



## 2008 LEGISLATIVE REPORT AND SCORECARD



Desert Nesting Bald Eagle photo by Robin Silver



## ARIZONA 2008 LEGISLATIVE REPORT

The 2008 Arizona Legislative Session brought the usual round of attacks on public voting rights, including a bill that would have jeopardized wildlife-related initiatives. However if there was a theme this session, it was industry power-grabs from government and public oversight, including bills aimed at protecting dog tracks and factory farms. By the time the long session ended on June 27, many of the bills we had tracked were dead including one that would have banned horse tripping and another that expanded the law banning animal fighting to include all animals. Fortunately, however, some bad bills were also dead including several that would have compromised Arizona's citizens' initiative process.

### The Factory Farm Bill

In its introduced version, [SB 1373, Poultry Husbandry](#) (Sen. Burns, Aguirre, Arzberger, Flake), would have established the "Arizona Poultry Husbandry Council" to propose rules for poultry husbandry for large egg producers. This industry-led council would have been permitted to accept grants and donations to further its objectives. Following objections from the Arizona Department of Agriculture (ADA) the bill was amended to remove the Council and provide ADA with regulatory authority over poultry husbandry. However the bill still included language that would prevent local government and citizens from enacting laws on the treatment of egg-laying hens in factory farms. The bill was lobbied heavily by the state's only large egg producer, who contended that rules were needed to regulate egg operations that may move to Arizona if the California battery cage initiative passes in November. However, the Animal Defense League of Arizona, the Humane Society of the United States, Arizona Humane Society and Farm Sanctuary expressed concern that proposed regulations would uphold current industry standards, including the cruel confinement of laying hens. Despite being inundated with calls from concerned animal advocates, the Legislature passed the bill.



### What Now?

According to Arizona Law the ADA must conduct a public rulemaking process before enacting any poultry husbandry regulations. Representatives from the Animal Defense League of Arizona, Arizona Humane Society, and The Humane Society of the United States have met with government and agency staff and will be actively participating in the process to ensure that our concerns are addressed. We will keep you updated throughout the procedure, which begins in September.

*The bill "puts experts in a position to guide policy."*

- Bill Sponsor Sen. Bob Burns, testifying for the poultry bill in committee

If agribusiness is so progressive on animal welfare issues, why did it take a citizens' initiative to ban the cruel confinement of pregnant pigs and veal calves?

## The Right to Hunt Bill

The most dangerous measure last session was the Constitutional Right to Hunt. The bill stipulated that hunting is a constitutional right and would prevent any wildlife related initiatives. [HCR 2037 Constitutional Rights: Game and Fish](#) (Jerry Weiers) states that the right of Arizona citizens to hunt, fish, and harvest game animals shall not be impaired and is subject only to reasonable statutes and regulations. If passed, HCR 2037 would have been referred to the 2008 general election ballot.



This bill could have prevented any initiatives that impair taking of wildlife, such as the 1994 citizens' initiative that banned traps and poisons on Arizona's public lands. It also would limit the authority of Game & Fish, and put legislators in charge of regulating wildlife issues.

It was supported by some of the same groups that were behind Prop 102, the wildlife supermajority referendum that was overwhelmingly defeated by voters in 2000. The NRA lobby and others have been proposing constitutional right to hunt measures throughout the US in an attempt to prevent wildlife related initiatives.

As with Prop 102, a diverse coalition of groups opposed HCR 2037, including the Sierra Club, Animal Defense League of Arizona, and others. The Arizona Game and Fish Commission voted unanimously to oppose the bill and testified against it in the House Natural Resources & Public Safety Committee. However the committee passed the bill and sent it to the House floor where Rep. Lujan spoke in opposition while Rep. Jerry Weiers argued in support of the bill. HCR 2037 was then defeated by a vote of 27-28 with 5 not voting.

