

The [VUU](#) / [UUJAZ](#) **Arizona Legislative Alert** - ***Week 16 of A 50 Week Plan***

From Opposition to Resistance

Shining a bright light for socially-just public policy in Arizona

All opinions are those of the author, Anne L. Schneider, PhD

February 10, 2017 Access printable PDF: <http://www.vuu.org/legislative-advocacy>

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Am I (are you) simply part of a mass public that attempts to influence legislation toward a more socially-just society? Or am I (are you) now part of a nation-wide resistance that is essential if we are to protect the integrity and sustainability of democratic institutions including separation of powers, rights of a free press, assembly, and trust that leaders are not lying to us or promoting false conspiracy theories? This is a continuum, but I am increasingly moving toward the latter. Are you?

What's Inside: [50 Week Action](#) [AZ Bills Action](#) [Request to speak calendar](#) [Congress Contacts](#)
[Bills Watch List](#)

Action Ideas for Week 16:

Protest Deportations – Help Puente Arizona in its advocacy work by visiting its web page, donating <https://www.facebook.com/puenteaz/> and then CALL the new U.S. Director of Homeland Security, John Kelly, at the comment line (which should be working as they say they are working on it and it will be up within the hour) 202 282 8495. Let's swamp the phone lines! If this is not working or already full, call 1-800-898 7180 or send a fax to 202 612 1976 or mail one of your POSTCARDS to Secretary John Kelly, U.S. Department of Homeland Security, Washington D.C., 20528. Why? Because DJT's deportation plan resulted in an incident here in Phoenix that was deplorable, mean-spirited, "terror in the night" type of action totally inappropriate for this country. We must not put up with it! Get on Puente's mailing list for updates.

Be a Friend to a Syrian Neighbor – A Week from Sunday, 10 to 12, February 19 Dayspring Methodist Church (1365 E. Elliot, Tempe) is sponsoring a Syrian bake day. This is the first one in Phoenix. Fifteen or more Syrian bakers will sell their treats, with all the proceeds going to the bakers, most of whom are Syrian refugees.

Stop empowerment expansion - The Arizona Legislature is undertaking an all-out effort to expand vouchers to all students, with complete disregard for the accountability issues and for the consequences vouchers have on free public education. Contact House Education committee (before Monday at 2) about HB2349. A Senate version has already passed. These

scholarship are part of a nation-wide effort to privatize public education, which just got more serious with the confirmation of Betsy DeVos as U.S. Secretary of Education. Empowerment scholarships enable a student to take the taxpayer money that would go to their neighborhood public school (district or charter) and use it to attend a private school, religious school, or to be home schooled! There is inadequate accountability on how the money is used. Although there currently is a cap on the number who can participate, that cap expires in a few years and pressure will build to eliminate the cap. This program is draining public school funds. Contact every member of the House Education Committee (by email or phone), and copy both of your own representatives. Here's the committee. Use "request to speak" if you have signed up for this program: <http://www.azleg.gov/> click on legislative information, then request to speak. Put in the bill # (HB2349). Register your "vote" and comment.

Paul Boyer. R LD20. pboyer@azleg.gov 602 926 4173.

Douglas Coleman. R. LD16 vice chairman. dcoleman@azleg.gov. 602. 926 3160.

Lela Alston. D. LD24. lalston@azleg.gov. 602 926 5829

Reginald Bolding. D. LD27. rbolding@azleg.gov. 602 926 3132

Macario Saldate. D. LD3. msaldate@azleg.gov. 601 926 4171

R Bowers R. LD25. rbowers@azleg.gov. 602 926 3128

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D Shooter R. LD13. dshooter@azleg.gov 602. 926 4838

David Stringer. R. LD1. dstringer@azleg.gov. 602 926 4838

M Udall. R. LD25. mudall@azleg.gov. 602. 926 4856

B Nutt R LD14. bnutt@azleg.gov. 602 926 48

Arizona Legislation Action List for Feb. 6 – 8. (These are bills on the agenda for action this week, Feb. 13-15 that some of you may want to be heard on. Thursday agendas have not been posted. There's more information on these bills in the "bills watch" section.

Who are your state legislators? <http://www.azredistricting.org/districtlocator>

How to contact them: [Senate roster](#) [House roster](#)

SB1367 – Abortion, "checking for life," ... use "every possible means..." live delivery definitions (HHS 2/15 @ 2)

SB1439 – end of life discrimination (HHS 2/15 @ 2)

SB1210 – Expands ability of Attorney General to investigate any political subdivision, not just cities/counties, to see if they are breaking a state or federal law. (2/15)

HB2394 – Empowerment Scholarships Full Expansion (2/13 House Education@2)

SB1431 - Empowerment scholarships (Rules 2/13 @ 1)

SB1122 – Guns – personal property transfers, limitations prohibited (Rules 2/13 @ 1)

