The Arizona Legislative Alert

Wrap-up: 2018 Social Justice Bills

A Project of UUJAZ and VUU. Giving Voice to UU Values in Arizona

May 11, 2018

Prepared by Anne L. Schneider, PH.D. All opinions are those of the author. Shining a bright light for social justice! Downloadable PDF <u>here</u>. To be added to the email list, or to be taken off send request to <u>legislativeadvocacy@vuu.org</u>.

Even as we congratulate one another for the successes of this year --- most of them defensive efforts that stopped bills damaging to social justice (health, education, general welfare, jobs, income equity, etc.) — we must begin preparation for November elections. ALL members of the Arizona Legislature are up or re-election, unless they are term limited or not running again for some other reason.

But in the meantime, take a deep breath, and dive into the highlights and then look up the topics you are most interested in to get a sense of what happened.

Some bills are still on the Governor's desk. If they were transmitted after the Legislature adjourned, he has until May 17 to sign or veto. Bills not signed or vetoed become law without his signature.

• The budget contains funding for an average of a 10% raise and an additional \$100 million for general operations (called "additional District Assistance"). Because the money is distributed on a per teacher basis, districts with higher than average salaries will NOT have enough to give everyone a 10% raise. Also, districts have latitude to use these funds for raises to other educational personnel (counsellors, bus drivers, coaches, cafeteria workers, etc.). The money goes into the base support and the base was increased to account for inflation and population growth. The other side of the story? This does not even come close to the \$1 billion that has been CUT from education since the recession ended. There is still far

too much opposition to PUBLIC education in Arizona and too much support for tax breaks including tax credits.

 Proposition 305 – the opportunity to STOP voucher expansion, perhaps stop any future efforts to expand forever! The Legislature did NOT repeal or replace the voucher expansion bill that Save Our Schools (and many of you) worked so hard to get on the November ballot. This means that a NO vote on Proposition 305 should kill voucher expansion ("empowerment scholarships") once and for all. Current eligible students will continue to be eligible – mainly, students with special needs and that is a good program for special need students.

Want to learn more about the impact of these new versions of vouchers? The film, Backpack Full of Cash, will be shown at the Valley Unitarian Universalist Congregation May 17, 7-9 p.m. and is open to the public. FREE. VUU is located in Chandler, just off I-10 and Ray Road, 6400 W. Del Rio St. Film is narrated by Matt Damon.

- ALSO ON THE BALLOT IN NOVEMBER. HCR2007 was passed on the last day and sent to the Secretary of State to put on the ballot. This resolution – if passed in November -- would curtail the ability of the Clean Elections Commission to make rules governing elections.
- The Governor's "gun safety bill" SB1519 was amended and watered down so severely that it FAILED TO PASS. Something needs to be done about gun violence, but this bill was not good enough.
- Although too many tax cuts passed (especially HB2528), the last big one (HB2479) that would have exempted many digital sales was defeated.
- The Senate also killed SCR1034 that would have made changes to the AZ Independent Redistricting Commission in a way to disadvantage minority voters, especially American Indians.

The "Invest in Education" Ballot Initiative. This initiative would raise money for education – with a progressive tax that is being widely misrepresented as a

"soak the rich" scheme. It is NOT an unfair tax. In fact, all of us will pay for education in a way that helps Arizona's tax system be MORE fair. If enough signatures are gathered, this initiative would go on the ballot in November.

You can read the full petition at this site:

http://apps.azsos.gov/election/2018/general/ballotmeasuretext/I-16-2018.pdf The Arizona Center for Economic Progress put the initiative together. More details about where to get petitions and where/when training will be held will be available soon!

Remember, there is a downloadable <u>PDF</u>, and the internal links should work in it, if they don't work on this copy in your e-mail box!

Check out the <u>Resources</u> section for updated events.

Here's the Governor's Contact Information: Governor Ducey's <u>engage@az.gov</u> <u>602.542.4331</u> You can find a contact form at: <u>http://azgovernor.gov/engage/form/contact-governor-ducey</u>

To find your legislative district: <u>https://azredistricting.org/districtlocator/</u> **The roster of state legislators is found at <u>http://www.azleg.gov</u> then click on senate/members and house/members**

Topics are in the following order, in case the internal links don't work in your browser, just scroll to what you want to read, or download the <u>PDF</u>.

Crime / Criminal JusticeDemocracy (voting & elections)Economic Justice(Budget)EducationEnvironment (including water)Health & WelfareHuman RightsGunsImmigrationtaxationResources

Details about Legislation

<u>Crime & Justice</u> –

- <u>Signed HB2007</u> Passed House 34-23 and Senate 17-12. The bill permits a court to find as an aggravating factor, the wearing of a mask if it is intended to hide someone's identity. Observers contend this was prompted by protestors who sometimes wear masks as they engage in political protest activities. Sponsor is Lawrence (R, LD 23).
- **Signed** <u>HB2020</u> confidentiality agreements; sexual assault; harassment HB2020 passed the House unanimously and the Senate. This is a good bill. This bill will close the "predator loophole" in that it permits victims of sexual harassment or assault to speak to law enforcement or to testify in court even if they have signed a confidentiality agreement. These agreements have been used extensively by wealthy individuals who engage in sexual harassment or abuse to buy the silence of their victims. Sponsor is Maria Syms, R, LD 28.
- Signed <u>HB2053</u> theft by extortion; sexual acts. Another good bill is HB2053 sexual acts by extortion that adds sexual acts to the definition of crimes by extortion meaning, threatening a person with physical harm or property damage unless they do as you say. It passed the House 27-2 and the Senate 29-0. Sponsored by Syms, R, LD 28.
- Signed <u>HB2189</u> prisoners; dedicated discharge account. This bill permits an inmate's discharge account to be used while still in prison for services that will be needed immediately upon discharge. Passed House 57-1 and Senate 29-0. Sponsor is Boyer, R, LD20. Another bill that is part of the bi-partisan efforts to help ex-offenders to live a productive, meaningful life after prison.
- Dead <u>HB2241</u> Passed House on reconsideration after first failing. Mandates prison for fentanyl sales or use. Not acted on yet at all in the Senate! That's good. Maybe stalled. This legislation increases penalty to 10 presumptive years or 15 for subsequent offense (E. Farnsworth, R, LD 12) Passed 5-4, passed Rules committee 9-0. It failed its first vote in the House but passed after reconsideration 34-25.
- Signed <u>HB2243</u> wrong way drivers; dui. Passed House, 38-21 and Senate 27-2. Establishes a civil traffic offense for driving the wrong way on a controlled access highway. A person found responsible is subject to a \$500 civil penalty and must attend and successfully complete Traffic Safety

School. The bill also creates a new aggravated DUI offense for a person who commits a regular, extreme or aggravated DUI violation while driving the wrong way on a highway. A violation is a Class 4 felony (2 ½ years, up to \$150,00 plus surcharges). Issue here is whether more severe punishment for wrong way DUI offenses will deter crime or simply add to the prison population. Sponsor is E. Farnsworth, R, LD 12.

- Signed <u>HB2244</u> dangerous crimes; children; fictitious age Passed House unanimously and Senate, signed by Gov. This is a good bill. It says it is not a defense to a DCAC (dangerous crimes against children) allegation that the minor victim (under 15) is fictitious; an adult; a peace officer posing as a minor; or older than the defendant believed, knew or had reason to know. The legislation was prompted by a 2017 case where a conviction was vacated because the child being offered (by a parent) was fictitious.
- Signed <u>HB2245</u> prohibited bail; sexual conduct; molestation. Current law prohibits bail for crimes against children under 15, but court found it vague and unconstitutional. Modifies the prohibition on bail for a person charged with sexual conduct with a minor under 15 or child molestation to apply only if the person was: 18 years or older and the victim was under 13 years old; or 10 years older than a 13 or 14-year-old victim. (Sec. 1). Opponents in the House were not satisfied as the bill seemed still unfair when applied. Passed House 40-19 with some Democrats opposed.
- Signed <u>HB2246</u> jail; prohibited items; drugs. Passed House 57-2 and Senate 30-0. On Governor's desk. This bill expands the list of drugs that cannot be taken into a jail to include marijuana and some other dangerous drugs not currently included and makes it a class 5 felony.
- Signed <u>HB2248</u> sexually violent persons; screening. Passed House, 57-0 and Senate unanimously. Current law permits screening to see if a person is a Sexually Violent Person (SVP). This expands the list of conditions that may trigger the SVP screening process to include a defendant who was ever: a) Convicted of a sexually violent offense; or b) found GEI (Guilty Except for Insanity) for a sexually violent offense.
- Signed <u>HB2283</u> sexual offenses; definition; defenses This is a good bill that passed the House and Senate unanimously. The bill excludes from the definition of sexual contact any direct/indirect touching, fondling or manipulating that a reasonable person would recognize as normal caretaking interactions or responsibilities with a minor or a vulnerable adult. It also

strikes the defense for sexual abuse or molestation if the defendant was not motivated by sexual interest.

