve Marks, Self: pushes consumer protections off the ledge....NO industry needs incentives for safety its common sense... NO; Jisoo Kim, Self: The last thing we need is additional limits on product liability. This does not protect consumers.; Deborah Howard, Self: This bill would undermine and weaken consumer protections on product liability. Please oppose.; Melanie Kishi, Self: why would we want a law that allows manufacturers to avoid liability?; Sally Dooley, Self: Consumer protection please!; Beverly Cameron, Self: This would allow more irresponsible behavior by big business. This is the last thing we need!; Jane Atkins, Self: Monsanto... opiods, need I say more.; Patrick Diehl, Self: We need to protect consumers, not corporations, which already have more than enough power and permission to do harm.; Linda Meigs, Self: We must hold big businesses accountable for irresponsible behavior! Vote NO!; Gregory Hanson, Self: Consumer protection not big business protection.; THOMAS GILLER, Self: STRONGLY OPPOSE!!; Donna Johnson, Self: The public needs to be protected more not less from dangerous products and shoddy building practices

HB2501, commerce authority; adult workforce education.

Testified in support:

Michael Haener, Partner, Graduation Alliance

Support:

Christopher Dickinson, GRADUATION SOLUTIONS, LLC

HB2453, DHS; exemption; certain foods; wineries

Testified in support:

Alan Everett, AZ WINE GROWERS ASSN

Support:

Chelsea McGuire, AZ FARM BUREAU FEDERATION; Todd Bostock, representing self; Lisa Callaghan, representing self; Tom Farley, Wine Spirits Wholesalers Association Of Arizona; Julie Rees, ARIZONA VIGNERONS ALLIANCE; Dr Garrison Ellam, representing self

Neutral:

Rick Hazelton, Arizona Department Of Health Services

All Comments:

Alan Everett, AZ WINE GROWERS ASSN: AWGA supports HB2453; Lisa Callaghan, Self: We support Rep. Griffin's bill and the Rep. Weninger amendment.; Julie Rees, ARIZONA VIGNERONS ALLIANCE: We support the bill and Weninger amendment.; Rick Hazelton, Arizona Department Of Health Services: .

HB2739, liquor omnibus

Testified in support:

Steve Barclay, BEER & WINE DISTRIBUTORS OF ARIZONA; Tom Farley, Wine Spirits Wholesalers Association Of Arizona; Dr Garrison Ellam, representing self

Support:

Don Isaacson, AZ LICENSED BEVERAGE ASSN; Marie Isaacson, AZ LICENSED BEVERAGE ASSN; Todd Baughman, WINE INSTITUTE; Trish Hart, AZ FOOD MARKETING ALLIANCE; Mike Williams, DISTILLED SPIRITS OF US INC (DISCUS); Julie Rees, ARIZONA VIGNERONS ALLIANCE; Todd Bostock, representing self; Rob Fullmer, representing self; Camila Alarcon, ARIZONA CRAFT BREWERS GUILD; Peter Schelstraete, representing self

Neutral:

Tom Savage, LEAGUE OF ARIZONA CITIES & TOWNS; Yesenia Dhott, PHOENIX, CITY OF

All Comments:

Dr Garrison Ellam, Self: Will answer any questions regarding ARS 2-205.10 amendments and 4-225 addition; Yesenia Dhott, PHOENIX, CITY OF: We are supportive of the amendment, it provides clarification and addresses the City's concerns with ARS 4-210.

HB2628, health care insurance; amendments

Testified in support:

Chuck Bassett, Blue Cross Blue Shield Of AZ

Support:

Elizabeth Hatch, AETNA INC; Gregory Harris, Other; Greg Ensell, AZ HOSPITAL & HEALTHCARE ASSN; Steve Barclay, Arizona Osteopathic Medical Association; Elizabeth Goodman, BLUE CROSS AND BLUE SHIELD OF AZ; Jennifer Carusetta, HEALTH SYSTEM ALLIANCE OF ARIZONA; Jen Springman, GREATER PHOENIX CHAMBER OF COMMERCE; Shelbe Hunsaker, UNITED HEALTH GROUP; Jon Amores, AZ MEDICAL ASSN; Gibson McKay, AMERICAN COUNCIL FOR PATIENT LIBERTY

All Comments:

Gregory Harris, Other: Delta Dental of Arizona

HB2498, unmanned aircraft study committee

HB2635, mobile home parks; caregivers

Support:

Brandy Petrone, AARP

PLEASE COMPLETE THIS FORM FOR THE PUBLIC RECORD

HOUSE OF REPRESENTATIVES

Please PRINT Clearly

Committee on Commerce Bill Number HB 2380

Date 2-12-20 ❑ Support ❑ Oppose ❑ Neutral

Name Scott Day Freeman Need to Speak? ❑ Yes ❑ No As needed

Representing Self Are you a registered lobbyist? NO

Complete Address 4606 E. Palo Verde Dr. Phx

E-mail Address freeman8631@gmail Phone Number 602.284.1271

Comments: _____

_____

*****FIVE-MINUTE SPEAKING LIMIT*****

ARIZONA STATE LEGISLATURE

Fifty-fourth Legislature - Second Regular Session

COMMITTEE ATTENDANCE RECORD

COMMITTEE ON **COMMERCE**

CHAIRMAN: Jeff Weninger VICE-CHAIRMAN: Travis W. Grantham

	DATE	02/11/20	/20	/20	/20	/20
	CONVENED	2:52pm	m	m	m	m
	RECESSED					
	RECONVENED					
	ADJOURNED	5:02pm				
MEMBERS						
Biasiucci		✓				
Butler		✓				
Chávez		✓				
Epstein		✓				
Kern		✓				
Meza		✓				
Roberts		✓				
Grantham, Vice-Chairman		✓				
Weninger, Chairman		✓				

√ Present --- Absent exc Excused

Attachment 3

ARIZONA HOUSE OF REPRESENTATIVES

Fifty-fourth Legislature
Second Regular Session

HB 2669: online dating fraud; member notice
Sponsor: Representative Cobb, LD 5
Committee on Commerce

Overview
Establishes fraud ban disclosure requirements for an online dating service provider.

History
Contracts for a dating referral service must be in writing and include any requirement or prohibition as prescribed by law. A dating service enterprise is prohibited from: 1) using coercive sales tactics; 2) misrepresent the quality, benefits or nature of services; 3) misrepresent the qualifications or number of other customers participating in the services provided by the enterprise; and 4) misrepresent the success the enterprise has had in making matches or referrals that are favorable to the enterprise's customers (A.R.S. § 44-7154).

Dating referral services is defined as services that are primarily intended to introduce or match adults for social or romantic activities, including activities that are commonly referred to as computer dating or video dating services. Dating referral services does not include arrangements in which one party is compensated for engaging in the social activity.