HCR2022 – Article V Constitutional Convention , Balanced Budget (FPRPP 2/14 @ 2)

HCR2023 – Article V Constitutional Convention term limits (FPRPP 2/14 @ 2)

HCR2004 – Effort to repeal Clean Elections 2/15 (appropriations)

SB1421 – Immigration notaries / immigration advice (Commerce & Pub Safety 2/13 @ 2

HB2428 – Earned release time (prisoners). MVRA 2/13 @ 2

HB2444 – Sexual Assault Victims advocacy protection 2/15

HB2418 – Sales tax exemptions (Ways & Means 2/15 @ 10)

HB2433 – Tax deductions, veteran’s pensions (Ways & Means 2/15 @10)

HB2528 – Unused tax credits (Ways and Means 2/15 @ 10)

SB1110 – Tax deduction uniformed services pay (Commerce and Pub Safety 2/13 @ 2_

SB1430 – Tax credits (Finance 2/15@8)

SB1444 – Tax deductions, military retirement (Finance 2/15 @ 8)

Request to Speak – If you are signed up for “request to speak” you can make your voice heard (by leaving a comment, you don’t have to actually “speak”) on any bill that is on the agenda for the coming week!! If you are signed up, here’s the [link](https://apps.azleg.gov/Account/SignOn?ReturnUrl=%2fRequestToSpeak) <https://apps.azleg.gov/Account/SignOn?ReturnUrl=%2fRequestToSpeak>. If you are not, then make a trip to 1700 W. Washington St. in Phoenix and sign up or in Tucson, go to 400 W. Congress street, suite 201 where you can sign up. It is worth the effort.

Once you are signed up, here is how to use it: First, get the bill number for which you wish to register a comment (it must be on a committee agenda); log into <http://www.azleg.gov/> click on Legislative information / request to speak. Then enter your RTS email and password. Once in, click on “new request.” Enter your bill # (you don’t need any of the other information). Then click on “add request.” Then it should open up to a screen asking for your opinion, asking whether you actually want to speak, and giving you a place to leave your comment. The committee does check this on-line information and usually they report the number signing on, the number pro and con, and how many want to speak.

Calendar

Feb. 12th Planning / Training for UU Day at the Legislature, 12:30 at Unitarian Universalist Church of Phoenix 4027 E. Lincoln Drive in Paradise Valley. The planning will be led by Emrys Staton, Justice coordinator. All are welcome to attend. The Center for Neighborhood Leadership will also be involved.

Watch for possible national days of protest on Friday, Feb. 17 and/or Mon. Feb. 20.

**Feb. 20. UU Day at the Legislature (9:30 to 3, State Capitol 1700 W. Washington).
Registration is open! Register at <http://www.uujaz.org>**

March 31 – April 2. UU District Assembly (Southwest) will be in Arizona this year and features 18 Immersion Excursions near or across the border in Mexico. Check it out here: [and register now: http://justiceda2017.weebly.com/registration.html](http://justiceda2017.weebly.com/registration.html), [Four southern Arizona congregations are hosts in three cities: Tucson, Amado, and Sierra Vista.](#)

For previous issues of the AZ Legislative Alert, and printable versions of this issue, go to <http://www.legislative-advocacy> .

CONTACT INFORMATION: U.S. CONGRESS. These phone and e-mails should work but they may all be full! You can always write a postcard or letter. If the Washington phone messages are full, call the local office. The e-mail links go to the forms they want filled out, but the direct e-mails are being turned down. Also, [202-225-3121](tel:202-225-3121) is a direct line to the U.S. Capitol. You just give them your zip code and they'll tell you who your representatives and senators are and connect you to whichever office your request. [Senate mailing addresses](#) [House mailing addresses](#)

Washington D.C. [Sen. John McCain](#) - 202 224 2235 [Sen. Jeff Flake](#) - 202 224 4521
Arizona Office - **Senator Flake - AZ Office: [\(602\)-840-1891](tel:602-840-1891) Senator McCain - AZ Office: [\(602\) 952-2410](tel:602-952-2410)**

E-Mail: McCain <https://www.mccain.senate.gov/public/index.cfm/contact-form>

E-Mail: Flake <https://www.flake.senate.gov/public/index.cfm/contact-jeff>

Web Sites: Flake – www.flake.senate.gov McCain – www.mccain.senate.gov

E-Mail: U.S. Representative (format) <https://lastname.house.gov/>

[Alternative: When you dial 202-224-3121 you are directed to an operator at the Capitol switchboard. This switchboard can direct you to both senators as well as representatives.

**Find contact information... U.S. Representatives:
WhoIsMyRepresentative.com**

Bills on the Watch List

[These links may or may not work in your browser. Categories are in alphabetical order].

