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

COMMITTEE ON REGULATORY AFFAIRS

Report of Regular Meeting
Wednesday, February 14, 2024
House Hearing Room 5 -- UPON ADJOURNMENT OF SPECIAL RA

Convened 2:38 P.M.
Recessed
Reconvened
Adjourned 4:11 P.M.

MINUTES RECEIVED
CHIEF CLERK'S OFFICE
2/16/24

Members Present
Representative Crews
Representative Hernandez
Representative Payne
Representative Peña
Representative McGarr, Vice-Chairman
Representative Hendrix, 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
HB2713	DP	6-0-0-0	4, 5
HB2864	DP	4-1-0-1	6, 7, 8
HB2738	DP	5-0-0-1	9, 10
HB2290	FAILED	2-4-0-0	11, 12, 13, 14
HCR2052	DPA/SE	4-2-0-0	15, 16, 17
HB2618	DP	6-0-0-0	18, 19
HB2679	FAILED	1-5-0-0	20, 21
HB2663	HELD		22, 23
HB2739	HELD		24, 25, 26
HB2740	HELD		27, 28

Julie Ryberg, Committee Secretary
February 16, 2024

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

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

Convened 2:18 pm
Adjourned 4:11 pm

REGULAR MEETING AGENDA

COMMITTEE ON REGULATORY AFFAIRS

DATE Wednesday, February 14, 2024 ROOM HHR 5 TIME ~~2:00 PM~~ Upon adjournment of special RA **(note time change)**

Members of the public may access a livestream of the meeting here:
https://www.azleg.gov/videoplayer/?clientID=6361162879&eventID=2024021064

Members:

Representative Crews	Representative Payne	Representative McGarr, Vice-Chairman
Representative Hernandez A	Representative Peña	Representative Hendrix, Chairman

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	Bills		Short Title	Strike Everything Title
4	HB2290	Failed	certificates of operation; interfacility transfers	
			(Kolodin: Jones, Martinez, et al)	
		2-4-0-0	COM w/d, RA, RULES	
6	HB2618	DP	spirituous liquor; DHS; inspection; exemption	
			(Hernandez A: Contreras L, Crews, et al)	
		6-0-0-0	RA, RULES	
	HB2663	Held	homeowners' associations; assessment liens	
			(Carter)	
			RA, RULES	
7	HB2679	Failed	regulation; hemp-derived products.	
			(Payne)	
		1-5-0-0	LARA w/d, RA, RULES	
1	HB2713	DP	transportation network companies; liability	
			(Livingston)	
		6-0-0-0	RA, RULES	

Attachment 1

	Bills		Short Title	Strike Everything Title
3	HB2738	DP	DIFI; title companies; recorded documents (Hendrix)	
		5-0-0-1	COM w/d, RA, RULES	
	HB2739	Held	homeopathic board; repeal (Hendrix: Gillette, Heap, et al)	S/E: naturopathic board; homeopathic board; consolidation
			RA, RULES	
	HB2740	Held	board of dispensing opticians; repeal (Hendrix: Gillette, Heap, et al)	
			RA, RULES	
2	HB2864	DP	cottage food; freeze-dried; preparation (Griffin: Diaz, Dunn)	
		4-1-0-1	RA, RULES	
5	HCR2052	DPA/SE	rulemaking; legislative approval (McGarr: Gillette, Griffin, et al)	S/E: rulemaking; legislative authority
		4-3-0-0	RA, RULES	

ORDER OF BILLS TO BE SET BY THE CHAIRMAN

~~VC~~
~~RA~~
~~VC~~
JB
~~02/08/2024~~
~~02/12/2024~~
02/13/2024

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 Regulatory Affairs (2/14/2024)

HB2290, certificates of operation; interfacility transfers

Testified in support:

Jennifer Carusetta, PHOENIX CHILDREN'S HOSPITAL; Damien Johnson, AZ HOSPITAL & HEALTHCARE ASSN; Jim Adamson, representing self; Aaron Mickelson, representing self; Tom Caretto, PROFESSIONAL FIRE FIGHTERS OF ARIZONA

Testified as opposed:

Meghaen Dell'Artino, HEALTHCARE INNOVATIONS, INC; Jeremy Browning, NORTHERN ARIZONA HEALTHCARE; Todd Jaramillo, representing self

Support:

Stuart Goodman, DIGNITY HEALTH; John MacDonald, MARICOPA COUNTY SPECIAL HEALTHCARE DISTRICT; Julie Graham, representing self; Chris Clark, QUEEN CREEK CHAMBER OF COMMERCE; Richard Sherry, representing self; Ryan Peters, CHANDLER, CITY OF; aaron salvo, representing self; Kelly VanDahm, representing self; Ryan Lee, GLENDALE, CITY OF; Courtney Coolidge, AZ CHAMBER OF COMMERCE; Ginna Carico, GOODYEAR, CITY OF; Hank Roberson, representing self; Brandon Hestand, representing self; Sarah Watts, GILBERT CHAMBER OF COMMERCE; Mackenzie Shane, GREATER PHOENIX CHAMBER OF COMMERCE; Christina Corieri, YUMA REGIONAL MEDICAL CENTER; Haley Rahlf, GOODYEAR, CITY OF; Eric Barkyoumb, representing self; Isabel Booth, representing self; Sara Patterson, representing self; Jackie Malamitsas, representing self; Debra Martell, representing self; Jeffrey Jackson, representing self; jen wong, representing self; Jeremy Murdock, representing self; Sandy Habowski, representing self; Luke Smith, representing self; Shirley Gunther, DIGNITY HEALTH; will humble, AZ PUBLIC HEALTH ASSOCIATION; Meghan McCabe, AZ HOSPITAL & HEALTHCARE ASSN

Oppose:

Emily Ryan, PRIORITY AMBULANCE, LLC; Tom Dorn, AMERICAN MEDICAL RESPONSE, River Medical; John Flynn, AZ FIRE DISTRICT ASSN; Douglas Lowden, NORTHERN ARIZONA HEALTHCARE; Brian Murray, FLAGSTAFF, CITY OF; Vince H. Martinez, representing self

All Comments:

Damien Johnson, AZ HOSPITAL & HEALTHCARE ASSN: I would like to speak in support of the bill on behalf of the Arizona Hospital and Healthcare Association.; Jim Adamson, Self: On behalf of Yuma regional medical center.; John MacDonald, MARICOPA COUNTY SPECIAL HEALTHCARE DISTRICT: Support with committee amendment.; Sarah Watts, GILBERT CHAMBER OF COMMERCE: Quality patient care should remain at the forefront of the conversation, and House Bill 2290 will allow patients to receive proper care in an expeditious manner.; Mackenzie Shane, GREATER PHOENIX CHAMBER OF COMMERCE: Signing in supportive of HB2290 on behalf of the greater phoenix chamber.; Eric Barkyoumb, Self: Please consider passing this legislation for the sake of ensuring timely and efficient medical transportation for patients!; Jackie Malamitsas, Self: AZ is the only state currently with a CON. The CON is detrimental to our patients and communities, as ambulance times continue to be significantly delayed, even in critical instances. This bill is essential in improving our healthcare outcomes.; Jeffrey Jackson, Self: Patients are

waiting hours to be transported to a higher level of care. Insufficient supply of medical transportation are putting patients at risk and limiting access to the appropriate care.; will humble, AZ PUBLIC HEALTH ASSOCIATION: This improves patient care by letting hospital systems transfer patients more quickly so patients get more prompt care. Don't let existing CON holders cry poor - they're compensated handsomely & get automatic rate increases per ARS 36-2234 & 2239!; Meghan McCabe, AZ HOSPITAL & HEALTHCARE ASSN: Happy to answer any questions or address any issues on behalf of our 75+ hospital members statewide.; Jeremy Browning, NORTHERN ARIZONA HEALTHCARE: The amendment language in 36-2248 creates unintended consequences. Removing the 36-2248 language and replacing "MAY, BUT NEED NOT" with "SHALL" in 36-2255 would solve the unintended consequences issue.; Todd Jaramillo, Self: Current process allows for hospitals to apply. This bill doesn't address patient safety, improved patient outcomes, or financial impacts to the healthcare system.; John Flynn, AZ FIRE DISTRICT ASSN: The AFDA is opposed to establishing a separate regulatory process for hospital based ambulance services. All Arizona ambulance services should be regulated under the CON process to ensure fair and equitable treatment for all ambulance services.; Brian Murray, FLAGSTAFF, CITY OF: Flagstaff respectfully requests that the bill be amended to address unintended consequences that could impact northern Arizona.; Vince H. Martinez, Self: This bill has unintended negative consequences for the rural CON providers providing 911 response & non-emergent transports. It allows unfair billing practices, all patients need to be billed as per ADHS BEMSTS set rates. It is a metro urban issue!

HB2618, spirituous liquor; DHS; inspection; exemption

Support:

Rob Fullmer, ARIZONA CRAFT BREWERS GUILD; Todd Baughman, WINE INSTITUTE; Steve Barclay, BEER & WINE DISTRIBUTORS OF ARIZONA; Dan Bogert, AZ RESTAURANT ASSOCIATION; Dr Garrison Ellam, ARIZONA CRAFT PRODUCERS ASSN; Alan Everett, representing self; Kristan Drewes, representing self; Dylan DeMiguel, representing self; Kali Gajewski, representing self; Andrew Bauman, representing self; Adam Wojcik, representing self; Don Isaacson, Arizona Licensed Beverage Association; Marie Isaacson, AZ LICENSED BEVERAGE ASSN; Tom Farley, WINE AND SPIRITS WHOLESALE ASSOCIATION OF ARIZONA

All Comments:

Dr Garrison Ellam, ARIZONA CRAFT PRODUCERS ASSN: This bill makes all non-potentially hazardous beverage alcohol on par and equal to other non-potentially hazardous beverage; Kali Gajewski, Self: Health Department (ADHS) from impacting and permitting beer wine and spirits products that are already permitted by the Federal government and the Department of Liquor and Licensing Control. (AZDLLC) at special events, fairs, and fests.; Andrew Bauman, Self: Already licensed suppliers, distributors and retailers have established protocols for these events. Adding additional licensing and bureaucracy will dissuade vendors from participating in valuable fundraisers for Arizona non-profits.; Adam Wojcik, Self: Adam Wojcik-PHX Beer Co; These events support our industry in promoting and selling our products and charitable organizations through event proceeds. These events are challenged with red tape and increasing resource costs

HB2663, homeowners' associations; assessment liens

Support:

Dennis J Legere, ARIZONA HOMEOWNERS COALITION; Roseanne and Steve Elson, representing self; Kathryn Kendall, representing self; Pierre Desombre, representing self; Tamara Jackson, representing self; Lynne Weaver,

representing self; Fred Fischer, representing self; Tony Velez, representing self; Sean Baguley, representing self; Ron Meyerink, representing self; Kurt Gronlund, representing self; Samuel Paparazzo, representing self; Eva Kuo, representing self; Catherine McGurk, representing self; Douglas Kupel, representing self; Wayne Dwight, representing self; Joyce DeBolt, representing self; Lynda Christner, representing self; Linda Ross, representing self; Margaret Mandell, representing self; Louise Candelaria, representing self; Michael Peters, representing self; Debra Lynn Corey, representing self; Karen Cwiak, representing self; Lisa Marx, representing self; Raymond Wasson, representing self; Kathleen Harden-Wasson, representing self; Thomas Van Dan Elzen, representing self; Kathleen Garing, representing self; Sid Leach, representing self; Mark LaPalm, representing self; John Krahn, representing self; Gloria Leach, representing self; Candace Boening, representing self; Eric Kadel, representing self; DEAN YELENIK, representing self; brenda simon, representing self; CYNTHIA BLACK, representing self; Douglas Simon, representing self; Barbara Kunkel, representing self; Dr. Corinna Saldanha, representing self; Teresa Pinter, representing self; Greg Williams, representing self; Lora Rudolph, representing self; Theresa Kim West, representing self; Rod Lippert, representing self; Stephen Gordon, representing self; Joy LaCombe, representing self; Pamela Maddern, representing self; Barbara Lorraine, representing self; Sharon Johnson, representing self; Denise Priddy, representing self; Nancy Barto, representing self; Corinne Braun, representing self; Margaret Lewis, representing self; Teresa Hosterman, representing self; Clinton Friday, representing self; Doris Montrose, representing self; Carole Gates, representing self; Richard Hosterman, representing self; Gloria Hill Hupe, representing self; Kathy Dehler, representing self; Michael Baldridge, representing self; Laurie Santoro, representing self; Rich Santoro, representing self; Kathy Riazi, representing self; Candra Adams, representing self

Oppose:

Lynelle Glysson, representing self; Jason Smith, representing self; Kevin O'Reilly, representing self; Mary Jo Edel, representing self; Wendy Stofa, representing self; Jenna Perkins, representing self

All Comments:

Dennis J Legere, ARIZONA HOMEOWNERS COALITION: This is vital legislation to clarify and strengthen existing law. It will also end the predatory collection practices employed by HOA attorneys to exploit a perceived loophole in the current law, to prevent homeowners from paying off their debt.; Roseanne and Steve Elson, Self: not in person; Kathryn Kendall, Self: Speak not in person; Pierre Desombre, Self: Not in person.; Tamara Jackson, Self: I will not speak in person to the committee.; Lynne Weaver, Self: Precinct Captain, State Committeeman. Please support this bill in support of Homeowners living in HOAs.; Ron Meyerink, Self: Submitted to emphasize my support.; Eva Kuo, Self: I support HB2663 which clarifies and strengthens existing law; I will not be able to speak in person to the committee.; Greg Williams, Self: We support this bill, but cannot speak in person.; Nancy Barto, Self: Please place on an agenda.; Margaret Lewis, Self: I will not speak in person to the Committee, but I am in favor of HB2663; Doris Montrose, Self: I will not speak in person to the committee.; Candra Adams, Self: I will not speak in person.

