

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

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Update! And Outlaw Dirty Money is Baaaak

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March 29, 2019

OUTLAW DIRTY MONEY IS BACK! This week, former Attorney General Terry Goddard announced the start of OUTLAW DIRTY MONEY—as a constitutional amendment for voters to consider in 2020 that would establish a “right to know” who is giving BIG money to candidates or ballot issues. This would help get public policy more sensitive to the real needs of the community. **You can join the team, volunteer, or donate.** “Do what you can, with what you have, from where you are.” Here’s the link: <https://outlawdirtymoney.com/>

As you may know, the Outlaw Dirty Money initiative in 2018 had enough signatures collected, but because paid circulators can be subpoenaed and required to show up in court (in 11 days), and because 15 of them did not show, the judge – by law – invalidated ALL of the signatures they collected, thereby dooming the initiative. This year, the initiative is starting earlier and has 15 months to collect the even-bigger number of signatures, and will use ONLY volunteers as a way to avoid the problems confronted when using paid collectors. It has a GREAT chance of succeeding. Tempe voters approved a similar measure 91% to 9%; Phoenix approved on 85% to 15%. It will not be easy (big money will be on the other side), but WE CAN DO THIS. Make our democracy work, again!

And here’s another **action opportunity**: Donate to Somas and help the asylum seekers who are being dropped off in record numbers!

<https://www.facebook.com/SomosAmericaCoalition/posts/2183503245063587>

Just the facts, please. Robert Mueller has released his report, now believed to be more than 300 pages long. The AG has interpreted it for us in four pages. I want to read the report. Let’s withhold judgement until we can see the facts as Mueller presented them. That is a closer look than the one AG Barr provided. I want to read every conclusion and assess the quality of evidence.

ARIZONA UPDATE!

Representative David Stringer, R, Prescott, has resigned over an ethics issue regarding racial / sexist statements and other (older) issues. This leaves the margin in the AZ House of Representatives at 30-29. It takes 31 votes to pass a bill! Mmmmmm. Yavapai supervisors will appoint someone – by law it has to be a Republican.

The week is not over yet, and it is the last week for bills of one chamber to be heard in the primary committee in the other. Both chambers voted all day Thursday, but the dust has not settled yet and many floor votes as well as Appropriations and Rules votes will be coming next week. Here's the status of critical legislation as of Thursday afternoon.

ADVOCACY advice? Pick out a few bills you really like and a few you find especially egregious and let YOUR legislator know about these! Call or email. Be heard. Email is simply first initial, last name @ azleg.gov. jdoe@azleg.gov You can get phone numbers here: <https://www.azleg.gov/> just click on Senate / Members or House / Members.

Get the **PDF** of the Arizona Legislative Alert. It's easier to read, searchable, and you can click on the topic you want and go directly to it!! <http://files.vuu.org/uujaz/2019/alert-032919.pdf>

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Quick Overview

But first, another donation opportunity!

UUJAZ is having a March fundraiser! If you appreciate the Arizona Legislative Alert, UU Day at the Legislature, Issues and Action Day, and all the other work of UUJAZ, please consider supporting UUJAZ with a donation—large or small. Your generosity ensures that progressive values will continue to have a voice in the public sphere for years to come. Thank you! [Set up a recurring donation or make a one-time contribution here.](#)

[Education](#) – Here's where things stand on those education bills!

- **Funding**—all of the bills that might have made a difference in terms of funding are dead, but it isn't over, as education funding will be settled in the budget negotiations that are still secret!
- **Some good news:** the bill that would reduce the cap on tax credits for corporations through School Tuition Organizations is still moving! And, the one that would expand empowerment scholarships (1395) is dead.
- **Muzzling teachers** – This bill HB2026 (unbelievable as it may seem) is still alive because it was withdrawn from its substantive committee in the Senate and is on the Appropriations committee agenda next week 4/03. It threatens teacher's ability to discuss social justice

and other “controversial” topics, and should be dead because it was not heard in the Senate committee by the deadline.

- **One Charter “reform” bill (SB1394)** that is nowhere close to actually holding charters accountable is dead as House Speaker Bowers says he will NOT call 1394 for a vote. The other one, 1161, that gives Charter schools first dibs on space in District schools is still alive, opposed by Save Our Schools. It would enable charters to open on the same campus as district schools. Charters are not accountable to the district, many are for-profit enterprises, and they have numerous ways to avoid taking difficult students. Reform is needed!
- **A new concern, is SB1147, a “strike everything” written mainly by the tobacco industry to permit e cigarettes in schools! It passed House HHS committee Thursday.**
- **And another new concern is SB1149, also a “strike everything” that empowers governing boards to refuse enrollment to students who have been expelled elsewhere.**

Scroll down to [Education](#) for details on these and other bills.