Dating services enterprise or *enterprise* is defined as any person or business entity that offers dating referral services to the public for compensation. (A.R.S. § 44-7151)

Provisions
1. Requires an online dating service provider to give notice to members who have previously received or responded to an on-site message from another member who is subject to a fraud ban.
   a) Outlines the contents of the notice. (Sec. 3)
2. Requires the notification to be:
   a) Clear and conspicuous;
   b) Sent through email, text message or other appropriate means of communication consented to by the member; and
   c) Send within 24-hours after the fraud ban is initiated against the banned member, except that notification may be sent within three days after the fraud ban is initiated if, the judgment of the online dating service provider, circumstances require additional time. (Sec. 3)
3. Specifies that an online dating service provider is not liable to any person other than a state agency, for the following:
   a) For the means of communication used to notify a member;
   b) When the notification is sent; or
   c) For disclosing specified information. (Sec. 3)
4. Specifies the law does not create a private right of action or diminish or adversely affect the protections in accordance with Federal law. (Sec. 3)

5. Defines *banned member, fraud ban, member, member in this state,* and *online dating service provider.* (Sec. 2)
6. Makes a conforming change. (Sec. 1)

Fifty-fourth Legislature
Second Regular Session

Commerce
H.B. 2669

PROPOSED

HOUSE OF REPRESENTATIVES AMENDMENTS TO H.B. 2669

(Reference to printed bill)

Page 1, line 44, strike "IN THIS STATE"

Amend title to conform

JEFF WENINGER

2669WENINGER
02/10/2020
10:59 AM
H: LG/ra

Attachment 5

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

ARIZONA HOUSE OF REPRESENTATIVES
Fifty-fourth Legislature - Second Regular Session

ROLL CALL VOTE

COMMITTEE ON Commerce BILL NO. HB 2669

DATE February 11, 2020 MOTION: DPA

	PASS	AYE	NAY	PRESENT	ABSENT
Biasiucci		✓			
Butler		✓			
Chávez		✓			
Epstein		✓			
Kern		✓			
Meza		✓			
Roberts		✓			
Grantham, Vice-Chairman		✓			
Weninger, Chairman		✓			
		9	0	0	0

Iris McMahon
COMMITTEE SECRETARY

APPROVED:

JEFF WENINGER, Chairman
TRAVIS W. GRANTHAM, Vice-Chairman

ATTACHMENT 6

ARIZONA HOUSE OF REPRESENTATIVES

Fifty-fourth Legislature
Second Regular Session

HB 2643: insurance; optometrists; contracts; covered services
Sponsor: Representative Weninger, LD 17
Committee on Commerce

Overview

States that a contract between an optometrist and a specified health insurer, cannot require the optometrist to provide services based on a fee set by the health insurer unless the fee applies to a covered service.

History

An Optometric Service Corporation (Corporation) is a corporation organized for the purpose of establishing, maintaining and operating nonprofit optometric service plans. The Corporation contracts with general, specialized or restricted practice optometrists to provide subscribers with optometric services (A.R.S. § 20-822).

A Health Care Services Organization (Organization) is a person who undertakes the conducting of one or more health care plans. An Organization includes a provider sponsored health care services organization (A.R.S. § 20-1051).

Statute outlines the scope and format of a policy with a Disability Insurer, Group Disability Insurer or a Blanket Disability Insurer (Disability Insurers) (A.R.S. § 20-1342) & (A.R.S. § 20-1401).

Provisions

1. Asserts contracts entered into or renewed after January 1, 2021 between an optometrist and a health insurer cannot require the optometrist to provide services to an enrollee based on a fee set by the health insurer unless the service for which the fee applies is a covered service under the enrollee's policy. (Sec. 1-4)
2. Specifies the ability of a health insurer to establish optometric benefits for services offered by plans that are administered but not insured by the health insurer is not restricted. (Sec. 1-4)
3. Defines *covered service* as a service for which any reimbursement is available under a subscription contract, an evidence of coverage or Disability Insurers policy without regard to contractual limitations. (Sec. 1-4)

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

Initials

Commerce

Attachment 7

PROPOSED

HOUSE OF REPRESENTATIVES AMENDMENTS TO H.B. 2643

(Reference to printed bill)

Page 1, line 5, after "A." insert "EXCEPT AS PROVIDED IN SUBSECTION C OF THIS SECTION,"

Line 7, after "NOT" insert ":

1."

Strike lines 12 through 15, insert:

"2. PROHIBIT AN OPTOMETRIST FROM OFFERING OR PROVIDING A VISION SERVICE THAT IS NOT A COVERED SERVICE TO A COVERED INDIVIDUAL AT A FEE DETERMINED BY THE OPTOMETRIST OR BY THE OPTOMETRIST AND THE COVERED INDIVIDUAL.

3. REQUIRE AN OPTOMETRIST TO USE ONE OR MORE SPECIFIC VENDORS TO REPLENISH THE OPTOMETRIST'S INVENTORY OF SPECTACLE LENSES AFTER THE OPTOMETRIST DISPENSES THE OPTOMETRIST'S INVENTORY TO ELIGIBLE MEMBERS OF THE VISION PLAN AS A COVERED VISION SERVICE.

B. THIS SECTION APPLIES TO AN ADMINISTRATOR PROVIDING THIRD-PARTY ADMINISTRATION SERVICES OR A PROVIDER NETWORK FOR A VISION PLAN.

C. THIS SECTION DOES NOT RESTRICT THE ABILITY OF AN OPTOMETRIC SERVICES ORGANIZATION TO ENTER INTO A CONTRACT FOR AN OPTOMETRIST TO PARTICIPATE IN A DISCOUNT PROGRAM SPONSORED BY THE OPTOMETRIC SERVICE CORPORATION FOR SERVICES THAT ARE NOT COVERED IF:

1. PARTICIPATION IN THE OPTOMETRIC SERVICE CORPORATION NETWORK IS NOT CONTINGENT ON PARTICIPATION IN THE SPONSORED DISCOUNT PROGRAM.

2. THE OPTOMETRIC SERVICE CORPORATION OFFERS EQUAL TREATMENT TO AN OPTOMETRIST WHO DOES NOT PARTICIPATE IN A SPONSORED DISCOUNT PROGRAM, REGARDING:

(a) PROMOTIONAL TREATMENT.

Attachment 8

Adopted ✓ # of Verbals _____
Failed _____ Withdrawn _____
Not Offered _____ Analysts Initials PB

(b) MARKETING BENEFITS.

(c) MATERIALS.

(d) CONTRACT TERMS FOR PROVIDING A COVERED SERVICE.

D. NOTWITHSTANDING SUBSECTION C, PARAGRAPH 2, SUBDIVISION (d) OF THIS SECTION, AN OPTOMETRIC SERVICE CORPORATION, WHEN PROVIDING A TYPICALLY FORMATTED LIST OF OPTOMETRISTS IN THE OPTOMETRIC SERVICE CORPORATION NETWORK, MAY IDENTIFY WHETHER AN OPTOMETRIST PARTICIPATES IN A DISCOUNT PROGRAM FOR SERVICES NOT COVERED BY THE OPTOMETRIC SERVICE CORPORATION IF ALL LISTS STATE THAT OTHER DISCOUNTS MAY BE AVAILABLE WITH INDIVIDUAL OPTOMETRISTS."

Reletter to conform

Page 1, line 26, after "A." insert "EXCEPT AS PROVIDED IN SUBSECTION C OF THIS SECTION,"

Line 28, after "NOT" insert ":

1."

