



# Cochise County Board of Supervisors

Public Programs...Personal Service  
www.cochise.az.gov

**PEGGY JUDD**  
Chairman  
District 3

**ANN ENGLISH**  
Vice-Chairman  
District 2

**THOMAS E. BORER**  
Supervisor  
District 1

**EDWARD T. GILLIGAN**  
County Administrator

**SHARON GILMAN**  
Associate County Administrator

**ARLETHE G. RIOS**  
Clerk of the Board

## **AGENDA FOR REGULAR BOARD MEETING**

**Tuesday, April 9, 2019 at 10:00 AM**

BOARD OF SUPERVISORS HEARING ROOM  
1415 MELODY LANE, BUILDING G, BISBEE, AZ 85603

**ANY ITEM ON THIS AGENDA IS OPEN FOR DISCUSSION AND POSSIBLE ACTION**

**PLEDGE OF ALLEGIANCE**

**THE ORDER OR DELETION OF ANY ITEM ON THIS AGENDA IS SUBJECT TO MODIFICATION AT THE MEETING**

### **ROLL CALL**

*Members of the Cochise County Board of Supervisors will attend either in person or by telephone, video or internet conferencing.*

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The Board may permit public comment during the discussion of any item on this agenda. If you wish to be heard on a specific item, please sign up to be heard using the 'Specific Item' on the speaker form provided, and please list the item about which you wish to be heard. Persons will be permitted three minutes to speak.

*Note that some attachments may be updated after the agenda is published. This means that some presentation materials displayed at the Board meeting may differ slightly from the attached version.*

### **CALL TO THE PUBLIC**

*This is the time for the public to comment. Members of the Board may not discuss items that are not specifically identified on the agenda.*

### **PRESENTATION**

Presentation of Proclamation to Ms. Cynthia Aspengren, Program Coordinator EFNEP/ServSafe Instructor, University of Arizona Cooperative Extension in celebration of the Expanded Food and Nutrition Education Program's (EFNEP) 50 years of successful programming.

### **CONSENT**

#### **Board of Supervisors**

1. Approve the Minutes of the regular meeting of the Board of Supervisors of March 26, 2019.

2. Approve a Proclamation declaring April 13, 2019 as a day for all residents of Cochise County to celebrate Expanded Food and Nutrition Education Program's (EFNEP) success in teaching, helping, and serving limited-resource families in Cochise County, Arizona.

### **County Sheriff**

3. Approve Intergovernmental Agreement (IGA) between the Cochise County Sheriff's Office and the Phoenix Police Department for Arizona Internet Crimes Against Children Task Force in the amount of \$5,000 for a period of three years ending on April 1, 2022.

### **Finance**

4. Approve demands and budget amendments for operating transfers.

### **Housing Authority**

5. Approve a Fair Housing Proclamation to proclaim April 2019 as Fair Housing Month in Cochise County.

### **Human Resources**

6. Adopt Resolution 19-08, amending Resolution 17-02 with regard to Cochise County Membership in the Cochise Combined Trust (CCT).

### ***ACTION***

### **Board of Supervisors**

7. Approve Agreement to Assign Recreational Access Agreement for Access to Whetstone Mountains/National Forest from the County to the Arizona Game and Fish Commission.
8. Adopt Resolution 19-09 supporting the designation of James Ranch Road as the preferred location for development of a commercial port of entry.

### ***STATE & FEDERAL LEGISLATION***

9. Discussion and possible action regarding state and federal legislative matters listed or described in the attached County Supervisors Association Legislative Policy Committee Agenda, the Arizona Association of Counties (AACo) Legislative Policy Committee Agenda, and the proposed State budget, and other matters related thereto.

### ***REPORT BY EDWARD T. GILLIGAN COUNTY ADMINISTRATOR -- RECENT AND PENDING COUNTY MATTERS***

### ***SUMMARY OF CURRENT EVENTS***

**Report by District 1 Supervisor, Thomas E. Borer**

**Report by District 2 Supervisor, Ann English**

**Report by District 3 Supervisor, Peggy Judd**

Pursuant to the Americans with Disabilities Act (ADA), Cochise County does not, by reason of a disability, exclude from participation in or deny benefits or services, programs or activities or discriminate against any qualified person with a disability. Inquiries regarding compliance with ADA provisions, accessibility or accommodations can be directed to Chris Mullinax, Safety/Loss Control Analyst at (520) 432-9832, FAX (520) 432-9758, TDD (520) 432-8360, 1415 Melody Lane, Building C, Bisbee, Arizona 85603.

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**Cochise County Board of Supervisors**

1415 Melody Lane, Building G Bisbee, Arizona 85603  
520-432-9200 520-432-5016 fax board@cochise.az.gov

**Presentations / Special Events  
Board of Supervisors**

**Regular Board of Supervisors Meeting**

**Meeting Date:** 04/09/2019

Presentation of Child Support Awareness Month Proclamation

**Submitted By:** Kim Lemons, Board of Supervisors

**Department:** Board of Supervisors

**Presentation:** No A/V Presentation    **Recommendation:** Approve

**Document Signatures:** BOS Signature    **# of ORIGINALS** 0  
Required    **Submitted for Signature:**

**NAME**    **TITLE**  
**of PRESENTER:**    **of PRESENTER:**

**Mandated Function?:**    **Source of Mandate**  
    **or Basis for Support?:**

**Docket Number (If applicable):**

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**Information**

**Agenda Item Text:**

Presentation of Proclamation to Ms. Cynthia Aspengren, Program Coordinator EFNEP/ServSafe Instructor, University of Arizona Cooperative Extension in celebration of the Expanded Food and Nutrition Education Program's (EFNEP) 50 years of successful programming.

**Background:**

na

**Department's Next Steps (if approved):**

na

**Impact of NOT Approving/Alternatives:**

na

**To BOS Staff: Document Disposition/Follow-Up:**

Print 2 originals for signature, one to present to Ms. Aspengren and one for the County's Proclamation file.

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**Budget Information**

*Information about available funds*

**Budgeted:**

**Funds Available:**

**Amount Available:**

**Unbudgeted:**

**Funds NOT Available:**

**Amendment:**

**Account Code(s) for Available Funds**

1:

**Fund Transfers**

**Attachments**

Proclamation

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Clerk of the Board

## PROCLAMATION

### Expanded Food and Nutrition Education Program (EFNEP) Celebrating 50 years

**WHEREAS**, the *Expanded Food and Nutrition Education Program (EFNEP)* is celebrating 50 years of successful programming; *and*

**WHEREAS**, in Cochise County, Arizona, EFNEP is a grassroots initiative of the {University Extension System} for limited-resource families and youth with cooperating county, state, and federal partners; *and*

**WHEREAS**, EFNEP introduces limited-resource families and youth to Extension, which leads to lifelong family learning; *and*

**WHEREAS**, EFNEP teaches parents, caregivers, and youth the essentials of nutrition, food safety, food resource management, food preparation, and physical activity; *and*

**WHEREAS**, EFNEP helps limited-resource families and youth acquire the knowledge, skills, attitudes, and behavior changes necessary for economic and nutritious diets that contribute to personal development; *and*

**WHEREAS**, EFNEP serves the local community by working with partners to further ensure success and improve quality of life for families and children; *and*

**WHEREAS**, April 13<sup>th</sup>, 2019, has been declared a day of celebration to recognize EFNEP graduates, volunteers, and Extension professionals in Cochise County who together, have worked tirelessly for 50 years to enhance the quality of life; *and*

**NOW, THEREFORE**, to acknowledge the significance of EFNEP, I do hereby proclaim, April 13<sup>th</sup>, 2019 as a day for all residents of Cochise County to celebrate EFNEP's success in teaching, helping, and serving limited-resource families in Cochise County, Arizona.

**APPROVED AND ADOPTED** this 9th day of April 2019.

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Peggy Judd, Chairman

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Ann English, Vice-Chairman

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Thomas E. Borer, Supervisor

**Regular Board of Supervisors Meeting**

**Meeting Date:** 04/09/2019

Minutes

**Submitted By:** Melissa Belasco, Board of Supervisors

**Department:** Board of Supervisors

**Presentation:** No A/V Presentation

**Recommendation:**

**Document Signatures:**

**# of ORIGINALS  
Submitted for Signature:**

**NAME  
of PRESENTER:** n/a

**TITLE  
of PRESENTER:** n/a

**Mandated Function?:**

**Source of Mandate  
or Basis for Support?:**

**Information**

**Agenda Item Text:**

Approve the Minutes of the regular meeting of the Board of Supervisors of March 26, 2019.

**Background:**

Minutes

**Department's Next Steps (if approved):**

Signed minutes routed for processing and posted on the internet.

**Impact of NOT Approving/Alternatives:**

n/a

**To BOS Staff: Document Disposition/Follow-Up:**

Scan to OnBase and File.

**Budget Information**

*Information about available funds*

**Budgeted:**   
**Unbudgeted:**

**Funds Available:**   
**Funds NOT Available:**

**Amount Available:**  
**Amendment:**

**Account Code(s) for Available Funds**

1:

**Fund Transfers**

**Attachments**

*No file(s) attached.*

Board of Supervisors

Regular Board of Supervisors Meeting

Meeting Date: 04/09/2019

Approve Proclamation: Declare April 13, 2019 a EFNEP celebration day

Submitted By: Kim Lemons, Board of Supervisors

Department: Board of Supervisors

Presentation: No A/V Presentation

Document Signatures:

Recommendation:

# of ORIGINALS

Submitted for Signature:

NAME n/a

TITLE n/a

of PRESENTER:

of PRESENTER:

Mandated Function?:

Source of Mandate or Basis for Support?:

Information

Agenda Item Text:

Approve a Proclamation declaring April 13, 2019 as a day for all residents of Cochise County to celebrate Expanded Food and Nutrition Education Program's (EFNEP) success in teaching, helping, and serving limited-resource families in Cochise County, Arizona.

Background:

Since 1969, the Expanded Food and Nutrition Education Program (EFNEP) has successfully addressed critical societal concerns by employing paraprofessional staff and influencing nutrition and physical activity behaviors of low-income families, particularly those with young children. Through a community-based, relationship-driven, hands-on educational approach, EFNEP has directly impacted economic, obesity, and food insecurity challenges that hinder the health and well-being of this nation.

Department's Next Steps (if approved):

File Cochise County's Proclamation.

Impact of NOT Approving/Alternatives:

n/a

To BOS Staff: Document Disposition/Follow-Up:

n/a

Budget Information

Information about available funds

Budgeted:

Funds Available:

Amount Available:

Unbudgeted:

Funds NOT Available:

Amendment:

Account Code(s) for Available Funds

1:

Fund Transfers

Attachments

*No file(s) attached.*

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**Regular Board of Supervisors Meeting**

**Meeting Date:** 04/09/2019

IGA Phoenix Police Department to Cochise County Sheriff's Office

**Submitted By:** Arlethe Rios, Board of Supervisors

**Department:** Board of Supervisors

**Presentation:** No A/V Presentation      **Recommendation:** Approve

**Document Signatures:** BOS Signature Required      **# of ORIGINALS Submitted for Signature:** 2

**NAME of PRESENTER:** n/a      **TITLE of PRESENTER:** n/a

**Docket Number (If applicable):**

**Mandated Function?:** Not Mandated      **Source of Mandate or Basis for Support?:**

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**Information**

**Agenda Item Text:**

Approve Intergovernmental Agreement (IGA) between the Cochise County Sheriff's Office and the Phoenix Police Department for Arizona Internet Crimes Against Children Task Force in the amount of \$5,000 for a period of three years ending on April 1, 2022.

**Background:**

This Intergovernmental Agreement (IGA) is entered into between the City of Phoenix, Arizona, through the Phoenix Police Department (Primary Grantee), and the County of Cochise, Arizona through the Cochise County Sheriff's Office (Affiliate Agency). This IGA has three purposes:

- 1.) to provide funding for the Affiliate Agency, on a reimbursable basis, to support their efforts to investigate, prosecute, and deter the possession, production, and distribution of unlawful images depicting the sexual exploitation of minors and the utilization of the Internet to seek children as sexual victims.
- 2.) to memorialize parties agreement to work together to assist the ICAC Task Force in its efforts to investigate, prosecute, and deter the possession, production, and distribution of unlawful images depicting the sexual exploitation of minors and the utilization of the Internet to seek children as sexual victims.
- 3.) to define the responsibilities of the Affiliate Agency with the ICAC Task Force.

**Department's Next Steps (if approved):**

If this IGA is approved by the Board of Supervisors, two signed original copies will be returned to the Phoenix Police Department for their administrative processing.

**Impact of NOT Approving/Alternatives:**

Not approving this IGA will result in the loss of \$5,000.00 worth of funding that could be used by CCSO detectives for ICAC investigations.

**To BOS Staff: Document Disposition/Follow-Up:**

See next steps.

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**Attachments**

Agreement

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## City of Phoenix

January 29, 2019

Sheriff Mark Dannels  
Cochise County Sheriff's Office  
100 Colonia De Salud, Suite 105  
Sierra Vista, AZ 85635

Dear Sheriff Mark Dannels:

We are pleased to inform you the Arizona Internet Crimes Against Children (ICAC) Task Force sub-award funding request is approved in the amount of \$5,000.00 for the Cochise County Sheriff's Office. You will be notified when additional funding opportunities for training and/or equipment purchases are available in the future.

During our application process, we had an overwhelming response from affiliates requesting funding. We are distributing as much funding as possible with the resources received.

Enclosed you will find two original Intergovernmental Agreements to be reviewed and approved by your organization. Please to do not make any revisions to the agreement. Should you have any concerns with the content of the agreement, please contact Sergeant Michael Thorley at [michael.thorley@phoenix.gov](mailto:michael.thorley@phoenix.gov). Please return both agreements with original signatures, as photocopies will not be accepted. Signed agreements can be mailed to:

Sergeant Michael Thorley  
Phoenix Police Department  
2120 N Central Avenue, Suite 100  
Phoenix, AZ 85004

**IMPORTANT REMINDERS:**

1. Sub-award funds must be used for directly-related costs, such as training, investigations, computer forensics, and public awareness in connection with Internet Crimes Against Children (ICAC).
2. Minor deviations from your sub-award requests are permissible if the final purchases are related to the ICAC requirements stated in Item #1.
3. This is a reimbursement program. As such, your agency must first purchase the equipment or training, and then submit receipts to Phoenix Police Department ICAC Contract Specialist Jessie Webb via email at [jessie.webb@phoenix.gov](mailto:jessie.webb@phoenix.gov).
4. In order to be eligible for reimbursement, all travel related to ICAC training must be conducted in accordance with the State of Arizona Travel Policy.
5. Monthly progress reports for your agency's activities related to ICAC investigations, training, and public awareness are **REQUIRED** and must be entered by your agency into the ICAC Data System website at [www.icacdatasystem.com](http://www.icacdatasystem.com) no later than the 10<sup>th</sup> day of the following month.

Sincerely,

JERI L. WILLIAMS  
Police Chief

A handwritten signature in black ink, appearing to read "Cristina D. Gonzales 5590".

CHRISTINA D. GONZALES  
Commander  
Family Investigations Bureau

jdwa4932X:\ICAC TF MAIN\1-2015-CURRENT\2019\Affiliate IGAs\Affiliates Award Letter\_FINAL JAN 2019.docx

Enclosure:

Intergovernmental Agreement (2)

# **ARIZONA INTERNET CRIMES AGAINST CHILDREN TASK FORCE**

## **Intergovernmental Agreement**

**Between**

**Phoenix Police Department (Primary Grantee) /  
Arizona ICAC Task Force Lead Agency**

**and**

**Cochise County Sheriff's Office (Affiliate Agency)**

THIS Intergovernmental Agreement ("IGA") is entered into between the City of Phoenix, Arizona, through the Phoenix Police Department ("PPD" or "Primary Grantee"), and the County of Cochise, Arizona through the Cochise County Sheriff's Office ("Affiliate Agency").

### **I. RECITALS**

1.1 Whereas public agencies are authorized and empowered to enter into intergovernmental agreements for the provision of services or for joint or cooperative action pursuant to Arizona Revised Statutes (A.R.S.) §11-952. The City of Phoenix is also authorized and empowered pursuant to Chapter 2, Section 2 (i), of the Charter of the City of Phoenix.

1.2 Whereas the Phoenix Police Department / Arizona Internet Crimes Against Children Task Force ("ICAC Task Force") Lead Agency, is the recipient of the United States Department of Justice ("DOJ"), Office of Juvenile Justice and Delinquency Prevention ("OJJDP") grant regarding Internet Crimes Against Children ("ICAC"). The Task Force utilizes the grant, and funding from the Arizona Attorney General's Office, for the purpose of administering and operating an ICAC Task Force in Arizona. PPD is the primary grantee for the ICAC Task Force. Agencies affiliated through this IGA are known as "Affiliate Agencies".

