

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

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## *Expect WHAT for 2020?*

<http://files.vuu.org/uujaz/2019/alert-102619.pdf>

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October 26, 2019

Here's an update on Arizona!! (More info about the federal presidential race & impeachment next week, but for now, here's a "watch list" for Arizona. Legislative watch is first, then rundown on some of the initiatives and referenda that have been filed so far. This will be updated!

### Arizona Legislation: Watch for...

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**ERA** – This will be BACK on the agenda with the possibility that passage of the ERA by Arizona could be the 35<sup>th</sup> state! This will not put the ERA into effect, but will trigger a legal challenge to the constitutionality of Congress' imposition of a time-line requirement. If the time limit is declared unconstitutional, then the ERA would have passed, finally. Why is it needed? Women DO need a constitutional legal protection, given the regressive movement in terms of women's rights, especially women's reproductive rights. It almost got through last year, so maybe 2020 is the year of the ERA!

**Public Schools Privatization Initiatives** – There are on-going national efforts to undermine public schools and replace with private schools that are funded mainly with public dollars. Arizona, unfortunately, is one of the national leaders in this effort. These privatization initiatives are funded by the Koch brothers and other free-market conservatives. There are two forms of privatization in Arizona:

- **ESAs.** The Arizona Legislature in 2017 passed legislation that would make all K-12 students eligible for ESAs whereby 90% of the money being received on their behalf by a neighborhood public school would be given instead (on a debit card) to the parents of the student who could then use it for tuition to a private school, for home schooling, and for some other educational expenses. This was voted down through a "citizen veto" referendum by a 60 to 40 margin! Watch for new efforts to incrementally expand ESAs. Currently, there are 9 eligibility categories: disabled students, student with parent who is blind, deaf or hard of hearing; students in schools with D or F ratings; siblings of students who have ESAs; ward of court; living on Indian Reservation; or has received ESA in the past. New categories almost surely will be thought of such as for all lower income students, all high achieving students, and so on.  
<https://www.azed.gov/esa/eligibility-requirements/>
- **STOs.** These are non profit organizations that collect donations from citizens (for a dollar-for-dollar tax credit) and then use 90% of the money to provide scholarships for students to attend private schools. Arizona actually provides a dollar-for-dollar tax credit for donations directly to public schools (district or charter), but the money can only be used for extracurricular activities, character education, and a few other specialized services. **There is a \$200 individual cap and \$400 filing jointly cap.** The Private School STOs include the "Original" one with a cap in 2018 of \$555 for individuals and \$1,110 filing jointly; and the "Switcher" credit for students switching from public to private schools with an additional credit of \$552 or \$1103 in 2018. **Thus, the maximum tax credit for private schools (joint filing) is \$2200 compared to \$400**

**for public schools.** Corporations can also donate and receive a dollar for dollar reduction in their taxes for “low income” students (Less than \$86K per year); cap was reduced from a 20% growth per year to 2% or inflation, whichever is lower. Federal government is considering a similar program!

**Other Education Legislation** – Last year saw the introduction of a host of “muzzle the teacher” bills introduced as “revenge” for the wide-spread teacher walkouts / strikes in 2018. Some of these may be reintroduced.

**Budget** - The economic forecasts are rosy, as Arizona may have an estimated \$694 million available next year but most of that is in one-time money (\$475) rather than recurring funds. Why the surplus? Because revenue estimates in 2019 session were underestimated (growth was 10.2% compared to a budgeted 7.8%). There will be multiple claims on the new on-going revenue (about \$191 million) and the one time funds.

**GLBTQ+** - With the court decision undermining the GLBTQ+ rights ordinance in Phoenix, efforts will be made to get sexual orientation and gender identity covered under the state’s anti-discrimination law. Gov. Ducey is already on record saying he opposes any expansion of the state anti-discrimination statutes. Current state law makes it illegal “to refuse to provide goods or services to anyone because of race, color, religion, sex, national origin or ancestry.” And a parallel law bars employment discrimination. There were three laws this past year to expand the list to add both sexual orientation and gender identity, the latter defined as “gender-related identity, appearance or mannerisms of an individual regardless of a person’s designated sex at birth.” None got a hearing, including one by Rep. Kate Brophy McGee of Phoenix even though she is a Republican.

**Abortion** – Arizona already has such stringent anti-abortion rules that the Center for Arizona Policy (a right wing religious group that pushes most anti-abortion legislation in Arizona) may not be able to think of anything else! Still, Arizona almost passed at the last minute last year a bill that would provide \$2.5 million for a pilot program for pregnant women that would be used to discourage abortion. These kinds of centers are being proposed around the country as a way to deny full information and abortion access to women.