[Crime](#) [democracy/voting](#) [economic justice](#) [education](#) [environment](#) [rights/glbtc/women](#)
[guns](#) [immigration](#) [taxation](#) [texting driving](#)

Priorities this week are too numerous to mention! The status of each bill is noted at the end of the brief description. Almost 1200 bills have been filed so far. The list below includes many that bear watching and that have some chance of being heard and progressing through the process. (That is, they have implications for social justice and have been assigned to a committee). This list is NOT comprehensive, however. More information on bills including actual text can be found at <http://www.azleg.gov/>. Click on "bill tracking" and enter the bill number. At this link, you can see all committees' upcoming agendas! If you are signed up for "request to speak," you can find a more convenient list of what's coming up the next week under calendar, active bills.

Crime / Criminal Justice

- [HB2444 – Sexual Assault victim advocate confidentiality. \(Syms\). This bill provides some confidentiality protection for advocates of sexual assault victims. \(2/15\)](#)
- Private Prisons - Several bills have been introduced by Rep. Andrade (D, LD 29) that would place limits on private prisons and one that would launch a study committee on costs and effectiveness of private prisons (HB 2101, 2102 and 2103). The first two are assigned to the Military, Veteran's and Regulatory Affairs committee and the third only to the Rules committee. Nothing happening on these.
- Flag Burning - The Senate passed (16-14) the "flag felony" bill introduced by Sen. Kavanagh (R, LD 23) that would make it a felony instead of a misdemeanor to steal an American Flag (SB1009). No action (that's good).
- Hate Crimes – Sen. Kavanagh also has introduced legislation that would add "political affiliation" to the list of characteristics that can be charged as a hate crime (SB1022). This bill has been assigned to the Judiciary and the Commerce and Public Safety committees, but it has not been heard.
- Reducing Prison Time - Sen. Burges (R, LD 22) has filed bills that would reduce prison population (by providing for graduated sanctions for parole violations (SB1067), and allow prisoners to earn more "good time" toward release (SB1068). Both are assigned to the Judiciary committee but each has been held instead of heard.
- **Provisional Licenses - HB2290 (Rivero) would permit some prisoners to get provisional licenses if they were not eligible for regular licenses, as would SB1071 (Burgess). **Rivero's bill passed the Military and Public Safety committee, 8-1. Rules is next.**

- Vacating Convictions Sexual Trafficking Victims – Two bills have been introduced, HB2238 and HB2125 that would vacate nondangerous convictions of persons who were victims of sexual trafficking (e.g. prostitution conviction). HB2238 is a very long complex bill of Rep. Farnsworth and the second, by Rep. Coleman, simply vacates the nondangerous convictions of persons who are victims of sex trafficking. HB2238 has been on the agenda in the Judiciary committee for two weeks but was held each time.
- Juvenile Justice Study Commission – SB1119 (Sen. Farley (LD9) has introduced legislation that would establish a juvenile justice study commission. It is assigned to the Commerce and Public Safety committee but has not been heard.
- Earned Release Time - SB1171 (S. Allen) would increase the earned release time. This is assigned to the Judiciary committee, but no action so far.

Democracy / Voting

This topic has been divided into five subtopics because the AZ Legislature seems intent on making democracy more difficult by making it harder to vote, more complicated to get citizen initiatives on the ballot, new threats to the public funding of elections (Clean Elections) and pushing again for an Article V. Convention.

Voting –

- **HB2348 – automatic voter registration.** An effort is underway to get this heard by a committee. Contact committee chair Doug Coleman, a moderate Republican, get it called up for a vote. Sponsor is Ken Clark. Coleman’s phone 602 926 3160... email is dcoleman@azleg.gov. (Put in your browser, may not work as a link). This would provide for automatic voter registration and permit a person to “opt out” of registering. Current law provides that a person has to “opt in” to be registered to vote.
- **HB2260 – (Thorpe, Flagstaff).** This bill says that students can’t claim a dormitory as a permanent residence so unless they live in an apartment or off campus or list their parents address, they can’t vote even if they have been a life-long resident. Not on a committee agenda yet.

Initiative / Referenda Process).

- **Four measures were passed Thursday on a 5-3 party line vote that weaken the ability of citizens to get an initiative on the ballot or to protect it once it has passed. These all passed 5-3:**
 - **Hb2320 – requires a proposition 105 disclaimer on the ballot.** Proposition 105 is the “voter protection act” that passed in 1998 which prevents the legislature from simply overturning the results of the election. The “warning” tells voters that if this passes, the legislature cannot change it without a $\frac{3}{4}$ vote and any changes have to be furthering the same cause as the initiative. The intent is to discourage passage of the proposal. Passed 5-3.
 - **HCR2002 – This resolution would go to the voters on the Nov. 2018 ballot a proposal to repeal the voter protection act of 1998.** The VPA is the act that protects the legislation

passed by citizens. A Legislature has to have a ¾ vote to change the initiative and the change has to be consistent with the intent of the initiative. Thus, changes can be undertaken as “fix-ups” to make a proposal work better, but cannot be used to undo it. Passed 5-3.

