



2011 LEGISLATIVE REPORT AND SCORECARD



Desert Nesting Bald Eagle photo by Robin Silver



ARIZONA 2011 LEGISLATIVE REPORT

In the 2011 session the Arizona Legislature passed a law to allow non-surgical spay neuter of animals, and raised penalties for attacks by aggressive dogs. However, these victories were overshadowed by a slew of detrimental wildlife bills, including two bills to undercut protection for endangered Mexican gray wolves. Other bad measures were directed at weakening our state's public initiative process.

The Good Bills

Statewide Ban on Public Sale of Animals



This session marked the second attempt to pass a bill to extend the ban on roadside animal sales statewide. In 2010 the bill passed the Senate but did not receive a final House vote as the result of a rift between legislative leaders over an unrelated measure.

In 2008 the Arizona Legislature passed the original bill prohibiting the public sale of animals, but the law applies only to counties with a population of more than 800,000.

Many animals sold on public streets are bred and raised in poor conditions. And since the animals are typically not spayed, neutered or vaccinated, they contribute to overpopulation, the euthanasia of thousands of homeless animals each year in Arizona shelters and the spread of disease. According to rural animal control agencies and shelters, roadside animal sales increase costs of animal control, which is a financial burden on taxpayers.

HB 2539 was sponsored by Rep. Frank Pratt, a lawmaker familiar with roadside animal sales in his Pinal County district. With help from the Humane Society of Yuma, Western Arizona Humane Society, Yavapai Humane Society, and Pinal County Animal Care and Control, the bill passed the House by a 40 -17-3 margin, indicating strong bipartisan support.

When the bill reached the Senate, President Russell Pearce unexpectedly assigned it to Sen. Ron Gould's Judiciary Committee. Without explanation, Sen. Gould refused to hold a hearing or to release the bill to another committee, despite pleas from rural shelters, his constituents, and other lawmakers. By the end of the session, Sen. Gould had almost single-handedly killed a bill that could have helped rural animal shelters tackle our state's dog and cat overpopulation problem. Gould's actions had rural shelters, animal protection groups, and citizens throughout the state wondering why he would expend so much effort to kill a measure to simply help animals, his own rural community, and save taxpayer dollars.

Non-Surgical Animal Sterilization

The Legislature passed a bill that includes non-surgical methods for spaying and neutering animals in state statutes. HB 2137, sponsored by Rep. Chabin, will allow the sterilization of a dog or cat by another procedure other than surgical spay and neuter.

Current Arizona law requires all dogs or cats being released for adoption or released to its owner from animal control facilities and shelters to have been surgically spayed or neutered first. HB 2137 will enable pounds and shelters to also use non-surgical sterilization procedures once they become approved. Utilizing non-surgical permanent sterilization could have a significant impact on reducing the numbers of homeless animals that are killed in shelters each year. The bill passed the Legislature and was signed by the governor.

Fabian's Law

SB 1534, aggressive dogs; vicious animal assault (Melvin), revises the reasonable care requirements for aggressive dogs and revises the penalties associated with attacks by aggressive dogs. Rep. Montenegro sponsored the House version. The bill was brought to lawmakers by Richard and Sally Andrade, whose small dog, Fabian, was killed by an unleashed aggressive dog.

The bill passed the Senate unanimously but was held in the House. However, thanks to Rep. Chabin and Sen. Melvin, the bill was amended onto the sterilization measure (see above), which passed the Legislature and was signed into law. It is commendable that the Andrade's had the courage and perseverance to turn their tragic loss into a law that will benefit other animals.

Animal Abuse Reporting

SB 1517, sponsored by Senators Aboud and Melvin, would have required reports to be issued in certain animal abuse cases and would have prohibited a person who has been convicted of animal abuse from adopting any animal while on probation. The bill passed the Senate but was killed in the House.

Tucson Greyhound Park 'Decoupling' Bill

Rep. Williams introduced a bill on behalf of track owners to reduce and possibly eliminate the number of live races at Tucson Greyhound Park.

