

# *The Arizona Legislative Alert* [UUJAZ](#) / [VUU](#)

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## *Priority: Tax Conformity – Veto Needed*

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### **Quick Overview**

[The Shutdown](#) – DJT seems to have “set the table” as he calls it for declaring an emergency and then directing military \$\$\$ to build his “wall.” From an opposition viewpoint, maybe that is not so bad. Let him do it. The courts will stop it immediately. Maybe Congress will do something about the way-to-extensive powers the President has when declaring an “emergency.”

[Education](#) – A priority this week is to work for a VETO by the Governor of the “tax conformity” bill that will cut the general fund instead of helping provide resources to education. Otherwise, an interesting “patriotic youth” bill will be heard (probably a good bill); the rollover possibility continues, the “anti RedForEd” bills are NOT advancing and lots of bad bills are not moving yet.

[Economic Justice \(Finance, taxes, welfare\)](#) – Priority – use [resistbot](#) to urge the Governor to VETO the tax conformity bill (SB1143). Probably can't reach his office until Monday. This is an enormous tax break, but only for the very rich. There are some good bills expanding Medicaid and permitting child care payments (transition from welfare) for educational pursuits, and one that would authorize Arizona to collect more than \$50 million in federal money that was “left on the table” last year due to legislative inaction. Some good “request to speak” opportunities here.

[Democracy, Voting, Elections](#) – More bills to make it harder to vote are moving, and opposition is needed. HB1188 takes a person off the early voting list if they haven't voted in last two primaries and general elections (you can use “request to speak” for this, as it is up for a committee hearing.) Others are moving and only one is a good bill. There are some good bills here, but nothing making progress yet.

[Human Rights \(Women, Immigrants, GLBTO+ & more\)](#) – A bill was passed by the Senate to send a letter to Congress urging them to fund DJT's wall. (Ugh). Party line vote. The ERA has been introduced

and volunteers are needed)! Unfortunately, Sen. President Karen Fann assigned it to the judiciary committee where a hearing is unlikely. Will have to watch the House for some movement.

**Guns, Crime & Justice** - There are some opportunities here to support good legislation that is coming up this week. Not great legislation, but small incremental moves forward, such as SB1310 – earned income credits that gives more good time (3 days out of 7 instead of 1 in 6) for some drug-related offenses, and one (SB1314) that removes some of the “aggravating” factors to be taken into account for the death penalty. The bill making it more difficult to get into the transition program will be heard Wednesday, so you can use “request to speak.”

**Water / Environment** – Arizona passed and the Governor signed the Drouth Contingency Plan. **This may not be the best bill, from an environmental standpoint, but it is the one that passed and the deadline was Jan. 31.** A bill to increase funding for the Arizona Water Protection fund is moving as is one on navigable stream adjudication commission.

**Resistbot is BACK** and better than ever!!! This wonderful resource for advocates connects you to Federal officials and now also to STATE Governor and LEGISLATORS! Scroll down ( or click [here](#)) for instructions or if you know how just text 504-09 and type in “resist” to the message.

For you policy wonks, there are two more (at least) good updates that cover a large variety of bills. These are Melinda Merkel Iyer: [Arizona Legislature Weekly Update](#)

Diane Post: [National Organization for Women AZ Legislative Action Alert](#)

## EDUCATION

**Summary:** Public education advocates are up in arms over the “tax conformity” bill that, unless vetoed by the Governor or stopped with a time consuming and expensive “citizen referenda,” will exacerbate income inequality in Arizona and deny to education, transportation, or other public needs an estimated \$150 million this year and every year in the future. This bill is on the Governor’s desk (see detailed [description](#) below) and needs a veto. Use resistbot (message 504-09, type in “resist”), or call the Governor [602-542-4331](tel:602-542-4331) , or [e-mail](#). The “anti redfored bills are not moving yet. (Yea).