- Signed. <u>HB2311</u> ex-offender limited liability. A good bill! This bill passed the House and Senate unanimously. It provides some protection from liability for employers who hire ex-offenders. The fact that the person was an ex offender generally could not be introduced as evidence of an employer's culpability. Sponsor is E. Farnsworth, R, LD12.
- Signed <u>HB2312</u> setting aside conviction; requirements Clarifies requirements for setting aside criminal felony convictions. Passed House 56-0. Expands options for those who have their convictions set aside, helping with employment, housing. Supported by AFSC (AZ Friend's Service committee) and the fair justice task force. E. Farnsworth, R, 12.
- Signed <u>HB2313</u> sentencing; monetary obligations; fine mitigation Passed House 56-0 and Senate unanimously. This is a good bill. It modifies requirements for wide range of court- ordered financial obligations, allowing judge to mitigate certain fees and reduce financial burden as well as allows community restitution. E. Farnsworth, R, 12.
- Still on Gov. Desk <u>HB2356</u> juvenile court; jurisdiction; age Another good bill. It allows juveniles to remain in juvenile system until 21 and not serve more than one year in adult facility. Bowers, R, 25. Passed House 56-0, passed Senate 28-0 and has been sent back to the House for concurrence.
- Dead <u>HB2489</u> schools; anonymous reporting; dangerous activity passed House committees unanimously and Senate committees including Rules but did not pass full Senate. Sponsor is Boyer, R, LD 20. Passed House 48-12 with bipartisan support and bipartisan opposition. This bill mandates that AZ Department of Education create a "safe to tell" program, including a counter terrorism component, for public schools. Objections were on the grounds that anonymous reporting is inviting false reports that then will have to be taken seriously by law enforcement and others. Supporters argued it will help keep schools safe.
- Signed <u>SB1041</u> Passed Senate 17-13 and House 34-25. residency restrictions; sex offenders; victims. This legislation restricts how close a convicted sex offender can be to a children's place or the victim's residence. Opponents mentioned the unfairness of current sex offender registration requirements that range from benign to serious. Kavanagh, R, LD 29. In the House, passed committee 6-3 and passed Rules. Could be voted on any time.

- Killed, replaced with a strike everything about insurance fees <u>SB1295</u> animal cruelty; domestic animals; classification (Kavanagh, R, LD 29). SB1295 Passed the Senate 16-13 and was used in Appropriations committee as a strike everything. The original bill would create a special Class 5 felony for subjecting pets to cruel mistreatment.
- Dead (unfortunately) <u>SB1476</u> pre-arrest diversion; pre-complaint education program. Passed Senate 22-7 and on House Appropriations committee 3/28. This is a bi-partisan bill that permits merchants who were victimized offering the suspect an educational diversion program, including waiving its fee. A good bill. It is not on the Judiciary and Public Safety committee agenda for 3/21 (Wednesday). If you want to support this bill, contact the chair of that committee, E. Farnsworth (R, LD 12 602 926 5735 or <u>efarnsworth@azleg.gov</u>.
- Dead <u>HB2222</u> feminine hygiene products; requirements; appropriation (Salmon, D, LD26). Passed an all-male committee 5-4, but then pulled when the Department of Corrections promised to do something about this internally. In the committee, one Republican (Campbell, LD 1) and all Democrats voted for it. DOC has promised to provide tampons, enough pads, and to not charge the women for these products.

Democracy, Voting &, Elections

• Vetoed (good, even if it was done as a power play!) <u>HB2121</u> ballot measures; paid circulator definition. Passed the House, 33-26 and Senate. The bill is another one of those attempting to make it more difficult for citizens to collect enough signatures to get an initiative on the ballot. This bill changes the language for paid circulators from definition of "paid by signature" to anyone who is paid for collecting petition signatures. This requires that they be registered, which would later subject them to a possible subpoena if a signature on one of their petitions was challenged. Leach (R, LD11).

- Signed (sigh) <u>HB2153</u> campaign finance; nonprofits; disclosure. Passed the House, 33-25 and Senate Judiciary committee 4-3 and Rules and the Senate. This is another pre-emption bill (NOT a good bill) with the Legislature prohibiting local government from taking progressive action. Campaign finance law requires an organization to register as a political committee if they have made contributions of \$1,000 or more to a candidate, and this bill prohibits local/state governments from going beyond state law in its requirements of 501 organizations. That is, local government cannot require a 501 organization to register as a PAC, to disclose donors or to submit to an audit or to produce evidence regarding a potential campaign contribution. In other words, local governments cannot enforce campaign law! **Sponsor is** Leach, R, 11. Supporters want to consider money as speech and prohibit at the local level any efforts to go beyond state law, as some cities and towns have done. This would make that illegal.
- Signed <u>HB2184</u> Clean Elections Restrictions. Passed House 53-4 after most opposition overcome. Passed Senate unanimously with an amendment so sent back to House for reconciliation. Opponents feared the bill was aimed at preventing the Clean Elections Commission from adopting rules that govern expenditures in elections, but those objections were removed and the bill now has bipartisan support as it clarifies rule making authority. (Coleman, R, LD16).
- Passed: On Ballot in November <u>HCR2007</u> clean elections; unlawful contributions; rulemaking. Passed House, 34-25 on party line vote and Senate Judiciary 4-3 and Rules. This bill would prohibit the <u>Clean Elections</u> commission from making rules. These are essential to the work of the commission and would cripple it if the resolution becomes law. Sponsor is Coleman, R, 16. The Clean Elections Commission is about the only agency in Arizona interested in enforcing campaign finance requirements.
- <u>Dead</u> <u>HCR2024</u> Article V convention; term limits. This bill was Dead but revived and passed House 31-28 and then Sen. Judiciary 4-3 as well as Rules. They are using it instead of SCR1005, which also calls for an Article V convention but was killed by a strike everything amendment. This bill calls for a convention to amend the U.S. constitution to require term limits of Congress.
- Killed by Vote <u>SB1273</u> GRRC; review; licensing requirements. Passed Senate 19-11 with some Democrats voting for it. Passed House Military,

Veterans, and Regulatory Affairs committee 5-4 and Rules but then failed in the House on a 27-32 vote. Another bad bill. This bill refers to the Governor's Regulatory Review Council. A person or entity may appeal to an agency that a rule or regulation is burdensome and not essential for public health and safety. If the agency turns them down, this bill would enable them to appeal to the GRRC which will review the case and has the authority to nullify the agency rule. Here's what it says: "a person may petition the council to request a review of an existing agency practice, substantive policy statement, final rule or licensing requirement that is not specifically authorized by statute pursuant to title based on the person's belief that the existing agency practice, is unduly burdensome...."

Dead (killed 13-15 in Senate) SCR1034 originally passed the Senate on a party line 17-13 vote. It would refer to the voters a change in the membership of the Independent Redistricting commission that draws the boundaries of Arizona Congressional and Legislative districts. It was amended by Sen. Yarbrough in an effort to gain more support, but opponents still call it an unnecessary change. Under this bill, if passed by the Legislature and then the voters, the Arizona Constitution would be amended to provide for 9 members of the commission, 3 Democrats, 3 Independents, and 3 Republicans. The opponents of the current law say that too much power lies in the hand of the one independent on the commission. Republicans argue that the current district lines favor Democrats (although all three branches of government in Arizona are controlled by Republicans and only a few districts are truly competitive). The bill was amended so it maintains the ability of the Commission on Appellate Court Appointments (Appellate Commission) to nominate a pool of qualified persons from whom the commissioners would be chosen. The sticky issue now is that amount of population deviation that is allowed. Currently, a 10% deviation is allowed, which enables district lines to avoid splitting up towns and helps keep minority areas intact (especially Indian reservations) rather than scattering their votes across so many district lines they are unable to have a number of elected officials proportionate to their size of the population. For example, if a minority group is 35% of the population, one would think it only fair that they have about 35% of the representatives; but through gerrymandering, their voting strength can be diluted by splitting them across a wide number of districts where they are only 35% in each one and are unable to elect even

one representative. The bill now would limit it to a 2% deviation that opponents say would let district lines split up minority areas in such a way that they end up being under represented in terms of population. This was the issue that led to the bill being voted down in the Senate.