Strike lines 33 through 36, insert:

"2. PROHIBIT AN OPTOMETRIST FROM OFFERING OR PROVIDING A VISION SERVICE THAT IS NOT A COVERED SERVICE TO A COVERED INDIVIDUAL AT A FEE DETERMINED BY THE OPTOMETRIST OR BY THE OPTOMETRIST AND THE COVERED INDIVIDUAL.

3. REQUIRE AN OPTOMETRIST TO USE ONE OR MORE SPECIFIC VENDORS TO REPLENISH THE OPTOMETRIST'S INVENTORY OF SPECTACLE LENSES AFTER THE OPTOMETRIST DISPENSES THE OPTOMETRIST'S INVENTORY TO ELIGIBLE MEMBERS OF THE VISION PLAN AS A COVERED VISION SERVICE.

B. THIS SECTION APPLIES TO AN ADMINISTRATOR PROVIDING THIRD-PARTY ADMINISTRATION SERVICES OR A PROVIDER NETWORK FOR A VISION PLAN.

C. THIS SECTION DOES NOT RESTRICT THE ABILITY OF A HEALTH CARE SERVICES ORGANIZATION TO ENTER INTO A CONTRACT FOR AN OPTOMETRIST TO PARTICIPATE IN A DISCOUNT PROGRAM SPONSORED BY THE HEALTH CARE SERVICES ORGANIZATION FOR SERVICES THAT ARE NOT COVERED IF:

1. PARTICIPATION IN THE HEALTH CARE SERVICES ORGANIZATION NETWORK IS NOT CONTINGENT ON PARTICIPATION IN THE SPONSORED DISCOUNT PROGRAM.

2. THE HEALTH CARE SERVICES ORGANIZATION OFFERS EQUAL TREATMENT TO AN OPTOMETRIST WHO DOES NOT PARTICIPATE IN A SPONSORED DISCOUNT PROGRAM, REGARDING:

(a) PROMOTIONAL TREATMENT.

(b) MARKETING BENEFITS.

(c) MATERIALS.

(d) CONTRACT TERMS FOR PROVIDING A COVERED SERVICE.

D. NOTWITHSTANDING SUBSECTION C, PARAGRAPH 2, SUBDIVISION (d) OF THIS SECTION, A HEALTH CARE SERVICES ORGANIZATION, WHEN PROVIDING A TYPICALLY FORMATTED LIST OF OPTOMETRISTS IN THE HEALTH CARE SERVICES ORGANIZATION NETWORK, MAY IDENTIFY WHETHER AN OPTOMETRIST PARTICIPATES IN A DISCOUNT PROGRAM FOR SERVICES NOT COVERED BY THE HEALTH CARE SERVICES ORGANIZATION IF ALL LISTS STATE THAT OTHER DISCOUNTS MAY BE AVAILABLE WITH INDIVIDUAL OPTOMETRISTS."

Reletter to conform

Page 2, line 5, after "A." insert "EXCEPT AS PROVIDED IN SUBSECTION C OF THIS SECTION,"

Line 7, after "NOT" insert ":

1."

Strike lines 12 through 14, insert:

"2. PROHIBIT AN OPTOMETRIST FROM OFFERING OR PROVIDING A VISION SERVICE THAT IS NOT A COVERED SERVICE TO A COVERED INDIVIDUAL AT A FEE DETERMINED BY THE OPTOMETRIST OR BY THE OPTOMETRIST AND THE COVERED INDIVIDUAL.

3. REQUIRE AN OPTOMETRIST TO USE ONE OR MORE SPECIFIC VENDORS TO REPLENISH THE OPTOMETRIST'S INVENTORY OF SPECTACLE LENSES AFTER THE OPTOMETRIST DISPENSES THE OPTOMETRIST'S INVENTORY TO ELIGIBLE MEMBERS OF THE VISION PLAN AS A COVERED VISION SERVICE.

B. THIS SECTION APPLIES TO AN ADMINISTRATOR PROVIDING THIRD-PARTY ADMINISTRATION SERVICES OR A PROVIDER NETWORK FOR A VISION PLAN.

C. THIS SECTION DOES NOT RESTRICT THE ABILITY OF A DISABILITY INSURER TO ENTER INTO A CONTRACT FOR AN OPTOMETRIST TO PARTICIPATE IN A DISCOUNT

PROGRAM SPONSORED BY THE DISABILITY INSURER FOR SERVICES THAT ARE NOT COVERED IF:

1. PARTICIPATION IN THE DISABILITY INSURER NETWORK IS NOT CONTINGENT ON PARTICIPATION IN THE SPONSORED DISCOUNT PROGRAM.

2. THE DISABILITY INSURER OFFERS EQUAL TREATMENT TO AN OPTOMETRIST WHO DOES NOT PARTICIPATE IN A SPONSORED DISCOUNT PROGRAM, REGARDING:

(a) PROMOTIONAL TREATMENT.

(b) MARKETING BENEFITS.

(c) MATERIALS.

(d) CONTRACT TERMS FOR PROVIDING A COVERED SERVICE.

D. NOTWITHSTANDING SUBSECTION C, PARAGRAPH 2, SUBDIVISION (d) OF THIS SECTION, A DISABILITY INSURER, WHEN PROVIDING A TYPICALLY FORMATTED LIST OF OPTOMETRISTS IN THE DISABILITY INSURER NETWORK, MAY IDENTIFY WHETHER AN OPTOMETRIST PARTICIPATES IN A DISCOUNT PROGRAM FOR SERVICES NOT COVERED BY THE DISABILITY INSURER, PROVIDED THAT ALL LISTS STATE THAT OTHER DISCOUNTS MAY BE AVAILABLE WITH INDIVIDUAL OPTOMETRISTS."

Reletter to conform

Page 2, line 25, after "A." insert "EXCEPT AS PROVIDED IN SUBSECTION C OF THIS SECTION,"

Line 27, insert after "NOT" insert ":

1."

Strike lines 32 through 34, insert:

"2. PROHIBIT AN OPTOMETRIST FROM OFFERING OR PROVIDING A VISION SERVICE THAT IS NOT A COVERED SERVICE TO A COVERED INDIVIDUAL AT A FEE DETERMINED BY THE OPTOMETRIST OR BY THE OPTOMETRIST AND THE COVERED INDIVIDUAL.

3. REQUIRE AN OPTOMETRIST TO USE ONE OR MORE SPECIFIC VENDORS TO REPLENISH THE OPTOMETRIST'S INVENTORY OF SPECTACLE LENSES AFTER THE OPTOMETRIST DISPENSES THE OPTOMETRIST'S INVENTORY TO ELIGIBLE MEMBERS OF THE VISION PLAN AS A COVERED VISION SERVICE.

B. THIS SECTION APPLIES TO AN ADMINISTRATOR PROVIDING THIRD-PARTY ADMINISTRATION SERVICES OR A PROVIDER NETWORK FOR A VISION PLAN.

C. THIS SECTION DOES NOT PROHIBIT THE ABILITY OF A GROUP DISABILITY INSURER TO ENTER INTO A CONTRACT FOR AN OPTOMETRIST TO PARTICIPATE IN A DISCOUNT PROGRAM SPONSORED BY THE GROUP DISABILITY INSURER FOR SERVICES THAT ARE NOT COVERED IF:

1. PARTICIPATION IN THE GROUP DISABILITY INSURER NETWORK IS NOT CONTINGENT ON PARTICIPATION IN THE SPONSORED DISCOUNT PROGRAM.