**New this week. Use RTS to weigh in.** [SB1099](#) patriotic youth groups; school access (Carter, R, 15). Although for some the title might be a red flag, this appears to be a good bill, with many Republicans and Democrats as co-sponsors. If passed, it will prohibit schools from denying access to “patriotic” youth groups who wish to speak for a limited period of time in a public school. These are groups designated by Congress with a charter as “patriotic” (U.S. Code 36, Subtitle II b) that serve youth under 21. Examples include Big Brothers—Big Sisters of America ([36 U.S.C. 30101](#)), the Boys & Girls Clubs of America ([36 U.S.C. 31101](#)), the Girl Scouts of the U.S.A. ([36 U.S.C. 80301](#)), and Little League Baseball, Inc. ([36 U.S.C. 130501](#)). It also prohibits discrimination on the basis of 34 different reasons including “oath of allegiance to god and

country.” The bill is needed if a school district receives federal funds. It is before the Senate education committee Tuesday for those who want to weigh in on it.

**New this week. Use RTS if you want to have a say!** [HB2517](#) STOs; qualified schools; preschool programs (Udall, R, 25). On Monday, on the agenda for the House education committee, this bill expands the eligibility for Student Tuition Organizations scholarships (STOs) to pre school students in public schools, but then says they cannot also receive a scholarship for kindergarten the next year. Confusing. STOs are the nonprofits that receive donations from corporations that are tax CREDITS, granting to the corporation making the donation, a dollar-for-dollar tax reduction. Implications of the bill are not clear, as it is not specified whether the current law permits scholarships for private pre-school programs and this simply expands it to include public schools (called “government” schools in the bill), or whether it is some other kind of expansion. Needs clarification.

**Not moving yet (good).** [HB2474](#) empowerment scholarship accounts; student victims (Bolick, r, 20). Again, once proposition 305 was defeated, the Legislature is back to expanding eligibility for empowerment scholarships by small increments to “worthy” students, this time to students who have been bullied. The argument is that parents need more choices for their children if they have been bullied. The counterargument is that parents already have extensive choices – they can transfer to any public school or any charter school, or any private/religious school. The latter, of course, if they pay the tuition! Empowerment scholarships generally pay about half the full cost of private or religious schools

**Moving. (good) Ready for vote in House.** [HB2187](#) appropriation; K-12 rollover (Udall, R, 25). Passed House Education 13-0 and Appropriations on Wednesday 10-1. This bill would use some of the surplus and other funds to stop the current practice of postponing payment to K-12 schools for one month at the end of the fiscal year and, effectively, begin to address the one billion in cuts since 2008. By 2020 the bill would fund \$630 million into the correct fiscal year instead of delaying it one year.

**Moving but not on agenda this week. (Mixed) Education – Sales Tax** [SCR1001](#) education; TPT; use tax [SB1080](#) TPT; use tax; education. Sylvia Allen’s bill to provide a dedicated source of revenue for education passed on a straight party line vote (5-3) two weeks ago with Republicans supporting and Democrats opposed, on the grounds that it just is not enough. Sponsor is Allen, R, LD 6. Her proposal 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 and it passed on a party line vote, too. What to do? Maybe support it eventually BUT ONLY IF THIS IS THE BEST THAT CAN BE DONE. Stay neutral for now, and hold out for something better. Next stop, rules committee.

**Here are some other bills that are not yet moving, but may be of concern or interest to public education advocates.**

- **The “anti redfored bills. These have not moved yet (good). 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.
- **[HB2002 – \(not moving yet. Good\).](#) 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.”
- **[HB2032 \(not moving\).](#) (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 – \(not moving\)](#) 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.
- **[HB2022 \(not moving\).](#) 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.

**Contact Governor Ducey Monday morning, first thing!** [SB1143](#) conformity; internal revenue code; rates (Mesnard, R, 17) and [HB2522 \(Toma, R, 22\)](#). **Tax Conformity. These bills both passed on party line votes and SB1143 is on the Governor's desk. Unless he vetoed it on Friday, there may be a chance to stop this huge tax break for the very rich. Gov. Ducey is on record as not being in favor of lowering Arizona tax rates. Both would LOWER Arizona index tax rates costing the state general fund somewhere between \$150 and \$230 million. And proving an enormous windfall of about \$33,000 to the very richest Arizonans and about \$36 to the median income family. Contact Governor Ducey, using [Resistbot](#) (quickest) – send text message to 504-09 and type in “resist.” Follow instructions!**

