



## *County Supervisors Association of Arizona*

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### COUNTY SUPERVISORS ASSOCIATION LEGISLATIVE POLICY COMMITTEE

#### AGENDA

February 11, 2011

Teleconference 1-866-228-9900

Access Code 326208#

[Web link](#)

County Supervisors Association  
1905 W. Washington St.  
Phoenix, AZ

9:00 a.m. Call to Order ~ *Second Vice President Richard Lunt*

- A) Approval of the Minutes of the February 4, 2011, Legislative Policy Committee Meeting
- B) State Budget Update
- C) Legislative Bills for Discussion and Consideration
  - 1) [SB 1499](#) probate; omnibus (*Driggs*)
  - 2) [HB 2224](#) court appointed fiduciaries (*Fillmore*)
  - 3) [HB 2424](#) probate; wards; rights (*Smith*)
  - 4) [HB 2485](#) government land; replacing private land (*Gowan*)
  - 5) [SB 1319](#) government land; replacing private land (*Griffin*)
  - 6) [HB 2726](#) public retirement systems; plan design (*Adams*)
  - 7) [HB 2141](#) county alignment; local initiative (*Harper*)
  - 8) [HB 2650](#) county employees; merit system exemption (*Burges*)
- D) Update of CSA-sponsored Bills
  - 1) [HB 2197](#) charter schools; age restricted communities (*Lesko*)  
[SB 1174](#) charter schools; age restricted communities (*Crandall*)
  - 2) [HB 2231](#) public defenders; probate court; reimbursement (*Goodale*)  
[HB 2372](#) conservatorships; guardianships; county reimbursement (*Ash*)
  - 3) [HB 2236](#) political subdivisions; sharing revenue information (*Goodale*)
  - 4) [HB 2285](#) inmate credit; imprisonment; fine reduction (*McLain*)
  - 5) [HB 2318](#) transportation authorities; regional and public (*Jones*)
  - 6) [HB 2319](#) counties; primitive roads; maintenance (*Jones*)
  - 7) [SB 1186](#) 2011 tax correction act (*Yarbrough*)
  - 8) [SB 1278](#) county assessor; permanent retrieval fund (*Allen*) (*Co-sponsored with AACo*)
  - 9) [SB 1362](#) flood control structures (*Antenori*)
  - 10) [SB 1427](#) flood control dist; construction projects (*Nelson*)
  - 11) [SB 1428](#) counties; employment of contractors; bids (*Nelson*)
- E) Other Business
- F) Next Meeting Date and Time (*Thursday, February 17, at 10:00 a.m. with CSA Board Meeting; then Friday, February 25, 2011, at 10:00 a.m.*) **PLEASE NOTE THE NEXT LPC WILL BE HELD IN CONJUNCTION WITH THE CSA BOARD OF DIRECTORS MEETING**
- G) Adjourn

**LPC Bills for Consideration**  
*CSA Legislative Policy Committee Meeting*  
*February 11, 2011 (9:00 a.m.)*

Bill Number	Short Title	Description	Comment
<i>Legislative Bills for Discussion</i>			
<a href="#">SB 1499</a>	PROBATE; OMNIBUS (Driggs)	Various changes to statutes related to probate court, including establishing procedures to modify any type of guardianship order or remove a conservator, adding nonprofit organizations that provide fiduciary services and the public fiduciary to the list of persons that the court may consider for appointment as a guardian or conservator, and requiring the court to consider the ability of the ward to pay when determining reasonable compensation. Under certain circumstances, the court is authorized to order a party to pay a reasonable amount to another party for the expenses of maintaining or defending any probate proceeding. Court orders appointing a guardian or conservator must prohibit the guardian from expending any amounts from the estate of the ward without prior court order, except for taxes and reasonable and necessary medical and dental expenses. A petition for appointment of a guardian or conservator must include a reliable estimate of all monthly costs associated with the guardianship and a set of competitive bids for the care of the incapacitated person. Some exceptions.	Referred to Senate Public Safety and Human Services
<a href="#">HB 2224</a>	COURT APPOINTED FIDUCIARIES (Fillmore)	Rules established by the supreme court regarding qualifications for court appointed fiduciaries cannot include a requirement that the person be an attorney. Further, the fiduciary must document work performed on an hourly basis, and must not charge more than \$75 per hour.	Assigned to House Banking and Insurance
<a href="#">HB 2424</a>	PROBATE; WARDS; RIGHTS (Smith)	Establishes various requirements for probate cases, including burden of proof, causes for sanctions, and requirements for fiduciary court appointees. Also creates a probate advocacy panel to review the activities of probate courts and develop training standards for probate judges, and requires each judge serving in county probate courts to demonstrate competence in all areas of probate jurisprudence.	Referred to House Judiciary