Economic Justice (Finance, taxes, welfare) – The Legislature is still considering the bill that would permit employers to NOT pay the state minimum wage to students who work part time (HB2523). On the other hand, there are a number of compassionate bills still moving. These include a bill that would get the federal child care money into Arizona at no cost to the state; three of the bills to expand AHCCCS, and one that allows persons transitioning off welfare to be eligible if they are a student (rather than employed). Many of the tax credit and tax cut bills are still alive, of course, although the worst one (SB1460) that would have exempted digital goods and services died of confusion! No one could figure out what “digital” goods/services are currently taxed so they could not figure out how much this would cost the state. The tax cut for veterans that failed by vote passed a reconsideration vote, so could still be heard.

Democracy, Voting, Elections There’s only ONE bill that has made any progress through the Legislature that would enhance people’s ability to vote and it has passed both houses and was sent to the Governor. This is SB1054 that would require county recorders to attempt to “cure” early ballots mailed in that they disqualified by notifying the voter and giving them time to “fix” the problem – whatever it was that led to the disqualification. All of the other bills that got beyond their first chamber will put new barriers on voting or on attempts to pass citizen referenda and initiatives. Still moving are SB1451 that requires more rules for persons circulating petitions, HB2724 that allows ANY person to petition the partisan commission -- GRCC -- about the Clean Elections Commission rules. GRCC can simply overturn the rules. Also moving are SB1090 that restricts the ability of County Recorders to establish emergency voting centers, SB1188 that removes people from the “so-called” permanent early voting list, and HB2039 requiring a report on those voting in federal but not qualified to vote in state elections. The Governor already signed SB1072 that requires photo ID to vote in the early voting centers.

A few have died, including the two that would have required a certain percent of the signatures for citizen initiatives to be from each legislative district, SB1046 that would have prohibited dropping off early ballots on election day, the one requiring local elections to list partisan affiliation of candidates, the Article V convention bills, and the new oversight committee to review who is getting the “federal only” ballot.

Human Rights (THE ERA.... Women, Immigrants, GLBTQ+ & more) - There were two good bills in this category, but one is died and is in the process of being restored. The ERA’s chances of being revived do not look promising. SB1217 died for lack of a hearing in the House but a “strike everything” in the House Health and Human Services committee Thursday revived it as HB2186. The Arizona Legislative Information System (ALIS) indicates the striker passed committee, but ALIS has not quite caught up on everything so not all is clear yet. This bill is a good one. It empowers the Board of Regents to establish another “in state” tuition category that would apply to everyone who graduated from an Arizona high school. Also, a bill establishing a committee to study maternal fatalities is still alive.

Guns, Crime & Justice The “ban the box” bill, unfortunately, has died as it was not heard in the House Judiciary committee. Several good bills are still moving, however, including one that would help sexual assault victims get protective orders, the suicide prevention training bill, a bill granting more days toward early release, and one removing some aggravating circumstances from death penalty consideration. The bill that would allow guns in cars on school grounds is still moving, however. This is HB2693.

Water / Environment – Two good bills are still moving including funds for the Arizona Water Protection Fund (HB2013) and one to protect solar energy from excess taxes (HB2493). The bill to exempt crop production tools including pesticides from taxation is moving, but the one that would have protected groundwater transfer in the Harquahala non expansion area is dead.

More details for each substantive area below – just scroll down. Happy reading!

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](#)

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.

EDUCATION

Moving (Strike Everything). [SB 1147](#) – **E Cigarettes in Schools!** This is a bill that adds e-liquids and alternative nicotine products to the existing definition of "tobacco products" and raises the minimum age to purchase or possess these products from 18 to 21. However, the bill also allows anyone over 21 to possess and use these tobacco products for personal use **on school grounds**. This means that parking lots, football games, teacher's lounges, and the like **will now be areas where smoking is allowed**. **School campuses are now tobacco, smoke, and vape free by law**. Further, SB 1147 states that any further regulation of tobacco products is a matter of statewide concern and not subject to further regulation by any other political subdivision-- such as cities, towns, and school districts.

