

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

COMMITTEE ON COMMERCE

Report of Regular Meeting
Tuesday, March 8, 2022
House Hearing Room 3 -- 2:00 P.M.

Convened 2:20 P.M.

Recessed

Reconvened

Adjourned 2:39 P.M.

MINUTES RECEIVED
CHIEF CLERK'S OFFICE

3-10-22

Members Present

Mr. Carter
Mr. Chávez
Mr. Cook
Mr. Espinoza
Mr. Kaiser
Mrs. Liguori
Mr. Meza
Mr. Wilmeth
Mr. Chaplik, Vice-Chairman
Mr. Weninger, Chairman

Members Absent

Agenda

Original Agenda – Attachment 1

Request to Speak

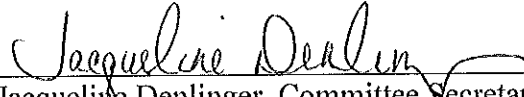
Report – Attachment 2

Committee Attendance

Report – Attachment 3

Committee Action

<u>Bill</u>	<u>Action</u>	<u>Vote</u>	<u>Attachments</u>
SB1136	DP	9-0-0-1	4, 5
SB1598	DP	9-0-0-1	6, 7
SB1118	DPA	10-0-0-0	8, 9, 10
SB1394	DP	9-0-0-1	11, 12
SB1278	HELD		13
SB1494	HELD		14


Jacqueline Denlinger, Committee Secretary
March 10, 2022

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

convened: 2:20 pm
adjourned: 2:39 pm

REVISED - 3/03/22

REVISED - 3/03/22

REVISED - 3/03/22

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

REGULAR MEETING AGENDA

COMMITTEE ON COMMERCE

DATE Tuesday, March 8, 2022

ROOM HHR 3

TIME 2:00 P.M.

Members of the public may access a livestream of the meeting here:

<https://www.azleg.gov/videooplayer/?clientID=6361162879&eventID=2022031028>

Members:

Mr. Carter
Mr. Chávez
Mr. Cook
Mr. Espinoza

Mr. Kaiser
Mrs. Liguori
Mr. Meza

Mr. Wilmeth
Mr. Chaplik, Vice-Chairman
Mr. Weninger, Chairman

Bills	Short Title	Strike Everything Title
SB1118 ③ DPA 10-0-0-0	insurance; fees; consent; limits(now: insurance; fees; consent; medicare supplement) (Livingston) COM, RULES	
SB1136 ① DP 9-0-0-1	public works; contracts; payments (Gray: Contreras, Fann, et al) COM, RULES	
SB1168	vacation rentals; short-term rentals; enforcement (Mesnard: Kaiser) COM, RULES	
SB1278 HELD	wage rates; technical correction(now: labor organizations; fiduciary guidelines; definitions) (Mesnard) COM, RULES	
SB1394 ④ DP 9-0-0-1	DIFI; business name; trade name (Livingston) COM, RULES	

Bills		Short Title	Strike Everything Title
<u>SB1494</u>	<u>HELD</u>	COVID-19 vaccine; unemployment insurance (Mesnard) COM, RULES	
<u>SB1598</u>	<u>DP</u>	information technology; security; office (Shope) COM, RULES	
<u>(2)</u>	<u>9-0-0-1</u>		

ORDER OF BILLS TO BE SET BY THE CHAIRMAN

ra
03/02/2022
03/03/2022

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

Information Registered on the Request to Speak System

House Commerce (3/8/2022)

SB1118, insurance; fees; consent; limits (NOW: insurance; fees; consent; medicare supplement)

Testified in support:

Marc Osborn, ALLSTATE INSURANCE CO, AMERICA'S HEALTH INSURANCE PLANS (AHIP), Chubb Insurance , FARMERS INSURANCE GROUP OF COMPANIES, Geico

Support:

Kathi Beranek, Blue Cross Blue Shield Of Arizona; Karen Moscato, representing self; Don Isaacson, STATE FARM INSURANCE COMPANIES; Marie Isaacson, STATE FARM INSURANCE COMPANIES

All Comments:

Don Isaacson, STATE FARM INSURANCE COMPANIES: State Farm opposes the proposed amendment by Rep. Cook.; Marie Isaacson, STATE FARM INSURANCE COMPANIES: State Farm opposes the proposed amendment by Rep. Cook.

SB1136, public works; contracts; payments

Support:

Barry M. Aarons, ASSOCIATED SPECIALTY CONTRACTORS OF ARIZONA; Matthew Johnson, representing self; Judy Gausman, AZ Landscape Contractors Assoc, Self; Maegan Johnson , Arizonans For Fair Contracting; Angela Cooner, Arizonans For Fair Contracting; chris light, representing self; Josh Umar, AMERICAN SUBCONTRACTORS ASSOCIATION OF AZ INC; Bob Brown, representing self

All Comments:

Matthew Johnson, Self: For the Arizona Landscape Contractors Association; Angela Cooner, Arizonans For Fair Contracting: Vote Yes. Support our Arizona Contractors. This is long overdue. It only provides subcontractors payment of their costs associated with change orders.; Bob Brown, Self: I am the owner of a small business of 80 employees. We struggle with change orders on every job. regularly we get shortchanged because the request gets kicked to the end when we have no negotiating power.

SB1278, wage rates; technical correction (NOW: labor organizations; fiduciary guidelines; definitions)

Support:

Lynn Ludwig, representing self; Frank Gilbert, representing self; JL Simpson, representing self

Oppose:

Judith Simons, representing self; Craig McDermott, representing self; Murdock Holloway, representing self

SB1394, DIFI; business name; trade name**Support:**

Stephen Briggs, AZ DEPT OF INSURANCE AND FINANCIAL INSTITUTIONS

All Comments:

Stephen Briggs, AZ DEPT OF INSURANCE AND FINANCIAL INSTITUTIONS: Happy to introduce and answer in questions.