<a href="#">HB 2485</a>	GOVERNMENT LAND; REPLACING PRIVATE LAND (Gowan)	If a government purchases or condemns privately owned property, the purchaser must either dispose of the property or agree to make voluntary payments in lieu of property taxes to all taxing jurisdictions in which the property is located.	Held by House Energy and Natural Resources
<a href="#">SB 1319</a>	GOVERNMENT LAND; RESTORING PRIVATE LAND (Griffin)	If a unit of government acquires title to land, it must sell or otherwise convey title to land of an equivalent value to private ownership.	Referred to House Water, Land Use and Rural Development
<a href="#">HB 2726</a>	PUBLIC RETIREMENT SYSTEMS; PLAN DESIGN (Adams)		Awaiting assignment to committee
<a href="#">HB 2141</a>	COUNTY ALIGNMENT; LOCAL INITIATIVE (Harper)	Establishes an alternative method for realigning county boundaries for the purpose of moving territory from one existing county to an adjacent existing county. The alternative method is initiated by petition and approved or disapproved by a special election. Includes procedures for ratification and post-realignment requirements.	Referred to House Government, Judiciary, Rules
<a href="#">HB 2650</a>	COUNTY EMPLOYEES; MERIT SYSTEM EXEMPTION (Burgess)	County administrative positions may be removed from the merit system if requested by an elected county officer.	Referred to House Government

*CSA Legislative Agenda*

<a href="#">HB 2197</a>	CHARTER SCHOOLS; AGE RESTRICTED COMMUNITIES (Lesko)	The statute governing the placement of charter schools is amended to prohibit a charter school from being located in a age restricted community in an unorganized territory. Emergency clause.	Passed by House Education, Rules, Majority and Minority Caucus
<a href="#">HB 2231</a>	PUBLIC DEFENDERS; PROBATE COURT; REIMBURSEMENT (Goodale)	If a court appoints a public defender, investigator, physician, psychologist or nurse to provide services for an incapacitated person who dies, the county is authorized to make a charge for reasonable compensation against the estate of the deceased. Reimbursed monies are to be deposited in the same fund from which the expenditure was made.	Held by Sponsor
<a href="#">HB 2372</a>	CONSERVATORSHIPS; GUARDIANSHIPS; COUNTY REIMBURSEMENT (Ash)	If a county pays for specified services for conservatorships or guardianships from the county general fund, the county is authorized to charge the estate for reasonable compensation.	Held
<a href="#">HB 2236</a>	POLITICAL	The Dept of Revenue's liability setoff program can be used to satisfy	Passed by House

	SUBDIVISIONS; SHARING REVENUE INFORMATION (Goodale)	taxpayer debts to political subdivisions. The department is authorized to provide information on an individual's reported income to a county, municipality, or state agency for the purpose of determining eligibility for a program or benefit.	Ways and Means with amendment
<a href="#">HB 2285</a>	INMATE CREDIT; IMPRISONMENT; FINE REDUCTION (McLain)	A person imprisoned for nonpayment of a fine may receive credit toward payment of up to \$60, increased from \$10, for each day of imprisonment.	Assigned to House Military Affairs and Public Safety
<a href="#">HB 2318</a>	TRANSPORTATION AUTHORITIES; REGIONAL & PUBLIC (Jones)	Community college districts and Indian nations may become members of intergovernmental public transportation authorities. Modifies the definition of county for the purposes of regional transportation authorities to eliminate language requiring a minimum population of 200,000 persons.	Assigned to House Transportation
<a href="#">HB 2319</a>	COUNTIES; PRIMITIVE ROADS; MAINTENANCE (Jones)	County boards of supervisors may spend public monies for maintenance of public roads and streets that have been designated as primitive roads (defined elsewhere in statute). Effective October 1, 2011.	Assigned to House Transportation
<a href="#">SB 1174</a>	CHARTER SCHOOLS; AGE RESTRICTED COMMUNITIES (Crandall)	Charter schools cannot be established or operated in an age restricted community located in unorganized territory. Emergency clause.	Passed by Senate Education
<a href="#">SB 1186</a>	2011 TAX CORRECTION ACT (Yarbrough)	Clarifies that confidential information relating to any tax collected by the Department of Revenue (DOR) on behalf of a county may be shared with that county.	Passed in Senate Third Read, transmitted to House
<a href="#">SB 1278</a>	COUNTY ASSESSOR; PERMANENT RETRIEVAL FUND (Allen)	Eliminates the termination date of December 31, 2011, for the county assessor's property information storage and retrieval conversion and maintenance fund. Counties with less than 750,000 persons are authorized to establish the fund (increased from counties with less than 500,000 persons).	Referred to Senate Finance
<a href="#">SB 1362</a>	FLOOD CONTROL STRUCTURES (Antenori)	In a county with a population of less than 3 million persons (all but Maricopa), county flood control districts are authorized to construct, maintain and operate bridges over watercourses that are impassable to emergency vehicle traffic for 14 or more days per year.	Referred to Senate Water, Land Use and Rural Development
<a href="#">SB 1427</a>	FLOOD CONTROL DIST; CONSTRUCTION PROJECTS (Nelson)	In counties with a population of 250,000 or less, regular county employees are authorized to undertake construction projects with an estimated cost of up to \$250,000.	Referred to Senate Water, Land Use and Rural Development
<a href="#">SB 1428</a>	COUNTIES; EMPLOYMENT OF	In counties with a population of 250,000 or less, regular county employees are authorized to construct certain public works without	Referred to Senate Government Reform

CONTRACTORS; BIDS  
(Nelson)

advertising for bids, if the total cost of the work does not exceed \$250,000 in FY2011-2012, adjusted annually each FY by the change in the GDP price deflator.