Moving. HB2026. **Muzzling Teachers.** Passed House 31-29, missed the Senate deadlines and was withdrawn from the Senate Education committee but then put on the Appropriations committee for next week 4/03! This one should be dead, but the procedural move has given it another chance. [HB2026 \(Kavanagh, R, LD 23\)](#). This is one of the bills that strengthens the prohibitions against teachers speaking out or protesting in other ways about legislation or elections. It barely passed the House 31-29 after first failing on a 30-29 vote, but passed upon reconsideration. **This bill** prohibits the use of any public resources for advocacy including advocacy for the outcome of any election, signing petitions to get something on the ballot, distribution of literature, and anything else regarding advocacy. School resources include computers, hardware, software, telecommunications, etc. Most of this was already illegal, but HB2026 goes even farther to permit a resident of the school district to initiate a suit for a presumed violation and to receive the penalty if they win! School bond elections are not even given an exception.

Moving. (good). [SB1485 CAP the STOs! Passed Senate 30-0 and House committee 8-1.](#) [SB1485](#) sponsored by Michelle Udall (R-25.) is a "strike everything" replacing a technical correction that would cap the automatic growth of School Tuition Organization tax credits at 2% or inflation, whichever is lower. This bill, in contrast with some others that made the cap effective immediately, would gradually reduce the amount of donations, thereby also reducing its immediate effectiveness. Donations to Arizona's STO program are dollar-for-dollar credits from the state's general fund that [surpassed a lifetime total of \\$1 billion in 2017](#) and continue to grow by 20% each year, reducing the funds available for public education (and other state programs). The Joint Legislative Budget Committee has reported that if left to grow according to current law, by 2030, our state will spend more on these tax credits for corporations than those same corporations will be paying into our state budget. Previously, there were two bills to accomplish this, but neither made it out of committee, so a "striker" was used to revive the bill. [HB2185 Cap STO Tax Credits.](#) And [SB1168](#).

[SB1149 School Suspension Rules.](#) This is a strike-everything that gives governing board more authority to deny enrollment to suspended students who are trying to transfer. Passed 6-4. Republicans for, Democrats against. Opposition is that denial of enrollment is used mainly for

minority students. Supporters claim this provision is needed to protect the students from dangerous teenagers who are seeking re-enrollment.

Dead (good). SB1395 empowerment scholarship accounts; program revisions SB1395 (Allen, S., R, 6). Supporters point out that it would “clean up” some of the (lack of) requirements for students with ESA scholarships, including adding a requirement that they take some kind of standardized test. However, it also provides for expansions of the program including to more pre-school children, and to any child living in a “failing school” district, not just to those who attended one. According to the Senate fiscal note, “the bill would increase state General Fund costs for ESAs by an estimated \$290,000 in FY 2020, \$580,000 in FY 2021 and \$870,000 in FY 2022 above the FY 2020 Baseline. **Supporters say they are just “fixing” the program – but if they are, then they should remove the expansions.** The money for ESAs comes straight out of the neighborhood school the youth would have otherwise attended and pays for private, religious, and home schooling with very little accountability.

Moving. SB1099. Patriotic Youth Groups. Passed Senate, 29-1 and House Education committee 10-2. Free Speech. 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. 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), the Boys & Girls Clubs of America, the Girl Scouts of the U.S.A. and Little League Baseball, Inc.). 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.

Replaced by Striker granting Tuition to “Dreamers.” Original bill Passed Senate 46-14 Banning Lunch “shaming” (good bill). HB2186 school meals; unpaid fees sponsored by Michelle Udall (R-25), would have Arizona join New Mexico in **banning “lunch shaming” at school**. The bill passed the Senate 46-14 with 14 Republicans voting no but was killed when replaced by a strike-all amendment. This bill would outlaw actions that bring attention to students who are unable to pay for a school meal, including refusal to serve the child, the serving of an alternative meal, chores or disciplinary treatment. Originally, it had provisions that would have expanded the uses of public school tax credits to cover unpaid lunch fees, but that was removed by amendment.

Education Funding:

- **Dead. SCR1001 Sales Tax Compromise. RedForEd has come out against the compromise on the various sales tax proposals that would raise sales taxes from .6% to 1%, if approved by the voters in 2020.** The compromise passed the Senate Committee of the Whole weeks ago but has not been voted on and is probably tied up with the budget negotiations that are going on behind closed doors. Kate Brophy McGee and Sylvia Allen,

and Rep. Michelle Udall agreed to the 1% and how to distribute it: 75% of the funds would go to K-12 public schools, 20% would go to state universities and the remaining 5% would be left for community colleges and tribal colleges. The proposal would add about \$450 million more than the current sales tax of .6%.