SB1494, COVID-19 vaccine; unemployment insurance**Support:**

Carol Rogala, representing self; Marie Desroches, representing self; Richard Rutkowski, representing self; Baron Benham, representing self; Paul Rowe, representing self; Valerie Giramberk, representing self; Bob Jolley, representing self; Barry Graham, representing self; Kathy Walker, representing self; David Genge, representing self; Lynn Ludwig, representing self; Tami Smith, representing self; Craig Stephan, representing self; John Pio, representing self; Linda Pio, representing self; Robert Louchheim, representing self; JL Simpson, representing self; Henry Ganster, representing self; Denise Lockwood, representing self; Michael Marcus, representing self; David Seligson, representing self; Kristine Rodriguez, representing self; Annie Gold, representing self; C David, representing self; Janis Flavin, representing self; Ruth Edwards, representing self; Carrie Cox, representing self; Michael Sullivan, representing self; Claire Haggerty, representing self; James Roth, representing self

Neutral:

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

Oppose:

kathleen mayer, representing self; Dave Long, representing self; Rivko Knox, representing self; Steve Ramos, representing self; Mary Pradel, representing self; Denise Link, PhD, WHNP, representing self; Janet Larkin, representing self; Sandra Kravetz, representing self; Steven Linder, representing self; Rebecca Smith Gross, representing self; Peggie Jo Vincent, representing self; marilyn duerbeck, representing self; Henne Queisser, representing self; Maria Salvucci, representing self; Craig McDermott, representing self; Jeanne Casteen, representing self; Kenneth Bierman, representing self; Mary Ann Graffagnino, representing self; Claudia Bloom, representing self; Wes Oswald, representing self; Sandra Weir, representing self; Dianne Post, representing self; margaret gallagher, representing self; Cynthia Couture, representing self; Carol Maas, representing self; Sherrilynn James, representing self; Steven Finger, representing self; Donita Ramos, representing self; Vanessa Goldberg, representing self; Bryna Koch, representing self; Helen Kim, representing self; Catherine Sigmon, representing self; Barbara Fraboni, representing self; Brenda White, representing self; Kathryn Kaczmarek, representing self; Cathleen Bohnlein, representing self; Katherine Doman Sheydayi, representing self; Nancy C. Faria, representing self; Elizabeth Schauer, representing self; Elizabeth Goff, representing self; Charlie Silver, representing self; Barbara Oliver, representing self; Barbara Hutchinson, representing self; Marylynn Shroyer, representing self; Becky Saylor, representing self; Susan Morris, representing self; barbara wodrich, representing self; Brent Gibbs, representing

self; Alexei Sheydayl, representing self; Robin LaVoie, representing self; Julie Golding, representing self; Louise Good, representing self; Christine Keitges, representing self; Sharon Lee, representing self; Jane Atkins, representing self; Karen Harris, representing self; Linda Cooke, representing self; Barbara Larson, representing self; Robert Larson, representing self; Robert Fisher, representing self; Nelson Morgan, representing self; Annarose Lilly, representing self; Diane Nevill, representing self; Nancy Hancock, representing self; Penny Boone, representing self; Linda Guarino, representing self; Steve Gorman-Hackstadt, representing self; Patricia Mentz, representing self; Irwin Sheer, representing self; Ann Strine, representing self; Ariana Flores, representing self; Barbara Hollway, representing self; Gayle Meredith, representing self; Ralph Meredith, representing self; William S. James, representing self; Gail Block, representing self; Virginia Dotson, representing self; CAROL R BLACKMAN, representing self; Glenda Wood, representing self; Linda Edwards, representing self; Rosemary Dixon, representing self; Carly Mahlmeister, representing self; Lawrence Peters, representing self; Teresa Akrish, representing self; DEBRA GORDON, representing self; Margaret Owen, representing self; Jo Ann Caruthers, representing self; Kathleen Dubbs, representing self; Kathleen O'Neill, representing self; Mary Nelson, representing self; Kathleen Schanus-Gohl, representing self; J Nicholas Prestera, representing self; Marilyn Coyle, representing self; Virginia Kovatch, representing self; Jacqueline deSa, representing self; Claudia Oreck-Teplitsky, representing self; Rebecca Haynes, representing self; Jerrold Borchardt, representing self; Linda Ekstrum, representing self; William Bowlus-Root, representing self; Jennifer Chastain, representing self; Stephen Coyle, representing self; Gary Townsend, representing self; Frederick James, representing self; GARY LEW OLIVER, representing self; Mariette Francis, representing self; Cynthia Wagner, representing self; Margaret Tinsley, representing self; Janice Counts, representing self; John Gleason, representing self; Elizabeth Brauer, representing self; Margaret Nichols, representing self; Teresa Neiberg, representing self; Thea Chalow, representing self; Mary Fortney, representing self; Jeffrey Fortney, representing self; Margaret Bruns, representing self; Roy Verdery, representing self; Martha O'Connor, representing self; Joseph Alexander, representing self; William Yohey, representing self; Janell Alewyn, representing self; Margaret Adams, representing self; Eileen Hollowell, representing self; Murdock Holloway, representing self; Iris Adler, representing self; Susan Phelps, representing self; Gary Rulapaugh, representing self; Marcia Tingley, representing self; Erin McCamish, representing self; Julian Donahue, representing self; Caroline Anderson, representing self; Nancy Roberts, representing self; Kathy Fraser, representing self; Vickie Finger, representing self; Elaine Bomkamp, representing self; Irene Hunting, representing self; Roxanna Kearns, representing self; Christine McLachlan-Comer, representing self; Andrew Flach, representing self; Nancy Scharff, representing self; Sarah Seaver, representing self; Janet Senf, representing self; Kathleen Martin, representing self; Mary-Jeanne Fincher, representing self; Dana Nicolson, representing self; Diane Klock, representing self; Jeff green, representing self; Elaine Downing, representing self; Sandy Coffey, representing self; Allison Jackson, representing self; Kim Hoover, representing self; Fred Miller, representing self; Sherri Johnson, representing self; Candice Fremouw, representing self; Carol Redenbaugh, representing self; Anne Leota Hart, representing self; Howard Neiberg, representing self; Marie Thearle, representing self; Sally Dooley, representing self; Linda Reichert, representing self; Elizabeth McClure, representing self; Loretta O'Connor, representing self; Ryan Anderson, representing self; Alicia Vaughan, representing self; Carol Garnett, representing self; Diane Leischow, representing self; Jill Anderson, representing self; Patricia Edelen, representing self; Jessica Kitterman, representing self; Suzanne Berger, representing self; Nancy Santori, representing self; Jeri Dow, representing self; Angela J. Miller, representing self; Jens Larson, representing self; James Stein, representing self; Abby Brill, representing self; Donna Rice, representing self; Katherine Warren, representing self; Elizabeth Lyons, representing self; Rachel Port, representing self; Peter Coston, representing self; Kathleen Collins, representing self; Bruce Flocken, representing self; Lisa Koenig, representing self; Eloise Gore, representing self; Deborah Whitehurst, representing self; Victoria Wilson, representing self; Michael Pyska, representing self; Kelly Colvard-Walter, representing self; Jacqueline Bauer, representing self; Gail Prestera, representing self; Matthew Nelson, representing self; John Babicz, representing self; Nora Welsh, representing self; Linda Block, representing self; Lindsey Duran, representing self;