- HCR2007 – This is also a resolution that would go to the voters to repeal the Voter Protection Act, but only the citizen initiatives. It would not repeal initiatives referred to the ballot by the Legislature itself. Passed 5-3.
- Hb2255 – Thorpe – prohibits nonresidents from making contributions to a ballot initiative and corporations that do so have to be registered in Arizona. The intent is to keep out-of-state money from influencing the election. Passed 5-3. The irony here is that Republicans were willing to keep money out of the initiative process, but not out of their own elections! The passage of the minimum wage initiative in 2016 was helped by out of state funding.
- HB2054 – This bill provides that foreign corporations have to be registered in az to participate or donate to an initiative process.
- HB2404 - This bill (sponsored by Leach) has now been assigned to the House Governance committee, which meets Thursday at 9:30 and the agenda for the Thursday 2/16 has not yet been posted. HB2404 is a highly restrictive bill intended to make it even more difficult for citizens to get an issue on the ballot. Previous Legislatures have shortened the time period for collecting signatures, increased oversight of signature-gatherers, increased the percentage of signatures needed, and in other ways restricted the use of the citizen initiative process. This bill would severely hamper the ability of organizations to hire people to collect signatures, make it difficult to recruit them, and prohibit paying them on a per signature basis. Committee agendas can be found at <http://www.azleg.gov> click on calendars / active bills.

Clean Elections

- HCR2004 – (Leach, LD 11). This is a proposal to eliminate the clean elections commission entirely by taking its source of funds and shifting those to education! It was held by the appropriations committee Wednesday, but is on the agenda this coming week again Wed. 2/15.
- HB2403 – (Coleman). Candidates running as clean election candidates with public money cannot give it to a political party.

Electoral College Reform

- HB2277 – national popular vote. This is an interesting idea that would prevent the person who loses the national popular vote from winning the presidency, as happened in 2016 and in 2000. The winner take all system in the electoral college violates two principles of democracy. Most of us would agree that whoever wins the most votes should win the election; or if multiple candidates, then with runoffs or ranked voting should be used. The candidate who is preferred by more people should win and a candidate who does not come in first in the vote should lose. All elections that we are familiar with throughout our life, except for the U.S. President, works this way. The second principle is that everyone’s vote should count. In winner take all elections, the votes cast by minorities don’t count at all. HB2277 would have AZ join a state compact in which the states agree that their electors will vote for the national popular vote winner instead

of the candidate that won their state. The compact would go into effect when enough states participate to guarantee the national popular vote candidate 270 votes. So far, 11 states with 165 electoral votes have joined the compact. Last year in Arizona, there were enough co-sponsors to pass this bill. And J. D. Mesnard, current speaker of the House, was a prime sponsor! This year, the bill is not going anywhere at all.

- Hb2302 would bind electors to the state winner and it would be a class 3 felony if they deviated. Bill passed 6-3, so Rules is next. A class 3 felony convictions can result in 3.5 years in prison and a \$150,000 fine! This bill was prompted by the realization in 2016 that electors faced only minor fines (misdemeanor) if they were a “faithless” elector and voted for someone other than the presidential candidate who carried their state.

Article V Conventions

You can find an issue paper explaining an “Article V” convention at <http://www.vuu.org/legislative-advocacy>. Most progressives and some conservatives are adamantly opposed to these “Article V” conventions on the grounds that there is no control of them once they have been convened. The constitution provides Article V as an alternative way to amend the U.S. constitution. Article V provides that if 3/5 of the states apply to Congress to call a constitutional convention, then Congress is obligated to do so. The requests from the states have to specify what the convention is to consider. At such a convention, each state would have one vote (no matter how large its delegation). States that have passed these bills have mainly urged a convention to be called to require a balanced budget, but the language differs and most scholars say that the states have to use exactly the same language in their request before Congress is obligated to call for the convention. This year four bills already considered have advanced. Gov. Ducey’s position on this is not known, but this looks like a freight train headed downhill.

- HCR 2010 – Article V Convention (Townsend’s (R, LD16) proposal limits the convention “...to proposing amendments to the Constitution of the United States that impose fiscal restraints on the federal government, limit the power and jurisdiction of the federal government and limit the terms of office for federal officials and for members of Congress but to not less than 12 years.” **Passed 6-3.**
- HCR2013 Article V Convention (Mesnard, (R, LD17). This one calls ONLY for a balanced budget. **Passed 6-3.**
- HB 2226 Article V Convention (Mesnard) also calls for Congress to request an Article V convention to balance the budget. This would not go to the public for a vote. **Passed 6-3.**
- **HCR2006 (passed 6-3 FPRPP Tuesday); is the most extensive and extreme of the three.** This one has a long list of purposes for the convention including balancing the federal budget, capping federal spending at 17.5% of GDP, capping federal taxes at 15% of income; instituting term limits; repealing the 17th amendment and having U.S. Senators elected by state legislators. It also requires photo ID for voting and prohibits anyone but the voter from delivering a ballot unless a certified letter says the third party did not influence the vote.
- SCR1024 (not heard Tuesday Sen. Appropriations committee); SCR1024 (Kavanaugh) is limited to fiscal restraint and term limits.