**Economic Justice** – Efforts to expand Arizona’s AHCCCS (Medicaid) were all given overwhelming majority bipartisan support and then all four bills failed at the end. These will be back, as will a bill to let education count as “employment” for people transitioning off welfare. Arizona recently suspended plans to require about 120,000 people to work, volunteer, or go to school to receive Medicaid because courts in other states are turning these laws down, but chances are efforts will be made to reword legislation to require these restrictions on Medicare.

**Democracy / Voting** – Almost a dozen anti-democracy bills were killed in the last session and many of these will be back for another try including bills to make it harder to get signatures for initiatives / referenda, challenges to the authority of the Clean Elections Commission, and flexibility in using early voting. We’ll see if county recorders are able to identify and stop efforts to hack election rolls.

**Environment** – Arizona does almost nothing at the state level to encourage or assist in efforts to deal with climate change, and that probably will not change. Democrats will introduce bills but without Republican support, they won’t even get a hearing. Watch the Sierra Club site and Citizens Climate Lobby for ideas on how you can help.

**Dreamers** – A bill to provide in-state tuition to “Dreamers” had significant support last year but did not pass. Watch for it again!

**Initiatives & Referenda Collecting Signatures for the 2020 Election**

Here are some of the ones that could have an impact on social justice in Arizona if they gain enough signatures to be on the 2020 ballot and are passed. You can get updated information on these and others that will be filed later at the AZ Secretary of State site: <https://apps.arizona.vote/info/IRR/2020-general-election/18/0>

#### WHAT IS THE DIFFERENCE BETWEEN AN INITIATIVE AND A REFERENDUM?

- Initiatives are “initiated” by citizens! An initiative is the method by which voters may propose new laws or amend existing laws by gathering signatures from registered voters to place the issue on the ballot.
- A referendum is triggered by the Legislature when it (a) refers a bill to the voters to decide rather than just passing or killing it, or (b) when it passes a bill people do not like and citizens exercise a “citizen veto” which is to gather signatures to place the bill on the next general election ballot to be passed or vetoed by the voters. Laws passed with the emergency clause cannot be subjected to the citizen veto, nor can laws that fund state agencies, laws increasing state revenues through new or increased taxes, or acts of the Legislature that are not “legislative” in nature.

**Voters' Right to Know-** This is better known as “**Outlaw Dirty Money**” referendum led by former AG Terry Goddard. Constitutional amendment, *Due Date:* July 2, 2020 *Signatures Required:* 356,467 *Phone:* (602) 633-5146 [terry@outlawdirtymoney.com](mailto:terry@outlawdirtymoney.com) This amendment would insure the “right to know” the original sources of money spent to influence an election. Contributions of \$5,000 or more have to have the original source disclosed if the campaign for state-wide office is spending more than \$20,000 or for local office more than \$10,000.

[Application and Full Text](#)

**Democracy & Accountability Act - INITIATIVE** *Due Date:* July 2, 2020 *Signatures Required:* 237,645 *Sponsor:* Filer ID: 100097 *Name of Organization:* Arizonans for Accountability *Phone:* (602) 999-5299 [info@arizonademocracyact.com](mailto:info@arizonademocracyact.com) *Name of Officer and Title:* David Chavez, Applicant and Chair Daniel Lutz, Treasurer. *Overview:* "This Act creates a new conflict of interest law prohibiting members of the Legislature, from sponsoring or voting on matters in which they or their relatives have a direct and substantial financial interest. It also expands voting access and eases regulations on circular collectors thereby making it easier to pass citizen initiatives and referenda. <https://apps.arizona.vote/info/assets/18/0/BallotMeasures/I-21-2020.pdf>

**Stop Surprise Billing and Protect Patients Act** INITIATIVE *Due Date:* July 2, 2020 *Signatures Required:* 237,645 *Name of Organization:* Arizonans Fed Up with Failing Healthcare (Healthcare Rising AZ) *Phone:* (480) 588-6120 [james@thetorresfirm.com](mailto:james@thetorresfirm.com) *Name of Officer and Title:* Jenny David, Applicant and Chair Suzanne Jimenez, Treasurer. This Act prohibits insurers from discriminating based on preexisting conditions; bans out-of-network bills, and amends the surprise bill dispute process. Also sets new minimum wages for direct care workers at private hospitals by requiring raises of at least five percent for each of four years [Application and Full](#)

[Text](#)

**Protect Arizona Agriculture Act** INITIATIVE *Due Date:* July 2, 2020 *Signatures Required:* 237,645 *Name of Organization:* Organic Now *Address:* *Phone:* (520) 250-4656 [libertyeconomy.us@gmail.com](mailto:libertyeconomy.us@gmail.com) *Name of Officer and Title:* Nicolas R. Guillermo, Applicant and Chair Tracy Molina, Treasurer *Overview:* "This act is intended to limit agricultural chemicals that pollute.