Whitney Johnson, representing self; Dan Schwartzstein, representing self; David Williams, representing self; Margaret Lacey, representing self; Shirley Isaacson, representing self; Karen Robbins, representing self; Jan Carlile, representing self; Susan McMillan, representing self; Sue Thorne, representing self; Truly Bone, representing self; John Neville, representing self; Jessie Spalding, representing self; Nancy Lecrone Nonini, representing self; Kathleen Frankel, representing self; Gary Ezzell, representing self; Janet Johnson, representing self; Cynthia Soffrin, representing self; Dan Hunt, representing self; Carissa Sipp, representing self; Margaret Cordovano, representing self; Carol Lynn Blankinship, representing self; Peggy Marlatt, representing self; Margaret Cordalis, representing self; Saher Afzal, representing self; Kathryn Anderson, representing self; Laura Libman, representing self; Sally Caruso, representing self; Nataly Reed, representing self; Sarah Bihms LD29, representing self; Carol Campbell, representing self; Katherine Stone, representing self; Devon Sloan, representing self; Christopher Cerrato, representing self; Sheila Green, representing self; George Ehrlich, representing self; Richard Della Porta, representing self; Sharon Ehrlich, representing self; Teresa Cokl, representing self; Theresa Ryan, representing self; Charles Turner, representing self; Lisa Maczura, representing self; Kathleen Sauer, representing self; Kim Buckley, representing self; Dieter Knecht, representing self; Janie Smieszek, representing self; John Propster, representing self; JOHN FIENE, representing self; Kathleen Woessner, representing self; ADRIENNE O'DONNELL, representing self; Donna Johnson, representing self; Ellen Bodow, representing self; Victor Garcia, representing self; David Myers, representing self; Angela Dzikoski, representing self; Peggy Church, representing self; Tina Kilcullen, representing self; Barbara Jones, representing self; Teresa Michels, representing self; Nancy Atherton, representing self; Ann Sawyer, representing self; Aaron Essif, representing self; Susan Collopy, representing self; RITA DEPUYDT, representing self; Gabe Leadley, representing self; Noreen Eversmeyer, representing self; Cynthia Paster, representing self; Michael Abrahamson, representing self; Helen Abrahamson, representing self; Elizabeth George, representing self; Francine Saccio, representing self; Douglas Cain, representing self

All Comments:

Carol Rogala, Self: The Nuremberg Trials already addressed this. NO-ONE should be forced to take a vaccine, especially an experiment, dangerous drug that doesn't even do what they promised.; Valerie Giramberk, Self: Maybe employers will think twice before mandating medical decisions for their employees. All medical decisions belong to the individual and certainly not the government nor employers. Medicine is not a one-size-fits-all discipline.; David Genge, Self: Counter all Covid tyranny; Craig Stephan, Self: I support SB1494, which allows employees to collect unemployment insurance if they have been terminated for failing to take a COVID-19 vaccine or booster. Individuals are free to choose their medical treatments. If terminated, they should receive UI.; John Pio, Self: Every person has the right to make medical decisions for their body. There can be a number of reasons a person chooses to not receive the COVID-19 vaccine. If they are terminated for this choice, UI should provide support until they find employment; Linda Pio, Self: If a person does not want to take the vaccine, you can not force them too. So if they are terminated then they should receive Unemployment benefits.; Henry Ganster, Self: Anyone who had their employment terminated by their company for not receiving the COVID-19 vaccine or booster shot should be eligible to receive unemployment insurance benefits, period.; Ruth Edwards, Self: We must stop this "othering". Discrimination or denial of services based on vaccination status should be illegal. Thank you to every lawmaker who votes for this bill; Michael Sullivan, Self: THESE PEOPLE CAUGHT IN THE TERMINATION POLICIES IS PROOF THAT WE NEED THIS BILL FOR PROTECTION OF RIGHTS DURING UNEMPLOYMENT FOR REASONS OTHER THAN FELONIES; James Roth, Self: I am a registered Arizona voter who supports medical choice and opposes employers or the government from mandating people to take experimental drugs or vaccines against their will. Protect our rights and pass this bill.; Rivko Knox, Self: Makes no sense coming from those who support more freedom for businesses to make their own decisions. Part of the 'anti vax' campaign!!; Denise Link, PhD, WHNP, Self: Refusing a mandated vaccination that protects their health and that of others is a voluntary action. They should not be eligible for unemployment compensation; Mary Ann Graffagnino, Self: This simply is unfair and