HB2679, regulation; hemp-derived products.

Testified in support:

Sully Sullivan, Hemp Industry Trade Association; Steve Cottrell, representing self; Allison Stein, representing self

Testified as opposed:

John Hartsell, representing self; Ryan Hermansky, representing self; Chris Lindsey, representing self; Rachael Ross, representing self; Christopher Hudalla, representing self; Bennie Dimas, representing self; Michael Peyron, representing self

Support:

Rob Fullmer, ARIZONA CRAFT BREWERS GUILD; Kristan Drewes, representing self; Dylan DeMiguel, representing self; Kali Gajewski, representing self; Andrew Bauman, representing self; MItchell Kamp, representing self; Adam Wojcik, representing self; Dan Bogert, AZ RESTAURANT ASSOCIATION

Neutral:

Robert Smook, representing self

Oppose:

ann torrez, Arizona Dispensaries Association; Paulina Villalon, representing self; Nicholas Caronna, representing self; Douglas Cole, COPPERSTATE FARMS; Susan Cannata, AMERICAN ACADEMY OF PEDIATRICS - AZ CHAPTER; Robert Dalager, CURALEAF; Arvin Saloum, representing self; Jennifer Carusetta, PHOENIX CHILDREN'S HOSPITAL; Allison Benedict, representing self; Kassi Kindlesparker, representing self; Tara Brown, representing self; Andrew Bauer, representing self; Tara Brown, representing self; Joseph Suarez, representing self; Tamara Suarez, representing self; Keith Power, representing self; Jack Sternheim, representing self; Courtney Hermansky, representing self; Shawn Falconbridge, representing self; Alison Walsh, representing self; Megan Russell, representing self; Christina Lee, representing self; Arielle Kuritzky-Havens, representing self; Paula Shapiro, representing self; Nicholas Kiminaia, representing self; Maddy Gruber, representing self; Lindsay Stewart, representing self; Gerry Lee, representing self; Lynne Lee, representing self; Ely Ayala, representing self; Abigail Gonzales, representing self; Renault Kassab, representing self; Jessica Kelley, representing self; Chris Lindsey, representing self; Rob Hart, representing self; Ariel Gonzales, representing self; Jeremy Jordan, representing self; Nate Lipton, representing self; stef swiergol, representing self; shawn williams, representing self; melissa bath, representing self; curtis devine, representing self; ali presler, representing self; debbie hunter, representing self; courtney schmerfeld, representing self; melinda mcdonald, representing self; holly alexander, representing self; joanne meaney, representing self; john mcdonald, representing self; alicia paredes, representing self; sarah wheeler, representing self; marie saloum, representing self; carmen toma, representing self; shawna johnson, representing self; jenner ackerman, representing self; michael winn, representing self; amy st.john, representing self; ryan thomas, representing self; dina miller, representing self; barb hansen, representing self; Pete Fischer, Arizona Dispensaries Association; karina aguilar, representing self; carlos soltero, representing self; destiny galindo, representing self; marcus reardon, representing self; ryan tatum, representing self; ana garcia, representing self; chelsea mulligan, representing self; aaron overton, representing self; andy brassington, representing self; mark myer, representing self; pamela epstein, representing self; sarah tram, representing self; antonio lopez, representing self; eugene shapiro, representing self; michael obrien, representing self; heidi cross, representing self; jacob lawson, representing self; jenny maleitzke, representing self; anders mintz, representing self; karen guerrero, representing self; katy vittera, representing self; kate haugh, representing self; sara valencia, representing self; fernando garcia, representing self; kelly tompkins, representing self; tammy stewart, representing self; alexis krisay, representing self; paula shapiro, representing self; josh gile, representing self; justin gilmore, representing self; erin pollinger, representing self; vijay paul, representing self; doug daly, representing self; michelle barragan, representing self; Leah Sigety, representing self; ian krass, representing self; Whitney Allardyce, representing self; John Adams, representing self; William Myer, representing self; Mario Paredes, representing self; Susan Hwang, representing self; Todd Koishigawa, representing self

All Comments:

Steve Cottrell, Self: This product is already tested. Please regulate this and keep it available; Kali Gajewski, Self: I am for allowing Hemp derived products to be created. I am a brewery owner and I believe this will be good for business and my business.; Andrew Bauman, Self: This bill brings reasonable regulation to an unregulated product.

Establishing age requirements and limiting distribution to licensees who have infrastructure and training in place to sell responsibly, makes this a reasonable bill.; Adam Wojcik, Self: Adam Wojcik - PHX Beer Co; We support this bill. Given an ever changing market, AZ craft brewers should have opportunities for additional production options to assist in driving revenue.; Allison Stein, Self: Technology is failing me, I'm with epic policy group representing ARIZONA NORML. Trying to get the glitch worked out sorry.; John Hartsell, Self: Providing experience and expertise regarding safe and compliant packaging for Cannabis and Cannabis-related products.; Rachael Ross, Self: I am a veteran and mother, I want to protect our youth and to protect our health.; Christopher Hudalla, Self: Ph. D. analytical chemist with 35 years of research experience, 10 of which have been focused on cannabis.; Arvin Saloum, Self: Hemp should be regulated w adult use marijuana; John Adams, Self: It will cost the State millions of dollars in tax revenue. It will b sold on every street corner, it will allow non Arizona products to enter the Arizona Market place. it does not benefit anyone other than a small group or retailers; William Myer, Self: I am against HB2679.

HB2713, transportation network companies; liability

Testified in support:

Kelsey Lundy, LYFT; Francisco Avalos, representing self

Testified as opposed:

Barry M. Aarons, AZ TRIAL LAWYERS ASSOCIATION

Oppose:

Janice Goldstein, Arizona Trial Lawyers Association; Claire Bickel, representing self

HB2738, DIFI; title companies; recorded documents

Support:

Matt Contorelli, Arizona Association Of Realtors

Oppose:

Connie Martin, representing self; Teri Grunewald, representing self; Peter Asencio, representing self; Susan Garvey, representing self; Lauren King, LAND TITLE ASSOCIATION OF ARIZONA (LTAA)

All Comments:

Peter Asencio, Self: I am a PC, Husband, Father.; Lauren King, LAND TITLE ASSOCIATION OF ARIZONA (LTAA): The LTAA opposes the bill in its current form but is in agreement with the bill sponsor on legislative intent. We look forward to working together on an amendment that addresses our concerns.

HB2739, homeopathic board; repeal

Support:

Kenneth Bierman, representing self; Kathleen Pettycrew, representing self; James Scheid, representing self; Sharon Lee, representing self; Martha O'Connor, representing self; Kathleen Dubbs, representing self; Marie Thearle, representing self; Nancy Lecrone Nonini, representing self; Greg Parsons, representing self

Neutral:

David Geriminsky, representing self

Oppose:

Catherine Niemiec, President PIHMA Acupuncture College, representing self; Gayle Baingo, representing self; Justine Case, representing self; Cindy Nablo, representing self; Shannon Whiteaker, Envita Medical Centers; Shawn Centers MD(H), representing self; Barbro Checkett, representing self; Dianne Post, representing self; Warren Woodward, representing self; Kendra Schaner, representing self; Michelle Dillard, representing self; Ann Dermanelian, representing self; Carol Cherry, representing self; Veronica Empringham, representing self; Jessica Luna, representing self; Charmaine Roth, representing self; Diane Spence, representing self; Melanie Adams, representing self; Alison Klotnia, representing self; Darla Kissling, representing self; Mary Ann Johnston, representing self; Vickie Parks, representing self; Patricia Lowman, representing self; Janet Louchheim, representing self; Rachel Walden, representing self; Jennifer Rydzewski, representing self; Aaron Strassberg, representing self; Dennis Morey, representing self; Jacqueline Quinn, representing self; Ursula Conway, representing self; Michelle Verna, representing self; Teresa Malo, representing self; Deborah McDermott, representing self; Doris Mills, representing self; Lois Shugarr, representing self; Theresa Breithaupt, representing self; Karen Sherrell, representing self; Kelly Meixler, representing self; April Havey, representing self; Jennifer Centers, representing self; Lisa Platt, representing self; Jan Krygier, representing self; Shannon Whiteaker, Phoenix Institute Of Herbal Medicine & Acupuncture (PIHMA), College & Clinic.; Nicole Hightower, representing self; Callie Jones, representing self

All Comments:

Greg Parsons, Self: Snake oils do not work.; Catherine Niemiec, President PIHMA Acupuncture College, Self: As President of the American Medical College of Homeopathy located here in Phoenix, we oppose repeal of the board due to public safety to ensure standards of safe practice and training, as well as regulation of medical professionals.; Gayle Baingo, Self: I urge you to vote NO on HB2739. I am against HB2739.; Justine Case, Self: Citizens need to have a choice in their medical care. Repealing the Homeopathic Board will negatively impact the availability of integrative and natural medicines in our State. Please do not assist Big Pharma in removing all of our choices.; Cindy Nablo, Self: Please vote against this to maintain health freedom and choices.; Shannon Whiteaker, Envita Medical Centers: N/A; Warren Woodward, Self: Arizona is a beacon for those seeking holistic healing practices, attracting people from across the nation. This not only supports individuals' health journeys but also contributes significantly to our economy. Who benefits then from HB2739?; Melanie Adams, Self: Patients should be able to explore all aspects of medical care as a right to medical freedom. Basic standards of practice regarding patient care is important for medical safety.; Darla Kissling, Self: Please leave this board alone.; Mary Ann Johnston, Self: My body, My Choice. Not everybody is on board with Western Medicine.; Vickie Parks, Self: Please support an individuals right to their own health decisions and support integrative medicine!!; Jennifer Rydzewski, Self: My Body, My Choice! Stop interfering with how and what medical services people choose. This is AMERICA and EVERYONE has the right to choose what works for THEM! Medicine is NOT a ONE-SIZE-FITS-ALL.; Aaron Strassberg, Self: We need options and big pharma and their murderous ways needs way more accountability...also, 1 day, 1 vote, no machines and precinct voting is needed with restricted mail in ballots. God bless; Dennis Morey, Self: Please support integrative medicine and vote NO on HB2739; Jacqueline Quinn, Self: This is another way to remove options and freedoms for legal residents of Arizona and we can all see that; Michelle Verna, Self: I; Teresa Malo, Self: Please hold until we have more carefully reviewed.; Deborah McDermott, Self: This bill will restrict medical freedom and options for people who are ill and need help. Please vote against this bill.; Theresa Breithaupt, Self: Arizona is a beacon for those seeking holistic and alternative care and it contributes significantly to our local economy and the state's revenue. The question arises: who stands to benefit from challenging valuable

board? NO to HB2739; Karen Sherrell, Self: AZ is a beacon for those seeking holistic and alternative healing practices, attracting individuals from across the nation. This not only supports individuals' health journeys but also contributes significantly to our local economy and state revenue; Lisa Platt, Self: N/A; Jan Krygier, Self: Homeopathy is an important part of good health for many. It deserves to be acknowledged as such. Repealing the Board is a first step toward repealing homeopathy in AZ.; Shannon Whiteaker, Phoenix Institute Of Herbal Medicine & Acupuncture (PIHMA), College & Clinic.: N/A; David Geriminsky, Self: Executive Director of Homeopathy Board