**This is a huge boon to high income people in Arizona.**

**The Grand Canyon Institute study estimates that persons in the highest quintile (\$888,000 and more annual income) would save \$33,000 a year if this bill goes into effect! Persons with median incomes (\$61,000) would save \$36 per year. That is just another giveaway to the rich.**

Tax conformity refers to changes in the Arizona income tax code to bring it into line with the changes in the federal code, making it easy for people to file their state taxes based on the federal form. This would surprisingly generate MORE money for state taxes from Arizona taxpayers of an estimated \$150 to \$230 million. The Governor, however, did not include this revenue in his budget and has said that he plans to deposit any windfall into the state's rainy-day fund. That's on top of the \$542 million Ducey has already proposed putting into the reserve account to boost the rainy-day fund to \$1 billion. Rep. Epstein's amendment to strip the bill of the cut in the tax rates was rejected on a party line vote. Sen. Brophy McGee (LD 28) was the only Republican in either chamber to vote against the bill. The plan would conform to the sweeping changes to the federal tax code and then would reduce tax rates for all income brackets by 0.11 percentage points. Mesnard is from Chandler and Toma from Peoria.

**Use RTS. (good bill) [SB1173](#) child care assistance; education; training Carter R, 15.** This bill requires that child care assistance (transition off welfare) continue to be provided to person receiving it who then enrolls in educational program including high school, college, employment training, etc. Will be heard Wednesday in Senate HHS.

**Use RTS. (good bill) [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. This bill would correct this mistake and enable Arizona to draw these funds and use them for necessary child care assistance services. Being heard by House Human Services committee Thursday this week! Also, same day, HB2124 is being heard which would apportion the federal funds.

**Moving. [SB1088](#) AHCCCS; pregnant women; dental care (Carter, R, 15).** This bill passed Senate Health and Human Services 8-0. It would provide comprehensive dental cover through Medicaid (AHCCCS) for pregnant women 21 years of age and older. Not scheduled for this week.

**Moving. [SB1097](#) AHCCCS; chiropractic coverage. (Carter, R, 15).** This one also passed HHS 8-0. Under it, if passed, chiropractic services would be provided under AHCCCS (Medicaid. – [HB2120](#) AHCCCS; chiropractic coverage (Barto, LD 15) has already passed the House 9-0. Next stop in the House

is the Appropriations and then Rules committee. No cost figures have been posted yet. Not scheduled this week.

**Moving. Economic Justice / Tax Credits for Welfare - [SB1027](#) tax credit; charitable organizations; eligibility. Passed 9-1. Next stop: appropriations and/or rules committee but not scheduled this week, so far.** 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!!

[SB1115 \(not moving\).](#) informed consent; vaccinations. (Boyer, R, 20). This bill would require additional information to be provided to parents. Opponents say it is intended to reduce the number of children vaccinated by frightening parents into not giving informed consent. Supporters point to the problems of disease spreading because of the lack of vaccinations.

**More bills, not moving yet.**

- [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 Hobbesian 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 and Diapers?** (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

Several bills that will make it more difficult for people to vote were passed by the Senate Judiciary committee last week including SB1046, SB1072 and SB1090.

**Ready for Vote in Senate.** [SB1090](#) emergency voting procedures; board action Sen. Michelle Ugenti-Rita’s [SB 1090](#) was heard in the Senate Judiciary Committee on Thursday morning and passed out of committee on a party-line vote. The bill that would strip away county recorders ability to institute emergency voting centers now proceeds to the whole Senate for debate. Here’s a link through Arizona Advocacy Coalition to your senator [this link for a direct line to your Senator!](#)

**Use RTS.** [SB1188](#) permanent early voting list (Ugenti-Rita, R, 23). This bill takes a person OFF the permanent early voting list if they fail to vote in the primary election and in the general election for two consecutive primary and general elections. Being heard in Sen. Judiciary committee, Thursday. Another one of the many bills designed to thwart voting!

**[SB1032 on-site early voting; identification required](#)** very bad bill! - Ugenti-Rita – This one has NOT been voted on and is not on the agenda (good). It requires a photo ID for the early voting locations. There are other forms of identification that ought to be accepted, such as a birth certificate or social security card – neither of which has a photo on it. It is true that a person can get a government-issued photo ID with a birth certificate or social security card, but not everyone does that.