unjust and punitive for no sound reason.; Dianne Post, Self: If someone else denies science and refuses medical advice, I as the taxpayer should NOT have to pay for their perfidy.; Carol Maas, Self: The employer has a right to put in stipulations to when to bring an employee back to a job. Stop interfering in an employer's right to determine their own rules of employment.; Vanessa Goldberg, Self: More anti-science, anti-health nonsense!; Bryna Koch, Self: Vote no on this bill.; Kathryn Kaczmarek, Self: Folks need to be vaccinated to protect the health of everyone. Have we not learned anything from this pandemic?; Susan Morris, Self: Refusing to get a vaccine is a choice. Not getting one puts others at hazard.; Karen Harris, Self: Strongly oppose.; Nelson Morgan, Self: I am against special privileges for those who choose to ignore public health.; Diane Nevill, Self: Being fired for refusing an employers' request to get a COVID-19 vaccine is not a compelling reason that deserves unemployment compensation.; Penny Boone, Self: NO. This is basically an anti-vaxxer bill. It flies in the face of public health. It is extremist. I oppose.; Linda Guarino, Self: Don't reward workers who are willing to risk other people's health in addition to their own.; Irwin Sheer, Self: Refusal to get vaccinated endangers more than just yourself.; Virginia Dotson, Self: Please stop playing games with public health issues. Say NO on this one.; Carly Mahlmeister, Self: The AZGOP is so out of touch with the citizens of Arizona. At least this bill doesn't make it harder for us to pass citizens initiatives. Mesnard is bad for his constituents and the citizens of Arizona.; Lawrence Peters, Self: Twisting of unemployment rules due to anti-public health opposition to vaccines. How does this square with party that champions life? VACCINE SAVED LIVES OF ARIZONANS! Without them AZ would have suffered more than the tragedy of 27.8K deaths; DEBRA GORDON, Self: Choices have consequences. If a person chooses to quit a job due to an employer's public health mandate, such person does not deserve unemployment benefits. "Compelling personal reason" already protects legitimate reasons for quitting one's job.; Kathleen Dubbs, Self: Sometimes one has to give up a tiny personal preference for the good of the entire population. Those who purport to be Christian should do well to follow the rule: love thy neighbor as thyself. Loving your fellow human beings means protecting them.; Rebecca Haynes, Self: You should not make it ok to damage public health.; Gary Townsend, Self: This bill would unjustly reward people for very bad behaviour that endangers their community.; Margaret Tinsley, Self: This is a bad idea and bad public policy; John Gleason, Self: Vote NO!! Kill the BILL! My god some have lost their mind up there in the legislature. Voting to PAY MORE and ENCOURAGE people to quit their jobs? What ever happened welfare queens? Vote NO!!! Kill this stupid and hypocritical bill. Vote NO, NO, NO; Elizabeth Brauer, Self: The COVID vaccine is safe and effective, we should be encouraging people to get it, not rewarding them for not getting it.; Margaret Nichols, Self: The needs of the community must sometimes take precedence over individual rights. Reckless driving, for instance. Not being vaccinated against a highly contagious disease is an unhealthy choice and should be unlawful. Ergo, no unemployment insurance.; Mary Fortney, Self: Zip 85331; Jeffrey Fortney, Self: zip code 85331; Roy Verdery, Self: As a physician I know that covid vaccination prevents illness, disability and death. Unless someone has a "compelling personal reason," already protected, to not get vaccinated, they should lose unemployment if they refuse their employer's request.; William Yohey, Self: Anti-science bill.; Eileen Hollowell, Self: Why should people be rewarded for not getting a shot while other people who get fired get denied unemployment? People should live with the consequences of their decisions.; Erin McCamish, Self: Vaccines save lives and people who refuse them should not get any support.; Julian Donahue, Self: Clearly an anti-vaxxer attack on public health.; Elaine Bomkamp, Self: People need to get vaccinated. They need to be responsible for themselves and those around them. All the research show the importance of being vaccinated to save lives.; Roxanna Kearns, Self: Getting vaccinated against Covid19 is a civic duty.; Sarah Seaver, Self: Companies and businesses should be able to make and enforce their own safety regulations. Current law is that if you are fired for cause, you are not eligible for unemployment.; Mary-Jeanne Fincher, Self: Private employers should be able to determine whether their business and customers would benefit from having vaccinated employees. Employers pay for unemployment benefits, so this bill not only takes away their freedom, but makes them pay for it.; Kim Hoover, Self: Public health issues need to be based on science, not on anti-vaccine conspiracy misinformation.; Fred Miller, Self: personal freedom comes with personal sacrifice. If someone is fired or quits because of their personal beliefs, taxpayers should not have to

pay them for their beliefs through unemployment.; Carol Redenbaugh, Self: Unvaccinated people lose their jobs by their own choice. That is not what unemployment was meant for.; Anne Leota Hart, Self: I am a registered voter in LD 6. This bill is an attack on public health for us all by supporting people who don't care about the health of their friends, co-workers and neighbors. They should not be rewarded.; Sally Dooley, Self: People who are unwilling to make a small sacrifice for the safety of the general public shouldn't be rewarded.; Elizabeth McClure, Self: I am SO TIRED of Covid naysayers, of fighting a proven, life-saving vaccine to the point of defending those who spread lies about it and remain unvaccinated. Enough! We the MAJORITY have zero tolerance for refusing vaccination because of lies.; Loretta O'Connor, Self: Suck-up Mesnard. What a disappointment. Those who choose to leave jobs rather than behave socially should show up at Mesnard's door for handouts.; Carol Garnett, Self: Vaccination should be required for the health of everyone if the employee is in a customer service position. Quitting due to this requirement should not lead to a reward.; Donna Rice, Self: Refusing to be vaccinated without a compelling personal reason is just selfishness. Vote NO.; Bruce Flocken, Self: Vaccination requirements have been a part of my 60+ years of life, with only benefits, like staying healthy/not infecting others. People choosing to lose their job because of vaccination requirements should not be rewarded with unemployment pay.; Jacqueline Bauer, Self: How does it make any sense to put taxpayers on the hook for someone who refuses to take a required vaccine? Why do I have to pay for this? This is irresponsible, politically motivated policy, but why would we expect any less from the AZ legislature?; Gail Prestera, Self: Too much government interference. Every company should not be penalized for doing what it can to provide employee safety. And the state should not have to spend money just because an employee doesn't follow company rules.; Linda Block, Self: Unemployment should be for people who lose their job through no fault of their own.; Sue Thorne, Self: Sen Mess... Haven't you heard? Refusing to comply with company rules is cause for firing. Employees may also quit if they don't want to get vaccinated to protect the safety of others. This is NOT a good reason for the reward of unemployment \$. NO!; John Neville, Self: LD6 - another anti-health bill; Nancy Lecrone Nonini, Self: If someone willingly leaves a job because they do not want to get the vaccine that helps the community stay safe, they should not be rewarded with unemployment benefits. Public safety in this pandemic should prevail.; Janet Johnson, Self: Respectfully, follow the science. Vaccines work and protect the most vulnerable among us. Our tax payer \$ should not be used to pay unemployment to those who submit to conspiracy theories.; Cynthia Soffrin, Self: If an independent employer wants to protect its employees, they are within their rights to require their workers to get a Covid vaccine. Anyone who doesn't want to comply with their employer's rules is free to quit but NOT to receive unemployment.; Margaret Cordovano, Self: Employees who refuse to follow public health guidelines should not be rewarded for their indifference as to whether they infect others.; Sarah Bihms LD29, Self: This bill would ban the state from refusing to pay unemployment if the person was fired or quit due to their refusal to get vaccinated against COVID-19. There is a pandemic still raging, AZ has 10th highest death rate. Stop rewarding irresponsibility; Teresa Cokl, Self: Unemployment regulations shouldn't be changed to reward those who refuse to do their part to stop the spread of a deadly virus. Think of the greater good for a change. Please.; Lisa Maczura, Self: This bill encourages fear of science. Makes Arizonans look clueless.; Kathleen Sauer, Self: This is a carve-out to the rules for who can seek unemployment for a purely partisan reason, at the expense of the autonomy of private business.; Janie Smieszek, Self: Sit home and collect unemployment because they don't want to protect their coworkers? Not a good idea; John Propster, Self: This isn't even a thing. How paranoid! Vote NO!; JOHN FIENE, Self: This gives a pass, and taxpayer dollars, to the chronically ignorant.; ADRIENNE O'DONNELL, Self: This does not fall within the scope of traditional reasons for people to receive unemployment benefits, and would be an unreasonable expansion of the law.; Victor Garcia, Self: This only add more red tape and bureaucracy to a department that doesn't need anymore; Teresa Michels, Self: Our unemployment laws already state when an individual should receive unemployment. I don't want to waste my tax dollars on someone that loses their job due to a political stance.; Nancy Atherton, Self: Businesses have the right to protect their workforces against employees who might endanger others and should not be punished for doing so. Employees know the rules and should go elsewhere if they don't like them; Ann

