

The Arizona Legislative Alert

GUNS! Again & Again & Again

UUJAZ and VUU. Giving Voice to UU Values in Arizona

February 24, 2018

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Shining a bright light for social justice!

To be added to the email list, or to be taken off send request to legislativeadvocacy@vuu.org.

“How many times have I told you not to” I can still hear my Mother after all these years reminding me that something bad will happen if I play with matches; run too fast and fall down; don’t do my homework; don’t pay attention... It is time, now, to pay attention. And it is the young people who are telling us: PAY ATTENTION. DO SOMETHING.

This report has these sections:

- [Highlights](#) & Quick Read
- [Details](#) – Highlights in each policy area and summaries of bills
- [Resources](#) – contact information both state and national, calendar of events, how to use “request to speak” and etc.

But first the action suggestions and all of them this week are about GUN SAFETY! Which means, gun regulations! Yes, Regulations.

Action Suggestion #1. Mark your calendar: March 24. March for our Lives. Nationally and locally, a march for gun safety, led by young people including the “never again” teenagers who survived the Florida school shooting last week. Phoenix has a facebook page right here:

<https://www.facebook.com/events/2016815821919569/>

Action suggestion #2: Donate to a gun safety organization, such as Everytown for Gun Safety <https://everytown.org/> or to the Phoenix March 24 rally

<https://www.gofundme.com/phxmarchforlives> or find one in your town by googling march for our lives, Arizona.

Action suggestion #3. Postcards to Gov. Ducey, 1700 W. Washington St. Phoenix, AZ., 85007 and to each of your state legislators. Tell them to ban military-style weapons; universal background checks; close all the loopholes; strengthen the mental health ban; stop prohibiting local government from enacting more stringent gun laws.

You can get a copy of this PDF full report at this [link](#) and the internal hyperlinks that take you directly to the sections you want to read should work!!

Topics are in the following order, in case the internal links don't work in your browser, just scroll to what you want to read

[Crime / Criminal Justice](#) [Democracy \(voting & elections\)](#) [Economic Justice](#)
[\(Budget\)](#) [Education](#) [Environment \(including water\)](#) [Health & Welfare](#)
[Human Rights](#) [Guns](#) [Immigration](#) [Taxation](#)

Highlights – A Quick Read

This is the week in the AZ Legislature when bills that have passed the chamber of origin move to the other chamber, and the process starts again. Probably the best place to influence legislation is in its substantive committee and all bills that are progressing have to be approved by a substantive committee. But be alert, the House and Senate both have scheduled floor hearings on Monday, Feb. 26! A few committees have posted agendas for next week. So the status of some bills is not yet clear. You can use "request to speak" only on bills that are on a committee agenda.

Crime & Justice - Many bills passed one or the other house and are moving on – some good, some not so good. One of the highlights is passage of HB2053 sexual

acts by extortion that adds **sexual acts** to the definition of crimes by extortion. Extortion means threatening a person with physical harm or property damage unless they do as you say. It passed the House 57-2. Sponsored by Syms, R, LD 28 and will be heard Thursday 03/01 in the Senate Judiciary committee. Another is HB2020 [HB2020](#) confidentiality agreements; **sexual assault; harassment** also sponsored by Maria Syms and also on the agenda 03/01 in Senate Judiciary committee. HB2020 would close the “predator loophole” that would permit victims of sexual harassment or assault to speak to law enforcement or to testify in court even if they have signed a confidentiality agreement. These agreements have been used extensively by wealthy individuals who engage in sexual harassment or abuse to buy the silence of their victims. It passed the House 59-0. Another (HB2311) provides some limited liability for employers who **hire ex-offenders**. It passed the House unanimously. Sponsored by E. Farnsworth, R, LD12. Read more [here](#).

Democracy, Voting & Elections The record so far on bills that have an impact on democracy (voting, transparency in contributions, getting money out of politics, insuring the rights of citizens to use the initiative process, etc.) has been simply dismal. Almost all the bills that have passed one or the other chamber have been restrictions on democracy; although several of the worst ones have been killed. Bills that make it more difficult for citizens to use the initiative process such as HB2121 (paid circulators), HB2153 (prohibiting cities and towns from passing ordinances requiring more campaign disclosure), and HCR2007 (that prohibits the Clean Elections commission from making certain kinds of rules) have all passed the House on party line votes. On the other hand, some are dead (at least for the moment) including one sponsored by J. Kavanaugh (R, LD 29) that would have permitted legislators to shield far more of their contributor’s names from the public. (HB1023). One of the bills calling for an “Article V” convention to impose term limits on Congress passed the House Committee of the Whole and is up for final reading Monday, Feb. 26. Read more [here](#).

Economic Justice Discussion on the budget probably will become more public within the next few weeks. Check the Children’s Action Alliance analysis at this link. [This infographic tells the story.](#) Also, some bills to oppose or amend **are still moving**. [HB2528](#) **capital gains; income tax** subtraction. Sponsored by J.D. Mesnard, Speaker of the House, passed 35-25 after some amendments, but none sufficient to stop this kind of drain on the general fund. This bill permits a tax

subtraction of capital gains taxes that will rise from the current 25% deduction to 50% after several years. Eventually, the cost to the general fund will reach \$23 million a year, according to the JLBC fiscal note. **Another economic (in)justice bill to oppose is [HCR2028](#)** wages; leave; retaliation presumption; repeal This bill, also sponsored by Speaker Mesnard, would refer to the voters in the 2018 general election an amendment to the **minimum wage bill** passed by voters in 2016 that defined retaliation so that retaliation (which is prohibited), included adverse actions taken against a person within 90 days of their making a claim regarding minimum wages, benefits, or informing others of their rights under the law. This would repeal that provision. It passed the House 35-25 and will now be picked up in the Senate. And, to add one more to the list: **HB2434 (financial products; regulatory exemption program)** – Passed House, 34-22. This legislation is a new version of **payday loans**. It will allow unlicensed financial services products and services to be offered to Arizona consumers and will allow insurance companies, lenders, and financial technology companies to “test” new financial products, putting Arizonans who use these products at risk. Sponsor is Weninger, R, LD 17. On the other hand, SCR1016 did not get out of the Senate, so should be dead. It would refer to the voters a bill to repeal the **minimum wage**. More details [here](#).

[Education](#) – There has been no slowdown of the privatization move in Arizona. An effort by Yarbrough (R, LD 17) to cap the corporate contribution to student tuition organizations (STOs) has stalled, even though everyone agrees a cap **MUST** be placed on these dollar for dollar reductions in corporate taxes that go primarily to funding scholarships for private and religious schools. This bill surely will be revived at some point after more agreement is reached. There’s a more extensive explanation of this program and the empowerment scholarships in the **Education** section. Also, passing the House 34-22 is a bill that purports to protect **free speech** on campus, but opponents fear it actually is mainly intended to arrest those who protest against a speaker on campus. Higher education institutions are trying to NOT provide a platform for hate groups, but this bill would thwart those efforts. This is [HB2563](#) (Bower, R, 25). Details on these and other education bills [here](#).

[Environment](#) – The Sierra club and other environmentalists are working hard to defeat or amend the cluster of water bills introduced last week by Sen. Griffin (R, LD14). The omnibus bills in the House, [HB2512](#) (Bowers, R, LD 25) passed and

the Senate Rules committee is meeting again Monday, with SB1507 (the other omnibus water bill) on the agenda. Also on the agenda: 1509 and 1512.

Environmentalists are also concerned about SB1493 (Griffin, R, LD14), which would turn over to the State DEQ much of the authority to control the Clean Water Act. These will continue to be fought throughout the session. Updates [here](#).

Guns – The two bills that would have banned bump-fire accessories failed to get a hearing and are dead. On the other hand, bills that enlarge the state militia and permit more people to have access to more types of guns are still moving. HB2059 may be dead but HCR2002 is on the **House agenda 2/26 even though all bills supposedly were to have been voted on this week!** These bills would expand the age and gun access for state militia. SB1117 permits retired police officers to carry a gun in a bar or restaurant and passed the Senate 17-13. On the other hand, some good news is that HB2535 that would have prohibited child service agencies from banning guns has died for failing to get a committee hearing. More information [here](#).