**[Moving. SB1046 early voting list; mailing ballot](#)** Ugenti Rita (r 23). **This passed the Senate on a party line 4-3 vote.** Next stop is the Rules committee. It prohibits a person turning in their early voting ballot (in its sealed, signed envelope) on election day. “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.

Moving. SB1054 early ballots; deficiencies; cure period. (Ugenti Rita, R, 23). The good part of this bill is that it requires county recorders to provide a 5 day “cure period” during which time persons whose mail-in ballot was disqualified can “fix” their ballot. County recorders would be required to make efforts to contact them. The difficulty is whether five days is enough. Apparently, Democrats on the Senate Judiciary committee thought five was enough, **as the bill passed 7-0**. Next stop—rules committee.

Moving. SB1072 early voting centers; identification required. Another bill from Ugenti-Rita that would require photo ID at the early voting centers. **This one also passed Senate Judiciary 4-3 on party line** voting with supporters saying it is needed to protect integrity of elections and opponents saying that other forms of ID should be acceptable such as a birth certificate or Indian tribal enrollment card. Not scheduled yet.

**Not all the bills are bad ones, however. Here’s a surprise bill!**

- Not moving. 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.
- Not moving. 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.
- Not moving. 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.

- [HCR2002](#) independent redistricting commission; nine members (Fillmore, R, 16).  
**Independent Redistricting Commission** – This bill would 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:
  - Register to vote without unnecessary barriers
  - Participate in fair elections in which politicians are not choosing their own voters
  - Vote by mail or in person and know that our votes will count
  - Equal access to the ballot no matter where in Arizona we live, what language we speak or what our physical abilities are
  - Propose and enact laws when politicians fail to act
  - Know that when we elect someone, they will work for us, no donors or lobbyists.
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Current participants include Progress Now 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](#).

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

**Passed Senate.** [SCM1001](#) border wall funding. D. Farnsworth (R, 16). This is a motion to send a letter to Congress urging Congress to build the wall! It passed 4-3 on party line vote.

[SCR1006](#) ratification; **equal rights amendment**. (Ugenti Rita, R, 23). This is the Equal Rights Amendment. Unfortunately, Sen. Fann assigned it to the judiciary committee instead of commerce or government, so it probably won't get a hearing in the Senate. If approved by the Arizona Legislature, a letter will be sent to the U.S. Congress notifying them of the ratification. Legislation is pending before Congress that would extend the 7-year time limit originally placed on this amendment although legal authorities say that would not be necessary. Co-signers are Heather Carter and Tyler Pace on the Republican side and Lela Alston and two House members Jermaine and Lieberman on the Democratic side. The ERA task force led by Dianne Post says the House ERA will be filed this week, also. Volunteers are needed. You can sign up for a shift at the ERA Task Force AZ website sign up genius.

<https://www.signupgenius.com/go/8050a48acad2f4-erasentinels>. A big push is being made again this year to get a hearing and to get Arizona to pass it. If Arizona passes it, we will be the 38<sup>th</sup> state (maybe, unless some other state ratifies first) 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.

## GUNS / Criminal Justice

**Moving (good).** **HB2080** *civil rights restoration; application; procedures* Sponsor: John Allen (LD15). Bill passed 10-0. This bill would change the statutes regarding restoration of rights after a felony conviction. It would make it more difficult to restore one's right to own firearms for those convicted of "dangerous offenses", which include the discharge, use or threatening use of a deadly weapon, and also for those convicted of "serious, violent or aggravated felonies" such as murder, aggravated assault, sexual assault, armed robbery, kidnapping."Makes changes easing the requirements for some other restoration of rights.

**Use RTS if you want to help with this.** SB1310 – Earned Income Credits (Farnsworth, LD 16). This permits 3 days for each 7 served if the person was convicted of a marijuana offense or some other drug offenses, and has completed a drug treatment program. Otherwise, the earned credit is one day for six. Will be heard Thursday in Senate Judiciary Committee. Some incremental improvement here.

**Use RTS if you want to help with this.** SB1314. Death Penalty (Farnsworth, R, 16). This bill would remove some of the “aggravating” provisions to be taken into account when deciding on the death penalty. Some incremental improvement here.