## More Bad Bills

A bill that would have severely compromised Arizona's citizens' initiative process passed the House but died in the Senate. [HCR2044 voter-protection; temporary budgetary suspension](#) (Pearce, Barnes, Biggs, Burges) was euphemistically titled 'Voter-Protection', but actually would have granted the Legislature authority to divert funds enacted by initiatives. In 1998, the year that Arizonans passed a citizens' initiative that banned cockfighting, voters also passed The Voter Protection Act, a Constitutional amendment which forbids the Legislature from undercutting initiatives passed by voters. HCR 2044 would have circumvented the Voter Protection Act to allow lawmakers to strip funding for initiatives they don't like. The Tucson Citizen ran a great editorial on this measure. [Click here](#) to read it.

A bill sponsored by Sen. Johnson, [SB 1479 racing; live racing days](#), would have reduced the number of live races at Tucson Greyhound Park, thus allowing the track to operate seasonally. This bill unfairly would have benefitted a track which has been the subject of numerous investigations by the Arizona Department of Racing in recent years. TGP is an end-of-the-line track, with a constant turnover of kennels which creates a backlog of greyhounds. The Animal Defense League of Arizona joined with Greyhound Network News and members of the Arizona Greyhound Breeders Association in opposition to this bill which would have been extremely detrimental to racing dogs. SB 1479 was killed unanimously in a Senate committee. For more information on TGP visit Greyhound Network News at [www.greyhoundnetworknews.org](http://www.greyhoundnetworknews.org).

## The Good Bills

The Legislature passed a bill to ban the roadside sales of animals. [HB 2485; Unlawful Public Sale of Animals](#) (Jim Weiers), prohibits the public sale of animals on highways, streets and parks. Rescue groups, animal control, and humane societies are exempted. Currently there is no regulation or inspection of vendors that sell animals on public streets. Many of these animals are bred and raised in poor conditions. HB 2485 will help eliminate the profit motive for people selling sick animals, and protect consumers from unscrupulous breeders. And since the animals are typically not spayed or neutered, they are believed to contribute to overpopulation and the thousands of homeless animals that are euthanized each year.

Following opposition of rural legislators the original bill was amended to apply only to counties with a population of over 800,000. Another amendment reduced the class 2 misdemeanor penalty to a petty offense. On the positive side, Sen. Linda Gray's amendment added amphibians to the bill language. HB 2485 was passed and signed by Governor Napolitano on July 7.



The Legislature also passed a bill that will enable counties to deny kennel permits to people who have been convicted of animal cruelty. Thanks to the efforts of Rep. Young Wright and Sen. Tibshraeny, the bill was added as an amendment to an unrelated measure towards the end of the session; was passed and signed by the governor on July 7.

## Super Stars

Humane Voters of Arizona (HVA) wishes to thank those special legislators that expended extraordinary efforts to protect animals and our public initiative process: Representatives Ableser, Sinema, Young Wright, and Senator Aboud.

Other lawmakers that voted their conscience to protect animals and citizens initiatives include Representatives Bradley, Chabin, Farley, Lujan, Meza, B. Miranda, Prezelski, Schapira, Thrasher; Senators Burton Cahill, Chevront, Pesquiera, R. Rios, and Tibshraeny.

Special thanks go to the following lawmakers for their extraordinary efforts: Senator Aboud who was a primary sponsor of SB 1364, which requires a driver that injures an animal to report the incident and to provide care, and SB 1365, which would have banned all animal fighting. Also thanks to Rep. Paton who sponsored HB 2152, another animal fighting bill. Thanks to Representatives Hershberger and J. Burns, who were the only Republicans that opposed anti-initiative bill, [HCR 2044](#), (Pearce, Barnes, Biggs, Burges) which would have circumvented the Voter Protection Act to allow lawmakers to strip funding for initiatives they don't like.