State law requires dog tracks to run a minimum of nine races a day, for four days a week, in order for the track to conduct simulcasting. HB 2536 would have reduced the minimum number of racing days from four days per week to 100 days per year. It also would have provided for live dog racing to be further reduced if a lesser number of days was agreed to by written contract between the track and kennel owners. The bill passed the House but ran into problems in the Senate where it was held.

Another bill intended to protect racing greyhounds failed to be heard in committee. HB 2536, sponsored by Rep. Pancrazi, would have banned administering anabolic steroids to racing dogs



Other Animal Protection Bills

HB 2431, sponsored by Rep. Tovar, would have required dogs to be microchipped before kennel permits are issued. The bill did not receive a hearing.

SCR 1057, sponsored by Sen. Melvin, is a resolution expressing the Legislature's support for the promotion of the Arizona Spaying and Neutering of Animals Fund. The bill passed the Legislature and was transmitted to the Secretary of State.

The Bad Bills

Bills Targeting Wildlife

The Legislature introduced bills to remove protection for endangered Mexican gray wolves. The Mexican gray wolf is a critically endangered, native species that was extirpated throughout the Southwest. Despite a long-term reintroduction project only around 50 wolves remain in the wild.

SB1392 Mexican gray wolf; interstate compact (Allen, Griffin) would have allowed the governor to enter into an interstate compact on wolves, but the bill's actual intent was to remove wolves from the Endangered Species list, ensuring their second extinction in the

wild. The bill passed the Senate 21-8-1 but did not receive a hearing in the House Judiciary Committee, so fortunately it died.



HCM 2002 remove gray wolf; endangered species (JP Weiers, Ash, Fann, et al) was a 'postcard' urging the US Congress to immediately remove the gray wolf from the Endangered Species Act and return management of the gray wolf to the state. The measure passed the Legislature and was sent to the Secretary of State

SB1395 endangered species act; interstate compact (Allen) would have permitted the governor to enter into an interstate compact on endangered species, but its intent was to weaken the Endangered Species Act by making it illegal for a government official to enforce federal laws or regulations relating to endangered species in Arizona. The bill was held before being voted on by the entire Senate.

SB1334 hunting within city limits (Antenori, Nelson, Gowan, Stevens, et al) allows hunting during open season on land within city boundaries and prohibits municipalities from banning or otherwise restricting a lawful hunting event within city limits. The bill passed the Legislature and was signed into law by Governor Brewer.

SB1335 hunting at night; varmints (Antenori, Gowan, Stevens, et al) allows jackrabbits, raccoons and predatory animals (coyotes, foxes, bobcats, and skunks.) to be hunted at night. Allowing night hunting makes it more difficult to prosecute poachers and it is unsafe as it's difficult to identify target species at night. This can put campers, hikers and their pets at risk. The bill was held in a Senate committee where it died.

HB 2006 firearms within game refuges (Harper) permits a person to carry or possess a firearm within a game refuge. The bill passed the Legislature and was signed by the governor.

Bills Targeting Citizens' Voting Rights

Every year legislators launch bills targeting Arizona's public initiative process, which provides an important check on other branches of government and has been utilized to protect Arizona's animals, including wildlife and habitat, when the legislature refused to act. Arizona's animal protection community has a long history of successful grassroots citizen's initiatives including the ban on trapping and poisons on public lands, cockfighting, and the cruel confinement of pregnant pigs and calves raised for veal in industrialized animal operations.

SCR 1027 statewide initiatives; periodic reauthorization (Antenori, Gowan, Montenegro, Stevens) would have required the reauthorization of statewide initiative measures that affect public monies after eight fiscal years. The fact is that all initiatives affect general fund revenues, if only on a modest level. And because SCR 1027 was retroactive to 1998, it could have required continual reauthorization of the hard-won law that banned cockfighting. The bill passed the Senate but was held in the House.



SB 1167 NOW: legislation; referenda challenges (Yarbrough) makes it more difficult to challenge measures referred by the legislature. Passed the Legislature and was signed by the governor.

Other Anti-Animal Bills

HB 2220 sponsored by Rep. Fillmore, would have allowed gambling devices at racetracks (racinos). The bill did not receive a hearing.