- **Dead. HB2187. Rollover Money Passed House, 33-27 but Senate has not taken it up. This is a good bill.** [HB2187](#) (Udall, R, 25). This bill passed committees with almost unanimous support but then was opposed by several Democrats on final passage by the House but the Senate did not take it up. The 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. Why the opposition? Democrats acknowledged that they actually support the idea behind this bill, but want it to be part of a larger budget discussion around education funding, not just a one-off bill with one-time money

Dead. (good). [HB2470](#) [HB2471](#) [HB2472](#) **Immunization of School Children** . (Barto, R, 15). HB2472 made it to the House Committee of the Whole but was retained on the agenda. All would provide exemptions for vaccinations or make it easier for students NOT to be vaccinated. All three bills passed the relevant committees and all are designed to discourage immunization or grant exceptions. The Governor issued an unusual (for him) declaration that he would veto anti-immunization bills if any reached his desk. All were introduced by Nancy Barto (R, 15) in the Health and Human Services committee, which she chairs. On the Senate side, however, anti-immunization bills did not fare so well so even if these pass the House, they may not make it through the Senate. [SB1114](#) schools; immunization; religious exemption. (Boyer, R, 20) failed on a 4-4 tie vote. It expands the use of a religious reason. And [SB1115](#) informed consent; vaccinations did not get a hearing. (Boyer, R, 20).

Moving. (Not good). [SB1161](#) Passed Senate 19-11 and House committee 10-3. . . NOW, Charter School / District School buildings. A “strike everything” amendment has turned SB1161, which was a technical correction, into a bill that would require the School Facilities Board to publish a list of vacant or partially used school spaces every year. It also would require school districts to accept bids from charter schools for that space if the charter school was the lowest bidder. According to “Save Our Schools,” the bill is being pushed by the Chamber of Commerce and the Goldwater Institute, with the goal of opening district and charter schools in the same building. Supporters say this is to expand parental choice; opponents say it is just another way to undermine public schools.

Dead. [SB1394](#) **Charter School Reform** (Brophy McGee, R, 28). This passed the Senate 17-13 on a party line vote but the House did not take it up and Speaker Brower is quoted as saying he will not bring it to a vote. Democrats say it does not do several of the things that reform-minded advocates want and amendments that would have helped the bill did not pass the

Senate. It does require charters to have no more than two family members on the board (out of at least three—mmmm, that’s a rather small “reform”) and training on a number of topics such as the open meeting law, procurement rules, and others that charters frequently are accused of violating. It may improve some of the lax procurement practices but would not stop CEOs of charters from making millions or preventing charter organizers to sell their charters as Senator E. Farnsworth did in 2018.

ECONOMIC JUSTICE / Welfare / TAXATION -

Moving (not good) [HB2523](#) youth employment. Passed House 31-29 and Senate committee 4-3. (Grantham, R, LD 12). This is the bill that attempts to thwart the citizen initiative passed in 2016 that increased Arizona’s minimum wage. The bill would create an exemption to the 2016 voter-approved law for students under the age of 22. The voters’ initiative boosted the state minimum wage from \$8.05 an hour at that time to \$11 now. It will increase automatically to \$12 in 2020, with future increases tied to inflation. Rep. Grantham withdraw his HB 2523 from consideration by the Senate Commerce Committee after one Republican balked at supporting the measure as already approved by the House. Sen. Tyler Pace, R-Mesa, said he believes the bill creates an incentive for students to leave school in order to garner the full minimum wage. Since all three Democrats on the eight-member panel were expected to vote against the measure, it would fail on a 4-4 vote if one Republican defects. Although the Republicans may work out their differences, this seems a clear violation of the voter protection act, which requires that Legislative changes in voter-approved legislation have to further the purpose of the initiative, and this one surely does not!

Safety Net (Welfare) Programs

- Moving. [SB1173](#) **Child Care Transition to Include Education** **Passed House 30-0.** (Carter R, LD 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. Good bill.
- Moving. [HB2125](#) **Child Care Funds from Federal Government.** (Udall, R, LD 25 **Passed House 46-13.** **The House version already passed the Senate Health and Human Services committee 7-0 and passed Appropriations 7-0.** 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 bills would correct this mistake and enable Arizona to draw these funds and use them for necessary child care assistance services. ([SB1242 Brophy McGee, R, 28](#) Passed Senate, 27-3, a companion bill, is not needed and not moving).

