

# *The Arizona Legislative Alert*

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Bills marked “use RTS” means they are before a committee this coming week and you can use “request to speak, if you are signed up. If you were signed up in a previous year, it will still work! Go to [http://www.azleg.gov/legislative information/](http://www.azleg.gov/legislative_information/) request to speak. Follow instructions (it isn’t hard.)

What’s Inside: [Education](#) [Economic Justice / Welfare & Taxation](#) [Democracy, Voting & Elections](#) [Human Rights \(ERA!\)](#) [Calendar](#)

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But first, the highlights!!

## **HIGHLIGHTS!**

- **Budget** – Gov. Ducey released his budget Friday, and it immediately met with opposition from Democrats and Republicans. No surprise there. One of the biggest issues is that Arizona has a \$1.1 **billion** surplus for this year, and he has proposed that half of it -- \$500 million dollars – be put into the rainy day fund. This reflects the priorities of a Governor who would rather be known for “growing” the rainy day fund to \$1 billion than the Governor who restored almost \$1 billion to education, that has been cut since 2007 and not restored. It is not clear how much of the \$1.1 billion is one-time-only money and how much is continuing. The budget debate will continue throughout the legislative session.

- **Use RTS Education – Sales Tax** [SCR1001](#) education; TPT; use tax [SB1080](#) TPT; use tax; education. Sylvia Allen (R, LD 6) has introduced a resolution that, if passed by the Legislature, would refer to the voters in 2020 a proposal to increase the sales tax for education from .6 of one percent to 1.0 percent – dedicated to education. The problem is this: the additional amount raised would be about \$400 million each year whereas the “invest in education” initiative that was taken off the ballot last year by the AZ Supreme Court would have raised \$690 million—and even that is not enough to completely restore education funding to the (inflation adjusted) pre-recession level. SB1080 specifies how the money will be allocated and provides more flexibility to local districts (which is a good thing). **BOTH BILLS ARE ON THE SENATE EDUCATION AGENDA FOR TUESDAY, JAN. 22 AT 2 P.M.** What to do? Probably, support it BUT ONLY IF THIS IS THE BEST THAT CAN BE DONE. Stay neutral for now, and hold out for something better.
- **Use RTS Economic Justice / Tax Credits for Welfare -** [SB1027](#) tax credit; charitable organizations; eligibility. This bill is being heard Wednesday at 2 in the Senate finance committee. It is one of those tax credit bills that presents a “Hobbesian” choice to Legislators and, if passed, to citizens. The bill would expand an existing tax credit (up to \$400 filing singly or \$800 joint) for individuals who donate to a qualified charitable organization that serves adults suffering from chronic illness or disability (the credit is already available to organizations that serve children). A qualified organization is a 501 c 3 that spends at least half its money for social welfare. The bill is sponsored by Leach, LD 11). **What’s the problem?** A tax credit grants a dollar-for-dollar reduction of a person’s state income tax. It is a worthy goal to provide public services to people with chronic illnesses or disabilities – but tax credits take money out of the general fund so that later when the Legislature is presented with a budget that would allocate funds for such services, they can say, “Well, there just isn’t enough money.” Why isn’t there enough? Because these tax credits drain the general fund of millions of dollars – for worthy causes usually – but prevent government from fulfilling its responsibilities of providing public services for health, mental health, education and other services. A second problem, is that this kind of policy design sends the implicit message that public services for those in need

should be provided by charities, wealthy individuals, religious organizations, etc. rather than by government. This is one of the strategies being used nation-wide to privatize public services. Use RTS to oppose tax credits if you agree with this critique and instead ask the Legislature to provide sufficient funds in the budget to cover these needs!!

- **Use RTS Health / Economic Justice** – [HB2120](#) AHCCCS; chiropractic coverage (Barto, LD 15). Introduced again this year, the bill would include coverage for chiropractic care under AHCCCS (Arizona’s Medicaid program) for low income persons. It is scheduled for the House Health and Human Services committee Wednesday.

## **Here are some of the other bills, worthy of attention, that have not been scheduled for a hearing!**

**Education** - Several bills have already been filed that probably should be labeled “revenge for the ‘RedforEd’ movement! Others, provide some hope for public schools. Here are some worthy of attention that have not yet been scheduled for a hearing.

