

# COCONINO DEMOCRATS/DORR

## ARIZONA LEGISLATIVE ALERT

February 14, 2021

**URGENT! SB 1452** is scheduled for full Senate vote on Monday 2/15. This bill would expand ESA vouchers to 2/3 of all Arizona students, expands the ways the money can be spent, even allows double-dipping into other tax credit voucher programs. This is backed by the Goldwater Institute. The bill would drain Prop 208 funds out of public education as fast as voters can put them in. **This is a horrendous bill!!!!!!** See SOS Flyer outlining this bills negatives.

Contact Sen. Boyer at [pboyer@azleg.gov/602-926-4173](mailto:pboyer@azleg.gov/602-926-4173) to ask him to withdraw his bill, then contact Wendy Rogers at [Wrogers@azleg.gov/602-926-3042](mailto:Wrogers@azleg.gov/602-926-3042), then contact the Senate President, Karen Fann at [KFann@azleg.gov/602-926-5874](mailto:KFann@azleg.gov/602-926-5874) ASAP!!

**USE RTS FOR THE REMAINDER OF THE BILLS LISTED BELOW**

### ENVIRONMENT

**SB 1102 – SUPPORT** – Would create a two-year pilot program to help create infrastructure for electric vehicle ready homes and charging stations.

**SB 1152 – SUPPORT** – Would require the Arizona Department of Transportation to develop a Zero Emission Vehicle Plan and a State Zero Emission Motor Vehicle Fleet Plan.

**SB 1309 – OPPOSE** – Would create a new tax break for facilities that manufacture zero-sulfur gasoline from natural gas. Could we stop subsidizing fossil fuels already?

**HB 2372 – OPPOSE** – Would severely limit the rights of property owners to pursue claims of nuisance against ag operations (even if those operations grow or change after initial establishment).

**HCR 2016 – OPPOSE** – Would exempt “crustal organic dust” caused by normal ag operations from Clean Air Act violations.

**HB 2498 – SUPPORT** – Would provide \$5 million in grants to promote innovation and development in battery technology. Absolutely necessary for further development of renewables.

**HB 2691 – OPPOSE – STRIKER** – Deals with groundwater protection; sets various procedures for planning activities that might release hazardous materials into the state’s waters. **NOTE IN COMMENTS THAT YOU OPPOSE THE STIKER VERSION.**

## **PUBLIC SAFETY**

**SB 1419 – OPPOSE – WENDY ROGERS** – Subject to a STRIKER. Would ban the use of photo radar in Arizona. Numerous studies have shown that photo radar capabilities have significant safety benefits.

**HB 2623 – SUPPORT** – Would prohibit the use of consumer fireworks between 10pm and 8am on all days.

**HB 2764 – SUPPORT** – Clarifies the process for revoking a concealed weapons permit from someone being sentenced for a felony or being served an order of protection.

**HB 2770 – OPPOSE** – Would exempt businesses from enforcing mask mandates.

**SB 1486 – SUPPORT** – Would legalize test strips to detect fentanyl in drugs. Fentanyl is the most dangerous new drug in a generation: strong, cheap and often mixed into illicit opioids to make them more profitable.

**HB 2765 – SUPPORT** – Would require law-enforcement cases that involve deadly force to be investigated by a different agency than the one involved.

**HB 2840 – OPPOSE** – Would allow parents to bypass gun-free zones at public schools and keep loaded and unlocked weapons within reach in their cars while dropping off and picking up children.

**HB 2551 – OPPOSE** – Would allow people with concealed weapons permits to bring guns into libraries, community centers, public pools, state museums, the DMV, government offices, block parties, marches and street fairs – even if asked to turn over their firearms for storage.

## **GOVERNANCE**

**SB 1498 – OPPOSE** – Would force county boards of supervisors to increase based on population. This is likely the result of the Legislature's failed push to hold Maricopa County BOS in contempt for refusing to hand over private ballots. The result would be to expand BOS's so that they could be packed with conservative representatives.

**SB 1714 – OPPOSE** – Would require the "paid for by" disclosures you see on campaign ads to disclose what percentage of contributions came from out of state. Would take up a full 10% of campaign sign's height to comply.

**SCR 1025 – OPPOSE – ALSO HCR 2015 – OPPOSE** - Would call a constitutional convention for the purpose of creating term limits. There is no way to limit a Constitutional Convention to a stated intent. The result would be a "runaway" convention and thus a whole new form of government would result.