- Three of the bills that would expand AHCCCS Coverage are moving but the one adding chiropractic services died.
 - **Moving.** [SB1088 AHCCCS Coverage/Pregnancy. Passed Senate 27-3](#) (Carter, R, 15). This bill passed Senate with three Republicans voting no and passed the House committee 3/20 (Wednesday) on a bi partisan vote. . It would provide comprehensive dental cover through Medicaid (AHCCCS) for pregnant women 21 years of age and older.
 - **Dead.** [SB1097 AHCCCS coverage / chiropractic Passed Senate, 28-2.](#) (Carter, R, 15). This one also passed 28-2, with two Republicans voting no. Under it, chiropractic services would be provided under AHCCCS (Medicaid.) HB2120 (Barto, R, 15) would have done the same thing, but it has given way to the Senate bill. Cost figures show about \$4.9 cost to the general fund, but cost figures are uncertain.
 - **Moving.** [SB1353 AHCCCS / diabetes management . \(Carter, R, 15\).](#) **Passed Senate 29-1.** This one would cover diabetes care for Arizona’s Medicaid recipients. Also no change.
 - **Moving.** [SB1355 AHCCCS coverage / Dental / Native Americans \(Carter, R, 15\)](#) passed the Senate, 25-5 but no movement in the House yet. As the title indicates, these would bring dental care into the AHCCCS program for American Indians.
- **Moving.** [SB1098 Housing Assistance. Passed Senate 27-3 and House HHS committee 9-0.](#) (Carter, R, LD15): 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 and on the last possible day got a hearing before the Rules committee. The Senate then passed it 27-3.

Tax Conformity / Budget. Conforming Arizona tax laws to the changes in the federal tax code would add an estimate \$150 million to the Arizona budget, and it looks like the Governor may get his way on a simple conformance rather than returning this money to the taxpayers through a tax cut. All of this right now is tied up in budget negotiations.

Tax Credits, Cuts, Deductions -

- **Moving.** [SB1485 CAP the STOs! Passed Senate 30-0.](#) As mentioned in the Education section, [SB1485](#) would cap the School Tuition Organization corporate tax credit, gradually reducing it from an increase of 20% per year to 2% per year
- **Killed by way of Striker.** [SB1149 \(Tax Credit Review\).](#) **Passed Senate, 29-0.** (Rick Gray R-21). Was replaced by a striker pertaining to education suspensions. The original bill was intended to at least slow down the use of tax credits in the future by requiring a review by a bipartisan commission. The commission would consist of 10 Legislators, six from the majority party and four from the minority, to review tax credits using a set of standard

criteria. The idea is to determine whether adequate protections are in place to ensure that the fiscal impact of the credit in future years will not substantially increase beyond projections available when the credit is evaluated.

Moving. [HB2359](#) **Charitable Tax Deduction. Passed House 38-21.** HB2359, sponsored by Ben Toma (R-22), passed 38-21 with all Republicans and several Democrats voting Yes. It passed the Senate Finance committee. 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. **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.** On the other hand, several Democrats supported it due to the increased importance of charities in providing public services to disadvantaged populations. A catch 22 indeed.

Moving. [SB1300](#) **Low Income Housing Program. Passed Senate 30-0.** (Brophy McGee, R, 28). This bill passed 30-0 and passed the House Ways and Means committee 9-0. 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. [HB2425](#) school tax credit expansion. Passed 39-20. (Weninger, R 17). This bill expands the use of school tax credit money to include meal programs and some health care uses, and also permits transfer of “unused” tax credits – that is, the school has received more than its cap – to some other school district. It does not expand the amount on tax credits, but it makes their use more flexible. It passed the Senate Finance committee 8-1 on Wednesday. The problem? Encourages corporations and individuals to donate money to schools, but this takes money from the general fund that should be allocated for education!

Moving. [SB1027](#) **Passed Senate. Tax Credits for Donations to Health Organizations.** Passed full Senate 23-7 with some Democrats in opposition. It passed the House Ways and Means committee 6-4 weeks ago. 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.

Moving. [HB2275](#) **Passed 32-28.** TAX CUT for 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 two committees, 5-2 and 6-4 last week and Rules in the House. The Senate Finance committee heard it and passed it 5-4 on a party line vote.

