



# Arizona Senate

## Highlights of the 53rd Legislature



2017



Prepared by  
Senate Majority Staff

# Senate Republicans

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**Creating Opportunities and Prosperity for Arizona**

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# BUDGET

As lawmakers worked through the legislative session taking care of state programs and formula funding in the budget, they still had a small amount of money to spend. This was due to conservative budgeting over the past few years and ending last year with a structural balance. As Republican legislators and the Governor discussed priorities for the 2018 budget, it quickly became apparent that K-12 education would be the main focus of any additional State spending.

## K-12 Education

Republicans maintained the trend of injecting new dollars into Arizona's K-12 public schools. Arizona public schools will receive more than **\$350 million** in additional dollars for Fiscal Year 2018. Because of careful budgeting and pro-growth policies, the Legislature was able to provide additional resources for K-12 education.

- The budget includes **\$79.5 million** for inflationary increases.
- Another **\$84.1 million** was added for enrollment growth.
- The FY 18 budget provides **\$21 million** for special needs and charter schools.
- The Legislature respects and values the hard work of the teachers in our classrooms. Although it is the main responsibility of the locally elected school district governing boards, Republican Leadership stepped up to give teachers an additional 2% pay raise over two years, totaling **\$68 million** for Fiscal Years 2018 and 2019. These dollars are on top of the inflationary and Classroom Site Fund money schools receive.
- Arizona has some of the nation's highest performing schools in the country. We rewarded that performance, allowing them to expand and give more opportunities to more students. The budget provided **\$37.6 million** in ongoing formula funding for schools that achieve exceptional student outcomes and gives a greater award to lower-income schools.
- The FY 18 budget also emphasizes early literacy. Schools will receive **\$8 million** for this initiative in 2018 and **\$12 million** more in 2019.
- The Legislature committed an additional **\$17.2 million** to support school repairs and maintain safe and adequate buildings.
- New building construction is also included. Nearly **\$63 million** will be used for new construction projects. An additional **\$38 million** is set aside for 2019 new construction.
- Rural schools will also benefit from an additional **\$2.6 million** in funding, as well as another **\$3 million** from the "broadband for education" initiative.
- The Arizona Department of Education will also receive **\$7.3 million** in information technology (IT) funding.

## Higher Education and Universities

Republicans continued their support for education by making a significant investment in our Universities. The plan for capital infrastructure for Universities was not only significant by investing **\$27 million annually for 25 years**, but also responsible with adequate oversight and accountability to ensure that taxpayers and policymakers know how those resources are being spent. The plan requires:

- Approval of all projects financed through this plan from the Joint Committee on Capital Review. This will establish a process of oversight and accountability to ensure that projects do not proceed without adequate planning and justification.
- Appropriations apply to the 8% debt limit of the Universities, preventing exploding, irresponsible accumulation of debt.
- Resources from these appropriations only be used toward financing capital projects and not used toward increasing ongoing operating costs.
- Universities not supplant any currently-planned projects, which means that these resources will have to go to new investments to stimulate growth.
- Reforms on how the State receives return on investments from royalties earned by projects sponsored by Universities through these capital projects.

The budget also includes **\$15 million** in additional funding for the three State Universities. Of that \$15 million, **\$1 million** is dedicated to the School of Civic and Economic Thought at Arizona State University and **\$1 million** goes to the Center for the Philosophy of Freedom at the University of Arizona.

Republican leadership recognizes the rising cost of tuition and the increased burden placed on families. As part of the budget and in creating more transparency, our Universities will be tasked with publishing a cost containment report annually to demonstrate to the public how they are reducing costs. This will give an in-depth account of how tuition dollars are being spent and will shine light on the growing costs of higher education.

As part of the overarching theme to support our K-12 schools and our Universities, the budget requires Universities to create the Arizona Teacher Academy. This Academy will provide debt-free college for Arizona residents who wish to become teachers. It will produce high-quality teachers and commit them to teaching for each year they benefit from the Academy.

## Prop 206 and Developmentally Disabled Providers

To address the unfunded budgetary impact of Prop 206 (required minimum wage increase), the Legislature increased developmentally disabled (DD) programs spending by **\$33 million**. We also provided a one-time increase of **\$10 million** to address Prop 206 and **\$2 million** for DD Room and Board rate increases. In addition, **\$200,000** is appropriated for Arizona Health Cost Care Containment System (AHCCCS) to conduct a cost study on the impact of Prop 206 on the State's DD programs.

## Counties

During the Great Recession, Arizona's counties contributed financial resources to help maintain the state. Now with the return of financial stability, it is time to return these monies to the counties.

- Highway User Revenue Fund (HURF) - the remaining **\$30 million** of the local share will be made permanent, resulting in the full **\$60 million** amount going to local governments (cities and counties).
- Lottery Funds - The **\$550,000** in lottery distribution will be directed back to Pinal, Yavapai, and Mohave Counties.
- Department of Juvenile Corrections - **\$8 million** of the counties' **\$12.3 million** in DJC costs will again be absorbed by the State. In addition, there is a planned Legislative Study Committee to review the long-term plan for DJC and the counties' role in juvenile corrections.

## Tax Cuts

The Legislature adopted a measure that indexes the State's personal exemption amount for inflation. Part of that measure also increases the personal exemption amount from **\$2,100** to **\$2,150** for tax year 2017 and then to **\$2,200** for tax year 2018. The total cost of these tax cuts is **\$9.7 million** in FY 2018.

# ECONOMIC DEVELOPMENT AND JOBS

The most significant tax relief package of the session was contained in **SB 1416 (quality jobs incentives; credits)**. Large manufacturers will benefit from new lower property taxes for manufacturers in special trade zones, and the extension of the deadline to qualify for tax credits. The Quality Jobs Program will now end in 2025 (from 2017). SB 1416 expands eligibility for the credit to employers who make a smaller capital investment provided that they pay employees more than 100 percent of the county median wage. Additionally, the measure makes changes to how prime contracting transaction privilege tax (TPT) revenues are used to construct public infrastructure improvements, a measure which will assist companies such as Intel as they expand operations in Arizona.

**HB 2191 (angel investor; tax credit cap)** allows the Arizona Commerce Authority (ACA) to authorize an additional \$10 million in tax credits against qualified investments made in qualified small businesses after June 30, 2017 through June 30, 2021. This program has been widely touted as the most effective business startup program in the state. So-called "angel investors" recoup a tax credit for providing seed money for many high tech and medical startups that have developed and grown over time in Arizona. An economic impact estimate found that these firms had directly employed over 1,300 workers and contributed \$183.5 million to the State's economy in that year.

Home-based businesses will receive additional protections from government overreach with the passage of **HB 2233 (operations, home based business)**. The legislation prohibits counties from impairing home enterprise through ordinances that restrict local traffic, parking and delivery activity. Planning and zoning commissions cannot dictate the number of clients being served on a premise at one time nor can they bar home-based businesses from employing residents, immediate family members or additional people. This measure compliments previous legislation that allowed home based industries to modify their property and use signage during business hours to accommodate business operations.

