



# County Supervisors

A S S O C I A T I O N  
o f a r i z o n a

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## COUNTY SUPERVISORS ASSOCIATION LEGISLATIVE POLICY COMMITTEE

### AGENDA

February 5, 2016

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 ~

A) Budget Update

B) PSPRS Update

C) Legislative Bills for Discussion

1. [HB 2005 tax abatement; no parcel number](#) (Finchem)
2. [HB 2130 municipalities; counties; energy use; reporting](#) (Petersen)
3. [HB 2131 municipalities; counties; auxiliary containers; prohibitions](#) (Petersen)
4. [HB 2198 fire districts; vacancies; board operations](#) (Coleman)
5. [HB 2403 tax lien deeds; aggregate fees](#) (Leach)
6. [HB 2483 municipal population estimates; use](#) (Olson)
7. [HB 2495 sporting event tax revenue; tourism](#) (Livingston)
8. [HB 2517 business professionals; regulation restrictions](#) (Petersen)
9. [HB 2570 local government bonds; ballot statement](#) (Allen, J)
10. [SB 1102 guardians; duties; access to ward](#) (Barto)
11. [SB 1257 misconduct involving weapons; public places](#) (Kavanagh)
12. [SB 1263 county seal; use; violation](#) (McGuire)
13. [SB 1282 public records; unduly burdensome requests](#) (Kavanagh)
14. [SB 1291 TPT; utilities; manufacturing; smelting](#) (Lesko)
15. [SB 1306 county development fees](#) (Griffin)
16. [SB 1347 county dust control; residential property](#) (Farnsworth)
17. [SB 1412 incompetent; nonrestorable defendants; involuntary commitment](#) (Driggs)
18. [SB 1419 inmate medical services; rate structure](#) (Griffin)
19. [SB 1431 property tax; disabled veterans' residences](#) (Griffin)
20. [SB 1505 natural gas delivery; tax exemption](#) (Worsley)

D) AACo Bills for Support

21. [HB 2125 district boundary modification; parcel lines](#) (Shope)
22. [HB 2127 small property tax balance delinquency](#) (Mesnard)
23. [HB 2234 schools; audits; county school superintendent](#) (Boyer)
24. [SB 1157 small property tax balance delinquency](#) (Burgess)

E) CSA Legislative Agenda

25. [HB 2021 codes; adoption by reference; copies](#) (Stevens)
26. [HB 2037 county liens; abatements](#) (Borrelli)
27. [HB 2045 DHS; primitive camping areas; rules](#) (Finchem)
28. [HB 2368 county contributions; hospitalization; medical; repeal](#) (Thorpe)
29. [HB 2373 regional transportation authority; membership; election](#) (Shope)
30. **HB 2430 S/E** public libraries operation *title to be determined* (Stevens)
31. [HB 2499 truth in taxation; detailed notice](#) (Barton)
32. [HB 2512 pension contributions; expenditure limit exemption](#) (Coleman)
33. [HB 2564 appropriation; indigent defense fund](#) (Cobb)
34. [SB 1198 public libraries operation; third party contracts](#) (Griffin)

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35. [SB 1250 intergovernmental public transportation authority; taxation](#) (*Shooter*)
36. [SB 1308 juvenile charged as adult; detention](#) (*Griffin*)
37. [SB 1316 board of trustees; disincorporation; repeal](#) (*Kavanagh*)
38. **Folder # TBD** Expenditure Limit Exclusion of RICO Funds

E) Next Meeting Date and Time (*Friday, February 12, at 9:00 a.m.*)