Thanks to Rep. Sinema who sponsored a bill to outlaw Horse Tripping, and to Rep. Ableser for sponsoring a bill to restrict animal testing when alternatives are available. Among other animal protection bills Ableser and Sinema also sponsored the Bald Eagle Endangered Species Act. Rep. Pancrazi, Senators Aboud, Aguirre, Landrum Taylor, Miranda, and Rios were also primary sponsors of this measure. Although none of these animal protection measures passed, we appreciate the efforts of those who introduced and supported humane legislation.

And finally, thanks to Rep. Jim Weiers for sponsoring [HB 2485](#), which bans the public sales of animals in large counties, and Rep. Young Wright for sponsoring legislation aimed at puppy mills. Although Sen. Gould stripped the broader kennel permit language, the final bill that passed requires counties to deny kennel permits to anyone who has been convicted of cruelty to animals.

HVA also appreciates the efforts of individuals and nonprofit groups including former legislators Carmine Cardamone and Kathleen Dunbar; Animal Defense League of Arizona, Arizona Humane Society, the Arizona Advocacy Network, ASPCA, Farm Sanctuary, The Humane Society of the United States, and especially Sierra Club Outreach Director Sandy Bahr for her efforts on behalf of Arizona's wildlife and habitat.

We also wish to thank the many volunteers that contacted their lawmakers throughout the 2008 session. Your calls absolutely made a difference! If you have not already signed up for Animal Defense League of Arizona Legislative Alerts, please email [legislative@adlaz.org](mailto:legislative@adlaz.org).

### **Unfriendly Lawmakers**

The following legislators supported measures that would negatively impact animals and/or voting rights: Representatives Adams, Anderson, Barnes, Barto, Biggs, Boone, Burges, Clark, Crandall, Crump, Driggs, Kavanagh, Konopnicki, Mason, McLain, Murphy, Nelson, Nichols, Robson, Tobin, Jim Weiers, Jerry Weiers, Yarbrough; Senators Allen, Arzberger, Bee, Blendu, Burns, C. Gray, L. Gray, Harper, and Verschoor.

### **Even More Unfriendly**

Representatives Adams, Barto, Burges, Clark, Crandall, Murphy, Yarbrough, and Senators Blendu, Bob Burns, Chuck Gray, and Verschoor had the dubious distinction of voting against every animal protection and/or initiative bill considered on the floor.

### **Legislative Scorecard**

Voting records are provided on key bills there are no actual points or grades assigned. A checkmark indicates a pro-animal vote, while an "x" represents an anti-animal vote.

Bill voting records represent one public aspect of the legislative process. However, many factors that affect measures are not subject to public scrutiny. The efforts of lawmakers, lobbyists, and others to influence legislation largely take place within the "hidden" political process. That is why additional actions by lawmakers were also taken into consideration, such as sponsoring bills or influencing the passage or defeat of animal related measures. Those actions are represented in the OTHER column by a positive icon ☺ or negative icon ☹. In the COMMENTS column, PS means that the legislator was the primary sponsor of a bill; CS means that he/she cosponsored (signed onto) a bill.

Although animal protection and initiative bills provide a gauge for reviewing lawmakers, other bills that impact animals are those that affect wildlife habitat. For legislative information on conservation measures, including voting records and scorecards visit the Arizona Sierra Club at [http://arizona.sierraclub.org/political\\_action/index.asp](http://arizona.sierraclub.org/political_action/index.asp)

For more information on this legislative report or on candidates, please email [humanevotersarizona@cox.net](mailto:humanevotersarizona@cox.net)

