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Bringing UU values to Public Policy

STOP Privatizing Public Schools! Start the ERA!

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What's Inside: [Education](#) [Economic Justice / Welfare & Taxation](#) [Democracy, Voting & Elections](#) [Human Rights \(ERA!\)](#) [Guns, Crime & Justice](#) [National Scene](#) (Shutdown) [Water & Environment](#) [Calendar](#) [Contacts](#)

Action Now: Go to the [ERA!](#)

Quick Overview

[Education](#) – Teachers and public school advocates may want to pay some attention to HB2231, that provides “philosophical guidance” on licensing requirements for all professions except health. The “guidance” leans heavily toward the idea that market competition will protect consumers! This bill is explained in the [Economic Justice](#) section. Privatization is still a big issue in education as bills expanding the Student Tuition Organization program of tax credits as well as bills expanding empowerment scholarships have been introduced. Fortunately, most of those are not making much progress so far. Funding bills are still moving and the one that would restore rollover money (HB2187) is ready for a final vote in the House.

[Economic Justice \(Finance, taxes, welfare\)](#) – HB2231 should be raising some concern as this is an American Legislative Executive Council (ALEC) bill that is part of a national de-licensing movement. It passed two House committees after extensive debate and would (among other things) lean decisions about licensing more toward market-based “control” and away from regulation. On “tax conformity,” say Thanks to the Governor for vetoing the original bill that would have cost the general fund \$150 to \$230 million, but Plan B has been introduced (SB1166) and is scheduled for a hearing Wednesday. This would conform Arizona taxes to the federal changes so as to cost the state about the same amount -- \$150 to \$230 million dollars. There are numerous social welfare programs moving through that would be helpful to children, to people transitioning off welfare, to homeless people and others, but there also are numerous tax cuts and tax credits.

[Democracy, Voting, Elections](#) – More bills to make it harder to vote are moving, but opposition is having an effect. SB1046 that would prohibit people from dropping off their mail-in ballots on election day seems stalled for now on a 15-15 tie. But bills requiring photo IDs and constraining emergency voting procedures are ready for a vote in the Senate 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 is moving and contact with Senators is needed!

[Human Rights \(THE ERA.... Women, Immigrants, GLBTQ+ & more\)](#) – The ERA has been introduced and there are four bills being pushed by the state-wide task force and other progressive groups. This might be the year, but advocacy is needed to pressure the chair of the Senate judiciary committee who has bottled up two of these (see details below) or Sen. President Karen Fann who could move it out of that committee. A bill that would help “dreamers” (persons, undocumented, who were brought as children) to have in state tuition has passed on committee (SB1217).

[Guns, Crime & Justice](#) - There are some opportunities here to support good legislation--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. SB1219 would help keep guns out of the hands of persons convicted of domestic abuse—needs a hearing! For a very detailed report on crime/justice legislation, check out Diane Post's link [National Organization for Women AZ Legislative Action Alert](#)

[Water / Environment](#) – Bills establishing “water ecology” have been filed and hopefully will be assigned to a committee quickly and a hearing scheduled. These bills would document the value of water in protecting the ecology and habitat of rivers and streams in Arizona. Arizona passed and the Governor signed the Drouth Contingency Plan, although Federal officials have signaled that there is more work to be done. 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.

[The Shutdown](#) – A task force of Congress is working on a compromise for funding Home Land Security, that might (or might not) include some money for physical barriers. The deadline for the next government shutdown is Feb. 15, so we'll see what they come up with and whether DJT would sign it. Maybe they will do something traditional – like apply benefit/cost analysis to the type of security that would actually work best for the border!!! 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 this will inspire Congress to do something about the far-to-extensive powers the President has when declaring an “emergency.”

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: Efforts to privatize public schools continue – seemingly unabated in spite of the resounding defeat of Proposition 305 that would have expanded vouchers to all K-12 students. The legislature now is returning to the incremental “nose under the tent” strategy of gradually extending the “empowerment scholarship accounts.” Also, the Governor VETOED the “tax conformity” bill that would have taken \$150 to \$230 million out of the general fund, exacerbating the continuing problem of underfunding education and other services (good), but Plan B would have about the same effect. Education advocates need to check out HB2231 (below, in Economic Justice section).