- Dead (good) <u>SCR1001 -</u> This resolution would hold <u>citizen initiatives</u> and referenda to the same standards as legislation that is presented for a public vote, namely, that it must deal only with one subject and that subject must be in the title (Kavanagh, R, 29). Bad bill, as it would make citizen initiatives more difficult to use as separate initiatives would have to be used and signatures gathered even for two closely related topics.
- Dead (good) <u>SCR1002</u> (D. Farnsworth, R, LD 16) would require reauthorization of citizen initiatives every 10 years. Again, this is an effort by some in the Legislature to restrict the ability of citizens to by-pass the Legislature and enact their own legislation.
- Dead (good) <u>HCR2008</u> initiatives; conflicting federal law. Failed, finally! FPRPP committee voted against it 2-7. Will watch for it as a striker put into another bill. It would require the Attorney General to review initiatives at any time in the process, even after they have gained enough signatures to be put on the ballot, and if in conflict with federal law, take them off the ballot. Leach, R, LD 11.
- Dead (good). <u>HCR2022</u> U.S. Senate candidates; legislative nomination. Finally passed the House Federalism, Property Rights and Public Policy committee 6-3, but did not get out of the House. This is a bad bill. The resolution, if passed, would go to the voters to have legislators from the Republican and Democratic party caucuses narrow down candidates to two per party who then would be voted on by the general public. Grantham, R, LD 12. This is a very bad idea!
- Dead (good). <u>SB1023</u> campaign contributions; reportable amount. This bill is hopefully **Dead for the session** even though it passed its committee 4-3 but will watch for it as a striker inserted into some other bill. Two Republicans (Ugenti-Rita and Steve Smith) reportedly told the sponsor, John Kavanagh (R, LD 29) that they would not support it. In the Senate, 16 votes are needed to pass and the loss of two is enough to kill a bill. So, Kavanagh pulled it. The bill illustrates the presumed "right to privacy" for someone who donates money (a "right" that is disputed) against the public's right to

know who is paying to achieve election victories. The bill would have shielded from public view all donations under \$100. Current law does not require naming those with donations under \$50.

- Dead <u>HB2277</u> state political-economic system; free-market capitalism Passed committee 5-2 but not heard in rules. Dead (good). Thorpe, R, LD 6
- Dead <u>HB2284</u> initiative; referendum; campaign finance filings. This bill is Dead (good), but two provisions were especially worrisome as they would make it more difficult for citizens to get enough signatures to put issues on the ballot. One is that they cannot start collecting signatures until the Legislature has adjourned, and the other is the requirement to file monthly rather than quarterly campaign reports. Leach, R, LD11.
- Dead <u>SB1374</u> state law; local government violations Senator Brophy-McGee (LD28). Failed 3-4 in the Sen. Government committee. This was a good bill as it helped correct some pre-emptive legislation of the past that thwarts local government efforts to be more progressive. Current law allows ANY member of the legislature to challenge local governments that they believe are in violation of a state law and the Attorney General is required to complete an investigation within 30 days. This does not repeal this extreme version of a pre-emption law but it limits the ability to challenge only to legislators who represent the district in which all or part of the county, city or town is being challenged. It also provides opportunity for challenged party to respond and extends the time allowed for them to either resolve the challenged issue or appeal to the state Supreme Court or to make adjustments. It also allows reimbursement of expenses. Capitol Times 2/ 9 reports that eight local government units have been targeted by state legislators under the 2016 law SB1487.

Economic Justice – Policies pertaining to <u>health and welfare</u> are also economic issues and are covered separately below. Most of the tax issues have been moved to its own section, <u>Taxation</u>.

• Still On Gov. Desk <u>HB2324</u> community health workers; voluntary certification. This provides for voluntary (not required) certification for community health workers. Sponsor is Rep. Heather Carter (R, LD15).

Advocates and community health workers want the bill as a way to increase visibility and understanding of the work as well as reimbursement potential. Bill passed 8-0 and 56-1. Passed the Senate 24-6 and has gone back to the House for concurrence. Still waiting on Gov.

- Dead (good) but resurrected and then didn't get a final vote in the Senate. <u>HB2479</u> TPT; digital goods and services Passed House 39-19 (Ugenti-Rita, R, LD23). This bill would exempt from sales tax on-line purchases of goods and services that are currently taxed. There is much confusion about what this bill proposes to tax and what will not be taxed, as well as the amount it would cost the state. Opponents not only object to the huge cut this could make to the general fund, but also to the uncertainty about what the bill would do. This tax cut also moves other types of sales to a different tax category, called a use tax, that is harder to collect and that does not contribute to the dedicated fund for teacher pay, known as Prop 301, according to the Children's Action Alliance. The Joint Legislative Budget Committee says this bill is a tax cut that will be a revenue loss, but they have not issued a fiscal note yet. Based on data from a sample of cities, the Arizona League of Cities and Towns estimates that these tax cuts will reduce state revenues by at least **\$120 million** at the beginning. This amount will grow over time as more and more commerce is conducted in the cloud. The League also estimates these cuts will reduce revenue from Arizona's education sales tax, Prop 301, by \$14 million annually which will be a direct cut to teacher pay at a time when teacher salaries are already the lowest in the nation.
- Signed (sigh) <u>HB2434</u> (financial products; regulatory exemption program)

 Passed House, 34-22 and passed Senate 17-12. This legislation is a new version of payday loans. It will allow unlicensed financial services products and services to be offered to Arizona consumers and will allow insurance companies, lenders, and financial technology companies to "test" new financial products, putting Arizonans who use these products at risk. This idea is being imported from other countries, including England and Finland, but they have stronger protections for consumers and shorter "sandbox" time periods (experimental time periods). Sponsor is Weninger, R, LD 17.
- Dead (good). <u>HB2528</u> capital gains; income tax subtraction. Sponsored by J.D. Mesnard, Speaker of the House, **35-25 and passed Senate Finance committee 4-3. No action by Rules killed it.** This bill permits a tax subtraction of capital gains taxes that will rise from the current 25% deduction to 50% after

several years. Eventually, the cost to the general fund will reach \$23 million a year, according to the JLBC fiscal note. Opponents pointed out that the richest 183 Arizonans, those making \$5 million or more per year, will gain the most – an average of \$27,000 a year each. Attempts were made to amend the bill so that senior citizens with income less than \$75,000 would be able to deduct these amounts of capital gains, but those amendments were defeated. Here we have another bill that benefits the rich and increases income inequality.

- Dead (good). <u>HCR2028</u> wages; leave; retaliation presumption; repeal Passed House 35-25 and passed Senate Commerce and Public Safety committee 5-2 but killed when Rules did not hear it. Sponsored by Speaker Mesnard. The 2018 general election ballot is to carry the question of whether to amend state statute to delete the presumption that taking adverse action against a person within 90 days of the person engaging in specified activities was retaliation. This begins to unravel the minimum wage and benefits protection passed by the voters in 2016.
- Still on Gov. Desk <u>SB1398</u> unemployment insurance, definition of "suitable work." This bill, Sponsored by Smith, R, LD11) passed the Senate 21-9 with many Democrats voting for it along with all Republicans. It passed the House 34-24 and has gone back to the Senate for concurrence. It provides that persons who have been on unemployment for four weeks must accept thereafter any employment offer that pays 120% of the unemployment insurance benefit. That benefit is \$240 a week, so this portion of the bill requires accepting a job that offers \$288 a week, which is about \$7.20 an hour, less than the minimum wage of \$10.40 an hour. If the person does not accept the offer, they lose their unemployment insurance benefit. That part of the bill needs to be amended. This bill does have a new, good, apprenticeship program in it, which may be why Democrats voted in favor with the hope that the definition of "suitable work" would be clarified and amended in the House.
- Dead <u>SCR1016</u> minimum wage; sick time repeal. This bill may be Dead (good). It would submit to the voters a proposal to overturn the 2016 initiative that approved a minimum wage increase gradually to \$12 by 2020 and provided for mandatory sick time. This would cap the minimum wage

permanently at \$10.50 and repeal the other provisions! Sponsor is Sylvia Allen (R, LD6).

- Signed (good) <u>SB1436</u> prohibition; criminal history; occupational regulation. Passed Senate 28-2 and House. (Burges, R, LD12). It prohibits a person being refused an occupational license because of a criminal record unless the crime was violent, sexual, or would more likely re-occur if the person were licensed. This is part of the continuing bi-partisan efforts to reduce recidivism of ex-offenders.
- Still on Gov. Desk (really??? You got to be kidding). <u>SB1091</u> will allow_income tax payments to be made in bitcoin. (Petersen, R, 12) **Passed the Senate** 16-13 and the House and finally Rules and the full House. The supporters argued that it is faster and more convenient for people to use bitcoin to pay their taxes rather than dollars. They claimed this would also save them money because it cuts out the fees associated with exchanging bitcoin for dollars. Opponents asked why the person cannot just exchange the bitcoins themselves and then pay their taxes in dollars. They pointed out that people cannot pay their taxes with rubles or pesos. Opponents also made it clear that bitcoin is simply a currency with no underlying value at all. Some called it a Ponzi scheme and worried about how it is controlled and by whom. Closely related is SB1145 which did not get a vote in the Senate.
- Dead <u>SB1145</u> which requires that AZ Adjusted Gross Income include virtual currency (e.g., bitcoin and other forms of currency that has no inherent value at all). The bill didn't make it out of the Senate, and so far has not shown up as a striker. (Petersen R, 12). Passed 4-3 and passed Rules.
- <u>Signed SB1500</u> employment security; employee; employer; status Passed the Senate 19-11 and the House 34-22. Most progressives oppose this bill saying that it harms workers. Opposed by those concerned that people who should be considered employees and provided benefits will be re-labeled as contractors. Supporters say it brings clarity for businesses in terms of which people are employees (and required to provide benefits) or contractors (where benefits are not required).

