

## ARIZONA 2012 LEGISLATIVE REPORT

In the 2012 session Arizona legislators passed a bill that will allow law enforcement to seize an animal that is a victim of cruelty or abandonment. However, the legislature also continued its annual attacks on wildlife and citizen initiatives. And for the second year in a row, Senator Ron Gould blocked the bill to expand the roadside sale of animals statewide.

### The Good Bills

#### Animal Seizure Bill

The Legislature passed a bill that allows law enforcement to enter properties to seize an animal if there is probable cause to believe that the animal is suffering from cruelty or abandonment. The bill also requires that those arrested for animal cruelty or fighting, after an appropriate hearing, must post a bond to provide for the cost of caring for seized animals.



HB 2462 (Ugenti, Burges\*, Carter, Hobbs, Melvin, et al) was requested by law enforcement and supported by animal protection groups. It was signed into law by the governor.

\*Although Sen. Burges sponsored the bill, she voted against it on the floor.

#### Tucson Greyhound Park 'Decoupling' Bill

Dog track owners again introduced a bill to reduce the number of live races at Tucson Greyhound Park. SB 1273 (Reagan, Mesnard) passed the legislature and was signed into law by Governor Brewer. The bill was supported by animal protection groups.

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. SB 1273 reduces the minimum number of racing days from four days per week to 100 days per year. It also provides for live dog racing to be further reduced if a lesser number of days is agreed to by written contract between the track and kennel owners.

#### Statewide Ban on Public Sale of Animals

The third attempt at passing the Public Animal Sale bill was again killed by Sen. Ron Gould, who refused to hold a hearing in his committee, or release the bill to another committee.

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.



In 2010 a bill to expand the ban on roadside animal sales statewide 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 2011 the same measure passed the House by a landslide bipartisan margin, but was held in the Senate by Sen. Gould, where it died.

This year, ten lawmakers from both parties signed onto the public animal sale bill (SB 1341), indicating its strong bipartisan support. However, shortly after it was introduced, Senate President Steve Pierce assigned the bill to Sen. Ron Gould, who again refused to hear or release it.

Directors of rural shelters including the Humane Society of Yuma, Western Arizona Humane Society, Yavapai Humane Society, and Pinal County Animal Care and Control contacted Sen. Gould and requested that he allow SB 1341 to move through the process. They explained how roadside animal sales increase costs of animal control, which places a financial burden on taxpayers. Gould refused all requests to meet with bill proponents even when suggested by Speaker Tobin.

Despite no opposition and pleas from rural shelters, constituents, and other lawmakers to support SB 1341, Sen. Gould remained determined to kill the bill, which he did.

## The Bad Bills

### Ranch Dog Cruelty Exemption Bill

A poorly written, overly broad bill to exempt ranch dogs from local animal cruelty laws passed the legislature and was signed by the governor.



HB 2780 animal cruelty; ranching dogs (Judd, Gowan, Stevens) is a potentially reckless solution to a non-existent problem, using a case that had nothing to do with tethering dogs, but in fact involved serious animal abuse.

The case that prompted this bill was misrepresented to legislators by bill proponents claiming that they wanted to be able to tether ranching dogs to keep them safe. However, the actual case involved a Pima County man who abandoned several dogs for days last summer with no food and only green, slimy water to drink. You can read the case file [here](#) or go to [www.adlaz.org/group/legislation](http://www.adlaz.org/group/legislation)

As introduced, HB 2780 could have generated sweeping exemptions to state cruelty laws. Volunteer lobbyists with Humane Voters of Arizona and Animal Defense League of Arizona met repeatedly with bill sponsor, Rep. Peggy Judd, to address concerns about the bill's potential damaging ramifications. The bill was subsequently amended, but the modified version still could create broad exemptions under the Agricultural code, preempts local control and could create broad exemptions for animal cruelty under local ordinances. Despite strong opposition from animal protection groups, shelter directors, and citizens, the bill passed the Senate by a single vote. The House concurred and the governor signed it the day it reached her desk.



It is unconscionable that Arizona lawmakers and the governor have created an unnecessary law, prompted by a cruelty case involving a rancher who abandoned his dogs in a horse trailer for days last summer with no food or potable water.