Privatizing Education

There are two policy strategies being used in Arizona to privatize public education – empowerment scholarship accounts (another name for vouchers) and tax credits given by individuals and corporations for donations to Student Tuition Organizations (STOs) that then allocate them to private schools (mainly) for scholarships. The argument is that parents need more choices for their children, for a variety of reasons including (this year) 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 and STO scholarships generally pay about half the full cost of private or religious schools.

Student Tuition Organizations. [HB2517](#) qualified schools; preschool programs (Udall, R, 25). This bill was held last week as it had not even been assigned to a committee but may be back on the agenda Tuesday in the House Education committee. (Agenda not yet posted). It expands eligibility for Student Tuition Organizations scholarships (STOs) to pre school students in “qualified” or “quality” public schools. 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.

Vouchers (Empowerment Scholarship Accounts). Two of these are moving, and one of them, SB 1395 which might be a useful reform of ESAs). SB1320 needs some active opposition! Here are the voucher bills:

- **Use RTS. SB1320** empowerment scholarships; oversight; state treasurer. (Livingston, R, 22) This bill would bring the audit responsibility for ESAs into the State Treasurer's office instead of the Department of Education. It is on the Senate Finance committee agenda 2/13 at 2 p.m. This is another attempt to avoid real oversight, as it provides for an audit (which is good), but moves it from the Department of Education, now headed by a Democrat, to the State Treasurer, who is expected to be far more lenient in the way it views empowerment scholarships! It has a companion in the House. HB2022.
- **HB2022**, (Finchem, R, 11) also would take oversight and spending authorization for ESA vouchers away from educators. Worse, it appears the bill would also bring the entire ESA program out from under the State Superintendent of Public Instruction (headed now by an elected Democrat) into the purview of a Republican State Treasurer, and a department that has no expertise in education at all.
- **HB2474**, (Bolick, R, 20) would expand vouchers to a laundry list of "alleged victims," including students who have been bullied.
- **SB1396** would expand vouchers to any family earning under 185% of the limit for federal reduced school lunch — that's about \$90,000 for a family of four. (Allen, S., R, 6) (By contrast, [Arizona's median household income is \\$53,510.](#))
- **Use RTS (watch) SB1395** empowerment scholarship accounts; program revisions (Allen, S., R, 6). This bill would "clean up" some of the requirements for students with ESA scholarships, including the requirement that they take some kind of standardized test. **Very detailed bill and needs to be watched when debated to see whether these reforms are sufficient. It is on the Senate Finance committee agenda, Wednesday.**

Free Speech. Moving. SB1099 patriotic youth groups; school access (Carter, R, 15). **Passed 8-0.** 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.

Education Funding:

- **Moving. Rollover Money. Moving. HB2187** appropriation; K-12 rollover (Udall, R, 25). ([good](#)) Has passed committees and House Committee of the Whole. Ready for a final vote. 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. Education Funding: Sales Tax Extension. Moving but not on agenda this week. (Maybe good, maybe not good enough).** 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.

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.
- **[Teacher’s Ethics \(Anti Activism\). HB2002 – \(not moving yet. Good\).](#)** educators; ethics; **professional responsibility** – (Finchem, R, 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.”

- [Charter School Reform 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!
- [Charter Schools – Procurement!! 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.
- [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.

ECONOMIC JUSTICE / Welfare / TAXATION - A big concern this week is the “occupational licensing” bill as well as “Plan B” on tax conformity that also would take away any possible windfall to the general fund. Several good “safety net” welfare programs are moving.

Occupational Licensing [HB2231](#) nonhealth professions; occupations; regulations (Kern, R, 20).

This bill could dramatically **weaken the licensing and credentialing of persons in all professional occupations except health**. Passed House regulatory committee and commerce committee on straight party line votes after extensive arguments. Is not currently on the Rules agenda. **Action?** Contact YOUR House Members and ask them to STOP this bill (2231).