Business / Professional Licenses – Most of those bills that would repeal the requirement for licensing of various professions have died. This type of deregulation is a national conservative-led movement ostensibly to "open up"

these professions and create jobs. Opponents say it is a scam that will harm consumers since licensing is one of the primary means of protecting consumers from fraudulent economic schemes.

- Signed <u>HB2404</u> license to practice taxidermy; repeal. (Strike everything used to change it to requiring registration rather than licensing). Passed House 39-18 and Senate 28-1.
- Signed <u>HB2411</u> homeopathic physicians; board; Passed House 58-1 and Senate 28-0. Back to House for reconciliation. Used twice for strike everything bills, it now has to do again with homeopathic physicians! Previously, the bill only requires the current board to make a study of how other states are regulating homeopathic physicians and report on it by 2019. It sets a date for repeal of the board's existence for 2019.

The ones that have died, but watch for them again next year, are:

- Dead <u>HB2011</u> cosmetology; licensing exceptions (Passed MVRA 5-4; Passed Rules and passed Committee of the Whole, but apparently not voted on)
- Dead <u>HB2406</u> behavioral health board; regulation; repeal (Assigned, Health, not scheduled)
- Dead <u>HB2407</u> dispensing opticians; repeal of regulation (Assigned, Health, no hearing scheduled)
- Dead <u>HB2408</u> board of funeral directors; repeal (Assigned, MVRA, no hearing scheduled)
- Dead <u>HB2409</u> massage therapy; regulation; repeal (Assigned Health, no hearing scheduled)
- Dead <u>HB2410</u> geologists; landscape architects; regulatory repeal (Assigned MVRA, no hearing scheduled)

Home Based Business – Although all of the bills to "open up" home-based businesses were dead, a new one has emerged, SB1387 .

• Dead SB1387. SE / Home Based Business. This bill prohibits local governments from regulating no impact home based businesses (defined as those that cannot be seen from the street). But then seemingly in contradiction it permits local regulations "to: a) protect public health and safety; b) ensure that business activity is compatible with, secondary to and consistent with residential property zoning; and c) limit specified activity, including selling drugs that are illegal under state or federal law, selling spirituous liquor, beer or wine, operating a sober living home, pornography,

obscenity, nude or topless dancing or other adult-oriented activities." Go figure! Passed the House 35-25 but did not get out of the Senate.

- Dead <u>HB2333</u> home-based businesses; local regulation restrictions. Passed House 36-20 and assigned to Senate Government committee as well as Senate Commerce and Public Safety. Passed COMPS 5-3 but also assigned to the Government committee and not heard by it, so it may be dead. This bill appears to be the same as SB1175, which was assigned to COMPS but not heard. The bill 2333 "Declares the right to use a Residence for a home-based business, except when there are land use restrictions or any master deed, bylaw or other document that applies to an HOA." It limits applicability to non-impact home-based businesses, which are those that cannot be seen from the street. It specifically prohibits cities from requiring licenses or fire sprinklers and that does not appear to be limited to non-impact businesses.
- Dead <u>SB1001</u> home-based businesses; regulation restrictions. This bill also relaxes restrictions on home-based businesses, includes letting the person add a sign during business hours and having a 400-sq. ft. structure to conduct the business, and other changes. This passed Commerce & Public Safety 5-3 but is also assigned to the Governance committee and not heard by it.
- Dead <u>SB1175</u> home-based businesses; local regulation. The same as HB2333. Sponsor is Farnsworth R 16.

Education –

Dead. <u>SB1467</u> Privatizing K-12 education - STOs; expands eligibility for scholarships and increases the amount. The bill's sponsor is Sen. Yarbrough, R, 17, and passed the Senate 16-14 and passed House committee 5-3 after a serious amendment that removed the caps but limits increases to inflation or 2.5%. Passed Rules in that form. Now it simply expands eligibility and expands eligibility for a scholarship that will pay the full tuition bill for low income students, whereas in the past it would pay the full tuition or 90% of the public school cost, whichever was less. This is a major increase! Also, as amended, the bill now permits students who already are in private schools to have an "empowerment" scholarship. The bill is still another form of voucher that enables corporations to donate money to

an STO (school tuition organization) and take an equal amount of money off their state tax bill. The STO then keeps 10% for its own administrative costs and then awards the rest to qualified students so that they can attend "non governmental" schools—namely, private and religious schools. This bill originally capped the aggregate amount that corporations can give but that was removed by amendment. The STO program is NOT the same as the so-called "empowerment scholarships," which also are vouchers that take money directly from neighborhood schools to use as scholarships. The voucher program expansion bill (SB1431) from last year is being challenged by Save Our Schools and is on the November ballot as Proposition 305 with a "NO" vote being to veto the expansion bill of 2017 and a "YES" vote being to let the voucher program expand up to 30,000 students with all k-12 students eligible. The AZ Constitution gives citizens the power, if enough signatures are collected, to confirm or veto legislation passed by the Legislature. "Repeal and replace" is a deceptive strategy, and no bill was introduced to repeal SB1431, at least partly because of the RedForEd movement.

Also, you may want to get on the Save Our Schools list: **Sign the SOSAZ Pledge** to <u>Vote No on Prop 305</u>.

- Dead <u>HB2037</u> <u>State-Wide High Stakes Test.</u> Passed House 60-0. Was held in the Senate Education committee last week but passed 7-0 this week. Rules never passed it. The proposal is from Heather Carter (R, 15) and it would do away with the statewide high stakes tests for Arizona students that focus on the state standards and instead administer one test such as the ACT or the SAT that students can use nation-wide for college applications and that have nation-wide standards for comparison purposes passed 9-0. Most progressives support this change in statewide testing.
- Signed. resurrected!! <u>SB1390</u> TPT; additional rate; education. (Brophy-McGee, R, LD28). This is also the same bill as <u>HB2158</u>_TPT; additional rate; education (Coleman, R, LD 16). The Governor reached in, pulled this bill through the process and then signed the Senate version. This is the bill that would continue the sales tax revenue for education at its current level. The House bill passed the House Education committee but was double assigned to Ways and Means, which did not bring it up. Last week, Speaker Mesnard pulled it from Ways and Means but it stalled again until the Governor used his influence to get the Senate version moving again. The loss to school funds if this had not

been passed is estimated at 600 million every year beginning 2021. That would be devastating.

- Killed <u>HB2172</u> Weapons on campus. Passed House, passed Senate Education committee and Rules. Killed by vote in Senate. This legislation would prohibit college and university administrators from banning nonlethal weapons – probably aimed at Tasers, stun guns, other forms of weapons. Opponents concerned that this would set a precedent for prohibiting colleges and universities from banning guns. Passed 8-3. And full House, 35-22. Passed Senate committee. Sponsored by Grantham, R, LD 12.
- Vetoed (good) JTED Governance. A bill, HB2205, that would dramatically change the governing board for JTEDs (Joint Technical Education Districts) is causing some serious consternation as it makes its way through the Legislature. Our calls to the Governor may have made a difference, as he vetoed it. The bill reportedly is opposed by ALL JTED Boards except one and that one is pushing the bill.
- Dead <u>HB2280</u> The University "lease back" Bill. This bill passed the Ways and Means committee 5-4 but has not progressed since. The issue here regards ASU's lease back arrangement that allows commercial development on University property (businesses around Tempe Town Lake), and exempts those businesses from various state and local taxes.
- Signed by Gov <u>HB2286 and SB1055</u>. charter school board; rulemaking exemption. Both bills passed unanimously and have been signed by the Governor. These bills purportedly would permit the state charter school board to expedite its rule making authority, enabling it (according to supporters) to incorporate legislative changes more quickly into charter school governance. Opponents indicated concern about transparency and other aspects of charter school activity, including the lawsuits filed regarding charter school possible disregard of anti-discriminatory practices but in the end, all voted for these rule changes. Senate bill is from Sylvia Allen, R, LD6 and House bill from Boyer, R, LD20.
- Dead <u>HB2341</u> homeschooled children; school buses; JTEDs This bill would require school districts to transport home- schooled kids on buses to joint technical education districts.