Super Star Legislators

Humane Voters of Arizona wishes to thank those special legislators that expended efforts to protect animals and our public initiative process. Lawmakers that sponsored and/or voted to protect animals and voters' rights, and were present for all or most key bill votes include:

Representatives Ableser, Alston, Arredondo, Campbell, Chabin, Farley, Gallego, Gonzales, Hale, Heinz, Hobbs, McCune Davis, Meyer, Catherine Miranda, Richard Miranda, Pancrazi, Patterson, Saldate, Tovar, and Wheeler.

Senators Aboud, Cajero Bedford, Jackson, Landrum Taylor, Meza, Schapira, and Sinema.

Above and Beyond

Special recognition goes to Senator Sinema for her help on several bills and for acting as Co-Chairman of the Animal Caucus.

Representative Chabin sponsored HB 2137, the nonsurgical sterilization bill, and revived the aggressive dog bill by allowing the language to be amended to HB 2137. The bill passed the Legislature with both provisions included.

Representative Pancrazi sponsored a bill to ban the use of anabolic steroids in racing greyhounds. In 2008 South Tucson voters passed a law that bans feeding greyhounds raw (4 D) meat, bans the use of anabolic steroids and mandates that dogs be allowed time out of cages. The law affects Tucson Greyhound Park, but has been difficult to enforce. Pancrazi's bill would have extended the ban statewide. Unfortunately it did not receive a hearing and died.

Representative Tovar sponsored a bill requiring that dogs be microchipped before being issued a kennel license. The measure did not receive a committee hearing and died.

Legislators who helped on specific animal related measures

Some lawmakers had mixed voting records but helped on specific animal protection bills.

Representative Frank Pratt sponsored the roadside sale of animals bill, which passed the House by a landslide margin before it was killed in a Senate committee. Rep. Pratt worked hard on the bill, and was always available to answer questions and provide advice. We greatly appreciate all of Rep. Pratt's help and support over the past two sessions.

Senator Al Melvin scores low on voters' rights and wildlife issues, and this session he sponsored the anti-initiative reauthorization bill. However, he is passionate about domestic animal protection and shelter issues. As in previous sessions, Melvin sponsored and/or helped with several bills to help dogs and cats throughout the state. He was also the Co-Chairman of the Animal Caucus.

Other lawmakers with mixed voting records that helped on specific bills include:

Representatives Burges, Goodale, Jones, McLain, Montenegro, and Williams, and Senator Reagan

Unfriendly Legislators

Unfortunately the majority of legislators consistently voted against bills to protect animals and voters' rights. Moreover they sponsored bills that weaken protection for endangered species, racino legislation, and measures to undercut voters' rights.

Lawmakers who voted unfavorably on animal-related or voters' rights bills and/or sponsored measures harmful to animals or voters' rights include:

Representatives Adams, Crandell, Dial, Farnsworth, Fillmore, Forese, Gowan, Rick Gray, Harper, Olson, Seel, and Stevens.

Senators Allen, Antenori, Biggs, Crandall, Gould, Griffin, Nelson, Pearce, Pierce, and Yarbrough

Even Worse

In addition to voting the wrong way on most or all bills on our list, the following legislators sponsored bills aimed at weakening animal protection and voters' rights.

Representative Jack Harper sponsored HB 2006, which allows firearms in game refuges. The bill passed the Legislature and was signed into law.

Representative John Fillmore sponsored a racino bill, which would have propped up Tucson Greyhound Park, a dog track with one of the worst records on cruelty in a brutal industry. Fortunately the bill didn't even receive a hearing.

Representatives David Gowan and David Stevens sponsored SCR 1027, which would have required a re-vote on already-passed laws every eight years. They also sponsored HCM 2002, requesting Congress to remove the gray wolf from the Endangered Species Act.

Senate President Russell Pearce assigned the roadside animal sale bill to Sen. Gould's committee, where it died.