HB2740, board of dispensing opticians; repeal

Oppose:

Don Isaacson, Arizona Optometric Association; Dale Nyblade, representing self; Suzanne Coleman, representing self; Megan Darian, representing self; Marie Isaacson, AZ OPTOMETRIC ASSN; Lucinda Horta, representing self; Terry Brown, representing self; Sheri Mayes, representing self; Michael Oppat, representing self; Claire Bickel, representing self; James McClafferty, representing self; Catherine Peterson, representing self; Vittoria Giovannucci, representing self; Lori Scott, representing self

All Comments:

Suzanne Coleman, Self: Opticians have been licensed in Arizona for decades because the state decided back in 1956 that they are better served when opticians are both educated and licensed. Arizonans are better protected by competent opticians providing quality eyewear.; Terry Brown, Self: VP of Operations for Optometrist and wish to speak to the importance of the Dispensing Optician; Lori Scott, Self: Opticians make glasses and/or dispense contacts to citizens of Arizona. They need to be licensed to ensure they are proficient in what they do. It is a safety issue for consumers.

HB2864, cottage food; freeze-dried; preparation

Support:

Dr Garrison Ellam, representing self; Peter Faur, representing self

All Comments:

Dr Garrison Ellam, Self: Fully support

HCR2052, rulemaking; legislative approval

Support:

Imma B Laffin, representing self; Connie Martin, representing self; Sue Unverricht, representing self; Teri Grunewald, representing self; Peter Asencio, representing self; Susan Garvey, representing self

Oppose:

Joan Murphy, representing self; Sandy Bahr, Sierra Club - Grand Canyon Chapter; kathleen mayer, representing self; Dave Long, representing self; Janie Hydrick, representing self; Jeanne Devine, representing self; Pat VanMaanen, representing self; Steve Ramos, representing self; Judith Simons, representing self; Mary Pradelt,

representing self; Judith K. Moll, representing self; Barbara Warren, representing self; Janet Larkin, representing self; Sandra Kravetz, representing self; Steven Linder, representing self; Marguerite Chaikin, representing self; Rebecca Smith Gross, representing self; Judith Robbins, representing self; Peggie Jo Vincent, representing self; marilyn duerbeck, representing self; Maria Salvucci, representing self; Kevin Brown, representing self; Beverly Janowitz-Price, representing self; Eve Shapiro, representing self; Jeanne Casteen, representing self; Kenneth Bierman, representing self; Susan Doherty, representing self; Beatriz Urrea, representing self; Alisa McMahon, representing self; Michael Fiflis, representing self; Raquel Mamani, representing self; Karen Syversen, representing self; Wes Oswald, representing self; Sallie Kladnik, representing self; Christina Mollica, representing self; Sandra Weir, representing self; Dianne Post, AZ NATIONAL ORGANIZATION FOR WOMEN (NOW), Self; Cynthia Couture, representing self; Carol Maas, representing self; Sherrilynn James, representing self; Kathleen Pettycrew, representing self; Donita Ramos, representing self; Meg Weesner, representing self; James Scheid, representing self; Daniella Smith, Arizona Coalition For Working Families; Bryna Koch, representing self; Helen Kim, representing self; Nicky Indicavitch, representing self; Catherine Sigmon, representing self; Sharon Kirsch, representing self; Katherine Doman Sheydayi, representing self; Elizabeth Schauer, representing self; Elizabeth Goff, representing self; Gail Kamaras, representing self; Charlie Silver, representing self; Cynthia Hans, representing self; Robert Stansfield, representing self; Becky Sayler, representing self; Susan Morris, representing self; Brent Gibbs, representing self; Jim Moran, representing self; Kathy Fraser, representing self; marcia stewart, representing self; Sharon Lee, representing self; Kathleen Dubbs, representing self; Charlene Hoffman, representing self; Jana Segal, representing self; Daniel Stormont, representing self; Regina Pennington, representing self; Liana Moran, representing self; Kimberlee McClure, representing self; Theresa Paszkiewicz, representing self; Jacqueline deSa, representing self; Linda Gross, representing self; Beth Lewis, SAVE OUR SCHOOLS ARIZONA, Self; Penny Boone, representing self; Donna Walkuski, representing self; Nelson Morgan, representing self; Linda Edwards, representing self; Marilyn Murov, representing self; Robert Larson, representing self; Steve Gorman-Hackstadt, representing self; Valerie Policastro Edie, representing self; Claire Bickel, representing self; Sherman Dorn, representing self; Jennifer Dawson, representing self; Linda Ekstrum, representing self; Jo Ann Caruthers, representing self; Annarose Lilly, representing self; Mariann Leahy, representing self; Melissa Galarza, representing self; Frederick James, representing self; Marilynn Steffen, representing self; Cynthia Wagner, representing self; Mary Nelson, representing self; David Myers, representing self; Teresa Kelleher, representing self; Robert Fisher, representing self; Kathleen Butler, representing self; Eric Harris, representing self; Karolyn Switzer, representing self; Heather Gookin, representing self; Carly Mahlmeister, representing self; Kathryn Pensinger, representing self; William S. James, representing self; Jerrold Borchardt, representing self; joan hall, representing self; Lucy Marshall, representing self; Nancy Hancock, representing self; Linda Block, representing self; Christopher Cerrato, representing self; Margaret Adams , representing self; Margaret Lacey, representing self; Gary Rulapaugh, representing self; Barbara Larson, representing self; Julian Donahue, representing self; leadawn anderton, representing self; Marcia Tingley, representing self; Rebecca Haynes, representing self; Kathy Pyner, representing self; ALICE BUCK, representing self; Laurie Munn, representing self; Margaret Tinsley, representing self; Kari Hull, representing self; Stephen Coyle, representing self; Jennifer Jones, representing self; Murdock Holloway, representing self; Emily Norton, representing self; Paula Feely, representing self; Jill Anderson, representing self; Marie Thearle, representing self; Marilyn Coyle, representing self; Alexandra Dubois, representing self; Linda Paul, representing self; Loretta O'Connor, representing self; Donna Corbin, representing self; Martha O'Connor, representing self; Diane Klock, representing self; Leslie Stallcop, representing self; John Propster, representing self; Kathy Boltz, representing self; Heather Schlemmer, representing self; Ruth Shea, representing self; Kathleen Schanus-Gohl, representing self; Janice Dwosh, representing self; Dee Maitland, representing self; William Bowlus-Root, representing self; Jackie Rich, representing self; Leda DeVlieger, representing self; Karen Gresham, representing self; Julie Golding, representing self; Bonnie Oakes, representing self; Charlotte Lis, representing self; jeff green, representing self; Christine Keitges, representing self; Jeri Dow, representing self; Melinda Iyer, SAVE

OUR SCHOOLS ARIZONA, Self; Nancy Lecrone Nonini, representing self; Kirstin Woodburne, representing self; Martin Grossman, representing self; Paula Kaper, representing self; Alicia Lucas, representing self; Erica Hansen, representing self; Rebecca Olsen McHood, representing self; Mary Santy, representing self; Marilyn Childs, representing self; Dorothy Reed-Inman, representing self; Mariette Francis, representing self; Joseph Alexander, representing self; Carol Garnett, representing self; William Yohey, representing self; Janet Senf, representing self; Alexei Sheydayl, representing self; Michael Pyska, representing self; Janet Johnson, representing self; Francis Glad, representing self; Saher Afzal, representing self; Alicia Vaughan, representing self; RITA DEPUYDT, representing self; Margaret Winchell, representing self; Shelley Stephenson, representing self; Rachael Clawson, representing self; Shelly Gordon-Gray, representing self; Kathryn Anderson, representing self; Matthew Nelson, representing self; Larry Scoufos, representing self; Gary Townsend, representing self; Monica Bills, representing self; Gayle Meredith, representing self; Lawrence Peters, representing self; Marilyn Rodriguez, Rural Arizona Action (RAZA); Diane McQueen, representing self; Aaron Torrance, representing self; Nicole Fordey, representing self; Lisa Calderon, representing self; April Beauboeuf, representing self; Eric Kadel, representing self; Tre Byrd, representing self; Jeanne Hardie, representing self; Gary Beverly, representing self; Sarah Bihms LD29, representing self; Ron Brinkman, representing self; Larry Thomas, representing self; Katharine Donahue, representing self; Elissa Karn, representing self; Nancy Pemberton, representing self; Susan Heck, representing self; Janie Smieszek, representing self; Barbara Jones, representing self; Nancee K Wood, representing self; Carol Stolte, representing self; Greg Parsons, representing self; Lois Hansen, representing self; Sharon Arnst, representing self; Pamela Chittenden, representing self; JOHN FIENE, representing self; Carol Campbell, representing self; Rebecca Shook, representing self; Sundrop Carter, representing self; George Ehrlich, representing self; Sheila Green, representing self; Sharon Ehrlich, representing self; Kathleen Woessner, representing self; Aaron Essif, representing self; Cassio Saverino, representing self; Stevan Mrdalj, representing self; Nevena Mrdalj, representing self; Leslie Hanson, representing self; Evan Deaubl, representing self; Jessica Ebel, representing self; Andrea Golfen, representing self; Don Howard, representing self; Connie Cockrell, representing self; Julie Bufkin, representing self; Valarie Bryant, representing self; Salie Travis, representing self; Joan Doherty, representing self; Devon Sloan, representing self; Lisa Koenig, representing self; Patricia Moran, representing self; Douglas Cain, representing self; Peggy Church, representing self; Nadya Laliberte, representing self; Rivko Knox, representing self; Alondra Morales Sanchez, representing self; Alison Danis, representing self; Joan Rost, representing self; Hazel Heinzer, representing self; Kathryn Dorn, representing self; Beth Ballmann, representing self; Salil Deshpande, representing self

All Comments:

Sue Unverricht, Self: Authority and responsibility for law should remain with elected officials - not un-elected bureaucrats. Rules must be authorized and approved by elected officials.; Peter Asencio, Self: I am a PC, Husband, Father.; Joan Murphy, Self: stop trying to micro-manage! Remember separation of powers???; kathleen mayer, Self: this is ridiculous - way to grind the executive agencies to a halt, which i assume is the intent. also it violates Separation of Powers; Jeanne Devine, Self: Maintain separation of powers.; Pat VanMaanen, Self: No to striker; Marguerite Chaikin, Self: We have state agencies for a reason- mainly to provide the expertise needed to run programs and evaluate results. Rule making is an essential part of this government practice. Please don't mimic meaningless national fear based legislation in Az.; Judith Robbins, Self: Do not micro-manage state agencies with legislators who are not experts in the fields. This bill would bog down our state agencies from effectively doing their work. Vote NO; Alisa McMahon, Self: Stay in your lane. We have three branches of government for a reason.; Michael Fiflis, Self: This bill would create enormous red tape and prevent the government from doing its jobs.; James Scheid, Self: Vote NO. Moving to clean energy is good for the environment and the future of you kids and grandkids. Arizona is having hotter summers are hotter than when I first moved here 22 years ago.; Gail Kamaras, Self: Regulatory agencies and staff have the expertise that the legislature obviously lacks; Kathleen Dubbs, Self: Legislative overreach!; Jana Segal, Self: This is a separation of powers issue. The people elected the Governor, not

the legislature to do this rule-making.; Daniel Stormont, Self: If every agency rule has to go through the legislature, even for emergency rules, nothing will ever get implemented. This adds unnecessary bureaucracy in an obvious attempt to prevent agencies like ADWR and ADEQ from making rules.; Penny Boone, Self: NO. This absurd overreach would prevent our state agencies from effectively doing their jobs; Nelson Morgan, Self: State agencies are there for a reason. They shouldn't be hamstrung in their basic operations.; Linda Edwards, Self: Too much bureaucracy and meddling.; Jo Ann Caruthers, Self: Separation of powers issue.; Cynthia Wagner, Self: Please present something meaningful that actually has an affect on AZ Citizens; David Myers, Self: Let the agencies do their jobs. Don't micromanage.; Karolyn Switzer, Self: This bill would really gum up the works for state agencies -- or is that the plan?; Marcia Tingley, Self: Would prevent state agencies from doing their jobs. This has no place in the state constitution.; Rebecca Haynes, Self: This absurd overreach would prevent our state agencies from effectively doing their jobs.; Margaret Tinsley, Self: This is overreach into an executive function. Please vote no.; Jennifer Jones, Self: State agencies are put in place to represent what is best for Arizonans. Let them do their jobs!; Linda Paul, Self: The legislature has more important issues than meddling in agency business.; Donna Corbin, Self: Did someone say, power grab? Stay out of agency rule making and allow state agencies to do their jobs.; Jackie Rich, Self: Separation of powers. The Executive Branch makes the rules, the Legislature makes the laws.; Melinda Iyer, SAVE OUR SCHOOLS ARIZONA, Self: absurd overreach would prevent our state agencies from effectively doing their jobs.; Kirstin Woodburne, Self: This is an absurd overreach that would prevent our state agencies from effectively doing their jobs.; Rebecca Olsen McHood, Self: You all can't even do your assigned jobs at the capitol. Stop trying to usurp power from other agencies.; Carol Garnett, Self: This is just a power grab. Allow the agencies to do their job.; William Yohey, Self: Work on bills that matter. The legislature does note to be reviewing agencies rules.; Lawrence Peters, Self: Legislative overreach. R Big Brother government intrusion into the functioning of state agencies. Waste of lawmaker time. R lawmakers should spend their time dealing with AZ water crisis and fixing their $1 billion budget.; Diane McQueen, Self: This is a backhanded way of trying to eliminate parts of the Voters Right to Know law.; Gary Beverly, Self: No to power grab by legislature.; Sarah Bihms LD29, Self: Reject HCR2052 for its legislative overreach into agency rulemaking, hindering state agencies' ability to function efficiently and effectively.; Katharine Donahue, Self: No more. Do your own work; Susan Heck, Self: Leg. overreach. Find a different issue that affects real Arizonans and work to fix that. Giving schools more money would help. I live in LD17.; Carol Stolte, Self: PREVENTS AGENCIES FROM DOING THEIR JOBS EFFICIENTLY; Greg Parsons, Self: Separation of powers violation to start with, but clearly a way to prevent moving to clean energy or any other thing good for the planet.; Lois Hansen, Self: This is government overreach and would prevent our state agencies from effectively doing their jobs; Pamela Chittenden, Self: I'm pretty sure that legislators are not experts in many agencies; JOHN FIENE, Self: This is absolutely absurd. The agencies have the expertise to create their own rules. Given the caliber of the bills I have seen go to committee this session, I can only imagine what such scrutiny would bring. LD1 voter; Connie Cockrell, Self: terrible idea.; Salie Travis, Self: State agencies need to do their jobs!; Joan Doherty, Self: Oppose; Rivko Knox, Self: The Legislature passes laws; state agencies enforce such by adopting rules, that allow for public comment. Inserting the Leg. into rule making is inappropriate & unworkable!!!; Kathryn Dorn, Self: Since the Legislature can't even always get its act together in time to pass its own budget within a normal-length session, NO, I do not want the Legislature to block each and every agency rule via sheer inaction!; Salil Deshpande, Self: This violates the separation of powers between the executive and legislative branches. It is purely a partisan bill meant to hamstring a Democratic governor. It would make our state government even more bureaucratic.

ARIZONA STATE LEGISLATURE

Fifty-sixth Legislature - Second Regular Session

COMMITTEE ATTENDANCE RECORD

COMMITTEE ON **REGULATORY AFFAIRS**

CHAIRMAN: Laurin Hendrix VICE-CHAIRMAN: Cory McGarr

	DATE	02/14/24	/24	/24	/24	/24
	CONVENED	2:38 pm	m	m	m	m
	RECESSED					
	RECONVENED					
	ADJOURNED	4:11pm				
MEMBERS						
Crews		✓				
Hernandez A		✓				
Payne		✓				
Peña		✓				
McGarr, Vice-Chairman		✓				
Hendrix, Chairman		✓				

√ Present --- Absent exc Excused

Attachment 3

ARIZONA HOUSE OF REPRESENTATIVES

Fifty-sixth Legislature
Second Regular Session

HB 2713: transportation network companies; liability
Sponsor: Representative Livingston, LD 28
Committee on Regulatory Affairs

Overview

Specifies that a *transportation network company* (Network Company) is not liable for any property damage, personal injury or wrongful death caused by a *transportation network driver* (Network Driver) if certain criteria is met.

History

Statute defines Network Company as an entity that uses a digital network or software application to connect passengers to transportation network services provided by company drivers using vehicles of which the company does not own (A.R.S. § 28-9551). Statute outlines the motor vehicle liability coverage for Network Drivers and taxi, livery or limousine drivers that have accepted a ride request and are providing transportation to a passenger as:

1) primary commercial motor vehicle liability insurance covering a minimum of $250,000 per incident; and
2) primary commercial uninsured motorist coverage of a minimum of $250,000 per incident.

Network Drivers must always carry proof of insurance while logged into the Network Company's digital network and taxi, livery and limo drivers must carry proof of insurance at all times while providing transportation services (A.R.S. §§ 28-4038, 28-4039).

Provisions

1. Stipulates that a Network Company is not liable for personal injury, property damage or wrongful death from owning, operating or maintaining a digital network or software due to a Network Driver being logged into the digital network if the Network Company:
   a. is not negligent or acting in a criminal fashion;
   b. fulfilled its obligations to the Network Driver; and
   c. does not own or is not the custodian of the transportation network company vehicle.

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

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

ROLL CALL VOTE

COMMITTEE ON Regulatory Affairs BILL NO. HB 2713

DATE February 14, 2024 MOTION: DP

	PASS	AYE	NAY	PRESENT	ABSENT
Crews		✓			
Hernandez A		✓			
Payne		✓			
Peña		✓			
McGarr, Vice-Chairman		✓			
Hendrix, Chairman		✓			
		6	0	0	0

APPROVED:

LAURIN HENDRIX, Chairman
CORY MCGARR, Vice-Chairman

COMMITTEE SECRETARY

ATTACHMENT 5

ARIZONA HOUSE OF REPRESENTATIVES

Fifty-sixth Legislature
Second Regular Session

HB 2864: cottage food; freeze-dried; preparation
Sponsor: Representative Griffin, LD 19
Committee on Regulatory Affairs

Overview

Adds freeze-dried fruits and vegetables to the list of acceptable *cottage food products*.

History

Statute requires the Director of the Department of Health Services (DHS) to adopt rules for the regulation and oversight of food and drinks sold at retail, including standards for producing, labeling, serving and transporting food products. State laws and rules also prescribe requirements for food preparers, including training courses, certification and registration with an online DHS registry. Rules prescribe sanitary conditions for warehouses, restaurants and other premises, including trucks or vehicles where food or drink is produced, stored, served or transported. State law exempts food and drink served at noncommercial social events such as potlucks, home cooking schools and cottage food products.

Cottage food products prepared in a home kitchen may be offered for commercial sale if the products are not potentially hazardous and do not require time and temperature control for food safety. Approved foods in the *cottage food products* category include cakes, cookies, breads, jams and jellies made from allowable fruits. Products must be packaged at home and include an attached label that clearly identifies the name/registration number of the food preparer. list of ingredients and a disclosure statement about the home kitchen and possible allergens. (A.R.S. § 36-136).

Provisions

1. Adds precut and processed freeze-dried fruits and vegetables to the list of *cottage food products* that do not need time or temperature control and are not potentially hazardous. (Sec. 1)
2. Makes technical changes. (Sec. 1)

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

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

ROLL CALL VOTE

COMMITTEE ON Regulatory Affairs BILL NO. HB 2864

DATE February 14, 2024 MOTION: DP

	PASS	AYE	NAY	PRESENT	ABSENT
Crews			✓		
Hernandez A					✓
Payne		✓			
Peña		✓			
McGarr, Vice-Chairman		✓			
Hendrix, Chairman		✓			
		4	1	0	1

Julia Ryle
COMMITTEE SECRETARY

APPROVED:

LAURIN HENDRIX, Chairman
CORY MCGARR, Vice-Chairman

ATTACHMENT 7

To who it may concern

1-30-24

My name is Alexandria Rhodes, I live in Safford Arizona and I am the Proud owner of Space Snacks Freeze Dried Treats. I wanted to talk to you about an exciting opportunity to support local businesses and promote healthier choices at vendor events in Arizona.

Currently, Arizona's cottage laws allow the sale of freeze-dried fruits and vegetables, but there are some major limitations. These laws only permit the sale of whole freeze-dried products and prohibit any pre-cut or processed options. All Fruits and vegetables need to be cut up in order to be freeze dried properly.

I believe it's time to revisit and update these laws to better serve our community. By expanding the cottage law to include pre-cut and processed freeze-dried fruits and vegetables, we can offer a wider variety of nutritious options at vendor events. This change would not only benefit health-conscious individuals but also support local businesses like mine, Space Snacks.

Freeze-drying is an innovative preservation method that removes moisture from fruits and vegetables while preserving their natural flavors and nutrients. By allowing vendors to sell pre-cut and processed freeze-dried products, we can provide convenient and delicious snacks that cater to the diverse tastes and dietary preferences of event-goers. Other states have embraced a more open approach and allow the sale of freeze dried products without the same restrictions we have here in Arizona. By aligning our laws with these progressive states, (Iowa, Hawaii) we can attract more businesses, create jobs, and provide consumers with a wider range of healthy and convenient options. Let's seize this opportunity to make Arizona a leader in supporting small businesses and promoting nutritious choices. Thank you for considering this important change!

Thank you for your time and consideration. I truly appreciate your commitment to supporting local businesses and promoting healthier choices in our ocommunity.

Warm regards,

Alexandria Rhodes

Alexandria Rhodes

SPACE SNACKS
Freeze Dried
Sweets

Attachment 8

ARIZONA HOUSE OF REPRESENTATIVES

Fifty-sixth Legislature
Second Regular Session

HB 2738: DIFI; title companies; recorded documents
Sponsor: Representative Hendrix, LD 14
Committee on Regulatory Affairs

Overview

Prescribes the responsibility of the title insurance agent and the title insurer as it relates to recorded documents.

History

The Arizona Department of Insurance and Financial Institutions (DIFI) licenses and regulates the title insurance industry as part of its duties. DIFI stipulates that a business enterprise must be formed as a corporation or limited liability company and must be licensed in Arizona to solicit business, collect premiums or countersign policies on a title insurer's behalf. Additionally, a title insurance agent is a stock corporation or limited liability company authorized by a title insurer to solicit insurance and collect premiums for insurance that covers owners of real property or others with interest in the real property against loss or damage suffered by liens, encumbrances, defects or unmarketability of the title to the property (A.R.S. § 20-1562).