Sawyer, Self: People should not get paid for choosing to quit their jobs. They may be afraid of the vaccine or or hold an ideology about body purity but that's not reason enough to benefit at the expense of the state.; Aaron Essif, Self: Co-workers have a right to be protected. AND Hospitals had a right not to jammed.; Cynthia Paster, Self: This is a mis- use of the unemployment benefits system

SB1598, information technology; security; office

Support:

Elizabeth Bartholomew, AZ DEPT OF ADMINISTRATION

PLEASE COMPLETE THIS FORM FOR THE PUBLIC RECORD



HOUSE OF REPRESENTATIVES

Please PRINT Clearly

Committee on Commerce Bill Number 1493
Date 3-8-22 ☒ Support ☐ Oppose ☐ Neutral
Name Stephen Briggs Need to Speak? ☒ Yes ☐ No
Representing AZ DIFI Are you a registered lobbyist? PB
Complete Address 100 N. 15th Ave
Email Address Stephen.Briggs@DIFI.AZ.gov Phone Number 602 915313069
Comments: Ag

ARIZONA STATE LEGISLATURE
Fifty-fifth Legislature - Second Regular Session

COMMITTEE ATTENDANCE RECORD

COMMITTEE ON COMMERCE

CHAIRMAN: Jeff Weninger VICE-CHAIRMAN: Joseph Chaplik

DATE	03/08/22	/22	/22	/22	/22
CONVENED	2:20pm	m	m	m	m
RECESSED					
RECONVENED					
ADJOURNED	2:39pm				
MEMBERS					
Carter	✓				
Chávez	✓				
Cook	✓				
Espinoza	✓				
Kaiser	✓				
Liguori	✓				
Meza	✓				
Wilmeth	✓				
Chaplik, Vice-Chairman	✓				
Weninger, Chairman	✓				

✓ Present --- Absent exc Excused



ARIZONA HOUSE OF REPRESENTATIVES

Fifty-fifth Legislature
Second Regular Session

Senate: COM DP 9-0-0-0 | 3rd Read 28-0-2-0-0

SB 1136: public works; contracts; payments

Sponsor: Senator Gray, LD 21

Committee on Commerce

Overview

Outlines requirements for the payment of contractors and subcontractors for changed or additional work (changed work) in construction contracts with certain governmental entities.

History

Statute outlines requirements for state agencies subject to the Arizona Procurement Code, counties, cities, towns and certain special taxing districts (governmental entities) to contract with contractors for public construction contracts. Progress payments may be made by a governmental entity to a contractor on the basis of a duly certified and approved estimate of the work performed. Progress payments must be paid within 14 days after the estimate of work is certified and approved. The estimate of work is deemed approved and certified 7 days after the date of submission unless the governmental entity issues a written finding detailing such items in the estimate that are not approved and certified under the contract. In any delay of payment to the contractor, interest at the rate of 1% per month may be added on the unpaid balance (A.R.S. §§ 34-101; 41-2577).

Provisions

Contractor Change Orders

1. Permits a contractor hired by a governmental entity, while the final amount to be paid for any changed work is pending, to request payment for changed work that the contractor has completed during the previous month in monthly pay estimates if:
 - a) the governmental entity directs the contractor to perform changed work in accordance with the construction contract; and
 - b) the contractor submits to the governmental entity a reasonable cost estimate of the changed work. (Sec. 3, 4, 5, 7)
2. Directs the person designated in the construction contract to certify and approve monthly payment estimates to: a) make an interim determination for purposes of approval for payment of the costs of any changed work; and b) certify for payment the amount that person determines to be reasonably justified. (Sec. 3, 4, 5, 7)
3. Stipulates that either the contractor or the governmental entity may disagree with the interim determination and assert a claim in accordance with the terms of the construction contract. (Sec. 3, 4, 5, 7)

Subcontractor Change Orders

4. Permits a subcontractor working for a contractor hired by governmental entity, while the final amount to be paid for any changed work is pending, to request payment from the contractor for changed work that the subcontractor has completed during the previous month in monthly pay estimates if:

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

- a) the governmental entity directs the contractor to perform changed work in accordance with the construction contract;
 - b) the contractor submits to the governmental entity a cost estimate of the changed work;
 - c) the contractor directs the subcontractor to perform the changed work in accordance with the terms of the agreement between the contractor and subcontractor; and
 - d) the subcontractor submits to the contractor a reasonable cost estimate of the changed work. (Sec. 3, 4, 5, 7)
5. Stipulates that either the subcontractor or the contractor may disagree with the interim determination and assert a claim in accordance with the terms of the agreement between the contractor and subcontractor. (Sec. 3, 4, 5, 7)

Miscellaneous

6. Provides in any action or arbitration between a contractor, subcontractor or governmental entity regarding payment for work done that the prevailing party is entitled to attorney's fees. (Sec. 3, 4, 5, 7)
7. Requires the State Board of Education's procurement practice rules for all school districts to comply with prompt payment requirements except in cases where the funding is externally provided and has not yet been received. (Sec. 2)
8. Specifies that the procurement rules of the Arizona Board of Regents must provide for compliance with partial payments, progress payments and changed work requirements. (Sec. 6)
9. Defines *construction contract*, *contractor*, *cost*, *subcontractor* and *work*. (Sec. 3, 4, 5, 7)
10. Makes conforming and technical changes. (Sec. 1-7)