- Dead <u>HB2377</u> teachers' school supplies; tax credit Failed 23-31 but request for reconsideration granted and then passed 34-20. Passed the Senate Education committee 6-0, but not heard by Finance or Rules. Should be dead. Clodfelter (R LD10). Another tax credit! Increasingly, though, these are for small amounts to programs that the state is neglecting! This one establishes a tax credit up to \$400 for teachers who buy their own school supplies to be in their classroom. Even staunch school advocacy groups are opposing it, including ASBA because tax credits have taken away so much money from the general fund that it is becoming impossible to support public services. Even more worrisome is that tax credits which provide a \$ for \$ deduction from one's taxes send a message that these services should be paid for by charity, not by the government. Is not on a Senate committee agenda, yet.
- Dead <u>HB2458</u> ballot arguments. School bond elections This bill changes existing law regarding information on bond election material for voters. It limits arguments to two in favor (by the governing board) and up to 10 in favor if these are submitted. And, also limits arguments to two against if submitted and up to 10 against if submitted. It mentions that these arguments are fact checked but that the fact checkers cannot change the arguments if it is the author's opinion. Not at all clear what the problem is or what this legislation is intended to do. Sponsored by Nutt, R, LD14.
- Signed <u>HB2460</u> charter schools; vacant buildings; equipment This bill requires a school district that is selling a vacant building be willing to sell it to a charter or private school if one is the highest bidder. The bill was aimed at a school district in Tucson that purportedly pulled a building off the market when a charter or private school wanted to buy it in an effort to avoid the competition. Rep. Vince Leach, R-Tucson, the sponsor of the legislation, was undeterred by the prospect that the former public school could end up in the hands of an organization that would, in effect, erect its own sign and seek to enroll some of the students in the neighborhood who otherwise would be going to public schools. He said it's just the way the world works. (Although one could quibble with that in the private sector, a company would not have to sell space near it to a competitor)!
- Dead <u>HB2482</u> foster care tuition waiver (Shope, R, LD 8). Passed House 60-0 and Sen. Education 7-0, Appropriations 8-0, and Rules but did not make

it out of the Senate. Provides for a tuition waiver to community colleges and universities – not reimbursed by the state — for persons in or coming out of foster care. This is on the Children's Action Alliance top priority list and a good bill to support. It is ready for a vote in the Senate.

• Signed <u>HB2563</u> postsecondary institutions; free expression policies (Bower, R, 25). **Passed, 34-22 and Senate 17-13 in slightly different form. Sent back to House for reconciliation and then passed again on straight party line votes.** This bill purports to protect free speech on campus, but it appears mainly to be based on model legislation written by the Goldwater Institute that prohibits administrators from limiting the people invited by students or faculty, except under extenuating circumstances, and provides for discipline and punishment to those who interrupt or interfere with a speech. This is a complicated issue, as at times in our history some of the right wing ideologues have wanted Universities and colleges to ban controversial speakers and currently it is more the people on the left who want to deny a platform for white nationalists. But this bill is directed at punishing those who protest, not protecting free speech. Higher education advocates are opposed.

<mark>Environment</mark>

Dead <u>HCR2017</u> would create <u>a clean-energy ballot measure designed to confuse</u> <u>voters</u>. The wording is very similar to an existing initiative to require 50% of electricity to come from renewable sources by 2030. However, unlike that initiative, this measure (crafted by APS) would prohibit the Corporation Commission from implementing the new requirement if it would have any effect, no matter how small, on "affordability or cost." Passed House and Senate, back to House for concurrence. This was a strike everything, but it did not get out of the conference committee.

<u>Signed. HB2005 a</u> strike-everything amendment on HB2005 would effectively absolve APS and other regulated utilities from having to comply with the requirement in the <u>Clean Energy</u> for a Healthy Arizona campaign's proposed ballot initiative that public service corporations get 50 percent of their electricity

from renewable sources by 2030. That's an initiative that isn't on the ballot yet, but is being promoted by Tom Steyer, a California billionaire, according to the Capitol Times. The initiative, if it gets on the ballot and then is approved by the voters, would amend the Arizona Constitution to require electric utilities to provide at least 50 percent of their total electricity from renewable sources, like wind, solar and geothermal, by the year 2030. This bill, however, would permit APS and other utilities not to have to comply, because the penalty for violation is set at a fine of \$100 to \$5,000 but this would be a small cost to pay in comparison with the cost of converting to 50% renewable energy! This bill passed the House in its original form, but the strike everything was used in the Senate and it passed committee 4-3, but has not been heard yet by Rules nor passed in the Senate. If it does, it would have to go back to the House for a vote.

<mark>Water bills</mark>

There were a large number of water bills introduced and most of them were killed in the House and others in the Senate. Sierra club recommended against all of these except 1508, the desalination plan, but it died too.

- Dead. <u>SB1507</u> Killed in Senate. This and HB2512 were the major bills and HB2512 passed the full House 33-27 but the Senate killed it. Many of the provisions were in these other bills.
- Dead <u>SB1508</u> water; desalination action plan passed Senate and ready for vote in House. Its companion bill, HB2551 was used as a strike everything on another topic, so it is dead. Sierra club says this is a good idea but details are important because desalination requires lots of electricity and leaves waste.
- Dead (good). <u>SB1509</u> water; interstate sales Passed Senate Committee of Whole but failed on vote 14-16, although vote to reconsider was granted. There's two weeks from March 5 to do that, so the bill should be dead. All Democrats plus Sen. Worsley, (LD25) and Brophy-McGee (LD28) voted no. Sen. Burges (LD22) voted yes but changed her vote to no so she could move for reconsideration. SB1509 changes the process for persons or entities applying to move water out of state for the use by another state. Currently, the Director of Water Quality Department receives and approves or disapproves of these applications. The bill originally required that the Legislature and Governor would have to approve any application to move

water but by amendment, the Colorado river was removed from the requirement as the agreement covering it is covered in other legislation and then the requirement that the Legislature and Governor had to approve was changed to say they only had to be notified. Even so, the bill failed. Opponents see it as a move to politicize this process.

- Vetoed <u>SB1510</u> irrigation grandfathered right; containerized plants **passed** 20-10. Passed Senate 51-8 and sent back to House for reconciliation.
- Dead. <u>SB1511</u> Pinal AMA; groundwater; extinguishment credits **passed 17-13 but held in House. This bill opposed by environmentalists because it would permit development sprawl.**
- Dead . <u>SB1512</u> management areas; sixth management period Passed Senate COW but failed with Worsley and Brophy McGee voting no. Burges move to reconsider granted and the bill passed 17-12. Passed House committee 7-3. Not cleared by Rules yet. Environmentalists are opposed.
- Dead <u>SB1513</u> effluent; recycled water; definition Passed 17-13. Passed House EENR 7-3 but not Rules. Environmentalists are opposed.
- Dead <u>SB1514</u> _natural resource conservation districts; administration **passed** 29-1. Passed EENR 8-2 and Rules. Ready for vote in House.
- Dead <u>SB1515</u> adequate water supply; county review... San Pedro River protection Passed 17-13 and Passed House EENR 7-3 but not Rules. Environmentalists believe this will fail to protect the San Pedro river. Same as HB2553.
- Dead <u>SB1516</u> central Arizona project; sovereign immunity no vote. Has not cleared Senate Rules committee.
- Dead <u>SB1475 E</u>cological water; program; fund. (Dalessandro, D, 2). This bill defines "ecological" water as water sufficient to sustain freshwater ecosystems and the wildlife habitat and human livelihoods and wellbeing that depend on that ecosystem. It then requires the director of the Arizona Department of Water resources to take "ecological water" into account when make its rules. It also establishes an Ecological Water Stewardship Program to establish standards and use best available science to apply to each water stewardship fund to support the acquisition of existing water rights for ecological water purposes.

- Signed <u>HB2003</u> coal mining; TPT; repeal. The bill would exempt the sale of coal from the state and municipal Transaction Privilege Tax (TPT). Cost to the state estimated \$9 to \$12 million depending on what happens with the Navajo Generating Station, which also is involved in the legislation. Passed House 33-22. Passed Senate 18-12. Most environmentalists oppose this bill.
- Dead <u>HB2480</u> uranium; radioactive materials; transportation; monitoring. Dead. Sponsor is Descheenie D, LD 7. This bill provides for DEQ to monitor transporting of uranium including use of drones. Sierra club supports this.
- Signed SB1493 _environmental quality; dredge, fill permits. Passed Senate 17-13 and the House. This bill allows the Director of ADEQ to adopt a Dredge and Fill Permit Program for the discharge of dredged or fill material into navigable waters in Arizona and needs Active opposition. It also requires the Dredge and Fill Permit Program to be consistent with and no more stringent than the Clean Water Act Section 404 Dredge and Fill Program. Sponsor is Griffin, R, LD 14. Sierra club opposes this bill as do most other environmentalists because it does not protect rivers. This would be a step toward letting DEQ control the federal Clean Water Act. Contact your House members if you are concerned about it.
- <u>Dead HB2551</u> water; desalination action plan. (Bowers,R, LD25). This is the same desalinization plan as in 1508. Being watched carefully, but not opposed or supported yet by environmental groups. Passed House unanimously and passed Senate committee 6-2, Appropriations 9-0 and Rules. 1508 was held in the House.
- <u>Dead HB2512</u> water program amendments. Companion bill to 1507. Passed House and Senate NREW committee 4-3 and Rules. Did not get a vote in the Senate. This is the omnibus bill in the house and opposed by environmentalists.
- <u>Dead</u> <u>HB2553</u> adequate water supply; county review. Contains some of the same provisions as in 2512, opposed by environmental groups. Passed House 32-27, and Senate NREW committee 4-3, and Rules. Did not get a vote in the Senate.