The Legislature encouraged entrepreneurship by allowing microenterprises to apply for grants up to \$1 million from the Arizona Competes Fund. **SB 1292 (Arizona Competes Fund; microenterprises)** requires the Commerce Authority to set aside a minimum of \$1 million in grants that support and advance microenterprise development throughout the state. These start up and small business ventures must employ ten or fewer employees and can include home-based and self-employed businesses. This measure extended the Arizona Competes Fund through July 1, 2026, making small business growth in Arizona a key initiative.



A new industry would have been created if **SB 1337 (industrial hemp; licensing)** had become law. The aptly-named "Rope Not Dope" bill would have had the Department of Agriculture regulate the cultivation of hemp seed for multi-purpose production. The Governor vetoed this bill.

**SB 1406 (public accommodations; exemptions enforcement; sanctions)** was introduced to combat extortion by way of litigation on businesses that reach settlement agreements for alleged violations of the Arizona Americans with Disability Act (Arizona ADA) to abate public access issues. The bill establishes a notice period for an aggrieved person seeking relief through civil action and provides businesses a cure period with reasonable time frames to correct the access deficiencies. Costs for ADA retrofits and permitting requirements can place a disadvantage on a business that makes a good faith effort to mitigate a problem. The legislation also targets vexatious litigants by allowing courts to impose additional sanctions on a plaintiff or the plaintiff's attorney if the court determines the primary purpose for bringing the action was to obtain payment from the defendant and may consider the totality of the abusive litigation practices.

The hotel and restaurant industry will benefit from **HB 2047 (liquor; serving age; reduction)**, which reduces the age of minor (from 19 years to 18 years) employees to perform on-site duties (i.e., restocking mini bars; busing tables where alcohol is served). This will help employers best utilize their workforce and not delegate tasks needlessly. Specifically, the bill allows younger workers to sell or dispose of spirituous liquor and handle liquor on-site when properly supervised.

After two years of in-fighting among the development community and the cities and counties, another effort was made to enhance the Community Facilities District (CFD) statutory financing mechanism for the construction of infrastructure. **SB 1480 (revisions; community facilities district)** addresses the Governor's specific concerns from last year and balances the governance of the districts, better outlines their formation and purpose, and increases their overall transparency. Cities and counties will still control the CFD Boards, but additional members from the development community will also serve on the boards. Additionally, more specific tax rate and tax burden information will be provided to potential lot owners in a CFD.

**SB 1332 (workers' compensation; settlement; travel expenses)** allows employers and workers' compensation claimants to settle and release all or part of a claim for benefits, penalties and interest through a full and final settlement agreement. This enables workers to receive up front what is owed to them without being governed by partial payments and interest for a lifetime.

Every twelve months, technology doubles in its capabilities and demands. To keep pace with the advancement of technology, use and storage, the Legislature passed **HB 2365 (wireless facilities; rights-of-way)**, which allows wireless providers the ability to install small wireless facilities to utility poles or wireless support structures, giving wireless providers and their customers the necessary tools to increase data usage from 4G to 5G. Arizona was first in the nation to pass legislation that created a streamlined

application and fee process to bring these enhancements on-line as soon as possible. Similarly, **SB 1214 (microcell equipment; local governments)** establishes reasonable requirements for political subdivisions to allow for the installation, operation and maintenance of microcell and small-cell equipment in public streets, roads, alleys and public highways and outlines stipulations for charging fees. This will set a uniform application and fee structure for cable providers to better serve their customers.

**HB 2271 (occupational licensing; military members)** recognizes education, training or work experience acquired during military service that is substantially equivalent to those required in Arizona to be applied to licensure in the state. Businesses that seek to hire veterans and service members will be able to do so with the assurance that the State's licensing boards will accept military training to help them transition into civilian employment.

**HB 2322 (franchises; mark owners; employment relationships)** defines franchisors for workers' compensation, unemployment claims and sick leave purposes to distinguish that a franchise owner is NOT an employer. The National Labor Relations Board determined that joint employer status existed when two separate entities share matters governing the essential terms and conditions of employment, thereby making it possible for labor groups to file frivolous unemployment suits and demand additional wages beyond what the owner provides.

**SB 1166 (employment security; time frames; interest)** provides businesses some administrative relief for unemployment claims notices, response times and overpayment interest penalties. Currently, Arizona employers are assessed a 15% penalty on the amount of the erroneous payment of unemployment benefits. SB 1166 requires overpaid benefits to accrue at 10% a year. In addition, the bill lengthens from 15 to 30 days for employers to petition for reconsideration of a deficiency or delinquency of assessment, and it provides an additional month for employers to make voluntary payments of unemployment insurance (UI) contributions and credit their account. Finally, the bill reduces the time for UI liability determinations to become final (from 60 to 30 days), thereby mitigating exposure to the fund and an employers' liability.

**SB 1478 (occupational safety and health omnibus)** codifies the popular voluntary protection program so that occupational safety and health consultations do not become enforcement actions against businesses that seek to ensure worker safety without fear of sanctions and penalties. The legislation also repeals the Occupational Safety and Health Advisory Committee, but retains a review board within the Industrial Commission.

**SB 1437 (agencies; review; GRRC; occupational regulation)** provides an additional avenue for a person to petition the Governor's Regulatory Review Council to review a proposed or final rule if it is believed that the rule was not made in compliance with rulemaking procedures and expressly authorized by the Legislature. The bill is also referred to as the Right to Earn a Living Act, as it requires agencies to limit occupational regulations to only those necessary and carefully tailored to meet public health, safety or welfare objectives. This legislation was crafted with input from antitrust attorneys and the

regulated community to provide additional regulatory oversight on agency rules and disciplinary actions and provide recourse to injured parties.

A number of other bills this session eased the licensing process. **SB 1130 (hairstylist licenses; cosmetology)** reduces barriers to entry for the hairstyling profession. **SB 1293 (private vocational program license; exemption)** exempts minor vocational programs from licensure. **HB 2067 (real estate licensing; applicability; exemption)** allows employees of real estate agents to perform administrative duties without requiring a license. **HB 2072 (manufactured homes; real estate transactions)** allows real estate brokers/salespersons to sell mobile homes.

## EDUCATION

Every student in Arizona should have access to a high-quality teacher in their classroom. The teacher certification process in Arizona is outdated, riddled with unnecessary bureaucratic barriers and protects the status quo. **SB 1042 (teacher certification; reciprocity)** removes these unnecessary bureaucratic barriers from the teacher certification process by allowing individuals with real life work experience or subject matter expertise to be more easily certified to teach. The bill also creates multiple entry paths to the classroom by allowing schools with high-quality training programs to train teachers and get credit for that training by earning a certificate. **SB 1057 (experienced teachers; certification renewal)** will expedite the renewal process for veteran teachers who let their teaching certificate expire. This will allow teachers who have taught for at least ten years the ability to renew their certificate without any other requirements.

With the increased use of technology and the internet in our classrooms, our students' personal data and information is at risk. Arizona law had not caught up with technology in our classroom and our students were without any protections. **SB 1314 (schools; student data privacy)** puts in place protections for our students by preventing targeted advertising or dissemination of personal information without prior consent. The bill protects students while still allowing them to have access to the best technology.

All students, including students with special needs, should have access to the best individual capable of providing the best instruction for that student. **SB 1317 (schools; specially designed instruction)** codifies a long-standing practice within the special education community that was being obstructed by the Department of Education. The bill supports local individual education program teams to identify the best person to support a student with special needs. No longer should one person be considered the expert in all content areas.