Provisions

1. States that a *title insurance agent* is solely responsible for all recorded documents related to a property transaction. (Sec. 1)
2. Prohibits a *title insurer* from entering into any agreement with an insurance applicant, owner or occupant of real property for which insurance has already been or may be issued in the future, to do any of the following as it relates to the real property:
   a) make any warranties about the existence or validity of recorded documents;
   b) warrant the accuracy of any abstract of title;
   c) confirm that any *preliminary report, commitment or binder* is an accurate or complete list of recorded documents affecting the real property;
   d) insure, guarantee or indemnify the title insurer against loss or damage as outlined;
   e) guarantee the correctness of searches relating to the real property title. (Sec. 2)
3. Stipulates that a *title insurer* who violates the provisions of this bill is liable for reasonable attorney's fees in any court action or arbitration proceeding. (Sec. 2)
4. Specifies that an agreement obtained in violation of these provisions is deemed to be against public policy and is void and unenforceable. (Sec. 2)
5. Makes technical changes. (Sec. 1, 2)

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

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

ROLL CALL VOTE

COMMITTEE ON Regulatory Affairs BILL NO. HB 2738

DATE February 14, 2024 MOTION: DP

	PASS	AYE	NAY	PRESENT	ABSENT
Crews		✓			
Hernandez A					✓
Payne		✓			
Peña		✓			
McGarr, Vice-Chairman		✓			
Hendrix, Chairman		✓			
		5	0	0	1

Julie Ryan
COMMITTEE SECRETARY

APPROVED:

LAURIN HENDRIX, Chairman
CORY MCGARR, Vice-Chairman

ATTACHMENT 10

ARIZONA HOUSE OF REPRESENTATIVES

Fifty-sixth Legislature
Second Regular Session

HB 2290: certificates of operation; interfacility transfers
Sponsor: Representative Kolodin, LD 3
Committee on Regulatory Affairs

Overview

Authorizes *Certificates of Operation* to operate an ambulance service to facilitate the interfacility transport of patients.

History

The DHS Director is authorized to adopt reasonable medical equipment, supply, staffing and safety standards, criteria and procedures to issue a certificate of necessity (CON) to operate an ambulance. These standards, criteria and procedures must require that an ambulance providing interfacility transportation or serving a rural or wilderness CON area with a population of less than 10,000 individuals have at least one ambulance attendant who is an EMT, a licensed physician or professional nurse, as well as one who is either an EMT or emergency medical responder while transporting a patient (A.R.S. § 36-2202).

Statute defines an ambulance as any publicly or privately owned surface, water or air vehicle, including a helicopter, that contains a stretcher and necessary medical equipment and supplies that is constructed or modified and equipped to be used primarily for the transport of individuals who are sick, injured, wounded or who require medical monitoring or aid.

An ambulance attendant means any of the following: 1) an EMT, advanced EMT or a paramedic whose primary responsibility is the care of patients in an ambulance; 2) an emergency medical responder who is employed by an ambulance operating service; 3) a licensed medical doctor or osteopathic physician; or 4) a licensed professional nurse who meets the Arizona State Board of Nursing criteria to care for patients in the prehospital care system or whose primary responsibility is the care of patients in an ambulance during an interfacility transport (A.R.S. § 36-2201).

Provisions

Certificate of Operation (Sec. 3)

1. States that an eligible entity must apply to DHS for a Certificate of Operation to operate an ambulance service to provide interfacility transports in Arizona.
2. Permits an eligible entity to operate an ambulance service directly or through a service contract with a registered service provider.
3. Allows Certificate of Operation holders to bill for services according to the rate or charge approved by the DHS director.

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

4. Requires Certificate of Operation holders to abide by the certificate of registration statutory requirements. (Sec. 3)
5. Exempts the Certificate of Operation holders from CON statutory requirements. (Sec. 3)
6. Outlines the requirements that must be met for the DHS director to issue a Certificate of Operation to an eligible entity within 45 days after receiving an application.
7. Grants the Certificate of Operation if the DHS director fails to make a determination regarding the application within 60 calendar days after receiving the application.
8. Makes the initial Certificate of Operation valid for one year.
9. Requires, within 90 days before expiration, the DHS director to renew the Certificate of Operation for three years if the holder meets all statutory requirements.

Insurance and Financial Responsibility (Sec. 3)

10. Requires a Certificate of Insurance filing or other evidence of financial responsibility equal to that required for a CON.
11. Directs the liability insurance to bind the insurer to pay compensation for injuries to persons for loss or damage to property resulting from the negligent operation of the ambulance service.
12. Authorizes the DHS director to revoke the Certificate of Operation for any entity that fails to comply with the statutory requirements.

Amended Certificates of Operation (Sec. 3)

13. Requires written notice to DHS at least 30 days before an eligible entity holding a Certificate of Operation changes its legal name.
14. Directs DHS to include the name change in an amended Certificate of Operation within 30 days after receiving the notice but to retain the original expiration date.

Miscellaneous

15. Assesses fees for the *Certificate of Operation* that are equivalent to those to obtain a CON. (Sec. 2)
16. Defines pertinent terms. (Sec. 1)

Fifty-sixth Legislature
Second Regular Session

Regulatory Affairs
H.B. 2290

PROPOSED

HOUSE OF REPRESENTATIVES AMENDMENTS TO H.B. 2290

(Reference to printed bill)

Page 3, line 8, after "HOSPITAL" insert "OR, NOTWITHSTANDING SECTION 48-5541.01, SUBSECTION I, A SPECIAL HEALTH CARE DISTRICT ORGANIZED PURSUANT TO TITLE 48, CHAPTER 31"

Page 4, line 14, after the second quotation mark insert ":

(a)"; strike "AN" insert "A GROUND"

Between lines 15 and 16, insert:

"(b) DOES NOT INCLUDE AN AIR AMBULANCE TRANSPORT."

Page 6, between lines 2 and 3, insert:

"Sec. 3. Title 36, chapter 21.1, article 2, Arizona Revised Statutes, is amended by adding section 36-2248, to read:

36-2248. Interfacility transport; determination; insurance status; prohibition

THE DETERMINATION BY A CERTIFICATE OF NECESSITY OR CERTIFICATE OF OPERATION HOLDER OF WHETHER TO PROVIDE AN INTERFACILITY TRANSPORT FOR A PATIENT MAY NOT BE MADE BASED ON THE PATIENT'S INSURANCE STATUS."

Renumber to conform

Line 31, strike "36-2257" insert "36-2258"

Between lines 41 and 42, insert:

"36-2257. Interfacility transports; requirements; documentation

AN ELIGIBLE ENTITY THAT HOLDS A CERTIFICATE OF OPERATION AND THAT IS TRANSFERRING A PATIENT TO ANOTHER HEALTH CARE INSTITUTION THAT DOES NOT HAVE THE SAME DIRECT OWNER OR INDIRECT OWNER SHALL FIRST CALL THE CERTIFICATE OF NECESSITY HOLDER BEFORE TRANSPORTING THE PATIENT. IF THE

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

Attachment 12

CERTIFICATE OF NECESSITY HOLDER IS UNABLE TO PROVIDE THE INTERFACILITY TRANSPORT EITHER WITHIN THE TIME FRAME IN WHICH THE AMBULANCE IS NEEDED AS DETERMINED BY THE PATIENT'S TREATING MEDICAL PROVIDER OR WITH THE MEDICAL EQUIPMENT AND TRAINED PERSONNEL NECESSARY TO TRANSFER THE PATIENT SAFELY AS DETERMINED BY THE PATIENT'S TREATING MEDICAL PROVIDER, THE CERTIFICATE OF OPERATION HOLDER MAY TRANSPORT THE PATIENT TO THE OTHER HEALTH CARE INSTITUTION. THE TRANSFERRING HEALTH CARE INSTITUTION SHALL DOCUMENT THE REQUIRED CALL TO THE CERTIFICATE OF NECESSITY HOLDER UNDER THIS SECTION."

Page 6, line 42, strike "36-2257" insert "36-2258"

Page 7, line 9, strike "36-2258" insert "36-2259"

Amend title to conform

LAURIN HENDRIX

2290HENDRIX.docx
02/13/2024
10:35 AM
C: MH

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

ROLL CALL VOTE

COMMITTEE ON Regulatory Affairs BILL NO. HB 2290

DATE February 14, 2024 MOTION: Failed

	PASS	AYE	NAY	PRESENT	ABSENT
Crews			✓		
Hernandez A			✓		
Payne			✓		
Peña		✓			
McGarr, Vice-Chairman		✓			
Hendrix, Chairman			✓		
		2	4	0	0

APPROVED:

LAURIN HENDRIX, Chairman
CORY MCGARR, Vice-Chairman

COMMITTEE SECRETARY

ATTACHMENT 13

Dignity Health.

February 14, 2024

Members of the Arizona State Legislature:

As emergency room physicians we are compelled to speak up for our patients who have been denied timely and sometimes life-saving care due to delays in ground ambulance services.

We see patients with severe and life-threatening conditions come into our emergency rooms every day. Once they are stabilized but need to be transferred to a higher level of care, our patients are waiting desperately for hours, sometimes days due to the delay in ground ambulance services. For example, patients brought to an emergency room with a stroke or myocardial infarction often need advanced speciality care or surgical services only provided at a highly specialized facility, yet are frequently told they have to wait for their treatment because ground ambulances are unavailable to safely transport them.

Delays in facility transfers worsen outcomes for trauma injuries and some medical emergencies putting patients at excessive risk for complications. Patients and families should not have agonizing waits to receive the care they need in a state that offers world-class care.

The current Certificate of Necessity (CON) laws shield existing providers from competition in the market. Ground ambulance CON holders in Arizona are not meeting the needs of our community and patients are suffering.

We need your help. We urge you to support HB2290 which would allow more competition in Arizona and improve the quality of care for patients. It is our hope that you or your loved ones never have to endure a complication or delay to essential care because of a lack of ambulance transport. Please support HB2290.

Sincerely,

Ryan Adkins, DO
Dipti Agarwal, MD
Disha Ankola, DO
Jawad Arshad, MD
Levente Batizy, MD
Thomas Bell, DO
Andrew Bergeson, DO
Greg Berman, MD
Aubrey Bethel, MD
Joel Betz, MD
Robert Beyer, MD
Senya Bezprozvanny, MD
Daniel Bishop, MD
Tyler Bronnenkant, MD
Jacqueline Buchak, MD
Mary Buns, MD
Richard Burgon, MD
Anne Burns, MD
Joshua Burton, DO
Keith Butler, MD
Francisco Canales, MD
Seneca Carrillo, MD
Julie Carland, MD
Sharon Chopra, MD
Morium Chowdhury, MD
Jason Christensen, DO
Michael Christopher, MD
Gilbert Cordero, MD
Duane Crist, MD
Amina Danishyar, DO
Anthony Davila, MD
Todd Davis, DO
Damon Dell'Aglio, MD
Michael Demangone, MD
Sara Dimeo, MD
Becky Dowler, DO

Attachment 14

Nana Dwomoh, DO
Justin Eales, MD
Zach Effron, MD
Sara Ehlers, DO
Nicholas Enriquez, MD
Charles Everly, MD
Tanner Folster, DO
Ryan Frank, DO
Patrick Godwin, MD
Amanda Grace, MD
Natalie Greco, DO
Shantall Hall, DO
Neil Harris, MD
Jason Harter, DO
Laura Hintze, DO
Josh Hong, MD
Michael Isabelle, MD
Kevin Johnson, DO
Chad Jorgensen, MD
Scott Kassing, MD
Lindsay Keller, MD
Melissa Kelsey, DO
Kylene Kent, MD
Kerry Kikuchi, MD
Wit Koenig, DO
James Kurbat, MD
Arielle Kuritzky, DO
Robert Laney, MD
Donald Lauer, MD
Brendan Leach, MD
Evan Leibner, MD
Jason Linder, MD
Kristy Lizyness, DO
Wendy Lucid, MD
Gregory Massoud, MD
Erik Mattison, MD
Kurt Mayberry, MD
Paul McHale, MD
Judy Messer, MD
Aaron Mickelson, DO
Katie Nadeau, MD
Tomas Navarro, MD
Isabel Neacato, MD
Matthew Nerdin, MD
Jimmy Nguyen, DO
Cameron N. Nourani, MD
Erick O'Brien, DO
Kaitlin Oliver, DO
Gregory Olmsted, MD
Kevin O'Mara, MD
Brittany Ortega, MD
Brian Paterick, MD
Justin Pattee, DO
Jeremiah Pavelka, MD
Stephanie Penton, MD
Lawrence Pollack, MD
Jacob Powell, DO
Keith Power, MD
Dan Quan, DO
Kristy Rahimi-Alangi, MD
Cheston Rhoton, MD
Whitey Robertson, MD
Lucas Rose, MD
Karla Sanchez, DO
Richard Saunders, DO
Gregory W. Schweiz, MD
Michele Shackelford, MD
Charlene Shaughessy, MD
John Shufeldt, MD
Ronald Sierzenski, MD
Stuart Sperry, DO
Nick Stavridis, DO
Gigi Stoler, MD
Jared Taylor, DO
Brian Tiffany, MD
Janette Tomlinson, MD
Aryan Toosi, DO
Laurence Turner, DO
Katie Ulrich, MD
Kiel Urata, MD
Jon Vasquez, MD
Nicholas Vasquez, MD
James Velasquez, MD
David Verbunker, MD
Joshua Verson, MD
Paul Wahlheim, MD
Susan Watson, DO
Lafrabya Westbrook, MD
Eric Wilke, MD
Trever Wilkins, DO
Andrea Wolff, MD
Alice Wright, MD
Jason Wright, MD
Ara Yardumian, DO
Joshua Zeidler, DO
Mario Ziccarelli, MD
Mimi Zipser, MD
Marc Zosky, DO

ARIZONA HOUSE OF REPRESENTATIVES

Fifty-sixth Legislature
Second Regular Session

HCR 2052: rulemaking; legislative approval
S/E: rulemaking; legislative authority
Sponsor: Representative McGarr, LD 17
Committee on Regulatory Affairs

Summary of the Strike-Everything Amendment to HCR 2052

Overview

Authorizes the Legislature to reject a rule approved by the Governor's Regulatory Review Council (Council) with a concurrent resolution. Deems the rule void if the Legislature rejects the rule by concurrent resolution.