1.3 Whereas the PPD / ICAC Task Force agrees to work with the affiliates to support and advance the goals of the Internet Crimes Against Children Task Force, a DOJ initiative. Phoenix PD / ICAC Task Force may be able to provide financial assistance to the Affiliate Agency, on a reimbursable basis, through various funding sources.

1.4 Whereas the OJJDP administers the ICAC Task Force Program, which is a national network of state and local law enforcement investigative units. The national ICAC program assists state and local law enforcement agencies in the development of an effective response to cases involving images depicting the sexual exploitation of minors and the sexual assault and abuse of children facilitated by technology. Due in large part to the technological aspects of these cases, the ICAC Task Force Program promotes a multi-jurisdictional, multi-agency approach to investigating and prosecuting ICAC cases. ICAC's goals are to increase the investigations and prosecutions of Internet crimes against children offenses, and to increase public awareness and prevention of ICAC offenses.

1.5 Whereas the national policy objectives for ICACs are to:

- (1) Increase the investigative capabilities, including effectiveness and efficiency, of law enforcement officers in the detection, investigation of qualifying offenses and the apprehension of offenders;
- (2) Increase the number of ICAC-qualifying (state and federal) offenses being prosecuted;
- (3) Create a multi-agency task force response to ICAC offenses;
- (4) Enhance the nationwide response to ICAC offenses; and
- (5) Develop and deliver ICAC public awareness and prevention programs.

NOW, THEREFORE, in consideration of the mutual promises set forth herein, the parties hereby agree to the following terms and conditions:

## **II. PURPOSE**

2.1 The purpose of this IGA is to provide funding for the Affiliate Agency, on a reimbursable basis, to support their efforts to investigate, prosecute, and deter the possession, production, and distribution of unlawful images depicting the sexual exploitation of minors and the utilization of the Internet to seek children as sexual victims.

2.2 The purpose of this IGA is to memorialize parties' agreement to work together to assist the ICAC Task Force in its efforts to investigate, prosecute, and deter the possession, production, and distribution of unlawful images depicting the sexual exploitation of minors and the utilization of the Internet to seek children as sexual victims.

2.3 Additionally, this IGA defines the responsibilities of the Affiliate Agency with the ICAC Task Force.

### **III. RESPONSIBILITIES**

3.1 Affiliated ICAC Task Forces may include investigators, supervisors or prosecutors from various local, state, and federal law enforcement agencies who provide assistance, subject to availability.

3.2 Affiliated ICAC Task Forces should identify and investigate individuals who exploit children for sexual purposes through the use of technology and/or who obtain, distribute, and/or produce child pornography.

3.3 Affiliated ICAC Task Forces should be focused on presenting evidence of criminal activity to prosecutors, which then leads to the successful prosecution of individuals who have committed coercion/enticement or unlawful image offenses.

3.4 Affiliated ICAC Task Forces may, subject to availability, sponsor community education efforts regarding the prevention of Internet crimes against children and provide ICAC training to other state and local law enforcement officials.

3.5 Affiliated ICAC Task Forces may, subject to availability:

- (1) Conduct undercover ICAC investigations; and
- (2) Conduct reactive investigations for which venue lies within the agency's jurisdiction(s), including investigations of unlawful images depicting the sexual exploitation of minors, CyberTip referrals from the National Center of Missing and Exploited Children (NCMEC), Internet Service Provider and law enforcement referrals, other ICAC-related investigations, and other sources.

3.6 The Affiliated ICAC Task Force will ensure that:

- (1) Only sworn law enforcement personnel will conduct undercover ICAC investigations;
- (2) Each investigator involved with undercover operations has received ICAC training prior to initiating investigations; and
- (3) ICAC investigations shall also be governed by the national ICAC program's Standard Operating Procedures (Attachment A).

3.7 Where investigations reveal that the safety of a child is at risk, it is of paramount importance that the safety and well-being of the child clearly outweigh any consideration being given to the continued investigation.

3.8 ICAC Task Forces have a substantial number of matters to investigate which requires prioritization of these matters. The Affiliate Agency agrees to use the guidelines in the ICAC Standard Operating Procedures (Attachment A) to prioritize cases.

3.9 An additional secondary role of the Affiliate Agency is to educate, as time and resources permit, both children and parents regarding online dangers, and empower them with information so they may visit the Internet in safety. Task force personnel may conduct education and prevention programs to foster awareness and provide practical, relevant guidance to the community about Internet child safety issues.

#### **IV. DURATION AND TERMINATION**

4.1 This IGA shall become effective upon the date of the last signature of the executing parties. This IGA will remain in effect for three (3) years after the IGA becomes effective, unless the agreement is terminated in writing by either party upon thirty (30) day notice.

4.2 Violation of the ICAC Standard Operating Procedures (Attachment A) is considered a material breach of this agreement and cause for cancellation of Affiliate Agency's affiliation with the Arizona ICAC Task Force. Upon discovering a violation and notifying the Affiliate Agency, the Primary Party may cancel the contract and rescind any funding under this agreement.

#### **V. GENERAL PROVISIONS**

5.1 Conflict of Interest. This Agreement is subject to cancellation pursuant to the provisions of A.R.S. § 38-511.

5.2 Immigration law compliance and warranty. As required by A.R.S. § 41-4401, each party hereby warrants its compliance with all federal immigration laws and regulations that relate to its employees and A.R.S. § 23-214(A). Each party further warrants that after hiring an employee, it verifies the employment eligibility of the employee through the E-Verify program. If either party uses any subcontractors in performance of the IGA, subcontractors shall warrant their compliance with all federal immigration laws and regulations that relate to its employees and A.R.S. § 23-214(A), and subcontractors shall further warrant that after hiring an employee, such subcontractor verifies the employment eligibility of the employee through the E-Verify program. A breach of this warranty shall be deemed a material breach of the IGA, subject to penalties up to, and including, termination. A party shall not be deemed in material breach if it and/or its subcontractors establish compliance with the employment verification provisions of Sections 274A and 274B of the federal Immigration and Nationality Act and the E-Verify requirements contained in A.R.S. § 23-214(A). Each party retains the legal right to inspect the papers of the other party and/or its subcontractor engaged in performance of this IGA to ensure that the other party and/or its subcontractor is complying with the warranty. Any inspection will be conducted after reasonable notice and at reasonable times. If state law is amended, the parties may modify this paragraph consistent with state law.

5.3 Communication between state and local government agencies and federal immigration authorities; compliance. As required by 8 U.S.C. § 1373, each party hereby agrees that, notwithstanding any other provision of federal, state, or local law, it will not prohibit, or in any way restrict, any government entity or official from sending to, or receiving from, federal immigration authorities, including US Immigration and Customs Enforcement (ICE), US Customs and Border Protection (CBP), or US Citizenship and Immigration Services (USCIS), information regarding the citizenship or immigration status, lawful or unlawful, of any individual.

5.4 Indemnification. To the extent permitted by law, each party will indemnify and save the other party harmless, including any of the parties' departments, agencies, officers, employees, elected officials or agents, from and against all loss, expense, damage or claim of any nature whatsoever which is caused by any activity, condition or event arising out of the performance or non-performance by the indemnifying party of any of the provisions of this IGA.

Each party, in all instances, shall be indemnified against all liability, losses, and damages of any nature for, or on account of, any injuries or death of persons or damages to or destruction of property arising out of or in any way connected with the performance or non-performance of this IGA by the other party, except such injury or damage as shall have been occasioned by the negligence of that other party. The damages incurred by the other party, their department, agencies, officers, employees, elected officers or agents shall include in the event of any action, court costs, expenses for litigation and reasonable attorneys' fees.

The parties are responsible and liable for the acts and omissions of their own officers, agents or employees in connection with the performance of their official duties under this IGA.

This agreement does not relieve either agency of its official duties and shall not be construed as limiting or expanding the statutory responsibilities of the parties.

5.5 Binding effect. All terms, provisions, and conditions hereof shall be binding upon and inure to the benefit of all parties hereto and their respective heirs, personal representatives, successors and assigns.

5.6 Severability. In the event any term or provision of this IGA is held to be invalid or unenforceable, the validity of the other provisions shall not be affected, and the IGA shall be construed and enforced as if it did not contain the particular term or provision that is deemed to be invalid or unenforceable.

5.7 Governing law. This IGA will be governed by the laws of the State of Arizona, both as to interpretation and performance.

5.8 Modification. This IGA may be modified only by mutual written agreement of the parties.

## **VI. SPECIAL PROVISIONS**

6.1 Goals for cases prosecuted. Various County Attorneys' Offices throughout the State of Arizona have successfully prosecuted many cases investigated by the ICAC Task Force and its affiliated agencies. Cases investigated by the ICAC Task Force may be prosecuted in Federal or State Court.

The affiliated agency agrees that the criteria for determining whether to prosecute a particular violation in state or federal court will be determined based upon the forum in which the greatest overall benefit to the public will be achieved. The parties agree that the greatest overall benefit to the public and victims will be achieved in the forum in which the purposes of punishment will be accomplished to the greatest possible extent. The parties agree that the sentences in ICAC cases should, to the greatest possible extent:

- (1) Reflect the seriousness of the offense;
- (2) Promote respect for the law;
- (3) Provide just punishment for the offense;
- (4) Afford adequate deterrence to criminal conduct;
- (5) Protect the public from further crimes of the defendant; and
- (6) To provide the defendant with needed educational or vocational training, medical care, or other correctional treatment in the most effective manner.

Given these goals and the research regarding the typical hands-on offense histories of those convicted as on-line predators and child pornography offenders, incarceration is a desired outcome in ICAC cases.

6.2 Reporting statistics. The Affiliate Agency will provide monthly reports to the Phoenix PD / ICAC Task Force in the prescribed format, no later than ten (10) days after the end of the preceding month. If statistics are not provided by the deadline, any funding will be suspended until the reporting requirement is met.

6.3 Training. The affiliated agency may make investigators available for applicable specialized training provided through the national ICAC program and other appropriate training programs.

6.4 Media. Media outreach on cases should be coordinated with the prosecutor to whom the case has been, or will be, referred in order to ensure compliance with applicable bar rules. All lawful efforts will be made to protect ongoing undercover operations from media publication. Member agencies will refrain from unnecessarily releasing ongoing investigative techniques and ongoing undercover identities, including screen names, age or sex of undercover personas, unless authorized and mandated by public record law, or when the information is revealed pursuant to lawful discovery or at trial.

6.5 Confidentiality. It is understood that any confidential information pertaining to investigations of ICAC will be held in the strictest confidence, and will only be shared with participating ICAC Task Force members or other law enforcement agencies where necessary, or as otherwise permitted by federal and/or state law.

6.6 Text messaging while driving. Pursuant to Executive Order 13513, "Federal Leadership on Reducing Text Messaging While Driving," 74 Fed. Reg. 51225 (October 1, 2009), the Department encourages recipients and sub recipients to adopt and enforce policies banning employees from text messaging while driving any vehicle during the course of performing work funded by this IGA, and to establish workplace safety policies and conduct education, awareness, and other outreach to decrease crashes caused by distracted drivers.

6.7 Data protection. All data, regardless of form, including originals, images and reproductions, prepared by, obtained by, or transmitted to affiliate agencies in connection with this agreement is to be kept confidential. Except as specifically provided in this IGA, the affiliate agencies shall not disclose data generated in the performance of the service to any third person without the prior written consent of all affiliate agencies, unless required by law.

Personal identifying information, financial account information, or restricted information, whether electronic format or hard copy, must be secured and protected at all times to avoid unauthorized access. At a minimum, affiliate agencies must encrypt and/or password protect electronic files. This includes data saved to laptop computers, computerized devices or removable storage devices.

Unless contrary to law, which includes Arizona State Records Retention statutes, when personal identifying information, financial account information or restricted information, regardless of its format, is no longer necessary, the information must be redacted, destroyed or secured through appropriate and secure methods that ensure the information cannot be viewed, accessed or reconstructed.

In the event that data collected or obtained by the affiliate agencies in connection with this IGA is believed to have been compromised, affiliate agencies shall notify all other agencies in writing within ten (10) business days.

Affiliate agencies agree that the requirements of this section shall be incorporated into all relevant subcontractor/subconsultant agreements entered into by the affiliate agencies. A violation of this section may result in immediate termination of the IGA.

The obligations of affiliate agencies under this section shall survive the termination of this agreement.

6.8 Consistency. No local agreement can be inconsistent with any provision herein or impair achievement of any provision herein.

6.9 Affiliate Agency must abide by all federal, state, and local grant regulations.

IN WITNESS WHEREOF, the parties enter into this Agreement:

**City of Phoenix, Arizona**  
**An Arizona Municipal Corporation**  
**(Primary Grantee)**

**County of Cochise, Arizona**  
**An Arizona Municipal Corporation**  
**(Affiliate)**

\_\_\_\_\_  
Jeri L. Williams  
Police Chief  
Phoenix Police Department

\_\_\_\_\_  
(Authorized Signature)

\_\_\_\_\_  
Printed Name, Title

\_\_\_\_\_  
Date

\_\_\_\_\_  
Date

ATTEST:

ATTEST:

\_\_\_\_\_  
City Clerk

\_\_\_\_\_  
County Clerk

APPROVED AS TO FORM:

APPROVED AS TO FORM:

\_\_\_\_\_  
Acting City Attorney

  
\_\_\_\_\_  
County Attorney

INTERGOVERNMENTAL AGREEMENT DETERMINATION

In accordance with the requirements of A.R.S. § 11-952 (D), each of the undersigned attorneys Acknowledge: (1) that they have reviewed the above IGA on behalf of their respective clients; and, (2) that, as to their respective clients only, each attorney has determined that this IGA is in proper form and is within the powers and authority granted under the laws of the State of Arizona.

City of Phoenix (Primary Grantee)

County of Cochise (Affiliate)

\_\_\_\_\_  
Sandra Hunter, Asst. Chief Counsel

  
\_\_\_\_\_  
Signature

*Britt Hanson, Chief C.A.*  
Printed Name, Title  
*Deputy, Cochise County Atty*

\_\_\_\_\_  
Date

*3/12/19*  
\_\_\_\_\_  
Date

**Regular Board of Supervisors Meeting**

**Meeting Date:** 04/09/2019

Demands

**Submitted By:** Melissa Belasco, Board of Supervisors

**Department:** Board of Supervisors

**Presentation:** No A/V Presentation

**Document Signatures:**

**Recommendation:**

**# of ORIGINALS**

**Submitted for Signature:**

**NAME** n/a

**TITLE** n/a

**of PRESENTER:**

**of PRESENTER:**

**Mandated Function?:**

**Source of Mandate  
or Basis for Support?:**

**Information**

**Agenda Item Text:**

Approve demands and budget amendments for operating transfers.

**Background:**

Auditor-General's requirement for Board of Supervisors to approve.

**Department's Next Steps (if approved):**

Return to Finance after BOS approval.

**Impact of NOT Approving/Alternatives:**

Board of Supervisors will not be in compliance with State law.

**To BOS Staff: Document Disposition/Follow-Up:**

Return to Finance after BOS approval.

**Budget Information**

*Information about available funds*

**Budgeted:**

**Funds Available:**

**Amount Available:**

**Unbudgeted:**

**Funds NOT Available:**

**Amendment:**

**Account Code(s) for Available Funds**

1:

**Fund Transfers**

**Attachments**

*No file(s) attached.*

**Regular Board of Supervisors Meeting**

**Meeting Date:** 04/09/2019

Housing Proclamation

**Submitted By:** Anita Baca, Housing Authority

**Department:** Housing Authority

**Presentation:** No A/V Presentation      **Recommendation:** Approve

**Document Signatures:** BOS Signature Required      **# of ORIGINALS Submitted for Signature:** 2

**NAME of PRESENTER:** n/a      **TITLE of PRESENTER:** n/a

**Docket Number (If applicable):**

**Mandated Function?:** Not Mandated      **Source of Mandate or Basis for Support?:**

**Information**

**Agenda Item Text:**

Approve a Fair Housing Proclamation to proclaim April 2019 as Fair Housing Month in Cochise County.

**Background:**

The Fair Housing Proclamation ensures compliance with certifications to affirmatively further fair housing in relation to State housing funds (CDBG, HOME, HUD rental assistance, etc.) that are received on a regular basis by Cochise County.

**Department's Next Steps (if approved):**

Post proclamation appropriately at the Board of Supervisors bulletin board and at the Housing Authority office.