The First Amendment is fundamental to our Republic and should be protected for everyone, including our students. **SB 1384 (school-sponsored media; student journalists)** would have provided protections for student journalists from being censored both in our public high schools and our Universities. SB 1384 provided common sense protections for our students with the necessary guidelines in place to prevent libel, lewd, obscene and unlawful content. This bill was vetoed by the Governor.

Republicans in the Legislature are not focused on protecting a single institution or method of education, but rather providing as many high-quality choices and types of education to meet the individual needs of every student. **SB 1431 (empowerment scholarship accounts; expansion; phase-in)** expands access to ESAs for all students by 2020-2021. This expansion will allow all children to have access to more choices and opportunities and puts parents back in the driver's seat of their child's education. SB 1431 not only expands access, but also includes crucial reforms that create

transparency and accountability to the taxpayer. Schools must be allowed to be innovative and do what is best for students, and Arizona schools need to have the flexibility in their instructional programs to provide the best opportunities for students. **HB 2078 (schools; concurrent enrollment)** provides additional clarification so students can earn college credit while completing the high school course of study.

The men and women in our armed forces make sacrifices to protect the homeland. Military families are under constant stresses and it is crucial that we support them without adding yet another roadblock. **HB 2107 (schools; nonresident pupils; military duty)** expedites the enrollment process for military families who are not residents of Arizona but are scheduled to be transferred to the State. This will allow families to enroll online and provide proof of residency after they have become settled in the state.

The Legislature also wants to provide our military with the best opportunities possible after being honorably discharged. Last year, the Legislature passed a bill allowing community colleges and Universities to award academic credit to military members based on the skills and knowledge the member acquired during service. **HB 2270 (postsecondary education; veterans; transfer credits)** expands the credits available to count toward vocational credit as well.

Arizona veterans deserve to receive the benefits they are entitled to from the Federal government without any state barriers. **HB (2415 in-state tuition; veterans)** is an emergency measure which modifies eligibility requirements for veterans receiving the in-state designation for tuition at community colleges and universities.

Using protective sunscreen in Arizona might seem like common sense to the public, but not for government. **HB 2134 (schools; children's camps; sunscreen use)** is a perfect example of getting government out of the way, reducing regulation and letting parents direct their children's care. This bill makes it abundantly clear that a school may not require parents to send their student to school with sunscreen to apply while at school. This is a decision to be made by the parents.

Children who aren't reading proficiently by the fourth grade are four times more likely to drop out of high school, and eighty-five percent of teenagers in the juvenile justice system are functionally illiterate. Preparing students to be proficient readers is a priority of the Majority and **SB 1131 (schools; K-3 reading program)** strengthens the K-3 reading program in Arizona. It provides additional accountability measures for schools to ensure that they are making adequate progress with students and includes additional oversight to make sure that these precious resources are used effectively. Part of supporting struggling readers is being able to identify their reading impairments and giving them specialized support services.

Arizona has a strong career and technical education system through its Joint Technical Education Districts (JTEDs). **HB 2229 (JTEDs; courses and programs; approval)** builds off of the reforms passed last year by clarifying that JTED programs must use

specialized equipment and materials in their instruction. It also ensures that training will qualify a student for employment or certification necessary for employment in their vocational field. These added requirements will offer more beneficial training to prepare students for the workforce. **HB 2248 (JTEDs; adults)** will also allow our JTEDs to expand so that students who have already graduated high school can apply for financial aid and get the workforce training they need, supplying our economy highly skilled workers.

When voters passed Proposition 301 in 2000, they expected new levels of transparency and accountability for schools, but it didn't happen. **HB 2385 (schools; accounting; budgeting; reporting)** makes critical changes to the way schools are required to budget and report their expenditures. This creates much needed transparency about how our tax dollars are being spent at each individual school. The bill also allows schools to empower principals to participate in the budgeting process so that decisions are made with closer proximity to the students rather than at a central office.

With more than two hundred private sector institutions and 300,000 students enrolled in private postsecondary institutions, it is important that we recognize and support those institutions and students. **HB 2388 (private postsecondary education grants)** re-establishes the Private Postsecondary Education Grant Program, which will grant money for tuition and fees to students enrolled in accredited private-postsecondary institutions for in-demand jobs.

In Arizona, we value the parent's ability to homeschool their children and provide the education they best see fit. However, some government agencies have been treating homeschooled graduates differently than traditional school graduates. **HB 2389 (governmental entities; diplomas; transcripts; recognition)** requires governmental entities to treat all Arizona school diplomas and transcripts equally.

The opioid epidemic and other drug-related crimes have plagued our schools for decades. **HB 2395 (schools; illegal substances; notification)** is a step in the right direction by requiring schools to report their drug-related suspensions and expulsions to the Department of Education for central reporting. This will allow our law enforcement agencies to know where they need to concentrate their efforts and where resources should be directed.

Education in Science, Technology, Engineering and Mathematics (STEM) is the path forward for a strong and vibrant economy. **HB 2457 (rural STEM program; tax credits)** establishes a program for school districts and charter schools to apply for grants to give students in rural areas increased exposure to STEM opportunities.

Teachers are the lifeblood of Arizona classrooms. The Majority Caucus made additional progress in supporting our teachers this Session. One of the reasons teachers leave the profession is due to the lack of advancement or development opportunities. With a shortage of qualified math, science, technology, engineering and technical education teachers, **SB 1038 (teachers; professional development; pilot program)**

provides resources for a pilot program to allow teachers to get additional credentials in high-need content areas. The bill appropriates \$300,000 to fund a High-Quality Teacher Professional Development Pilot Program that will award \$2,000 to certificated teachers to gain additional credentials and certifications. **SB 1040 (Arizona teachers; student loan program)** creates the Arizona Student Teacher Loan Program, providing forgivable loans to students pursuing their teaching degree and agreeing to teach in high-need areas.

# TRANSPORTATION AND TECHNOLOGY

Driver license suspension for failure to pay child support leads to an economic spiral that does not remedy the situation. The Legislature addressed this issue in **HB 2192 (child support; driver license restrictions)** by permitting a court to issue a restricted license that allows a person driving privileges to carry on education, medical and parenting duties.

Since it's important to ensure safety while children are in an educational environment, the Legislature enacted **HB 2247 (school bus drivers; fingerprint cards)**. This common sense legislation requires a person to have a valid fingerprint clearance card in order to be a certified school bus driver. It also makes sense to properly scrutinize people who have access to sensitive Department of Child Safety information. **SB 1109 (fingerprinting; child placement; IT contractors)** addresses the issue by requiring these types of employees of a contractor or subcontractor to have a valid fingerprint clearance card.

Teaching new drivers good habits makes the roads safer for all drivers. **SB 1080 (teenage drivers; communication devices prohibited)** prohibits teenagers who just got their driver license from using a smartphone while driving.

When a car dealer takes a used vehicle in on trade and then is prohibited from selling that vehicle because it subsequently becomes subject to recall, the dealer should be reasonably compensated by the manufacturer. **HB 2331 (auto dealers; recalls; manufacturer compensation)** sets up a payment mechanism so that the dealer is not stuck with a no-sell vehicle on the lot while waiting for the manufacturer to issue parts to satisfy the recall.