History

Statute prohibits state agencies from conducting rulemaking without prior written approval of the Governor. State agencies may not adopt any new rule that would increase existing regulatory burdens on the free exercise of property rights or the freedom to engage in lawful business or occupation unless: 1) the rule reduces regulatory restraints or burdens; or 2) is necessary to implement statutes or is required by a final court order or decision (A.R.S. §§ 41-1038, 41039).

Prior to submitting rulemaking to the Council, state agencies must hold a public comment period and receive final written approval from the Governor. The Council cannot consider rules submitted by state agencies without receiving the Governor's initial and final approval of the rulemaking. Additionally, state agencies must also recommend three rules for the Governor to eliminate for every additional rule requested. Rules that are necessary to secure or maintain assumption of federal regulatory programs, comply with an auditor general recommendation or address a new statutory requirement are exempt from consideration. State agencies additionally may not publicize any directives, policy statements, documents or forms on its website unless authorized by statute or rule (A.R.S. § 41-1039).

The Council is comprised of seven members appointed by the Governor. Their primary responsibilities are reviewing new rules or amendments proposed by state agencies and reviewing existing agency rules every five years on a rotating basis to determine if they are still necessary and effective.

Provisions

1. States that regardless of any other law, the Legislature may reject an approved and effective rule approved by the Council through a concurrent resolution. (Sec. 1)
2. Declares the rule to be void if rejected by the Legislature. (Sec. 1)
3. Directs the Secretary of State to submit this proposition to the voters at the next general election. (Sec. 1)

4. Becomes effective if approved by the voters and on proclamation of the Governor. (Sec. 1)
5. Makes technical and conforming changes. (Sec. 1)

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

Fifty-sixth Legislature
Second Regular Session

Regulatory Affairs
H.C.R. 2052

PROPOSED

HOUSE OF REPRESENTATIVES AMENDMENTS TO H.C.R. 2052

(Reference to printed resolution)

Strike everything after the resolving clause and insert:

"1. Under the power of the referendum, as vested in the Legislature, the following measure, relating to rulemaking, is enacted to become valid as a law if approved by the voters and on proclamation of the Governor:

AN ACT

AMENDING SECTION 41-1039, ARIZONA REVISED STATUTES; RELATING TO RULEMAKING.

Be it enacted by the Legislature of the State of Arizona:

Section 1. Section 41-1039, Arizona Revised Statutes, is amended to read:

41-1039. State agency rulemaking; governor approval; submission; legislative rejection; definition

A. Notwithstanding any other law, a state agency may not conduct any rulemaking, including regular, expedited, informal, formal, emergency or exempt rulemaking, without prior written approval of the governor. In seeking approval, a state agency shall address any of the following as justification for the rulemaking:

1. Fulfilling an objective related to job creation, economic development or economic expansion in this state.

2. Reducing or ameliorating a regulatory burden on the public, while achieving the same regulatory objective.

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

Attachment 16

3. Preventing a significant threat to public health, peace or safety.

4. Avoiding violating a court order or federal law that would result in sanctions by a federal court for failure to conduct the rulemaking action.

5. Complying with a new state statutory or regulatory requirement if the compliance is related to a condition for ~~the~~ receiving federal monies or participating in any federal program.

6. Complying with a new or existing state statutory requirement.

7. Fulfilling an obligation related to fees or any other action necessary to implement the state budget that is certified by the governor's office of strategic planning and budgeting.

8. Adopting a rule or other item that is exempt from this chapter.

9. Matters pertaining to the control, mitigation or eradication of waste, fraud or abuse within a state agency or wasteful, fraudulent or abusive activities perpetrated against a state agency.

10. Eliminating rules that are antiquated, redundant or otherwise no longer necessary for the operation of state government.

B. After the public comment period and the close of the rulemaking record, a state agency may not submit the proposed rules to the council without a written final approval from the governor. Before considering rules submitted by a state agency, the council must obtain from the state agency the initial approval pursuant to subsection A of ~~the~~ THIS section and the final approval required by this subsection.

C. Notwithstanding any other law, a state agency that submits a rulemaking request shall recommend for consideration by the governor at least three existing rules to eliminate for every additional rule requested by the state agency. The requirements of this subsection do not apply to rules that are necessary to secure or maintain assumption of federal regulatory programs, rules that are necessary to comply with an auditor general recommendation or rules that are necessary to address a new statutory requirement.

D. A state agency may not publicize any directives, policy statements, documents or forms on its website unless the directive, policy statement, document or form is authorized by statute or rule. A state agency shall remove material not authorized by statute or rule from its website on September 24, 2022.

E. NOTWITHSTANDING ANY OTHER LAW, THE LEGISLATURE MAY REJECT, BY CONCURRENT RESOLUTION, A RULE THAT IS APPROVED BY THE COUNCIL AND THAT BECOMES EFFECTIVE PURSUANT TO THIS ARTICLE. IF THE LEGISLATURE REJECTS THE RULE BY CONCURRENT RESOLUTION, THE RULE IS VOID.

~~E.~~ F. For the purposes of this section, "state agency":

1. Includes all executive departments, agencies and offices and all state boards and commissions.

2. Does not include:

(a) A state agency that is headed by a single elected state official.

(b) The corporation commission.

(c) Any board or commission established by ballot measure at or after the November 1998 general election.

(d) The judiciary.

2. The Secretary of State shall submit this proposition to the voters at the next general election as provided by article IV, part 1, section 1, Constitution of Arizona."

Amend title to conform

CORY MCGARR

HCR2052MCGARR.docx
02/12/2024
11:04 AM
C: AH

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

ROLL CALL VOTE

COMMITTEE ON Regulatory Affairs BILL NO. HCR 2052

DATE February 14, 2024 MOTION: DPA/SE

	PASS	AYE	NAY	PRESENT	ABSENT
Crews			✓		
Hernandez A			✓		
Payne		✓			
Peña		✓			
McGarr, Vice-Chairman		✓			
Hendrix, Chairman		✓			
		4	2	0	0

APPROVED:

LAURIN HENDRIX, Chairman
CORY MCGARR, Vice-Chairman

COMMITTEE SECRETARY

ATTACHMENT 17

ARIZONA HOUSE OF REPRESENTATIVES

Fifty-sixth Legislature
Second Regular Session

HB 2618: spirituous liquor; DHS; inspection; exemption
Sponsor: Representative Hernandez A, LD 20
Committee on Regulatory Affairs

Overview

Exempts specific spirituous liquor from inspections by the Arizona Department of Health Services (DHS).

History

The director of DHS must prescribe reasonably necessary rules to ensure that food and drink sold at retail for human consumption are free from unwholesome substances, poisonous or disease-causing organisms. Rules must include measures to protect the health and safety of the public during production, processing, labeling, serving, handling and transporting the products. These rules must prescribe minimum standards for sanitary facilities and conditions to be maintained in all warehouses, restaurants and other premises, except as outlined when there is an exemption. Additionally, the rules ensure proper inspection and licensing of premises and vehicles used in preparing, storing, handling and producing food and drink (A.R.S. § 36-136).

Special event license (Series 15) means authorization issued to a charitable, civic, fraternal, political or religious organization to sell spirituous liquors for consumption on or off the premises where the spirituous liquor is sold only for a specified period (A.R.S. § 4-112)

Wine festival or fair license (Series 16) means authorization issued for a specified period to a domestic farm winery to serve samples of its products and sell the products in individual portions for consumption on the premises or in original, unopened containers for consumption off the premises (A.R.S. § 4-112).

Statute in part, defines *spirituous liquor* as alcohol, brandy, whiskey, rum, tequila, mescal, gin, wine, porter, ale, beer, any malt liquor or malt beverage, absinthe, a compound or mixture of any of them and beverages containing more than 1/2 of 1 percent of alcohol by volume (A.R.S. §4-101).

Provisions

1. Exempts certain spirituous liquor from DHS inspections and related rules as follows:
   a) spirituous liquor of licensed producers;
   b) imported spirituous liquor sold by licensed wholesalers. (Sec. 1)
2. Applies the exemption to all commercially prepackaged spirituous liquor and all spirituous liquor poured at Arizona's licensed special events, festivals and fairs. (Sec. 1)
3. Makes technical changes. (Sec. 1)

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

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

ROLL CALL VOTE

COMMITTEE ON Regulatory Affairs BILL NO. HB 2618

DATE February 14, 2024 MOTION: DP

	PASS	AYE	NAY	PRESENT	ABSENT
Crews		✓			
Hernandez A		✓			
Payne		✓			
Peña		✓			
McGarr, Vice-Chairman		✓			
Hendrix, Chairman		✓			
		6	0	0	0

Justin Ryle
COMMITTEE SECRETARY

APPROVED:

LAURIN HENDRIX, Chairman
CORY MCGARR, Vice-Chairman

ATTACHMENT 19

ARIZONA HOUSE OF REPRESENTATIVES

Fifty-sixth Legislature
Second Regular Session

HB 2679: regulation; hemp-derived products.
Sponsor: Representative Payne, LD 27
Committee on Regulatory Affairs

Overview

Revises findings and requirements for rulemaking, licensing, inspection, recordkeeping and enforcement for industrial hemp and hemp-derived products.

History

Industrial hemp production has been gradually legalized under federal and state law after years of being regulated as a controlled substance. Crucially, hemp crops must have a Delta-9 Tetrahydrocannabinol (THC) concentration of 0.3% or less (dry weight); otherwise, they are considered marijuana and classified as a Schedule 1 controlled substance (Public Law 113-79). The Agriculture Improvement Act of 2018 authorized the production of hemp and removed hemp and hemp seeds from the Drug Enforcement Administration's Schedule of Controlled Substances. This act also directed the U.S. Department of Agriculture (USDA) to issue regulations and guidance to implement a program for hemp production in the United States (Public Law 115-334). The U.S. Domestic Hemp Production Program was established the following year (84 Federal Register 58522). The program allows states and Indian Tribes to have primary regulatory authority over their hemp production if their programs meet certain requirements—including licensing, recordkeeping and monitoring for compliance—and are approved by the USDA. States and Indian tribes that choose not to operate their own programs or whose plans are not approved are subject to a federal plan issued by the Secretary of the USDA (7 C.F.R. Part 990).

Arizona established a regulatory program for commercial industrial hemp production and a pilot program for this crop in 2018. The Arizona Department of Agriculture (ADA) licenses those who grow, harvest, transport, and process hemp and certifies hemp seed in accordance with its rules. Additionally, the ADA can conduct inspections and collect samples for analysis (Laws 2018, Chapter 287). Arizona's Industrial Hemp Program received USDA approval and became effective in 2022.