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

ROLL CALL VOTE

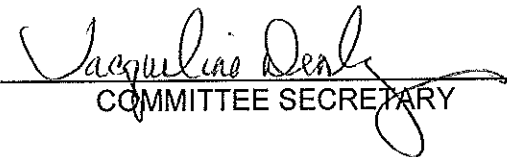
COMMITTEE ON Commerce BILL NO. SB 1136

DATE March 08, 2022 MOTION: DP

	PASS	AYE	NAY	PRESENT	ABSENT
Carter		✓			
Chávez		✓			
Cook		✓			✓
Espinoza		✓			
Kaiser					✓
Liguori		✓			
Meza		✓			
Wilmeth		✓			
Chaplik, Vice-Chairman		✓			
Weninger, Chairman		✓			
		9	0	0	1

APPROVED:


JEFF WENINGER, Chairman
JOSEPH CHAPLIK, Vice-Chairman


COMMITTEE SECRETARY

ATTACHMENT 5



ARIZONA HOUSE OF REPRESENTATIVES

Fifty-fifth Legislature
Second Regular Session

Senate: TAT DP 8-0-1-0 | 3rd Read 29-0-1-0

SB 1598: information technology; security; office

Sponsor: Senator Shope, LD 8

Committee on Commerce

Overview

Transfers the Statewide Information Security and Privacy Office (SISPO) to the Arizona Department of Homeland Security (AzDOHS).

History

The Arizona Department of Administration (ADOA) is responsible for developing, implementing and maintaining a coordinated statewide plan for information technology, monitoring state agencies, continuously studying emergent technology and evaluating the impact of such technology on Arizona's system. SISPO, a subdivision of ADOA, must serve as the strategic planning, facilitation and coordination office for information technology security. SISPO must also develop, implement, maintain and ensure compliance by each state agency with a coordinated statewide assurance plan for information security and privacy (A.R.S. §§ 18-101; 18-104; 18-105).

AZDOHS must formulate policies, plans and programs to enhance the ability to prevent and respond to acts of terrorism and other critical hazards. The AZDOHS must establish five councils, representing the north, east, south, west and central regions of Arizona. These regional advising councils must support and assist in implementing Arizona's comprehensive statewide risk assessment and an integrated regional approach to homeland security (A.R.S. §§ 41-4254 and 41-4258).

Provisions

Statewide Information Security and Privacy Office

1. Transfers SISPO from ADOA to AzDOHS. (Sec. 2, 10)
2. Permits the Director of AzDOHS to serve as, or appoint, the statewide chief information security officer to manage SISPO. (Sec. 10)
3. Maintains the duties of SISPO with the following additional duties:
 - a) establish a state security operations center for central detection, reporting and response efforts for security incidents and breaches across the state;
 - b) consult with ADOA for a full review of the security aspects for information technology projects; and
 - c) operate the information security aspects of the enterprise-level infrastructure managed by ADOA. (Sec. 10)
4. Authorizes AzDOHS to examine all book, papers, records and documents in SISPO of any state agency and require the agency to provide necessary information or statements. (Sec. 10)

☐ Prop 105 (45 votes)	☐ Prop 108 (40 votes)	☐ Emergency (40 votes)	☐ Fiscal Note
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5. Directs state agencies to demonstrate expertise to carry out security assurance plans. (Sec. 10)
6. Allows state agencies to enter into an agreement with ADOA or AzDOHS to meet statutory information security and privacy requirements. (Sec. 10)
7. Defines pertinent terms. (Sec. 10)

Arizona Department of Administration

8. Removes the requirement for ADOA to adopt statewide security standards for information technology. (Sec. 1)
9. Requires the statewide disaster recovery plan to identify risks in state agencies and directs agencies to adopt risk mitigation strategies, methods and procedures to minimize the risks. (Sec. 1)
10. Clarifies the evaluation of specific information technology projects relating to the statewide information technology plan to be in consultation with SISPO. (Sec. 1)
11. Instructs ADOA to:
 - a) manage enterprise-level information technology infrastructure, except for the information security aspects of the infrastructure;
 - b) develop strategies to protect the information technology infrastructure and the data stored on or transmitted by the infrastructure;
 - c) temporarily suspend access to information technology infrastructure when directed by AzDOHS and consult with AzDOHS regarding security policies, standards and procedures. (Sec. 1)

Arizona Department of Homeland Security

12. Permits the Director to appoint additional deputy directors. (Sec. 4)
13. Exempts the statewide chief information security officer from statutory provisions relating to state service. (Sec. 4)
14. Adds expertise in *cybersecurity* to the list of permissible qualifiers for appointment as the Director. (Sec. 4)
15. Broadens the types of employees the Director may employ. (Sec. 5)
16. Adds the following to AzDOHS's duties:
 - a) include, in the formulation of policies and plans, a response to acts of cybersecurity threats; and
 - b) adhere to all federal grant terms and conditions. (Sec. 6)
17. Removes the following from AzDOHS's duties:
 - a) develop a statewide homeland security strategy;
 - b) provide a summary of the amount of federal homeland security monies request to the Senior Advisory Committee;
 - c) provide a list of the allocations of federal homeland security grants to the Senior Advisory Committee;
 - d) coordinate with other state and federal agencies to publish a guide for grantees that receive homeland security monies;
 - e) conduct preparedness training exercises;
 - f) assist in the development of regional response plans; and
 - g) partner with and involve the private sector in preparedness efforts. (Sec. 6)

18. Removes the requirement that AZDOHS submit a homeland security allocation and expenditure report to the Joint Legislative Committee on Border and Homeland Security. (Sec. 7)

19. Clarifies the contents of the homeland security allocation and expenditure report. (Sec. 7)

AzDOHS Regional Advisory Council

20. Instructs AzDOHS to ensure reasonable distribution of area representation in the Council. (Sec. 9)

21. Removes restrictions on the maximum number of members that can appointed from a single county. (Sec. 9)

22. Removes, from the Council membership, a mayor and a county supervisor. (Sec. 9)

23. Retains the current membership until the expiration of their normal terms. (Sec. 11)

24. Permits members to designate a person to serve as the member's proxy, with approval. (Sec. 9)

25. Removes the requirement for a member to submit a biographical sketch of the proxy's experience for service. (Sec. 9)

26. Directs a Council to meet *as needed*, rather than at least four times a year. (Sec. 9)

27. Revises the responsibilities of the Council. (Sec. 9)

Miscellaneous

28. Includes the statewide chief information security officer, of the officer's designee, as a member of the Information Technology Authorization Committee. (Sec. 3)