The owner of a commercial vehicle depends on that vehicle to be on the road to make the business money. In a situation where an employee is driving the vehicle and has an issue that subjects that vehicle to impoundment, the commercial vehicle owner suffers economic loss. **HB 2159 (vehicle impoundment; release of vehicles)** recognizes that the owner of an impounded commercial vehicle should not suffer economic harm in this type of situation. HB 2159 permits the owner to have the vehicle released short of the statutory thirty-day impoundment period. The bill also includes a provision that keeps Arizona moving forward and competitive in the autonomous vehicle arena by allowing the Arizona Department of Transportation to engage in a pilot project where a human driven tractor-trailer truck is followed closely by two computer driven trucks in order to move commercial freight.



## NATURAL RESOURCES

In 2008, the Environmental Protection Agency (EPA) lowered the national standard for ozone air pollution from 80 ppb to 75 ppb. On October 1, 2015, the EPA reduced the national concentration standard for ozone air pollution from 75 ppb to 70 ppb. **SCM 1008 (ozone concentration standard; reinstatement)** urges the President and Congress to prompt the EPA to reinstate the previous ozone concentration standard of 75 ppb. The State of Arizona will have great difficulty in implementing this new ozone concentration standard due to factors that are outside of this State's control, including its proximity to Mexico, extreme heat and intense summer sunshine, and excessive dust collection. When an area does not meet the EPA's standards it is considered a nonattainment area designation, limiting economic and job growth by restricting new and expanded industrial and manufacturing facilities, imposing emission "offset" requirements on new and modified major sources of nitrogen oxides and volatile organic compounds emissions, constraining oil and gas extraction and raising electricity prices for industries and consumers. Reinstating the previous ozone concentration standard of 75 ppb will provide for continued air quality in a reasonable manner that the State can attain.

Regarding nonattainment designations, the Arizona Department of Environmental Quality promoted **HB 2152 (emissions credits; voluntary emissions bank)**, which allows permitted pollution sources to be granted credit to be deposited into a voluntary emissions bank if the source reduces emissions of particulate matter, sulfur dioxide, carbon monoxide, nitrogen dioxide, or volatile organic compounds by an amount greater than required by law, rule or permit. Credits may be used, traded, sold or otherwise expended within the same nonattainment area, maintenance area or modeling domain in which the emissions reduction occurred, only if there will be no adverse impact on air quality. The bill is business-friendly and provides for compensation benefits for reductions of emissions that have proven harmful to the environment.

**HCM 2003 (urging EPA, Congress; nuclear power)** encourages Congress and the EPA to recognize nuclear power as a viable source of energy, as it continues to supply millions of dollars in tax revenue for the State of Arizona, as well as a large influx of job opportunities, making it an expansive economic tool.

**SB 1202 (forestry and fire management; conformity)** merged the Arizona Department of Forestry and Fire Management (DFFM) with the office of the State Fire Marshall, giving the State Forester new duties and responsibilities to prevent and suppress wildfires only on lands covered by cooperative fire agreements. To protect private property rights in the case of a wildfire, the State Forester or designated wildfire incident commander will not be responsible for the safety and actions of any person contracted to provide wildfire protection services for private property. This provision allows individuals living in forested areas to tend to their homes in advance of a fire by

wetting down their roof, or performing landscape maintenance to deter the fire from overtaking the home.

Arizona has strived for years to combat the adverse impacts of federal Mexican gray wolf reintroduction policies on private landowners, hunters and recreationists that are vital to our local and regional economies. This year **SCM 1009 (urging delisting of gray wolf)** beseeches the federal government to delist the Mexican gray wolf as an endangered species due to the fact that the U.S. Fish and Wildlife Service has documented enough wolves in the wild for the species to no longer be considered endangered.

Currently, official state emblems include designations for the official state metal, fossil, gemstone, flora, fauna, neckwear, firearm and nickname. Now included in that list is the **HB 2092 (wulfenite; state mineral)** state mineral, wulfenite, a secondary lead mineral found in Arizona.

**SB 1412 (surface water; adjudication sequence)** defines "small water use claims" as certain small stock ponds and low capacity water wells, and requires that the adjudication of those water rights be deferred by the Superior Court or the Special Master until all other claims are first determined. By reserving small water claims for the latter part of the adjudication process, small water users will save potentially expensive legal fees and the courts will save valuable time by not adjudicating relatively small water rights claims.

## PUBLIC SAFETY

**SB 1366 (peace officer; victim; aggravating factor)** expands the offense of aggravated assault against a police officer when an offender commits a crime out of malice, knowing that the victim is a peace officer. Law enforcement officers put their lives on the line every day and they are put in situations where they have to make split-second decisions that may result in death or serious injury of another person. **SB 1253 (law enforcement officers; administrative investigations)** addresses how an officer's own body camera video recordings should be used in an administrative investigation when the officer is involved in a critical incident.

Members of a community should be made aware of a sex offender moving into their neighborhood as quickly and efficiently as possible. **HB 2200 (community notification; form of notice)** permits individuals to receive sex offender notifications electronically. Meanwhile, **HB 2133 (correctional facilities; community notification)** robustly enhances the community notification statutes when the Arizona Department of Corrections changes the use of a correctional facility in order to provide housing, supervision, counseling and other programs designed to assist persons transitioning from prison to the community.

Economic viability lessens the chance that an ex-criminal offender will re-offend and end up back in prison. **HB 2290 (provisional licenses; criminal convictions)** provides an ex-offender the opportunity to obtain a professional or occupational license so that they may participate productively in the economic arena. Alternatives to prosecution for certain nonviolent offenders also make economic sense. **SB 1278 (felony pretrial intervention programs; appropriation)** provides substance abuse treatment to offenders including medically assisted treatment, mandatory drug testing, cognitive behavioral therapy and case management services instead of incarceration. The availability of drug treatment programs in prison are essential to assist drug abusers to overcome their addictions. In order to assess the cost effectiveness of these programs, drug treatment data should be collected, analyzed and reviewed on a regular basis. **HB 2211 (corrections; treatment programs; annual report)** ensures transparency by requiring the Department of Corrections to annually submit a report on drug and alcohol treatment programs.

Terrorism continues to be a rising threat to our state and country. **SB 1350 (terrorist threats; false reports; terrorism)** modernizes the terrorism statutes to give law enforcement the tools necessary to prosecute crimes related to this ever-evolving threat. The bill sets a ten-year minimum sentence to deter acts of terrorism committed with the intent to intimidate the civilian population.

# GOVERNMENT

Following last year's highly successful effort to reform and salvage the Public Safety Personnel Retirement System (PSPRS), which culminated with the overwhelming passage of Prop 124 in 2016, the Senate once again lead the effort to reform another troubled pension system. The Correctional Officers Retirement Plan (CORP) is a unique retirement system that provides a defined benefit retirement plan for full time correctional officers, probation officers, surveillance officers and dispatchers. **SB 1442 (modifications; corrections officer retirement plan)** reforms and protects the defined benefit plan for those in the system now and puts new corrections officers into a defined contribution plan with a much shorter vesting schedule. New employees will no longer leave without taking their employers' contributions with them and the employers will not be stuck with unfunded pension liabilities. Along with the bill, **SCR 1023 (corrections officer retirement plan)**, a new ballot measure was referred to the voters that, identical to last year, will replace the failed permanent benefit increase scheme that caused many of the problems with the current plan and replace it with a true Cost of Living Allowance (COLA).