**Scheduled, but no vote.** **HB2384** *explosives; minimum age* Sponsor: Daniel Hernandez (LD2). This bill would restrict the sale and possession of binary explosives to minors and provide \$500 civil penalties for adults who sell or otherwise provide binary explosives to minors; also includes \$250 civil penalty for minors in possession. NOTE: A binary explosive is composed of 2 compounds that must be mixed to become explosive; Tannerite is a binary compound target used for long-range target practice that explodes upon impact by a high-velocity bullet and can cause flammable materials to ignite. Case in point, the 2017 Sawmill Fire that burned 47,000 acres south of Tucson, was started by an off-duty Border Patrol agent using a Tannerite target to announce the gender of his newborn son. If an adult who uses firearms in his daily work could do something this irresponsible with a binary explosive, imagine what a teenager might do. (Thanks Gun Violence Prevention Arizona!)

**Use RTS.** [HB2266](#) prisoners; transition program; eligibility (Payne, R, 21). Was held Wednesday last week and is scheduled again for Wednesday in the House Public Safety committee. This adds requirements to become eligible for the transition program. The requirements may seem reasonable (or not, depending on one’s point of view), but making it harder to get into a transition program is not a good way to reduce incarceration rates in Arizona – a purported goal of both parties and the governor. The new criteria would make ineligible someone who failed to achieve functional literacy, had a risk rating as close or maximum custody, refused enrollment or removed from a self-improvement program within the past 18 months.

## **WATER / ENVIRONMENT**

**Passed / Signed. Just in time!** [SJR1001](#) **Colorado river drought contingency plan** – (Kerr, R, 13). The Senate introduced this joint resolution that authorizes Arizona to sign on to the Lower Basin Drought Contingency plan. It was passed at the last minute (a Jan. 31 deadline) and may not be the best bill, but it is the one that passed.

**Moving.** [HB2013](#) appropriation; Arizona water protection fund (Griffin, R, 14). This bill passed 13-0. It would allocate funds for the AZ Water Protection fund – a proposal backed by both parties and the Sierra club. The purpose of the AWPF is to “provide annual funding for the development and implementation

of measures that maintain, enhance and restore rivers, streams and wildlife habitats (azwfpf.gov).” This would increase the appropriation from \$400,000 in 2018 to \$1 million in 2019. Not scheduled for this week.

**Moving.** [HB2009](#) navigable stream adjudication commission; extension passed 13-0. ANSAC consists of five members appointed by the Governor. Commission members are required to be well-informed on issues relating to state rivers and streams, and members are prohibited from having any bias or financial interest in affected lands (A.R.S. § 37-1121). The purpose of ANSAC is to determine which Arizona rivers and streams were navigable at the time of statehood, and to designate ownership of the streambed to either the government or the landowner (ansac.az.gov).

[HB2493 \(not moving\)](#). appraisal methods; solar energy devices (Cobb, R, 5). An effort to protect solar devices from taxation of if courts find that not allowable, to set the amount very small.

**National Scene – Would it be so bad if DJT declares an emergency and then redirects money to build the wall?** Well, maybe not. First, the courts would stop this immediately as an abuse of power. Second, DJT could then say he “did all he could” and would not be able to shut the government down again. Third, perhaps this would be the event that triggers Congress to pass much-needed legislation that would curb the conditions under which emergency power could be called for. Maybe.

**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!

**U.S. Senate –**

- **Krysten Sinema** - 825B&C Hart Senate Office Building Washington, DC 20510 Phone: 202-224-4521 **Phoenix** Phone: 602-598-7327 **Email:** [contact@sinema.senate.gov](mailto:contact@sinema.senate.gov)
- **Martha McSally** \_B40D Dirksen Senate Office Building Washington, DC 20510 Phone: 202-224-2235 **Email:** [contact@mcsally.senate.gov](mailto:contact@mcsally.senate.gov)

## Mark Your Calendar!

**Feb. 6 Copper Mining Forum – VUU.** Resolution Copper – The proposed Mega-Copper Mine at the Oak Flat Campground area, near Superior Arizona: What effects would this mine have on Arizona?