- **Commandeering – The House passed (38-22) Rep. Thorpe’s bill (HB2097) that prohibits “commandeering” unless the Legislature has authorized it.** Commandeering refers to a situation where the federal government requires a state to use the state’s own resources under the control of the federal government to enforce a law. These bills (Arizona and nationwide) generally have been intended to keep local government from cooperating with former President Obama’s executive orders or bills passed by liberal-leaning congresses. Case law generally prohibits commandeering in implementing a Presidential executive order. With Trump as President, however, the legislature may want the federal government to be able to “commandeer” local authorities who are reluctant to cooperate with Homeland Security on immigration matters. Hence, the ability to make an exception and authorize the federal agency to direct the activities of local or state employees could be a defense if commandeering were challenged in the courts.

Economic Justice

- Hb2426 - The Community Health Worker Voluntary Certification. Prime sponsor is Fernandez (LD4). This bill would provide certification for community health workers and is supported by the AZCHOW coalition in the hopes that it would improve salaries for community health workers. The bill has been assigned to the Health committee (Heather Carter, LD15) is the chair. She is the one to contact to urge the committee to hold a hearing on the bill (hcarter@azleg.gov 602 926 5503).
- **SNAP – (food stamps) HB2372 passed the House Health committee 9-0 and was given unanimous (13-0) support from the Appropriations committee. This bill allows a needy family to stay on the program for an additional 12 months if conditions are met. Agencies must waive fee for families with incomes below 200% of the federal poverty level. (Weninger, R, LD17 is sponsor).**
- Several bills have been introduced that will reverse the decision in 2015 whereby persons were limited to one year (lifetime) of support from Temporary Assistance for Needy Families (TANF) and the Governor has said he is supportive (HB2183 and Hb2266). Neither has been heard yet in the Health committee. Another aid to low income folks is HB2021, scheduled by the Health committee, but held. Current law requires a person to be working 20 hours a week to be eligible for child care assistance; and HB 2021 adds education (seeking h.s. or college degree) to the requirement so that those in school also are eligible. SB1097 would add organizations seeking to end “family homelessness” to those eligible for funds from the lottery. This is assigned to the Appropriations committee, but no action so far.
- **SB1108 - Good news! Bill to support passed committee 7-0. Rules committee okayed it as PFC. SB1108 expands eligibility for the children’s cash assistance program to those living with an unrelated adult who are in DCS care, or in custody of tribal courts. This is a small change, but it helps.**

- **Minimum wages** – Legislators continue to look for ways around the increase in minimum wage and sick leave benefits passed by the people in November. Rep. Thorpe’s HB2124 allows less than state minimum wage (but meeting the federal wage) for up to 12 months when a person is in a training or apprenticeship program. This is in the Commerce committee, but no action so far.
- **Health** – SB1030 would require AHCCCS to cover occupational therapy. **Introduced by Barto (R, LD 15), this bill passed the Senate HHS committee 6-1 and the Senate Appropriations committee 8-1. Rules is next**

Education

Empowerment Scholarships – Vouchers. Supporters of public education need to double-down on efforts to stop the empowerment scholarship expansions. As explained above as one of the action items for this week, it appears that the Legislature is fast-tracking these and the days available to stop the effort are limited. The Senate bill 1431 and the House bill 2394 both would expand these vouchers over a four year period to all Arizona children. Currently, there is a cap that limits the number, but the cap expires in 2019 and once it expires, there could be a significant exodus from public schools, and the students would take the money with them into a debit card that they can then use to attend a private or religious school or be home schooled, or used for some other purposes. They can even put the money into an education saving account and use it to go to college. Opponents believe this would wreck the public school system. The advantages mainly go to middle and upper middle class families, since the vouchers are not enough to actually pay the full price of private or religious schools! And, the ability to save the money or collect it and then home school the children, leaves the entire program with little accountability. There is unified Democratic opposition and some Republican opposition as, for example, Kate Brophy McGee voted against it in the Senate resulting in a 4-3 vote. The House version is being heard Monday (see action suggestions, above). Also, be prepared to contact your House and Senate representatives to urge that these bills not go forward. Here are some talking points, suggested by the ASBA.