Provisions

Legislative Findings (Sec. 2)

1. States that the purpose of the bill is to allow commercial production of industrial hemp as authorized by federal law while maintaining strict control of marijuana.
2. Authorizes industrial hemp propagation, production, harvesting, transporting, processing, manufacturing and retailing in the state pursuant to statute and the rules and orders adopted by the Director of the ADA (Director).
3. Permits industrial hemp research to be conducted in the state under an exempt fee license issued by ADA so long as the industrial hemp produced does not enter the stream of

commerce and is disposed of according to the rules and orders adopted by the Director, unless the hemp seed is produced under an exempt fee that complies with statute.

4. Removes the following:
   a) pilot program approval and authorization for industrial hemp growth, research, cultivation and marketing; and
   b) authorization of hemp seed that is derived from previously authorized hemp seed.

Rulemaking

5. Allows the Director to authorize qualified applicants to produce or manufacture industrial hemp. (Sec. 3)

6. Directs ADA to use fees established by the Director to regulate hemp-derived products. (Sec. 3)

7. Requires the Director to:
   a) oversee and prescribe requirements for the labeling and retail sale of hemp-derived products;
   b) use rulemaking to protect the health, safety and welfare of consumers;
   c) ensure hemp-derived products are only sold and marketed to persons who are at least 21 years of age;
   d) prohibit hemp-derived products from resembling specified living things and objects;
   e) prohibit licensees from offering hemp-derived products that resemble food or drink products intentionally marketed to children;
   f) ensure licensees' hemp-derived products are securely stored and not accessible to persons under 21 years of age;
   g) mandate that manufacturers include a website link that links to specified information on all hemp-derived product packaging; and
   h) require manufacturers to submit hemp-derived products offered for sale in this state to an independent third-party laboratory for the purposes of obtaining a specified certificate of analysis. (Sec. 3)

8. Exempts ADA from rulemaking requirements for one year. (Sec. 9)

Licenses (Sec. 4)

9. Requires a manufacturer or retailer of industrial hemp to obtain a license from ADA.

10. Exempts applicants for retail licenses from providing proof of a fingerprint clearance card when establishing license eligibility.

11. Removes the provision that a member of an Indian tribe may apply for a license pursuant to the same requirements prescribed by statute and making the member subject to the same licensing requirements.

Inspection & Recordkeeping

12. Specifies that the state agricultural laboratory or a laboratory certified by the state agricultural laboratory may perform an official analysis of an industrial hemp site to ensure compliance with ADA rules. (Sec. 5)

13. Allows the official analysis of a crop to determine the total Delta-9 THC concentration within an acceptable margin of error. (Sec. 5)

14. Allows the total Delta-9 THC concentration to be calculated using a chromograph technique that uses heat to convert THC acid into THC or a liquid chromograph technique that uses a specified conversion. (Sec. 5)

15. Removes the requirement that a licensed grower notify the ADA of the sale or distribution of any industrial hemp grown under the grower's license, the name and address of the person or entity receiving the industrial hemp, and the amount of industrial hemp sold or distributed. (Sec. 5)

16. Entitles the Director or a designee to enter any public or private premises during regular business hours to access regulated products and records and evaluate compliance with ADA rules and statute. (Sec. 5)

17. Authorizes the Director or a designee to collect a sample of any hemp-derived product for analysis by a qualified laboratory during any physical inspection of a licensee. (Sec. 5)

18. Allows the Director to issue and enforce a written cease and desist order against an industrial hemp licensee that prohibits further manufacturing except on approval of the Director. (Sec. 6)

19. Adds hemp-derived product to the list of crops and products that the Director is allowed to seize and destroy for noncompliance with its rules. (Sec. 6)

20. Requires the Industrial Hemp Advisory Council (Council) to annually review all rules and orders adopted by the Director to ensure compliance with federal law. (Sec. 7)

21. Instructs the Council to recommend statutory and rule changes to the Director that are necessary to comply with federal law. (Sec. 7)

22. Makes the possession of an industrial hemp license or status as a designee or agent of a licensee an affirmative defense to any prosecution for the possession or cultivation of marijuana or narcotic drugs. (Sec. 8)

23. Excludes the possession of an industrial hemp license as a defense to a charge of possession, sale, transportation or distribution of marijuana or narcotic drugs. (Sec. 8)

Miscellaneous

24. Defines and redefines pertinent terms. (Sec. 1)

25. Makes technical and conforming changes. (Sec. 1-7)

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

ROLL CALL VOTE

COMMITTEE ON Regulatory Affairs BILL NO. HB 2679

DATE February 14, 2024 MOTION: Failed

	PASS	AYE	NAY	PRESENT	ABSENT
Crews			✓		
Hernandez A			✓		
Payne		✓			
Peña			✓		
McGarr, Vice-Chairman			✓		
Hendrix, Chairman			✓		
		1	5	0	0

Julia Ryle
COMMITTEE SECRETARY

APPROVED:

LAURIN HENDRIX, Chairman
CORY MCGARR, Vice-Chairman

ATTACHMENT 21

ARIZONA HOUSE OF REPRESENTATIVES

Fifty-sixth Legislature
Second Regular Session

HB 2663: homeowners' associations; assessment liens
Sponsor: Representative Carter, LD 15
Committee on Regulatory Affairs

Overview

Modifies the lien statutes for condominiums and planned community associations (Association).

History

An *association* is defined as a nonprofit organization qualified under federal code or a nonprofit mandatory membership organization created pursuant to applicable laws, covenants or declarations and is composed of the owners of condominiums, cooperatives, homes or manufactured homes or other interest in real property (A.R.S. § 33-442).

An Association has a lien on a unit or property for any assessment that is levied against the unit or property from the time the assessment becomes due. The Association's lien for assessments, for charges for late payment of the assessments, for reasonable collection fees and for reasonable attorney fees and costs incurred with respect to those assessments may be foreclosed in the same manner as a mortgage on real estate only if the owner has been delinquent in the payment of monies secured by the lien, excluding reasonable collection and attorney fees for a period of one year or in the amount of $1,200 or more, whichever is first (A.R.S. §§ 33-1256, 33-1807). *Common expenses* refer to the expenditures made by or financial liabilities of the Association, together with any allocations to reserves (A.R.S. 33-1202).

Provisions

1. Specifies that an Association has a lien on a unit or property for any *common expense* assessment. (Sec. 1, 2)
2. Stipulates that any common expense assessment may include:
   a) reasonable charges or interest for late payment if authorized in the declaration;
   b) reasonable collection costs or fees incurred or applied by the Association; and
   c) reasonable attorney fees and costs incurred only as awarded by the court in an action. (Sec. 1, 2)
3. Declares that the full amount of the assessment is a lien from the time the first installment becomes due if a common expense assessment is payable in installments. (Sec. 1, 2)
4. Prescribes that the common expense assessment lien is not subject to the homestead exemption prescribed by statute. (Sec. 1, 2)
5. Specifies that a common expense assessment may be foreclosed only if:
   a) the owner has been and *remains* delinquent in payment of the common expense assessments for a period of one year; and

b) the Association board of directors has exercised all reasonable efforts to communicate with the owner, negotiate reasonable payment plans and collect the debt through remedies available under statute before filing a foreclosure action. (Sec. 1, 2)

6. States that a judgment or decree in any action brought under this section may include costs and reasonable attorney fees for the prevailing party only as ordered by the court. (Sec. 1, 2)
7. Changes, from 10 days to 10 *calendar* days, for the Association to furnish the statement of any unpaid assessment liens to a lienholder, escrow agent, unit owner or other person designated by the unit owner. (Sec. 1, 2)
8. Asserts that, unless the unit owner directs otherwise, all payments received on a unit owner's account must be applied first to the following:
   a) unpaid delinquent common expense assessments;
   b) unpaid current but nondelinquent common expense assessments;
   c) unpaid charges or interest for late payment of those assessments;
   d) unpaid reasonable collection costs or fees; and
   e) unpaid court-ordered attorney fees and costs incurred for those assessments. (Sec. 1, 2)
9. Stipulates that failure of the Association or its authorized agents, including any attorney for the Association or its authorized agent, to correct any error in the application of payments from the unit owner within 10 calendar days after receiving the notice of error extinguishes any common expense lien assessment then due. (Sec. 1, 2)
10. Makes technical and conforming changes. (Sec. 1, 2)

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

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

ROLL CALL VOTE

COMMITTEE ON Regulatory Affairs BILL NO. HB 2663

DATE February 14, 2024 MOTION: Hold

	PASS	AYE	NAY	PRESENT	ABSENT
Crews					
Hernandez A					
Payne					
Peña					
McGarr, Vice-Chairman					
Hendrix, Chairman					

APPROVED:

COMMITTEE SECRETARY

LAURIN HENDRIX, Chairman
CORY MCGARR, Vice-Chairman

ATTACHMENT 23

ARIZONA HOUSE OF REPRESENTATIVES

Fifty-sixth Legislature
Second Regular Session

HB 2739: homeopathic board; repeal
S/E: naturopathic board; homeopathic board; consolidation
Sponsor: Representative Hendrix, LD 14
Committee on Regulatory Affairs

Summary of the Strike-Everything Amendment to HB 2739

Overview

Repeals the Board of Homeopathic and Integrated Medicine Examiners (Board) and transfers its powers, duties and remaining fund monies to the Naturopathic Physician's Medical Board.

History

The Board examines, licenses and regulates homeopathic physicians and medical assistants. The Board consists of two public members and five professional members licensed to practice homeopathic and integrated medicine, each appointed by the governor to serve three-year terms and no more than three consecutive terms. Responsibilities of the board include: 1) conducting examinations for and issuing licenses; 2) enforcing standards of practice; 3) collecting and accounting for fees and depositing the earned monies in the appropriate fund; and 4) maintaining records of all licenses and actions taken on a license (A.R.S. §§ 32-2902, 32-2904).

Provisions

1. Transfers the powers and duties of the Board to the Naturopathic Physician's Medical Board. (Sec. 2).
2. Repeals the Board and its powers and duties. (Sec. 3)
3. Transfers all unexpended and unencumbered monies remaining in the Board Fund to the Naturopathic Physician's Medical Board Fund. (Sec. 4).
4. Directs Legislative Council staff to prepare proposed legislation conforming the Arizona Revised Statutes. (Sec. 6)
5. Makes technical and conforming changes. (Sec. 1, 2, 4, 5)

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

Attachment 24

PROPOSED

HOUSE OF REPRESENTATIVES AMENDMENTS TO H.B. 2739

(Reference to printed bill)

Strike everything after the enacting clause and insert:

"Section 1. Section 32-1505, Arizona Revised Statutes, is amended to read:

32-1505. Naturopathic physicians medical board fund

A. The naturopathic physicians medical board fund is established. The board shall administer the fund. Pursuant to sections 35-146 and 35-147, the board shall deposit ten ~~per cent~~ PERCENT of all monies ~~from whatever~~ COLLECTED PURSUANT TO THIS CHAPTER, CHAPTER 29 OF THIS TITLE AND ANY OTHER source that come into the possession of the board in the state general fund and deposit the remaining ninety ~~per cent~~ PERCENT in the naturopathic physicians medical board fund.

B. Monies deposited in the naturopathic physicians medical board fund are subject to section 35-143.01.

Sec. 2. Section 32-2901, Arizona Revised Statutes, is amended to read:

32-2901. Definitions

In this chapter, unless the context otherwise requires:

1. "Acupuncture" means a medical therapy in which ailments are diagnosed and treated by the specific application of needles, heat or physical and electromagnetic impulses or currents to specific anatomic points on the body through any of the following:

(a) The diagnosis and treatment of ailments according to the systematic principles of traditional Asian medicine.

Adopted _____ # of Verbals _____

Failed _____ Withdrawn _____

Not Offered ✓ Analysts Initials ___

Attachment 25

(b) The diagnosis and treatment of pain, neuromuscular disorders and other ailments based on the body's biophysics and neuroanatomic structure.

(c) The use of devices to determine the biologic electrical response pattern of acupuncture points as a guide to diagnose bodily ailments and to guide the prescription of homeopathic substances, orthomolecular therapy or pharmaceutical medicine.

2. "Adequate records" means legible medical records that contain at a minimum sufficient information to identify the patient, support the diagnosis, document the treatment, accurately describe the results, indicate advice, cautionary warnings and informed consent discussions with the patient and provide sufficient information for another licensed health care practitioner to assume continuity of the patient's care and to continue or modify the treatment plan.

