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

COMMITTEE ON REGULATORY AFFAIRS

Report of Special Meeting
Wednesday, February 14, 2024
House Hearing Room 5 -- UPON RECESS OR ADJOURNMENT OF FLOOR

Convened 2:34 P.M.
Recessed
Reconvened
Adjourned 2:38 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
HB2845	DP	6-0-0-0	4, 5

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 2:34pm
Adjourned 2:38pm

SPECIAL MEETING AGENDA

COMMITTEE ON REGULATORY AFFAIRS

DATE Wednesday, February 14, 2024 ROOM HHR 5 TIME ~~Upon adjournment of regular RA committee~~ Upon recess or adjournment of Floor **(note time change)**

Members of the public may access a livestream of the meeting here:
https://www.azleg.gov/videoplayer/?clientID=6361162879&eventID=2024021092

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
HB2845	administrative rules oversight committee; staff	
	(Heap: Parker J)	
6-0-0-0	RA, RULES	

ORDER OF BILLS TO BE SET BY THE CHAIRMAN

~~VC~~
JB
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.

Attachment 1

Information Registered on the Request to Speak System

House Regulatory Affairs (2/14/2024)

HB2845, administrative rules oversight committee; staff

Attachment 2

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	2:34 pm	m	m	m	m
	RECESSED					
	RECONVENED					
	ADJOURNED	2:38 pm				
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 2845: administrative rules oversight committee; staff
Sponsor: Representative Heap, LD 10
Committee on Regulatory Affairs

Overview

Changes the staff for the *Administrative Rules Oversight Committee* (AROC) from Legislative Council to the directors of research staff for the Arizona State Senate and House of Representatives or their designees.

History

Statute designates AROC to oversee the adoption of rules by state agencies. The 11-member committee includes: 1) five members of the House of Representatives appointed by the Speaker; 2) five members of the Senate appointed by the President; 3) the Governor or designee. Legislative Council serves as the staff for AROC (A.R.S. 41-1046).

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. Specifies that the directors of the research staff of the Senate and House of Representatives will serve as staff for AROC rather than Legislative Council. (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 2845

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

COMMITTEE SECRETARY

APPROVED:

LAURIN HENDRIX, Chairman
CORY MCGARR, Vice-Chairman

ATTACHMENT 5