[Click here](#) to find the legislative district
[click here](#) to find your legislator.

The bill is part of a nation-wide effort to de-license / deregulate professions. The Arizona bill, 2231, is almost identical to an American Legislative Executive Council (ALEC) model bill and also is being heavily pushed by The **Institute for Justice (IJ)**, a [non-profit libertarian public interest law firm](#), finance mainly by the Koch brothers. The Arizona bill exempts health care, but applies to any other licenses the state gives including teacher licenses / certifications.

Supporters are attempting to downplay the possible consequences of the bill, by pointing out, correctly, that the bill does not actually delicense anything, but provides philosophical guidance.

The philosophical guidance is founded in the idea that competitive markets usually will provide sufficient restraints to protect consumers. The guidance includes the statement that the Legislature needs to substantiate actual harm that will be prevented before requiring licensing or credentials. The bill instructs the legislature to have a "committee of reference" within each standing committee and this committee reviews (at the sunset date of the agency) all of its licenses / certifications. The bill also establishes a "government certification" that would let government "certify" people as being qualified in a profession, but would NOT require them to have a license or certification in order to practice. Teaching qualifications are already being watered down in this way. Here's a link to the ALEC bill <https://www.alec.org/model-policy/occupational-licensing-review-act/>

Safety Net (Welfare) Programs

- Moving Children's Health Insurance (CHIP / KidsCare) SB 1134 (children's health insurance program; appropriations): This bill seeks to remove the provision passed a few years ago that if the federal government reduces its funding below 100%, Arizona will stop its KidsCare program. The bill provides that if the Federal government reduces its contribution below 100%, Arizona will assess whether there are funds available to continue the program. In other words, there is no automatic cancellation of KidsCare. Passed Health committee 7-1. Next is Appropriations and Rules.
- Moving Child Care Assistance SB1173 child care assistance; education; training Carter R, 15. Passed 8-0. 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. Next steps: Appropriations and Rules.
- Moving Child Care Assistance HB2125 and SB1242 Brophy McGee, R, 28. supplemental appropriation; child care assistance (Udall, R, LD 25; and). Passed 8-1. Next steps: appropriations and rules committees. 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. Also, HB2124 that apportions the funds passed 8-1.
- Use RTS. AHCCCS Coverage SB1088 AHCCCS; pregnant women; dental care (Carter, R, 15). This bill passed Senate Health and Human Services 8-0. It is on the appropriations committee agenda 2/12. It would provide comprehensive dental cover through Medicaid (AHCCCS) for pregnant women 21 years of age and older.
- Use RTS. AHCCCS Coverage SB1097 AHCCCS; chiropractic coverage. (Carter, R, 15). This one also passed HHS 8-0. Under it, chiropractic services would be provided under AHCCCS (Medicaid.)

- **Moving AHCCCS Coverage** [HB2120](#) AHCCCS; chiropractic coverage (Barto, LD 15) has already passed the House health committee 9-0 and appropriations 10-0. Next stop in the House is the Rules committee. No cost figures have been posted yet.
- **Moving. Housing Assistance. SB 1098 (housing assistance pilot program; appropriation):** This bill aims to create a pilot program that will provide grants to help individuals transition from public assistance to more secure housing. It passed Senate Health and Human Services 7-1.
- **Use RTS. Help for homeless.** [HB2142](#) driver license fees; homeless exemption (Bolding, D, 27). This will be heard in the House Transportation committee Wednesday. The bill will exempt homeless people from having to pay the fee for driver's licenses or renewals.

Use RTS. Tax Conformity. [SB1143](#) conformity was VETOED by the Governor. So it and HB2522 (Toma, R, 22) which had the same provisions, are dead. But what will happen now? J.D. Mesnard, R, 17, has a plan B in [SB1166](#). [which is scheduled for the finance committee on Wednesday](#). The Legislature's budget staff has identified around 50 items where Arizona tax law is now out of compliance with federal law. Mesnard's Plan B would conform with all of them except a handful that produce most of the windfall. Those would remain as they are for one year. Thus, there still would be no windfall. What will Gov. Ducey do with this bill if it passes? If you'd like to help kill this bill, too, so that Arizona can actually realize these extra \$150 to \$230 million funds, use "request to speak" to kill the bill.