Dead SB1519. Guns – The Governor's plan did not pass. It was seriously weakened, endorsed by the NRA then killed. It was far short of what the student-led March for Our Lives singled out for passage.

- Never heard <u>HB2024</u> firearm sales; transfers; background check. This bill requires universal background checks and closes the "gun show" and "private sales" loopholes by requiring that all purchases have to go through a licensed firearm dealer who is required to do background checks. If you weigh in (to the Governor or to Speaker of the House, J.D. Mesnard, be sure to mention this bill as it might have a sliver of a chance at passage !! Mesnard could push this through if he wanted to: Call 602 926 4481. Or jmesnard@azleg.gov. Or, 1700 W. Washington Street, Phoenix, 85007. Gov. Phone is 602.542.4331 You can find a contact form for Gov. Ducey at: http://azgovernor.gov/engage/form/contact-governor-ducey
- Never heard. <u>HB2299</u> domestic violence offenders; firearms; seizure. HB (House Bill) 2299 requires persons on probation for domestic violence offenses to hand over their firearms during their time on probation.
- Never heard. <u>HB2023</u> prohibited weapon; <u>bump-fire device</u>; accessory. This bill would ban sale of bump-fire accessory devices. It was assigned to the Judiciary and Public Safety committee but not voted on._ This is the one the Democrats tried to force onto the floor for a vote.
- Never heard. <u>HB2140</u> mental health; injunction; firearm possession HB2140 and its companion in the Senate, SB1347, allows family or peace officer to file for injunction to prohibit mentally ill person from having a firearm
 - Dead <u>HB2059</u> firearms; state guard; composition; program. Not heard in Rules, should be Dead but HCR2002 is similar and passed the House 35-24 (see below). Sponsor is Stringer, R, LD 1.
 - Failed <u>HB2172</u> Weapons on campus. Passed House 35-22, passed Senate committee 4-2 and Rules. Failed 14-15 vote in Senate. This legislation would prohibit college and university administrators from banning non-lethal weapons probably aimed at Tasers, stun guns, other forms of weapons. Opponents concerned that this would set a precedent for prohibiting colleges and universities from banning guns. Sponsored by Grantham, R, LD 12. Sponsored by Grantham, R, LD 12.

- **Signed HB2211** would exclude firearms up to \$2000 worth from a bankruptcy filing. **Passed 34-25 and Senate on split vote.** Current law permits a person to keep one firearm when filing for bankruptcy; this would permit a person to exempt up to \$2,000 worth of them.
- Dead <u>HB2535</u> DCS; prohibited acts; firearms. This bill would have prohibited child welfare agencies, including the Department of Child Safety from making rules to limit gun possession. Bill was passed 5-4 in committee and by Rules but not voted on.
- Dead <u>HCR2002</u> state militia; age requirement. Passed House 35-24 and passed Sen. COMPS committee 4-3 and Rules but didn't get a vote in the Senate. This is a resolution that would be referred to the voters to change the Arizona constitution so that the age range for membership in the militia is anyone over 18 able to act in common defense instead of the 18-45 age range. Current law says that the Arizona militia conforms to requirements of the U.S. Military. Gun safety advocates say this would open the door to create and arm a "state guard" giving access to more military-style weapons to more people. This bill also might would give Arizona a way to avoid complying with federal law (if they should pass one) that bans military weapons and other armaments used by the U.S. military. Stringer, R, LD 1.
- Signed <u>SB1117</u> retired police gun rights. **Passed the Senate** 17-13 and the House Commerce committee 6-3, and Rules. _(Kavanagh, R, 29 is sponsor). This bill permits retired police officers to carry a gun in a bar or restaurant (or liquor store). Assigned to Senate Commerce committee. Also extends that to off duty officers.
- Dead <u>SB1348</u> prohibited weapon; bump-fire device; accessory. Dead. The Senate bill sponsored by Cajero-Bedford, LD 3 failed to get a hearing. Same as HB2023, which also has not had a hearing.

Health and Welfare

 Dead. <u>HB2127</u> (children's health insurance program) that help protect KidsCare (Arizona's CHIP program) passed the full House but was not heard in a Senate committee. It is a shame this bill died. Current law provides that if the federal contribution drops below 100% of the cost, the state would automatically freeze the program. This bill changes that and replaces it with a notification that if the federal government reduces its contribution, the state will determine whether there are sufficient state and local funds to continue the program and will stop enrollment if there are not state/local funds to cover. (Rep. Cobb, R, 5).

• Dead <u>HB2217</u> This bill would exempt diapers, formula, and other hygiene products from sales tax barely passed the House Ways and Means committee (5-4) with all Democrats voting yes along with two of the Republicans (Ugenti-Rita, R, LD 23 and Weninger, R, 17). It hasn't moved since, however. Prime sponsor is Hernandez, D, LD2). Opponents noted that it was the Democrats supporting this and accused them of inconsistency, since they usually oppose tax exemptions and credits. One said that these products should be covered by other programs for low income people such as WIC; another said it would be hard to collect, and took money out of the general fund. Supporters argued that these products are necessities and should not be subject to sales tax, just as food is considered a necessity and not included in sales taxes. The bill is strongly supported by women's rights groups.

• Signed. HB2434 (financial products; regulatory exemption program)

– Passed House, 34-22 and Sen. Finance 5-2. Fast tracked through and signed! This legislation will allow unlicensed financial services products and services to be offered to Arizona consumers and will allow insurance companies, lenders, and financial technology companies to "test" new financial products, putting Arizonans who use these products at risk. This would permit new forms of payday loans to be tested for up to two years in Arizona. The idea for these "sandbox" projects is to encourage innovative new financial tools to be used, and the idea seems to have taken hold in other countries. But, their protections for consumers appear to be more robust than what would be required here in Arizona, and the test periods for some of them are only six months whereas the Arizona legislation permits it to continue for two years.

• Signed (good) <u>HB2449</u> child care assistance; tiered reimbursement, passed 60-0 in House and 30-0 in Senate! (Yea). This bill provides that 33% of fed money received must go to the tiered program where higher payments for

child care assistance that meets higher standards. Udall, R, LD 25. Supported by progressive groups.

- Dead. <u>SB1086</u> AHCCCS chiropractic services._Passed Senate 29-0 but not brought up in House before deadline to end committee work. Another bill worth supporting is from Sen. Barto (R, 15), requires AHCCCS (Arizona's Medicaid) to cover chiropractic services. Also introduced in the House as HB2135 by Rep. Carter (R, 15), but that one never made it out of the House. Probably dead for this year.
- Signed <u>SB1163</u> credit security freezes; fees; prohibition. Passed 29-0 and 59-0. Bill will prohibit companies from charging a fee to unfreeze a credit security. Sen. Brophy McGee (R, LD28)
- Signed <u>SB1165</u> child care assistance; rates. Passed 29-0 and 58-0. Requires DES to post sliding scale rates and to regularly review them. Supported by progressive groups. Sen. Brophy McGee (R, LD28). Good bill. Could be voted on any time.
- Signed <u>SB1166</u> permanent guardianship; subsidy. Passed Senate 30-0, House unanimously. Current law requires persons to show they have already applied for all possible income before eligible to get child care subsidy. This repeals that section. A good bill. Sen. Brophy McGee (R, LD28)
- Signed. <u>SB1247</u> employee health insurance. <u>This is a bad bill</u>. Passed Senate 17-13 and House committees including Rules. <u>Introduced by Sen</u>. Barto (R, 15) the bill would prohibit cities and towns from requiring employers to provide health insurance to their employees. Another in a long line of legislation trying to stop Arizona's more progressive cities for doing things for people, such as providing health insurance!
- Dead <u>SB1261</u> Again, Arizona did not pass a ban on texting while driving. In spite of unanimous support in the committees, the bill was not brought up for a vote in the Senate. Sponsor is Steve Farley, D, LD 9, a candidate for Governor. The bill would create a fine of no more than \$99 for a first offense and \$200 for repeat violations. Only if the person using the cell phone or similar device is involved in a mishap that causes death or serious injury would the offense rise to the level of a misdemeanor. But motorists would not have to surrender a phone to an officer who wants to determine if that person was, in fact, texting. Also, the legislation spells out that a conviction

for a driving-while-texting offense could not be used by the Motor Vehicle Division to take away someone's license, nor be an excuse for an insurance company to raise a motorist's premiums.