Moving. [HB2320](#) and [SB1001](#) **Passed Senate (24-6) and 2320 passed House 57-3.** **Highway safety fee; repeal (Ugenti-Rita R, 23 and HB2019 Lawrence, LD23).** On a 57-3 margin the state House voted to fund the Highway Patrol with a fee to be determined by John Halikowski, the head of the Department of Transportation, but the fee is capped at no more than \$18. The Senate bill is still just a straight repeal of the fee and it passed the House Transportation committee. So, it seems, the Legislature is still considering two contradictory bills here – one that would allow the fee increase but cap it at \$18 and the other that would just repeal it!

Dead. (Yea). [SB1460](#) TPT; digital goods and services . One of the worst bills! It passed Senate Finance 6-4 even though the JLBC says they are unable to estimate its fiscal impact because they have no data on what digital goods and services currently are being taxed. Save Our Schools reports that a similar bill last year was estimated to cost \$120 million per year. Can be voted on any time in the Senate, but has not been yet so is dead for the year.

Moving. [SB1366](#) **Tax exemption for data centers. Passed 16-14.** ([Mesnard, R, LD 17](#)). This is another tax exemption, retroactive back to 2013. It would exempt some software from taxation. Cost estimated at \$8.7 million, plus refunds. All Democrats and one Republican (Brophy-McGee, R, 28) voted no.

FAILED but not fully dead! [HB2011](#) **Tax cut for veterans. FAILED.** (Griffin, LD 14), but a vote to reconsider passed so it could be brought up again. HB2011 would permit veterans of 20 years or more to exempt more of their current retirement income from state taxes. It passed Committee of the Whole but then failed on a 25-35 vote with all Democrats voting no along with several Republicans.

DEMOCRACY, VOTING, ELECTIONS

Moving. [HB2616](#) ([Prohibit payment to voter registrants](#)) **FAILED 28-32 then amended and passed 31-27.** The amendment changed the bill from prohibiting any payment to persons registering others to vote to prohibit payment on a per signature basis. The forms, however,

must be turned in within 10 days of when the registration was received and there is a criminal penalty for being late. Some Democrats are objecting to this change saying that 10 days is not long enough to get all of them back in and the penalty too severe. Passed the Senate committee Thursday 4-2.

Dead. [SCR1023 and HCR2005](#) Requiring Signature quotas from each legislative district. (Kerr, R, 13) in the House, [HCR2005](#) (Kavanaugh, R, 23). Either of these would be almost a death blow for citizen initiatives and referenda. They require initiatives to gather 10% of their signatures from each legislative district for statewide matters, 15% for constitutional amendments, and require 5% from each LD for a referendum ("citizen veto"). The effect is to make it much harder to pass citizen-initiated proposals This spreads the issue out across the state and gives rural voters more say; but it also denies urban voters an equal voice on the matter. Neither passed its house of origin, so should be dead.

Moving. [Passed Senate 17-13. SB1451](#) statewide ballot measures; circulators; procedures sponsored by Vince Leach (R-11), passed on party line vote. Passed **House Elections Committee 6-4 and Rules.** It increases amount of information needed from those who circulate petitions and permits subpoenas (in case of a challenge) to be mailed to the committee (rather than the usual rule that subpoenas have to be actually hand delivered to the person who is being subpoenaed). If circulators are subpoenaed to show up in court on a legal challenge and do not show (even if they never received the subpoena), all petition sheets they collected are thrown out, as happened with the "Outlaw Dirty Money initiative" last year. It becomes a class 1 misdemeanor if there is missing or wrong information. Also, all petitions for statewide initiatives and referenda have to be organized and grouped by circulator and if not, the entire sheet is invalidated. This is another effort to make it very difficult to get enough signatures for citizen-initiated referenda.

Moving. [HB2724](#) GRRC; petition to request review. This allows ANY person to challenge a rule passed by the Citizen's Clean Elections Committee by filing a petition with the Governor's Review commission. The GRRC is appointed entirely by the Governor with no requirements for representation of the minority party. The GRRC can simply disallow a rule that the CCC has passed. Grants enormous power to five persons appointed by the Governor. The bill first failed on a 29-30 vote but on reconsideration passed 31-27.

Dead. (good) [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 on Feb. 2. 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.

Signed. SB1072 Photo IDs in early voting centers. Passed the Senate 17-13 (party line) and House 31-27, also party line vote and signed by Governor. Another bill from Ugenti-Rita would require photo ID at the early voting centers. Supporters say it is needed to protect integrity of elections and opponents say that other forms of ID should be acceptable such as a birth certificate or Indian tribal enrollment card, etc. It had a close companion in the SB1032 on-site early voting; identification required that is dead.