- **HB2015, HB2016, HB2017, HB2018 (prohibit public schools and teachers from walking out or protesting inadequate funding, Kellie Townsend, LD 16)**. Rep. Townsend has been quoted as saying the four bills she has introduced are a direct response to the RedforEd movement and teachers’ decision to strike last April. [HB2017](#) would prohibit public schools from shutting down except during pre-approved breaks and holidays, or in the event of a variety of dangerous situations, from natural disasters to an invasion or epidemic. This bill also would prohibit schools from coordinating closures. [HB2018](#) would require the attorney general to investigate any policy, procedure or other official action taken by a school district governing board or any district employee that lawmakers allege violates state law. Townsend has also filed [HB2015](#) to prohibit school district employees from using school resources to promote a political or religious ideology, and [HB2016](#) to prohibit employees from harassing, intimidating or harming

parents, students and their colleagues. There are laws already on the books to cover each of those offenses. Whether these proposals will intimidate the teacher's movement or whether it will inspire even more activism teachers and their allies remains to be seen.

- [HB2032](#) (**Charter School Reform Townsend, LD 16**). This bill is one small step toward charter school reform in that it requires charter schools (boards, teachers, everyone) follow open meeting laws which they currently are not required to do!
- [HB2035](#) - **school districts; procurement; charter schools (Fillmore, LD 16)**. What's odd about this bill is that it requires public school districts to follow the same procurement requirements as charter schools – which are less stringent. Probably an effort at “reform” but most of the reports on charter schools show that their procurement requirements are far too lax and too subject to nepotism and other problems.
- [HB2002](#) - **educators; ethics; professional responsibility** – (Finchem, LD11) This is another bill to restrict teachers from engaging in walk outs or other protest movements. It specifies that a code of ethics should be developed by the Arizona School Board Association in conjunction with the State Superintendent of Public Instruction, and then goes on to say exactly what should be in it. No teacher should discuss any legislation, court case, election, public official, executive action, etc. or any controversial subject in their classroom unless it is clearly a core part of the subject matter. The code also would prohibit segregating students on the basis of race or any discussion that one race is responsible for the suffering or injury to another. The bill notes that it is trying to prohibit “teaching for social justice.”
- [HB2022](#) **empowerment scholarships; financial oversight; treasurer (Finchem, LD11)**. HB2022 would require annual audits of the funds allocated through the “empowerment scholarship” programs, and enable the department to contract with a third party to conduct such audits. The problem is this responsibility is assigned to the treasurer department rather than the Department of Education. These are the scholarships that enable students to literally take the money from their public schools and use it to pay tuition at a private or religious school or to be home

schooled. Previous sporadic audits have revealed extensive shortcomings in accountability. Audits are needed, but Arizona Assn of School Business Officials lobbyist Chuck Essigs is on record as saying that this responsibility should remain in the Department of Education.

## **ECONOMIC JUSTICE / Welfare / TAXATION**

The Governor has promised to cut taxes every year, and has done so, causing extensive injury to public funding for education and other public services. Again, bills are already being introduced to provide more tax credits and to prevent agencies from imposing fees that they need to do their work. But there are some good bills, too.

- **[HB2125](#) supplemental appropriation; child care assistance (Udall, R, LD 25)**. Last year, the Legislature failed to provide the legislation needed to draw down \$56 million in federal funds – with NO COST to the state – that could be used for child care assistance. A bill has been filed that would correct this mistake and enable Arizona to draw these funds and use them for necessary child care assistance services.
- **[HB2034](#) tax credit; teachers; school supplies (Fillmore, LD 23)**. This proposal has been introduced several times but never passed. It permits teachers to receive a tax credit (a dollar-for-dollar reduction) in their state taxes for school supplies that buy with their own money and then use in the classroom. As with most tax credits, this is certainly a worthy cause, but it is a poor remedy for actually providing education with the money needed to operate the schools, and it takes money out of the general fund that could be used to increase education funding! Tax credits are a Hobbsian choice, and not a good one for how to run a government.
- **[HB2011](#) veterans; increased income tax subtraction (Griffin, LD 14)**. HB2011 would permit veterans of 20 years or more to exempt more of their current retirement income from state taxes. Currently, veterans can exempt 2500 (that is, not pay taxes on it). This bill if passed would increase that to 6,250 and then on to 10,000. It would cost the state an estimated 15 million when

fully implemented. Of course, everyone (almost) wants to honor veterans, but again this is just another way to take money out of the general fund instead of using the money IN the general fund to provide public services to those who need them – including veterans!