Health & Welfare – Several bills that will contribute to social justice in Arizona have passed one or the other chamber including HB2127 that helps support the KidsCare program, HB2449 that provides for a tiered reimbursement of child care assistance, SB1086 that requires AHCCCS to cover chiropractic services; and maybe a partial ban on texting while driving (SB1261). On the other hand, a bill that prohibits local government from requiring employers to provide health insurance also passed (SB1247). Fortunately, it appears that SCR1016 that would repeal Arizona's minimum wage law has died. Read [more](#).

Human Rights – Two bills promoted by the anti-abortion lobby [SB1393](#) and [SB1394](#) were passed by the Senate and will have to be fought again in the House. The first, SB 1393 says that in a divorce the parent who wants to bring the embryo to birth is awarded custody. The second bill, SB1394, requires additional paperwork when an abortion is involved including collecting data on why the woman wanted the abortion. **Supporters of the ERA made one last valiant effort, but the bill did not get a hearing. Will they try again, using a “strike everything” amendment? Maybe so. Read more.**

Immigration – Most of the (in)action here is still at the federal level. Fortunately, the anti-DACA executive order the DJT signed is on hold by the courts. Sen. Flake is still trying to work out some kind of Congressional protection for “dreamers.” DJT could solve this problem simply by rescinding his own executive order. In Arizona, one good and one bad bill for immigrants have passed. HB2083 passed the House 33-24. It would limit liability on dual-language insurance contracts, making it easier for companies to mislead consumers with contracts written in another language. On the positive side, [HB2155](#), a bill to protect immigrants from fraudulent notaries passed full house 58-0. Read [more](#).

Taxation – Democrats and many progressives have simply decided to oppose all tax cuts and tax credits, even if the organization or group benefitting from the tax credit is a worthy one, because the continued use of this policy tools makes it clear that the government not only cannot fund public services at an adequate level (there isn’t enough money left to do that), but that it *should not* fund public services as these should be the responsibility of the private sector businesses, charities, nonprofits, and rich people. Tax credits send this privatization message – which is so attractive that many would rather donate to a worthy organization than pay taxes – yet, the message here is that government is not responsible for education, safety net, health care, and other public services, especially those needed by the most disadvantaged among us. For a partial list of tax cuts, tax credits, and tax “subtractions” read [more](#) in the details section. The inflation indexing bill, HB2264, is on the Sen. Finance committee agenda Wednesday 2/28.

Can “request to speak” and “my bill positions” be used this next week? Yes. If a bill is scheduled for a committee, RTS can be used. If not, use “My bill position.” You do need to be signed up, but the Center for Civic Engagement Beyond Voting will sign you up!
[Read](#) about how to do this.

Details about Legislation

This organizes social-justice bills by topic, and this week is organized with a short statement for the topic followed by the bills, in numerical order! It is not a comprehensive list of bills!!

Crime & Justice – There are several good bills that have passed one chamber or the other but of course, others that extend or lengthen penalties as if longer sentences actually deter crime. A very thorough report on crime and justice bills in Arizona is prepared by Diane Post. You can access it here

<http://centralphoenixnow.org/issues-and-actions/> . The Senate Judiciary committee is meeting Thursday 03/01 and several of the bills below are on their agenda. You can use request to speak for those bills.

- [HB2053](#) theft by extortion; **sexual acts** One of the highlights is passage of HB2053 sexual acts by extortion that adds sexual acts to the definition of crimes by extortion – meaning, threatening a person with physical harm or property damage unless they do as you say. It passed the House 27-2. Sponsored by Syms, R, LD 28. On Senate agenda 3/01.
- [HB2020](#) confidentiality agreements; **sexual assault; harassment** **HB2020 passed the House unanimously and would close the “predator loophole” that would permit victims of sexual harassment or assault to speak to law enforcement or to testify in court even if they have signed a confidentiality agreement. These agreements have been used extensively by wealthy individuals who engage in sexual harassment or abuse to buy the silence of their victims. Sponsor again is Maria Syms, R, LD 28. Also on agenda 03/01.**
- [HB2189](#) prisoners; dedicated discharge account. This bill permits an inmate's discharge account to be used while still in prison for services that will be needed immediately upon discharge. Passed House 57-1. Sponsor is Boyer, R, LD20. Another bill part of the bi-partisan efforts to help ex-offenders to live a productive, meaningful life after prison. On Senate Judiciary agenda, 03/01.
- [HB2222](#) **feminine hygiene products**; requirements; appropriation (Salmon, D, LD26). Passed an all-male committee 5-4, but then pulled when the Department of Corrections promised to do something about this internally. In the committee, one Republican (Campbell, LD 1) and all Democrats voted for it. DOC has promised to provide tampons, enough pads, and to not charge the women for these products.
- [HB2241](#) **Passed House after first failing. Mandates prison for fentanyl sales or use. This legislation** increases penalty to 10 presumptive years or

15 for subsequent offense (E. Farnsworth, R, LD 12) Passed 5-4, passed Rules committee 9-0. It failed its first vote but passed after reconsideration 34-25.

- [HB2243](#) **wrong way drivers; dui.** Passed House, 38-21. Establishes a civil traffic offense for driving the wrong way on a controlled access highway. A person found responsible is subject to a \$500 civil penalty, and must attend and successfully complete Traffic Safety School. The bill also creates a new aggravated DUI offense for a person who commits a regular, extreme or aggravated DUI violation while driving the wrong way on a highway. A violation is a Class 4 felony (2 ½ years, up to \$150,00 plus surcharges). Issue here is whether more severe punishment for wrong way DUI offenses will deter crime or simply add to the prison population. Sponsor is E. Farnsworth, R, LD 12. On Senate Judiciary agenda 03/01.
- [HB2244](#) **dangerous crimes; children; fictitious age** This bill would say it is not a defense to a DCAC (dangerous crimes against **children**) allegation that the minor victim (under 15) is fictitious; an adult; a peace officer posing as a minor; or older than the defendant believed, knew or had reason to know. The legislation was prompted by a 2017 case where a conviction was vacated because the child being offered (by a parent) was fictitious. **Passed House unanimously. On Senate Judiciary committee 03/01.**
- [HB2245](#) **prohibited bail; sexual conduct; molestation.** Current law prohibits bail for crimes against children under 15, but court found it vague and unconstitutional. Modifies the prohibition on bail for a person charged with sexual conduct with a minor under 15 or child molestation to apply only if the person was: 18 years or older and the victim was under 13 years old; or 10 years older than a 13 or 14-year-old victim. (Sec. 1). Opponents not satisfied. **Passed House 40-19 with Democrats not satisfied with the bill.**
- [HB2246](#) **jail; prohibited items; drugs.** **Passed House 57-2.** This bill expands the list of drugs that cannot be taken into a jail to include **marijuana** and some other dangerous drugs not currently included and makes it a class 5 felony.
- [HB2248](#) **sexually violent persons; screening.** **Passed House, 57-0.** Current law permits screening to see if a person is a Sexually Violent Person (SVP). This expands the list of conditions that may trigger the SVP screening process to include a defendant who was ever: a) Convicted of a sexually

violent offense; or b) found GEI (Guilty Except for Insanity) for a sexually violent offense.

- [HB2311](#) ex-offender limited liability. This bill **passed the House** unanimously! It provides limited liability for employers who hire ex offenders. The fact that the person was an ex offender generally could not be introduced as evidence of an employer's culpability. Another good bill to support now in the Senate. Sponsor is E. Farnsworth, R, LD12.
- [SB1041](#) **Passed Senate 17-13. residency restrictions; sex offenders; victims.** This legislation restricts how close a convicted sex offender can be to a children's place or the victim's residence. Opponents mentioned the unfairness of current sex offender registration requirements that range from benign to serious. Kavanagh, R, LD 29.
- [SB1295](#) **animal cruelty**; domestic animals; classification (Kavanagh, R, LD 29). SB1295 would create a special Class 5 felony for subjecting pets to cruel mistreatment. And the same penalty would apply for killing a pet without the owner's consent. Supporters acknowledged that the difference in penalty is only six months, but that this slight increase in the sentence permits judges to require a person to get help with issues of anger and lack of empathy. Passed Judiciary and Rules, but not voted on yet in the Senate. Probably dead.
- [SB1476](#) pre-arrest diversion; pre-complaint education program. Passed 8-0 Commerce and public safety but not heard by Rules. Dead. This is a bi-partisan bill that permits merchants who were victimized offering the suspect an educational diversion program, including waiving its fee. A good bill. Too bad it didn't make it through the Senate.