F) Other Business

G) Adjourn

### Current LPC Bills

Bill Number/Folder Number	Short Title	Prime Sponsor	Summary	Status	LPC Comments
HB 2005	tax abatement; no parcel number	Finchem	The list of circumstances for abating a tax a removing a lien is expanded to include failure by the county assessor to assign a valid property tax parcel identification number.	Referred to House Ways & Means Committee	
HB 2130	municipalities; counties; energy use report	Petersen	Counties and municipalities are no longer prohibited from imposing a tax, fee, assessment, charge or return deposit on a consumer or an owner, operator or tenant of a business, commercial building or multifamily housing property for "auxiliary containers" (defined as reusable bags, boxes, and other recyclable containers). Counties and municipalities are no longer prohibited from regulating the sale, use or disposition of auxiliary containers by an owner, operator or tenant of a business, commercial building or multifamily housing property.	Passed House Commerce Committee and Rules 5-3; Awaiting Floor Action	
HB 2131	municipalities; counties; auxiliary containers; prohibitions	Petersen	Counties and municipalities are no longer prohibited from requiring an owner, operator or tenant of a business, commercial building or multifamily housing property to measure and report energy usage and consumption, including energy consumption benchmarking and building facility energy efficiency audits.	Passed House Commerce Committee and Rules 7-1; Awaiting Floor Action	
HB 2198	fire districts; vacancies; board operations	Coleman	If a vacancy occurs on a fire district board, a quorum of the remaining board members is required in order to fill the vacancy by appointment of an interim member. If the board lacks sufficient members to constitute a quorum, the board of supervisors is required to appoint an administrator to administer the district and serve until the board members take office after the next general election or until a special election is called to fill vacancies on the board.	House Military Affairs & Public Safety 2.4.16	
HB 2403	tax lien deeds; aggregate fees	Leach	The maximum aggregate fee the county treasurer may require to execute and deliver a deed for any judgment foreclosing the right to redeem ten or more individual parcels is \$500. Applies to any judgment entered before the effective date of this legislation for which a treasurer's deed has not been applied or issued.	House Government and Higher Education 2.4.16	
HB 2483	municipal population estimates; use	Olson	An emergency measure that allows counties and municipalities to submit an updated population estimate after a federal decennial census (census) for certain revenue distributions.	House Appropriation 2.3.16	

Bill Number/Folder Number	Short Title	Prime Sponsor	Summary	Status	LPC Comments
HB 2495	sporting event tax revenue; tourism	Livingston	The State Treasurer is required to pay from the transaction privilege tax distribution base a specified amount to the Office of Tourism for the sole benefit of the "host facility" of a "special sporting event" where the cost of the event is at least \$50 million. Amount to be paid is \$1 million to \$2 million, based on the total amount spent by the owner of the host facility on the special sporting event. Office is required to use the monies for the promotion and marketing of the special sporting event and its host facility.	Referred to House Transportation and Infrastructure	
HB 2517	business professionals; regulation restrictions	Petersen	Creates the <i>Right to Earn a Living Act</i> that requires municipalities, counties and agencies to limit entry regulations (regulations) and <i>public service restrictions</i> (restrictions) that apply to businesses and professions as necessary to ensure the public health, safety and welfare.	Passed House Commerce Committee 5-3; Awaiting Rules	
HB 2570	local government bonds; ballot statement	Allen, J	At an election for school district, municipal, county or special taxing district bonds, the ballot must include a statement that the issuance of the bonds will result in a property tax increase to pay debt service on the bonds, and that the increased tax will cost a specified amount annually for a home valued at the median full cash value of residential property in the appropriate jurisdiction.		
SB 1102	guardians; duties; access to ward	Barto	A guardian is required to make good faith efforts to maintain the ward's historical relationships as evidenced by past patterns and practices and ensure that the ward has reasonable access to family and friends. A guardian is required to notify specified family members of an adult ward if the ward is admitted to a hospital for more than 3 days or if the ward dies.	Referred to Senate Judiciary	
SB 1257	misconduct involving weapons; public places	Kavanagh	A person who possesses a valid concealed weapons permit is exempt from the prohibition on carrying a concealed weapon in a public establishment other than a vehicle or craft or at a public event. Some exceptions, including for public establishments or events that are a "secured facility" (defined), that are the licensed premises of a liquor licensee, or that are an educational institution.	Senate Government Committee 2.3.2016	1/29 - Informational purposes; no action was taken
SB 1263	county seal; use violation	McGuire	The county board of supervisors is no longer required to issue a cease and desist order to any person who is in violation of regulations on the use of the county seal. A person who knowingly violates these regulations, instead of a person who fails to comply with the cease and desist order, is guilty of a class 3 (lowest) misdemeanor.	Senate Government Committee 2.3.2016	
SB 1282	public records; unduly burdensome requests	Kavanagh	It is a defense to any action under public records law that the request for access to public records is unduly burdensome or harassing.	Senate Government Committee 2.3.2016	
SB 1291	TPT; utilities; manufacturing; smelting	Lesko	The exemption from the utilities classification of transaction privilege taxes for gross proceeds of sales or gross income derived from sales of electricity or natural gas to a business that is principally engaged in manufacturing or smelting operations is modified to remove the requirement for the business to use at least 51 percent of the electricity or natural gas in the manufacturing or smelting operations, to require at least 51 percent of the gross income of the business to be derived from the sale of products produced by the business, and to specify how it is determined whether at least 51 percent of the business is a manufacturing or smelting operation.	Referred to Senate Finance Committee	