3. "Approved internship" means that the applicant has completed training in a hospital that was approved for internship, fellowship or residency training by the council on medical education in hospitals of the American medical association, the association of American medical colleges, the royal college of physicians and surgeons of Canada, the American osteopathic association or any ~~board approved~~ BOARD-APPROVED similar body in the United States or Canada that approves hospitals for internship, fellowship or residency training.

4. "Approved school of medicine":

(a) As it relates to a person who is seeking licensure pursuant to section 32-2912, subsection A, means a school or college that offers a course of study that on successful conclusion results in a degree of doctor of medicine or doctor of osteopathic medicine and that offers a course of study that is approved or accredited by the association of American medical colleges, the association of Canadian medical colleges, the American medical association, the American osteopathic association or any board-approved similar body in the United States or Canada that accredits this course of study.

(b) As it relates to a person who is seeking licensure pursuant to section 32-2912, subsection B, means a school or college that on successful completion results in a degree of doctor of homeopathy and that is approved or accredited by the accreditation commission for homeopathic education in North America or any board-approved similar body that accredits this course of study.

5. "Board" means the ~~board of homeopathic and integrated medicine examiners~~ NATUROPATHIC PHYSICIANS MEDICAL BOARD ESTABLISHED BY SECTION 32-1502.

6. "Chelation therapy" means an experimental medical therapy to restore cellular homeostasis through the use of intravenous, metal-binding and bioinorganic agents such as ethylene diamine tetraacetic acid. Chelation therapy is not an experimental therapy if it is used to treat heavy metal poisoning.

7. "Controlled substance" means a drug or substance or a drug's or substance's immediate precursor that is defined or listed in title 36, chapter 27, article 2 or the rules adopted pursuant to title 36, chapter 27, article 2.

8. "Drug" means a medication or substance that is any of the following:

(a) Recognized in the official compendia or for which standards or specifications are prescribed in the official compendia.

(b) Intended for use in the diagnosis, cure, mitigation, treatment or prevention of human diseases.

(c) Articles other than food that are intended to affect the structure or function of the human body.

9. "Homeopathic medication" means a substance of animal, vegetable or mineral origin that is prepared according to homeopathic pharmacology and that is given usually in a homeopathic microdosage.

10. "Homeopathic microdosage" means a substance prepared so that it is diluted from ten to the minus one to ten to the minus ten thousandth or higher of its original concentration.

11. "Homeopathy" means a system of medicine that employs homeopathic medication in accordance with the principle that a substance that produces symptoms in a healthy person can cure those symptoms in an ill person.

12. "Immediate family" means a person's spouse, natural or adopted children, parents and siblings and the natural or adopted children, parents and siblings of the person's spouse.

13. "Letter of concern" means an advisory letter to notify a licensee that, while there is insufficient evidence to support disciplinary action, the board believes the licensee should modify or eliminate certain practices.

14. "Licensee" means a person who is licensed pursuant to this chapter.

15. "Medical assistant" means an unlicensed person who has completed an educational program approved by the board, who assists in a homeopathic practice under the supervision of a doctor of homeopathy and who performs delegated procedures commensurate with the assistant's education and training but who does not diagnose, interpret, design or modify established treatment programs or violate any statute.

16. "Medical incompetence":

(a) Means the lack of sufficient medical knowledge or skill by a licensee to a degree that is likely to endanger a patient's health. ~~Medical incompetence~~

(b) Includes the range of knowledge expected for basic licensure pursuant to this chapter or as a medical or osteopathic physician in any professional regulatory jurisdiction of the United States and additional knowledge of homeopathic treatments and modalities expected of persons who are licensed pursuant to this chapter.

17. "Minor surgery":

(a) Means surgical procedures that are conducted by a licensee who is licensed pursuant to section 32-2912, subsection A in an outpatient setting and that involve the removal or repair of lesions or injuries to the skin, mucous membranes and subcutaneous tissues, the use of topical, local or regional anesthetic agents, the treatment by stabilizing or casting nondisplaced and uncomplicated fractures of the extremities and diagnostic endoscopies of the intestinal tract, nasopharynx and vagina. ~~Minor surgery also~~

(b) Includes diagnostic aspiration of joints and subcutaneous cysts, therapeutic injections of muscular trigger points, tendons, ligaments and scars and the subcutaneous implantation of medical therapeutic agents. ~~Minor surgery~~

(c) Does not include the use of general, spinal or epidural anesthesia, the opening of body cavities, the repair of blood vessels and nerves or the biopsy by incision, excision or needle aspiration of internal organs, the breast or the prostate.

18. "Neuromuscular integration" means musculoskeletal therapy that uses any combination of manual methods, physical agents and physical medicine procedures and devices to improve physiological function by normalizing body structure.

19. "Nutrition" means the recommendation by a licensee of therapeutic or preventative dietary measures, food factor concentrates, fasting and cleansing regimens and the rebalancing by a licensee of digestive system function to correct diseases of malnutrition, to resolve conditions of metabolic imbalance and to support optimal vitality.

20. "Orthomolecular therapy":

(a) Means therapy to provide the optimum concentration of substances normally present in the human body such as vitamins, minerals, amino acids and enzymes. ~~Orthomolecular therapy~~

(b) Includes the diagnosis of ailments or physiologic stresses that occur as a result of genetic or environmental influences as well as acquired or inherited allergy and hypersensitivity responses.

21. "Pharmaceutical medicine" means a drug therapy that uses prescription-only and nonprescription pharmaceutical agents as well as medicinal agents of botanical, biological or mineral origin and that is based on current scientific indications or traditional or historical usage indications.

22. "Practice of homeopathic medicine":

(a) For the purposes of a person who is licensed pursuant to section 32-2912, subsection A, means the practice of medicine in which a person purports to diagnose, treat or correct real or imagined human diseases, injuries, ailments, infirmities and deformities of a physical or mental origin and includes acupuncture, chelation therapy, homeopathy, minor surgery, neuromuscular integration, nutrition, orthomolecular therapy and pharmaceutical medicine.

(b) For the purposes of a person who is licensed pursuant to section 32-2912, subsection B, means the practice of medicine in which a person purports to diagnose, treat or correct real or imagined human diseases, injuries, ailments, infirmities and deformities of a physical or mental origin by means of homeopathy or nutrition.

23. "Preceptorship" means an extended period of individual study with one or more experienced homeopathic physicians or institutions.

24. "Prescription-only drug" does not include a controlled substance but does include:

(a) A drug that is generally regarded by medical experts to be unsafe if its use and dosage are not supervised by a medical practitioner.

(b) A drug that is approved for use under the supervision of a medical practitioner pursuant to the federal new drug application law or section 32-1962.

(c) A potentially harmful drug if its labeling does not contain full directions for its use by the patient.

(d) A drug that is required by federal law to bear on its label the following words: "Caution: Federal law prohibits dispensing without prescription."

25. "Professional negligence" means any of the following:

(a) That a licensee administers treatment to a patient in a manner that is contrary to accepted practices and that harms the patient if it can be shown to the board's satisfaction that accepted practices are inherently less hazardous.

(b) That a licensee commits an act of unprofessional conduct or displays an unreasonable lack of professional skill or fidelity.

(c) That a licensee's negligence, carelessness or disregard of established principles or practice results in a patient's injury, unnecessary suffering or death.

26. "Special purpose licensing examination" means an examination developed by the national board of medical examiners on behalf of the federation of state medical boards for use by state licensing boards to test the basic medical competence of physicians who are applying for licensure and who have been in practice in another jurisdiction of the United States and to determine the competence of a physician under investigation by a state licensing board.

Sec. 3. Repeal

Sections 32-2902 and 32-2903, Arizona Revised Statutes, are repealed.

Sec. 4. Repeal; transfer of monies

A. Section 32-2906, Arizona Revised Statutes, is repealed.

B. All unexpended and unencumbered monies remaining in the board of homeopathic and integrated medicine examiners' fund established by section 32-2906, Arizona Revised Statutes, as repealed by subsection A of this section, are transferred to the naturopathic physicians medical board fund established by section 32-1505, Arizona Revised Statutes, as amended by this act, on the effective date of this section.

Sec. 5. Section 32-2916, Arizona Revised Statutes, is amended to read:

32-2916. Directory; change of address; civil penalty; fees

A. The board may publish an annual directory containing the following:

1. The names and addresses of the officers and members of the board.

2. The names and addresses of all persons WHO ARE certified, licensed or registered by the board.

3. The current certified board rules.

4. A copy of this chapter.

5. A list of approved postgraduate and continuing education courses in the treatment modalities pertinent to the practice of homeopathic medicine.

6. A list of approved schools of medicine.

7. Additional information that the board determines is of interest and importance to licensees.

B. Each licensee shall inform the board in writing of the licensee's home address, home telephone number, office address and office telephone number as requested by the board and within forty-five days ~~of~~ AFTER a change in any of this information. The board shall keep a licensee's home address and home telephone number confidential. The board may assess a licensee who fails to comply with this subsection with the board's costs to locate the licensee. The board may also impose a civil penalty on that licensee of not more than ~~one hundred dollars~~ $100.

C. The board shall provide each licensee with one copy of the directory free of charge. The board may provide additional copies to the public and licensee for a cost of not more than ~~twenty-five dollars~~ $25 for each directory.

D. The board shall deposit, pursuant to sections 35-146 and 35-147, monies collected under this section in the ~~board of homeopathic and integrated medicine examiners'~~ NATUROPATHIC PHYSICIANS MEDICAL BOARD fund ESTABLISHED BY SECTION 32-1505.

Sec. 6. Conforming legislation

The legislative council staff shall prepare proposed legislation conforming the Arizona Revised Statutes to the provisions of this act for consideration in the fifty-seventh legislature, first regular session."

Amend title to conform

LAURIN HENDRIX

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

ROLL CALL VOTE

COMMITTEE ON Regulatory Affairs BILL NO. HB 2739

DATE February 14, 2024 MOTION: Held

	PASS	AYE	NAY	PRESENT	ABSENT
Crews					
Hernandez A					
Payne					
Peña					
McGarr, Vice-Chairman					
Hendrix, Chairman					

APPROVED:

COMMITTEE SECRETARY

LAURIN HENDRIX, Chairman
CORY MCGARR, Vice-Chairman

ATTACHMENT 26

ARIZONA HOUSE OF REPRESENTATIVES

Fifty-sixth Legislature
Second Regular Session

HB 2740: board of dispensing opticians; repeal
Sponsor: Representative Hendrix, LD 14
Committee on Regulatory Affairs

Overview

Repeals the State Board of Dispensing Opticians (Board).

History

The Board regulates the profession of opticianry, consists of 2 public member and 5 professional members that are licensed as dispensing opticians each of whom is appointed by the Governor and serves five-year terms. Responsibilities of the Board include: 1) issuing licenses to qualified optician and optical establishments; 2) administering examinations; and 3) investigating and adjudicating complaints against licensees (A.R.S. §§ 32-1672, 32-1673).

The 2020 Auditor General Performance Review concluded that the Board generally met its statutory objective and purpose, but noted that the Board needs to ensure the submission of proper documentation for license applications, provide written notice to applicants of application deficiencies and review the necessity of its fees (OAG Audit).

Laws 2022, Chapter 36 continued the board for eight years and the Board is set to terminate on July 1, 2030 (A.R.S. § 41-3030.06).

Provisions

1. Repeals the Board and its powers and duties. (Sec. 1)
2. Makes a conforming change. (Sec. 2)
3. Directs Legislative Council staff to prepare proposed legislation conforming the Arizona Revised Statutes. (Sec. 3)

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

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

ROLL CALL VOTE

COMMITTEE ON Regulatory Affairs BILL NO. HB 2740

DATE February 14, 2024 MOTION: Held

	PASS	AYE	NAY	PRESENT	ABSENT
Crews					
Hernandez A					
Payne					
Peña					
McGarr, Vice-Chairman					
Hendrix, Chairman					

APPROVED:

Julia Ryle
COMMITTEE SECRETARY

LAURIN HENDRIX, Chairman
CORY MCGARR, Vice-Chairman

ATTACHMENT 28