Democracy, Voting &, Elections As has been the case all during the session, persons supporting democratic institutions, accessible voting, and transparency in elections have been very busy opposing a host of bad bills that reduce transparency and make accountability more difficult. In case you think this is an overstatement, take a look at this article in the Capitol Times <https://azcapitoltimes.com/news/tag/rivko-knox/>.

- [HB2121](#) **ballot measures; paid circulator definition.** **Passed the House, 33-26.** The bill is another one of those attempting to make it more difficult for citizens to collect enough signatures to get an initiative on the ballot. This bill changes the language for paid circulators from definition of "paid by signature" to anyone who is paid for collecting petition signatures. This requires that they be registered, which would later subject them to a possible subpoena if a signature on one of their petitions was challenged. Leach (R, LD11).
- [HB2153](#) **campaign finance; nonprofits; disclosure.** **Passed the House, 33-25.** This is another pre-emption bill with the Legislature prohibiting local government from taking progressive action. Campaign finance law requires an organization to register as a political committee if they have made contributions of \$1,000 or more to a candidate, and this bill prohibits local/state governments from going beyond state law in its requirements of 501 organizations. That is, local government cannot require a 501 organization to register as a PAC, to disclose donors or to submit to an audit or to produce evidence regarding a potential campaign contribution. In other words, local governments cannot enforce campaign law! **Sponsor is Leach, R, 11.** Supporters want to consider money as speech and prohibit at the local level any efforts to go beyond state law, as some cities and towns have done. This would make that illegal. Opponents argue that money is NOT speech and that campaign contributions can and should be limited.
- [HB2184](#) **Clean Elections Restrictions.** **Passed House 53-4** after most opposition overcome. Opponents feared the bill is aimed at preventing the Clean Elections Commission from adopting rules that govern expenditures in elections, including those for candidates who are not running as "clean" candidates (that is, are not running on public funds but accept private donations). Some believe that the Voter Protection Act protects the Clean Elections commission from this sort of intrusion by the Legislature. (Coleman, R, LD16).
- [HB2277](#) **state political-economic system; free-market capitalism** dead (good). Thorpe, R, LD 6
- [HB2284](#) **initiative; referendum; campaign finance filings.** Has been held three times and is not currently scheduled, so probably dead, and that is good. Two provisions are especially worrisome as they will make it more

difficult for citizens to get enough signatures to put issues on the ballot. One is that they cannot start collecting signatures until the Legislature has adjourned, and the other is the requirement to file monthly rather than quarterly campaign reports. Leach, R, LD11.

- [HCR2007](#) **clean elections; unlawful contributions; rulemaking.** Passed House, 34-25 on party line vote. This bill would prohibit the Clean Elections commission from making rules. These are essential to the work of the commission and would cripple it if the resolution becomes law. Sponsor is Coleman, R, 16. The Clean Elections Commission is about the only agency in Arizona interested in enforcing campaign finance requirements.
- [HCR2008](#) **initiatives; conflicting federal law. Failed, finally!** FPRPP committee voted against it 2-7. Probably dead, and that is good. It would require the Attorney General to review initiatives at any time in the process, even after they have gained enough signatures to be put on the ballot, and if in conflict with federal law, take them off the ballot. Leach, R, LD 11.
- [HCR2022](#) **U.S. Senate candidates; legislative nomination. Finally passed** the House Federalism, Property Rights and Public Policy committee 6-3, but did not get out of the House, so should be dead. This is a bad bill. The resolution, if passed, would go to the voters to have legislators from the Republican and Democratic party caucuses narrow down candidates to two per party who then would be voted on by the general public. Grantham, R, LD 12. This is a very bad idea!
- [SB1023](#) **campaign contributions;** reportable amount. This bill is probably **dead for the session** even though it passed its committee 4-3. Two Republicans (Ugenti-Rita and Steve Smith) reportedly told the sponsor, John Kavanagh (R, LD 29) that they would not support it. In the Senate, 16 votes are needed to pass and the loss of two is enough to kill a bill. So, Kavanagh pulled it. The bill illustrates the presumed “right to privacy” for someone who donates money (a “right” that is disputed) against the public’s right to know who is paying to achieve election victories. The bill would have shielded from public view all donations under \$100. Current law does not require naming those with donations under \$50.
- [SB1273](#) **GRRC; review; licensing requirements.** Passed Government committee 4-3 and Rules but not called up for a vote, so should be dead. Another bad idea. This bill refers to the Governor’s Regulatory Review

Council. A person or entity may appeal to an agency that a rule or regulation is burdensome and not essential for public health and safety. If the agency turns them down, they may appeal to the GRRC which will review the case and has the authority to nullify the agency rule. Here's what it says: "a person may petition the council to request a review of an existing agency practice, substantive policy statement, final rule or licensing requirement that is not specifically authorized by statute pursuant to title based on the person's belief that the existing agency practice, is unduly burdensome...."

- [SB1374](#) state law; local government violations Senator Brophy-McGee (LD28). Failed 3-4 in the **Sen. Government committee, so is probably dead. This is too bad.** Current law allows ANY member of the legislature to challenge local governments that they believe are in violation of a state law and the Attorney General is required to complete an investigation within 30 days. This does not repeal this extreme version of a pre-emption law but it limits the ability to challenge only to legislators who represent the district in which all or part of the county, city or town is being challenged. It also provides opportunity for challenged party to respond and extends the time allowed for them to either resolve the challenged issue or appeal to the state Supreme Court or to make adjustments. It also allows reimbursement of expenses. Capitol Times 2/ 9 reports that eight local government units have been targeted by state legislators under the 2016 law SB1487.
- [SCR1005- Article V convention; term limits](#) _ Introduced by Petersen (R, LD12) this would call for a convention of the states to set term limits for members of Congress. It passed 4-3 but has not been heard yet by the Rules committee probably dead . This is the same as HCR2024 Article V convention; term limits which is up for a vote Monday, 2/26 in the House. Mitchell, R, LD 13 is sponsor of the House bill. These are identical. Both have serious opposition from people who believe, as do most constitutional scholars, that a "convention of states" would become a runaway convention and able to rewrite the entire U.S. constitution.
- SCR1034 would refer to the voters a change in the membership of the [Independent Redistricting commission](#) that draws the boundaries of Arizona Congressional and Legislative districts but did not pass the Senate so should be dead. However, the bill is sponsored by Yarbrough, President of the Senate, so it could still be voted on somehow. It would provide for an

even number of commissioners, so if they tied, the Legislature would be allowed to draw the lines. He reportedly is still trying to work out amendments to remove some of the objections. The opponents of the current law say that too much power lies in the hand of the one independent on the commission.

- [SCR1001](#) - Dead. This resolution would hold **citizen initiatives** and referenda to the same standards as legislation that is presented for a public vote, namely, that it must deal only with one subject and that subject must be in the title (Kavanagh, R, 29).
- [SCR1002](#) Dead (D. Farnsworth, R, LD 16) would require reauthorization of **citizen initiatives** every 10 years. Again, this is an effort by some in the Legislature to restrict the ability of citizens to by-pass the Legislature and enact their own legislation.

Economic Justice – Economic justice covers a wide range of topics including budget, economic security, workplace issues, wages, licensing requirements for professions, and more. Policies pertaining to [health and welfare](#) are also economic issues and are covered separately below. Tax issues have been moved to its own section, Taxation.

Budget As analysts get a closer look at the Governor’s budget, more and more objections are being registered. Children’s Action Alliance and others point out that the economic growth is not sufficient to cover 28 years of tax cuts. CAA says, “Governor Ducey’s budget proposal is loaded with one-time sweeps from special purpose funds and takes \$52 million from hospital patients, counties, and universities. It continues to leave K-12 underfunded by more than \$950 million compared to a decade ago, and makes no plans for moving teacher pay up from the bottom to fix the teacher shortage crisis. [This infographic tells the story.](#)”

- [HB2434](#) (financial products; regulatory exemption program) – Passed House, 34-22. This legislation is a new version of **payday loans**. It will allow unlicensed financial services products and services to be offered to Arizona consumers and will allow insurance companies, lenders, and financial technology companies to “test” new financial products, putting Arizonans

who use these products at risk. This idea is being imported from other countries, including England and Finland, but they have stronger protections for consumers and shorter “sandbox” time periods (experimental time periods) Sponsor is Weninger, R, LD 17.