Information and updates on HB 2780 were posted on the Animal Defense League of Arizona during the session and are still available at [www.adlaz.org/group/legislation](http://www.adlaz.org/group/legislation).

### Bills Targeting Wildlife

#### The Hunting Weapon Silencer Bill

The Arizona Legislature has a long history of running bad wildlife bills. Over the past two sessions lawmakers passed measures not only damaging to wildlife, but to campers, hikers, and others who recreate on our public lands. In the 2012 session legislators passed measures that prevent Arizona Game and Fish from banning hunting gun silencers; and another bill that removes restrictions on the magazine capacity of hunting guns.

The worst of the two, HB 2728 firearms; sound suppressors; hunting (Gowan, Harper, Kavanagh, et al.), specifies that the Arizona Game and Fish Commission cannot adopt or enforce any rules prohibiting the use of silencers on hunting weapons.

Allowing hunters to use silencers poses a risk to campers and hikers, including children and companion animals. Moreover, this bill is just the latest of several bad wildlife laws recently adopted in Arizona.



In 2011 the Arizona Legislature passed a law prohibiting a city, town, or county from limiting hunting within its limits during hunting season.

In December, 2011, the AZ Game and Fish Commission approved night hunting of mountain lions and coyotes despite concerns about public safety, and potentially detrimental impact on endangered species and law enforcement.

Combined with these other recently passed laws, hunters will be able to hunt near cities, at night, with weapons equipped with large magazines and silencers. By passing this combination of bills and rules, the Arizona Legislature and Game and Fish Commission are putting Arizonans' safety at risk, losing sight of the fact that state public lands belong to all citizens, not just a select few.

### **Bills Targeting Citizens' Voting Rights**

The annual attack on our public initiative process was apparent last session, as lawmakers resurrected previous bills to erode citizens' voting rights. Anti-initiative bills are especially dangerous for our state's animal protection community, which has a long history of using grassroots citizen initiatives to ban traps and poisons on public lands, cockfighting, and the cruel confinement of pregnant pigs and calves raised for veal in factory farms.

Twin bills HCR 2005 (C. Crandell, Barton, Fillmore, Ugenti) and SCR 1031(Antenori, Driggs, Smith, Proud) would have seriously jeopardized citizen initiatives. If passed by voters this constitutional amendment would have required all ballot measures that create a public fund for financing the measure or affect the general fund to be automatically referred to the ballot after five fiscal years. And because the bill is retroactive to 1998, it could have forced continual reauthorization of the hard-won laws that banned cockfighting and confinement of pregnant pigs and calves raised for veal.



Requiring continual reauthorization of citizen ballot measures already passed by voters is deeply disturbing and an affront to Arizona's public initiative process.

Fortunately neither of these bills passed the legislature but we anticipate that they will be back next session.

### **Other Anti-Animal Bills**

Senator Lori Klein introduced a bill that would have exempted dog owners from county leash laws and homeowner association rules if they carry \$50,000 in canine liability insurance.

SB 1065 was opposed by law enforcement, animal agencies and shelters, and animal protection groups. Police and animal agency directors testified against the bill in committee, stating that leash laws protect not only the public but animals, and that the measure could open the door for bad owners to acquire insurance to allow their dogs to run at large.

The bill was subsequently amended, but failed to pass.

## **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 Ed Ableser, Lela Alston, Ben Arredondo, Chad Campbell, Tom Chabin, Steve Farley, Ruben Gallego, Sally Gonzales, Matt Heinz, Katie Hobbs, Debby McCune Davis, Eric Meyer, Catherine Miranda, Daniel Patterson, Macario Saldate IV, Anna Tovar, and David Wheeler.

Senators Paula Aboud, Olivia Cajero Bedford, Steve Gallardo, Jack Jackson, Jr., Leah Landrum Taylor, Linda Lopez, David Lujan, Robert Meza, and David Schapira.

## **Above and Beyond**

Special recognition goes to Senators Aboud and Gallardo for speaking out against HB 2780, the ranch dog cruelty exemption bills, on the Senate floor. Also thanks to Senator Lujan, who voted favorably on all important bills and also sponsored the public animal sale bill.