Bill Number/Folder Number	Short Title	Prime Sponsor	Summary	Status	LPC Comments
SB 1306	county development fees	Griffin	Numerous changes relating to county development fees. A county is required to calculate the development fee based on an adopted infrastructure improvements plan, and requirements for the plan are specified, including procedures for plan adoption. County development fees cannot exceed a proportionate share of the cost of "necessary public services" (defined) and must be based on the same level of service provided to existing development in the "service area" (defined). Establishes a list of prohibited uses for development fees.	Referred to Senate Government Committee	
SB 1347	county dust control; residential property	Farnsworth	For any dust control permit for occupied residential property, the control officer is prohibited from charging more than \$50 per acre per year.	Senate Natural Resources 2.8.16	
SB 1412	incompetent; nonrestorable defendants; involuntary commitment	Driggs	Various changes related to defendants who are incompetent to stand trial.	Referred to Senate Judiciary	
SB 1419	inmate medical services; rate structure	Griffin	Statute establishing reimbursement rates for health care services provided to an inmate in a county jail that the county jail cannot provide applies in counties with a population of more than 250,000 (Maricopa, Pima and Pinal), instead of in all counties.	Referred to Senate Government Committee and Senate Appropriations Committee	
SB 1431	property tax; disabled veterans' residences	Griffin	Real and personal property and improvements to the property that are used as the primary residence of a qualifying veteran with a disability that is owned by the veteran and/or the veteran's spouse is classified as class nine property for property tax purposes. Requirements for the property to be classified as class nine under this qualification are specified.	Referred to Senate Finance Committee	
SB 1505	small property tax balance delinquency	Worsley	The list of exemptions from the tax base for the utilities classification of transaction privilege and use taxes is modified so that the exemption for the purchase price of electricity or natural gas by a business that is principally engaged in manufacturing or smelting operations and that uses at least 51 percent of the propane in the manufacturing or smelting operations no longer excludes gas transportation services.	Referred to Senate Finance Committee	

## CSA Legislative Agenda

Bill Number/Folder Number	Short Title	Prime Sponsor	Summary	Status	LPC Comments
HB 2020	electronic notice; hearings; ordinances	Stevens	<del>Allow counties to modernize posting requirements for publishing adopted planning and zoning items. In lieu of posting the full text of a county ordinance in a newspaper of general circulation, a county may post the ordinance's title, as well as a short statement of the ordinance's content, and list where the text of the ordinance is posted on a county website.</del>	<del>Referred to Government &amp; Higher Education</del>	1/15 - Stakeholders have raised concerns about this issue, CSA staff will seek direction from full board at meeting. <b>1/21 - CSA Board voted to table this proposal for this year.</b>
HB 2021	codes; adoption by reference; copies	Stevens	Replace the requirement that three paper copies of a county's building codes be kept in the clerk of the board's office for inspection with the stipulation that a county keep three paper copies, or one paper copy and make available an electronic copy of its codes. Currently, municipalities have this authority.	On House Consent Calendar 2.3.16	1/15, 1/21, <b>1/29 - No discussion.</b>
HB 2037	county liens; abatements	Borrelli	Amend A.R.S. § 42-18204 to preserve a county's nuisance abatement liens and dangerous property abatement liens from extinguishing on the foreclosure of a property due to non-payment of property taxes from investors or other parties, unless the county board of supervisors votes to waive the lien on the property.		1/15, 1/21 - No discussion. <b>1/29 - Staff gave an update on the status of the bill; Title companies are seeking an amendment to require a specified time period for the board to determine whether or not they will waive the lien.</b>
HB 2045	DHS; primitive camping areas; rules	Finchem	Add a definition, in rule, of "primitive camp and picnic grounds" to allow local health departments to exempt primitive camp and picnic grounds from water and sewer regulations established by the Arizona Department of Health Services.	On House Consent Calendar 2.3.16	1/15, 1/21, <b>1/29 - No discussion.</b>
HB 2368	county contributions; hospitalization; medical; repeal	Thorpe	Eliminate the county Disproportionate Uncompensated Care (DUC) payments to the state.	Referred to House Appropriations	1/15 - Staff gave an update on the status of the bill. 1/21, <b>1/29 - No discussion.</b>
HB 2373	regional transportation authority; membership; election	Shope	Amend statute to clarify that membership of a Regional Transportation Authority (RTA) consists of only members and a director from areas and municipalities located within the county establishing the RTA.	Passed House Rural & Economic Development 8-0-0 amended; Awaiting Rules	1/15, 1/21, <b>1/29 - No discussion.</b>
HB 2499	truth in taxation; detailed notice	Barton	Add options to the Truth in Taxation (TNT) statutory notice requirements to more completely explain to the citizens any changes in property taxes and to more accurately reflect and describe what effects of any changes to the tax rate and/or Net Assessed Value (NAV) will have on a residential property.	Referred to House Ways & Means	1/15, 1/21, <b>1/29 - No discussion.</b>
HB 2512	pension contributions; expenditure limit exemption	Coleman	Exclude any excess payments local governments make to the Public Safety Personnel Retirement System (PSPRS) from the county expenditure limit under Article IX, § 20 of the Arizona Constitution.	House Government & Higher Education 2.4.2016	1/15 - Language will not be included in Lesko PSPRS legislation due to constitutional concerns. Rep. Coleman will sponsor. 1/21, <b>1/29 - No discussion.</b>