- [HB2528](#) **capital gains; income tax** subtraction. Sponsored by J.D. Mesnard, Speaker of the House, **passed 35-25** after some amendments, but none sufficient to stop this kind of drain on the general fund. This bill permits a tax subtraction of capital gains taxes that will rise from the current 25% deduction to 50% after several years. Eventually, the cost to the general fund will reach \$23 million a year, according to the JLBC fiscal note. Opponents pointed out that the richest 183 Arizonans, those making \$5 million or more per year, will gain the most – an average of \$27,000 a year each. Attempts were made to amend the bill so that senior citizens with income less than \$75,000 would be able to deduct these amounts of capital gains, but those amendments were defeated. Here we have another bill that benefits the rich and increases income inequality.
- [HCR2028](#) wages; leave; retaliation presumption; repeal Passed House 35-25. HCR2028 (wages; leave; retaliation presumption; repeal) sponsored by Speaker Mesnard. The 2018 general election ballot is to carry the question of whether to amend state statute to delete the presumption that taking adverse action against a person within 90 days of the person engaging in specified activities was retaliation. This begins to unravel the minimum wage and benefits protection passed by the voters in 2016.
- [SB1398](#) unemployment insurance, definition of “suitable work.” This bill, Sponsored by Smith, R, LD11) was not voted on so probably is dead, and that’s good. It provides that persons who have been on unemployment for four weeks must accept thereafter any employment offer that pays 120% of the unemployment insurance benefit. That benefit is \$240 a week, so this portion of the bill requires accepting a job that offers \$288 a week, which is about \$7.20 an hour, less than the minimum wage of \$10.40 an hour. If the person does not accept the offer, they lose their unemployment insurance benefit. This part of the bill needs amendments! This bill does have a new, good, apprenticeship program in it.

- [SCR1016](#) minimum wage; sick time repeal. This bill may be dead (good). It would submit to the voters a proposal to overturn the 2016 initiative that approved a minimum wage increase gradually to \$12 by 2020 and provided for mandatory sick time. This would cap the minimum wage permanently at \$10.50 and repeal the other provisions! Sponsor is Sylvia Allen (R, LD6).
- [SB1436](#) prohibition; criminal history; occupational regulation. Passed Commerce and Public Safety 8-0 but not voted on. This is a good bill. (Burges, R, LD12). It prohibits a person being refused an occupational license because of a criminal record unless the crime was violent, sexual, or would more likely re-occur if the person were licensed. This is part of the continuing bi-partisan efforts to reduce recidivism of ex-offenders.
- [SB1091](#) will allow income tax payments to be made in **bitcoin**. (Petersen, R, 12) **Passed the Senate** 16-13. If political events at the national level ever decrease in terms of drama, this will surely make the news. The supporters argued that it is faster and more convenient for people to use bitcoin to pay their taxes rather than dollars. They claimed this would also save them money because it cuts out the fees associated with exchanging bitcoin for dollars. Opponents asked why the person cannot just exchange the bitcoins themselves and then pay their taxes in dollars. They pointed out that people cannot pay their taxes with rubles or pesos. Opponents also made it clear that bitcoin is simply a currency with no underlying value at all. Some called it a Ponzi scheme and worried about how it is controlled and by whom. Closely related is SB1145.
- [SB1145](#) which requires that AZ Adjusted Gross Income include virtual currency (e.g., bitcoin and other forms of currency that has no inherent value at all). The bill didn't make it out of the Senate, at least, not yet! (Petersen R, 12). Passed 4-3 and passed Rules. .

Business / Professional Licenses – Arizona may again be taking the lead in a national conservative movement, this time to repeal licensing requirements but there has been so much push-back that most of the bills are dead at least for this session. These bills are part of a nation-wide movement led by American Legislative Exchange Council (a conservative lobbying group) to reduce / remove regulations including many of those that set the standards for professional licenses.

[HB2011](#) cosmetology; licensing exceptions (Passed MVRA 5-4; Passed Rules and passed Committee of the Whole, but apparently not voted on) [HB2404](#) license to practice taxidermy; repeal. (Strike everything used to change it to requiring registration rather than licensing). Passed House 39-18.

[HB2406](#) behavioral health board; regulation; repeal (Assigned, Health, not scheduled)

[HB2407](#) dispensing opticians; repeal of regulation (Assigned, Health, no hearing scheduled)

[HB2408](#) board of funeral directors; repeal (Assigned, MVRA, no hearing scheduled)

[HB2409](#) massage therapy; regulation; repeal (Assigned Health, no hearing scheduled)

[HB2410](#) geologists; landscape architects; regulatory repeal (Assigned MVRA, no hearing scheduled)

[HB2411](#) homeopathic physicians; board; **Passed House 58-1**. Repeal

Home Based Business – In a move similar to the one to repeal licensing requirements for professions, there also are bills to “open up” the regulated economy to make it easier for entrepreneurs, this time by restricting the regulations that cities and towns can place on home-based businesses. Neighborhood associations are upset about this on the grounds that it can disturb the ambience of a neighborhood and override local regulations in a way detrimental to the communities. These bills are:

- [HB2333](#) home-based businesses; local regulation restrictions. **Passed House 36-20**. This bill “Declares the right to use a Residence for a home-based business, except when there are land use restrictions or any master deed, bylaw or other document that applies to an HOA.” It specifically prohibits cities from requiring licenses or fire sprinklers.
- [SB1001](#) home-based businesses; regulation restrictions. **Dead**. This bill relaxes restrictions on home based businesses, includes letting the person add a sign during business hours and having a 400-sq. ft. structure to conduct the business, and other changes. This passed Commerce & Public Safety 5-3, but is also assigned to the Governance committee and not heard by it.

- [SB1175](#) **home-based businesses; local regulation. Dead** Establishes that the use of a residential dwelling for a home-based business is a use permitted by right, superseded only by deed restrictions on land use and documents applicable to common interest ownership communities. On the other hand, this relaxes restrictions only on non impact home based businesses. A “non-impact” home based business is invisible from the street. Did not get a final vote in the Senate. Sponsor is Farnsworth R 16.

Education –

- [HB2037](#) **State-Wide High Stakes Test. Passed House 60-0.** The proposal from Heather Carter (R, 15) to do away with the statewide high stakes tests for Arizona students that focus on the state standards and instead administer one test such as the ACT or the SAT that students can use nation-wide for college applications and that have nation-wide standards for comparison purposes passed 9-0. **Most progressives support this change in statewide testing.**
- [HB2158](#) TPT; additional rate; education (Coleman, R, LD 16). Did not pass the House. This is the bill that would continue the sales tax revenue for education at its current level. Leadership is reported to have decided rather than try to pass it as a bill, it would be covered in the budget hearings. Thus, no more action in the regular process. Levies additional sales taxes that are then distributed in accord with provisions of other taxes. 38 pages long.
- [HB2172](#) **Weapons on campus. Passed House, going to Senate.** postsecondary institutions; possession; nonlethal weapons. This legislation would prohibit college and university administrators from banning non-lethal weapons – probably aimed at Tasers, pepper spray, other forms of weapons. Opponents concerned that this would set a precedent for prohibiting colleges and universities from banning guns. Passed 8-3. And full House, 35-22. Sponsored by Grantham, R, LD 12.
- [HB2280](#) **The University “lease back” Bill.** This bill passed the Ways and Means committee 5-4 but has not progressed since. The issue here regards ASU’s lease back arrangement that allows commercial development on

University property (businesses around Tempe Town Lake), and exempts those businesses from various state and local taxes.