2. THE GROUP DISABILITY INSURER OFFERS EQUAL TREATMENT TO AN OPTOMETRIST WHO DOES NOT PARTICIPATE IN A GROUP DISABILITY INSURER SPONSORED DISCOUNT PROGRAM, REGARDING:

(a) PROMOTIONAL TREATMENT.

(b) MARKETING BENEFITS.

(c) MATERIALS.

(d) CONTRACT TERMS FOR PROVIDING A COVERED SERVICE.

D. NOTWITHSTANDING SUBSECTION C, PARAGRAPH 2, SUBDIVISION (d) OF THIS SECTION, A GROUP DISABILITY INSURER, WHEN PROVIDING A TYPICALLY FORMATTED LIST OF OPTOMETRISTS IN THE GROUP DISABILITY INSURER NETWORK, MAY IDENTIFY WHETHER AN OPTOMETRIST PARTICIPATES IN A DISCOUNT PROGRAM FOR SERVICES NOT COVERED BY THE GROUP DISABILITY INSURER PROVIDED THAT ALL LISTS STATE THAT OTHER DISCOUNTS MAY BE AVAILABLE WITH INDIVIDUAL OPTOMETRISTS."

Reletter to conform

Page 2, line 43, after "A." insert "EXCEPT AS PROVIDED IN SUBSECTION C OF THIS SECTION,"

Line 45, after "NOT" insert ":

1."

Page 3, strike lines 5 through 8, insert:

"2. PROHIBIT AN OPTOMETRIST FROM OFFERING OR PROVIDING A VISION SERVICE THAT IS NOT A COVERED SERVICE TO A COVERED INDIVIDUAL AT A FEE DETERMINED BY THE OPTOMETRIST OR BY THE OPTOMETRIST AND THE COVERED INDIVIDUAL.

3. REQUIRE AN OPTOMETRIST TO USE ONE OR MORE SPECIFIC VENDORS TO REPLENISH THE OPTOMETRIST'S INVENTORY OF SPECTACLE LENSES AFTER THE

OPTOMETRIST DISPENSES THE OPTOMETRIST'S INVENTORY TO ELIGIBLE MEMBERS OF THE VISION PLAN AS A COVERED VISION SERVICE.

B. THIS SECTION APPLIES TO AN ADMINISTRATOR PROVIDING THIRD-PARTY ADMINISTRATION SERVICES OR A PROVIDER NETWORK FOR A VISION PLAN.

C. THIS SECTION DOES NOT PROHIBIT THE ABILITY OF A BLANKET DISABILITY INSURER TO ENTER INTO A CONTRACT FOR AN OPTOMETRIST TO PARTICIPATE IN A DISCOUNT PROGRAM SPONSORED BY THE BLANKET DISABILITY INSURER FOR SERVICES THAT ARE NOT COVERED IF:

1. PARTICIPATION IN THE BLANKET DISABILITY INSURER NETWORK IS NOT CONTINGENT ON PARTICIPATION IN THE SPONSORED DISCOUNT PROGRAM.

2. THE BLANKET DISABILITY INSURER OFFERS EQUAL TREATMENT TO AN OPTOMETRIST WHO DOES NOT PARTICIPATE IN A BLANKET DISABILITY INSURER SPONSORED DISCOUNT PROGRAM, REGARDING:

(a) PROMOTIONAL TREATMENT.

(b) MARKETING BENEFITS.

(c) MATERIALS.

(d) CONTRACT TERMS FOR PROVIDING A COVERED SERVICE.

D. NOTWITHSTANDING SUBSECTION C, PARAGRAPH 2, SUBDIVISION (d) OF THIS SECTION, A BLANKET DISABILITY INSURER, WHEN PROVIDING A TYPICALLY FORMATTED LIST OF OPTOMETRISTS IN THE GROUP DISABILITY INSURER NETWORK, MAY IDENTIFY WHETHER AN OPTOMETRIST PARTICIPATES IN A DISCOUNT PROGRAM FOR SERVICES NOT COVERED BY THE BLANKET DISABILITY INSURER PROVIDED THAT ALL LISTS STATE THAT OTHER DISCOUNTS MAY BE AVAILABLE WITH INDIVIDUAL OPTOMETRISTS."

Reletter to conform

Amend title to conform

JEFF WENINGER

2643WENINGER
02/10/2020
09:23 AM
H: PRB/ls

ARIZONA HOUSE OF REPRESENTATIVES
Fifty-fourth Legislature - Second Regular Session

ROLL CALL VOTE

COMMITTEE ON Commerce BILL NO. HB 2643

DATE February 11, 2020 MOTION: DPA

	PASS	AYE	NAY	PRESENT	ABSENT
Biasiucci		✓			
Butler		✓			
Chávez		✓			
Epstein		✓			
Kern		✓			
Meza		✓			
Roberts		✓			
Grantham, Vice-Chairman		✓			
Weninger, Chairman		✓			
		9	0	0	0

Iris McMahon
COMMITTEE SECRETARY

APPROVED:

JEFF WENINGER, Chairman
TRAVIS W. GRANTHAM, Vice-Chairman

ATTACHMENT 9

ARIZONA HOUSE OF REPRESENTATIVES

Fifty-fourth Legislature
Second Regular Session

HB 2380: product liability; civil action; limitation.
Sponsor: Representative Blackman, LD 6
Committee on Commerce

Overview

Allows a product liability lawsuit to commence only under defined circumstances.

History

In a product liability action where the manufacturer refuses to accept a tender of defense from the seller, the manufacturer must indemnify the seller for any judgement against the seller. The manufacturer must also reimburse the seller for reasonable attorney fees and costs in defending the action. The manufacturer is not required to indemnify or reimburse the seller if either: 1) the seller had knowledge of the defect in the product; or 2) the seller altered, modified or installed the product and the alteration, modification or installation was: a) a substantial cause of the incident giving rise to the action; b) not authorized or requested by the manufacturer; and c) not performed in compliance with the directions or specifications of the manufacturer (A.R.S. § 12-684).

A *product liability action* is defined as any action brought against a manufacturer or seller of a product for damages for bodily injury, death or property damage caused by or resulting from the manufacture, construction, design, formula, installation, preparation, assembly, testing, packaging, labeling, sale, use or consumption of any product, the failure to warn or protect against a danger or hazard in the use or misuse of the product or the failure to provide proper instructions for the use or consumption of any product (A.R.S. § 12-681).