**HB 2310 – OPPOSE** – Would stop cities from reclassifying any job currently held by a police officer as a different category open to non-police personnel. A back-door attempt to stop cities from reinvesting police budgets into other forms of community support.

**HB 2702 – OPPOSE** – Would block private individuals from selling or giving property to the federal government without express permission from the legislature. The goal is to stop executive actions that could set aside land for national monuments.

**HCR 2026 – OPPOSE** – Would ask voters to change the state constitution to end any state of emergency automatically after 14 days. This is an attempt to constrain the governor’s ability to deal with such things as a pandemic.

**HB 2308 – OPPOSE** – Would make it vastly more difficult to circulate recall petitions, mirroring “strict compliance” restrictions already in place for initiatives and referendums.

**HB 2570 – OPPOSE** – Would ban state agencies, cities and counties from revoking the license of a business that violated an executive order unless they can prove the business was an actual cause of transmission.

**HCR 2016 – OPPOSE** – Would ask voters to change the constitution to require that any ballot measure (citizen initiatives, referendums, and constitutional amendments) get 60% of the vote to pass.

**HCR 2020 – OPPOSE** – Would ask the voters to create a lieutenant governor position for Arizona. That person, instead of the Secretary of State (currently a Democrat) would then become first in line of succession for the governor’s office.

**HCR 2035 – OPPOSE – WALT BLACKMAN** - A non-binding resolution that urges Congress to oppose DC statehood on the grounds that it violates the US Constitution.

**SB 1459 – OPPOSE** – Would subject the Corporation Commission to the administrative review process. Another attempt to prevent the Corporation Commission from requiring state regulated utilities from getting their power from 100% carbon free sources by 2050.

**SB 1328 – OPPOSE – HB 2111 – OPPOSE** - Would declare any federal law that “violates the second amendment” to be void in Arizona and also bans the use of local government resources to cooperate with those laws.

**SB 1333 – OPPOSE** – Would prohibit cities from reducing their annual police budgets by any amount, with very few exceptions, or see the state withhold an equal amount of funding.

**SCR 1001 – OPPOSE** – Asks voters to repeal Ducey’s executive order privileges.

**SCR 1024 – OPPOSE** – Would amend the Arizona constitution to require any citizen initiative that raises taxes or even reduces tax credits to pass by a 2/3 vote.

**SCR 1034 – OPPOSE** – Would ask voters to let the legislature amend voter-approved measures with a simple majority if courts find something illegal or unconstitutional in them. This bill does not limit such amending to those areas found illegal or unconstitutional but would encompass the entire voter approved measure.

**HB 2648 – OPPOSE** – Would make it discrimination to alter the tax treatment of a religious organization.

**HB 2737 – OPPOSE** – Would allow any lawmaker to order the Arizona Attorney General to investigate the Corporation Commission if the Arizona Supreme Court determines it exceeded its statutory authority.

## VOTING RIGHTS

**SB 1613 – OPPOSE** – Would require all election results to remain in the US and for all election equipment, including computers, paper and other supplies to be made only in the USA. An unnecessary conspiracy-theory driven bill.

**SB 1713 – OPPOSE** – Would require voters to send their early ballots back with proof of their eligibility to vote: an early ballot affidavit with their date of birth and a copy of their ID! Clearly designed to make it harder to vote.

**SB 1793 – OPPOSE** – Would require, rather than permit, the Secretary of State to compare the records of deaths with the statewide voter registration database and purge deceased voters. Eligible voters often end up being removed by mistake and federal law strictly governs how close to an election these purges can take place.

**HB 2373 – OPPOSE** – Would force anyone who requests or receives 10 or more voter registration forms to place their unique identifier on each form. It is unnecessary and punitive. A clear attempt to make voting harder.

**HB 2569 – OPPOSE** – Would prohibit cities, counties and school districts from receiving private funds to prepare for or conduct an election, including registering voters.

**HB 2792 – OPPOSE** – Would make it a class 5 felony to send you a ballot if you didn't explicitly request one.

**HB 2793 – OPPOSE** – Would ban public employees from registering someone to vote unless they specifically ask.

**HB 2794 – OPPOSE** – Would make modifying any election related date in statute a class 6 felony.

**HB 2811 – OPPOSE** – Would make registering someone to vote on election day a class 6 felony.

**HCR 2023 – OPPOSE** – A non-binding resolution opposing federal action to regulate state elections (such as HR 1).

**SB 1104 – OPPOSE** – Would require political campaigns to itemize every contribution from someone outside Arizona, complete with occupation and employer. Aimed to harm ActBlue.