- [HB2286 and SB1055](#). **charter school board; rulemaking exemption.** Both bills **passed unanimously**, but only after some reservations were raised. The bill now goes back to the Senate to accept the House version. These bills purportedly would permit the state charter school board to expedite its rule making authority, enabling it (according to supporters) to incorporate legislative changes more quickly into charter school governance. Opponents indicated concern about transparency and other aspects of charter school activity, including the lawsuits filed regarding charter school possible disregard of anti-discriminatory practices but in the end, all voted for these rule changes. Senate bill is from Sylvia Allen, R, LD6 and House bill from Boyer, R, LD20.
- [HB2341](#) homeschooled children; school buses; JTEDs This bill would require school districts to transport home- schooled kids on buses to joint technical education districts. **Probably dead.**
- [HB2377](#) teachers' school supplies; **tax credit** Failed 23-31 but request for reconsideration granted. Clodfelter (R LD10). Another tax credit! Increasingly, though, these are for small amounts to programs that the state is neglecting! This one establishes a tax credit up to \$400 for teachers who buy their own school supplies to be in their classroom. Even staunch school advocacy groups are opposing it, including ASBA because tax credits have taken away so much money from the general fund that it is becoming impossible to support public services. Even more worrisome is that tax credits – which provide a \$ for \$ deduction from one’s taxes – send a message that these services should be paid for by charity, not by the government. Passed Ways and Means 5-3 and Education 6-3 then failed on third reading, but there’s a 14 day “reconsideration” period.
- [HB2458](#) **ballot arguments. School bond elections** (Probably dead). This bill changes existing law regarding information on bond election material for voters. It limits arguments to two in favor (by the governing board) and up to 10 in favor if these are submitted. And, also limits arguments to two against if submitted and up to 10 against if submitted. It mentions that these arguments are fact checked but that the fact checkers cannot change the arguments if it is the author’s opinion. Not at all clear what the problem is or what this legislation is intended to do. Sponsored by Nutt, R, LD14.

- [HB2482](#) **foster care tuition** waiver (Shope, R, LD 8). **Passed 60-0**. Provides for a tuition waiver to community colleges and universities – not reimbursed by the state—for persons in or coming out of foster care. This is on the Children’s Action Alliance top priority list.
- [HB2563](#) **postsecondary institutions; free expression policies** (Bower, R, 25). **Passed, 34-22**. This bill purports to protect **free speech on campus**, but it appears mainly to be based on a model legislation written by the Goldwater Institute that prohibits administrators from limiting the people invited by students or faculty, except under extenuating circumstances, and provides for discipline and punishment to those who interrupt or interfere with a speech. This is a complicated issue, as at times in our history some of the right have wanted Universities and colleges to ban controversial speakers and currently it is more the people on the left who want to deny a platform for white nationalists. But this bill is directed at punishing those who protest, not protecting free speech.
- [SB1467](#) **Privatizing K-12 education - STOs; corporations; caps; scholarship eligibility**. The bill’s sponsor is Sen. Yarbrough, R, 17, and passed the Senate Finance committee 4-3 and Rules but NOT voted on. May be dead. The bill will cap corporate tax credits that go to STOs (student tuition organizations) which, in turn, use these for scholarships to “non-governmental” schools (private, religious, and home schooling). The original legislation set an aggregate cap on tax credits (a dollar for dollar reduction in state taxes) for corporations that contribute to “student tuition organizations” at \$10 million but allowed it to increase by 20% each year. Clearly, this increase would compound to the point that it would consume all the taxes paid by corporations so that the state general fund received none at all. Corporate taxes have fallen dramatically over the past decade, and one purpose of the bill is to place a cap on that. The cap would drop by 5 percent in each of the coming three years and then have an annual inflation adjustment or 2.5%, whichever is greater. Estimates are that in about four years, it will hit about \$100 million a year, increasing by inflation thereafter or by 2.5%, whichever is higher. These are tax dollars that could otherwise go to the general fund and be used to support public schools and other services. The STO program is NOT the same as the so-called “empowerment scholarships,” which are vouchers that take money directly from neighborhood schools to use as scholarships. The voucher program

expansion bill from last year is being challenged by Save Our Schools and is on the November ballot as Proposition 305 with a “NO” vote being to veto the expansion bill of 2017 and a “YES” vote being to let the voucher program expand up to 30,000 students with all k-12 students eligible.

Yarbrough said changing the program will require a supermajority vote of the Legislature because it effectively raises state revenue and that's what the state Constitution requires for tax and other revenue increases. Read more here: <http://www.thestate.com/news/business/article197662864.html>.

Yarbrough's STO bill would not only cap corporation tax credit at \$100 million, increased annually by inflation or by 2.5 percent, whichever is greater, but also would open the program to home schooling in addition to private and religious schools, permit an application fee to be charged, and for some students it permits the scholarship not to be limited to \$4,200 but to be the full amount of the tuition.

Opponents are concerned that the size of the cap is too large, as it would permit tax credits to increase even if the general fund is not increasing, so the draw on public funds could become extensive. Also the bill permits paying the full tuition of the private/religious schooling for some students and it lets some students switch from STO scholarships to empowerment scholarships.

Environment

Water bills The Sierra club and other environmentalists continue to fight against the cluster of water bills introduced by Sen. Griffin and one of the omnibus bills containing multiple provisions has passed. The Sierra club says, “...there is nothing in the bills that helps protect the environment, our rivers and streams, or consumers. The provisions help developers and big agriculture, mostly.” Here's the status of the various bills:

[SB1507](#) water program amendments – This and HB2512 are the major bills and **HB2512 passed the full House 33-27**. 1507 is on the Rules committee agenda Monday so it may still be passed in the Senate. They are alike. Sierra club opposes; most environmental groups have major problems with these as does the Governor.

Not clear how things will unfold from this point. Here's the status of all the other bills. Most are not needed if HB2512 or 1507 pass.

[SB1508](#) water; desalination action plan – **passed 30-0**

[SB1509](#) water; interstate sales on Rules committee Monday

[SB1510](#) irrigation grandfathered right; containerized plants **passed 20-10**

[SB1511](#) Pinal AMA; groundwater; extinguishment credits **passed 17-13**

[SB1512](#) active management areas; sixth management period on Rules committee Monday

[SB1514](#) natural resource conservation districts; administration **passed 29-1**

[SB1515](#) adequate water supply; county review... San Pedro River protection **Passed 17-13**

[SB1516](#) central Arizona project; sovereign immunity no vote. Not on 2/26 Rules agenda

[SB1513](#) effluent; recycled water; definition **Passed 17-13**

- [SB1475](#) ecological water; program; fund. (Dalessandro, D, 2). Probably **dead** as not heard in Senate committee. This bill defines “ecological” water as water sufficient to sustain freshwater ecosystems and the wildlife habitat and human livelihoods and well being that depend on that ecosystem. It then requires the director of the Arizona Department of Water resources to take “ecological water” into account when make its rules. It also establishes an Ecological Water Stewardship Program to establish standards and use best available science to apply to each watershed. This bill if enacted will also establish the ecological water stewardship fund to support the acquisition of existing water rights for ecological water purposes.
- [HB2480](#) uranium; radioactive materials; transportation; monitoring. Dead. This was held and has not been rescheduled. Sponsor is Descheenie D, LD 7. This bill provides for DEQ to monitor transporting of uranium including use of drones. Sierra club supports this.
- [SB1493](#) environmental quality; dredge, fill permits. **Passed Senate 17-13.** This bill Allows the Director of ADEQ to adopt a Dredge and Fill Permit Program for the discharge of dredged or fill material into navigable waters in Arizona. It also requires the Dredge and Fill Permit Program to be consistent

with and no more stringent than the Clean Water Act Section 404 Dredge and Fill Program. Sponsor is Griffin, R, LD 14. Sierra club opposes this bill as do most other environmentalists because it does not protect rivers. This would be a step toward letting DEQ control the federal Clean Water Act.

Guns – Several anti-regulatory bills are making progress in Arizona and one has already passed the Senate. Surely, after the shooting in Florida last week that killed 17 at a high school, Arizona will STOP the gun expansion program! An effort by Rep. Friese to force a vote on a gun safety bill last week failed. Here's an update.