Moving. Passed Senate 16-14. SB1090 emergency voting procedures. Sen. Michelle Ugenti-Rita's bill would strip away county recorder's ability to institute emergency voting centers. It passed the House Elections committee 6-4 and Rules.

Dead. HB2201 (Local elections must be partisan). 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 and passed Rules committee Monday 2/18 on a 5-3 party line vote. Was not called up for vote in the House. 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.

Dead. HCR2022 - Article V convention; term limits Passed House 32-26 but not heard in Senate. Also, SCR1014 Article V convention; term limits (D. Livingston, R, 22) did not make it through the Senate. So, both are dead. (good). These bills call 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 request the call (on the same topic), then majority vote within the group could send an amendment to the states, which would require 3/4 vote to become part of the constitution. The discussion in the House was entirely on the issue of term limits, not on the problems of a "runaway" convention itself. Most constitutional scholars oppose these Article V conventions on the grounds that the group – once constituted – could be a "runaway" convention because the U.S. Constitution provides no way for anyone, not even the courts, to limit it to the purposes for which it was called. They could rewrite the entire constitution!

Moving. SB1188 Purging Early Voting Lists. Passed 16-14 and passed Senate Elections committee. (Ugenti-Rita, R, 23). This bill takes a person OFF the permanent early voting list but the actual language is confusing and continues to change. The current version seems to say that they can be taken off if they do not vote by early ballot in at least one of the elections (primary or general) for two consecutive election cycles (federal, state, legislative). Furthermore, it isn't just that they have to vote in at least the primary or general elections for one of the last two years, but they have to do so by mailing in their ballot – not by dropping it off at a polling place. The bill that passed used this language

Removes a voter from the permanent early voting list (PEVL) if the voter fails to vote by early ballot in either the primary election or the general election for two consecutive primary and general elections for which there was a federal, statewide or legislative race on the ballot. Allows counties to notify a voter prior to removing that voter from the PEVL

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 "allows" notification but does not require it.

Sent to Governor. [SB1054 "Cure" early ballot disqualifications. SE / Passed 60-0. Companion bill, HB2032 Passed the Senate 30-0 \(good bills\)](#) (Ugenti Rita, R, 23). The good part of these bills is that they require 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.

Moving. [HB2039](#) federal form voter registrations; reporting (Townsend, LD 16). This passed the House 31-29 on another straight party line vote. It passed the Senate Judiciary committee 3/21, 4-3 and Rules. 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. Opponents think this would be used as evidence for why photo IDs are needed for everyone.

Dead (good). [HB2489 \(Oversight committee for elections\).](#) **This bill**, sponsored by Kelly Townsend (R-16), would establish an Election Procedures Oversight Committee that includes the Speaker of the House and the Senate President. Bill passed Election committee 6-4 and Government committee 6-4, both straight party line votes and even though it missed the deadline, Rules committee was granted extra days and okayed it. But the House did not call it up for a vote. The committee would have access to voter registration rolls and elections results to determine whether federal-only voters received and voted the appropriate ballot. Supporters seem to think that not all voting the Federal Form are actually citizens. These persons had to provide sufficient documents to register to vote in federal elections which includes such things as a birth certificate, social security card, or other documents that establish birth in this country. Since Arizona requires a PHOTO identification card, a person who does not have one must take the documents they've got to a DMV or county recorders office and get a government-issued photo id.

Moving. [SB1040 Report on maternal fatalities Passed 30-0 and passed House committee, 9-0.](#) sponsored by Kate Brophy McGee (R-28). This is a good bill. A strike everything changed the bill from one requiring collection of more information to the establishment of a committee to “recommend improvements to information collection concerning the incidence and causes of maternal fatalities and severe maternal morbidity.” This 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.

Died then revived via a “striker.” [SB1217 Dreamer’s In State Tuition.](#) [SB1217](#), sponsored by Heather Carter (R-15), died in the Senate but was revived as HB2186 with a “strike everything” amendment Thursday afternoon. In its original form passed committee 6-0-1, passed Rules, and then passed the full Senate with several Republicans voting with all Democrats to pass it. But it was not heard in the House Education Committee. So, it was withdrawn and heard in the House and Human Services committee as a striker. Republicans voting in favor included Fann, Pratt, Boyer, Brophy McGee and Carter. It 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. 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.