- **HB2019 highway safety fee; repeal; VLT (Lawrence, LD23).** The state department of motor vehicles increased the fee for new licenses as a way to raise revenue for the highway patrol. This would repeal the \$32 new fee. This is also SB1001 introduced by Ugenti-Rita (LD 23).
- **HB 2153** - Tax Free Tampons? (Shope, R, LD 8, Speaker Pro Tem) has filed a bill that would make tampons tax free! Why? Well, he was bombarded with complaints last year because he refused to hear a bill that would let feminine hygiene products be tax free, the same as “food” in a grocery store or other store. Part of the problem here is that this bill, as with many others, reduces funds from the general fund and prevents the government from fulfilling its responsibilities to low income persons!!

## DEMOCRACY, VOTING, ELECTIONS

**Voting, Elections & Democracy** – Most of the legislation that makes any progress in Arizona pertaining to expanding voting or protecting democratic processes does not make it even into a hearing. There may be some exceptions this year, as Republican legislators have introduced some bills that may draw bi partisan support and several organizations are planning to support a “voter’s bill of rights.” First, a surprise bill!

- **HB2021 ballot measures; online signature submittal (Finchem, LD 11).** HB2021 would permit persons to sign initiative and referendum petitions on line, rather than the current system which requires circulators to gather hand written signatures on the written document. In Arizona, persons running for office currently can gather the petitions needed to qualify for the ballot using on-line procedures. A person can register to vote on-line. Initiatives and referenda, however, have never been allowed to use on line voting but have become prohibitively expensive by having to find volunteers or paid circulators to corner people in parking lots with their clipboards and printed petitions that grant a tiny place for one’s signature. Thousands of signatures are disqualified because they are outside the lines or missing some information or, in some cases, because opponents challenge the petition in court and require circulators to show up for a hearing. If the circulators do not show up – as was the case with the “outlaw dirty money” initiative of

2018 – then ALL the signatures they collected are required, by law, to be thrown out. Thus, this bill would use already-existing software to verify signatures on line, and only those thrown out by the software would be examined by hand. The sponsor, Finchem, says his purpose is NOT to make it easier for citizen initiatives / referenda to gain the required number of signatures, but that the descriptions provided by circulators are too brief and inaccurate whereas signing on line would let the voter actually read the description and know what they were voting on. A second reason he gave is that it takes far too much time for the county recorders to have to verify the signatures when all the petitions are dumped at the final deadline.

- [HB2039](#) **federal form voter registrations; reporting (Townsend, LD 16)**. Arizona has a two-tier voting system. To vote in state elections, a voter has to provide proof of citizenship that includes a government-issued photo ID. A person can obtain a government-issued photo ID if they have a birth certificate or social security card, but many people do not. The Federal voting laws, however, do NOT require a government issued photo id, but other documents can be used and the person swears under threat of perjury that they are a citizen. HB2039 would require county recorders to post the number of persons who cast ONLY the federal ballot.
- [HCR2001](#) **Article V Convention, electors citizenship (Finchem, LD 11)**. Here is still another application to Congress to call an “article V convention for the purpose of amending the constitution of the United States. It requires 2/3 of the states to make such an application and the applications must be for exactly the same purpose. If Congress receives such applications from 2/3 of the states they are required to call a constitutional convention. HCR 2001 is a new one, however, as most are for a balanced budget or other restrictions on the federal government. This one would require that electors (those who vote for the president) must show proof of citizenship. It doesn’t say what that means, but typically it means a photo identification issued by a government office.
- **Independent Redistricting Commission** – No bill has been filed yet, but the AZ Capitol Times reports that John Fillmore will introduce a bill to change the makeup of Arizona’s Independent Redistricting Commission, the body responsible for redrawing the state’s legislative and congressional district maps once a decade. Unlike last year’s bill, which restricted its authority, this one would simply expand the commission to nine members – three Democrats, three Republicans, and three Independents.
- **Voter’s Bill of Rights** - An Omnibus bill (or several individual bills) will be introduced soon to provide Arizona voters with a “bill of rights” that will attempt to ensure these rights:
  1. Register to vote without unnecessary barriers
  2. Participate in fair elections in which politicians are not choosing their own voters
  3. Vote by mail or in person and know that our votes will count
  4. Equal access to the ballot no matter where in Arizona we live, what language we speak or what our physical abilities are