**Impact of NOT Approving/Alternatives:**

The County will not be compliant with federal law or CDBG Affirmatively Furthering Fair Housing requirements.

**To BOS Staff: Document Disposition/Follow-Up:**

Two originals of the Fair Housing Proclamation will be provided to the Clerk of the Board. After formal Board approval and appropriate signatures, please post one original on the Board of Supervisors bulletin Board and return the other original to Anita Baca, Housing Authority.

**Attachments**

2019 Fair Housing Proclamation



# Cochise County Board of Supervisors

Public Programs...Personal Service  
www.cochise.az.gov

**PEGGY JUDD**  
Chairman  
District 3

**EDWARD T. GILLIGAN**  
County Administrator

**ANN ENGLISH**  
Vice-Chairman  
District 2

**SHARON GILMAN**  
Associate County Administrator

**THOMAS E. BORER**  
Supervisor  
District 1

**ARLETHE G. RIOS**  
Clerk of the Board

## FAIR HOUSING PROCLAMATION APRIL 2019



**WHEREAS**, the Civil Rights Act of 1968, commonly known as the Federal Fair Housing Act and the Fair Housing Amendments Act of 1988 prohibit discrimination in the sale, rental, leasing and financing of housing or land to be used for the construction of housing or in the provision of brokerage services on the basis of race, color, religion, sex, handicap, familial status or national origin; and

**WHEREAS**, the 1986 and 1988 Federal Fair Housing Acts declare that it is a national policy to ensure equal opportunities in housing; and

**WHEREAS**, April has traditionally been designated as Fair Housing Month in the United States.

**NOW, THEREFORE**, the Board of Supervisors of Cochise County do hereby proclaim April 2019 as Fair Housing Month in the County of Cochise and does hereby urge all residents of this County to comply with and show their support for the letter and spirit of the Fair Housing Acts.

**PASSED, APPROVED AND ADOPTED THIS 9th DAY OF APRIL 2019 BY THE BOARD OF SUPERVISORS OF COCHISE COUNTY, ARIZONA.**

---

PEGGY JUDD  
COCHISE COUNTY BOARD OF SUPERVISORS

ATTEST:

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ARLETHE G. RIOS, CLERK OF THE BOARD

**Regular Board of Supervisors Meeting****Meeting Date:** 04/09/2019

CCT Membership Resolution Amendment

**Submitted By:** Julie Morales, Human Resources**Department:** Human Resources**Presentation:** No A/V Presentation      **Recommendation:** Approve**Document Signatures:** BOS Signature Required      **# of ORIGINALS Submitted for Signature:** 0**NAME of PRESENTER:** Julie Morales      **TITLE of PRESENTER:** Risk Management Director**Docket Number (If applicable):****Mandated Function?:** Local Mandate or Policy      **Source of Mandate or Basis for Support?:** CCT Bylaws**Information****Agenda Item Text:**

Adopt Resolution 19-08, amending Resolution 17-02 with regard to Cochise County Membership in the Cochise Combined Trust (CCT).

**Background:**

Resolution 17-02 renewed Cochise County's membership in the Cochise Combined Trust (CCT) through June 30, 2020. That resolution also established the two County employees designated as trustees to serve on the CCT governing board as Trustees, the County Administrator and HR Director. This proposed resolution allows for more flexibility, designating the County Administrator as one Trustee but allowing the County Administrator to appoint the HR Director, Risk Director or the Associate County Administrator as the other Trustee. No other change is proposed as part of this action.

**Department's Next Steps (if approved):**

No immediate action will be taken. The CCT Trustees currently designated by the Board of Supervisors will remain as trustees for the foreseeable future.

**Impact of NOT Approving/Alternatives:**

One of the current Trustees has had a recent title change. In order for that individual to continue serving as a CCT Trustee, this resolution needs to be updated.

**To BOS Staff: Document Disposition/Follow-Up:**

Please provide a copy of the fully-executed resolution to the Human Resources Department.

**Attachments**CCT Resolution

**RESOLUTION 19-\_\_\_\_**

**A RESOLUTION ENACTED BY THE BOARD OF SUPERVISORS  
OF COCHISE COUNTY, ARIZONA APPROVING MEMBERSHIP IN THE  
COCHISE COMBINED TRUST (CCT)**

**WHEREAS**, The Cochise County Board of Supervisors is empowered pursuant to ARS § 11-981(A) to procure Health, Accident Life, and/or Disability benefits for employees and officers of the County through either insurance or self-insurance; and

**WHEREAS**, ARS § 11-952 and ARS § 11-952.01 provide that two or more public agencies may join together to provide for Health, Accident, Life, and/or Disability benefits for employees and officers of the entities through either insurance or self-insurance; and

**WHEREAS**, Cochise County (“the County”) has been a Participating Entity in the Cochise Combined Trust (“CCT”) since July 01, 2002; and

**WHEREAS**, the County Administrator and Human Resources Director have been the County’s two Trustees for CCT, but for additional flexibility, in order to effect renewal of the County’s membership, CCT requires action by the Cochise County Board of Supervisors through a resolution;

**THEREFORE**, be it resolved by the Cochise County Board of Supervisors as follows:

1. The Cochise County Board of Supervisors hereby appoints the following County employees to the positions shown:

- A. Trustee: County Administrator
- B. Trustee: One of the following, as designated by the County

Administrator:

Associate County Administrator or  
Risk Management Director or  
Human Resources Director

**WITNESS**, the signatures of the members of the Cochise County Board of Supervisors this \_\_\_\_ day of \_\_\_\_\_, 2019.

RESOLUTION 19-\_\_\_\_

A Resolution Enacted by the Board of Supervisors of Cochise County, Arizona Providing More Flexibility in Appointing Trustees for Cochise Combined Trust (CCT)

Page | 2

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Peggy Judd, Chairperson  
Supervisor, District 3  
Cochise County Board of Supervisors

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Thomas E. Borer  
Supervisor, District 1  
Cochise County Board of Supervisors

---

Ann English  
Supervisor, District 2  
Cochise County Board of Supervisors

RESOLUTION 19-\_\_\_\_

A Resolution Enacted by the Board of Supervisors of Cochise County, Arizona Providing More Flexibility in Appointing Trustees for Cochise Combined Trust (CCT)

Page | 3

**APPROVED AS TO FORM AND AS BEING WITHIN THE  
POWERS OF THE COCHISE COUNTY BOARD OF  
SUPERVISORS**

---

Britt Hanson, Deputy County Attorney  
Cochise County

**WITNESSED AND ATTESTED TO:**

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Arlethe G. Rios, Clerk of the Board  
Cochise County

**Regular Board of Supervisors Meeting**

**Board of Supervisors**

**Meeting Date:** 04/09/2019

Agreement to Assign Recreational Access Agreement for Access to Whetstones from County to AZ Game and Fish Commission

**Submitted By:** Britt Hanson, County Attorney

**Department:** County Attorney

**Presentation:** No A/V Presentation **Recommendation:** Approve

**Document Signatures:** BOS Signature Required **# of ORIGINALS Submitted for Signature:** 3

**NAME of PRESENTER:** Britt Hanson **TITLE of PRESENTER:** Chief Civil Deputy, County Attorney

**Docket Number (If applicable):**

**Mandated Function?:** Not Mandated **Source of Mandate or Basis for Support?:**

**Information**

**Agenda Item Text:**

Approve Agreement to Assign Recreational Access Agreement for Access to Whetstone Mountains/National Forest from the County to the Arizona Game and Fish Commission.

**Background:**

El Dorado Benson LLC previously granted the County a perpetual non-exclusive recreational access easement for the purpose of providing public access to the National Forest in the Whetstone Mountains. This grant of easement was formalized in a written agreement, signed by the County and El Dorado on February 27, 2018. At the time, it was contemplated that ultimately the County would assign the easement to the Arizona Game and Fish Commission since it will be responsible for building and maintaining the access road on the easement. The Agreement to Assign being presented in this agenda item will finalize that assignment.

**Department's Next Steps (if approved):**

Have El Dorado and Game and Fish sign the Agreement and record it.

**Impact of NOT Approving/Alternatives:**

The County will retain the access easement, Game and Fish will not receive it, and the road will not get built unless the County chose to pay for building and maintaining the road.

**To BOS Staff: Document Disposition/Follow-Up:**

Have the Chair sign the Agreement, send it to El Dorado and Game and Fish for signatures.

**Attachments**

Agreement

After recording, return to:  
Arizona Game and Fish  
5900 W. Carefree Highway  
Phoenix, AZ 85086  
Attn: \_\_\_\_\_

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Space above this line for Recorder's Use Only

## ASSIGNMENT AGREEMENT

This ASSIGNMENT AGREEMENT is made and entered into this 20th day of February, 2019, by and between **EL DORADO BENSON, LLC**, an Arizona limited liability company ("**El Dorado**"), **COCHISE COUNTY ARIZONA**, a political subdivision of the State of Arizona ("**County**"), and **THE STATE OF ARIZONA**, by and through the **ARIZONA GAME AND FISH COMMISSION** (the "**Commission**").

### RECITALS

A. The County was previously granted by El Dorado, as the owner of certain real property located in Cochise County, Arizona, a perpetual non-exclusive recreational access easement in gross over and across a portion of the that real property for the purpose of providing public access to the Whetstone Mountains. This easement was formalized via written agreement titled Easement Conveyance Agreement for Recreational Access, signed by the County and El Dorado on February 27, 2018, and further by an additional written agreement between the County and El Dorado, signed and recorded as the Recreational Access Easement Agreement in the records of Cochise County, Arizona as Document 2018-03480 (recorded on February 27, 2018). The Easement Conveyance Agreement for Recreational Access and the Recreational Access Easement Agreement are referred to herein collectively as the "**Easement**."

B. The Easement includes a provision allowing the County to assign its rights and obligations under the Easement to another governmental agency, including the State of Arizona acting through the Commission, with the written consent of El Dorado. The parties desire to convey the County's rights and obligations in the Easement to the Commission, and the Commission approved the acceptance of the Easement on May 4, 2018.

**NOW, THEREFORE**, in consideration of the mutual covenants, terms, conditions, restrictions, and requirements contained herein, the parties agree as follows:

1. Assignment. The County hereby assigns all of its rights and obligations under the Easement to the Commission.
2. Consent to Assignment. El Dorado hereby consents to the County's assignment of all of its rights and obligations under the Easement to the Commission.
3. Acceptance of Assignment. The Commission hereby accepts the assignment of all of the rights and obligations of the County under the Easement and agrees to comply with the terms thereof. The County is hereby released from any and all obligations under the terms of the Easement.

IN WITNESS WHEREOF, the parties have executed this Assignment effective the date first above set forth.

[Signature pages to follow]

Cochise County, a political subdivision  
of the State of Arizona

By: \_\_\_\_\_

Peggy Judd, Chairwoman

Attest:

\_\_\_\_\_  
Title: Clerk of the Board

ACKNOWLEDGMENT

STATE OF ARIZONA            )  
  ) ss.  
County of Cochise            )

The foregoing instrument was acknowledged before me this \_\_\_\_\_ day of \_\_\_\_\_, 201\_ by Peggy Judd as Chairwoman of the Cochise County Board of Supervisors.

\_\_\_\_\_  
Notary Public  
My commission expires: \_\_\_\_\_





Board of Supervisors

Regular Board of Supervisors Meeting

Meeting Date: 04/09/2019

Non Binding Resolution in Support of Commercial Port of Entry

Submitted By: Arlethe Rios, Board of Supervisors

Department: Board of Supervisors

Presentation: No A/V Presentation

Document Signatures:

Recommendation:

# of ORIGINALS

Submitted for Signature:

NAME Ed Gilligan

TITLE County Administrator

of PRESENTER:

of PRESENTER:

Mandated Function?:

Source of Mandate or Basis for Support?:

Information

Agenda Item Text:

Adopt Resolution 19-09 supporting the designation of James Ranch Road as the preferred location for development of a commercial port of entry.

Background:

The County has been working with federal and local stakeholders in support of the General Services Administration building a commercial port of entry in Cochise County to divert commercial traffic from the Raul H. Castro Port of Entry and has selected the James Ranch Road area, which will also assist to drive positive local economic development in Cochise County.

In turn, the Board would like to assist in budgeting resources towards the planning and execution of this major project.

Department's Next Steps (if approved):

Record fully executed Resolution.

Impact of NOT Approving/Alternatives:

GSA will not be aware of the formal support of Cochise County in this project.

To BOS Staff: Document Disposition/Follow-Up:

Send copy of signed resolution to Ed/Britt.

Budget Information

Information about available funds

Budgeted:

Funds Available:

Amount Available:

Unbudgeted:

Funds NOT Available:

Amendment:

Account Code(s) for Available Funds

1:

Fund Transfers

## Attachments

Resolution

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# Cochise County Board of Supervisors

*Public Programs...Personal Service*  
www.cochise.az.gov

**PEGGY JUDD**  
Chairman  
District 3

**EDWARD T. GILLIGAN**  
County Administrator

**ANN ENGLISH**  
Vice-Chairman  
District 2

**SHARON GILMAN**  
Associate County Administrator

**THOMAS E. BORER**  
Supervisor  
District 1

**ARLETHE G. RIOS**  
Clerk of the Board

## RESOLUTION 19-\_\_

### SUPPORTING THE DESIGNATION OF JAMES RANCH ROAD AS THE PREFERRED LOCATION FOR DEVELOPMENT OF A COMMERCIAL PORT OF ENTRY

**WHEREAS**, Cochise County shares 83 miles of international border with Mexico and its communities, the State of Arizona, and the region are heavily dependent on trade, tourism and investment from Mexico for their continued growth; and

**WHEREAS**, in 2018, Arizona's trade in Mexico grew by 7.7% to over \$16.7 billion of which \$4 billion in trade moved through the Raul H. Castro Port of Entry in Douglas, Arizona; and

**WHEREAS**, in 2018, 28,000 trucks, 1.7 million cars, 848,000 pedestrians and a combined 3.97 million people in northbound traffic moved through the Raul H. Castro Port of Entry in Douglas, Arizona; and

**WHEREAS**, the historic Raul H. Castro Port of Entry that connects Douglas, Arizona and Agua Prieta, Sonora, Mexico is located in the developed, landlocked downtown areas of both cities, making the safe and efficient transportation of trade goods and industrial materials difficult; and

**WHEREAS**, the Cochise County Board of Supervisors supports the General Services Administration (GSA) building a commercial port of entry in Cochise County to divert commercial traffic from the Raul H. Castro Port of Entry; and

**WHEREAS**, the Cochise County Board of Supervisors supports the designation and selection of the James Ranch Road property as the site of the new United States/Mexico commercial port of entry; and

**WHEREAS**, James Ranch Road is a premier location to drive positive local economic development in Cochise County; and

**NOW, THEREFORE, BE IT RESOLVED THAT** the Cochise County Board of Supervisors will budget resources toward the planning and execution of this major project.

**APPROVED AND ADOPTED** this 9<sup>th</sup> day of April, 2019.

---

Peggy Judd, Chairman  
Cochise County Board of Supervisors

**ATTEST:**

**APPROVED AS TO FORM:**

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Arlethe G. Rios  
Clerk of the Board

---

Britt Hanson,  
Chief Civil Deputy County Attorney

**Regular Board of Supervisors Meeting**

**Meeting Date:** 04/09/2019

State and Federal Legislation Discussion

**Submitted By:** Melissa Belasco, Board of Supervisors

**Department:** Board of Supervisors

**Presentation:** No A/V Presentation  
**Recommendation:**

**Document Signatures:** # of ORIGINALS Submitted for Signature:

**NAME** na **TITLE** na  
**of PRESENTER:** **of PRESENTER:**

**Mandated Function?:** **Source of Mandate or Basis for Support?:**

---

**Information**

**Agenda Item Text:**

Discussion and possible action regarding state and federal legislative matters listed or described in the attached County Supervisors Association Legislative Policy Committee Agenda, the Arizona Association of Counties (AACo) Legislative Policy Committee Agenda, and the proposed State budget, and other matters related thereto.