Senators Sylvia Allen and Gail Griffin sponsored SB 1392, intended to remove Mexican gray wolves from the Endangered Species Act. Allen also sponsored SB 1395, which would have made it illegal for government officials to enforce the Endangered Species Act.

Senator Antenori sponsored SCR 1027, initiative reauthorization, and two anti-wildlife bills - SB 1334, which prohibits cities from banning hunting within city limits during hunting season, passed the Legislature. The other, which would have permitted night hunting of varmints, died in committee.

Senator Ron Gould almost single-handedly killed the roadside animal sale bill that could have helped rural animal shelters in his own district deal with the tremendous cost of dog and cat overpopulation.

Supporters

Humane Voters of Arizona thanks Shawn Smith, Director of Humane Society of Yuma, Victoria Cowper, Director of Western Arizona Humane Society, Ed Boks, Director of Yavapai Humane Society, Heather Murphy, Pinal Co. Communications Director, Kaye Dickson, Director of Pinal Co. Animal Care and Control, Dr. Rodrigo Silva, Director of Maricopa Co. Animal Care and Control, Stephanie Nichols-Young, President of Animal Defense League of Arizona, Martha German, Director of Humane Voters of Arizona, Kari Nienstedt, AZ Director of Humane Society of the United States, Greyhound Network News, GREY2K, Pima County Attorney Kathleen Mayer, Yvonne Anderson, Beth Lewallen, and Sierra Club Director Sandy Bahr for her tireless efforts on behalf of Arizona's wildlife and habitat, and citizens' voting rights.

Also, Humane Voters of Arizona greatly appreciates all of the many volunteers who have contacted their lawmakers throughout each session. For more information on legislation visit the HVA website at www.HumaneVotersAZ.org

Legislative Scorecard

Voting records are provided on key bills affecting animals, including citizen initiative measures. There are no actual points or grades assigned.

A checkmark indicates a pro-animal vote, while an "x" represents an anti-animal vote.

A blank column under a bill indicates that the legislator did not have the opportunity to vote on that measure.

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 positive icon ☺ or negative icon ☹. In the COMMENTS column, PS means that the legislator was the primary sponsor of a bill. Cosponsors are not included in the scorecard. Please click on the bill for all information including status, primary and co-sponsors, language versions, committee votes, and videos.

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

For more information on this legislative report please email humanevotersarizona@cox.net

Karen Michael
Humane Voters of Arizona

ARIZONA HOUSE OF REPRESENTATIVES 2011 REPORT

Name	District	Party	HB 2539	HB 2137	HB 2536	SB 1334	HCM 2002	Other	Comments
Karen Fann	1	R	✓	✓	✓	✗	✗	☹	PS HCM 2002 Remove wolf ESA
Andy Tobin	1	R	✓	✓	✓	✗	✗		
Tom Chabin	2	D	✓	✓	✓	✓	✓	😊	PS HB 2137 Sterilization Bill
Albert Hale	2	D	✓	✓	✓	✓	✓		
Doris Goodale	3	R	✓	✓	✓	✗	✗	😊	Helped on animal sale bill
Nancy McLain	3	R	✓	✓	✓	✗	✗	😊	Helped on animal sale bill
Judy Burges	4	R	✗	✓	✗	✗	✗	☹😊	PS initiative reauthorization; Helped on sterilization bill
Jack W. Harper	4	R	✗	✓	✗	✗	✗	☹	PS HB 2006 allowing firearms in game refuges
Brenda Barton	5	R	✓	✓	✓	✗	✗	☹	PS initiative reauthorization
Chester Crandell	5	R	✓	✓	✗	✗	✗	☹	PS initiative reauthorization
Amanda A. Reeve	6	R	✓	✓	✓	✗	✗		
Carl Seel	6	R	✗	✓	✗	✗	✗		
Heather Carter	7	R	✓	✓	✓	✗	✗		
David Burnell Smith	7	R	✓	✓	✗	✗	✗		
John Kavanagh	8	R	✓	✓	✓	✗	✗		
Michelle Ugenti	8	R	✗	✓	✓	✗	✗		
Rick Gray	9	R	✗	✗	✓	✗	✗		
Debbie Lesko	9	R	✓	✓	✓	✗	✗		
Jim Weiers	10	R	✓	✓	✓	✗	✗		
Kimberly Yee	10	R	✓	✓	✓	✗	✗		
Kate Brophy McGee	11	R	✓	✓	✓	✗	✗		
Eric Meyer	11	D	✓	✓	✓	✓	✓		
Steve B. Montenegro	12	R	✗	✓	✗	✗	✗	😊☹	PS Fabian's Law; PS initiative reauthorization
Jerry Weiers	12	R	✓	✓	✓	✗	✗	☹	PS HCM 2002 Remove wolf ESA
Richard Miranda	13	D	✓	✓	✓	✓	✓		
Anna Tovar	13	D	NV	✓	NV	✓	✓	😊	PS kennel microchip bill
Chad Campbell	14	D	✓	✓	✓	✓	✓		
Debbie McCune Davis	14	D	✓	✓	✓	NV	✓		
Lela Alston	15	D	✓	✓	✓	✓	✓		
Katie Hobbs	15	D	✓	✓	✓	✓	✓		
Ruben Gallego	16	D	✓	✓	✓	✓	✓		
Catherine H. Miranda	16	D	✓	✓	✓	✓	✓		
Eddie Ableser	17	D	✓	✓	✓	NV	✓		