Provisions

1. Asserts a product liability action against a seller that is not also a manufacturer of the product may be commenced or maintained only if one or more of the following apply:
   a) The seller had knowledge of the defect in the product;
   b) The seller altered, modified or installed the product and the alteration, modification or installation was:
      i. A substantial cause of the incident giving rise to the action;
      ii. Not authorized or requested by the manufacturer; and
      iii. Not performed in compliance with the directions or specifications of the manufacturer;
   c) The seller provided the plans or specifications for the manufacture or preparation of the product, the plans or specifications were a substantial cause of the product's alleged defect and the product was manufactured in compliance with and according to the seller's plans or specifications;
   d) The seller resold the product after the product's first sale for use or consumption, the product was not in substantially the same condition as it was at the time the product left the manufacturer's possession and the change in the product's condition was a substantial cause of the incident giving rise to the action;
   e) The seller failed to exercise reasonable care in assembling, maintaining or repairing the product at issue or in conveying to the product user or consumer the manufacturer's labels,

warnings or instructions and the failure was a substantial cause of the incident giving rise to the action;

f) The seller made an express warranty regarding the product independent of any express warranty made by a manufacturer regarding the product, the product failed to conform to the seller's independent express warranty and the failure of the product to conform to the seller's independent express warranty was a substantial cause of the incident giving rise to the action;
g) The manufacturer cannot be identified; or
h) The manufacturer has been adjudicated bankrupt and a judgment is not otherwise recoverable from the assets of the manufacturer's bankruptcy estate. (Sec. 1)

2. Stipulates a manufacturer must indemnify and reimburse a seller that is not also a manufacturer of the product at issue for reasonable attorney fees and costs incurred by the seller for any judgment rendered against the seller in any product liability action, where the manufacturer refuses to accept a tender of defense, unless the action was the result of one of the defined circumstances that allow for the action to be commenced or maintained against the seller. (Sec. 1)

3. Makes technical changes. (Sec. 1)

ARIZONA HOUSE OF REPRESENTATIVES
Fifty-fourth Legislature - Second Regular Session

ROLL CALL VOTE

COMMITTEE ON Commerce BILL NO. HB 2380

DATE February 11, 2020 MOTION: DP

	PASS	AYE	NAY	PRESENT	ABSENT
Biasiucci		✓			
Butler			✓		
Chávez			✓		
Epstein			✓		
Kern		✓			
Meza			✓		
Roberts		✓			
Grantham, Vice-Chairman		✓			
Weninger, Chairman		✓			
		5	4	0	0

Iris McMahon
COMMITTEE SECRETARY

APPROVED:

JEFF WENINGER, Chairman
TRAVIS W. GRANTHAM, Vice-Chairman

ATTACHMENT 11

ARIZONA HOUSE OF REPRESENTATIVES

Fifty-fourth Legislature
Second Regular Session

House: HHS DP 9-0-0-0

HB 2529: nonretaliation policies; health care institutions
Sponsor: Representative Shah, LD 24
Committee on Commerce

Overview

Specifies that a health care institution or any of its third-party contractors is prohibited from retaliatory actions against a health care provider for making a report.

History

Current law requires a licensed health care institution to adopt a procedure for reviewing reports made in good faith by a health professional concerning an activity, policy or practice that the professional reasonably believes:

a) Violates professional standards of practice or is against the law; and
b) Poses a substantial risk to the health, safety or welfare of a patient (A.R.S. § 36-450.01).

Licensed health care institutions must adopt policies that prohibit retaliatory actions against a health professional who in good faith: 1) makes a report to the institution relating to an unlawful activity, policy or practice; and 2) after providing the institution with reasonable opportunity to address the report, provides information to a private health care accreditation organization or governmental entity concerning the activity, policy or practice. There is a rebuttable presumption that any termination or other adverse action that occurs more than 180 days after the date of the report is not a retaliatory action (A.R.S. 36-§ 450.02).

Retaliatory action is defined as a termination of or other adverse action against a health professional's employment taken by a health care institution because the professional has made a report which address concerns to an unlawful activity, policy or practice (A.R.S. § 36-450).

Provisions

1. Specifies that a health care institution or any of its third-party contractors is prohibited from retaliatory actions against a health professional for making a report. (Sec. 1)
2. Defines *third-party contractor*. (Sec. 1)

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

Initials MCL

Commerce

Attachment 12

ARIZONA HOUSE OF REPRESENTATIVES
Fifty-fourth Legislature - Second Regular Session

ROLL CALL VOTE

COMMITTEE ON Commerce BILL NO. HB 2529

DATE February 11, 2020 MOTION: DP

	PASS	AYE	NAY	PRESENT	ABSENT
Biasiucci	✓	✓			
Butler		✓			
Chávez		✓			
Epstein				✓	
Kern			✓		
Meza		✓			
Roberts					✓
Grantham, Vice-Chairman		✓			
Weninger, Chairman		✓			
		6	1	1	1

Iris McMahon
COMMITTEE SECRETARY

APPROVED:
Jeff Weninger
JEFF WENINGER, Chairman
TRAVIS W. GRANTHAM, Vice-Chairman

ATTACHMENT 13

ARIZONA HOUSE OF REPRESENTATIVES

Fifty-fourth Legislature
Second Regular Session

HB 2501: commerce authority; adult workforce education.
Sponsor: Representative Carroll, LD 22
Committee on Commerce

Overview

Establishes the Adult workforce Diploma Program (Program) to assist a person in earning a high school diploma and developing employability and career and technical skills.

History

Laws 2011, 2nd Special Session, Chapter 1, created the Arizona Commerce Authority (ACA) and outlined its duties and responsibilities. The ACA facilitates the beneficial economic growth and development of this state and promotes prosperity through the development and protection of the legitimate interests of Arizona business, industry and commerce within and outside this state (Laws 2018, Chapter 66).

Provisions

Adult Workforce Diploma Program (Sec. 1)

1. Establishes, within the Arizona Commerce Authority (ACA), the Program to assist a person who is at least 21 years of age in earning a high school diploma and developing critical employability and career and technical skills to prepare for employment.
2. Directs the ACA, prior to August 15 of each year, to issue a request for participation qualifications for Program providers.
3. Outlines Program provider qualifications.
4. Requires the ACA, prior to October 15 of each year, to approve Program providers and place providers on an approved Program provider list.
   a. Requires providers to enroll student prior to November 15 of each year.
   b. Specifies providers maintain approval status unless the provider fails to meet performance standards.
5. Instructs the ACA to pay providers for each student who completes milestones as follows:
   a. $250 for each completed half unit of high school credit.
   b. $250 for each earned employability skills certification.
   c. $250 for each earned industry-recognized credential that requires up to 50 hours of training.
   d. $500 for each earned industry-recognized credential that requires at least 50 hours but not more than 100 hours of training.
   e. $750 for each earned industry-recognized credential that requires more than 100 hours of training.
   f. $1,000 for each earned high school diploma.

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

Initials _____ Commerce

Attachment 14

6. Requires providers to submit monthly invoices to the ACA for milestones met in the previous month.
   a. The ACA must pay providers in the order in which the invoices are submitted.
   b. The ACA must provide written updates to providers which includes total dollars paid and estimated number of enrollments still available for the year.
7. Requires providers, prior to July 15 of each year, to report specified data to the ACA.
8. Instructs the ACA to review data from each approved Program provider to ensure that each provider is achieving minimum Program performance standards, including:
   a. A graduation rate of at least 50%; and
   b. A cost per graduate of $7,000 or less.
9. Stipulates a provider who fails to meet the minimum Program performance standards is placed on probationary status and is removed from the approved list if the provider fails to meet the standards for two consecutive years.