**Background:**

na

**Department's Next Steps (if approved):**

na

**Impact of NOT Approving/Alternatives:**

na

**To BOS Staff: Document Disposition/Follow-Up:**

na

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**Budget Information**

*Information about available funds*

**Budgeted:**   
**Unbudgeted:**

**Funds Available:**   
**Funds NOT Available:**

**Amount Available:**  
**Amendment:**

**Account Code(s) for Available Funds**

1:

**Fund Transfers**

**Attachments**

[LPC Agenda](#)

[LPC Minutes](#)

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# County Supervisors

A S S O C I A T I O N  
o f a r i z o n a

1905 W. Washington St., Ste. 100, Phoenix, AZ 85009  
(602) 252-5521 fax: (602) 253-3227

**COUNTY SUPERVISORS ASSOCIATION  
LEGISLATIVE POLICY COMMITTEE  
AGENDA  
April 05, 2019  
(Conducted Via Teleconference and Webinar)  
Teleconference 1-720-707-2699  
[Web Link](#)  
County Supervisors Association  
1905 W. Washington St.  
Phoenix, AZ**

9:00 a.m. Call to Order ~ *President Russell McCloud*

- A) Approval of the Minutes of the March 29, 2019, Legislative Policy Committee Meeting  
(previously distributed)
- B) CSA Legislative Agenda
  - 1) CSA Legislative Budget Priorities
    - a) [SB 1140 county contributions; committed youth; repeal](#). (Leach)
    - b) [HB 2429 appropriations; EORP contributions; counties](#) (Thorpe) / [SB 1293 approp; EORP contributions; counties](#) (Gowan)
    - c) Taxation of Online Remote Purchases/Digital Goods
  - 2) S/E [HB 2467 committee; west basin water users](#) (Cobb)
  - 3) [SB 1084 funeral; last illness; expenses; lien](#) (Borrelli)
- C) Legislative Bills for Discussion
  - 1) [HB 2113 direct primary care providers; dentists](#) (Griffin) / S/E [SB 2113 public restrooms; diaper changing stations](#) (Griffin)
  - 2) [HB 2190 CORP; accidental disability; definition](#) (Payne)
  - 3) [HB 2556 agricultural property; uses; rural activities](#) (Finchem)
  - 4) [HB 2677 JLAC; auditor general](#) (Kern)
  - 5) [SB 1147 municipal economic development; sale; lease](#) (Leach) / S/E [SB 1147 tobacco products; vapor products](#) (Leach)
  - 6) [SB 1424 youth entrepreneurship; appropriation; pilot program](#) (Quezada) / S/E [SB 1424 2020 census; outreach; appropriation](#) (Quezada)
- D) Other Legislative Issues
- E) Next Meeting Date and Time (*Friday, April 12, at 9:00 a.m.*)
- F) Other Business
- G) Adjourn

**PLEASE POST NO LATER THAN 9:00 A.M., THURSDAY, APRIL 4, 2019**

*Attendance may occur by teleconference or videoconference*

## CSA Bills

### Senate Information

### House Information

Bills	Committee Actions	COW Action	3rd Read & Votes	Final Read & Votes	Committee Actions	COW Action	3rd Read & Votes	Final Read & Votes
SB1140	county contributions; committed youth; repeal. 1st Read: 01/22 <b>APPROP</b> 01/29 - DP 9-0-0-0-0-0 <b>RULES</b> 02/04 - PFC	CON CAL - 02/04 Object: No	2nd Read: 01/23 02/07 - PASSED 30-0-0-0-0-0		1st Read: 02/26 <b>APPROP</b> 03/06 - DP 10-0-0-0-1-0 <b>RULES</b> None		2nd Read: 02/27	SPONSORS: LEACH
Rep Caucus: 02/05 Dem Caucus: 02/05  Comments: Seeks to eliminate the Arizona Department of Juvenile Corrections (ADJC) cost shift to counties which funds 25 percent of the cost of ADJC.								
HB2429	appropriations; EORP contributions; counties  <div style="background-color: #cccccc; width: 100%; height: 100%;"></div>		<div style="background-color: #cccccc; width: 100%; height: 100%;"></div>		1st Read: 01/30 <b>GOV</b> 02/07 - DP 10-1-0-0-0-0 <b>APPROP</b> 02/13 - DP 11-0-0-0-0-0 <b>RULES</b> 03/06 - C&P 7-0-0-0-1-0  Maj Caucus: 03/07 Min Caucus: 03/07	03/14 - DP	2nd Read: 01/31 03/19 - FAILED 17-42-1-0-0-0	SPONSORS: THORPE, LAWRENCE
Comments: Provides permanent relief of \$3 million dollars to counties with a population of less than \$350,000.								
SB1293	appropriations; EORP contributions; counties. 1st Read: 01/30 <b>APPROP</b> 02/12 - DP 9-0-0-0-0-0 <b>RULES</b> 02/18 - PFC	CON CAL - 02/18 Object: No	2nd Read: 01/31 02/21 - PASSED 28-2-0-0-0-0		1st Read: 03/12 <b>GOV</b> 03/21 - DP 7-1-0-0-3-0 <b>APPROP</b> None <b>RULES</b> None		2nd Read: 03/13	SPONSORS: GOWAN
Rep Caucus: 02/19 Dem Caucus: 02/19								

**Senate Information**

**House Information**

Bills	Committee Actions	COW Action	3rd Read & Votes	Final Read & Votes	Committee Actions	COW Action	3rd Read & Votes	Final Read & Votes
HB2467	west basin water users; committee NOW: committees; west basin water users 1st Read: 03/12 <b>WAG</b> 03/21 - DP 5-0-2-0-0-0 <b>RULES</b> 03/25 - PFC  Rep Caucus: 03/26 Dem Caucus: 03/26		2nd Read: 03/13		1st Read: 02/04 <b>NREW</b> 02/19 - DPA/SE 12-0-0-0-1-0 <b>RULES</b> 03/04 - C&P 7-0-0-0-1-0  Maj Caucus: 03/05 Min Caucus: 03/05	03/06 - RET ON CAL  03/07 - DPA	2nd Read: 02/05 03/11 - PASSED  53-7-0-0-0-0	SPONSORS: COBB
Comments: Allows for the implementation of local stakeholder processes regarding groundwater issues in La Paz and Mohave Counties.								
SB1084	funeral; last illness; expenses; lien 1st Read: 01/17 <b>JUD</b> 01/31 - DPA 5-0-2-0-0-0 <b>RULES</b> 02/04 - PFC  Rep Caucus: 02/05 Dem Caucus: 02/05	02/06 - DPA	2nd Read: 01/22 02/07 - PASSED  30-0-0-0-0-0		1st Read: 03/04 <b>JUD</b> 03/27 - DP 10-0-0-0-0-0 <b>RULES</b> 04/01 - C&P 8-0-0-0-0-0  Maj Caucus: 04/02 Min Caucus: 04/02	CON CAL - 04/01 Object: Yes	2nd Read: 03/05	SPONSORS: BORRELLI
Comments: Allows counties to follow a more cost effective path to be reimbursed for burying individuals if the decedent had real personal property.								

## LPC Bills for Consideration April 5, 2019

### Senate Information

### House Information

Bills	Committee Actions	COW Action	3rd Read & Votes	Final Read & Votes	Committee Actions	COW Action	3rd Read & Votes	Final Read & Votes
HB2113	direct primary care providers; dentists 1st Read: 02/28 <b>HHS</b> 03/27 - DPA/SE 8-0-0-0-0-0 <b>RULES</b> None		2nd Read: 03/04		1st Read: 01/28 <b>HHS</b> 02/14 - DPA 9-0-0-0-0-0 <b>RULES</b> 02/20 - C&P 5-1-0-0-2-0 Maj Caucus: 02/25 Min Caucus: 02/25	02/26 - DPA	2nd Read: 01/29 02/26 - PASSED  59-0-1-0-0-0	SPONSORS: GRIFFIN

Comments: The strike everything amendment requires a state and local governments that construct a new restroom or totally renovates an existing restroom (\$50K & complete gut of finishes/systems) must include at least one changing station capable of serving both a baby and adult that is accessible by men and women; provide signage; and include in building directory, if available. Exemptions may be made if installation of a changing station would not be feasible, impact compliance with ADA standards or would destroy the historic significance of a property.

Note: Discussions with the proponents of the bill the goal is to have one restroom that serves the public be equipped with an adult changing station in a family accessible bathroom preferably on the 1st floor of a building that serves the public. Staff is working on getting an amendment to clarify that this would only be in public facing buildings and would not apply to buildings or bathrooms that serve only staff.

HB2190	CORP; accidental disability; definition 1st Read: 03/28 <b>APPROP</b> None  <b>RULES</b> None		2nd Read: 04/01		1st Read: 01/24 <b>PS</b> 01/30 - DP 7-0-0-0-0-0 <b>GOV</b> 02/07 - DP 10-1-0-0-0-0 <b>RULES</b> 02/25 - C&P 8-0-0-0-0-0 Maj Caucus: 02/26 Min Caucus: 02/26	03/07 - DP	2nd Read: 01/28 03/27 - PASSED  58-2-0-0-0-0	SPONSORS: PAYNE
--------	---	--	-----------------	--	--	------------	---	-----------------

Comments: Update: An amendment is being offered in Appropriations that removes the language making an employee eligible for accidental disability if a new job offer from the employer doesn't come with equivalent pay and benefits.

3/8: Staff explained there had been serious concerns raised by the counties on this bill. Staff also explained that, after conversations with the sponsor, the bill had been held for some time, but is now moving forward again. The LPC voted to OPPOSE the bill.

1/25: Staff explained the bill, noting there will be additional stakeholder conversations next week and would recommend bringing the issue back for discussion at another meeting. The LPC did not take action on the bill.

Summary: Removes the requirement that to qualify for accidental disability under CORP, the accident must have been caused by physical contact or a confrontational situation with an inmate, prisoner or parolee or a job-related motor vehicle accident while on official business. Qualifies an individual for accidental disability benefits if it is determined that the accident permanently prevents an employee from performing a reasonable range of duties with equivalent pay and benefits within the employee's department.

### Senate Information

### House Information

Bills	Committee Actions	COW Action	3rd Read & Votes	Final Read & Votes	Committee Actions	COW Action	3rd Read & Votes	Final Read & Votes
HB2556	agricultural property; uses; rural activities 1st Read: 03/04 <b>WAG</b> 03/14 - DP 7-0-0-0-0-0 <b>RULES</b> 03/25 - PFC  Rep Caucus: 03/26 Dem Caucus: 03/26		2nd Read: 03/05		1st Read: 02/05 <b>WM</b> 02/20 - DPA 10-0-0-0-0-0 <b>LAG</b> 02/21 - DP 6-0-0-0-1-0 <b>RULES</b> 02/25 - C&P 8-0-0-0-0-0 Maj Caucus: 02/26 Min Caucus: 02/26		SPONSORS: FINCHEM, BIASIUCCI, et al 2nd Read: 02/06 02/28 - PASSED 56-4-0-0-0-0	

Comments: 3/29: Staff explained there had been many concerns raised about exempting these properties from building code and zoning ordinances, as the counties cannot ensure the safety of the public without building codes. Staff also noted the stakeholders will be meeting shortly in an attempt to address the concerns of the counties. The LPC voted to OPPOSE the bill in its current form, without an amendment to ease their concerns.

-For the purposes of property tax classification, the definition of "agricultural real property" is expanded to include land and improvements devoted to "agritourism" (defined).

-For the purposes of county zoning, the definition of "general agricultural purposes" is expanded to include agritourism.

-"Agritourism" is defined as: any activity that allows members of the general public, for recreational, entertainment or educational purposes, to view, enjoy or participate in rural activities, including farming, ranching, historical, cultural, u-pick, harvest-your-own activities or natural activities and attractions if the activity is conducted in connection with a business whose primary income is derived from the production for commercial purposes of livestock or agricultural commodities.

HB2677	JLAC; auditor general 1st Read: 03/12 <b>GOV</b> 03/18 - DP 7-0-0-0-0-0 <b>RULES</b> 04/01 - PFC		2nd Read: 03/13		1st Read: 02/13 <b>APPROP</b> 02/20 - DPA 10-0-0-0-1-0 <b>RULES</b> 02/25 - C&P 8-0-0-0-0-0 Maj Caucus: 02/26 Min Caucus: 02/26		SPONSORS: KERN 2nd Read: 02/14 03/04 - PASSED 59-0-1-0-0-0	
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Comments: 2/15 Staff explained this would expand the Auditor Generals authority to investigate financial fraud. The LPC noted concern for expanding a non-elected official's authority and voted to OPPOSE the bill.

Summary: Makes various changes relating to audits of public agencies. The Office of Auditor General (OAG) is required to conduct annual, instead of at least biennial, financial and compliance audits of financial transactions and accounts kept by or for all state agencies subject to the federal single audit requirements. The OAG is required, as resources allow, to conduct an investigation related to allegations of financial impropriety, malfeasance or nonfeasance of a state agency or of a political subdivision that is funded in whole or in part by tax revenue in connection with an audit authorized by law or on request of a state agency or specified public officers under specified circumstances. All officers of any state agency, board, commission, department, program or committee or any political subdivision and all contractors that contract with the state are required to afford reasonable and needed facilities for OAG staff and make records available in the form and at the time prescribed. The Joint Legislative Budget Committee is required to notify all members of the Legislature of the cost to conduct a special audit for any legislative measure that requires the OAG to perform a special audit. This information is required to be provided before the measure is scheduled for third read in the house of origin or in the house where the special audit provision was added. Modifies the list of factors a committee of reference must consider when determining the need for continuation or termination of an agency.

### Senate Information

### House Information

Bills	Committee Actions	COW Action	3rd Read & Votes	Final Read & Votes	Committee Actions	COW Action	3rd Read & Votes	Final Read & Votes
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Note: Staff is working on an amendment to revert A.R.S. 41-1279.04(B) to its original language to address our concern with the OAG attend their executive session meetings.

SB1147	municipal economic development; sale; lease 1st Read: 01/23		2nd Read: 01/24		1st Read: 03/12		2nd Read: 03/13	SPONSORS: LEACH
	<b>GOV</b> 02/11 - DPA 4-3-0-0-0-0 <b>RULES</b> 02/18 - PFC	02/28 - DPA	03/07 - PASSED  16-14-0-0-0-0		<b>WM</b> 03/19 - W/D  <b>HHS</b> 03/28 - DPA/SE 5-4-0-0-0-0 <b>RULES</b> None			
	Rep Caucus: 02/19 Dem Caucus: 02/19							

Comments: The strike-everything amendment increases the age to sell or purchase tobacco from 18 years old to 21 years old, changed the definition of tobacco, and modified how tobacco can be sold. The bill also adds a statewide preemption on tobacco products, e-liquids, vapor products and alternative nicotine products and supersedes any existing ordinances regarding the sale or marketing of tobacco products. Staff noted there is concern with the scope of the preemption language and that it could prevent counties from being able to designate smoke free parks, stadiums and other areas that serve youth and families.

SB1424	youth entrepreneurship; appropriation; pilot program 1st Read: 02/05		2nd Read: 02/06		1st Read: 03/06		2nd Read: 03/07	SPONSORS: QUEZADA, DALESSANDRO, et al
	<b>COM</b> 02/14 - DP 6-0-2-0-0-0 <b>APPROP</b> 02/26 - DPA 9-0-0-0-0-0 <b>RULES</b> 02/27 - PFC	02/28 - DPA	02/28 - PASSED  29-1-0-0-0-0		<b>COM</b> 04/01 - W/D  <b>APPROP</b> None  <b>RULES</b> None			
	Rep Caucus: 02/27 Dem Caucus: 02/27							

Comments: The strike everything amendment appropriates \$5 M in state general fund money in FY 2020. Requires the Arizona Department of Administration (ADOA) to distribute \$2.5 M to the counties & cities on a pro rata basis, based on population. The money must be used for census communication outreach.

Note: New striker language is expected to post that will provide \$5 M to ADOA to hire a company to provide communication and outreach to local communities.

## Ongoing LPC List

### Senate Information

### House Information

Bills	Committee Actions	COW Action	3rd Read & Votes	Final Read & Votes	Committee Actions	COW Action	3rd Read & Votes	Final Read & Votes
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HB2001	law enforcement; prosecution; grants; acceptance				SPONSORS: FINCHEM			
					1st Read: 02/05		2nd Read: 02/06	
					<b>GOV</b> 02/21 - DP 6-4-0-0-1-0			
					<b>APPROP</b> None			
					<b>RULES</b> None			

Comments: 3/15 Staff noted, thanks to support from the Supervisors in getting Legislators and Sheriffs to oppose, the bill did not receive an Appropriations Committee hearing and is therefore dead. Staff will continue to monitor legislation to make sure the issue doesn't pop up once again in some form.

1/17 Staff explained the bill substantially erodes the Board's ability to provide proper oversight of public dollars. The Board voted to OPPOSE the bill.

Summary: Requires a board of supervisors to accept, without interference, all federal grant, award or other monies intended to supplement the approved budget of a law enforcement or prosecution agency, if the agency is eligible and qualified for the funding.