<mark>Human Rights</mark>

- Signed (sigh) <u>SB1393</u> dissolution; human embryos; disposition (Barto, R, LD 15). In the Senate, all Republicans voted for it; all Democrats against except Miranda, D, LD27. In the House, party line vote. This bill forces judges to declare that (in a divorce or separation) the embryos should be awarded to whoever "intends to allow the in vitro human embryos to develop to birth," SB 1393 would essentially grant personhood and apply custody laws to embryos as if they were a child born and in existence, warned Resolve, a national infertility association. That would set Arizona apart from the rest of the country and hurt people with infertility, Resolve president Barbara Collura said in a letter to lawmakers sent Feb. 5. "This bill inserts the (Arizona) legislature into the extremely personal decision about how a couple builds their family," Collura wrote. "Its effect is to take away individuals' rights to determine whether or not they have children and to replace it with a government-mandated decision."
- Signed (sigh) <u>SB1394</u> DHS; reporting; abortions. (Barto, R, LD15). Passed Senate 18-12 and passed House. Party line votes. Bill was amended to take out the list of 10 reasons that women would have to respond to regarding why they were seeking an abortion, and reinserted the current language which is a broad, general question. However, that was again amended so that an objectionable and "shaming" check list of questions is back in the bill now. Lengthy discussion and arguments about this bill in the House. Under current Arizona law enacted in 2010, hospitals and physicians are only required to report to the Arizona Department of Health Services whether an abortion performed was elective or if it was done for the health and safety of the mother or fetus. Farnsworth's amendment reinstates that requirement. Contact to oppose would be to your members of the House. (In the Senate, party line vote except Miranda, D, LD27, voted for it). Barto's bill, SB1394, would increase the paper work and reporting requirements on abortions

performed in Arizona. This is another of the statutes that gradually and incrementally undermine the ability and willingness of medical facilities to continue providing abortion services to women. Cathi Herrod, president of the Center for Arizona Policy, assisted in writing the legislation, according to the Capitol Times (2/9) and justified it on the grounds that more data would help women and improve health care for women, but this is just spin. The Center's primary goal is to eliminate abortion services entirely. The record keeping would have to include such things as whether anesthesia was administered to the mother or fetus, the specific reason and circumstance leading to the abortion, the specialty of the physician who performed the procedure, the total number of abortions done. A newly created informed consent form would be required. The annual report would have to include details on any abortions paid for with state monies in any capacity. It would also have to release a monthly report with the number of abortions performed or prescribed throughout the state, and the reasoning behind those abortions. There are many, however, who say the changes proposed are unnecessary and could potentially violate the privacy of the patients involved. Barto and Herrod have said that the bill still ensures protection for the identities of the patients, but opponents of the legislation fear that requiring women to explain their reasoning in getting an abortion could shame them, and requiring even more reports and paperwork could deter physicians from wanting to provide abortions. "This is a legal medical procedure that should be between a woman and her doctor. There's no need to increase reporting requirements," said Senate Minority Leader Katie Hobbs, D-Phoenix.

- Signed! Signed SB1198 A bill protecting blind people from being disqualified as adotive or foster parents due to blindness passed the Senate unanimously and passed its House committee 6-0 as well as Rules. Passed the House unanimously and signed immediately by Governor. Sponsor is Barto, R, LD15.
- Signed <u>HB2006</u> marriage; minimum age <u>SB1139</u> marriage of minors; emancipation required. These are two bills attempting to put a floor on the age when minors can marry. The suggested floor is 16 years, but persons who have been emancipated may marry at a younger age. The intent is to protect young girls from being "married off" especially to older men without their real consent. The House bill 2006 passed 51-7 and passed the Senate 20-

8. The Governor has signed it. The other bill has been dropped. All Democrats voted for and about half the Republicans (Senate).

The ERA! Women's groups made one last big push to get the ERA on the agenda at least for a hearing (again). But it did not work (again). Thanks to Rep. Powers-Hannley (D, LD 9), Sen. Hobbs, D, LD24, and Rep. Ugenti-Rite, R, LD 23. They have another action planned, which is to write Legislators arguing "taxation without representation." Keep it up sisters!

Immigration –

- Signed (sigh) <u>HB2083</u> insurance contracts. Against the protests of immigration rights advocates, this bill protects insurance companies that offer insurance contracts in a non-English language by permitting the language to differ and holding the insurance company not liable for differences. It removes the requirement in existing state law that an insurance company must have a translator's written statement that the versions are identical. Immigrant rights group are strongly opposed on the grounds that it makes it lawful to misrepresent contracts. Supporters claim the intent is to encourage insurance companies to write more policies in non-English languages. Sponsor is Livingston, R, LD 22.
- Signed (good). <u>HB2155</u> Also passed last week (unanimous, 58-0 and 29-1) is legislation intended to protect immigrants from unscrupulous notaries offering legal advice. Sent to the Governor 03/15.

Taxation – A few tax cuts, including one new one, are still being considered!

 Dead (good) but resurrected and then died again. <u>HB2479</u> TPT; digital goods and services Passed House 39-19 (Ugenti-Rita, R, LD23). This bill apparently is being used instead of SB1392 that is stalled in the Senate. Both exempt from sales tax on-line purchases of goods and services that are currently taxed. There is much confusion about what this bill proposes to tax and what will not be taxed, as well as the amount it would cost the state. Opponents not only object to the huge cut this could make to the general fund, but also to the uncertainty about what the bill would do. This tax cut also moves other types of sales to a different tax category, called a use tax, that is harder to collect and that does not contribute to the dedicated fund for teacher pay, known as Prop 301, according to the Children's Action Alliance. The Joint Legislative Budget Committee says this bill is a tax cut that will be a revenue loss, but they say they have inadequate information to make a financial loss estimate, partly because of vague language in the statute and how it might be interpreted. The Arizona League of Cities and Towns estimates "Based on 3 more survey responses and a revised methodology, the League now estimates that the statewide municipal TPT loss would be \$(45) million. By extrapolation, the League further estimates the state level TPT loss to be \$(120) million." This amount will grow over time as more and more commerce is conducted in the cloud. The League also estimates these cuts will reduce revenue from Arizona's education sales tax, Prop 301, by \$14 million annually which will be a direct cut to teacher pay at a time when teacher salaries are already the lowest in the nation.

Dead <u>HB2528</u> capital gains; income tax subtraction. Sponsored by J.D. Mesnard, Speaker of the House, **35-25 and passed Senate Finance committee 4-3. Not heard by Rules.** This bill permits a tax subtraction of capital gains taxes that will rise from the current 25% deduction to 50% after several years. Eventually, the cost to the general fund will reach \$23 million a year, according to the JLBC fiscal note. Opponents pointed out that the richest 183 Arizonans, those making \$5 million or more per year, will gain the most – an average of \$27,000 a year each. Attempts were made to amend the bill so that senior citizens with income less than \$75,000 would be able to deduct these amounts of capital gains, but those amendments were defeated. Here we have another bill that benefits the rich and increases income inequality.

- <u>Dead SB1143</u> Strike everything. Exempts crop production "tools" from sales tax including pesticides, herbicides, fertilizer, and more. It was held by the House Rules committee and then did not get a final vote.
- Dead <u>HB2264</u> tax exemption for dependents. Passed House, 34-25 and Senate Finance committee 4-2. Not heard by Rules. This bill raises the tax exemption slowly from \$2,300 to \$2,400 and then follows the consumer price

index. This is a very small increase compared to the federal tax reform law that doubled the exemption. On the other hand, Democrats have generally been voting against any tax exemptions, credits, cuts on the grounds that it takes too much money out of the general fund and therefore out of education and other public services. (Mosley, R LD5). No fiscal note has been prepared

- Killed by vote <u>SB1268</u> class six property; elderly homeowners. Passed Senate 28-2 and House Ways and Means committee 6-2 and then killed in House, 11-49. This would lower property taxes for elderly homeowners by changing the property classification of their homes. There is expected to be a fiscal impact on the state general fund, but it would be offset (somehow, not explained) by the truth in taxation provisions.
- Dead <u>SB1049</u> Will exempt hearing aid batteries from the Arizona sales tax (Farnsworth, D, Rep, LD 16). Not heard by Rules and not voted on, so Dead.
- <u>Signed. HB2355 T</u>PT; soft drinks; early childhood Gov. Doug Ducey has signed legislation barring Arizona cities and counties from joining a growing national trend of taxing sugary drinks. The proposal from Republican Rep. T.J. Shope of Coolidge was signed by the governor on Friday without comment. The bill is another pre-emption that denies local government the ability to govern their own communities. The idea behind taxing sugary drinks is to discourage them, especially among children. Shope's proposal doesn't specifically mention taxes on sugary drinks, only saying any tax on food products must be uniform. Testimony at the hearing made it clear that's what the bill was about. So far, there was no sign any Arizona city or county is currently considering taxing soda and other sugary drinks.
- Dead <u>HB2217</u> exemption for feminine hygiene products. This bill exempts diapers, formula and other feminine hygiene products from sales tax as constituting necessities just as food is a necessity. Passed ways and means last week, 5-4 with all Democrats and two Republicans voting for it. But it was double assigned, also to Health committee, and not heard
- Dead <u>HB2236</u> military pensions; increase; tax subtraction passed the House Military and Veterans Affair committee 8-1 but failed in the appropriations committee 4-9. However, the Senate bill (SB1167) is the same and it passed

the Senate 18-11 on reconsideration. Gov. Ducey is pushing this bill and its companion, SB1167, which would cost about \$15 million per year to the general fund.