Adult Workforce Diploma Program Fund (Sec. 1)

10. Establishes the Program Fund (Fund) which consists of legislative appropriations, gifts, grants, and other donations.
    a. Specifies the Fund is administered by the chief executive officer and Fund monies are continuously appropriated.
11. Appropriates $5,000,000 from the state General Fund each fiscal year to the Fund.

Miscellaneous (Sec. 1)

12. Terminates the Program July 1, 2030.
13. Defines pertinent terms.

ARIZONA HOUSE OF REPRESENTATIVES
Fifty-fourth Legislature - Second Regular Session

ROLL CALL VOTE

COMMITTEE ON Commerce BILL NO. HB 2501

DATE February 11, 2020 MOTION: DP

	PASS	AYE	NAY	PRESENT	ABSENT
Biasiucci		✓			
Butler		✓			
Chávez		✓			
Epstein		✓			
Kern			✓		
Meza		✓			
Roberts		✓			
Grantham, Vice-Chairman		✓			
Weninger, Chairman		✓			
		8	1	0	0

Iris McMahon
COMMITTEE SECRETARY

APPROVED:

JEFF WENINGER, Chairman
TRAVIS W. GRANTHAM, Vice-Chairman

ATTACHMENT 15

ARIZONA HOUSE OF REPRESENTATIVES

Fifty-fourth Legislature
Second Regular Session

HB 2739: liquor omnibus
Sponsor: Representative Weninger, LD 17
Committee on Commerce

Overview
Makes various changes to statute relating to alcoholic beverages.

History
The Department of Liquor Licenses and Control (Department), which consists of the State Liquor Board and the Office of the Director (Director) of the Department regulates the manufacture, distribution and sale of liquor in this state through the issuance of 21 license types or series. A separate license is required for each specific type of business and is issued only after a satisfactory showing of the capability, qualifications and reliability of the applicant. With the exception of wholesaler, producer, government or club licensees, issuance also requires a satisfactory showing that the public convenience and best interest of the community will be substantially served by the issuance of the license (A.R.S. § 4-203).

Statute outlines conditions for issuing a microbrewery license located on the same land as a farm winery which includes that the licenses must be held by different persons and that the microbrewery and the farm winery be located in separate buildings (A.R.S. § 4-205.09).

Current statute exempts beer that is produced for personal or family use that is not for sale from laws governing alcoholic beverages (A.R.S. § 4-226).

An employee of a retail licensee is prohibited during their working hours to give, purchase, accept or consume liquor, except under conditions outlined in statute (A.R.S. § 4-244).

Provisions
1. Requires the Director to relieve a licensee from a prior license reversion, unless a reverted license has been reissued, if a request is filed no later than two years after the reversion date. (Sec. 1)
2. Allows the Director to issue a microbrewery license and a farm winery license, both located on the same land, to the same bona fide educational institution for the purposes of post-secondary educational instruction. (Sec. 2)
3. Increases the cap that a licensed craft distiller may produce in a year for sale and delivery to an on-sale and off-sale retailer from 1,189 gallons to 3,566 gallons. (Sec. 3)
4. Prohibits a joint premises licensee from allowing a person under the legal drinking age who is not accompanied by a spouse, parent, grandparent or legal guardian of legal drinking age, rather than any adult, to remain in the area of the joint premises. (Sec. 4)
5. Specifies a licensee is not responsible to protect the safety of an individual entering or remaining on the premises to disrupt or damage the premises or to cause harm to another person. (Sec. 5)

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

Initials _____ Commerce

Attachment 16

6. Exempts alcoholic beverages that are commercially produced by a duly licensed producer from laws and rules relating to the Department of Health Services and Pure Food Control.
   a) Defines *alcoholic beverage* and *commercially produced.* (Sec. 6)
7. Exempts wine that is produced for personal or family use that is not for sale from laws governing alcoholic beverages. (Sec. 7)
8. Increases the amount of beer that may be provided as samples to retail consumers at an on-sale premises from 12 ounces to 16 ounces. (Sec. 8)
9. Allows a retailer to order, purchase or receive a spirituous liquor from a licensed craft distiller that produces not more than 3,566 gallons. (Sec. 9)
10. Allows a representative of a producer or wholesaler that is participating at a special event to consume small amounts of the products on the premises of the event for quality control purposes. (Sec. 10)
11. Stipulates a licensee is not in violation of law if:
    a) A customer removes or tampers with the locking device on a bottle delivered for bottle service and pours their own drink without the knowledge of the retailer; and
    b) The licensee installs a functioning locking device or removes the bottle and lock when the licensee becomes aware of the removal or tampering of the locking device. (Sec. 10)
12. Makes technical changes. (Sec. 2, 3, 7, 8, 9, 10)

Fifty-fourth Legislature
Second Regular Session

Commerce
H.B. 2739

PROPOSED

HOUSE OF REPRESENTATIVES AMENDMENTS TO H.B. 2739

(Reference to printed bill)

Page 12, strike lines 28 through 30, insert "THE DUTY TO PROTECT A CUSTOMER OR OTHER PERSON ON THE PREMISES DOES NOT LIMIT THE LICENSEE FROM USING REASONABLE INTERVENTION, RESTRAINT OR REMOVAL OF A PERSON FROM THE PREMISES TO PREVENT THAT PERSON FROM INJURING OTHER PERSONS ON THE PREMISES OR DAMAGING OR DISRUPTING THE PREMISES."

Amend title to conform

JEFF WENINGER

2739WENINGER
02/10/2020
10:42 AM
H: PRB/ls

Attachment 17

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

ARIZONA HOUSE OF REPRESENTATIVES
Fifty-fourth Legislature - Second Regular Session

ROLL CALL VOTE

COMMITTEE ON Commerce BILL NO. HB 2739

DATE February 11, 2020 MOTION: DPA

	PASS	AYE	NAY	PRESENT	ABSENT
Biasiucci		✓			
Butler		✓			
Chávez		✓			
Epstein			✓		
Kern		✓			
Meza		✓			
Roberts					✓
Grantham, Vice-Chairman		✓			
Weninger, Chairman		✓			
		7	1	0	1

Iris McMahon
COMMITTEE SECRETARY

APPROVED:

JEFF WENINGER, Chairman
TRAVIS W. GRANTHAM, Vice-Chairman

ATTACHMENT 18

ARIZONA HOUSE OF REPRESENTATIVES

Fifty-fourth Legislature
Second Regular Session

HB 2628: health care insurance; amendments
Sponsor: Representative Bolick, LD 20
Committee on Commerce

Overview
Makes various changes to statute governing Health Care Insurers.

History
Hospital, medical, dental and optometric service corporations is defined as corporations organized under the laws of this state for the purpose of establishing, maintaining, and operating nonprofit hospital service or medical or dental or optometric service plans, or a combination of such plans, whereby hospital, medical or dental or optometric service may be provided by hospitals, physicians, podiatrists, dentists or optometrists with which the corporations have contracted for such purpose (A.R.S. § 20-822).

Health care services organization means any person that undertakes to conduct one or more health care plans. Unless the context otherwise requires, health care services organization includes a provider sponsored health care services organization (A.R.S. § 20-1051).