HB2008	duty to report; supervisor; administrator				SPONSORS: KAVANAGH			
	1st Read: 02/27		2nd Read: 02/28		1st Read: 01/22		2nd Read: 01/23	
	<b>JUD</b> 03/07 - DP 7-0-0-0-0-0	CON CAL - 03/11 Object: No			<b>JUD</b> 02/13 - DPA 10-0-0-0-0-0	02/25 - DPA	02/25 - PASSED	
	<b>RULES</b> 03/11 - PFC				<b>RULES</b> 02/18 - C&P 8-0-0-0-0-0		60-0-0-0-0-0	
	Rep Caucus: 03/12 Dem Caucus: 03/12				Maj Caucus: 02/19 Min Caucus: 02/19			

Comments: 2/1: Staff noted this was for informational purposes to ensure potentially impacted departments have time to evaluate any impact for expanding responsibility for reporting abuse or neglect of a minor to supervisors of a person with a duty to report..

Summary: The list of persons with a duty to report a reasonable belief that a minor has been the victim of abuse or neglect is expanded to include any person who is employed as the immediate or next higher level supervisor to or administrator of a person who has a duty to report (other than the child's parent or guardian) and who develops the reasonable belief in the course of the supervisor's or administrator's employment.

### Senate Information

### House Information

Bills	Committee Actions	COW Action	3rd Read & Votes	Final Read & Votes	Committee Actions	COW Action	3rd Read & Votes	Final Read & Votes
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HB2019	highway safety fee; repeal; VLT..							
					1st Read: 02/04			SPONSORS: LAWRENCE
					<b>TRANS</b> 02/20 - FAILED 2-5-0-0-0-0			2nd Read: 02/05
					<b>RULES</b> None			

Comments: 1/17 Staff explained the potential impact to county transportation and general fund revenues as well as the potential impact to the states structural balance. Noting that the fee is necessary to protect Highway User Revenue Fund (HURF) from being used to fund DPS. The Board voted to OPPOSE the bill.

Summary: Repeals the highway safety fee that was previously required to be in an amount established by the Director of the Department of Transportation (ADOT) annually in order to fund 110 percent of the Department of Public Safety (DPS) Highway Patrol budget for each fiscal year. Set by the ADOT director at \$32, effective December 1, 2018.

Repeals changes to the valuation formula for the separate vehicle license tax (VLT) classification for motor vehicles powered by alternative fuels that are purchased on or after January 1, 2020, which would have become effective January 1, 2020. Duplicate bill SB 2019 highway safety fee; repeal; VLT.(Ugenti-Rita)

Estimated county impact is (\$623K) in FY20 and (\$1.25M) in FY21 in VLT revenue for transportation. (\$2.6M) in FY20 and (\$5.25M) in FY21 in VLT revenue deposited in county general funds. Additionally there is a potential for the department to be funded out of HURF again (\$8.9M) in FY20 and FY21 if full HURF shifts are reinstated.

HB2026	public resources; influencing elections; penalties							
	1st Read: 03/04		2nd Read: 03/05		1st Read: 02/05			SPONSORS: KAVANAGH
	<b>JUD</b> 03/27 - W/D				<b>ELECT</b> 02/12 - DP 5-4-0-0-1-0	02/26 - DP		2nd Read: 02/06 02/28 - PASSED
	<b>APPROP</b> None				<b>GOV</b> 02/14 - DP 6-5-0-0-0-0			31-29-0-0-0-0
	<b>RULES</b> None				<b>RULES</b> 02/20 - C&P 5-1-0-0-2-0			
					Maj Caucus: 02/25			
					Min Caucus: 02/25			

Comments: 3/15 Staff explained the League of Cities and Towns is pushing for an amendment that only allows an individual to initiate a suit if the CAO or AG rules no election influencing was done by the political subdivision, or if the CAO or AG fails to act on a claim by an individual within 120 days. The amendment further clarified that the use of a public facility for a political purpose is not influencing elections and that in the event the courts rule that no violation occurred, the individual that brought the accusation is responsible for court costs. Staff recommended the Board maintain the position of opposition and stated they will be reaching out Senators individually to ask them to oppose the bill.

1/25: Staff explained that the bill would allow residents to sue an employee of a city, town, county, school district, or charter school for using resources to influence an election. Staff explained that they feel that there are current remedies in place to address this problem. The LPC moved to OPPOSE the bill.

Summary: Allows any resident of a jurisdiction that is alleged to have used county, municipal, school district or charter school resources or employees to influence elections is authorized to initiate a suit in the superior court for the purpose of enforcing compliance. Civil penalties paid for violations must be paid to the Attorney General or County Attorney in actions filed by those officers, and must be paid to the resident in an action filed by a resident.

**Senate Information**

**House Information**

Bills	Committee Actions	COW Action	3rd Read & Votes	Final Read & Votes	Committee Actions	COW Action	3rd Read & Votes	Final Read & Votes
HB2047	HURF distribution; cities, towns, counties 1st Read: 03/12 <b>APPROP</b> 03/19 - DP 8-0-1-0-0-0 <b>RULES</b> None		2nd Read: 03/13		1st Read: 02/12 <b>APPROP</b> 02/20 - DP 9-1-0-0-1-0 <b>RULES</b> 03/04 - C&P 7-0-0-0-1-0 Maj Caucus: 03/05 Min Caucus: 03/05	03/07 - DPA	SPONSORS: COOK, CAMPBELL, et al 2nd Read: 02/13 03/11 - PASSED 60-0-0-0-0-0	

Comments: 1/17 Staff explained the bill does not add any revenues to statewide transportation but redistributed revenue from urban to rural areas. The Board noted that taking away funds from another county hurts us and is a distraction from the additional investment needed in transportation. The Board moved to OPPOSE the bill.

Summary as amended by House COW:

Appropriates \$60 million in FY 2020 from the GF to ADOT for street or highway projects, to be allocated as follows:

- \$30 Million to counties, with each county to receive \$1.5 Million and the remaining monies to be apportioned based on population.
- \$30 Million to cities and towns, with each city or town to receive \$150,000 and the remaining monies to be apportioned based on population.

Comments: The bill originally required \$18 Million to be swept off the top of HURF in FY 2021 and redistributed to counties, cities and towns that were below a specified population threshold.

HB2052	juveniles; detention centers; dangerous offenses				1st Read: 01/22 <b>JUD</b> 01/30 - HELD <b>RULES</b> None		SPONSORS: ALLEN J 2nd Read: 01/23	
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Comments: 1/25: Staff advised the bill would allow the court to determine if a juvenile should be held in a juvenile detention facility or in a sight and sound section of an adult jail, even if they are charged with a dangerous offense. The LPC discussed why a juvenile charged with a dangerous offense should be allowed in a juvenile detention facility, noting this would give judges the ability to make a determination based on the facts of the case the most appropriate place to for a juvenile to be housed. The LPC took a position of SUPPORT

Summary: Permits the court to order juveniles charged with a dangerous offense be detained in a juvenile detention facility. Current law requires this population be held in an adult jail.

### Senate Information

### House Information

Bills	Committee Actions	COW Action	3rd Read & Votes	Final Read & Votes	Committee Actions	COW Action	3rd Read & Votes	Final Read & Votes
HB2055	juvenile court; jurisdiction; undesignated felony 1st Read: 02/28 <b>JUD</b> 03/28 - DPA 6-0-1-0-0-0 <b>RULES</b> 04/01 - PFCA Rep Caucus: 04/02 Dem Caucus: 04/02		2nd Read: 03/04		1st Read: 01/22 <b>JUD</b> 01/30 - DP 10-0-0-0-0-0 <b>RULES</b> 02/04 - C&P 8-0-0-0-0-0 Maj Caucus: 02/05 Min Caucus: 02/05	CON CAL - 02/04 Object: No	2nd Read: 01/23 02/27 - PASSED 57-1-2-0-0-0	SPONSORS: ALLEN J
<p>Comments: 2/1: Staff advised this bill clarified the juvenile court retains jurisdiction after the 18th birthday to move a class 6 felony down to a misdemeanor. The LPC noted this was a good idea and voted to SUPPORT the bill.</p> <p>Summary: If a juvenile is adjudicated for a class 6 undesignated felony, the court is permitted to designate the offense as a class 1 misdemeanor at any time. The bill clarifies that the juvenile court retains jurisdiction after a juvenile's 18th birthday for the purpose of designating an undesignated felony offense as a misdemeanor.</p>								
HB2062	juvenile disposition; probation terms; notice 1st Read: 02/25 <b>JUD</b> None <b>RULES</b> None		2nd Read: 02/26		1st Read: 01/22 <b>JUD</b> 01/30 - DP 10-0-0-0-0-0 <b>RULES</b> 02/11 - C&P 8-0-0-0-0-0 Maj Caucus: 02/12 Min Caucus: 02/12	02/14 - DPA	2nd Read: 01/23 02/14 - PASSED 60-0-0-0-0-0	SPONSORS: ALLEN J
<p>Comments: 2/1: Staff gave an overview of the bill noting this would give the courts flexibility to determine when the best course of action of a juvenile that violates their probation based on the individual situation. The LPC voted to SUPPORT the bill. Summary: Gives the court the ability to determine when a juvenile who is 14 years of age or older and is adjudicated as a repeat felony juvenile offender, should be placed on intensive probation. Juveniles on probation for an offense involving spirituous liquor or a drug violation and the juvenile violates probation by consuming spirituous liquor or drug use, the court may determine if probation should be revoked and if additional probation conditions should be established.</p>								
HB2072	civil forfeiture; criminal conviction				1st Read: 01/30 <b>JUD</b> None <b>RULES</b> None		2nd Read: 01/31	SPONSORS: FILLMORE

Comments: 2/1: Staff noted that back in 2017 (HB2477) there was major reform on the Racketeering Influenced and Corrupt Organizations Act this would make significant changes to the existing processes. The LPC did not take a position.

Summary: This bill would make significant changes to civil forfeiture including establishing that a claimant's interest in property is exempt from forfeiture and the burden of establishing that the claimant's property should be forfeited is on the state, instead of on the claimant. Allows anyone who has property seized through forfeiture (defendant or any other person who has an ownership interest in the property) to request a hearing to determine the validity of the seizure.

**Senate Information**

**House Information**

Bills	Committee Actions	COW Action	3rd Read & Votes	Final Read & Votes	Committee Actions	COW Action	3rd Read & Votes	Final Read & Votes
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HB2079	county officials; salaries							SPONSORS: KAVANAGH
					1st Read: 01/22		2nd Read: 01/23	
					<b>GOV</b> 02/07 - DPA 8-2-0-1-0-0			
					<b>RULES</b> None			

Comments: 1/25: Staff explained the bill noting that from the feedback we have received, counties differ on their positions on this proposal. The LPC decided the organization would not take a position to allow counties to weigh in as they see fit.

Summary: Beginning January 1, 2021, the annual salaries of county supervisors, treasurers, recorders, and school superintendents are increased by 22 percent. Also effective Jan. 1, 2021 the annual salaries of county attorneys and sheriffs are increased by 29 percent. Effective January 1, 2023, the annual salary of the clerk of the superior court is increased 22 percent.

HB2081	traumatic event counseling							SPONSORS: BLACKMAN, BIASIUCCI, et al
					1st Read: 01/23		2nd Read: 01/24	
					<b>GOV</b> None			
					<b>PS</b> None			
					<b>RULES</b> None			

Comments: 1/25: Staff explained that currently the number of visits to licensed counselors for a peace officer or firefighter with a medical option for 24 additional visits. HB 2081 would increase the additional visits from 24 to 36, for a total of 48 visits. The LPC moved to OPPOSE the bill.

Summary: Currently the number of visits to licensed counselors for a peace officer or firefighter is 12 with a medical option for 24 additional visits. The bill would increase the additional visits from 24 to 36 for a total of 48 visits.

HB2095	agricultural property classification; water reduction							SPONSORS: COOK, CAMPBELL, et al
	1st Read: 02/25		2nd Read: 02/26		1st Read: 01/23		2nd Read: 01/24	
	<b>FIN</b> 03/06 - DPA 8-0-2-0-0-0	03/25 - DPA	03/26 - PASSED		<b>WM</b> 01/30 - DP 9-0-0-0-1-0	CON CAL - 02/11	02/14 - PASSED	
	<b>RULES</b> 03/11 - PFC		30-0-0-0-0-0		<b>LAG</b> 01/31 - DP 7-0-0-0-0-0	Object: No	60-0-0-0-0-0	
					<b>RULES</b> 02/11 - C&P 8-0-0-0-0-0			
	Rep Caucus: 03/12				Maj Caucus: 02/12			
	Dem Caucus: 03/12				Min Caucus: 02/12			

Comments: 2/8: The staff explained that this bill was for information purposes only and aimed at resolving the concerned over how fallowed land in Pinal County (as a result of the Drought Contingency Plan) would be assessed. The LPC took no action on this item.

Summary: For the purpose of the property tax classification as property used for agricultural purposes, property that has been in active production may be inactive or partially inactive due to a partial reduction in the available water supply or irrigation district water allotments for agriculture use in the farm unit.

### Senate Information

### House Information

Bills	Committee Actions	COW Action	3rd Read & Votes	Final Read & Votes	Committee Actions	COW Action	3rd Read & Votes	Final Read & Votes
HB2108	real estate signs; cities; counties							
					1st Read: 01/28		2nd Read: 01/29	SPONSORS: GRANTHAM
					<b>RA</b> 02/11 - W/D	02/27 - RET ON CAL		
					<b>GOV</b> 02/11 - W/D			
					<b>PS</b> 02/20 - DPA/SE 4-3-0-0-0-0			
					<b>RULES</b> 02/20 - C&P 5-1-0-0-2-0			
					Maj Caucus: 02/25			
					Min Caucus: 02/25			

Comments: 2/8: Staff noted the bill creates a nebulous length of time a real estate sized sign may be up. Taken with the Reed vs. the Town of Gilbert case that prohibiting the regulation of content, this has the potential for permanent signs not related to real estate that counties could not remove unless it there is a safety risk. The LPC voted to OPPOSE the bill.

Summary: Counties and municipalities cannot prohibit an owner of real property or the owner's agent from displaying on the property and/or in an area within a public or private right-of-way a sign advertising that the property is for sale or rent, an open house, the owner or agent's name and contact information, and directions to the property. With the exception of time, place and manner restrictions and regulation based on public health, safety or welfare.

Allows for limited time, place and manner restrictions on signs on open house and directional signs but cannot restrict the type of sign or limit the number of signs that may be displayed at one time within an authorized area.

HB2109	county transportation excise tax.							
	1st Read: 03/07		2nd Read: 03/11		1st Read: 01/28		2nd Read: 01/29	SPONSORS: SHOPE
	<b>TPS</b> 03/27 - DP 5-3-0-0-0-0				<b>WM</b> 02/20 - DP 9-1-0-0-0-0	03/06 - DP	<b>03/06 - PASSED</b>	
	<b>RULES</b> 04/01 - PFC				<b>TRANS</b> 02/20 - DP 4-1-0-1-1-0		44-16-0-0-0-0	
					<b>RULES</b> 03/04 - C&P 7-0-0-0-1-0			
	Rep Caucus: 04/02				Maj Caucus: 03/05			
	Dem Caucus: 04/02				Min Caucus: 03/05			

Comments: 1/25: Staff explained that the bill would increase the maximum allowable levy for a regional transportation authority from 0.5% to 1.0%. The LPC moved to SUPPORT the bill.

Summary: Increases the allowable tax rate that a regional transportation authority (RTA) can ask voters to approve for roads from 0.5% to 1.0%. Caps the combined excise tax that can be levied by an RTA and a county for transportation purposes at 1.0%.

### Senate Information

### House Information

Bills	Committee Actions	COW Action	3rd Read & Votes	Final Read & Votes	Committee Actions	COW Action	3rd Read & Votes	Final Read & Votes
HB2114	county real estate; appraisals 1st Read: 02/28 <b>GOV</b> 03/11 - DP 7-0-0-0-0-0 <b>RULES</b> 03/18 - PFCA  Rep Caucus: 03/19 Dem Caucus: 03/19	03/20 - DPA	2nd Read: 03/04 03/25 - PASSED  30-0-0-0-0-0		1st Read: 01/28 <b>GOV</b> 02/14 - DPA 10-0-0-0-1-0 <b>RULES</b> 02/20 - C&P 5-1-0-0-2-0  Maj Caucus: 02/25 Min Caucus: 02/25	02/26 - DPA	2nd Read: 01/29 02/26 - PASSED  58-2-0-0-0-0	

SPONSORS: GRIFFIN

Comments: 3/15 Staff stated that an amendment was adopted to the bill that allows a county BOS to lease properties without a public auction if the rental value of the property is less than \$5,000 per month and the Board meets specified noticing requirements. Staff noted that the bill, as amended, provides the counties greater flexibility in the sale of small, lower valued property and would allow the county to avoid having to go to auction for all lease agreements. The committee voted to SUPPORT the bill.