Zoning ordinances regulate issues such as building height, residential density, allowable use, square footage limitations and open space requirements. Building owners in a particular zoning area may object to any proposed changes to the current zoning requirements. In order to protect their rights as well as properly considering any new zoning proposals, **HB 2116 (municipal zoning; rezoning protests)** allows the owners of 20% or more of the *area* of the lots within the zoning area of the affected property to file a petition protesting the proposed zoning amendment. This new method to determine which land owners may protest a zoning change replaces the current, convoluted system. However, a three-fourths vote of the governing body of the municipality may still override the protest. Because the governing body of the municipality must vote favorably upon the protest for it to be enacted, they must have adequate time to review and consider the issue. **HB 2262 (municipal zoning; rezoning protests requirements)** requires a protest against a proposed change to a municipal zoning ordinance be filed in the office of the clerk of the municipality no later than noon one business day before the governing body votes on the change.

Article V of the United States Constitution requires two-thirds of both houses of Congress or two-thirds of state legislatures to call a convention to amend the Constitution. Article V further states that the amendment is ratified only when approved by either three-fourths of state legislatures or conventions in three-fourths of the states. **HB 2226 (compact; balanced budget; convention)** establishes the Compact for a Balanced Budget Amendment, calling for an Article V convention proposing the Balanced Budget Amendment to the United States Constitution. The proposed amendment specifically limits total outlays of the federal government to its total receipts but allows for debt

financing. The amendment further prohibits outstanding debt from exceeding 105% of the debt on the effective date of the Article.

Part of the Governor's State of the State address focused on further limiting of government overreach and eliminating redundant and obsolete boards and commissions. **HB 2369 (repeal; state boards and committees)** repeals several state boards and commissions including the Conservation Committee, the Transportation Committee, the Special Assistant for Regional Transportation Plan, the Regional Planning Agency Responsibilities, the Advisory Board of the Arizona State Library, Archives and Public Records, the Agricultural Best Management Practices Advisory Committee and the Water Quality Assurance Revolving Fund Board.

In government, transparency is key in providing the public with the important information they need. **HB 2411 (homeowners' associations; open meetings)** allows for a greater sense of transparency in HOAs or Unit Owners Association meetings by requiring notice for meetings so members of the community can attend, as well as opting for recorded meetings. If meetings are not recorded, the association Board must state why they are not recorded so that the community is fully informed.

The coal-fired electricity generation industry is a valuable industry in Arizona and the United States, and the Environmental Protection Agency's Clean Power Plan has prevented the industry from moving forward in a safe and businesslike manner. The reduction of affordable energy production will reduce the nation's gross domestic product, and put America at a competitive disadvantage. **HCM 2006 (clean power plan; repeal; replace)** encourages the Administrator of the United States EPA to repeal the Clean Power Plan and work with the states to develop a responsible replacement program that is acceptable to all parties concerned with coal-fired electricity generation.

Statute allows an agency to conduct expedited rulemaking if the rulemaking does not increase the cost of regulatory compliance, increase a fee or reduce procedural rights of persons regulated. **SB 1055 (expedited rulemaking)** allows an agency to use expedited rulemaking for implementation of a rule proposed during a five-year review as long as it does not materially change and is within 180 days of filing the proposed expedited rulemaking with the Secretary of State.

In June 2016, Executive Order 2016-05 prohibited expending public dollars by state governmental units for professional lobbying services. **SB 1123 (state contract lobbyists; prohibition)** codifies this executive order, prohibiting any state agency, office, department, board or commission or person acting on behalf of any of these listed from contracting with a person or entity for lobbying services. The only case in which this is permissible is if the person is directly employed by a state governmental unit and lobbying is part of the employee's job description.

San Tan Valley has long sought to incorporate into a city or town but has been unable to do so because of restrictions by the surrounding areas. **SB 1125 (incorporation; urbanized areas)**, which was substituted for **HB 2088**, reduces the risk of areas such

as San Tan Valley becoming a county pocket. Unincorporated areas with a population of 15,000 or more people, and has a population greater than a nearby city that opposes the area from incorporating, may petition the county board and proceed with incorporation. Although there were concerns with an increase in city incorporation, the bill specifically addresses Pinal County, which only includes that county in the same incorporation agreement that already exists for the other counties.

In 2002, the state of New Jersey enacted legislation requiring all handguns sold in the state to be "personalized", which automatically limits its use because it may only be fired by an authorized or recognized user. This could seriously jeopardize a person in a life-or-death struggle if the only available weapon to defend themselves is a handgun that is not personalized to them. **HB 2216 (prohibited firearm tracking; classification)** prohibits any entity in Arizona from requiring this restriction on handguns.

The Arizona Gold Star military medal is awarded on behalf of the people of this state to individuals from Arizona who have been killed in military action. **SB 1327 (Gold Star memorial)** provides for the placement of a Gold Star memorial in the Wesley Bolin Plaza to honor more than 3,000 Arizonans who have given their lives in defense of the nation since Arizona received statehood.

Currently, 12 states have two-year terms for state senators, while the remaining 38 states have four-year terms. **SCR 1027 (state senators; four year terms)** would have allowed Arizona to be part of the majority of states with four-year terms. It would have provided state senators with the ability to focus more time and energy on legislating and less time on campaigning, as they usually do with the time constraints of short two-year terms. The resolution cleared the Senate but died in the House of Representatives.

## HEALTH AND HUMAN SERVICES

Current law requires the Secretary of State to establish and maintain the Health Care Directives Registry—a database with living wills and mental health care power of attorneys. The registry is only accessible if the file number and password of the individual is acquired. In an emergency situation, health care providers need access to this registry to fulfill the desires of the patient. Every second counts and they do not have time to wait to recover this information. **HB 2076 (advanced directives registry; provider access)** gives health care providers and institutions access to the registry and protects the State and its contractors from civil liability.

Rights of conscience protections exist in Arizona statute for health care providers who choose not to participate in abortion procedures, but these protections are not extended to physicians or other health care providers for end-of-life procedures. **SB 1439 (end-of-life; discrimination; prohibition)** prohibits discrimination against health professionals who do not want to participate in life-ending practices. The bill protects doctors from work-related penalties or from being fired by following their rights of conscience.

Arizona has a unique opportunity to develop a national model for the delivery of behavioral health services through public-private partnership enterprises. **HB 2043 (state hospital; property leases)** authorizes the Department of Health Services (DHS) to contract with third parties to develop a center for excellence serving the State's vulnerable populations, as well as meet other behavioral health needs of its citizens. Utilizing the State Hospital's charitable trust, existing and surrounding property can be developed to offer a continuum of care and wrap-around services to ensure patients maintain the level of support they need. To ensure accountability, the legislation requires DHS to hold public hearings and receive input on the highest and best use of the property. In addition, the Joint Committee on Capital Review will receive information on any proposed lease or sublease agreements, the fiscal impact on the agency and any revenues generated from the public-private campus.