**SB 1106 – OPPOSE** – Would make registering someone to vote in Arizona who has no "intent to remain" in the state a class 6 felony. Obviously designed to discourage college students from registering in Arizona.

**SB 1241 – OPPOSE** – Would require in-person (non-early) voters to get a paper receipt stating if their ballot was accepted or rejected, and if rejected, why.

**SB 1408 – OPPOSE** – Would change the law retroactively to allow lawmakers to get their hands on confidential ballots by banning them from being considered privileged or confidential. Another attack on Maricopa county for refusing to comply with their subpoena.

**SB 1497 – OPPOSE** – Would require ballots and publicity pamphlets that contain citizen initiatives to carry a "Prop 108 disclosure". This is a scare tactic to discourage voters from passing their own laws.

**SB 1531 – OPPOSE** – Would require petition circulators to read the descriptions on initiatives and referendum petitions aloud to signers.

## **INFRASTRUCTURE**

**SB 1650 – SUPPORT** – Would raise the statewide gas tax by 1 cent annually for 20 years and indexes the tax to annual inflation. The money would go to improving freeways and major arterial streets. Arizona roads are in crisis: only 35% of our highway pavement is in good condition. The current state gas tax hasn't gone up in decades.

## **FREE ASSEMBLY**

**HB 2309 – OPPOSE** – Would bar anyone who participates in a riot or unlawful assembly from every working for the state or obtaining scholarships or welfare benefits. Many of last year's BLM protests in Phoenix were declared "unlawful" by police. This bill is just another way of throwing the book at peaceful protesters.

## **SAFETY NETS**

**HB 2805 – SUPPORT** – Would increase unemployment compensation to \$300 a week beginning in 2022, paid for by slightly raising the taxable wage base to \$8,000. Arizona pays the second lowest unemployment benefit of any state and hasn't been raised since 2004!!

**SB 1787 – OPPOSE** – Would slash unemployment benefits unless the statewide average unemployment rate is 9% or higher.

**HB 2766- SUPPORT** – Would waive fees for state IDs for people experiencing homelessness.

## **EDUCATION**

**SB 1456 – OPPOSE** – Would ban sex-e and AIDS instruction before the 5<sup>th</sup> grade; makes classes opt-in with written permission (rather than opt-out); and bans discussing gender identity and gender expression without parental consent.

**SB 1717 – OPPOSE – ALSO HB 2832 – OPPOSE** - Would allow freshmen and sophomores (those with no classroom preparation whatsoever) to work with children via the Arizona Teachers Academy. It removes the requirement that students complete at least one teacher preparation course to ensure the likelihood that the student will go on to become a certified teacher.

**SCR 1044 – SUPPORT** – Would ask voters to make students who attend high school in Arizona for 2 years before graduating eligible for in-state tuition regardless of their immigration status.

**SB 1109 – OPPOSE** – Would nullify the Prop 208 tax increase, and chains individual income tax rates to state growth so that they can never increase, starting in 2022.

**SB 1783 – OPPOSE** – Would create a new “small business taxpayer” category with pre-Prop 208 tax rates. The bill would be retroactive to 2020, effectively nullifying the tax increase voters just passed in November.

**HB 2060 – OPPOSE** – Would require students in grades K-4 to recite the Pledge of Allegiance unless excused by a parent. The US Supreme Court determined in 1943 that public school students may not be compelled to recite the pledge, as the First Amendment protects a student’s right to not engage in certain speech.

**HB 2435 – OPPOSE** – Would impose a 2 term limit for school board members, effectively limiting them to serving their communities for 8 years, and would require school board members to be parents, guardians or grandparents of children attending school in that district.

**SCR 1028 – OPPOSE** – Would require any initiatives that require a tax increase to be reapproved by voters every 5 years. Another attempt to nullify Prop 208.

**SB 1118 – OPPOSE – A MASSIVE School Tuition Organization tax credit (STO) expansion.** It expands the voucher eligibility in multiple ways, and balloons the amount of the taxpayer subsidy by more than 35% with an automatic annual escalator.

**SB 1433 – SUPPORT** – An emergency measure that would address the \$266 million COVID-related funding gap in public schools this year by temporarily funding distance learning students at the same level as in-person students.

**SB 1685 – OPPOSE** – Specifically bans attendance boundaries for district schools, further eroding the value of the neighborhood schools that serve as anchors for local communities. This bill simply fast tracks segregation and white flight.