Name	District	Party	HB 2539	HB 2137	HB 2536	SB 1334	HCM 2002	Other	Comments
P. Ben Arredondo	17	D	✓	✓	✓	✓	✓		
Cecil P. Ash	18	R	✓	✓	✓	✗	✗		PS HCM 2002 Remove wolf ESA
Steve Court	18	R	✓	✓	✓	✗	✗		
Kirk D. Adams	19	R	✗	✓	✗	✗	✗		
Justin Olson	19	R	✗	✓	✗	✗	✗		
Jeff Dial	20	R	✗	✓	✗	✗	✗		
Bob Robson	20	R	✓	✓	✗	✗	✗		
Tom Forese	21	R	✗	✓	✗	✗	✗		
Javan "J.D." Mesnard	21	R	✗	✓	✓	✗	✗	☹	PS HCM 2002 Remove wolf ESA
Eddie Farnsworth	22	R	✗	✓	✗	✗	✗		
Steve Urie	22	R	✓	✓	✓	✗	NV		
John Fillmore	23	R	✗	✗	✗	✗	✗	☹	PS Racino bill
Frank Pratt	23	R	✓	✓	✓	✗	✗	☺	PS animal sale bill
Russ Jones	24	R	NV	✓	NV	✗	✗	☹☺	PS initiative reauthorization; helped on animal sale bill
Lynne Pancrazi	24	D	✓	✓	✓	✓	✓	☺	PS greyhound steroid ban
Peggy Judd	25	R	✓	✓	✓	✗	✗		
David W. Stevens	25	R	✗	✓	✗	✗	✗	☹☹	PS initiative reauthorization; PS HCM 2002 Remove wolf ESA
Terri Proud	26	R	✗	✓	✓	✗	✗		
Vic Williams	26	R	NV	✓	✓	✗	✗	☺☹	PS Dog track decoupling; PS HCM 2002 Remove wolf ESA
Sally Ann Gonzales	27	D	✓	✓	NV	✓	✓		
Macario Saldate IV	27	D	✓	✓	✓	✓	✓		
Steve Farley	28	D	✓	✓	✓	✓	✓		
Bruce Wheeler	28	D	✓	✓	✓	✓	✓		
Matt Heinz	29	D	✓	✓	✓	✓	✓		
Daniel Patterson	29	D	✓	✓	✓	✓	✓	☺	PS pro-wildlife bills
David M. Gowan Sr.	30	R	✗	✗	✗	✗	✗	☹☹	PS initiative reauthorization; PS HCM 2002 Remove wolf ESA
Ted Vogt	30	R	✗	✓	✓	✗	✗		

Representative

Click on name for more information (online)

