



County Supervisors ASSOCIATION of arizona

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COUNTY SUPERVISORS ASSOCIATION LEGISLATIVE POLICY COMMITTEE AGENDA

February 24, 2012

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 ~ *Immediate Past President David Tenney*

- A) Budget Negotiations Update (*document to follow*)
- B) Legislative Bills for Discussion and Possible Consideration
 - 1) Regulatory Reform
 - A) [HB 2827](#): administrative procedures; counties; districts (*Ugenti*)
 - B) [HB 2570](#): political subdivisions; proceedings; governing bodies (*Olson*)
 - C) [HB 2815](#): employment; incentives; regulatory tax credit (*Mesnard*)
 - D) [SB 1351](#): flood control districts; mining activities (*Melvin*)
 - E) [SB 1470](#): rules; data quality (*Klein*)
 - 2) [HB 2848](#): agency settlement agreements; public record (*Montenegro*)
 - 3) [SB 1092](#): elected officials; communications; public monies (*Gould*)
- C) Update of CSA-sponsored Bills
 - 1) [HB 2338](#): prisoner transfer; dept of corrections (*Jones*)
 - 2) [HB 2360](#): flood control districts; immunity (*Fann*)
 - 3) [HB 2361](#): consumer fireworks; regulation (*Fann*)
 - 4) [HB 2389](#): lease of county property; requirements (*Pratt*)
 - 5) [HB 2495](#): counties; purchases; local dealers (*Jones*)
 - 6) [HB 2530](#): incarceration costs; municipal court warrants (*Ash*)
 - 7) [HB 2651](#): road enhancement improvement districts (*Burges*)
 - 8) [HB 2658](#): flood control authority; relinquishment; districts (*Pratt*)
 - 9) [SB 1209](#): sheriff; sex offender monitoring; fee (*Griffin*)
 - 10) [SB 1282](#): county highway designation; county engineers (*Griffin*)
 - 11) [SB 1295](#): flood control districts; construction bids (*Nelson*)
 - 12) [SB 1409](#): assault; public defenders; county ranger (*Gould*)
- D) Other Business
- E) Next Meeting Date and Time (*Friday, March 2, at 9:00 a.m*)
- F) Adjourn

LPC Bills for Consideration
CSA Legislative Policy Committee Meeting
February 24, 2012 (9:00 a.m.)

Bill Number	Short Title	Description	Comment
<i>Legislative Bills for Discussion</i>			
HB 2827:	administrative procedures; counties; districts (<i>Ugenti</i>)	Counties and special taxing districts are required to establish and maintain a public ordinance or rule adoption docket containing specified information on proposed ordinances or rules; file a notice of proposed action before ordinance or rule adoption, amendment, or repeal; provide at least 30 days for public participation on proposed ordinances or rules; publish the full text of each ordinance or rule at least once every quarter; publish a register containing a schedule of hearings on proposed ordinances or rules, the full text of ordinances or rules, and a summary of action on ordinances or rules; and annually publish a directory of current ordinances or rules and substantive policy statements, which must be open to public inspection. Provides processes for emergency and expedited ordinance or rule adoption under specified circumstances, and exempts a list of ordinances or rules from the required adoption process. Effective January 1, 2013.	DP House Government
HB 2570:	political subdivisions; proceedings; governing bodies (<i>Olson</i>)	Political subdivisions cannot enact any ordinance or other form of legislation unless it has passed three public readings in its governing body on three separate days and been made available to the public for at least 14 days.	DPA House Government
HB 2815:	employment; incentives; regulatory tax credit (<i>Mesnard</i>)	Beginning in tax year 2014, establishes an individual and corporate income tax credit for the creditable costs and expenses of “excessive regulation” (defined) incurred by a taxpayer. The credit is capped at \$1,000 for individuals and \$4,000 for corporations in tax years 2014 and 2015, and \$2,000 for individuals and \$8,000 in tax years 2016 and after. The unused credit may be carried forward for up to 10 consecutive taxable years. Establishes caps for the aggregate amount of credits in claims against different government entities. Establishes a process for claiming the credit, including approval by the Department of Revenue. An approved credit constitutes a debit against the general fund appropriation for a responsible state agency, a debit against state shared revenues for responsible counties and municipalities, and a debit against any other taxing entity’s monies in the custody of the State Treasurer for other taxing entities. All or part of an unclaimed credit may be sold or transferred	DPA House Commerce