Dead (good). [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.

GUNS / Criminal Justice – For a more detailed report on crime & criminal justice bills, check out Diane Post’s link [National Organization for Women AZ Legislative Action Alert](#)

Moving. [HB2693 Passed House 31-27. NEEDS OPPOSITION!](#) It’s another “misconduct involving weapons” change that would legalize carrying a loaded weapon in a vehicle on school grounds, provided the weapon is not visible if the vehicle is unoccupied. An unloaded weapon is currently permitted under these conditions on school grounds. This could conflict with

federal law, according to the Arizona School Board Association. Passed Senate Judiciary 4-3 and Rules.

Moving. [SB1250](#) sexual assault protective order. Passed Senate and Passed House Judiciary 10-0 Steele, D, LD9. This is a strike everything amendment that will allow a person to petition for an injunction against harassment for alleging one or more acts of sexual violence. It also prohibits fees for service of process for a petition for an injunction against harassment from being charged to a victim of sexual violence.

Dead. [SB1437 Ban the Box!](#) Passed 17-13. (Quezada, D, 29). This would ban the conviction history question and delay background checks until late in the hiring process. The bill is part of a nation-wide effort to smooth the re-entry of persons coming out of prison and to reduce recidivism rates. It passed the Senate committee 17-13 All Democrats and three Republicans voted for it: Brophy-McGee, Carter, and Ugenta-Rita. House committee did not consider it.

Dead. (good). [SB1292](#) *misconduct involving weapons; classification*, This bill would reclassify some offenses considered misconduct involving weapons to reduce the penalties associated with the offense. Passed committee and rules but retained on Senate Committee of the Whole.

Dead. House 59-0. [HB2311](#) *incorrect arrest; record clearance*, is a reform bill that provides a process for clearing one's record if subjected to incorrect arrest due to identity theft or mistaken identification. Not heard in the Senate.

Moving. Senate 28-2. Good bill. [SB1468](#) schools; suicide prevention training Sponsor: Sean Bowie (D-18). This bill is a rare example of a Democrat-sponsored bill being passed by either chamber. Congratulations Sen. Bowie! It would require AHCCCS to develop suicide awareness and prevention training programs for inclusion in school districts, charter schools and Arizona teacher training programs for the 2020-2021 school year. Passed House Education committee 13-0 and also Judiciary, 10-0.

Moving. House 60-0. HB2080 **civil rights restoration; application; procedures** Sponsor: John Allen (LD15). Passed Senate Judiciary. 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.

Moving. Senate 30-0. 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. Passed House committee.

Moving. Senate 30-0. SB1314. Death Penalty (Farnsworth, R, 16). It would remove some of the “aggravating” provisions to be taken into account when deciding on the death penalty. It passed House Judiciary committee, 3/13 10-0 and passed House Committee of the Whole.

Moving. House 60-0. [HB2266](#) prisoners; transition program; eligibility (Payne, R, 21). 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 -

Dead. [HB2609](#) Harquahala non-expansion area; groundwater transfer. [HB2609 Harquahala non-expansion area; groundwater transfer](#) (Petersen: Cook) allows private water companies in the Harquahala Irrigation Non-expansion area (west of the Phoenix area) to withdraw water to a depth of 1,500 feet rather than 1,000 feet and transport it into an active management area. The Sierra club reports that the bill is being promoted for water investors who are part of a Manhattan-based hedge fund, among others.

Moving. [HB2275](#) **Tax exemption, crop production Passed House, 32-28 and Sen. Finance committee 5-4.** [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. 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.

Moving. [HB2013](#) **Passed House 60-0. Arizona Water Protection Fund** appropriation (Griffin, R, 14). This bill passed 60-0. It has already passed the Senate Water and Ag committee 7-0 and passed Sen. Appropriations last week 7-0. 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.

Moving. [HB2493](#) Solar Energy tax protection. (Cobb, R, 5). **Passed 48-11.** This is an effort to protect solar devices from excessive taxation. If courts find that exempting from taxes is not allowable, this bill would set the amount very small. Passed with bipartisan support, and

bipartisan opposition. Passed the Senate Finance committee 8-0. A tax group based in North Carolina has hired former legislators to lobby against it, saying it benefits a few companies, rather than recognizing that taxing only those who are leasing is punishing those who cannot afford the upfront costs for a system.

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. Synema and McSally 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!

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[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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