2/1: Staff noted this was for informational purposes and seeking additional clarity on the bill. Update: This bill is coming out of Maricopa County it streamlines the sale/lease of excess property by giving counties the option of using an in-house appraiser for the sale of excess real property and allowing a county to utilize a market analysis based on comparable sales in the sale of real property with no market value or with a net value of less than \$10,000. The LPC did not take a position

Summary: In the sale of county property, requires the BOS to have the property appraised by a licensed appraiser at market value. The minimum acceptable bid would be 90% of the market value. If the property has no market value or a net value of \$10,000 or less, the value may be justified by a market analysis based on comparable sales.

Currently, the appraiser determines minimum price based on 90% of their appraised value.

HB2131	state agencies; citizen portal; access 1st Read: 02/28 <b>GOV</b> 03/18 - DPA 4-3-0-0-0-0 <b>RULES</b> None		2nd Read: 03/04		1st Read: 01/28 <b>TECH</b> 02/06 - DP 5-1-0-0-1-0 <b>RULES</b> 02/20 - C&P 5-1-0-0-2-0  Maj Caucus: 02/25 Min Caucus: 02/25	02/26 - DP	2nd Read: 01/29 02/26 - PASSED  33-26-1-0-0-0	
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SPONSORS: THORPE

Comments: 2/8: Staff noted the lack of clarity on what information would need to be online and potential cost associated implementation. A meeting has been scheduled with the sponsor to work through some of the concerns. The LPC did not take a position on the bill.

Summary: Requires each "state agency" (including political subdivisions) that collects personal information from any person is required to establish a citizen portal, which must be a secure online website that allows a person to access the person's personal information that the state agency collects and to correct any error in the person's personal information.

**Senate Information**

**House Information**

Bills	Committee Actions	COW Action	3rd Read & Votes	Final Read & Votes	Committee Actions	COW Action	3rd Read & Votes	Final Read & Votes
HB2146	contracts; licensure requirements; waiver; applicability 1st Read: 03/07 <b>JUD</b> 03/21 - DP 4-3-0-0-0-0 <b>RULES</b> None		2nd Read: 03/11		1st Read: 01/28 <b>COM</b> 02/12 - DPA 5-4-0-0-0-0 <b>RA</b> 02/18 - DPA 4-3-0-0-0-0 <b>RULES</b> 02/20 - C&P 5-1-0-0-2-0 Maj Caucus: 02/25 Min Caucus: 02/25	02/26 - DPA	2nd Read: 01/29 02/26 - PASSED 32-28-0-0-0-0	SPONSORS: RIVERO

Comments: 2/1: Staff noted that the concerns addressed last year related to its constitutionality and consumer protections have not been addressed in this year's bill. Last year Laws 2018, Chapter 44 created a regulatory sandbox for financial products that exempted regulations, but have consumer protections. The LPC voted to OPPOSE the bill.

Summary: This is similar to HB 2490 that this body opposed. It allows for a contract between two or more private parties, the parties are authorized to agree to waive any state, county or municipal laws relating to license, certification, registration or other authorization. The contract must be delivered primarily electronically, may not exceed \$6,000 per contract or more than \$250,000 between two parties within a year. With some exceptions for health professions and any regulated practice of law.

HB2148	syringe service programs; authorization				1st Read: 02/04 <b>HHS</b> None  <b>PS</b> None  <b>RULES</b> None		2nd Read: 02/05	SPONSORS: RIVERO
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Comments: 2/8: Staff noted this is legislation supported by the LPC last year, but has been double assigned and will have some challenges moving forward. The LPC noted one health director had concerns with the bill, but did not take a position on the bill.

Summary: A municipality, county or nongovernmental organization or any combination of these entities are authorized to establish and operate a needle and hypodermic syringe service program.

The program must have the ability to disposal of used needles, provide access to injection supplies at no cost, and access to kits that contain an opioid antagonist or referrals to programs that provide access to an opioid antagonist.

Provides immunity to an employee, volunteer or participant in the program for possession of a needle, hypodermic syringe or other injection supply item obtained from or returned to a program or possession of a residual amount of a controlled substance contained in a used needle, hypodermic syringe or injection supply item obtained from or returned to a program, if the person claiming immunity provides written verification that the item was obtained from a program.

**Senate Information**

**House Information**

Bills	Committee Actions	COW Action	3rd Read & Votes	Final Read & Votes	Committee Actions	COW Action	3rd Read & Votes	Final Read & Votes
HB2190	CORP; accidental disability; definition 1st Read: 03/28 <b>APPROP</b> None <b>RULES</b> None		2nd Read: 04/01		1st Read: 01/24 <b>PS</b> 01/30 - DP 7-0-0-0-0-0 <b>GOV</b> 02/07 - DP 10-1-0-0-0-0 <b>RULES</b> 02/25 - C&P 8-0-0-0-0-0 Maj Caucus: 02/26 Min Caucus: 02/26	03/07 - DP	2nd Read: 01/28 03/27 - PASSED 58-2-0-0-0-0	SPONSORS: PAYNE

Comments: Update: An amendment is being offered in Appropriations that removes the language making an employee eligible for accidental disability if a new job offer from the employer doesn't come with equivalent pay and benefits.

3/8: Staff explained there had been serious concerns raised by the counties on this bill. Staff also explained that, after conversations with the sponsor, the bill had been held for some time, but is now moving forward again. The LPC voted to OPPOSE the bill.

1/25: Staff explained the bill, noting there will be additional stakeholder conversations next week and would recommend bringing the issue back for discussion at another meeting. The LPC did not take action on the bill.

Summary: Removes the requirement that to qualify for accidental disability under CORP, the accident must have been caused by physical contact or a confrontational situation with an inmate, prisoner or parolee or a job-related motor vehicle accident while on official business. Qualifies an individual for accidental disability benefits if it is determined that the accident permanently prevents an employee from performing a reasonable range of duties with equivalent pay and benefits within the employee's department.

HB2192	budget cycle; police associations; meeting				1st Read: 01/28 <b>PS</b> None <b>GOV</b> None <b>RULES</b> None		2nd Read: 01/29	SPONSORS: PAYNE
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Comments: 1/25: Staff explained that this bill would require the governing body of a county, city, or town meet with police associations during the budget cycle to discuss how money will be allocated for public safety. The LPC moved to OPPOSE the bill.

Summary: Requires the county boards of supervisors and municipal governing bodies to meet with police associations serving the peace officers of that county or municipality during the budget cycle to discuss the allocations of monies for public safety services.

### Senate Information

### House Information

Bills	Committee Actions	COW Action	3rd Read & Votes	Final Read & Votes	Committee Actions	COW Action	3rd Read & Votes	Final Read & Votes
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HB2229	cable licensing; video service providers				SPONSORS: ALLEN J			
	1st Read: 02/25		2nd Read: 02/26		1st Read: 01/23		2nd Read: 01/24	
	<b>COM</b> 03/14 - DP 7-0-1-0-0-0	03/26 - DP			<b>COM</b> 01/29 - DP 9-0-0-0-0-0	02/14 - DP		02/14 - PASSED
	<b>RULES</b> 03/18 - PFC				<b>RULES</b> 02/11 - C&P 6-2-0-0-0-0			60-0-0-0-0-0
	Rep Caucus: 03/19 Dem Caucus: 03/19				Maj Caucus: 02/12 Min Caucus: 02/12			

Comments: 1/25: Staff explained that last year SB 1140 passed which established a statewide preemption on video service providers, establishing the terms and conditions in title 9. HB 2229 would move this statute into title 11. The Board noted the concern with any rise in fees. The LPC took a position of SUPPORT.

Summary: Follow-up bill from last session (SB 1140) moving the county portion of the legislation out of title 9 into title 11.

HB2231	nonhealth professions; occupations; regulations				SPONSORS: KERN			
					1st Read: 01/28		2nd Read: 01/29	
					<b>RA</b> 02/04 - DP 4-3-0-0-0-0	02/27 - RET ON CAL		03/04 - FAILED
					<b>COM</b> 02/05 - DP 5-4-0-0-0-0	02/28 - DPA		30-29-1-0-0-0
					<b>RULES</b> 02/11 - C&P 8-0-0-0-0-0			
					Maj Caucus: 02/12 Min Caucus: 02/12			

Comments: 2/8: Staff noted this could make it more challenging for counties to distinguish experience and certification on projects that open the counties up for liability (roads, buildings). The LPC expressed concern for public safety and that it rolls back important standards. The LPC voted to OPPOSE the bill.

Summary: Makes changes to the requirements and criteria for regulating nonhealth professions and establishes the presumption that the public is sufficiently protected from unregulated practice by market competition and private remedies, including third-party or consumer-created ratings. The state may only regulate a profession or occupation if there is credible empirical evidence of substantiated harm that the unregulated practice is a threat to public health, safety or welfare.

For a state agency that administers an occupational regulation, the sunset review report from a committee of reference (COR) is required to include a recommendation that the Legislature repeal the occupational license, convert the license to a less restrictive regulation, or instruct the state agency to seek legislation or adopt rules to reflect the COR's recommendation to impose less restrictive regulations or redefine the scope of practice.

### Senate Information

### House Information

Bills	Committee Actions	COW Action	3rd Read & Votes	Final Read & Votes	Committee Actions	COW Action	3rd Read & Votes	Final Read & Votes
HB2240	limitations of actions; dedicated property 1st Read: 03/05 <b>JUD</b> 03/14 - DP 6-1-0-0-0-0 <b>RULES</b> 03/18 - PFCA	03/25 - DPA	2nd Read: 03/06 03/26 - PASSED 28-2-0-0-0-0		1st Read: 01/28 <b>JUD</b> 02/13 - DPA 6-4-0-0-0-0 <b>RULES</b> 02/18 - C&P 8-0-0-0-0-0	02/27 - DPA	2nd Read: 01/29 03/04 - PASSED 51-8-1-0-0-0	
	Rep Caucus: 03/19 Dem Caucus: 03/19				Maj Caucus: 02/19 Min Caucus: 02/19			

SPONSORS: KERN

Comments: 2/1: Staff noted last year the LPC took a position of Neutral on identical language in HB 2116 and an amendment is currently being worked on between the League and the bills proponents. The LPC did not take a position on the bill.

Summary: Establishes an eight-year statute of repose for any action or arbitration involving an improvement to real property dedicated to a municipality or county, if the action is based on a permit required as a condition of development or a municipal/county code or other legal requirement, and the action is filed against a person who: 1) develops or develops and sells real property; or 2) performs or furnishes design, specifications, surveying, planning, supervision testing, construction or observation of construction.

HB2241	JLAC; political subdivisions; investigation 1st Read: 03/04 <b>GOV</b> 03/18 - DP 4-3-0-0-0-0 <b>RULES</b> 03/25 - PFC		2nd Read: 03/05		1st Read: 01/28 <b>GOV</b> 02/21 - DP 6-4-0-1-0-0 <b>RULES</b> 02/25 - C&P 5-3-0-0-0-0	02/27 - DPA	2nd Read: 01/29 02/28 - PASSED 31-29-0-0-0-0	
	Rep Caucus: 03/26 Dem Caucus: 03/26				Maj Caucus: 02/26 Min Caucus: 02/26			

SPONSORS: KERN

Comments: 3/8: Staff explained the stakeholders had all come together and agreed upon amendment language that would remove any potential withholding of county state shared revenues. The bill now allows the Attorney General to utilize the courts to bring a county back into compliance with the uniform expenditure reporting system. The LPC voted to take a NEUTRAL position on the bill.

1/25: Staff explained that the bill would allow the Auditor General to request that JLAC direct the Attorney General to investigate a county, city, or town that is not in compliance with the Uniform Expenditure Reporting System. Additionally, if a political subdivision is found to be not in compliance and does not become compliant within 30 days, the Attorney General is authorized to direct the State Treasurer to withhold and redistribute the political subdivision's state shared revenues. The LPC moved to OPPOSE the bill.

Summary as amended in House COW:

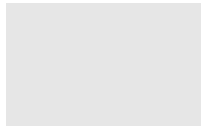
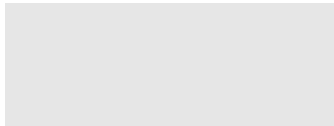
Requires political subdivisions to comply with the uniform expenditure reporting systems instructions and forms prescribed by the Auditor General. Allows the Auditor General to notify the Joint Legislative Audit Committee (JLAC) and the Attorney General (AG) of noncompliance. Allows the AG to file a petition for special action in any court to compel a political subdivision to comply with the reporting system. Allows the AG to apply for injunctive relief in any court to force the political subdivision from violating this requirement.

**Senate Information**

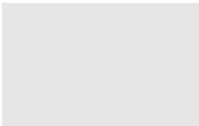
**House Information**

Bills	Committee Actions	COW Action	3rd Read & Votes	Final Read & Votes	Committee Actions	COW Action	3rd Read & Votes	Final Read & Votes
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HB2243 political subdivisions; JLAC; shared revenues SPONSORS: KERN



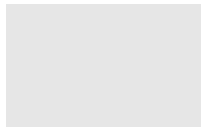
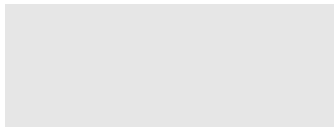
1st Read: 01/28  
**GOV** 02/21 - FAILED  
 1-9-0-0-1-0  
**RULES** None

2nd Read: 01/29  


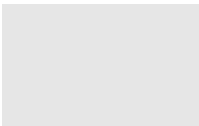
Comments: 1/25: Staff explained that the bill would allow the Auditor General to notify JLAC if a political subdivision is not in compliance with the Uniform Expenditure Reporting System. If the county, city, or town does not come in to compliance within 30 days JLAC is required to direct the State Treasurer to withhold the county, city, or town's state shared revenues until they are compliant. The LPC moved to OPPOSE the bill.

Summary: Requires that counties comply with the uniform expenditure reporting system, instructions and forms prescribed by the Auditor General. The Auditor General is authorized to notify the Joint Legislative Audit Committee (JLAC) and the Attorney General if any political subdivision does not comply, and JLAC is required to notify a county or municipality that it is not in compliance and that it has 30 days to comply. If JLAC determines that the county or municipality has failed to comply within 30 days, JLAC is required to notify the State Treasurer, who is required to withhold and redistribute state shared monies from the county or municipality until the county or municipality complies. The Attorney General is authorized to apply for injunctive relief in any court of competent jurisdiction to prevent any political subdivision or person from violating uniform expenditure reporting requirements.

HB2245 mandatory minimum sentences; judicial discretion SPONSORS: RIVERO, BLACKMAN, et al

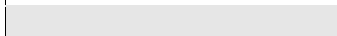
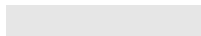
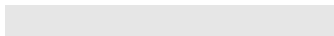


1st Read: 01/28  
**JUD** None  
**RULES** None

2nd Read: 01/29  


Comments: 2/1: Staff noted that this is one of the Criminal Justice Reform bills being worked on through a bipartisan effort and that CSA is seeking feedback from the prosecutors on the language before offering a recommendation. The LPC did not take a position. Summary: Authorizes the courts to impose a shorter prison sentence or suspend the sentence and offer probation if the court determines the mandatory prison sentence would result in an injustice to the defendant and is not necessary for the protection of the public. Does not apply to a conviction involving a death or serious physical injury; sexual offense or if the defendant is engaged in a criminal enterprise. Requires the Administrative Office of the Courts to annually report to the Arizona Criminal Justice Commission (Commission) on each case in which the court departed from a mandatory prison sentence, and the Commission is required to annually determine the cost savings realized as a result.

HB2257 civil liability; gun-free zones SPONSORS: THORPE



Comments: 2/8: Staff noted the bill had not yet been assigned to committee and we will bring the bill back if it starts moving. The LPC did not take a position on the bill.

Summary: A person, organization or entity or an agency, commission, board or political subdivision of the state that establishes a "gun-free zone" (defined) is liable for any damages claimed by a person who was harmed by criminal conduct in the gun-free zone if a reasonable person would believe that possession of a firearm could have helped the person defend against the criminal conduct. The court is authorized to award treble damages to the person who was harmed if the criminal conduct is found to be a terrorist attack or the person harmed is disabled, a member of a minority group, under 16 years of age or over 65 years of age at the time of the criminal conduct.