Tax Credits, Cuts, Deductions - Most progressives in Arizona oppose any more tax cuts, credits, or deductions even if they encourage private donations to charitable or educational purposes. What? Why? 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 charitable causes or non profits that serve people who have special needs – 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. Charitable Tax Deduction. [HB2359](#) income tax; charitable deductions [HB2359](#), sponsored by Ben Toma (R-22), passed the Ways and Means committee on a 6-4 party line vote. This would let Arizonans take a higher income tax deduction, equal to the standard deduction plus however much they donated to charity but did not deduct from their taxes because they chose not to itemize. It is "double dipping" in a way, because the standard deduction already includes some for charity. The bill would cost the state an estimated \$30 to

\$33 million each year. Proponents say it is needed to help charities who are seeing a 5% or more reduction due to the change in the federal income tax that encourages people to take the standard deduction rather than itemize. Itemizing allows a person to take charitable deductions off their income. Opponents, including PAFCO and most social welfare and education advocates, argue that it is simply another way to take money out of the general fund that otherwise would be used for education and social welfare safety net programs. Next stop, appropriations committee Wednesday, 1/13. **Most progressives would oppose this, as another way to strip the general fund, reduce the money for public services, and reiterate the message that charity belongs to the private sector – not a responsibility of government.**

Use RTS. Tax Credit, Affordable Housing. HB2365 tax credits; affordable housing (Toma, R, 22). This bill would allow a tax credit against state taxes (that is a dollar for dollar exemption from state income taxes) for any corporations or individuals who invest in a project that is eligible for the federal low housing income tax credit. **Will be heard 2/13 in the House Ways and Means Committee.** It will be interesting to see the discussion, because the federal tax credit for low income housing already is allocated back to the states. This permits corporations or individuals who invest in low income housing to get a dollar for dollar exemption from income taxes both at the federal and state levels. Mmmmmmm. Again, this takes money out of the general fund that otherwise would be available for the state to use – in fact, it could use that money for direct subsidies to low income people to help them pay their rent!

Use RTS. Low Income Housing Program. SB1300 low-income housing; tax exemption (Brophy McGee, R, 28). This bill is on the Sen. Finance agenda Wednesday. It has bipartisan support. Arizona already exempts from property taxes property owned by non profits that is used for low income housing. This bill expands the exemption to include entities that are owned by a non profit and that operate low income housing from property taxes. (Probably, this is a clarification of a current exemption for non profits that do not pay income taxes anyway).

Moving. Tax Credits for Donations to Health Organizations. 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 another 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).

Use RTS HB2275 TAX CUT for Crop Production Tools – TPT exemption; crop production tools **HB2275**, sponsored by Tim Dunn (R-13), would expand the list of tax-exempt agricultural materials to include fertilizer, plant additives, and other materials used to grow crops. This passed 5-2 last week and is scheduled for the Ways and Means committee 2/13 (Wednesday). Rep. Dunn introduced a similar idea last year, which did not pass, after a 2016 tax court ruled that fertilizer doesn’t qualify as a propagative material because it’s “not indispensable” to

growing food. Last year, if that ruling was reversed, the state would have had to pay \$125 million in refunds. The eight new tax exemptions in last year's bill would have cost Arizona at least \$20 million every year.

[SB1001](#) **Highway safety fee; repeal; VLT (Ugenti-Rita R, 23 and HB2019 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. And, it appears ready to pass the Senate, as the Appropriations committee passed it 9 -0, Rules said okay, and it passed the Sen. Committee of the Whole.

[SB1460](#) **TPT; digital goods and services Senate Finance 2/13 (Wednesday)**. This bill deals with taxation of digital goods and services. There is no finance report developed yet, so it is not even clear whether this is income neutral, increases income, or decreases it!!