[Application and Full Text](#)

**(Need to oppose this one). Economic Freedom Act** CONSTITUTIONAL Due Date: July 2, 2020  
**Signatures Required:** 356,476 **Sponsor:** Name of Organization: Arizonans for Financial Freedom (sponsored by National Credit Alliance) **Phone:** (602) 451-4292 [ashleymrangan@cox.net](mailto:ashleymrangan@cox.net) **Name of Officer and Title:** Nicholas Vullo, Applicant and Chair Ashley Ragan, Treasurer. Overview: "This amendment to the Arizona Constitution would prohibit the state and local governments from increasing, limiting, setting, or otherwise regulating the price of goods, services, loans and credit, or the method or timing of payment, in transactions between private parties. There are some exceptions.

[Application and Full Text](#)

**Ban Hydraulic Fracturing Within Arizona Act** INITIATIVE Due Date: July 2, 2020 Signatures Required: 237,645 **Sponsor:** Name of Organization: Representative Initiatives [libertyeconomy.us@gmail.com](mailto:libertyeconomy.us@gmail.com)  
**Name of Officer and Title:** Nicolas R. Guillermo, Applicant and Chair Tracy Molina, Treasurer Overview: This act would ban hydraulic fracturing. [Application and Full Text](#)

**Save Oak Flat Act** INITIATIVE Due Date: July 2, 2020 Signatures Required: 237,645 **Name of Organization:** Save Oak Flat **AddressPhone:** (520) 250-4656 [libertyeconomy.us@gmail.com](mailto:libertyeconomy.us@gmail.com) **Name of Officer and Title:** Nicolas R. Guillermo, Applicant and Chair Tracy Molina, Treasurer. This act would nullify that section of the federal legislation that let Oak Flat be traded for land elsewhere. [Application and Full Text](#)

**(Need to oppose this one). Arizona Classroom Code of Ethics** INITIATIVE Petition Serial Number: I-15-2020 July 2, 2020 Signatures Required: 237,645 **Sponsor:** **Name of Organization:** YES for a Classroom Code of Ethics **Phone:** (480) 318-2812 [yes@classroomcodeofethics.com](mailto:yes@classroomcodeofethics.com) **Name of Officer and Title:** Catherine A. Barrett, Applicant and Chair John Maynard, Treasurer Overview: This measure would severely restrict freedom of speech for teachers including provisions such as allowing teachers to discuss historical matters only if more than 50 years old.

[Application and Full Text](#)

**Arizona Fair Lending Act** July 2, 2020 Signatures Required: 237,645 **Sponsor** **Name of Organization:** Arizonans for Fair Lending (Our Voice Our Vote Arizona, LUCHA) **Address:** 1241 E Washington St, Suite 103 Phoenix, AZ 85034 **Phone:** (480) 588-6120 [james@thetorresfirm.com](mailto:james@thetorresfirm.com) **Name of Officer and Title:** Cymone Bolding, Applicant and Chair Lee Lang, Treasurer This would cap lending fees, interest, and other charges at an annual rate of 36%.

[Application and Full Text](#)

**Automatic Voter Registration Act** INITIATIVE Due Date: July 2, 2020 Signatures Required: 237,645  
**Name of Organization:** AZ-VOTERS. **Phone:** (480) 382-0456 [robinson@az-voters.com](mailto:robinson@az-voters.com) **Name of Officer and Title:** JULIE ROBINSON, Applicant and Chair EMILY KUBIAK, Treasurer overview: "automatic voter registration when applying for or renewing a driver license or nonoperating identification license, unless the applicant affirmatively opts out of the voter registration process"

[application and full text](#)

[Valley Unitarian Universalist Congregation](#) –

Senior Minister, Rev. Dr. Andy Burnette; Music Minister, Rev. Kellie Walker; Director of Faith Formation, Marci Beaudoin. Administrator, Sue Ringler. Located: 6400 W. Del Rio Drive, Chandler, AZ 480 899 4249 [www.vuu.org](http://www.vuu.org) For previous copies of the *Arizona Legislative Alert*, and for all weeks (so far) of the 50 Week Action Plan go to <https://www.vuu.org/legislative-advocacy>. VUU holds services at 10:30 to 11:30 on Sunday.

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