Low income families working to move away from public assistance will have additional time to attain economic independence. **HB 2372 (public benefits; fee waivers; requirements)** extends benefits to Temporary Assistance for Needy Families (TANF) recipients for an additional 12 months if they meet certain requirements. The head of the household must participate in a work program and be in full compliance with the program, and each dependent child must maintain a school attendance record of at least 90% unless otherwise excused. In addition, the measure waives licensing fees for low income workers to help facilitate their occupational licensing requirements. Unmarried

custodial parents may participate in GED, career and technical education or associates degree programs in lieu of meeting work participation requirements. The bill also imposes a number of accountability measures, including drug testing Supplemental Nutrition Assistance Program (SNAP) recipients with prior drug convictions, investigating Electronic Benefits Transfer (EBT) replacement card activity, and strengthening the sanction provisions for noncompliance.

Licensure and fingerprinting requirements can be cumbersome to facilities and providers. This session, the Legislature provided exemptions and streamlined the process in the health care industry. **HB 2042 (DHS; fingerprinting requirements)** allowed exemptions for fingerprint clearance for volunteers or individuals working within residential and nursing care settings if they are under direct supervision. **HB 2196 (residential care institutions; employment)** exempts peer support service providers with prior convictions from fingerprint clearance if they are working solely with transitioning inmates. **HB 2041 (DHS; health care institutions; licensure)** provides flexibility for health care facility licensing by creating a permanent license, thereby reducing the cost of application and renewal fees. The bill also provides a grace period for late fees and allows for facilities to request a new application due date.

Collecting child support from unwilling parents can be a very difficult task for the Department of Economic Security (DES). **HB 2139 (administrative order; enforcement; child support)** gives DES additional tools to collect child support payments through an insurance industry data match system for the purpose of identifying claimants who may receive a sizable insurance award and are still overdue on their child support payments. In addition, DES can now post to the internet individuals negligent in excess of a year's worth of support payments; formerly, an arrest warrant was required prior to posting. These implementations will assist with the recovery of child support monies.

The Legislature has enacted numerous measures to combat the opioid epidemic in Arizona. One such measure required all health care professionals to register with the Controlled Substances Prescription Monitoring Program (CSPMP) to better monitor the prescribing activity and detect possible addiction behaviors. **HB 2307 (controlled substance prescription monitoring program)** improves the CSPMP registration process by requiring the medical practitioner to assume responsibility to gain access to the program, rather than linking it to the regulatory board's licensing process. The biennial registration process is removed and CSPMP access is valid in conjunction with the provider's Drug Enforcement Agency number. Finally, the bill limits access to the CSPMP data only to a person who is assigned a CSPMP identifier. It cannot be shared or transferred. **HB 2493 (drug overdose; review team; confidentiality)** tasks DHS to head up an effort to engage all agencies and providers that encounter drug overdoses and substance abuse to collect data on the incidence and cause of drug overdose fatalities in the state. Participants on the review team include AHCCCS, behavioral health providers, emergency responders, tribal governments and health care providers. They are to develop standards and protocols for review teams at the local level. More importantly, the review team will open up a cross jurisdiction dialogue on how systems



operating in silos can collaborate and coordinate on opioid abuse and identify ways to deter addiction.

The Department of Child Safety (DCS) has undergone numerous reforms since its creation in 2014. Ongoing oversight has been a legislative priority to ensure that implementation of key policy initiatives is consistent with legislative intent and provides a forum to consider issues related to child safety when necessary. **SB 1003 (DCS oversight committee)** establishes a joint legislative oversight committee comprised of House and Senate membership to succeed the Child Safety Oversight Committee, which consisted of some legislative but mostly public members. The committee is charged with reviewing the department's report consolidation efforts, following DCS implementation of a warrant process and any other child welfare topics. In addition to creating the committee, the bill authorizes DCS to seek a warrant prior to the removal of a child unless exigent circumstances exist. The intent is to deter needless removal and provide an external judicial review to ensure that child removals are warranted.

Human Rights Committees (HRCs) are independent experts and advocates who monitor the treatment, dignity and rights of vulnerable populations served in the behavioral health, developmentally disabled and aging populations. In order to fulfill their mission, HRCs can receive confidential and sometimes redacted information on events to ensure the best outcomes for clients served. **SB 1004 (human rights committee; membership)** modifies existing HRC statute to allow subject matter experts (which can include criminal justice and public safety personnel) to serve on HRCs as nonvoting members and allows for HRC review agency changes to rules or policies related to their work. The bill also specifies that DDD HRC members receive information on abuse, accidental injury, death or suicide attempt, missing clients, medication errors, hospitalization or theft of property to name a few.

Child advocacy centers are comprehensive, victim-focused programs that allow law enforcement, child protection professionals, prosecutors, victim advocates, forensic interviewers, medical and behavioral health professionals to work collaboratively in child abuse investigations. The benefit to a victim of child abuse is to reduce trauma and avoid reliving the crime multiple times. **SB 1107 (child; family advocacy center; fund)** recognizes the multi-disciplinary team approach of advocacy centers to be a private, nonprofit incorporated agency or a governmental entity that is accredited and maintains and provides services at a neutral facility employing evidence-based forensic interviews. The legislation provides civil liability for advocacy centers and designated agents for their investigative work and services. While the bill does not contain an appropriation, the standard set forth in the legislation will determine advocacy centers that could receive funding in the future.

**SB 1336 (nurse anesthetists; prescribing authority; limitation)** is a consensus measure that establishes the direction that is required for a nurse anesthetist working with a physician or surgeon. The compromise reached states that a physician or surgeon is not liable for the actions of a Certified Registered Nurse Anesthetist (CRNA). In addition, the bill expands the definition of "presence" to include a health care institution

or office, rather than just a surgical suite. This ensures a physician is available if needed but provides flexibility from current practice. Finally, the bill grants CRNAs prescribing authority – which does not include the ability to write or issue a prescription for medications to be filled by a patient.

Good Samaritans who potentially risk exposure when rendering aid to an individual have no ability to request that a victim be tested for infectious diseases. **SB 1201 (medical examiner; communicable diseases; disclosure)** permits a Good Samaritan to petition the court for tests of a deceased person for communicable disease if there are reasonable grounds to believe that the exposure occurred and that the deceased person transferred blood or other bodily fluids through the skin or membranes of the Good Samaritan. The court shall give expeditious review of the order. This is the same protocol available to first responders providing emergency care.

The backlog of children awaiting permanency within DCS and the courts keeps kids in the system for far too long. Efforts to expedite the legal proceedings are needed to provide children and families certainty. **SB 1360 (dependency proceedings; permanent guardianships; reunification)** allows the court to establish a permanent guardianship for a child who is the subject of a pending dependency petition filed by DCS and allows any party to the pending dependency proceeding to file the motion. This can transition dependency cases to permanency more quickly when all parties consent and reunification is not possible. The court is given discretion to waive certain review and investigation in order to facilitate the dependency. The bill also requires DCS to continue its efforts in report consolidation and also establishes the Joint Legislative Oversight Committee.

Recent media stories have depicted horrific events where late-term abortions have resulted in live deliveries, leaving infants without proper care. Abortion facilities have indicated they do not have adequate lifesaving equipment or care. **SB 1367 (abortion; live delivery; report; definition)** requires DHS to adopt rules to require minimum equipment standards necessary to promote, preserve and maintain the life of an aborted baby who is delivered alive. Abortion reporting requirements are to include a statement from the physician and staff in attendance at the end of an abortion certifying that the infant was not delivered alive or what care was provided to an infant delivered alive.