*Photo credit page 1: Farm Sanctuary*

## HOUSE OF REPRESENTATIVES SCORECARD 2008

Representative	District	Party	Right to Hunt	Factory Farm	Initiatives	Pet Sales	Other	Comments
<a href="#">Lucy Mason</a>	1	R	x	x	x	✓	☹	PS anti-initiative bills
<a href="#">Andrew M. Tobin</a>	1	R	x	x	x	✓		
<a href="#">Tom Chabin</a>	2	D	✓	✓	✓	✓	😊	PS pro-initiative bill; CS animal fighting bills and others
<a href="#">Albert Tom</a>	2	D	✓	x	✓	✓	😊	CS battery cage bill
<a href="#">Trish Groe</a>	3	R	x	✓	x	NV	☹	CS anti-initiative bill
<a href="#">Nancy McLain</a>	3	R	x	x	x	✓	☹	CS anti-initiative bill
<a href="#">Tom Boone</a>	4	R	x	x	x	✓		
<a href="#">Judy M. Burges</a>	4	R	x	x	x	x	☹	CS anti-initiative bill
<a href="#">Jack A. Brown</a>	5	D	✓	x	✓	✓		
<a href="#">Bill Konopnicki</a>	5	R	x	x	x	✓	☹😊	PS & CS anti-initiative bills and others
<a href="#">Doug Clark</a>	6	R	x	x	x	x		
<a href="#">Sam Crump</a>	6	R	x	x	x	✓		
<a href="#">Ray Barnes</a>	7	R	x	NV	x	✓		
<a href="#">Nancy K. Barto</a>	7	R	x	x	x	x		
<a href="#">John Kavanagh</a>	8	R	x	x	x	✓		
<a href="#">Michele Reagan</a>	8	R	✓	x	x	✓	☹😊	PS anti-initiative bill; CS animal cruelty bill
<a href="#">Rick Murphy</a>	9	R	x	x	x	x		
<a href="#">Bob Stump</a>	9	R	x	✓	x	✓		
<a href="#">Jackie Thrasher</a>	10	D	✓	✓	✓	✓	😊	CS law enforcement animal bill
<a href="#">Jim Weiers</a>	10	R	x	x	x	✓	😊	PS roadside pet sale bill
<a href="#">Mark DeSimone</a>	11	D	✓	x	✓	✓		
<a href="#">Adam Driggs</a>	11	R	x	x	x	✓	☹	CS anti-initiative bill
<a href="#">John B. Nelson</a>	12	R	x	x	x	✓		
<a href="#">Jerry Weiers</a>	12	R	x	x	x	✓	☹	PS right to hunt bill
<a href="#">Steve M. Gallardo</a>	13	D	✓	x	✓	NV	😊	CS battery cage bill & animal testing bill
<a href="#">Martha Garcia</a>	13	D	✓	x	✓	NV	😊	CS law enforcement animal bill
<a href="#">Chad Campbell</a>	14	D	✓	x	✓	✓	😊	PS pet emergency bill
<a href="#">Robert Meza</a>	14	D	✓	✓	✓	NV	😊	CS battery cage bill, animal fighting bill; and others
<a href="#">David Lujan</a>	15	D	✓	NV	✓	✓	😊	PS battery cage bill & leg process bill; and others
<a href="#">Kyrsten Sinema</a>	15	D	✓	✓	✓	✓	😊	PS numerous animal protection bills
<a href="#">Cloves Campbell, Jr.</a>	16	D	✓	x	✓	✓	😊	CS law enforcement animal bill
<a href="#">Ben R. Miranda</a>	16	D	✓	✓	✓	✓	😊	CS law enforcement animal bill
<a href="#">Ed Ableser</a>	17	D	✓	✓	✓	✓	😊	PS numerous animal protection bills
<a href="#">David Schapira</a>	17	D	✓	✓	✓	✓	😊	CS pro-initiative bill, battery cage bill & others
<a href="#">Mark Anderson</a>	18	R	x	x	x	NV	☹😊	CS anti-initiative bills; CS others
<a href="#">Russell K. Pearce</a>	18	R	x	✓	x	NV	☹	PS anti-initiative bill
<a href="#">Kirk Adams</a>	19	R	x	x	x	x	☹	PS numerous anti-initiative bills
<a href="#">Rich Crandall</a>	19	R	x	x	x	x	☹	CS anti-initiative bills