- [HB2023](#) **prohibited weapon; bump-fire device; accessory.** This bill has been assigned to the Judiciary and Public Safety committee. The sponsor is Friese D, LD 9. No vote.
- [HB2059](#) **firearms; state guard; composition; program.** Not heard in Rules, should be dead but SCR2002 is similar and will be voted on Monday, 2/26. This bill changes the definition of the militia to include all persons over 18 who are able to serve (not 18 to 45); and then says they are able to privately purchase all sorts of guns. Sponsor is Stringer, R, LD 1.
- [HB2172](#) **postsecondary institutions; possession; nonlethal weapons.**
Weapons on campus. **Passed House, going to Senate.** This legislation would prohibit college and university administrators from banning non-lethal weapons – probably aimed at Tasers, pepper spray, other forms of weapons. Opponents concerned that this would set a precedent for prohibiting colleges and universities from banning guns. Passed 8-3. And full House, 35-22. Sponsored by Grantham, R, LD 12.
- **HB2211** would exclude ALL firearms from a bankruptcy filing. **Passed 34-25.** Current law permits a person to keep one firearm when filing for bankruptcy; this would permit a person to keep all of them!
- [HB2535](#) **DCS; prohibited acts; firearms.** Dead (good)! This bill would have prohibited child welfare agencies, including the Department of Child Safety from making rules to limit gun possession. Bill was not heard in committee so should be dead!

- [HCR2002](#) **state militia; age requirement. Voting scheduled for 2/26.** This is a resolution that would be referred to the voters to change the Arizona constitution so that the age range for membership in the **militia** is anyone over 18 able to act in common defense instead of the 18-45 age range. Current law says that the Arizona militia conforms to requirements of the U.S. Military. This would “protect” Arizona citizens from regulations that ban military weapons and other armaments used by the U.S. military. Stringer, R, LD 1.
- [SB1117](#) **retired police gun rights. Passed the Senate 17-13.** (Kavanagh, R, 29 is sponsor). This bill permits retired police officers to **carry a gun** in a bar or restaurant (or liquor store).
- [SB1348](#) **prohibited weapon; bump-fire device; accessory.** Dead. The Senate bill sponsored by Cajero-Bedford, LD 3 failed to get a hearing.

Health and Welfare

- [HB2127](#) **(children's health insurance program)** that help protect **KidsCare** (Arizona's **CHIP** program) **passed the full House and is on its way to the Senate.** Current law provides that if the federal contribution drops below 100% of the cost, the state would automatically freeze the program. This bill changes that and replaces it with a notification that if the federal government reduces its contribution, the state will determine whether there are sufficient state and local funds to continue the program and will stop enrollment if there are not state/local funds to cover. (Rep. Cobb, R, 5). Good news!
- [HB2217](#) **Not heard in health.** Dead. This bill would exempt diapers, formula, and other hygiene products from sales tax barely passed the House Ways and Means committee (5-4) with all Democrats voting yes along with two of the Republicans (Ugenti-Rita, R, LD 23 and Weninger, R, 17). It hasn't moved since, however. Prime sponsor is Hernandez, D, LD2). Opponents noted that it was the Democrats supporting this and accused them of inconsistency, since they usually oppose tax exemptions and credits. One said that these products should be covered by other programs for low income people such as WIC; another said it would be hard to collect, and

took money out of the general fund. Supporters argued that these products are necessities and should not be subject to sales tax, just as food is considered a necessity and not included in sales taxes. The bill is strongly supported by women's rights groups.

- [HB2324](#) **community health workers; voluntary certification.** This provides for voluntary (not required) certification for community health workers. Sponsor is Rep. Heather Carter (R, LD15). Advocates and community health workers want the bill as a way to increase visibility and understanding of the work as well as reimbursement potential. Bill passed 8-0 but was not heard by Rules committee. Probably **dead**.
- **HB2434 (financial products; regulatory exemption program)** – Passed House, 34-22. This legislation will allow unlicensed financial services products and services to be offered to Arizona consumers and will allow insurance companies, lenders, and financial technology companies to “test” new financial products, putting Arizonans who use these products at risk. This would permit new forms of payday loans to be tested for up to two years in Arizona. The idea for these “sandbox” projects is to encourage innovative new financial tools to be used, and the idea seems to have taken hold in other countries. But, their protections for consumers appear to be more robust than what would be required here in Arizona, and the test periods for some of them are only six months whereas the Arizona legislation permits it to continue for two years.
- [HB2449](#) child care assistance; tiered reimbursement, passed 60-0! (Yea). This bill provides that 33% of fed money received must go to the tiered program where higher payments for child care assistance that meets higher standards. Udall, R, LD 25. Supported by progressive groups.
- [SB1086](#) **AHCCCS chiropractic services.** **Passed Senate 29-0.** Another bill worth supporting is from Sen. Barto (R, 15), requires AHCCCS (Arizona's Medicaid) to cover chiropractic services. Also introduced in the House as HB2135 by Rep. Carter (R, 15).
- [SB1163](#) **credit security freezes; fees; prohibition.** **Passed 29-0.** Bill will prohibit companies from charging a fee to unfreeze a credit security. Sen. Brophy McGee (R, LD28)

- [SB1165](#) **child care assistance; rates.** Passed 29-0. Requires DES to post sliding scale rates and to regularly review them. Supported by progressive groups. Sen. Brophy McGee (R, LD28)
- [SB1166](#) **permanent guardianship; subsidy.** Current law requires persons to show they have already applied for all possible income before eligible to get child care subsidy. This repeals that section. Held by HHS. (good bill but , probably dead). Sen. Brophy McGee (R, LD28)
- [SB1247](#) **employee health insurance.** Passed Senate 17-13. Introduced by Sen. Barto (R, 15) the bill would prohibit cities and towns from requiring employers to provide health insurance to their employees. Another in a long line of legislation trying to stop Arizona's more progressive cities for doing things for people, such as providing health insurance!
- [SB1261](#) **Is Arizona about to pass a ban on texting while driving!** Maybe not. In spite of unanimous support in the committees, the bill was not brought up for a vote in the Senate. Sponsor is Steve Farley, D, LD 9, a candidate for Governor. The bill would create a fine of no more than \$99 for a first offense and \$200 for repeat violations. Only if the person using the cell phone or similar device is involved in a mishap that causes death or serious injury would the offense rise to the level of a misdemeanor. But motorists would not have to surrender a phone to an officer who wants to determine if that person was, in fact, texting. Also, the legislation spells out that a conviction for a driving-while-texting offense could not be used by the Motor Vehicle Division to take away someone's license, nor be an excuse for an insurance company to raise a motorist's premiums.

Human Rights

Abortion rights on the agenda again! Not one of those massive bills, but another one that chips away slowly and gradually at access, affordability, and capacity for women to obtain legal abortions.

- [SB1393](#) **dissolution; human embryos; disposition** (Barto, R, LD 15). Passed Senate 18-12. This bill force judges to declare that (in a divorce or separation) the embryos should be awarded to whoever "intends to allow

the in vitro human embryos to develop to birth,” SB 1393 would essentially grant personhood and apply custody laws to embryos as if they were a child born and in existence, warned Resolve, a national infertility association. That would set Arizona apart from the rest of the country and hurt people with infertility, Resolve president Barbara Collura said in a letter to lawmakers sent Feb. 5. “This bill inserts the (Arizona) legislature into the extremely personal decision about how a couple builds their family,” Collura wrote. “Its effect is to take away individuals’ rights to determine whether or not they have children — and to replace it with a government-mandated decision.”

- [SB1394](#) DHS; reporting; abortions. (Barto, R, LD15). Passed Senate 17-13. Barto’s bill, SB1394, would increase the paper work and reporting requirements on abortions performed in Arizona. This is another of the statutes that gradually and incrementally undermine the ability and willingness of medical facilities to continue providing abortion services to women. Cathi Herrod, president of the Center for Arizona Policy, assisted in writing the legislation, according to the Capitol Times (2/9) and justified it on the grounds that more data would help women although the Center’s primary goal is to eliminate abortion services entirely. The record keeping would have to include such things as whether anesthesia was administered to the mother or fetus, the specific reason and circumstance leading to the abortion, the specialty of the physician who performed the procedure, the total number of abortions done. A newly created informed consent form would be required. The annual report would have to include details on any abortions paid for with state monies in any capacity. It would also have to release a monthly report with the number of abortions performed or prescribed throughout the state, and the reasoning behind those abortions. There are many, however, who say the changes proposed are unnecessary and could potentially violate the privacy of the patients involved. Barto and Herrod have said that the bill still ensures protection for the identities of the patients, but opponents of the legislation fear that requiring women to explain their reasoning in getting an abortion could shame them, and requiring even more reports and paperwork could deter physicians from wanting to provide abortions. “This is a legal medical procedure that should be between a woman and her doctor. There’s no need to increase

reporting requirements,” said Senate Minority Leader Katie Hobbs, D-Phoenix.