5. Propose and enact laws when politicians fail to act
6. Know that when we elect someone, they will work for us, no donors or lobbyists.

Know that when we elect someone, they will work for us, not donors or lobbyists. Current participants include ProgressNew Arizona, Arizona Advocacy Network, Our Voice Our Vote, League of Women Voters, Living United for Change in Arizona, NextGen, Planned Parenthood, CASE, Mi Familia Vota and others. You can join at [AZVoters.org](http://AZVoters.org).

- [HB2099](#) voting rights; restoration; felonies Espinoza (D 19). automatic restoration of right to vote upon completion of sentence

**A surprising number of bills have been filed, but not yet scheduled for hearings, that would restrict voters rights and access to citizen initiatives. Here are very brief descriptions of those filed so far.**

- [SB1032](#) on-site early voting; identification required very bad bill! - Ugenti-Rita – “any on-site early voting location shall require each elector who obtains a ballot at that location to present and confirm identification as prescribed in section 16-579 before receiving a ballot.” This means a photo ID.
- [sb1046](#) early voting list; mailing ballot ugenti rita (r 23). “An elector who is on the permanent early voting list and who has received an early ballot may return the elector's voted early ballot only by mail and may not deliver the voted early ballot to an on-site or other early voting location or to a polling place on election day.” Another bad bill, as it would severely restrict Arizona voters from returning their early ballots to a polling place or on election day.
- [SB1054](#) early ballots; deficiencies; cure period Ugenti-Rita (R, 23) allows "curing" for up to 5 days after an election. This year, some counties continued to “cure” ballots that were turned in on election day until they finished! “Curing” a ballot means that if a person mailed in their ballot and there was a problem of some kind, the county recorders are expected to contact the voter and give them time to “fix” (or “cure”) the problem – such as a signature that does not quite match
- [SB1072](#) early voting centers; identification required ugenti-rita early voting centers require ID 16 - 57
- [HB2049](#) federal office ballots; voter assistance Filmore (R, 16). makes it a class 3 misdemeanor to give a full ballot to someone who is only eligible for a federal ballot. In Arizona’s two-tier voting system, a photo ID is required to vote the full ballot, but a person can use other ID to qualify for a federal-only ballot.
- [HB2130](#) voter registration; inactive voters; removal (Thorpe, R, 6). removes "inactive voter" and directs county recorders to remove from voter list anyone not voting in two consecutive primary/general elections (4 years). This mandates a quick purge of voting

lists and takes thousands of people off the lists who are eligible voters – just have not voted for awhile!!

- [HB2140](#) early, emergency voting; deficiencies (Filmore, R, 16). puts restrictions on county board of supervisors that prohibits county recorders from operating voting centers the weekend before an election and prohibits county supervisors from permitting county recorders to allow voters to correct or supplant their affidavit after 7 p.m. on election day. Again, this will invalidate an unknown number of ballots cast by qualified voters.

## HUMAN RIGHTS

**ERA Equal Rights Amendment** – No bill has been filed yet, but one will be very soon and will have Democratic and Republican co-sponsors! A big push will be made again this year to get a hearing and to get Arizona to pass it. Why? Isn't this already over? Well, maybe not. If Arizona passes it, we will be the 38<sup>th</sup> state and that might be all that's needed (3/4), if Congress passes any one of several resolutions extending the time limit on passage. However, some states have recinded their passage, so there will be a lot of issues here. Nevertheless, let's persist! Here's some additional reading if you are interested.