29. Repeals the Senior Advisory Committee and the Joint Legislative Committee on Border and Homeland Security. (Sec. 8)

30. Makes technical and conforming changes. (Sec. 3, 6, 9)

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

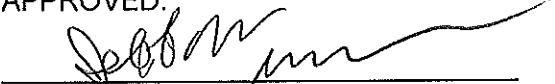
ROLL CALL VOTE

COMMITTEE ON Commerce BILL NO. SB 1598

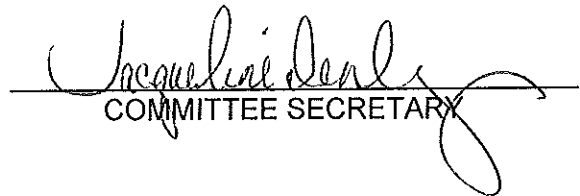
DATE March 08, 2022 MOTION: DP

	PASS	AYE	NAY	PRESENT	ABSENT
Carter		✓			
Chávez		✓			
Cook		✓			
Espinoza		✓			
Kaiser					✓
Liguori		✓			
Meza		✓			
Wilmeth		✓			
Chaplik, Vice-Chairman		✓			
Weninger, Chairman		✓			
		9	0	0	1

APPROVED:



JEFF WENINGER, Chairman
JOSEPH CHAPLIK, Vice-Chairman



COMMITTEE SECRETARY

ATTACHMENT 7



ARIZONA HOUSE OF REPRESENTATIVES

Fifty-fifth Legislature
Second Regular Session

Senate: FIN DPA 10-0-0-0 | 3rd Read 28-0-2-0

SB 1118: insurance; fees; consent; medicare supplement
Sponsor: Senator Livingston, LD 22
Committee on Commerce

Overview

Makes various changes to statutes relating to electronic communications, Medicare supplement insurance, title insurance agencies and motor vehicle liability policies.

History

An insurer may deliver a notice or document to a party by electronic means if the party electronically consents to that method of electronic delivery. An insured is deemed to have consented to receive notices and documents electronically if the insured effectuates insurance transactions by electronic means. An oral communication or a recording of an oral communication does not qualify as consent to deliver a notice or document by electronic means (A.R.S. § 20-239).

Title insurance: a) insures owners of real property against loss or damage suffered by reasons of liens, encumbrances upon, defects in or the unmarketability of the title to such property; or b) insures the correctness of searches relating to the title to real property (A.R.S. § 20-1562).

An agent for a title insurer is prohibited from adopting a corporate or business name containing certain words or phrases indicating that the agent is in the business of title insurance, unless those words are followed by *agent* or *agency* (A.R.S. § 20-1583).

A *motor vehicle liability policy* is an owner's or operator's policy of liability insurance issued by an authorized insurance carrier to the benefit of the named insured and is certified as proof of financial responsibility. A motor vehicle liability policy is not required to insure certain liabilities as outlined in statute, which include any worker's compensation law or for intentional damage or injury authorized or executed by the insured (A.R.S. §§ 28-4001 & 28-4009).

Provisions

1. Removes the minimum amount of the nonrefundable fee for a certificate of director, under seal. (Sec. 1)
2. Allows a specified oral communication as a means of consent for an insurer to deliver a notice or document by electronic means. (Sec. 2)
3. Changes the definition of *advisory organizations* to mean a person who assists *two or more* insurers or rate services organizations in the making of rates. (Sec. 3)
4. Asserts the Director of DIFI may not prohibit Medicare supplement insurance providers from offering discounts to enrollees for early enrollment or for payment method. (Sec. 4)
5. Removes the restrictions on the corporate or business name of an agent for a title insurer. (Sec. 5)

☐ Prop 105 (45 votes)	☐ Prop 108 (40 votes)	☐ Emergency (40 votes)	☐ Fiscal Note
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6. Asserts motor vehicle liability policies are not required to provide coverage for any liability that is not required under state law. (Sec. 6)
7. Permits motor vehicle liability policies to contain exclusions except as specifically prohibited by law. (Sec. 6)
8. Makes technical changes. (Sec. 3, 4)

PROPOSED

HOUSE OF REPRESENTATIVES AMENDMENTS TO S.B. 1118
(Reference to Senate engrossed bill)

1 Page 8, between lines 23 and 24, insert:

2 "Sec. 5. Section 20-1503, Arizona Revised Statutes, is amended to
3 read:

4 20-1503. Arizona standard fire policy

5 A. ~~No~~ A policy of fire insurance covering property located in this
6 state shall NOT be made, issued or delivered unless it conforms as to all
7 provisions and the sequence thereof with the basic policy commonly known as
8 the New York standard fire policy, edition of 1943. Such policy is
9 designated as the Arizona standard fire policy.

10 B. The Arizona standard fire policy may exclude coverage for loss by
11 fire or other perils insured against if the loss is caused directly or
12 indirectly by terrorism and involves risks other than a type of risk to
13 which article 12 of this chapter applies.

14 C. COVERAGE FOR DIRECT LOSS BY FIRE UNDER THE ARIZONA STANDARD FIRE
15 POLICY SHALL INCLUDE COVERAGE FOR LOSS OR DAMAGE THAT RESULTS FROM A
16 LANDSLIDE, MUDSLIDE, MUDFLOW OR DEBRIS FLOW IF A FIRE IS THE EFFICIENT
17 PROXIMATE CAUSE OF THE LOSS OR DAMAGE, THE FIRE ENDED WITHIN ONE HUNDRED
18 EIGHTY DAYS AFTER THE LOSS OR DAMAGE AND COVERAGE WOULD OTHERWISE BE
19 PROVIDED FOR THE FIRE. COVERAGE SHALL BE PROVIDED UNDER THE SAME TERMS AND
20 CONDITIONS AS WOULD BE PROVIDED FOR THE FIRE.