### Senate Information

### House Information

Bills	Committee Actions	COW Action	3rd Read & Votes	Final Read & Votes	Committee Actions	COW Action	3rd Read & Votes	Final Read & Votes
HB2275	TPT exemption; crop production tools 1st Read: 02/27 <b>FIN</b> 03/13 - DPA 5-4-1-0-0-0 <b>RULES</b> None		2nd Read: 02/28		1st Read: 01/28 <b>LAG</b> 02/07 - DP 5-2-0-0-0-0 <b>WM</b> 02/13 - DP 6-4-0-0-0-0 <b>RULES</b> 02/18 - C&P 8-0-0-0-0-0 Maj Caucus: 02/19 Min Caucus: 02/19	02/25 - DP	SPONSORS: DUNN, COBB, et al 2nd Read: 01/29 02/25 - PASSED 32-28-0-0-0-0	

Comments: 2/8: The staff explained that this bill was for information purposes only and that the bill expanded the TPT exemption for propagative materials. The LPC took no action on this item.

Summary: The exemption from the retail classification of transaction privilege taxes and use taxes for "propagative materials" is modified to include: seeds, seedlings, roots, bulbs, cuttings, soil and plant additives, fertilizers, insecticides, herbicides, fungicides, soil fumigants, plant nutrients, plant growth regulators, and more. Is only applicable when sold to individuals that use the items to commercially produce agricultural, horticultural, viticultural or floricultural crops in Arizona. Applies retroactively to taxable periods beginning July 1, 2019. Does not authorize and refund of taxes paid before the effective date of this legislation.

HB2318	ADOT; consulting with third parties 1st Read: 02/25 <b>TPS</b> 03/27 - DPA/SE 6-2-0-0-0-0 <b>RULES</b> 04/01 - PFCA Rep Caucus: 04/02 Dem Caucus: 04/02		2nd Read: 02/26		1st Read: 01/30 <b>TRANS</b> 02/06 - DP 6-0-0-0-1-0 <b>RULES</b> 02/11 - C&P 8-0-0-0-0-0 Maj Caucus: 02/12 Min Caucus: 02/12	CON CAL - 02/11 Object: No	SPONSORS: CAMPBELL, STRINGER 2nd Read: 01/31 02/14 - PASSED 59-1-0-0-0-0	
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Comments: 3/29: Staff noted the strike-everything amendment adds the language from SB 1165 texting while driving; prohibition (Brophy McGee) that has been held in House Rules. The LPC voted to support SB 1165 on February 8th.

Summary: Requires anyone (with limited exceptions) operating a motor vehicle from using a handheld portable wireless communication device unless the vehicle is stopped or parked. Requires the device to be used in a hands-free manner unless they are activating or deactivating the device.

Makes the violation a primary petty offense. Fines for a violation are at least \$75 but not more than \$149 for the 1st violation and \$150 but not more than \$250 for a 2nd offense. Warnings for violations occur from the effective date until December 31, 2020 and citations begin on January 1, 2021. However, local authorities with existing legislation may continue to issue citations through December 31, 2020.

### Senate Information

### House Information

Bills	Committee Actions	COW Action	3rd Read & Votes	Final Read & Votes	Committee Actions	COW Action	3rd Read & Votes	Final Read & Votes
HB2319	HURF transfers; highway patrol; repeal 1st Read: 03/04 <b>APPROP</b> None <b>RULES</b> None		2nd Read: 03/05		1st Read: 01/30 <b>TRANS</b> 02/06 - DP 5-0-0-0-2-0 <b>APPROP</b> 02/13 - DP 10-0-0-0-1-0 <b>RULES</b> 02/18 - C&P 8-0-0-0-0-0 Maj Caucus: 02/19 Min Caucus: 02/19		SPONSORS: CAMPBELL, BIASIUCCI, et al 2nd Read: 01/31 02/27 - PASSED 59-0-1-0-0-0	

Comments: 1/25: Staff explained that this bill would remove the statutory requirement that ADOT annually transfer \$10M from HURF to the Department of Public Safety. The LPC moved to SUPPORT the bill.

Summary: Repeals statute requiring the Department of Transportation to allocate and transfer \$10 million from revenues of the Arizona Highway User Revenue Fund (HURF) to the Department of Public Safety for funding a portion of highway patrol costs.

HB2320	highway safety fee; reduction 1st Read: 03/12 <b>RULES</b> None		2nd Read: 03/13		1st Read: 01/29 <b>TRANS</b> 02/06 - DP 6-0-0-0-1-0 <b>RULES</b> 02/11 - C&P 8-0-0-0-0-0 Maj Caucus: 02/12 Min Caucus: 02/12		SPONSORS: CAMPBELL, BARTO, et al 2nd Read: 01/30 03/11 - PASSED 57-3-0-0-0-0	
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Comments: 3/15: Staff explained that the bill died on the House floor, but was reconsidered and an amendment was adopted that provides a one-time \$47 million GF appropriation to the Highway Patrol Fund. Staff expressed concern that the amendment only provided a one-time fix to the problem and left the counties open to further HURF sweeps in the future.

1/25: Staff explained this was provided for information purposes only. The bill would cap the highway safety fee at \$18, CSA estimates that this would cover the FY18 HURF shift to DPS of \$99 million. The state General Fund would see an impact, since the established fee revenues are included in both the governor's budget and the JLBC baseline. 2/8: Staff described the bill and noted that any reduction in the fee would not fully fund DPS's highway patrol budget and the governor's opposition to any modification of the fee. The LPC also discussed the growing legislative support to repeal the highway safety fee. The LPC voted to OPPOSE this bill.

Summary: Caps the highway safety fee at \$18. The highway safety fee is no longer required to fully fund 110 percent of the Department of Public Safety Highway Patrol budget for each fiscal year.

**Senate Information**

**House Information**

Bills	Committee Actions	COW Action	3rd Read & Votes	Final Read & Votes	Committee Actions	COW Action	3rd Read & Votes	Final Read & Votes
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HB2363	tax lien sales; procedures							
	1st Read: 02/25		2nd Read: 02/26		1st Read: 01/30		2nd Read: 01/31	
	<b>FIN</b> 03/06 - DP 8-0-2-0-0-0	CON CAL - 03/11 Object: No	03/18 - PASSED		<b>WM</b> 02/06 - DP 10-0-0-0-0-0	02/14 - DPA	02/14 - PASSED	
	<b>RULES</b> 03/11 - PFC		30-0-0-0-0-0		<b>RULES</b> 02/11 - C&P 8-0-0-0-0-0		60-0-0-0-0-0	
	Rep Caucus: 03/12 Dem Caucus: 03/12				Maj Caucus: 02/12 Min Caucus: 02/12			
	Transmitted to Governor: 03/19 Signed: 03/22 Chapter: 31							

Comments: 2/1: Staff noted this is an AACo bill that is a result of a tax lien bidder that bid a lien down to 3% then withheld payment in an attempt to get the tax lien back on the market so it could be purchased for the full 16%. The LPC voted to SUPPORT the bill.

Summary: Various changes relating to tax lien sales. The county treasurer is required to continue the annual tax lien sale until the tax lien on each parcel has been offered for sale and no more bids are offered by purchasers, instead of until the tax lien on each parcel has been sold. The purchaser of a tax lien is required to pay the purchase price in cash at a time the county treasurer determines, instead of at the time of sale. If the sale has been closed, the county treasurer is authorized to prohibit a purchaser who failed to pay the amount due from purchasing tax liens from any county in Arizona for up to one year.

HB2449	adequate water supply; county review							
					1st Read: 02/07		2nd Read: 02/11	
					<b>NREW</b> None			
					<b>RULES</b> None			

Comments: 2/8: Staff explained that various versions of this bill have been dropped in recent years, but has always failed by one of the Chambers or vetoed by the Governor. In last year's version, CSA did not take a position. The LPC did not take a position.

Summary: For a county that is not in an Active Management Area, the county board of supervisors is required to review the provision for adequate water supply for a subdivision and after review may by unanimous vote at a public meeting not to readopt the provision. The review is required to occur not more than 5 years after the effective date of this legislation and every 5 to 10 years thereafter. If the board does not vote unanimously not to readopt the provision, the provision remains in effect. If the board votes unanimously not to readopt the provision, the provision has no further force if a list of specified conditions apply at the time of the vote. The board is required to give written notice of any vote not to readopt the provision to the Director of the Department of Water Resources, the Director of the Department of Environmental Quality and the State Real Estate Commissioner.

### Senate Information

### House Information

Bills	Committee Actions	COW Action	3rd Read & Votes	Final Read & Votes	Committee Actions	COW Action	3rd Read & Votes	Final Read & Votes
HB2453	land use plans; contents; aggregates 1st Read: 03/05 <b>NRE</b> 03/13 - DP 7-0-0-0-0-0 <b>RULES</b> 03/18 - PFC Rep Caucus: 03/19 Dem Caucus: 03/19	03/25 - DP	2nd Read: 03/06		1st Read: 02/11 <b>NREW</b> 02/19 - DP 12-0-0-0-1-0 <b>RULES</b> 02/20 - C&P 5-1-0-0-2-0 Maj Caucus: 02/25 Min Caucus: 02/25	CON CAL - 02/20 Object: No	2nd Read: 02/12 03/04 - PASSED 59-0-1-0-0-0	SPONSORS: GRIFFIN
<p>Comments: 2/8: Staff explained the bill and noted that CSA received positive feedback on the bill. The LPC voted to SUPPORT the bill.</p> <p>Summary: The bill specifies that counties with 125,000 people or more may also include in their comprehensive plan information on how to locate existing mines from the Arizona Geological survey, existing mining operations and other geologic resources. It would also require the Arizona Geological Survey to annually update their database for existing mines and allow counties access to the database.</p>								
HB2460	PTSD; workers' compensation; presumption							SPONSORS: TOWNSEND
<p>Comments: 1/25: Staff explained that this bill would make posttraumatic stress disorder an occupational disease for peace officers and firefighters. The LPC moved to OPPOSE the bill.</p> <p>Summary: Makes posttraumatic stress disorder is presumed to be an occupational disease for peace officers and firefighters.</p>								
HB2486	study committee on county boundaries 1st Read: 03/12 <b>GOV</b> 03/25 - DP 4-3-0-0-0-0 <b>RULES</b> 04/01 - PFC Rep Caucus: 04/02 Dem Caucus: 04/02		2nd Read: 03/13		1st Read: 02/04 <b>GOV</b> 02/14 - DP 6-3-0-2-0-0 <b>RULES</b> 03/04 - C&P 7-0-0-0-1-0 Maj Caucus: 03/05 Min Caucus: 03/05	03/07 - DP	2nd Read: 02/05 03/11 - PASSED 31-29-0-0-0-0	SPONSORS: GRIFFIN
<p>Comments: 2/8: Staff explained the bill. The LPC did not take a position.</p> <p>Summary: Establishes a 13-member Joint Study Committee on County Boundaries to research and report on the fiscal and related impacts of a change in the county boundary line between Cochise County and Santa Cruz County. The Committee is required to submit a report of its findings and recommendations to the Governor and the Legislature by June 30, 2020, and self-repeals January 1, 2021.</p>								

### Senate Information

### House Information

Bills	Committee Actions	COW Action	3rd Read & Votes	Final Read & Votes	Committee Actions	COW Action	3rd Read & Votes	Final Read & Votes
HB2493	appraisal methods; solar energy devices 1st Read: 02/28 <b>FIN</b> 03/27 - DPA/SE 8-0-2-0-0-0 <b>RULES</b> None		2nd Read: 03/04		1st Read: 02/04 <b>WM</b> 02/13 - DP 8-2-0-0-0-0 <b>RULES</b> 02/20 - C&P 5-1-0-0-2-0 Maj Caucus: 02/25 Min Caucus: 02/25	02/26 - DP	2nd Read: 02/05 02/26 - PASSED 48-11-1-0-0-0	SPONSORS: COBB

Comments: 3/29: Staff explained a strike-everything amendment was adopted that makes solar energy devices taxable, to depreciate on a 10-year accelerated depreciation schedule. Staff also noted this bill represents a settlement in the ongoing lawsuit. The LPC took no action on the bill.

Comments: A proposed strike-everything amendment is being offered this week that makes leased solar energy devices taxable and establishes a 10-year accelerated depreciation schedule for the property. Our understanding is that this amendment is per an agreement from all parties and ultimately is part of the settlement of the entire ongoing lawsuit.

Retroactive to January 1, 2015, for the purpose of standard appraisal methods, solar energy devices and systems designed to produce solar energy primarily for on-site consumption are considered to add no value to the real property when they are characterized as personal property, whether they are leased or owned. If this provision is finally adjudicated invalid, for the purpose of appraisals, the device or system is considered to be personal property with a full cash value of \$500 for a device or system up to 500 kilowatts and \$1 per kilowatt for each additional kilowatt.

HB2501	electronic records; state library 1st Read: 03/06 <b>GOV</b> 03/18 - DPA 7-0-0-0-0-0 <b>APPROP</b> 03/26 - DP 8-0-1-0-0-0 <b>RULES</b> None		2nd Read: 03/07		1st Read: 02/04 <b>GOV</b> 02/14 - DPA 10-0-0-0-1-0 <b>APPROP</b> 02/20 - DP 10-0-0-0-1-0 <b>RULES</b> 02/25 - C&P 8-0-0-0-0-0 Maj Caucus: 02/26 Min Caucus: 02/26	02/27 - DPA	2nd Read: 02/05 03/04 - PASSED 58-0-2-0-0-0	SPONSORS: BLACKMAN
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Comments: 2/1: Staff noted this is an AACo bill aimed at modernizing the transfer of records between the county and state. The LPC moved to SUPPORT the bill.

Summary: The State Library will establish, operate and maintain electronic records. Maricopa County Clerk of the Superior Court will appropriate sufficient monies to the newly established Electronic Records Repository Fund, to fund a three-year pilot project to develop a trusted electronic records repository and archives management program.

-Appropriates \$70,000 and 1 FTE position from the General Fund in FY 2024 to the Secretary of State for the purposes of this legislation.

**Senate Information**

**House Information**

Bills	Committee Actions	COW Action	3rd Read & Votes	Final Read & Votes	Committee Actions	COW Action	3rd Read & Votes	Final Read & Votes
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HB2515	mobile home parks; abandonment				SPONSORS: BIASIUCCI			
					1st Read: 02/05		2nd Read: 02/06	
					<b>COM</b> 02/19 - DPA/SE 5-4-0-0-0-0 <b>GOV</b> 02/21 - DP 6-2-0-2-1-0 <b>RULES</b> None			

Comments: 3/8: Staff explained that feedback from county planning and zoning outlined a number of concerns with having the inability to have an entity to cite for a violation in a mobile home park. The LPC voted to OPPOSE the bill.

The S/E prohibits a code enforcement agency from citing a mobile home park owner to correct a violation of a mobile home unless the mobile home park owner is also the owner of record on the mobile home.

HB2520	property tax; fallowed property; classification				SPONSORS: FINCHEM, BLACKMAN, et al			
					1st Read: 02/04		2nd Read: 02/05	
					<b>WM</b> None  <b>LAG</b> None  <b>RULES</b> None			

Comments: 2/8: Staff explained that this bill was meant to address the issue with the potentially fallowed land in Pinal County as a result of the Drought Contingency Plan. Staff also noted that the language in the bill is very broad and may lead to other properties across the state being classified under this new classification. The LPC voted to OPPOSE the bill.

Summary: Establishes a new class for property tax purposes (Class 10). Class 10 consists of real property and improvements to real property that are subject to a fallowing agreement with the Department of Agriculture or a political subdivision that requires the real property to be fallowed for a period of at least 5 years and that has been classified as class 2 for agricultural purposes for at least 10 years before the agreement. The assessed valuation of class 10 property is 10 percent of its full cash value or limited valuation.

### Senate Information

### House Information

Bills	Committee Actions	COW Action	3rd Read & Votes	Final Read & Votes	Committee Actions	COW Action	3rd Read & Votes	Final Read & Votes
HB2521	carrying of firearms; constables				1st Read: 01/28 <b>PS</b> 02/06 - DPA 4-3-0-0-0-0 <b>RULES</b> 02/18 - C&P 8-0-0-0-0-0 Maj Caucus: 02/19 Min Caucus: 02/19	02/27 - RET ON CAL	SPONSORS: ROBERTS, BARTO, et al 2nd Read: 01/29	

Comments: 2/8: Staff explained the concerns that county stakeholders have expressed and described the actions taken in House Public Safety this week, as the bill passed out. Staff also explained what the proponents of the bill have expressed is the nexus for the bill and that there are ongoing discussions between the two sides. The LPC voted to OPPOSE the bill.

2/1: Staff noted this was a late agenda item and we cannot take a position until next week, but there are concerns that this bill may expose the counties to liability due to any constables that would no longer be insurable.