<https://www.equalrightsamendment.org/incongress>

- [SB1047](#) sexual orientation; conversion therapy; prohibition. Bowie (D 18). Bowie has introduced a bill that prohibits conversion therapy for persons under 18; exempts gender identity changes
- [SB1055](#) schools; prohibited courses; repeal. Quezada (D, LD 29) repeals prohibited courses also see house bill by Espinoza. These are courses focused on ethnicity and race.
- [SB1056](#) immigration; law enforcement; repeal Quezada removes "profiling" from immigration law enforcement.

**WATER / ENVIRONMENT** <https://azcapitoltimes.com/news/2019/01/16/lawmakers-get-first-look-at-legislation-for-drought-contingency-plan/>

Sandy Bahr, director of the Arizona Sierra club, urges citizens to pay attention to water issues and environment. Don't just say, "it is too complicated," she said in a recent talk in Sedona – we must dig into these issues and understand them.

Arizona Legislators will face two major issues this session.

- **The drouth contingency plan.** There is draft legislation but it has not yet been introduced as bills. The *Arizona Capitol Times* says it includes a joint resolution authorizing Department of Water Resources Director Tom Buschatzke, on behalf of Arizona, to sign onto the multi-state Drouth Contingency Plan. But lawmakers will also have to approve a series of measures pertaining to the Arizona-specific drought plan. There is a January 31 deadline for Arizona to reach agreement; otherwise the federal government will impose a plan on Arizona, California, and Nevada.
- **Proposals for protecting Arizona groundwater in rural areas.** Two bills are on the agenda for this week: HB2009 and HB2013. [HB2013](#) appropriation; Arizona water protection fund. (Griffin, R 1). This bill would provide \$1 million appropriation for the Arizona Water Protection Fund, to be used for the "development and implementation of measures that maintain, enhance and restore rivers, streams and wildlife habitats (azwpcf.gov). Also, [HB2009](#) navigable stream adjudication commission; extension is also on the agenda. Both on Tuesday at 2, in the National Resources, Energy and Water committee.

The problem is.... These topics ARE complicated and without guidance from environmental groups, it is almost impossible to know what to do. Chances are the Sierra club supports the appropriation of \$1 million for the water protection fund (as it was only \$400,000 this year), but their analysis of the drouth contingency plan is not yet posted. Stay tuned!

## **Mark Your Calendar!**

**Monday, Jan 21.** MLK festival at margaret hatch park, 10 to 4 march starts at 9 at 14<sup>th</sup> street and jefferson

Feb. 13. 8:30 to 2 p.m. Environmental Day at the Arizona Capitol. No experience is necessary and training is provided. It is a fun, interesting, and meaningful day! To find out more information or to RSVP, contact Sandy Bahr at (602) 253-8633 or sandy.bahr@sierraclub.org. It is important to RSVP so we can connect you with a team to meet with your own legislators. In 2018, we had a record crowd. Let's see if we can top it in 2019! 1700 W Washington

**February 18 (Monday). UUJAZ “Day at the Legislature!” President’s Day. All day event sponsored by Unitarian Universalist Justice Advocacy Network.**

**Want to subscribe to the Arizona Legislative Alert?** The AZ Legislative Alert is published weekly during the session to alert progressive, social justice advocates, to legislation that they may want to support or oppose. When the Legislature is not in session, it is published sporadically! You can sign up by sending an email to [legislativeadvocacy@vuu.org](mailto:legislativeadvocacy@vuu.org). It is written and published by Anne L. Schneider, Ph.D. retired political science professor and former Dean of ASU’s College of Public Programs.

### [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](http://www.vuu.org) For previous copies of the *Arizona Legislative Alert*, and for all weeks (so far) of the 50 Week Action Plan go to <https://www.vuu.org/legislative-advocacy>. VUU holds services twice on Sunday, one at 9:15 and the second at 11:30 In between are a wide variety of adult and children’s workshops and discussion groups. 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; Rev. Terry Sims, Molly Divine, and Katie Phares [www.uujaz.org](http://www.uujaz.org).