<a href="#">John McComish</a>	20	R	x	x	x	✓	☹	CS anti-initiative bill
<a href="#">Bob Robson</a>	20	R	x	x	x	✓	☹	CS anti-initiative bill
<a href="#">Warde V. Nichols</a>	21	R	x	x	x	✓		
<a href="#">Steven B. Yarbrough</a>	21	R	x	x	x	x		
<a href="#">Andy Biggs</a>	22	R	x	✓	x	NV	☹	CS anti-initiative bill
<a href="#">Eddie Farnsworth</a>	22	R	NV	✓	x	NV		
<a href="#">Barbara McGuire</a>	23	D	✓	x	x	✓		
<a href="#">Pete Rios</a>	23	D	✓	x	✓	✓	☺☹	CS law enforcement animal bill; CS anti-initiative bill
<a href="#">Lynne Pancrazi</a>	24	D	✓	NV	✓	✓	☺☹	PS wildlife bill; CS anti-initiative bill
<a href="#">Theresa Ulmer</a>	24	D	✓	x	✓	✓	☺	CS animal testing bill
<a href="#">Manuel V. Alvarez</a>	25	D	NV	NV	NV	✓	☺	CS law enforcement animal bill
<a href="#">Jennifer J. Burns</a>	25	R	NV	x	✓	✓	☺☹	CS injured animal bill & others; CS anti-initiative bill
<a href="#">Pete Hershberger</a>	26	R	✓	x	✓	✓		
<a href="#">Nancy Young Wright</a>	26	D	✓	✓	✓	✓	☺	PS pro-initiative bill; CS law enforcement animal bill
<a href="#">Olivia Cajero Bedford</a>	27	D	✓	x	✓	✓	☺	CS law enforcement animal bill
<a href="#">Phil Lopes</a>	27	D	✓	x	✓	✓	☺	CS battery cage bill & animal testing bill
<a href="#">David Bradley</a>	28	D	✓	✓	✓	✓	☺	PS law enforcement animal bill; CS others
<a href="#">Steve Farley</a>	28	D	✓	✓	✓	✓	☺	CS battery cage bill & animal testing bill
<a href="#">Linda Lopez</a>	29	D	✓	x	✓	✓	☺	PS battery cage bill, animal testing bill & others
<a href="#">Tom Prezelski</a>	29	D	✓	✓	✓	✓	☺	PS animal testing bill & other bills; CS others
<a href="#">Marian McClure</a>	30	R	NV	NV	x	✓	☺	CS animal cruelty bill; CS law enforcement animal bill
<a href="#">Jonathan Paton</a>	30	R	NV	✓	x	✓	☺	PS animal fighting bill

### Representatives

Click on name for more information

### Bills

Right to Hunt Bill refers to HCR 2037: constitutional rights; game and fish (Jerry Weiers)

Factory Farm Bill refers to SB 1373: poultry husbandry (B. Burns, Aguirre, Arzberger)

Initiative Bill refers to HCR 2044: voter-protection; budgetary suspension (Pearce, Barnes, Biggs)

Pet Sales refers to HB 2485: unlawful public sale of animals (Jim Weiers)