- Empowerment Scholarship Accounts divert more general fund revenue per student to private schools than district schools receive.
- On average, an ESA student costs the state general fund \$1,083 **more** in grades K-8, and \$1,286 **more** in grades 9-12 than a district student. This is because an ESA student receives no support from the local property taxpayer, like district students do.
- An ESA student receives charter additional assistance funding of roughly \$1,200 per student, which district schools do not receive.
- Universal ESAs are an entitlement program with a completely unknown cost. The general fund cannot sustain a large ESA population without hurting not only education, but also public safety and other essential services. The conservative Arizona Legislature would never entertain this idea for any other interest group.

- ESAs send the message that students are worth more to the state if they choose to leave public school than if they choose to stay.

An excellent wrap-up of education bills can be found on the ASBA ([Arizona School Board Association](http://azsba.org/advocacy/positions/#lola-web-report)) web site. <http://azsba.org/advocacy/positions/#lola-web-report>

- Expanding Empowerment Scholarships for neurological disorders. - SB1409 (Montenegro) would expand to include persons with certain neurological disorders
- Expanding Empowerment Scholarships to age 22 - SB1281 (Smith) would permit any student who has an empowerment scholarship to stay on it until they graduate or reach the age of 22. This bill also expands the ways the money can be used including deposits into an educational savings account. It passed the Senate Education committee 4-3 and the Rules committee. Opponents focus on the lack of oversight, and the fact that home schooled children could simply continue to receive funds until age 22 even if their schooling is finished.

Dozens of others education bills have been introduced! Here are a few highlights.

- School Desegregation Funding – SB1174 passed the appropriations committee 6-4. This bill requires that desegregation funding be voter approved, beginning in 2020. Current law has a higher revenue control limit for schools that previously were under a desegregation order. The change would require the schools to have this limit approved by the voters. Rules has passed it, too. Contact your Senator, it could be called up at any time for a floor vote!
- **Banning Ethnic Studies / Social Justice Advocacy** – HB2120 (Thorpe) would prohibit the teaching of ethnic studies as well as courses that advocate for social justice for persons of a specific race, gender, sexual orientation, etc. (Really!). However, Rep. Boyer, chair of the House Education committee has already said he will not call this bill up for consideration so it may be dead for this year.
- **Student Tuition Organizations** – Rep. Friese (D, LD9) has introduced several bills to restrict and reform the use of funds by STOs (HB2057 to HB2063) including freezing the cap or calibrating it to economic growth (the cap currently increases by 20% per year). STOs take tax credit money and award it as scholarships to students to attend private and religious schools. His bills also prohibit donor recommendations from being even one consideration in the award of scholarships. These have all been assigned to the House Ways and Means committee, but not heard.
- **School Tax Credits** – **HB2218 passed the House 39-20 and has been transmitted to the Senate. It passed the House Education committee 10-1 and Rules 9-0.** It would permit schools to use the current tax credit for acquisition of capital items, thereby increasing their flexibility on use of these funds. This does not increase the tax credit (sponsor is Norgaard, LD18). ASBA supports this bill.
- **Prior Year Funding** – **HB2126 (Coleman)** provides a way to adjust funding to incorporate prior year attendance. The Legislature in 2016 changed the funding formula from prior

year to current year, and this bill is intended to help undo the problems with current year funding (such as not knowing how many teachers can be hired)! This is in the Education committee, but not heard yet.

- **School Bond Elections – HB2017 (Leach) passed through House third read, by a narrow vote of 31-29. This bill requires publicity pamphlets to include the estimated total cost of a bond at the maximum interest rate and the estimated interest rate based on current market conditions. ASBA opposes. It has not been heard by the Senate yet.**
- **Requiring daily recess - [HB2082](#) passed the Education committee 11-0. This bill requires short recesses!**
- **Ballot language - [HB2083](#) would change the ballot language from saying “budget increase” to saying “locally controlled budget. Was on agenda for education committee but was held.**

Environment

An excellent summary of Sierra club’s endorsement or opposition to legislation can be found at this [link](#).

- **HB2022** – This bill passed the House 35-25. It enables people to use rat/snake shot to shoot rats and snakes. In addition to safety issues, this bill raises the ire of outdoor lovers who believe that people should learn to respect snakes, not shoot them!
- **SB1032** - requires the Arizona Corporation Commission to include hydropower in the definition of renewable energy. The Sierra club says this has “both constitutional and common sense problems.” Passed 6-2. Rules is next.

GLBT Rights / Women’s Rights

HB1367 - reporting live births is actually an anti-abortion bill. It requires that physicians search for signs of life during an abortion procedure and re-iterates that “all available means and medical skills be used to promote, preserve, and maintain the life of a fetus or embryo.” Assigned to HHS, but not heard yet.

None of these bills is moving:

- HB2294 (Kern, R, 20) prohibits AHCCCS from covering gender reassignment surgery.
- HB2293 (Kern, R, 20) prohibits prisoners from having gender reassignment surgery.
- SB1320 would add gender identity, sexual orientation, and veteran status to the housing anti-discrimination statute. (Hobbs, LD24)
- HB2364 – Anti discrimination in housing, employment, and public accommodations (Rios, LD27).
- HB1382 also would add gender identity, sexual orientation, and veteran status to the employment anti-discrimination law.