Severe Combined Immunodeficiency (SCID) is an inherited condition in which the body is unable to fight off serious and life-threatening infections. In a baby with SCID, certain parts of the immune system do not work properly. This puts the baby at risk of getting many infections. Children who do not get treatment for SCID rarely live past the age of two. However, when SCID is identified and treated before the baby gets infections, those children can live longer and healthier lives. **SB 1368 (newborn screening; fees)** increases the fee to cover the cost of adding SCID to the newborn screening panel.

Health professional regulatory boards do not share a uniform approach to investigative and disciplinary proceedings, nor are they equal in public access to information on which providers have been investigated and the outcome of a complaint. **SB 1452 (health**

**profession regulatory boards)** requires health boards to post all actions on a public website, make digital recordings of board proceedings available to the public, impose term limits to deter protectionism within the board and streamlines board disciplinary process on how it treats non-disciplinary actions. Non-disciplinary actions can range from recordkeeping violations to arrest and patient care issues. Some boards classify them as confidential and do not disclose these violations to patients. SB 1452 reverses that practice. The bill also contains a statute of limitations of four years for a board to investigate and conclude an investigation, bringing finality and resolution to a case.

## JUDICIARY

Outrageously high jury awards arguably arising from driver-error fatality accidents that happened to occur on Arizona highways were becoming financially untenable for public entities. **SB 1025 (public entities; defenses)** reasonably expands the affirmative defense in the case of an injury arising from a plan or design for construction, maintenance, or improvement on state highways and roads if the plan was in conformance with accepted engineering standards.

A viable reason no longer exists to continue to ensnare the State of Arizona within the jurisdiction of the Ninth Circuit Court of Appeals. Arizona should not be subjected to a clogged, overburdened Court whose erroneous, politically-tainted rulings are often overturned on appeal to the U.S. Supreme Court. As such, **SCM 1002 (division; ninth circuit; urging Congress)** requests that Congress split the Ninth Circuit into two circuits, which would place Arizona into a jurisdiction along with more politically aligned Mountain West states.

Law enforcement should be held to the highest evidentiary standard when seizing property. **HB 2477 (civil forfeiture; report information; remedies)** ensures that the government must prove by clear and convincing evidence that the property seized was involved in furtherance of a criminal enterprise. The bill seeks to balance the due process rights of citizens and provide oversight against civil asset seizure abuse without hampering law enforcement efforts to thwart organized crime.

Rapid advances in technology may stretch the confines of Fourth Amendment protections, but they cannot outgrow it. **SB 1342 (search warrants; tracking; simulator devices)** modernizes search warrant procedure on tracking devices and cell site simulator devices.

The Arizona summer heat and a child or pet locked inside an unattended vehicle is a deadly combination. **HB 2494 (civil liability; vehicles; minors; animals)** seeks to mitigate the issue by waiving civil liability from damage for people who use reasonable force to rescue a trapped child or pet.

In response to recommendations from the Sexual Assault Evidence Collection Kit Task Force, the Legislature enacted **HB 2268 (sexual assault evidence; submission; reports)**. Recognizing the importance of evidence collection and reporting, the bill establishes time limits and standards for processing the backlog of sexual assault evidence collection kits. Sexual assault victims need to be assured that their communications with a sexual assault victim advocate are confidential. **HB 2444 (sexual assault; victim advocates; privilege)** provides a qualified privilege in a civil action for statements made by victims to advocates.

## FINANCE

When fuel for airplanes is purchased at an airport, similar to when fuel for cars is purchased at a gas station, taxes are owed on that fuel. Current law limits the application of a jet fuel tax by the State on the first ten-million-gallons purchased in a calendar year. Caps such as this assure that fuel purchasers will continue to do business in Arizona and continue to contribute to our expanding aviation economy. **HB 2064 (municipal jet fuel; excise tax)** extends the State's ten-million-gallon limit to municipal airports that impose their own local tax on jet fuel. Additionally, revenues generated from the airport must be used solely for the airport's capital and operating costs, increasing its opportunity to become a local, economic hub.

Since 1996, Government Property Lease Excise Tax (GPLET) has been levied in lieu of property taxes, when governments lease publicly-owned property to private businesses. These deals have generally been viewed as unfair to both taxpayers and local schools since they rely on property tax revenue. **HB 2213 (GPLET reform; K-12 taxes)** improves GPLETs by reducing their lifespan from twenty-five years to eight years, enhancing oversight and closing several loopholes.

**HB 2214 (income tax subtraction; ADA retrofits)** helps Arizona businesses by mitigating the costs associated with removing barriers and costs of services provided to people with disabilities. This measure encourages businesses to comply with the ADA by allowing those businesses to write off costs associated with compliance in the year the costs were incurred instead of amortizing the costs over a number of years.

Arizona patients experiencing sticker shock when they receive surprise bills above and beyond their normal insurance copay and deductible will be able to challenge a bill with the passage of **SB 1441 (insurers; health providers; claims arbitration)**. Individuals receiving care from health professionals who are out-of-network are oftentimes billed the balance of what the insurer pays, leaving that individual with an excessive tab well into the tens of thousands of dollars. This can have a significant financial impact, particularly in emergency settings where there can be no verification that all services were in-network. SB 1441 allows an enrollee to dispute a surprise bill in excess of \$1,000 through the Department of Insurance. If the bill is not resolved through an informal teleconference, then they can pursue arbitration. An arbitrator will consider the claims and information related to the service provided by insurers and providers and make a determination on the final cost. The patient bears full responsibility of making all co-pay and deductibles up front. The arbitrated bill is final and cannot be appealed. This legislation is a consensus measure that strikes a fair balance on reasonable billing practices for out-of-network claims.

Arizona law requires individuals to pay capital gains taxes on gold and silver transactions. Due to inflation, over time the purchasing power of currency decreases, resulting in gold and silver values to rise. To offset this nominal increase, **HB 2014 (legal tender exchange; tax effect)** allows individuals and corporations to subtract from their Arizona gross income any capital gains derived from the exchange of gold and silver for legal tender.

In an effort to reduce government regulation and red tape, **HB 2386 (insurance; advertising; filing requirements)** removes the requirement that the Department of Insurance (DOI) review non-substantive health insurance advertising material designated primarily for brand awareness. Because statute has not been updated since the emergence of social media, the DOI is required to review ALL advertising and sales materials generated by health insurers. This includes material that contains no product information and includes web pages, banner ads and social media sites that contain only the insurer's name and logo. This is overly burdensome for the Department and insurers and unnecessary for protection of consumers.

Cities are allowed to levy a property tax to pay their annual principal and interest debts for all issued bonds. The annual levy shall not exceed the amount necessary to make the annual payment of principal and interest. Yet some cities continue to disregard their bond cash balances and levy in amounts that create a reserve fund. Starting in FY 2020, **HB 2011 (bonds; levy; net of cash)** requires that bond cash reserves cannot exceed 10% in order to calculate the bond's principal and interest for determining the required levy. Statute requires cities, towns, counties and community college districts that plan to levy primary property taxes higher than the prior year to comply with Truth-In-Taxation (TNT) notice and hearing requirements. To keep taxpayers as informed as possible, **HB 2286 (truth in taxation; increase; notice)** requires a Truth-in-Taxation notice to state what the new property tax will be and what it would have been without the increase. The bill also adds secondary property tax districts (flood, library, jail, and public health) to the TNT review requirements of the Property Tax Oversight Commission.