Utilization review means a system for reviewing the appropriate and efficient allocation of inpatient hospital resources, inpatient medical services and outpatient surgery services that are being given or are proposed to be given to a patient, and of any medical, surgical and health care services or claims for services that may be covered by a health care insurer depending on determinable contingencies, including without limitation outpatient services, in-office consultations with medical specialists, specialized diagnostic testing, mental health services, emergency care and inpatient and outpatient hospital services (A.R.S. § 20-2501).

Provisions

Hospital, Medical, Dental, and Optometric Service Organizations

1. Specifies laws governing insurance company holding systems applies to all service corporations. (Sec. 5)
2. Allows a corporation to pay any officer or employee any salary, compensation or emolument without authorization from the board of directors of the corporation. (Sec. 6)
3. Removes language prohibiting a corporation from influencing the subscriber in their choice of hospital, physician, registered nurse, dentist or optometrist. (Sec. 7)
4. Removes language requiring a hospital and medical service corporation to pay AHCCCS for paid covered items or services. (Sec. 8)

Health Care Services Organizations

5. Removes language outlining prohibited practices by a *person*. (Sec. 9)
6. Removes language requiring a health care services organization to pay AHCCCS for paid covered items or services. (Sec. 10)

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

Initials _____ Commerce

7. Requires a health care services organization to semiannually, rather than monthly, submit a report to the Department of Insurance (DOI) a list of all major provider contracts that have been terminated during the previous six months.
   a. Defines *major provider*. (Sec. 11)

Disability and Group and Blanket Disability Insurers

8. Removes language requiring an insurer to pay AHCCCS for paid covered items or services. (Sec. 12, 13)

Group Health Plan

9. Removes language requiring a health care services organization to pay AHCCCS for paid covered items or services. (Sec. 14)

Accountable Health Plans

10. Makes a conforming change. (Sec. 15)
11. Modifies the definition of *creditable coverage.* (Sec. 15)
12. Specifies statute governing premium rates does not apply if a small employer obtains a health benefits plan that is complies with federal law. (Sec. 16)
13. Repeals laws relating to prohibited mandatory coverage of a basic health benefit plan and an accountable health plan submission of claims by electronic means. (Sec. 17)

Utilization Review

14. Exempts a person from specified laws relating to certification requirements provided certain criteria are met. (Sec. 18)
15. Allows a provider or enrollee to appeal a denial of a formulary exception for a plan covered by federal law through the process prescribed in the federal rule. (Sec. 19)
16. Requires a utilization review agent to file a specified notice regardless if the agent is exempt from certification requirements. (Sec. 20)
17. Requires a health care insurer to provide access to a copy of the information packet, which explains the appeal process, on the health care insurer's website rather than to the member. (Sec. 21)
18. Instructs a utilization review agent to telephonically provide and mail the member a notice of an adverse decision as well as providing the member a notice of a decision, including criteria used and clinical reasons for such decision. (Sec. 22)
19. Requires the DOI to adopt rules establishing criteria and factors to evaluate when determining whether an independent review organization has demonstrated bias toward a health care insurer or provider.
    a. Instructs DOI to terminate the services of any biased organization. (Sec. 23)

Miscellaneous

20. Repeals laws relating to contracts and forms in effect prior to January 1, 1955. (Sec. 1)
21. Specifies the term *person* includes a service corporation and a health care services organization. (Sec. 2)
22. Clarifies the timely payment of a clean claim. (Sec. 3)
23. Specifies statute relating to assignment of benefits applies to a hospital and medical service corporation. (Sec. 4)

24. Instructs DOI to:
    a. Adopt rules that substantially conform to the current version of the National Association of Insurance Commissioners Unfair Claim Settlement Practices Model Act; and
    b. Amend the rules governing coordination of benefits. (Sec. 24)
25. Exempts DOI from rulemaking for one year. (Sec. 24)

Fifty-fourth Legislature
Second Regular Session

Commerce
H.B. 2628

PROPOSED

HOUSE OF REPRESENTATIVES AMENDMENTS TO H.B. 2628

(Reference to printed bill)

Page 1, strike lines 30 through 45

Page 2, strike lines 1 through 27

Renumber to conform

Page 3, line 7, strike "article" insert "ARTICLES 8 AND"

Strike lines 15 and 16, insert:

"Sec. 5. Repeal

Section 20-827, Arizona Revised Statutes, is repealed."

Renumber to conform

Page 4, strike lines 18 through 44

Page 5, strike lines 1 through 6

Renumber to conform

Page 6, strike lines 1 through 33

Renumber to conform

Line 39, strike "SEMIANNUALLY" insert "QUARTERLY"; strike "MAJOR"

Line 40, strike "SIX" insert "THREE"

Line 42, strike "HOSPITAL, HOSPITAL SYSTEM, PROVIDER GROUP OR"

Page 7, strike lines 25 through 45

Strike page 8

Page 9, strike lines 1 through 27

Renumber to conform

Page 17, line 2, strike "CAN BE" insert "WAS"; strike "UNDER" insert "PURSUANT TO"

Page 19, strike lines 8 through 45

Attachment 20

Adopted ✓ # of Verbals ____

Failed ____ Withdrawn ____

Not Offered ____ Analysts Initials PB

House Amendments to H.B. 2628

1 Strike page 20

2 Page 21, strike lines 1 through 25

3 Renumber to conform

4 Page 23, strike lines 14 through 45

5 Strike page 24

6 Amend title to conform

JEFF WENINGER

2628WENINGER.docx
02/07/2020
3:10 PM
C: PP

ARIZONA HOUSE OF REPRESENTATIVES
Fifty-fourth Legislature - Second Regular Session

ROLL CALL VOTE

COMMITTEE ON Commerce BILL NO. HB 2628

DATE February 11, 2020 MOTION: DPA

	PASS	AYE	NAY	PRESENT	ABSENT
Biasiucci		✓			
Butler			✓		
Chávez		✓			
Epstein				✓	
Kern		✓			
Meza		✓			
Roberts		✓			
Grantham, Vice-Chairman		✓			
Weninger, Chairman		✓			
		7	1	1	0

Iris McMahon
COMMITTEE SECRETARY

APPROVED:

JEFF WENINGER, Chairman
TRAVIS W. GRANTHAM, Vice-Chairman

ATTACHMENT 21

ARIZONA HOUSE OF REPRESENTATIVES

Fifty-fourth Legislature
Second Regular Session

HB 2498: unmanned aircraft study committee
Sponsor: Representative Weninger, LD 17
Committee on Commerce

Overview
Establishes the five-member Unmanned Aircraft Study Committee (Committee).

History
Current law states it is unlawful for a person to operate a model aircraft or a civil unmanned aircraft if the operation: 1) is prohibited by a federal law or regulation that governs aeronautics, including federal aviation administration regulations; or 2) interferes with a law enforcement, firefighter or emergency services operation. A person guilty for the unlawful operation is subject to a Class 1 misdemeanor.

Furthermore, it is unlawful for a person to operate or use an unmanned aircraft or unmanned aircraft system to intentionally photograph or loiter over or near a critical facility in the furtherance of any criminal offense. A person found guilty for the unlawful operation or use is subject to a Class 6 felony (A.R.S. § 13-3729).