More economic justice 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!
- [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.

- **Moving but maybe DEAD! Yea. SB1046 Prohibiting the Dropping Off of Early Ballots.** Ugenti Rita (r 23). This passed the Senate on a party line 4-3 vote, Rules said OK, and it passed the Senate Committee of the Whole. This one is ready for a vote in the Senate but the word on the street is that it will NOT PASS because two Senators (Heather Carter, R, 15 and Kate Brophy McGee, R, 28) will join with all Democrats to vote no. This will produce a 15-15 tie and that means it will lose as AZ has no Lt. Gov. to break a tie. The bill prohibits a person from turning in their early voting ballot (in its sealed, signed envelope) on election day. Supporters point out that 288,000 people turned in their mail ballot on election day, rather than standing in line. The bill was opposed by Democrats and by most county recorders, including Republicans, who said it would NOT speed up counting, but would only make the lines longer.
- **Ready for Senate vote any time. SB1072 Photo IDs in early voting centers.** Another bill from Ugenti-Rita 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. It passed Rules but was retained on the Committee of the Whole. Nevertheless, it is ready for a vote any time.
- **Ready for Vote in Senate. SB1090 emergency voting procedures.** 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 and passed the Rules committee. The bill would strip away county recorder's ability to institute emergency voting centers now proceeds to the whole Senate for debate.

HB2201 **HB2201**, partisan offices; cities; towns sponsored by Frank Carroll (R-22), would require cities and towns to print on the ballot the party designation of all candidates for mayor or city or town council. Passed 6-4 but not scheduled (yet) for next week. Would also ban cities and towns from declaring winners based on primary election results, even if one candidate received more than 50% of the vote. This would force cities to run additional elections, and spend significant taxpayer dollars to do so.

Use RTS. HCR2022 - Article V convention; term limits On agenda for Wednesday in the House Federal Relations Committee. This calls on Congress to convene a "con con" – convention of the states – for the purpose of requiring term limits. These attempts to require Congress to call a constitutional convention require 2/3 of the states to agree to the language and then whatever the convention proposes has to be approved by 3/4 of the states (although that can be done in various ways, not necessarily by popular vote). Most constitutional scholars oppose these on the grounds that the group – once constituted – could be a "runaway" convention with no way to limit it to the purposes for which it was called. They could rewrite the entire constitution!

Purging Early Voting Lists. Passed 4-3. ACTION NEEDED NOW. [SB1188](#) (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. This passed 4-3 after intense debate. The bill actually says voters must participate in both a primary and general election, not one or the other, an issue acknowledged by the sponsor. Ugenti-Rita told the committee she'd offer an amendment on the Senate floor to clarify the language. County recorders were also concerned that there's no requirement that voters be notified before their names are purged from the early-voting list. It goes to the Rules committee Monday and then could be speed-driven through the Senate. Contact YOUR Senator and urge him/her to stop this bill.

[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. [SB1054](#) early ballots; deficiencies; cure period. (Ugenti Rita, R, 23). This bill passed 7-0, Rules said it was in form, and it passed Committee of the Whole. 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.**

Use RTS. [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. Some think this would be used as evidence for why photo IDs are needed for everyone; others say it would provide evidence of the number of people currently disenfranchised by the two-tier system.

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. 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 – Once more, the ERA is being blocked by a handful of people. Let's do everything we can to help free it up!

ERA We now have four ERA bills in Arizona. The ERA simply says: "Equality of rights under the law shall not be denied or abridged by the United States or by any state on account of sex." Who can object to that? Well, apparently a few people with a lot of power.