Bill Number/Folder Number	Short Title	Prime Sponsor	Summary	Status	LPC Comments
<del>HB 2525</del>	<del>counties; annual audits</del>	<del>Thorpe</del>	<del>Grant counties the same authority as cities to have the option of hiring an outside audit firm to complete the county audit and submit it to the Office of the Auditor-General (OAG).</del>	<del>Referred to House County &amp; Municipal Affairs</del>	<del>1/15 - Concerns raised about the language, we will continue to work with the county and stakeholders. 1/21 - No discussion. 1/29 Sponsoring county confirmed decision to table this proposal.</del>
HB 2564	appropriation; indigent defense fund	Cobb	Allocate \$1.8 million to impacted counties to assist with providing mandated attorney services for indigent defendants in juvenile dependency matters, due to recent increases in costs associated with these cases as a result of the overhaul of the child protective services system in Arizona.		1/15, 1/21, 1/29 - No discussion.
SB 1198	public libraries operation; third party contracts	Griffin	Allow counties, without an established library district, to expend general fund monies on library services at established county libraries in unincorporated areas, and to enter into various intergovernmental agreements (IGAs) or contracts to provide library services without the requirement that those IGAs and contracts be with an incorporated city or town.	Senate Consent Calendar 2.3.16	1/15, 1/21, 1/29 - No discussion.
SB 1250	intergovernmental public transportation authority; taxation	Shooter	Grant an intergovernmental public transportation authority (IPTA), which has the same boundaries as the county in which it resides, the same authority as a regional transportation authority (RTA) to levy a one-half cent transportation excise tax if approved by the voters. This tax may only be levied under either an IPTA or RTA but not both.	Passed Senate Transportation 7-0-1; Awaiting Rules	1/15, 1/21, 1/29 - No discussion.
SB 1308	juvenile charged as adult; detention	Griffin	Clarify that judges have the option to detain pre-trial youth, transferred to adult court, in juvenile detention centers instead of county jails.	Senate Public Safety, Military & Technology 2.3.2016, Referred to Senate Judiciary	1/15, 1/21, 1/29 - No discussion.
SB 1316	board of trustees; disincorporation; repeal	Kavanagh	Eliminate Title 9, Chapter 2, Article 2, Arizona Revised Statutes, which provides for the disincorporation and reincorporation of a municipality. Provisions of this section have been found unconstitutional.	Referred to Senate Government	1/15, 1/21, 1/29 - No discussion.
TBD	expenditure limit exclusion of RICO funds	TBD	Exclude all Racketeer Influenced and Corrupt Organizations (RICO) expenditures from the county expenditure limit under Article IX §20 of the Arizona Constitution.		1/15, 1/21, 1/29 - No discussion.
<del>TBD</del>	<del>supermajority to levy county excise taxes</del>	<del>TBD</del>	<del>Change the existing general fund one-half-cent sales tax authority to allow a five-member board to levy the tax with a super-majority vote, rather than a unanimous vote.</del>		<del>1/15 - Sponsoring county considering tabling proposal for 2016. 1/21 - No discussion. 1/29 Sponsoring county confirmed decision to table this proposal.</del>