Unmanned aircraft is defined as an aircraft, including an aircraft commonly known as a drone, that is operated without the possibility of direct human intervention from within or on the aircraft (A.R.S. § 13-3729).

Provisions
1. Establishes the Committee which consists of the following five members of the House of Representatives, who are appointed by the Speaker:
   a) Three members from the political party that is in the majority, and
   b) Two members from the political party that is in the minority. (Sec. 1)
2. Requires the Speaker of the House of Representatives to designate one of the members as the chairperson of the Committee. (Sec. 1)
3. Instructs the Committee to:
   a) Meet as often as the chairperson deems necessary;
   b) Identify and study the beneficial uses of unmanned aircraft;
   c) Examines the economic opportunities for the use of unmanned aircraft;
   d) Review actions taken by the federal government regarding the regulation of the general operation of unmanned aircraft for commercial use; and
   e) Submit a report regarding the Committee's findings and recommendations by December 31, 2020 to the Speaker of the House of Representatives and to provide a copy of the report to the Secretary of State. (Sec. 1)
4. Terminates the Committee October 1, 2021. (Sec. 1)

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

Initials _____ Commerce

Attachment 22

ARIZONA HOUSE OF REPRESENTATIVES
Fifty-fourth Legislature - Second Regular Session

ROLL CALL VOTE

COMMITTEE ON Commerce BILL NO. HB 2498

DATE February 11, 2020 MOTION: DP

	PASS	AYE	NAY	PRESENT	ABSENT
Biasiucci		✓			
Butler		✓			
Chávez		✓			
Epstein		✓			
Kern		✓			
Meza		✓			
Roberts					✓
Grantham, Vice-Chairman		✓			
Weninger, Chairman		✓			
		8	0	0	1

Iris McMahon
COMMITTEE SECRETARY

APPROVED:

JEFF WENINGER, Chairman
TRAVIS W. GRANTHAM, Vice-Chairman

ATTACHMENT 23

ARIZONA HOUSE OF REPRESENTATIVES

Fifty-fourth Legislature
Second Regular Session

HB 2453: DHS; exemption; certain foods; wineries
Sponsor: Representative Griffin, LD 14
Committee on Commerce

Overview
Exempts commercially prepackaged food and drinks served at a liquor licensed establishment from certain Department of Health Services (DHS) rules governing quality and health assurance.

History
The director (Director) of DHS is statutorily required, by rule, to prescribe reasonably necessary measures to ensure that all food or drink provided for consumption is free from unwholesome, poisonous or other foreign substances, including filth, insects or disease-causing organisms. Additionally, the rules must prescribe minimum standards for sanitary facilities and conditions that must be maintained in any warehouse, restaurant or other premises.

Statute outlines certain food or drinks that are exempt, which includes food or drinks that are:
a) Not potentially hazardous and prepared in a kitchen of a private home for occasional sale or distribution for noncommercial purposes;
b) Offered at a child care facility and limited to commercially prepackaged food that is not potentially hazardous and whole fruits and vegetables that are washed and cut on-site for immediate consumption; and
c) Offered at locations that sell only commercially prepackaged food or drink that is not potentially hazardous. (A.R.S. § 36-136)

Provisions
1. Requires the Director to exempt commercially prepackaged food from rules that prescribe measures to ensure all food is free from poisonous substances and disease-causing organisms provided the food is:
   a. Not potentially hazardous; and
   b. Served at a location where spirituous liquor, wine or beer is produced. (Sec.1)
2. Asserts commercially prepackaged food that is not potentially hazardous is exempt until DHS adopts exemptions by rule as required by law. (Sec. 1)

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

Initials _____ Commerce

Attachment 24

Fifty-fourth Legislature
Second Regular Session

Commerce
H.B. 2453

PROPOSED

HOUSE OF REPRESENTATIVES AMENDMENTS TO H.B. 2453

(Reference to printed bill)

Page 5, line 5, strike "SERVED ON THE PREMISES WHERE"; after "BEER" insert "THAT"

Line 6, after "PRODUCED" insert "ON THE PREMISES"; strike the first "THAT IS"

Line 7, after "HAZARDOUS" insert "AND THAT IS SERVED ON THOSE PREMISES"

Page 8, line 17, strike "FOOD IS EXEMPT"

Strike line 18

Line 19, strike "PREMISES WHERE"; after "BEER" insert "THAT"; after "PRODUCED" insert "ON THE PREMISES"; strike "THE FOOD IS"

Line 20, after "HAZARDOUS" insert "AND THAT IS SERVED ON THOSE PREMISES IS EXEMPT FROM THE RULES PRESCRIBED IN SUBSECTION I OF THIS SECTION"

Amend title to conform

JEFF WENINGER

2453WENINGER
02/07/2020
11:43 AM
C: mh

Attachment 25

Adopted ✓ # of Verbals ____

Failed ____ Withdrawn ____

Not Offered ____ Analysts Initials PB

ARIZONA HOUSE OF REPRESENTATIVES
Fifty-fourth Legislature - Second Regular Session

ROLL CALL VOTE

COMMITTEE ON Commerce BILL NO. HB 2453

DATE February 11, 2020 MOTION: DPA

	PASS	AYE	NAY	PRESENT	ABSENT
Biasiucci		✓			
Butler		✓			
Chávez		✓			
Epstein		✓			
Kern		✓			
Meza		✓			
Roberts					✓
Grantham, Vice-Chairman		✓			
Weninger, Chairman		✓			
		8	0	0	1

Iris McMahon
COMMITTEE SECRETARY

APPROVED:

JEFF WENINGER, Chairman
TRAVIS W. GRANTHAM, Vice-Chairman

ATTACHMENT 24

Board of Supervisors
Santa Cruz County

BRUCE BRACKER
District 3

December 18, 2019

The Honorable Gail Griffin
Representative
Arizona House of Representatives
1700 W. Washington St.
Phoenix AZ 85007

Dear Representative Griffin,

On behalf of the wine producers in Santa Cruz County, I write to express my support for the efforts to modify Chapter 1-201 of the adopted State Health Code that currently defines wineries as a food establishment. The clarification of the health code requirements of wineries, breweries, and distilleries will exempt their production spaces and tasting rooms (serving only beverages produced on-site) from costly and unfair regulations.

Wine production does not have the same health risks as preparing food and should not have to follow the same health codes as a restaurant or food-preparation establishment. Providing an exception for wine production spaces and wine tasting rooms ensures proper and fair regulation while promoting the growth of our wineries.

The wine producing industry in Santa Cruz County has emerged as a year-round attraction for visitors in addition to producing high quality wines that are now being served all over Arizona and other parts of the nation. These efforts will help ensure that this blossoming industry remains cost-competitive, will continue to act as magnet for tourism and continue to create jobs in our community.

I thank you for the consideration you give to this request.

Sincerely

Bruce Bracker
Chairman
Santa Cruz County Board of Supervisors

Attachment 27

Santa Cruz County Complex
2150 N. Congress Drive • P.O. Box 1150 • Nogales, Arizona 85621
(520) 375-7812 • FAX (520) 761-7843 • TDD (520) 375-7934