Bills

HB 2539: Extends ban on roadside sale of animals statewide

HB 2137: Allows non-surgical animal sterilization; increases penalties for dog attacks

HB 2536: Reduces and possibly eliminates the number of racing days for greyhounds

SB 1334: Allows hunting within city boundaries

HCM 2002: Requests that Congress immediately remove Mexican gray wolf from Endangered Species Act

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

ARIZONA SENATE 2011 REPORT

Name	District	Party	SB 1517	HB 2137	HCM 2002	SB 1334	SCR 1027	SB 1392	Other	Comments
Steve Pierce	1	R	✓	✓	✗	✗	✗	✗	☹	PS anti-wildlife bill
Jack Jackson Jr.	2	D	✓	✓	✓	✓	✓	✓		
Ron Gould	3	R	✓	✗	✗	✗	✗	✗	☹	Killed roadside animal sale bill
Scott Bundgaard	4	R	✓	✓	✗	✗	✗	✗		
Sylvia Allen	5	R	✓	✓	✗	✗	✗	✗	☹☹☹☹	PS Anti-wildlife and initiative bills
Lori Klein	6	R	✓	✓	✗	NV	✗	✗		
Nancy Barto	7	R	✓	✓	✗	✗	✗	✗		
Michele Reagan	8	R	✓	✓	✗	✗	✗	✗	☺	Helped with pro-animal bills
Rick Murphy	9	R	✓	✓	✗	✗	✗	✗		
Linda Gray	10	R	✓	✓	✗	✗	✗	✗		
Adam Driggs	11	R	✓	✓	✗	✗	✗	✗		
John Nelson	12	R	✓	✓	✗	✗	✗	✗	☹☹	PS anti-wildlife bills
Steve Gallardo	13	D	✓	NV	✓	✓	NV	✓		
Robert Meza	14	D	✓	✓	✓	✓	✓	✓		
Kyrsten Sinema	15	D	✓	NV	✓	✓	✓	✓	☺☺	Helped with animal sale bill; Co-chaired Animal Caucus
Leah Landrum Taylor	16	D	✓	✓	✓	✓	✓	NV		
David Schapira	17	D	✓	✓	✓	✓	✓	✓		
Russell Pearce	18	R	✗	✗	✗	✗	✗	✗	☹	Assigned animal sale bill to Sen. Gould, who killed bill
Rich Crandall	19	R	✓	✓	✗	✗	✗	✗	☹	PS Anti-initiative bill
John McComish	20	R	✓	✓	✗	✗	✗	✗		
Steve Yarbrough	21	R	✓	✓	✗	✗	✗	✗	☹	PS bill making it harder to challenge referendums
Andy Biggs	22	R	✗	✓	✗	✗	✗	✗		
Steve Smith	23	R	✓	✓	✗	✗	✗	✗		
Don Shooter	24	R	✓	✓	✗	✗	✗	✗		
Gail Griffin	25	R	✓	✗	✗	✗	✗	✗	☹☹	PS Anti-wildlife bills
Al Melvin	26	R	✓	✓	✗	✗	✗	✗	☺☺☺☹	PS several pro-animal bills; Co-chaired Animal Caucus; PS anti-initiative bill
Olivia Cajero Bedford	27	D	✓	✓	✓	✓	✓	✓		
Paula Aboud	28	D	NV	✓	✓	✓	✓	✓	☺	PS Animal Abuse Reporting
Linda Lopez	29	D	✓	✓	✓	✓	✓	✓		
Frank Antenori	30	R	✓	✓	✗	✗	✗	✗	☹☹☹☹	PS anti-wildlife and anti-initiative bills

Senator
Click on name for more information (online version)

Bills
SB 1517: Requires reports for animal abuse and prevents abusers on probation from owning animals
HB 2137: Allows non-surgical sterilization

of dogs and cats; increases penalties for dog attacks
HCM 2002: Requests that Congress remove Mexican gray wolf from Endangered Species Act
SB 1334: Allows hunting within city boundaries
SCR 1027: Requires re-voting on passed initiatives

SB 1392: Attempt to remove Mexican gray wolf from Endangered Species Act
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