# ELECTIONS

Technological advances in the elections process make voting materials more accessible to voters. **HB 2304 (voter guide; publicity pamphlet; email)** permits voter education materials and ballot initiative pamphlets to be delivered via email upon request by the voter. Advances in technology also streamline the process for citizens to exercise their First Amendment rights and run for political office. **HB 2412 (voter registration records; petition submittals)** gives the Secretary of State the authority to authorize the creation, use and submission of nomination petitions for statewide and legislative offices electronically.

**HB 2302 (electoral college; elections; violation; classification)** protects the electoral college from rogue electors so that electoral votes are cast for the presidential candidate picked by a majority of Arizona voters.

Approximately 80% of Arizona voters send in their ballots by mail, so it's imperative to protect voter choices in a secure manner. **SB 1238 (early ballot envelopes)** requires tamper-evident ballot return envelopes that do not reveal the voter's selections. **SB 1370 (elections; unlawful voting; residence)** prevents voter fraud by prohibiting a person from knowingly voting in the same election in two separate jurisdictions.

At times, it may be difficult for an election officer to discern exactly which office a candidate seeks in the highly technical environment related to campaign finance. **HB 2486 (candidate committee names; office)** seeks clarity and avoids confusion by stipulating that if a candidate has a committee open for more than one office, the candidate committee name must include the office sought by the candidate. The bill provides further clarification by modifying the definition of an election cycle for statewide and municipal elections.

A municipality shouldn't seek to increase taxes by putting a measure on the ballot in an off-year, low turnout election. **SB 1152 (tax authorization; consolidated election dates)** ensures that a ballot measure that raises the Transaction Privilege Tax assessment rate occurs on the General Election date.

Arizona voters have lost confidence in the initiative process. Petition signature fraud is a major concern. As a result, the Legislature enacted **HB 2404 (initiatives; circulators; signature collection; contests)**, which prohibits signature gatherers from getting paid based upon the number of signatures collected.

The Arizona Constitution is sacrosanct. Persons seeking to modify it should be held to the highest standards when doing so. As such, **HB 2244 (initiatives; standard of review; handbook)** requires persons using the initiative process to strictly comply with Constitutional and statutory requirements in order to get their issue on the ballot.

# APPENDIX





# ARIZONA SENATE REPUBLICANS

## 2017 Majority Program

*Creating Opportunities & Prosperity for Arizona*



### ECONOMIC DEVELOPMENT & JOB GROWTH

The Republican Majority is committed to creating the best-possible environment for new and existing businesses, small and large. As other states increase taxes and regulations on job-creators, Arizona is opening its doors for the business community. Republicans will look for opportunities to reduce regulations and review the scope of state and local licensing.

- Grow the State's economic development portfolio to attract new industry and promote growth in the State's economy
- Identify ways to ease the regulatory burdens on business and grow or improve the small business infrastructure in Arizona
- Support innovation and technology that revolutionize the delivery of service and products for our customers
- Reduce regulations at State and local levels
- Protect private property rights
- Protect businesses from Americans with Disabilities lawsuit abuse through tort reform



### STRUCTURALLY BALANCED BUDGET

After a decade of imbalanced budgets and growing deficits, Republicans have created a budget that is structurally balanced, and we must resist efforts by the spending lobby to reverse this balance. We will provide more resources in areas vital to Arizona's growth, but we will not appropriate funds we don't have.

- Continue to utilize three-year budget planning
- Follow Finance Advisory Committee projections
- Protect against raids on the Rainy Day Fund
- Continue to focus and invest resources on K-12 Education



### A STRONG EDUCATION SYSTEM

In the past decade, Republicans have created one of the broadest education choice environments in the nation. Passage of Proposition 123 means \$3.5 billion in new funding to K-12 over the next ten years. Arizona is poised to be a leader in quality education and our Caucus will support greater choice and accountability.

- Stay committed to a strong, high-quality K-12 public education system by supporting and enhancing academic achievement through school choice and accountability
- Recognize high performing schools and provide more opportunities for student achievement for all students regardless of where they live
- Support a rigorous K-12 system to ensure that all students graduate and are ready for both college and the workforce, with a special focus on and additional spending for at-risk children
- Keep higher education affordable and accessible to all families



### TRANSPORTATION, INFRASTRUCTURE & TECHNOLOGY

For our State's economy to run at full capacity, we must have a transportation system that is up-to-date, accessible and reliable. We will embrace new technologies that improve transportation for citizens and industry.

- Recognize that a well-designed, well-maintained network of roads and freeways creates an atmosphere for economic success
- Foster robust policies to ensure that innovation and technology play a major role in moving people and goods from place to place, and where possible, resist regulating when it might stifle innovation
- Encourage IT investments in critical State agencies that use up-to-date software as a service



# ARIZONA SENATE REPUBLICANS

## 2017 Majority Program

*Creating Opportunities & Prosperity for Arizona*

### 2017 ARIZONA SENATE MAJORITY PROGRAM



#### ENERGY, WATER & AGRICULTURE

Arizona's natural resources must be preserved for future generations, but we must also find the proper balance between environmental stewardship and economic opportunities. We will continue to push back any efforts by the federal government to mismanage our public lands.

- Work with the congressional delegation and the Administration to reverse harmful federal regulations
- Cooperate with other states and work with our congressional delegation to protect and increase our water supply
- Encourage production of affordable energy that is cost-effective for ratepayers
- Protect individual and State water rights



#### PUBLIC SAFETY AND BORDER SECURITY

Our highest commitment to Arizonans is their safety and well-being. The Republican Majority will do all we can to keep our citizens safe in their homes, particularly those in border communities.

- Ensure law enforcement has the tools to protect our communities
- Provide comprehensive and targeted policies that combat border-related criminal activity such as drug and human trafficking



#### QUALITY HEALTH CARE

Arizonans must have greater access to high-quality medical care with affordability. Republicans will fight for more flexibility in the way health care is delivered to patients, while promoting accountability and transparency.

- Establish sound accountability measures for providers to ensure that health care and behavioral health needs are met
- Support initiatives to combat the substance abuse epidemic that has profoundly impacted the State's child welfare and criminal justice systems, and protect Arizona's families
- Continue efforts to provide flexibility for the State's health care dollars



#### PROTECTING THE VULNERABLE

The Legislature will protect Arizona's vulnerable developmentally disabled, elderly and at-risk populations.

- Continue monitoring the progress of the Department of Child Safety's backlog of cases and its success in meeting legislative benchmarks
- Continue to improve accountability and streamline systems for better efficiency and outcomes
- Measure outcome goals for continual improvement and positive, long-term success for children in State and foster care



#### ELECTIONS

Voting is the foundation of our Republic and Arizonans must know our elections are secure and without fraud. In addition, the voting process should be run as efficiently as possible.

- Provide voters with a streamlined and efficient voting experience
- Ensure legal votes are counted in an expeditious and timely manner
- Continue to modify campaign finance laws so that free speech rights are preserved as well as enhanced