ACTION: Send e mail or call Eddie Farnsworth, who has bottled up two of these in his committee and will not even grant them a hearing! Email is efarnsworth@azleg.gov and phone is 602-926-5735. If you have time, contact everyone on the judiciary committee: , vice chair Sonny Borrelli 602-926-5051 sborrelli@azleg.gov, Members: Lupe Contreras, 602-926-5284 lcontreras@azleg.gov, Rick Gray, 602-926-5413 rgray@azleg.gov, Vince Leach, 602-926-3106 vleach@azleg.gov, Martin Quezada, 602-926-5911 mquezada@azleg.gov. And, contact President of the Senate Karen Fann to remove from the Judiciary committee and put into Commerce. Her contact information: 602-926-5874, kfann@azleg.gov

The LWV suggests the following main talking point to Senator Farnsworth and the committee members: it is not democracy when one man (Farnsworth) can hold hostage the Constitutional equality of 161 million women (and children), including over 3.5 million in Arizona. 91% of Republicans support it; 92% of Independents; and 98% of Democrats. Give it the hearing it deserves.

Here are the bills:

[HCR2028](#) ERA deadline; elimination; urging Congress to extend the deadline.

[SCR1009](#) ratification of equal rights amendment (in Sen. Judiciary committee, needs hearing)

[SCR1006](#) ratification; **equal rights amendment**. (Ugenti Rita, R, 23) (in Sen. Jud Committee.)

[HCR2030](#) ratification of equal rights amendment 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. If Arizona passes it, we will be the 38th state (maybe, unless some other state

ratifies first) and that might be all that's needed (3/4). Contact Speaker of the House Rusty Bowers to swiftly assign the bill to a committee and ensure that it will be heard. 602-926-3128 rbowers@azleg.gov

Why is the ERA still needed?

- The equal protection clause of the Constitution's 14th Amendment has never been interpreted to grant equality on the basis of sex. If the 14th Amendment gave women equality, then why did we need the 19th Amendment to give us the right to vote?
- The equality laws that exist are not a constitutional guarantee; a law can be changed; a law can be overturned. The ERA would provide a strong legal defense against a rollback of the significant advances in women's rights that have been achieved since the mid-20th century.
- Arizona women lose more than \$7,000 a year from the gender wage gap, totaling nearly \$6 billion a year. It's about economic fairness.

Women's Reproductive Justice

[SB1040](#) maternal fatalities; morbidity; report [SB1040](#), sponsored by Kate Brophy McGee (R-28), would require the state to collect more information on maternal deaths, analyze the data, and provide actionable recommendations. In Arizona, an estimated 20 women die for every 100,000 live births, and 89% of these deaths are deemed preventable. Nationally, new moms die at a higher rate than anywhere else in the developed world. The bill contains an emergency clause so that it would go into effect immediately, which means it requires a 2/3 vote to pass. Scheduled for Senate Rules Committee, Monday. **SUPPORT.**

Immigration

Moving. Dreamer's In State Tuition. [SB1217](#) Arizona high school graduates; tuition [SB1217](#), sponsored by Heather Carter (R-15), would direct Arizona's public universities and community colleges to create a new tuition rate for all students who graduate from Arizona high schools, regardless of their immigration status. This passed 6-0-1 but is not scheduled this week. Any student who graduates from an Arizona high school would be eligible for the new tuition rate for the four years after they graduate from high school. This would mean a new tuition rate for young immigrants covered under the Deferred Action for Childhood Arrivals program. The bill follows a court battle that ended last year with those DACA students losing in-state tuition. The Arizona Chamber of Commerce [publicly announced support](#) for a tuition fix for DACA recipients earlier this month. Making education affordable for these students is not only the right thing to do, but furthers the investment our state has already made in helping them become productive members of the high-skills workforce.

Ready for final vote in 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 and passed the Senate Rules committee.

Some other bills, not moving.

- [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 – for a detailed report on crime & criminal justice bills, check out Diane Post's link [National Organization for Women AZ Legislative Action Alert](#)

[SB1219](#) **domestic violence offenses**; firearm transfers [.](#) (Carter, R, 15). This bill would keep guns out of the hands of persons convicted of domestic abuse. Hasn't been scheduled for a hearing yet. It assigned to the Senate Judiciary committee.