- [SB1198](#) **A bill protecting blind people from being disqualified as adoptive or foster parents due to blindness passed the Senate unanimously! Yea!** Sponsor is Barto, R, LD15.

The ERA! Women’s groups made one last big push to get the ERA on the agenda at least for a hearing. But it did not work. Thanks to Rep. Powers-Hannley (D, LD 9), Sen. Hobbs, D, LD24, and Rep. Ugenti-Rite, R, LD 23. Watch for the possibility of a “striker” to be used to revive this bill. Maybe around Easter.

Immigration – The impending deportation of persons who have been protected by the Deferred Action Childhood Arrivals, DACA, is squarely on the President DJT. He is the one whose executive order removed the protection and he is the one who should take the blame. Congress achieved an amazing agreement, including concessions by the Democrats to build the wall, but DJT jumped in at the last minute with a threatened veto on a bi partisan bill so the ball is back in his court. A court has put a hold on his executive order for the moment. A stroke of the pen from the President could fix this problem.

[HB2083](#) **insurance contracts.** This bill **passed the House 33-24** last week, against the protests of immigration rights advocates. This bill protects insurance companies that offer insurance contracts in a non-English language by permitting the language to differ and holding the insurance company not liable for differences. It removes the requirement in existing state law that an insurance company must have a translator’s written statement that the versions are identical. Immigrant rights group are strongly opposed on the grounds that it makes it lawful to misrepresent contracts. Supporters claim the intent is to encourage insurance companies to write more policies in non-English languages. Sponsor is Livingston, R, LD 22.

Worth supporting: [HB2155](#) - Also passed last week (unanimous, 58-0) is legislation intended to protect immigrants from unscrupulous notaries offering legal advice.

Taxation

- [HB2217](#) exemption for **feminine hygiene** products. This bill exempts diapers, formula and other feminine hygiene products from sales tax as constituting necessities just as food is a necessity. Was scheduled for the Health committee, **but not heard and is probably dead. Passed** ways and means last week, 5-4 with all Democrats and two Republicans voting for it.
- [HB2236](#) **military pensions; increase; tax subtraction** passed the House Military and Veterans Affairs committee 8-1 but failed in the appropriations committee 4-9. However, the Senate bill passed on a second try. These bills gradually increase the current \$2,500 cap placed on the amount of **military retirement** pay that is exempt when calculating income for state income tax purposes to \$15,000 in tax year (TY) in 2029. The bill would effectively lower military retirees' income for purposes of calculating their income tax liability. In the Senate [SB1167](#), **Passed Senate** 18-11. Sponsor is Griffin, R, 15. The estimated cost to the general fund was set at \$15 million. Opponents include Democrats arguing against taking more money out of the general fund, but also some Republicans (Warren Petersen, R, LD12) who advocates the entire elimination of the income tax.
- [HB2264](#) **tax exemption for dependents. Passed House, 34-25.** This bill raises the tax exemption slowly from \$2,300 to \$2,400 and then follows the consumer price index. This is a very small increase compared to the federal tax reform law that doubled the exemption. (Mosley, R LD5). It is on the 02/28 Senate finance committee agenda.
- [HB2528](#) **capital gains; income tax subtraction** Passed 35-25. This bill has been filed by Rep. Mesnard, Speaker of the House, (R, LD 17). It increases the tax subtraction (subtracting from the federal adjusted gross income, AGI) for capital gains, raising it from the current 25% to 30% and then

gradually to 50%. The fiscal note puts the impact on the state budget at \$23 million after fully implemented.

- [SB1049](#) Will exempt hearing aid batteries from the Arizona sales tax (Farnsworth, D, Rep, LD 16). Not heard by Rules and not voted on, so dead.
- [SB1206](#) **tax subtraction; donated surplus food.** Dead. Sponsor is Fann, R. LD1). This bill allows a deduction from the federal adjusted gross income of surplus food donated to a charitable organization. Donated crops are covered as well. Estimated fiscal impact is 1.9 million (annually) taken from the general fund. Department of Revenue estimates loss to general fund of \$900,000 to \$1.3 million. Bill isn't moving.
- [SB1268](#) **class six property; elderly homeowners. Passed Senate 28-2 .** This would lower property taxes for elderly homeowners by changing the property classification of their homes. There is expected to be a fiscal impact on the state general fund, but it would be offset (somehow, not explained) by the truth in taxation provisions.
- [SB1292](#) **Elected Officials Retirement Plan adjustment. (Passed Senate 29-0.)** Provides a cost of living adjustment for elected officials who are retirees and their spouses. Sponsor is D. Farnsworth, R 16. Estimated costs to state general fund not known.
- [SB1294](#) **tax corrections act of 2018. Passed 30-0.** This is a 105-page bill (Farnsworth, D., R, 16) that makes some changes (tax decreases) but does not appear to be the comprehensive bill that would eliminate the expected windfall produced by the changes in the federal tax law. The description is as follows: "Corrects errors and obsolete language, addresses blending problems and provides clarifying changes to the tax statutes of the Arizona Revised Statutes."

Tax Credits - Tax credits allow a person or household to receive a dollar-for-dollar reduction in their state income taxes. This is NOT a deduction, but a straight-out subtraction from whatever is owed. In 1992, Arizona had 4 tax credit programs. As of 2016, there were more than 30! Several new ones were proposed but not passed.

- [HB2590](#) rural growth investments; tax credits. Dead. (Cook, R, 8).
- [HB2568](#) affordable housing tax credit. (Rivero, R, 21). Dead.

- [HB2377](#) teachers' school supplies; tax credit Failed 23-31 but request for reconsideration granted. Clodfelter (R LD10).

Resources (calendar, contacts, etc.)

Shout out to Melinda Iyer for the Arizona Activist – a weekly update on Arizona Legislation for busy folks! You can get to her most recent one from her facebook page

<https://www.facebook.com/groups/664387460407028/> or Sign up here

<http://civicengagementbeyondvoting.us15.list-manage1.com/subscribe?u=c060f172658106bd0be87b72b&id=eb5ea9b499>

BACKGROUND REPORT AVAILABLE: That tax cuts spur the economy, and are good for Arizona are questionable assertions. To learn more about economic justice issues in Arizona and nationally, check out these two background papers: [Talking points](#) on economic issues in Arizona by Barry Linden, and [Popular Misconceptions](#) by John Wurm.

You can get a downloadable pdf of the Legislative Alert at

<http://www.vuu.org/legislative-advocacy/>

Mark Your Calendar for these Action Opportunities

Feb. 27. Congressional District 5 Primary: The replacement for Rep. Trent Franks, Congressional District 8, will be decided with primary elections Feb. 27 and then a general election April 24. Two Democrats are running: Hiral Tipirneni, Brianna Westbrook and 12 Republicans Chad Allen, Kevin Cavanaugh, Brenden Dilley, Stephen Dolgos, Debbie Lesko - Former state Sen., David Lien, Phil Lovas - Former state Rep., Richard Mack, State Senator Steve Montenegro, Bob Stump, Christopher Sylvester, Clair Van Steenwyk, Mark Yates

March 12. Arizona Coalition to End Sexual and Domestic Violence. Annual advocacy day at the state capitol. Register at <http://bit.ly/2CSb4HU> (Lunch will be provided). For more information contact Jason@acesdv.org & Whitney@acesdv.org.

March 24. March for our lives. Phoenix, every town and city in Arizona, Nationally. Saturday, state Capitol. Organized by teenagers in solidarity with teens and all others who have suffered from gun violence in the United States. More information here

<https://www.facebook.com/events/2016815821919569/>

March 31. We The People Summit. Third in the series. Saturday. Phoenix Convention Center, south building. Featured workshops: get out the vote; combating voter suppression; poll monitor training, legal observer training, candidates for office, and more.

April 20. <https://networkforpubliceducation.org/2018/02/join-us-day-action-stop-gun-violence-schools/> National Day of Action to stop gun violence. A call for mass action on April 20, the anniversary of the horrific shootings at Columbine High School.