Dead. <u>SB1167</u>, **Passed Senate** 18-11 but heard in House. Sponsor is Griffin, R, 15. These bills gradually increase the current \$2,500 cap placed on the amount of military retirement pay that is exempt when calculating income for state income tax purposes to \$15,000 in tax year (TY) in 2029. The bill would effectively lower military retirees' income for purposes of calculating their income tax liability. The estimated cost to the general fund was set at \$15 million. Opponents include Democrats arguing against taking more money out of the general fund, but also some Republicans (Warren Petersen, R, LD12) who advocates the entire elimination of the income tax.

- Dead <u>SB1206</u> tax subtraction; donated surplus food. Sponsor is Fann, R. LD1). This bill allows a deduction from the federal adjusted gross income of surplus food donated to a charitable organization. Donated crops are covered as well. Estimated fiscal impact is 1.9 million (annually) taken from the general fund. Department of Revenue estimates loss to general fund of \$900,000 to \$1.3 million.
- Dead <u>SB1292</u> Elected Officials Retirement Plan adjustment. (Passed Senate 29-0 and assigned to House Banking and Institutions committee but not heard in House and deadline has passed.) Provides a cost of living adjustment for elected officials who are retirees and their spouses. Sponsor is D. Farnsworth, R 16. Estimated costs to state general fund not known.
- Signed <u>SB1294</u> tax corrections act of 2018. Passed 30-0 and passed the House Ways and Means committee 6-0 as well as Rules. This is a 105-page bill (Farnsworth, D., R, 16) that makes some changes (tax decreases) but does not appear to be the comprehensive bill that would eliminate the expected windfall produced by the changes in the federal tax law. The description is as follows: "Corrects errors and obsolete language, addresses blending problems and provides clarifying changes to the tax statutes of the Arizona Revised Statutes." It is moving through unopposed.

Tax Credits - Tax credits allow a person or household to receive a dollar-fordollar reduction in their state income taxes. This is NOT a deduction, but a straight-out subtraction from whatever is owed. In 1992, Arizona had 4 tax credit programs. As of 2016, there were more than 30! Several new ones were proposed but not passed.

- Dead <u>HB2590</u> rural growth investments; tax credits. (Cook, R, 8).
- Dead <u>HB2568</u> affordable housing tax credit. (Rivero, R, 21). Failed on a 20-38 vote but passed on reconsideration. Not heard in Senate.
- Dead <u>HB2377</u> teachers' school supplies; tax credit Failed 23-31 but request for reconsideration passed 34-20. Passed Senate Education committee but not the Finance committee or Rules yet. Should be dead. Clodfelter (R LD10).
- Dead <u>SB1220 HB2087 f</u>amily caregiver income tax credit. The house bill 2087 passed 45-14 but has not been heard in a Senate committee so it should be dead. This would provide a tax credit for family caregiving. It was filed on behalf of the AARP by Heather Carter LD 15) and in the Senate by Kate Brophy-McGee District 11. HB2087 hasn't been heard in any of the Senate committees.

Resources (calendar, contacts, etc.)

You can get a downloadable pdf of the Legislative Alert at <u>http:///www.vuu.org/legislative-advocacy/</u>

Mark Your Calendar for these Action Opportunities

May 17, 7-9 p.m. Want to learn more about the impact of these new versions of vouchers? The film, Backpack Full of Cash, will be shown at the Valley Unitarian Universalist Congregation May 17, 7-9 p.m. and is open to the public. FREE. VUU is located in Chandler, just off I-10 and Ray Road, 6400 W. Del Rio St. Film is narrated by Matt Damon.

TBD! If trump fires Mueller: Even though it seems unlikely that DJT will try to fire Special Counsel Robert Mueller (or firing others who could then fire Mueller), plans are in place for massive nation-wide protest rallies if he does. You can get more information, including local information about plans in Phoenix and other AZ cities at this link https://www.trumpisnotabovethelaw.org/event/mueller-firing-rapid-response/search/. You can sign up to get an email that will alert you if DJT takes action to obstruct the investigation. Be ready! The Phoenix event will be at the state capitol.

On-going to June 2018: Workshops for Tempe-area employees and employers (and those seeking work) on salary negotiation that is intended to help end the gender pay gap. Workshops

focus on negotiation strategies, benchmarking target salaries as well as learning about the longterm consequences of the wage gap. Workshops mainly for Tempe residents but others may also attend. Registration required: <u>https://salary.aauw.org/tempe/</u> Also see the <u>City of Tempe's Equal Pay Initiative: http://www.tempe.gov/city-hall/strategic-management-</u> <u>and-diversity/equal-pay-for-equal-work</u>

On-going to November, 2018! Outlaw Dirty money initiative. This is the initiative led by former Attorney General Terry Goddard to require transparency in all campaign contributions so voters will know who is contributing to the candidates. You can sign up here. <u>https://outlaw.dirtymoney.com/volunteer/</u> Volunteers are needed! Petitions will be available in many places. Watch for them (or go get your own)!

On-going to November, 2018! Protect Wildlife initiative. Arizona Ban Hunting Wild Cats Initiative may appear on the ballot in Arizona as an initiated state statute on November 6, 2018 if enough signatures are gathered. The measure would ban the hunting, shooting, trapping, snaring, netting, or capture of bobcats, mountain lions, jaguars, lynxes, and ocelots. The measure would make exceptions to the ban. More information on Ballotpedia <u>https://ballotpedia.org/Arizona Ban Hunting Wild Cats Initiative (2018)</u>.

Special Action Opportunity:

BE HEARD! Request to Speak works only if you are signed up and if a bill is before a substantive committee and those deadlines are past. HOWEVER, the **REGISTER YOUR OPINION option can be used on ANY bill.** If you are signed up for request to speak, then get the bill number, click on <u>http://www.azleg.gov</u> then: sign in (top right) and then on the left, click on "My Bill Positions," then enter the bill number, the title should show up under the line near the bottom of the screen. Click on the title, enter your position (thumbs up or down) and then "add." You might need to enter the bill number twice to make it work. We are not sure if anyone is paying attention yet to these! But, keep trying anyway. if you are not signed up, this group will do it for you: Civic Engagement Beyond Voting group (a progressive Arizona advocacy group) will do it for you. Just fill out this form!

https://docs.google.com/document/d/1BXMTpcf171ZSVtmlnt5132pFd9mRysvIOAbU3vZesOc/ edit?ts=5a527e9c

Contact Information

Resistbot.io - How to use it. Click on the "messages" icon on your

I-phone, then click on the pencil in the top right-hand corner. You will get a "To: "screen. Put in 504-09 and then in the message type "resist." They will respond and ask for your zip code or address and what you want to do. This is a free service, reportedly developed by volunteers. It will ask for your zip code or address, and then you can send a fax, letter, make a phone call, send an e-mail to Sen. Flake and McCain and the House member as well or even to Governor Ducey.

After you have sent several, it will ask you which of the various people you want it sent to. At first, it just sends to all three, later it will add state-level elected officials, too. You get more services after you've used it awhile!

Arizona Contact Information

Governor Ducey's <u>engage@az.gov</u> <u>602.542.4331</u> You can find a contact form at: <u>http://azgovernor.gov/engage/form/contact-governor-ducey</u>

To find your legislative district: <u>https://azredistricting.org/districtlocator/</u> Then to get the name and contact info for your legislator, go to <u>https://azleg.gov</u> . (e-mail is simply first initial last name at azleg.gov (e.g., <u>jdoe@azleg.gov</u>).

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U.S. House There is no centralized e-mail listing for U.S. House members. The easiest to use is resistbot.io. Or, Look up your Congressional district <u>here</u>.) Or, try these:

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Copies of the AZ Legislative Alert (PDF) are posted at <u>http://www.vuu.org/legislative-advocacy</u>

Do you know someone who is not registered to vote? You can use the **Text P2P to RTVOTE** (788-683) tool for both face-to-face interactions on the ground and through digital outreach, all to help us reach **our goal of registering 1 million voters!**

Valley Unitarian Universalist Congregation -

Senior Minister, Rev. Dr. Andy Burnette; Music Minister, Rev. Kellie Walker; Director of Faith Formation, Marci Beaudoin. Administrator, Sue Ringler. Located: 6400 W. Del Rio Drive, Chandler, AZ 480 899 4249 <u>www.vuu.org</u> For previous copies of the *Arizona Legislative Alert* go to <u>http://www.vuu.org/legislative-advocacy/</u>

. VUU holds services each Sunday at 10:30. You are welcome here.

<u>Unitarian Universalist Justice Arizona Network --</u> Executive Director Rev. Lisa McDaniel-Hutchings: <u>Policy Coordinator</u>, Anne L. Schneider. <u>Board Members, UUJAZ</u>: Sharon Travis, Liz Swan (Chair), Rev. Matthew Crary, Bobbi Bollinger. <u>www.uujaz.org</u>.

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