Presenter: Roger Featherstone, Director, Arizona Mining Reform Coalition

Where: VUU Sanctuary-Auditorium

When: Wednesday 7pm, February 6, 2019

The proposed mine would produce one billion pounds of copper per year. The deposit will be removed from a depth of more than 7000 feet. This massive operation will produce a tailings (waste) pile covering 7 square miles and with a height of several hundred feet. The waste is expected weather and become acidic, with periodic streams of wastewater escaping to the environment.

For more information, see [www.azminingreform.org](http://www.azminingreform.org)

**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](mailto: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. Register at <http://www.uujaz.org>

**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.

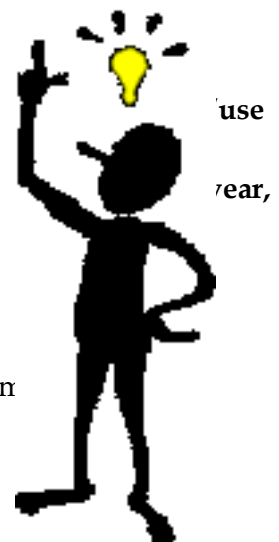
[Valley Unitarian Universalist Congregation](#) –

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).

### Request to Speak –

Special Topic: How to use “request to speak” in one easy lesson!! Bills marked 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 it will still work! Go to <http://www.azleg.gov/legislative-information/> request to speak. Here's your one-page easy to follow [RTS guide](#).



“Request to speak” (RTS) is a program of the Arizona Legislative Information System (ALIS) found at <http://www.azleg.gov>  
A guide for RTS can be found here:  
[http://www.azleg.gov/alispdfs/BSI\\_Manual\\_public.pdf](http://www.azleg.gov/alispdfs/BSI_Manual_public.pdf)

RTS enables you to cast a “vote” for or against a bill that is on a committee's agenda. It also lets you indicate that you actually are present at the committee meeting and want to speak, or that you simply want to register your “vote” and leave a comment. At the committee hearing, they will check to see who has signed up “online” to speak and whether there is anyone actually requesting the floor. (You can't call in or use zoom). They almost always then say that XXXX number of people signed on, and the count was XX for and YY against the bill.

To sign up for RTS, fill out [this quick form](#), and volunteers with Civic Engagement Beyond Voting will go to the Capitol to register new participants. Once signed up, an email will be sent with confirmation and further instructions.

Or Arizona advocacy network  
[https://www.azadvocacy.org/requesttospeak?utm\\_campaign=alert\\_sen\\_jud&utm\\_medium=email&utm\\_source=arizonaadvocacynetwork](https://www.azadvocacy.org/requesttospeak?utm_campaign=alert_sen_jud&utm_medium=email&utm_source=arizonaadvocacynetwork)

**Why use it?** Because it gets your voice directly into the substantive committee hearing on a bill. It cannot be used for committee of the whole or floor votes. So, you have to sign in when the bill is being heard by a substantive committee.

- **Sign up for RTS.** You MUST sign up at the Capitol or in Tucson (400 W. Congress street, suite 201). Someone else can sign up for you, but they need your email address (to sign on as if they were you), your name, address, and driver's license ID or voter's card ID.
- **Get the bill # that you want to speak on.** You can get summaries of bills and information from many advocacy groups (Sierra club, League of Women Voters, AZ Legislative Alert, etc.). You DO need the bill number. You may use the "search" option on ALIS but it is far more efficient to know the number in advance.
- **The bill MUST be on the agenda to be heard by a committee.** You may have the number from the AZ Legislative Alert, or other legislative tracking alert. You can check to see if your bill is on an agenda by <http://www.azleg.gov> then "calendar" and "active bills."
- **From any computer, or your phone,** log into [http://www.azleg.gov/](http://www.azleg.gov) click on Legislative information / request to speak. You should get a screen asking for your RTS email and password.
- **Click on "new request."** (That's on the left side). Enter your bill # (you don't need any of the other information). Click on "search." Scroll down to see a bill, "closed," or nothing found. If a bill shows up.... Click on "add request." Add request is over on the left hand column.
- Then it should open up to a screen asking for your opinion, asking whether you actually want to speak, and giving you a place to leave your comment.