TBD! If trump fires Mueller: Even though it seems unlikely that DJT will try to fire Special Counsel Robert Mueller (or firing others who could then fire Mueller), plans are in place for massive nation-wide protest rallies if he does. You can get more information, including local information about plans in Phoenix and other AZ cities at this link <https://www.trumpisnotabovethelaw.org/event/mueller-firing-rapid-response/search/>. You can sign up to get an email that will alert you if DJT takes action to obstruct the investigation. Be ready! The Phoenix event will be at the state capitol.

On-going to June 2018: Workshops for Tempe-area employees and employers (and those seeking work) on salary negotiation that is intended to help end the gender pay gap. Workshops focus on negotiation strategies, benchmarking target salaries as well as learning about the long term consequences of the wage gap. Workshops mainly for Tempe residents but others may also attend. Registration required: <https://salary.aauw.org/tempe/> Also see the **City of Tempe's Equal Pay Initiative:** <http://www.tempe.gov/city-hall/strategic-management-and-diversity/equal-pay-for-equal-work>

On-going to November, 2018! Outlaw Dirty money initiative. This is the initiative led by former Attorney General Terry Goddard to require transparency in all campaign contributions so voters will know who is contributing to the candidates. You can sign up here. <https://outlawdirtymoney.com/volunteer/> Volunteers are needed! Petitions will be available in many places. Watch for them (or go get your own)!

On-going to November, 2018! Protect Wildlife initiative. Arizona Ban Hunting Wild Cats Initiative may appear on the ballot in Arizona as an initiated state statute on November 6, 2018 if enough signatures are gathered. The measure would ban the hunting, shooting, trapping, snaring, netting, or capture of bobcats, mountain lions, jaguars, lynxes, and ocelots. The measure would make exceptions to the ban. More information on Ballotpedia [https://ballotpedia.org/Arizona_Ban_Hunting_Wild_Cats_Initiative_\(2018\)](https://ballotpedia.org/Arizona_Ban_Hunting_Wild_Cats_Initiative_(2018)).

SRP BOARD ELECTIONS are held on the first Tuesday of April. Did you know that if you are an SRP customer, you may be able to VOTE in these elections, and various progressive groups are attempting to ensure that environmentally-friendly candidates are available to serve?

Sign up here to see if you are eligible to vote (all voting is by mail).

<https://www.srpnet.com/elections/secure/earlyballot/2018earlyballot.aspx> . Be sure and check the PEVL box (permanent early voting list) so that you will always get a ballot. You can also get a paper ballot to mail in at this link (wait for it, a bit slow). If you cannot vote, recontact them and fuss about it if you are an SRP customer!! <http://register.srpcleanenergy.org/>

Special Action Opportunity:

BE HEARD! Request to Speak

Are you registered for “request to speak”? If you were registered last year, it will still work, and if a bill is scheduled for a committee hearing next week, you can MAKE YOURSELF HEARD! Here’s how: Get the bill number. Then Click on <http://www.azleg.gov> then: sign in (top right)/new request/phrase (put in the bill number)/add request. Then write your comments. They will be READ at the committee meeting! If you are not registered, that has to be done at the state capitol, and the Civic Engagement Beyond Voting group (a progressive Arizona advocacy group) will do it for you. Just fill out this form!

<https://docs.google.com/document/d/1BXMTpcf171ZSVtmlnt5132pFd9mRysvIOAbU3vZesOc/edit?ts=5a527e9c>

REGISTER YOUR OPINION! (This is new). If you are signed up for request to speak, then get the bill number, click on <http://www.azleg.gov> then: sign in (top right) and then on the left, click on “My Bill Positions,” then enter the bill number, the title should show up under the line near the bottom of the screen. Click on the title, enter your position (thumbs up or down) and then “add.” You might need to enter the bill number twice to make it work. We are not sure if anyone is paying attention yet to these! But, keep trying anyway.

Contact Information

Resistbot.io - How to use it. Click on the “messages” icon on your I-phone, then click on the pencil in the top right-hand corner. You will get a “To: “ screen. Put in 504-09 and then in the message type “resist.” They will respond and ask for your zip code or address and what you want to do. This is a free service, reportedly developed by volunteers. It will ask for your zip code or address, and then you can send a fax, letter, make a phone call, send an e-mail to Sen. Flake and McCain and the House member as well or even to Governor Ducey.

After you have sent several, it will ask you which of the various people you want it sent to. At first, it just sends to all three, later it will add state-level elected officials, too. You get more services after you’ve used it awhile!

Arizona Contact Information

Governor Ducey's engage@az.gov 602.542.4331 You can find a contact form at: <http://azgovernor.gov/engage/form/contact-governor-ducey>

To find your legislative district: <https://azredistricting.org/districtlocator/>
Then to get the name and contact info for your legislator, go to <https://azleg.gov> . (e-mail is simply first initial last name at azleg.gov (e.g., jdoe@azleg.gov)).

U.S. Senate Contact Information

Sen. John McCain

- **Washington D.C.** [Sen. John McCain](#) - 202 224 2235 218 Russell Senate Office Building, Washington D.C. 20510 e-mail: <https://www.mccain.senate.gov/public/index.cfm/contact-form> **Arizona Offices (602) 952-2410** 2201 East Camelback Road Suite 115 Phoenix, AZ 85016. Tucson 407 West Congress Street Suite 103 Tucson, AZ 85701 Main: (520) 670-6334

Sen. Jeff Flake

Washington D.C. [Sen. Jeff Flake](#) - 202 224 4521. 413 Russell Senate Office Building Washington DC 20510 e-mail: <https://www.flake.senate.gov/public/index.cfm/contact-jeff> **Arizona Office - Senator Flake - Phoenix AZ Office: (602)-840-1891**
2200 East Camelback Road Suite 120 Phoenix, AZ 85016. **Tucson Office** 6840 North Oracle Road Suite 150 Tucson, AZ 85704 P: 520-575-8633

U.S. House There is no centralized e-mail listing for U.S. House members. The easiest to use is resistbot.io. Or, Look up your Congressional district [here](#).) Or, try these:

- 1 – Tom O’Halloran, 202 225 3361 520 316 0839 ohalleran.house.gov/contact
- 2 – Martha McSally 202 225 2542 520 881 3588 mcsally.house.gov/contact
- 3 – Raul Grijalva 202 225 2435 520- 622 6788 grijalva.house.gov/e-mail-raul
- 4 – Paul Gosar 202 225 2315 928 445 1683 paulgosar.house.gov/contact
- 5 – Andy Biggs 202 225 2635 480 699 8239 biggs.house.gov/contact
- 6 – David Schweikert 202 225 2190 480 946 2411 schweikert.house.gov/contact
- 7 – Ruben Gallego 202 225 4065 602 256 0551 rubengallego.house.gov/contact/email
- 8 – Trent Franks 202 225 4576 623 776 7911 franks.house.gov/contact-me
- 9 – Kyrsten Sinema 202 225 9888 602 956 2285 sinemaforms.house.gov/forms/writeyourepp

Copies of the AZ Legislative Alert (PDF) are posted at <http://www.vuu.org/legislative-advocacy>

Do you know someone who is not registered to vote? You can use the **Text P2P to RTVOTE (788-683)** tool for both face-to-face interactions on the ground and through digital outreach, all to help us reach **our goal of registering 1 million voters!**

[Valley Unitarian Universalist Congregation](#) –

Senior Minister, Rev. Dr. Andy Burnette; Music Minister, Rev. Kellie Walker; Director of Faith Formation, Marci Beaudoin. Administrator, Sue Ringler. Located: 6400 W. Del Rio Drive, Chandler, AZ 480 899 4249 www.vuu.org
For previous copies of the *Arizona Legislative Alert* go to <http://www.vuu.org/legislative-advocacy/>
. VUU holds services each Sunday at 10:30. You are welcome here.

[Unitarian Universalist Justice Arizona Network](#) -- Executive Director Rev. Lisa McDaniel-Hutchings; Policy Coordinator, Anne L. Schneider. Board Members, UUJAZ: Sharon Travis, Liz Swan (Chair), Rev. Matthew Crary, Bobbi Bollinger. www.uujaz.org.