## **Legislators who helped on specific animal related measures**

These lawmakers have poor records on wildlife and voters' rights issues, but they sponsored and facilitated with specific animal protection bills.

Senator Reagan sponsored SB 1273, the greyhound decoupling bill and other pro-animal bills. She also helped on the public animal sale measure and other bills.

Representative Ugenti sponsored HB 2462, the animal seizure bill, and was the only Republican House member to oppose the ranch dog cruelty exemption bill.

Senators R. Crandall, Driggs, Nelson, and Reagan were the only Senate Republicans to oppose the ranch dog cruelty exemption bill.

Representatives Jones and McLain were the only Republicans to oppose the hunting gun silencer bill.

Representative Frank Pratt again sponsored the public animal sale bill.

As in previous sessions, Senator Melvin sponsored the public animal sale bill and other pro-animal legislation. However, we were disappointed that he voted for the bill to exempt ranch dogs from local cruelty laws, which passed the Senate by a single vote.

## **Unfriendly Legislators**

Unfortunately the majority of legislators consistently voted against bills to protect animals and voters' rights. Moreover they sponsored bills damaging to wildlife, ranch dogs, and measures to undercut voters' rights.

The following lawmakers who voted unfavorably on all or most animal-related or voters' rights bills and/or sponsored bills aimed at weakening animal protection and voters' rights.

Representatives Steve Court, Chester Crandell, David Gowan, Eddie Farnsworth, John Fillmore, Jack Harper, Steve Montenegro, Terry Proud, Carl Seel, and David Stevens.

Senators Sylvia Allen, Frank Antenori, Nancy Barto, Andy Biggs, Judy Burges, Ron Gould, Gail Griffin, Lori Klein, Rick Murphy, Steve Pierce, Steve Smith, and Steve Yarbrough

## **Even Worse**

For the second year in a row, 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. Gould's actions had rural shelters, animal

protection groups, and citizens throughout the state perplexed that he again killed a bill that would have helped animals and his own rural community. Furthermore, as a conservative lawmaker, it is mystifying that Gould continually kills legislation to save taxpayer dollars.

Gould's stated opposition to the roadside animal sale ban was that it was a limited government, local control issue. Yet he strongly supported the ranch dog cruelty exemption bill, which creates a state law that supersedes local ordinance. This hypocritical reversal indicates not a true libertarian stance, but someone who opposes protecting animals.

Note: Sen. Gould is term-limited in the Senate and is currently running for Congress in CD 4.

## Advocates

Humane Voters of Arizona thanks Stephanie Nichols-Young: Animal Defense League of Arizona, Martha German: Humane Voters of Arizona, Kari Nienstedt: Humane Society of the United States, Shawn Smith: Humane Society of Yuma, Victoria Cowper: Western Arizona Humane Society, Ed Boks: Yavapai Humane Society, Heather Murphy: Pinal Co., Kaye Dickson: Pinal Co. Animal Care and Control, Dr. Rodrigo Silva: Maricopa Co. Animal Care and Control, Mike Duffy: Humane Society of Southern AZ, Mike Napier: Phoenix Law Enforcement Association and Arizona Humane Society, Jodi Buckman: ASPCA, Kathleen Mayer: Pima Co. Attorney, Kim Janes: Pima Animal Care Center, Steve Wells: Animal Legal Defense Fund, GREY2K, Animal Advocates of Arizona, Karyn Zoldan, Jane Schwerin, Carmine Cardamone, Jamie Massey, Julie Nicolazzi, Yvonne Anderson, Beth Lewallen, and Sierra Club Director Sandy Bahr for her ongoing efforts to protect wildlife 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](http://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](http://arizona.sierraclub.org/political_action/index.asp)