- SB1297 (Farley LD9) changes the language in the adoption statutes from “man and wife” to “married couple” and also removes the preference for married people over single people.
- SB1225 (Quezada LD29) removes restrictions on school instruction pertaining to homosexuality and AIDS information.

Guns

Two bills designed to weaken “Shannon’s law” – the law that prohibits shooting a gun up in the air in the city limits and holds people liable for it – are making their way through the Legislature. Shannon’s law was passed after a young girl was killed when hit by a stray bullet falling out of the air.

- **SB1159 Celebratory shooting / Shannon’s law. This bill by Borelli removes civil liability from a person who fires a weapon in an area that is not labelled “gun free” even if the shot injures someone. The bill enables shooting in the air if there is no intent to harm, thereby overturning the law resulting from the death of a youngster playing in her backyard as a result of someone shooting a gun into the air. Passed 4-3.**
- **HB2287 – Celebratory shooting / Shannon’s law. Rivero’s bill reduces from to ¼ mile (from one mile) of a structure where shooting can be allowed. It passed the House 32-26.**
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- SB1243 – Guns in Public Buildings. This bill (Kavanagh LD 23) passed out of committee on a 4-3 vote and also passed Rules. It requires operators of public establishments (including businesses, but excluding universities, courtrooms, high schools) to permit all persons with gun permits to carry their firearms inside unless the facility has security guards and metal detectors.
- State compact - Rep. Thorpe has introduced HB2118 that would have Arizona joining a state compact that could not enact any law that burden the transfer of firearms. No action on this, yet.
- HB2117 defines the state militia not as all citizens but only those who own firearms and then reiterates that their rights cannot be infringed. This passed the FPRPP committee 6-0 and has not yet been heard by the Rules committee.
- **Transfer of Guns - Sen. Griffin (R, LD14) has a bill that would prohibit local government from requiring anyone to search a national data base in order to transfer personal property (SB1122). Passed Sen. Gov. committee 4-3.**
- Transfer of Guns - HB2216 has passed the House, 34-25. It also would prohibit local government from requirements regarding search of national data base before transferring guns among private owners. This passed its committee 6-3 and rules 9-0.
- Mental Illness - On the other side, Rep. Friese’s (D, LD9) HB2149 would keep guns out of the hands of mentally ill persons. No action.

Immigration

- **SB1468 – refugee resettlement / charity fines.** This bill would suspend the state's Refugee Resettlement program and fine any agency that continues to engage in resettlement activities \$1000 per day per refugee assisted. Similarly, should a refugee commit a crime, the resettlement agency would become responsible and would owe the state for any damages caused by the crime committed. **SB 1468 has not yet been assigned to committee.**
- **[HB2086](#) Prohibiting Municipal IDs** – This passed the House Federalism, Property Rights, and Public Policy Committee 6-2; and Rules 5-3. The bill could be called up any time. **Contact YOUR Representatives and urge them to stop this bill.** It would prohibit local governments from issuing ID cards, on the grounds that these can be confused with official IDs. People who are not official residents in Arizona NEED these ID cards for all kinds of things – library card, cashing a check, using a credit card, etc.
- **Immigrant Sentencing Enhancement [SB1279](#) – Special Sentencing Provisions.** This bill, Steve Smith is sponsor, enhances punishments for any person who is here illegally. It declares that persons in the country illegally are not eligible for suspended sentences, probation, early release, or even minimum sentences. This creates two systems of justice – and is probably unconstitutional. Passed 5-3, Rules okayed it, PFC.
- **Commandeering – This has already passed the House, and efforts need to be made now to stop it in the Senate when it comes up there.** Commandeering refers to a situation where the federal government requires a state to use the state's own resources under the control of the federal government to enforce a law. Rep. Thorpe's bill (HB2097) prohibits this practice, but allows it if the legislature has passed legislation permitting or requiring it. This passed the Federalism committee 9-0 also passed Rules 7-3. **President Trump is reviving the federal/local cooperation agreements that permit local authorities to help enforce federal anti-immigrant laws.** There is some irony here, as these bills (Arizona and nationwide) generally have been intended to keep local government from cooperating with former President Obama's executive orders or bills passed by liberal-leaning congresses. Case law generally prohibits commandeering in implementing a Presidential executive order. With Trump as President, however, the legislature may want the federal government to be able to "commandeer" local authorities if they are reluctant to cooperate with Homeland Security on immigration matters. Hence, the ability to make an exception and authorize the federal agency to direct the activities of local or state employees could be a defense if commandeering were challenged in the courts.