### Vote Symbols

Vote supporting animal protection or initiative rights ✓

Vote opposing animal protection or initiative rights x

### Other

Action taken supporting animal protection or initiative rights ☺

Action taken opposing animal protection or initiative rights ☹

### Comments

PS: Primary sponsor of a bill

CS: Cosponsor of a bill

# ARIZONA SENATE SCORECARD 2008

Senator	District	Party	Factory Farm	Pet Sales	Other	Comments
<a href="#">Tom O'Halleran</a>	1	R	✘	✓	☹	PS animal cruelty bill
<a href="#">Albert Hale</a>	2	D	✘	✓		
<a href="#">Ron Gould</a>	3	R	✓	✘	☹	Stripped kennel permit language to HB 2701
<a href="#">Jack W. Harper</a>	4	R	✓	✘	☹	PS anti-initiative bills
<a href="#">Jake Flake</a>	5	R	✘		☹	PS anti-initiative bill
<a href="#">Sylvia Allen</a>	5	R		✘		Note: replaced late Sen. Flake
<a href="#">Pamela Gorman</a>	6	R	✓	NV		
<a href="#">Jim Waring</a>	7	R	✓	✘	☹	PS animal fighting bill
<a href="#">Carolyn S. Allen</a>	8	R	✘	✘	☹	PS anti-initiative bill
<a href="#">Robert "Bob" Burns</a>	9	R	✘	✘	☹	PS anti-initiative bill
<a href="#">Linda Gray</a>	10	R	✘	✓	☹☺	PS & CS anti-initiative bills; sponsored amendment to HB 2485
<a href="#">Barbara Leff</a>	11	R	✓	✓	☹	CS anti-initiative bill
<a href="#">Robert Blendu</a>	12	R	✘	✘	☹	CS anti-initiative and dog track simulcast bills
<a href="#">Richard Miranda</a>	13	D	✓	NV	☹	PS wildlife bill
<a href="#">Debbie McCune Davis</a>	14	D	✘	✓		
<a href="#">Ken Chevront</a>	15	D	✓	✓		
<a href="#">Leah Landrum Taylor</a>	16	D	✓	NV	☹	PS wildlife bill
<a href="#">Meg Burton Cahill</a>	17	D	✓	✓	☹	CS battery cage bill & animal testing bill
<a href="#">Karen Johnson</a>	18	R	✓	NV	☹☺	PS anti-initiative bills & pro dog track bill; CS battery cage bill & others
<a href="#">Chuck Gray</a>	19	R	✘	✘	☹	PS anti-initiative bill
<a href="#">John Huppenthal</a>	20	R	✘	✓	☹☺	PS & CS anti-initiative bills; cast deciding Yes vote on HB 2485
<a href="#">Jay Tibshraeny</a>	21	R	✓	✓	☹	Sponsored kennel permit amendment to HB 2701
<a href="#">Thayer Verschoor</a>	22	R	✘	✘	☹	CS anti-initiative bill
<a href="#">Rebecca Rios</a>	23	D	✓	✓	☹	PS wildlife bill
<a href="#">Amanda Aguirre</a>	24	D	✘	✓	☹	PS wildlife bill
<a href="#">Marsha Arzberger</a>	25	D	✘	✓	☹	CS dog track simulcast bill
<a href="#">Charlene Pesquiera</a>	26	D	✓	✓	☹	PS injured animal bill
<a href="#">Jorge Luis Garcia</a>	27	D	✘	✓	☹	CS injured animal bill; CS dog track simulcast bill
<a href="#">Paula Aboud</a>	28	D	✓	✓	☹	PS animal fighting bill; wildlife bill; & injured animal bill
<a href="#">Victor Soltero</a>	29	D	✓	✘	☹☺	PS dog track simulcast bill; CS animal fighting bill
<a href="#">Timothy S. Bee</a>	30	R	✘	✓	☹	PS anti-initiative and dog track simulcast bills

## Senators

Click on name for more information

## Bills

Right to Hunt Bill: HCR 2037: constitutional rights; game and fish (JPWeiers)

Factory Farm Bill: SB 1373: poultry husbandry (B. Burns, Aguirre)

Pet Sales Bill: HB 2485: unlawful public sale of animals (Jim Weiers)

## Vote Symbols

Vote supporting animal protection or initiative rights ✓

Vote opposing animal protection or initiative rights ✘

## Other

Action taken supporting animal protection or initiative rights ☺

Action taken opposing animal protection or initiative rights ☹

## Comments

PS: Primary sponsor of a bill

CS: Cosponsor of a bill