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

Karen Michael  
Humane Voters of Arizona

## ARIZONA HOUSE OF REPRESENTATIVES 2012 SCORECARD

Name	District	Party	HB 2462	HB 2728	HB 2780	SB 1273	HCR 2005	Other	Comments
Karen Fann	1	R	✓	✗	✗	✓	✗		
Andy Tobin	1	R	✓	✗	✗	✓	✗		
Tom Chabin	2	D	✓	✓	✓	✓	✓		
Albert Hale	2	D	✓	NV	✗	✓	✓		
Doris Goodale	3	R	✓	✗	✗	✓	✗	☺	Helped on public animal sale bill and others
Nancy McLain	3	R	✓	✓	✗	✓	✗	☺	Helped on public animal sale bill; one of few Republicans who opposed HB 2728
Phil Lovas	4	R	✓	✗	✗	✓	✗		
Jack W. Harper	4	R	✓	✗	✗	✓	✗	☹	PS HB 2728
Brenda Barton	5	R	✓	✗	✗	✓	✗	☹☺	PS HCR 2005; Helped on other pro-animal legislation
Chester Crandell	5	R	✓	✗	✗	✓	✗	☹	PS HCR 2005
Amanda A. Reeve	6	R	✓	✗	✗	✓	✗		
Carl Seel	6	R	✓	✗	✗	✓	✗	☹	PS HB 2728
Heather Carter	7	R	✓	✗	✗	✓	✗	☺	PS HB 2462
David Burnell Smith	7	R	✓	✗	✗	✓	✗		
John Kavanagh	8	R	✓	✗	✗	✓	✗	☹	PS HB 2728
Michelle Ugenti	8	R	✓	✗	✓	✓	✗	☺☺☹	PS HB 2462; Only Republican to vote NO on HB 2780; PS HCR 2005
Rick Gray	9	R	✓	✗	✗	✓	✗		
Debbie Lesko	9	R	✓	✗	✗	✓	✗		
Jim Weiers	10	R	✓	✗	✗	✓	✗		
Kimberly Yee	10	R	✓	✗	✗	✓	✗		
Kate Brophy McGee	11	R	NV	✗	✗	✓	✗		
Eric Meyer	11	D	NV	✓	✓	✓	✓		
Steve B. Montenegro	12	R	✓	✗	✗	✗	✗	☹	PS HB 2728
Jerry Weiers	12	R	✓	✗	✗	✓	✗		
Richard Miranda	13	D	V	V	V	V	V		
Anna Tovar	13	D	✓	✓	✗	✓	✓	☺	PS other pro-animal legislation
Chad Campbell	14	D	✓	✓	✓	✓	NV		
Debbie McCune Davis	14	D	✓	✓	✓	✓	✓		
Lela Alston	15	D	✓	✓	✓	✓	✓		
Katie Hobbs	15	D	✓	✓	✓	✓	✓	☺	PS HB 2462
Ruben Gallego	16	D	✓	✗	✓	✓	✓		
Catherine H. Miranda	16	D	✓	✓	✓	✓	✓		
Eddie Ableser	17	D	✓	NV	✓	✓	NV		



Name	District	Party	HB 2462	HB 2728	HB 2780	SB 1273	HCR 2005	Other	Comments
Ben Arredondo	17	D	✓	✓	✓	✓	✓		
Cecil P. Ash	18	R	✓	✗	✗	✓	✗		
Steve Court	18	R	✓	✗	✗	✗	✗		
Justin Pierce	19	R	✓	✗	✗	✓	✗		
Justin Olson	19	R	✓	✗	✗	✗	NV		
Jeff Dial	20	R	✓	✗	✗	✓	✗		
Bob Robson	20	R	✓	✗	✗	✓	✗		
Tom Forese	21	R	✓	✗	✗	✓	✗		
Javan "J.D." Mesnard	21	R	✓	✗	✗	✓	✗	☺	PS SB 1273 (greyhound decoupling)
Eddie Farnsworth	22	R	✗	✗	✗	✗	✗		
Steve Urie	22	R	✓	✗	✗	✓	✗		
John Fillmore	23	R	✓	✗	✗	✗	✗	☹	PS HCR 2005
Frank Pratt	23	R	✓	✗	✗	✓	✗	☺	PS public animal sale bill
Russ Jones	24	R	✓	✓	✗	✓	✗	☺	One of few Republicans that opposed HB 2728
Lynne Pancrazi	24	D	✓	NV	✗	✓	✓		
Peggy Judd	25	R	✓	✗	✗	✓	✗	☹☹☺	PS HB 2780; PS public animal sale bill
David W. Stevens	25	R	✗	✗	NV	✓	✗	☹	PS HB 2780
Terri Proud	26	R	✓	✗	✗	✓	✗	☹	PS SCR 1031 (Sen. Version of HCR 2005)
Vic Williams	26	R	✓	✗	✗	✓	✗		
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	✓	✗	V	NV	✓	☺☺	PS public animal sale bill & other pro-animal legislation
David M. Gowan Sr.	30	R	✓	✗	✗	✓	✗	☹☹	PS HB 2728; PS HB 2780
Ted Vogt	30	R	✓	✗	✗	✓	✗		