- **In State Tuition for Dreamers** – HB2119 permits the state treasurer to withhold 10% of state money to higher education if the Attorney General determines they have violated state law. Reportedly, this bill is intended to stop higher education from providing in state tuition to “dreamers.” No action so far.
- **Deportation / Sanctuary Cities HB2121 (Thorpe)** - This bill passed committee 6-2. It prohibits local government from refusing to cooperate with federal immigration officials (ICE) and requires cities and counties to share data, provide information, etc. Implications of the bill if passed include local governments losing up to 10% of the money from the state (this money includes their sales tax which goes through the state treasury). Also, punishes local government for being a sanctuary city or for having churches or others as sanctuaries. And, if there are deportation orders, local government would be obligated to assist in locating the persons. This permits “commandeering” since it is approved by the Legislature (see SB2097, above). Next stop is rules committee.
- **Driving Without a License** – HB2305 would make it a misdemeanor to drive without a proper driver’s license or other appropriate ID (such as a passport). This makes it a misdemeanor instead of a traffic ticket, and for undocumented persons, may increase the risk of deportation. Passed 5-3, held in Rules committee.
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Taxation

- Tax credits and reductions – Most of the bills so far either expand tax credits or provide tax breaks of some kind. Many will be heard this week in the Ways and Means Committee (see the action list, above). HB2006 and HB 2028 would cut property tax for elderly persons in half, but has not been heard. HB2014 has passed Rules and Ways and Means. It exempts legal tender exchanges (e.g., gold, silver) from sales tax. HB2137 passed Ways and Means 5-4. It grants a tax credit for medical preceptor training. HB2144 prohibits collecting sales tax by producer unless they are in same tax jurisdiction as purchaser (not heard yet). There are other bills intended to limit tax credits or repeal them such as HB2038 by Cardenes, D. that passed 6-3! In 2016, such bills did not get a committee hearing. SB1110 expands the “tax subtraction” already available for armed services pay to “uniformed services” pay. This passed 6-3.
- **HCR 2011 - Motor Vehicle fuel taxes (Campbell) would increase the tax on gasoline to 28cents (from 18 cents). This is a huge increase. It was held in the House Transportation committee last week.**
- **SB1152 Bad Debt Deductions – (Lesko) permits retailers to deduct bad debts from their sales tax. It passed the Sen. Finance committee 7-0.**

- Sunset Review of tax expenditures - SB1144 passed 7-0 (Farley sponsors). It would require the same review of tax expenditures as currently required for tax credits and also puts an 8 year sunset date on new tax expenditures! Rules okayed it.
- Public Bank – SB1265 would establish a task force to study the idea of having a state owned bank to hold public funds, with the interest accruing to be used for public purposes. Dellasandro is prime sponsor. Assigned to the Finance committee. David C. Farnsworth (R, LD16) is the chair. A note to him to give this a hearing would help promote this financial reform: dfarnsworth@azleg.gov or 602 926 3020.

Transportation

- **Texting While Driving** – Sen. Farley has introduced several bills to curb texting while driving, and has been introducing these since 2007! He thinks there is a good chance to get something done this year, since the key opponent is no longer in the Legislature! (Read his report [here](#)). Others, too, have introduced bills and one of these, SB1080 passed the Transportation committee Tuesday 6-1 (Fann, LD1) and passed Rules. This bill is quite limited and prohibits texting only by newly licensed drivers. SB1049 (Kavanagh) would prohibit texting for everyone but does not ban reading Facebook or texts or emails, nor sending pictures! (No action on it) SB1087 (Farley) is the one he thinks is best as it is a statewide ban on all forms of use except emergencies. (No action yet). He also has introduced bills that enhance sentences if a person is involved in an accident (SB1135, 1086, 1088). These are in the transportation committee, but not heard yet.
- **Vulnerable Users of Right of Way** – Sen. Farley has introduced SB 1085 that would protect vulnerable users (bicyclists, pedestrians, stalled vehicles, law enforcement) who are on a public right of way from cars approaching too close. Judiciary committee, no action yet).

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Sometimes it is important just to elect more progressive people! Take a look at the [Arizona List](#).

Want to be better acquainted with Unitarian Universalism and its advocacy programs, check out [UUJAZ!](#)

The Arizona Legislative Alert is a project of the Valley Unitarian Universalist Congregation (Chandler) and UUJAZ (Unitarian Universalist Justice Arizona Network). Anne L. Schneider, Ph.D., is a retired political science professor and former Dean of the College of Public Programs at Arizona State University.

Contact legislativeadvocacy@vuu.org to join or resign from the AZ Legislative Alert.

[Valley Unitarian Universalist Congregation](#) –

Senior Minister, Rev. Andy Burnette; Visiting Minister, Rev. Earl Holt (September through mid-November); Music Minister, Rev. Kellie Walker; Director of Life-Span Religious Education, 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 each Sunday at 10:30. You are welcome here!
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