Moving. SB1148 DPS; school safety; hotline Sponsors: Boyer (R, 20) Establishes a Center for School Safety within the Arizona Counterterrorism Information Center to operate a Safe Schools Hotline program. Would allow anonymous callers to report dangerous, violent or unlawful activity being considered or threatened on a school campus, school transportation, school-sponsored event or school-related activity. Similar programs have been established in 25 states and have been successful in preventing mass shootings and teen suicides. There was discussion only in the Senate Transportation & Public Safety Committee on Wednesday, Feb 6.

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 SB1310 – Early Release - 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 2/14 in Senate Judiciary Committee

Use RTS. SB1314. Death Penalty (Farnsworth, R, 16). This bill passed committee 7-0. It would remove some of the “aggravating” provisions to be taken into account when deciding on the death penalty.

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. 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. 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

Moving. **HB2266** *prisoners; transition program; eligibility* (Payne, R, 21). Passed 7-0 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

SB1370 and HB2630 Ecological Water Study. *freshwater ecosystems; ecological water; survey* SB1370 was introduced by Sen. Dalessandro (D, 2) in the Senate and Rep. Engel (D, 10) in the House. The bill is somewhat scaled back from the one introduced last year, but it still asks for the recognition of ecological water as a beneficial use and it requires ADWR to assess the state of our rivers and their ecological water needs and publish a report. What is “ecological water?” “Ecological water” according to the bill itself, refers to water sufficient to sustain freshwater ecosystems and the wildlife habitat and human livelihoods and well-being that depend on those ecosystems. This would be a start toward protecting rivers and streams in Arizona and not continuing to ignore the meaning and use of water for anything except housing development!

HB2275 TPT exemption; crop production Use RTS HB2275 *TAX CUT for Crop Production Tools – TPT exemption; crop production tools* **HB2275**, sponsored by Tim Dunn (R-13), would expand the list of tax-exempt agricultural materials to include fertilizer, plant additives, and other materials used to grow crops. This passed 5-2 last week and is scheduled for the Ways and Means committee 2/13 (Wednesday). Rep. Dunn [introduced a similar idea last year](#), which did not pass, after a 2016 tax court ruled that fertilizer doesn’t qualify as a propagative material because it’s “not indispensable” to growing food. Last year, if that ruling was reversed, the state

would have had to pay \$125 million in refunds. The eight new tax exemptions in last year's bill would have cost Arizona at least \$20 million every year.

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. There apparently are still issues, however, but it is not clear what they are

Moving. Arizona Water Protection Fund HB2013 appropriation (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 (azwpf.gov).” This would increase the appropriation from \$400,000 in 2018 to \$1 million in 2019. Not scheduled for this week.

Moving. Navigable Stream 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).

Use RTS. HB2493 Solar Energy (Cobb, R, 5). An effort to protect solar devices from taxation if courts find that not allowable, to set the amount very small. Will be heard 2/13 in House Ways and Means committee.

National Scene – Would it be so bad if DJT declares an emergency and then redirects money to build the wall? This next week, we'll see what DJT is going to do next. The joint task force that is meeting to come up with a plan might actually come up with a report where they use some established methodology, such as cost/benefit analysis, to decide what kind of barrier or observation is needed for every inch of that border. That might move the dime just a bit! But if DJT declares an emergency – fine. 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!

Mark Your Calendar!

Feb. 11. Gun Violence Discussion. Tucson, St. Mark's Presbyterian Church, 3809 E. 3rd street, Tucson. 6 to 7:30. The Tucson chapter of Moms Demand Action has put together an excellent panel of speakers, with representatives from law enforcement, students, the TUSD board and others. We anticipate a Safe Schools bill from the Governor in the very near future, so this promises to be a very timely and informative forum.

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. Register at <http://www.uujaz.org>

March 14. West Valley Education Forum, 6 p.m. Investing in Public Education Dysart Education Center 15802 N. Parkview Place, Surprise, AZ Keynote **Speaker:** Kathy Hoffman, AZ Supt. of Public Instruction Co-sponsored by the League of Women Voters of Maricopa County, Dysart School District, and others.

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. 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 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.

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U.S. Senate –

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