### Representative

Click on name for more information (online)

### Bills

HB 2462: Allows law enforcement to seize abused or abandoned animals

HB 2728: Prevents Game & Fish from prohibiting silencers on hunting weapons

HB 2780: Exempts ranch dogs from some local animal cruelty laws

SB 1273: Reduces number of racing days at greyhound tracks

HCR 2005: Requires continual re-voting on initiatives passed by voters.

### 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 STATE SENATE 2012 SCORECARD

Name	District	Party	HB 2462	HB 2728	HB 2780	SB 1273	SCR 1031	Other	Comments
Steve Pierce	1	R	x	x	x	✓	x	☹	Assigned public animal sale bill to Sen. Gould's committee
Jack Jackson Jr.	2	D	✓	✓	✓	✓	✓		
Ron Gould	3	R	x	x	x	x	x	☹	Killed public animal sale bill for second year in a row
Judy Burges	4	R	x	x	x	x	x		PS HB 2462, but voted against the bill
Sylvia Allen	5	R	x	x	x	✓	x	☹	PS several damaging wildlife bills
Lori Klein	6	R	x	x	x	✓	x	☹	PS leash law exemption bill; PS damaging wildlife bills
Nancy Barto	7	R	x	x	x	✓	x		
Michele Reagan	8	R	✓	x	✓	✓	x	☺	PS SB 1273 & other bills; one of only five Republicans against HB 2780
Rick Murphy	9	R	x	x	x	✓	x	☹	PS HB 2728
Linda Gray	10	R	x	NV	x	✓	x		
Adam Driggs	11	R	✓	x	✓	✓	x	☺☹	One of only five Republicans to vote against HB 2780; PS SCR 1031
John Nelson	12	R	✓	x	✓	✓	x	☺	One of only five Republicans to vote against HB 2780
Steve Gallardo	13	D	✓	✓	✓	NV	✓	☺	Spoke out against HB 2780 on Senate floor
Robert Meza	14	D	✓	✓	✓	✓	✓		
David Lujan	15	D	✓	✓	✓	✓	✓	☺	PS public animal sale bill
Leah Landrum Taylor	16	D	✓	✓	✓	✓	✓		
David Schapira	17	D	✓	✓	✓	✓	✓		
Jerry Lewis	18	R	✓	x	x	✓	x		
Rich Crandall	19	R	NV	x	✓	x	x	☺	One of only five Republicans to vote against HB 2780
John McComish	20	R	✓	x	x	✓	x		
Steve Yarbrough	21	R	✓	x	x	x	x		
Andy Biggs	22	R	x	x	x	x	x		
Steve Smith	23	R	x	x	x	✓	x	☹	PS SCR 1031
Don Shooter	24	R	✓	x	x	✓	x		
Gail Griffin	25	R	x	x	x	✓	x	☹	PS HB 2728 & other damaging wildlife bills
Al Melvin	26	R	✓	x	x	✓	x	☺	PS public animal sale bill & other pro-animal bills
Olivia Cajero Bedford	27	D	✓	✓	✓	✓	✓		
Paula Aboud	28	D	✓	✓	✓	✓	✓	☺	Spoke out against HB 2780 on Senate floor
Linda Lopez	29	D	✓	✓	✓	✓	✓		
Frank Antenori	30	R	x	x	NV	✓	NV	☹	PS SCR 1031

### Representative

Click on name for more information (online)

### Bills

HB 2462: Allows law enforcement to seize abused or abandoned animals  
 HB 2728: Prevents Game & Fish from prohibiting silencers on hunting guns  
 HB 2780: Exempts ranch dogs from some local animal cruelty laws  
 SB 1273: Reduces number of racing days at greyhound tracks  
 SCR 1031: Requires re-voting on initiatives already passed by voters.

### 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