**SCR 1020 – SUPPORT** – Would ask voters to repeal the restrictive mandate that students be taught only in English.

**HB 2015 – SUPPORT** – Would appropriate money to replace missing federal preschool funding.

**HB 2063 – OPPOSE** – Would require teachers to retain or fail a student who does not meet competency requirements, something that currently happens at a teacher’s discretion.

## **BUSINESS REGULATION**

**HB 2005 – OPPOSE** – Would block large companies like Google and Apple from restricting the purchase and download of apps to only their proprietary stores. This would force the entire Apple App Store offline, breaking the security safeguards that make Apple software so hard to hack. This is a FTC or antitrust issue and not something the states should legislate.

**SB 1392 – OPPOSE** – Would provide a tax cut to wealthy business owners, allowing them to use business losses in previous years to reduce their taxes in profitable years. There is no estimate of the cost of the general fund for this bill.

**HB 2549 – OPPOSE** – Would require a separate “probable cause hearing” to be held for every COVID-related civil action, with the plaintiff bearing the burden of proof. This is a high bar for civil action. Seems designed to favor businesses over the public.

**HB 2827 – OPPOSE** – Would ban a government entity or financial institution from “discriminating” against a weapons manufacturer by refusing to provide services, and would allow the firearms manufacturer to file a civil action for damages.

**SB 1252 – OPPOSE** – Would phase out corporate income taxes over 10 years.

**SB 1377 – OPPOSE** – Would exempt businesses from COVID-related liability except in cases with clear and convincing evidence of gross negligence or willful misconduct.

## **WOMEN RIGHTS**

**SB 1362 – OPPOSE WENDY ROGERS** – Would add medical students to the list of providers who can refuse to assist with abortion-related services. All medical professionals would be allowed to refuse to dispense emergency contraception, as well as to cite ethical grounds and simply state verbally that they will not assist. There would be no protections for patients, even in an emergency.

**SB 1381 – OPPOSE – WENDY ROGERS** – Would ban ending a pregnancy on the basis of any disability in the fetus, even one incompatible with life.

**SB 1457 – OPPOSE** – A multi-pronged attack on the rights and agency of women. It would give unborn children at every stage of development the same rights as an actual person. This bill is part of a coordinated package of attacks on women’s rights.

**HB 2404 – OPPOSE** – Would \$3 million over two years on a statewide anti-abortion program. The bill would fund a single, unregulated “crisis pregnancy center”, which would be specifically barred from providing prospective parents with all their options.

## **LGBTQ RIGHTS**

**SB 1482 – OPPOSE** – Would prohibit banning the abusive and widely discredited practice of LGBT “Conversion Therapy.”

**HB 2725 – OPPOSE** – Would require state documents to identify people as either male or female.

## **GENERAL FUND**

**SCR 1040 – OPPOSE** – Would ask voters to completely phase out individual state income tax over 10 years beginning in TY 2023. This bill is attempting to rescind Prop 208 and stop the \$1 billion a year flowing to public schools.

**SB 1406 – OPPOSE** – Would repeal the licensing, tax and registration fees on aircraft registered in Arizona.

**SB 1491 – SUPPORT** – Would update the tax deferral statutes by expanding those who qualify for assistance in paying their property taxes.

**HB 2306 – OPPOSE** – Would speed up foreclosure process for delinquent taxes and require county Treasurers to sell homes (which they do not currently do), and opens up a new predatory program in Arizona.

## **NATIVE AMERICAN RIGHTS**

**HB 2215 – SUPPORT** – Would appropriate \$35 million to the Hopi Tribe for Route H60, a 13 mile stretch of dirt road that connects the Navajo and Hopi communities.

**HB 2098 – SUPPORT** – Requires law enforcement to submit missing child reports to the National Center for Missing & Exploited Children. An important step in implementing the recommendations from Rep. Jermaine’s Missing and Murdered Indigenous Women and Girls study.

## **CRIMINAL JUSTICE**

**HB 2779 – OPPOSE** – Would impose mandatory 10 year minimum sentences for fentanyl, heroin and other narcotics. It would also create a new crime “drug trafficking homicide”, which would apply regardless of knowledge or intent.



## FEDERAL LEGISLATIVE ALERT

Provided with the help of the Democrats of the Red Rocks

### PENDING FEDERAL LEGISLATION

#### For Senators Sinema and Kelly:

**End the Filibuster:** Senator's Sinema and Kelley's support for S1 (For the People Act) and for the John Lewis Voting Right Advancement Act is meaningless without ending the Filibuster. These bills, which would restore the Voting Rights Act with its federal anti-discrimination supervision (which would likely defeat dozens of anti voter laws pending in the AZ legislature) will not garner 60 votes in the Senate. Sinema has clearly stated she is against removing the filibuster making her support of voter protections rather meaningless.