21 ~~C.~~ D. The director shall file in ~~his~~ THE office and thereafter
22 maintain ~~so~~ on file, a true copy of the Arizona standard fire policy,
23 designated as such and bearing the director's authenticating certificate

Adopted ☒	# of Verbals _____
Failed _____	Withdrawn _____
Not Offered _____	Analysts Initials _____

House Amendments to S.B. 1118

- 1 and signature and the date of filing. Provisions to be contained on the
- 2 first page of the policy may be rewritten, supplemented and rearranged to
- 3 facilitate policy issuance and to include matter ~~which~~ THAT may otherwise
- 4 properly be added by endorsement."
- 5 Renumber to conform
- 6 Amend title to conform

DAVID L. COOK

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03/04/2022
08:42 AM
H: PRB/l's

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

ROLL CALL VOTE

COMMITTEE ON Commerce BILL NO. SB 1118

DATE March 08, 2022 MOTION: DPA

	PASS	AYE	NAY	PRESENT	ABSENT
Carter		✓			
Chávez		✓			
Cook		✓			
Espinoza		✓			
Kaiser		✓			
Liguori		✓			
Meza		✓			
Wilmeth		✓			
Chaplik, Vice-Chairman		✓			
Weninger, Chairman		✓			
		10	0	0	0

APPROVED:



JEFF WENINGER, Chairman
JOSEPH CHAPLIK, Vice-Chairman



COMMITTEE SECRETARY

ATTACHMENT 10



ARIZONA HOUSE OF REPRESENTATIVES

Fifty-fifth Legislature
Second Regular Session

Senate: FIN DP 9-0-1-0 | 3rd Read 29-0-1-0

SB 1394: DIFI; business name; trade name
Sponsor: Senator Livingston, LD 22
Committee on Commerce

Overview

Provides requirements for certain licensees under the jurisdiction of the Arizona Department of Insurance and Financial Institutions (DIFI) using an assumed or trade name.

History

DIFI regulates the insurance industry as well as financial institutions and enterprises by issuing licenses, conducting examinations and investigating complaints.

Licensed mortgage brokers, mortgage bankers and loan originators are required to use the name and license number as issued on the business license, except that certain licensees may employ or refer to the commonly used name and any trademarks or service marks of any affiliate, when advertising for or soliciting business in any manner. (A.R.S. §§ 6-903; 6-943; & 6-991.02).

Provisions

1. Stipulates an enterprise or a consumer lender is not required to obtain a separate license when doing business under an assumed name or trade name provided a written notification is submitted to DIFI prior to using the assumed name or trade name. (Sec. 1)
2. Prohibits the use of an assumed name or trade name that:
 - a) is so substantially similar to another licensee's name that it may cause uncertainty or confusion; or
 - b) tends to deceive or mislead the public as to the nature of business that the licensee conducts. (Sec. 1)
3. Prohibits a loan originator, real estate appraiser or property tax agent from using an assumed name or trade name. (Sec. 1)
4. Directs a person to notify DIFI within 15 days after any material change to the information sent to DIFI regarding the used assume name or trade name. (Sec. 1)
5. Requires the license name or other assumed name or trade name to be contained in a debt management company's advertising, communication and sales materials. (Sec. 3)
6. Permits a licensed mortgage broker, mortgage banker or commercial mortgage banker to advertise or solicit mortgage business using an assumed name or trade name that has been submitted to DIFI. (Sec. 4, 5, 6)
7. Removes the authorization for certain licensees to employ or refer to the commonly used name and any trademarks or service marks of any affiliate. (Sec. 4, 5)
8. Clarifies a loan originator cannot advertise for or solicit mortgage business in any manner without the employer's name, or other assumed name or trade name, and the employer's license number. (Sec. 7)
9. Requires a sales finance company licensee, when transacting business, to use the license name or other assumed name or trade name that was submitted to DIFI. (Sec. 8)

☐ Prop 105 (45 votes)	☐ Prop 108 (40 votes)	☐ Emergency (40 votes)	☐ Fiscal Note
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10. Makes technical and conforming changes. (Sec. 2, 4, 5, 6, 8)

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

ROLL CALL VOTE

COMMITTEE ON Commerce BILL NO. SB 1394

DATE March 08, 2022 MOTION: DP

	PASS	AYE	NAY	PRESENT	ABSENT
Carter		✓			
Chávez		✓			
Cook					✓
Espinoza		✓			
Kaiser		✓			
Liguori		✓			
Meza		✓			
Wilmeth		✓			
Chaplik, Vice-Chairman		✓			
Weninger, Chairman		✓			
		9	0	0	1

APPROVED:



JEFF WENINGER, Chairman
JOSEPH CHAPLIK, Vice-Chairman


COMMITTEE SECRETARY

ATTACHMENT 12

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

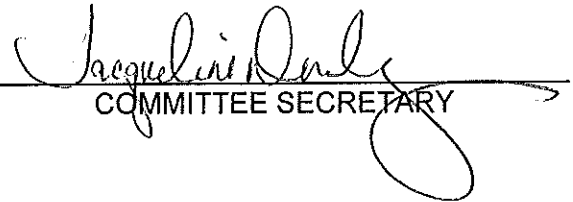
ROLL CALL VOTE

COMMITTEE ON Commerce BILL NO. SB 1278

DATE March 08, 2022 MOTION: HELD

	PASS	AYE	NAY	PRESENT	ABSENT
Carter					
Chávez					
Cook					
Espinoza					
Kaiser					
Liguori					
Meza					
Wilmeth					
Chaplik, Vice-Chairman					
Weninger, Chairman					

APPROVED:


COMMITTEE SECRETARY

JEFF WENINGER, Chairman
JOSEPH CHAPLIK, Vice-Chairman

ATTACHMENT 13

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

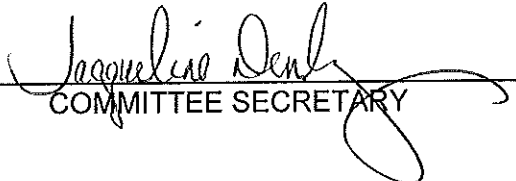
ROLL CALL VOTE

COMMITTEE ON Commerce BILL NO. SB 1494

DATE March 08, 2022 MOTION: HELD

	PASS	AYE	NAY	PRESENT	ABSENT
Carter					
Chávez					
Cook					
Espinoza					
Kaiser					
Liguori					
Meza					
Wilmeth					
Chaplik, Vice-Chairman					
Weninger, Chairman					

APPROVED:


COMMITTEE SECRETARY

JEFF WENINGER, Chairman
JOSEPH CHAPLIK, Vice-Chairman

ATTACHMENT 14