		under specified conditions. Additionally, the list of amounts subtracted from Arizona gross income for individual and corporate income tax purposes is expanded to include net capital gain included in federal adjusted gross income for the taxable year that is derived from an investment in a capital asset acquired after December 31, 2011, beginning with 25 percent of net capital gain in tax year 2013 and increasing 25 percent per tax year to 100 percent in tax year 2016 and after. Corporations may carryover net operating losses arising in tax years beginning with 2013 for 20 years, increased from 5 years.	
SB 1351:	flood control districts; mining activities (<i>Melvin</i>)	Flood control district boards cannot prohibit any development of land for the purpose of mining.	DP Senate Water, Land Use & Rural Development
SB 1470:	rules; data quality (<i>Klein</i>)	By June 30, 2013, state and local agencies are required to issue guidelines to ensure and maximize the quality, objectivity, utility and integrity of information used and disseminated by the agency. A regulated person may request a state agency to clarify its interpretation or application of statute, rules and regulations. Additionally, for public works projects of at least 1/2 mile that are funded, initiated or managed by a county or municipality, the county or municipality must provide first notice of the planned project to all utilities providing services in the county or municipality at least 12 months prior to the design phase of the project.	DPA Senate Government Reform
HB 2848:	agency settlement agreements; public record (<i>Montenegro</i>)	Any settlement agreement involving a public body is a public record, except that specific portions may be withheld from the public as provided by statute. Public bodies and agencies are required to maintain a public written or electronic record of all settled claims, including a written settlement agreement for all claims in the amount of more than \$50,000 or one percent of the public body's annual budget, whichever is less.	Passed House Rules.
SB 1092:	elected officials; communications; public monies (<i>Gould</i>)	Requires any communication by an elected official of the state or a political subdivision that refers to the official by personal name or audio or visual likeness on any print media announcement, visual medium announcement, broadcast media announcement, website campaign or similar type of official communication to include in the statement that the communication was paid for with public monies. Includes communication disclosure requirements and penalties for non-conformance.	Passed Senate Rules.

CSA Legislative Agenda			
HB 2360:	flood control districts; immunity (<i>Fann</i>)	A county flood control district and its employees are not liable for any injury or property damage arising out of a flood control project when a reasonably adequate warning of any unreasonably dangerous hazard is given to potentially affected property owners.	Passed House Rules.
HB 2361:	consumer fireworks; regulation (<i>Fann</i>)	Municipalities and counties are authorized to regulate the sale and use of permissible consumer fireworks.	DPA House Military Affairs & Public Safety
HB 2389:	lease of county property; requirements (<i>Pratt</i>)	The appointment of an appraiser is not required for the lease of county property valued at \$5,000 or less if the value has been estimated and justified by a market analysis based on comparable sales.	DP Senate Veterans, Military & Government Affairs
HB 2495:	counties; purchases; local dealers (<i>Jones</i>)	For purchases in excess of \$50,000, counties must award contracts to a local dealer in preference to competing bidders if the bid of the competing bidder is less than five percent lower.	Referred to Senate Government Reform
HB 2530:	incarceration costs; municipal court warrants (<i>Ash</i>)	Municipalities must pay the costs of incarceration in a county jail for a person arrested on a warrant issued by the municipal court.	House Mil Affairs & Public Safety
HB 2651:	road enhancement district; governance (<i>Burges</i>)	Establish a mechanism where a BOS may be replaced by an independently elected board of directors for a Road Enhancement Improvement Districts.	Passed House Rules.
HB 2658:	flood control authority; relinquishments; districts (<i>Pratt</i>)	Clarify municipal responsibility for long-term impacts, such as maintenance costs, when the municipality acting as a floodplain administrator, makes these decisions and gives up floodplain administration duties.	Passed House Rules.
SB 1209:	sex offenders; county reimbursement (<i>Griffin</i>)	Identify monitoring fees for sex offenders who are required to register with a sheriff's office, while not de-incentivizing the offender's willingness to register.	Failed Senate Public Safety & Human Services, 2-4-0.
SB 1282:	county highway designation; county engineers (<i>Griffin</i>)	Expand the process by which a county may take over a private road to include the recommendation of the county engineer.	Sen Tran 5 – 0 – 1 Consent Calendar
SB 1295:	flood control districts; construction bids (<i>Nelson</i>)	Increase flood control district construction caps from \$5,000 to \$190,000 for construction projects that are eligible for construction by public employees in counties with a population of 175,000 or less.	Referred to House Transportation.
SB 1409:	public defenders; park rangers; assault; felony classification (<i>Gould</i>)	Add Public Defenders and Park Rangers to the inclusive group whose assault would be classified as a felony.	Failed to pass Senate <u>15-15</u> . Date of second vote to be set by president.