Contact both Sen. Sinema and Sen. Kelly and ask that they end the support S1 and the John Lewis Voting Rights Advancement Act and end the filibuster.

**For Sen. Sinema - Expression of Concern.** Express your concern that Sen. Sinema is taking positions in opposition to your values and the Democratic Party.

- Sinema against raising the minimum wage to \$15 per hour over time in spite of the national party platform support. See her statement in Politico, Feb. 12, 2021.
- Has not joined 39 senators in co sponsoring legislation to make Washington DC a state (part of the national platform). Has taken contrary positions in the past.
- Sinema and Kelly voted against extending Covid stimulus payments to undocumented persons including Dreamers.
- Sinema against doing away with the filibuster which opens the path to a gutting of Arizona's voter protections in our state legislature.

Sen. Sinema: Call (202) 224-4521 (DC) or (602) 598-7327. Email via her website at "<http://www.sinema.senate.gov>" Tag the Senator at @senatorsinema,

Sen. Mark Kelley: Call (202) 224-2235 (DC), Email via his website at <http://www.kelly.senate.gov> Tag the Senator at @senmarkkelly

**For Representative O'Halleran:**

Thank him for recently joining his four other AZ democrats in the house in co-sponsoring H.R. 1 "For the People Act" and his continued support of H.R. 4 the John Lewis Voter Protection Act.

Support: H.R.262 and H.R. 97 Prohibiting the imposition of the death penalty for any violation of Federal law, and for other purposes.

Rep. O'Halleran: Call (202) 225-3361 or send an email via his website at <http://www.ohalleran.house.gov>

**PLEASE CALL THE FOLLOWING REPUBLICAN SENATORS WHO VOTED TO CONVICT DONALD TRUMP ON FEBRUARY 13, 2021 TO THANK THEM FOR THEIR INTEGRITY AND HOLDING TO THEIR OATH TO SUPPORT AND PROTECT THE CONSTITUTION.**

Richard Burr (NC) 202-224-3154

Bill Cassidy (LA) 202-224-5824

Susan Collins (ME) 202-224-2523

Lisa Murkowski (AK) 202-224-6665

Mitt Romney (UT) 202-224-5251

Ben Sasse (NE) 202-224-4224

Pat Toomey (PA) 202-224-4254

## INDEPENDENT REDISTRICTING COMMISSION UPDATE

Here's a link to the agenda for Tuesday's IRC meeting. It will start at **8:00** and public comments should be available from shortly after the start of the meeting until the meeting is adjourned.

<https://publicmeetings.az.gov/sites/default/files/IRC%20Agenda%202.16.21%20%281%29.pdf>

Here's the link to make public comments:

<https://forms.gle/QyYVrAWPxtg9eVhg9>.

Key agenda items are:

- Process for hiring Executive Director
- Interview questions for upcoming Executive Director interviews
- Discussion about securing legal counsel
- Discussion regarding a mapping consultant
- Support services from Dept of Admin Support (including website updates)
- Public comments prior to 2/16/21
- Status of Howard Open Meeting Law complaint (discussion of when Commission should go into Exec Session)

## Coconino County Update 2-14-21

Two very fast-moving developments from the BOS

1. Selection of new BOS for District 2 took place in a very transparent manner in a matter of 3 days from receipt of applications, to review by BOS for eligibility (residence in District 2 and a Democrat), to public viewing of letters of app plus resumes from 12 applicants, to public 30 minute interviews of these applicants, to public comment, to choice: Jeronimo Vasquez, a lifelong resident of District 2 and currently Coordinator of the 21st Century Community Learning Center at Killips elementary as well as past Chair of the Board of North Country. Given what the BOS is faced with, the filling of this position was so necessary for them to be at full strength.

2. Announcement that there will be 5000 more vaccine doses available for the week of Feb 14th at Fort Tuthill as well as availability at the Elks Club from FMC, North Country and Frys and Safeway. The communities of Williams, Grand Canyon, Tuba City, Tusayan, and Fredonia are also receiving new doses. Again, for those needing assistance because of lack of internet access or other issues, call 928-679-7300 for assistance. Note that the transmission rate in the County is still very high, so continue to wear double masks and keep social distance. The end might be in sight but NOT YET!

On a very positive note, the Covid19 response effort for the county has been a team effort and Kim Musselman has been elevated from interim to permanent Director of Health and Human Services. She has been a driving and very competent force in the County effort. We are in good hands with her at the helm.