Summary: Authorizes a constable, while on or off duty, to carry a firearm if the constable 1) is AZPOST certified; or 2) completes firearms training, undergoes a psychological exam and either possesses a concealed weapon permit or completes an AZPOST approved background check.

HB2536	fuel; electric cars; hybrids; taxes				1st Read: 02/04 <b>TRANS</b> 02/06 - DPA 6-0-0-0-1-0 <b>WM</b> 02/20 - DPA 7-3-0-0-0-0 <b>RULES</b> None		SPONSORS: CAMPBELL, ANDRADE, et al 2nd Read: 02/05	
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Comments: 3/8: Staff noted that the amendment from the ways and means committee reduced the estimated increase in available revenues from \$1B annually to approximately \$6M annually. However, maintain the in-lieu gas tax for alternative fuel vehicles will protect HURF revenues as more alternative fuel vehicles are purchased. The LPC took no action on this item.

2/1: Staff noted that proposed rates for natural gas, propane, electric and hybrid vehicles are meant to capture the same amount of revenue as a vehicle powered by gasoline or diesel. All of the additional revenues in the legislation would be deposited into HURF and distributed via the statutory distribution method. The LPC noted that counties have been fighting a long time to put more money into roads and this is a comprehensive approach. The LPC moved to SUPPORT the bill.

Summary:

As Amended by House Ways & Means: Removes the increase in motor vehicle and use fuel taxes. Maintains the creation of a per gasoline gallon equivalent tax for natural gas and propane and an annual "in-lieu gas tax" for all electric and hybrid vehicles, at an amount equal to the current applicable gas or use tax.

Original Bill: The tax on motor vehicle fuel is increased to 28 cents per gallon in FY20, 38 cents per gallon in FY21, and 43 cents per gallon in FY22, from 18 cents per gallon. Imposes a tax on natural gas used in the propulsion of any vehicle at a rate of 19 cents per gallon in FY20, 25 cents per gallon in FY21, and 28 cents per gallon in FY22. Imposes a tax on propane used in the propulsion of any vehicle at a rate of 23 cents per gallon in FY20, 30 cents per gallon in FY21, and 34 cents per gallon in FY22. Imposes use fuel taxes on natural gas and propane used in the propulsion of a light class motor vehicle, and establishes use fuel tax rates. Imposes a tax on a vehicle that accesses a street or highway and that is propelled by electricity of \$130 per year for FY20, \$175 per year for FY21, and \$198 per year for FY22. Imposes a tax on a vehicle that accesses a street or highway and that is propelled by a combination of electricity and other fuels of \$52 per year for FY20, \$70 per year for FY21, and \$80 per year for FY22. For FY23 and each year after, each of these tax rates is required to be adjusted for inflation. Prop. 108 applies.

### Senate Information

### House Information

Bills	Committee Actions	COW Action	3rd Read & Votes	Final Read & Votes	Committee Actions	COW Action	3rd Read & Votes	Final Read & Votes
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HB2549	VLT; alternative fuel classification; repeal							
					1st Read: 02/05 <b>TRANS</b> 02/13 - DP 4-1-0-2-0-0 <b>WM</b> 02/20 - DPA/SE 9-1-0-0-0-0 <b>RULES</b> None		SPONSORS: BIASIUCCI, BLACKMAN, et al 2nd Read: 02/06	

Comments: 3/8: Staff explained that this bill was amended to mirror SB 1332. The LPC took no action on this item.

2/8: Staff explained that this bill was for information only and that the repeal of the separate VLT statutes would generate a significant amount of new VLT revenue. The LPC took no action on this item.

**Summary:**

As Amended by House Ways & Means: Amended to be identical to SB 1332, as amended by Senate Transportation.

Original Bill: Repeals the separate vehicle license tax (VLT) classification for motor vehicles powered by alternative fuels. Under current law, alt. fuel vehicles are assessed at 1% of their value, and traditional vehicles are assessed at 60% of their value.

HB2556	agricultural property; uses; rural activities							
	1st Read: 03/04 <b>WAG</b> 03/14 - DP 7-0-0-0-0-0 <b>RULES</b> 03/25 - PFC		2nd Read: 03/05		1st Read: 02/05 <b>WM</b> 02/20 - DPA 10-0-0-0-0-0 <b>LAG</b> 02/21 - DP 6-0-0-0-1-0 <b>RULES</b> 02/25 - C&P 8-0-0-0-0-0	02/27 - DPA	2nd Read: 02/06 02/28 - PASSED 56-4-0-0-0-0	SPONSORS: FINCHEM, BIASIUCCI, et al
	Rep Caucus: 03/26 Dem Caucus: 03/26				Maj Caucus: 02/26 Min Caucus: 02/26			

Comments: 3/29: Staff explained there had been many concerns raised about exempting these properties from building code and zoning ordinances, as the counties cannot ensure the safety of the public without building codes. Staff also noted the stakeholders will be meeting shortly in an attempt to address the concerns of the counties. The LPC voted to OPPOSE the bill in its current form, without an amendment to ease their concerns.

-For the purposes of property tax classification, the definition of "agricultural real property" is expanded to include land and improvements devoted to "agritourism" (defined).

-For the purposes of county zoning, the definition of "general agricultural purposes" is expanded to include agritourism.

-"Agritourism" is defined as: any activity that allows members of the general public, for recreational, entertainment or educational purposes, to view, enjoy or participate in rural activities, including farming, ranching, historical, cultural, u-pick, harvest-your-own activities or natural activities and attractions if the activity is conducted in connection with a business whose primary income is derived from the production for commercial purposes of livestock or agricultural commodities.

### Senate Information

### House Information

Bills	Committee Actions	COW Action	3rd Read & Votes	Final Read & Votes	Committee Actions	COW Action	3rd Read & Votes	Final Read & Votes
HB2614	elderly homeowners; class six property							SPONSORS: THORPE
					1st Read: 02/12 <b>WM</b> None <b>RULES</b> None		2nd Read: 02/13	
	<p>Comments: 2/15 staff explained the potential financial impact of the bill and that this bill has come up in previous sessions, but has not made it all the way through the process. The LPC decided not take a position on the bill.</p> <p>Summary: Classifies property owned by an individual qualified for the senior valuation freeze program as Class 6, if the value of the property is less than \$600,000 and the property is the owner's primary residence.</p>							
HB2646	department of agriculture; application review							SPONSORS: TELLER, ALLEN J, et al
	1st Read: 03/04 <b>WAG</b> 03/21 - DPA 5-0-2-0-0-0 <b>RULES</b> 03/25 - PFC		2nd Read: 03/05		1st Read: 02/12 <b>LAG</b> 02/21 - DP 6-0-0-0-1-0 <b>RULES</b> 02/25 - C&P 8-0-0-0-0-0	02/26 - DP	2nd Read: 02/13 02/28 - PASSED 60-0-0-0-0-0	
	Rep Caucus: 03/26 Dem Caucus: 03/26				Maj Caucus: 02/26 Min Caucus: 02/26			
	<p>Comments: 3/29: Staff noted the review is in response to the Reconnect Program the USDA is working on to expand broadband services in rural areas.</p> <p>Summary: A person who is eligible to apply for the Rural E-connectivity Pilot Program established pursuant to the federal Consolidated Appropriations Act of 2018 is permitted to request that the Department of Agriculture review the person's application for accuracy, and the Dept cannot deny an applicant's request.</p>							
HB2672	vacation rentals; short-term rentals; regulation							SPONSORS: KAVANAGH, BARTO, et al
	1st Read: 03/12 <b>COM</b> 03/28 - DPA 4-2-2-0-0-0 <b>RULES</b> 04/01 - PFC		2nd Read: 03/13		1st Read: 02/13 <b>GOV</b> 02/21 - DPA 8-2-0-1-0-0 <b>RULES</b> 03/04 - C&P 7-0-0-0-1-0	03/07 - DPA	2nd Read: 02/14 03/11 - PASSED 41-19-0-0-0-0	
	Rep Caucus: 04/02 Dem Caucus: 04/02				Maj Caucus: 03/05 Min Caucus: 03/05			
	<p>Comments: 2/15 Staff explained the bill noting this was an agreement between the vacation rental industry and communities in which short-term rentals are located. The LPC noted some concerns with placing additional burdens on property owners and concerns over bad actors in some communities. The LPC voted to SUPPORT the bill.</p> <p>Summary: The list of purposes for which counties and municipalities are permitted to regulate short-term rentals is expanded to include restricting the maximum number of adult occupants allowed on the property at any one time to no more than two adults per sleeping room plus two adults, restricting the maximum number of guests, requiring the installation of safety and monitoring equipment that monitors and detects the level of noise and number of occupants on the property and transmittal of that information to the property owner or manager, and requiring the owner to provide contact information for the person responsible for responding to complaints at any time of day. Vacation rentals and short-term rentals are prohibited from being used for nonresidential uses, including a retail, restaurant, banquet space, event center or other similar use.</p>							

### Senate Information

### House Information

Bills	Committee Actions	COW Action	3rd Read & Votes	Final Read & Votes	Committee Actions	COW Action	3rd Read & Votes	Final Read & Votes
HB2676	public officers; records; confidentiality 1st Read: 02/28 <b>GOV</b> 03/11 - DP 7-0-0-0-0-0 <b>RULES</b> 03/18 - PFC  Rep Caucus: 03/19 Dem Caucus: 03/19	03/20 - DP	2nd Read: 03/04		1st Read: 02/14 <b>PS</b> 02/20 - DP 7-0-0-0-0-0 <b>RULES</b> 02/20 - C&P 5-1-0-0-2-0  Maj Caucus: 02/25 Min Caucus: 02/25	02/26 - DP	2nd Read: 02/18 02/26 - PASSED  56-3-1-0-0-0	SPONSORS: ALLEN J
<p>Comments: 2/15 Staff explained this bill codifies existing practices. The LPC voted to SUPPORT the bill.</p> <p>Summary: For the purpose of statute allowing eligible persons to file an affidavit to request county officers and state agencies prohibit access to that person's information contained in certain public records, the restricted information is modified to include any identifying information, including any of that person's documents, instead of only the person's residential address and telephone number.</p>								

HB2677	JLAC; auditor general 1st Read: 03/12 <b>GOV</b> 03/18 - DP 7-0-0-0-0-0 <b>RULES</b> 04/01 - PFC		2nd Read: 03/13		1st Read: 02/13 <b>APPROP</b> 02/20 - DPA 10-0-0-0-1-0 <b>RULES</b> 02/25 - C&P 8-0-0-0-0-0  Maj Caucus: 02/26 Min Caucus: 02/26	02/27 - DPA	2nd Read: 02/14 03/04 - PASSED  59-0-1-0-0-0	SPONSORS: KERN
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Comments: 2/15 Staff explained this would expand the Auditor Generals authority to investigate financial fraud. The LPC noted concern for expanding a non-elected official's authority and voted to OPPOSE the bill.

Summary: Makes various changes relating to audits of public agencies. The Office of Auditor General (OAG) is required to conduct annual, instead of at least biennial, financial and compliance audits of financial transactions and accounts kept by or for all state agencies subject to the federal single audit requirements. The OAG is required, as resources allow, to conduct an investigation related to allegations of financial impropriety, malfeasance or nonfeasance of a state agency or of a political subdivision that is funded in whole or in part by tax revenue in connection with an audit authorized by law or on request of a state agency or specified public officers under specified circumstances. All officers of any state agency, board, commission, department, program or committee or any political subdivision and all contractors that contract with the state are required to afford reasonable and needed facilities for OAG staff and make records available in the form and at the time prescribed. The Joint Legislative Budget Committee is required to notify all members of the Legislature of the cost to conduct a special audit for any legislative measure that requires the OAG to perform a special audit. This information is required to be provided before the measure is scheduled for third read in the house of origin or in the house where the special audit provision was added. Modifies the list of factors a committee of reference must consider when determining the need for continuation or termination of an agency.

Note: Staff is working on an amendment to revert A.R.S. 41-1279.04(B) to its original language to address our concern with the OAG attend their executive session meetings.

**Senate Information**

**House Information**

Bills	Committee Actions	COW Action	3rd Read & Votes	Final Read & Votes	Committee Actions	COW Action	3rd Read & Votes	Final Read & Votes
HB2734	TPT; contractors; reform NOW: prime contracting; study committee				1st Read: 02/13 <b>WM</b> 02/20 - DPA/SE 10-0-0-0-0-0 <b>RULES</b> 02/25 - C&P 8-0-0-0-0-0 Maj Caucus: 02/26 Min Caucus: 02/26	02/27 - DPA	2nd Read: 02/14 02/28 - PASSED 60-0-0-0-0-0	SPONSORS: COBB

Comments: 2/15 Staff noted that this is identical to a bill run in 2017. The bill would move almost everything that was previously taxed under prime contracting to be taxed at point of sale. There is potential for some counties to be unintentionally hurt because of a large variance in the amount of point of sale business vs. construction business from county to county. Staff is monitoring the bill and noted it may not have legs to move through the process. The LPC did not take action on the bill.

Summary: Repeals the Prime Contracting TPT Classification and establishes the Highway, Street and Bridge Classification and the Manufactured Building Classification. Everything not taxed under the two new classes that were taxed under Prime Contracting would be taxed at point of sale. Creates a municipal revenue sharing pool that collects 4% of prime contracting revenues from each city, to be allocated out to each city based on that city's percentage of construction permits.

HCR2023	constitutional property tax exemptions				1st Read: 02/05 <b>WM</b> None <b>RULES</b> None		2nd Read: 02/06	SPONSORS: BIASIUCCI, CARROLL, et al
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Comments: 2/15 Staff explained this is an AACo bill brought forward to address issues with conflicting constitutional provisions that have impacted the ability of disabled, honorably discharged veterans to receive a property tax exemption. The LPC voted to SUPPORT the bill.

Summary: Puts the question to the ballot of consolidating and reorganizing constitutional provisions relating to property tax exemptions for disabled veterans and widows, in addition to repealing and reinserting the constitutional sections relating to property tax exemptions overall.

Coincides with HB 2551, which makes necessary statutory changes, enacted conditionally upon the voters approving this HCR.

**Senate Information**

**House Information**

Bills	Committee Actions	COW Action	3rd Read & Votes	Final Read & Votes	Committee Actions	COW Action	3rd Read & Votes	Final Read & Votes
SB1001	highway safety fee; repeal; VLT 1st Read: 01/14 <b>APPROP</b> 01/22 - DPA 9-0-0-0-0-0 <b>RULES</b> 01/28 - PFC	02/04 - DPA	2nd Read: 01/15 02/11 - PASSED 24-6-0-0-0-0		1st Read: 02/26 <b>TRANS</b> 03/27 - DP 4-3-0-0-0-0 <b>APPROP</b> None <b>RULES</b> None		2nd Read: 02/27	SPONSORS: UGENTI-RITA
	Rep Caucus: 01/29 Dem Caucus: 01/29							

Comments: 1/17 Staff explained the potential impact to county transportation and general fund revenues as well as the potential impact to the states structural balance. Noting that the fee is necessary to protect Highway User Revenue Fund (HURF) from being used to fund DPS. The Board voted to OPPOSE the bill.

Summary: Repeals the highway safety fee that was previously required to be in an amount established by the Director of the Department of Transportation (ADOT) annually in order to fund 110 percent of the Department of Public Safety (DPS) Highway Patrol budget for each fiscal year. Set by the ADOT director at \$32, effective December 1, 2018.

Repeals changes to the valuation formula for the separate vehicle license tax (VLT) classification for motor vehicles powered by alternative fuels that are purchased on or after January 1, 2020, which would have become effective January 1, 2020. Duplicate bill HB 2019 highway safety fee; repeal; VLT..(Lawrence)  
Estimated county impact is (\$623K) in FY20 and (\$1.25M) in FY21 in VLT revenue for transportation. (\$2.6M) in FY20 and (\$5.25M) in FY21 in VLT revenue deposited in county general funds. Additionally there is a potential for the department to be funded out of HURF again (\$8.9M) in FY20 and FY21 if full HURF shifts are reinstated.

SB1032	on-site early voting; identification required 1st Read: 01/14 <b>JUD</b> None <b>RULES</b> None		2nd Read: 01/15					SPONSORS: UGENTI-RITA
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Comments: 1/17 Staff explained the bill would require all early voting locations to check ID prior to providing a ballot. Today when at an early voting location the signature is verified. Staff indicated the review was for informational purposes, pending feedback from election officials.

Summary: Requires on-site early voting locations to require each elector to present and confirm identification as prescribed by statute before receiving a ballot.

### Senate Information

### House Information

Bills	Committee Actions	COW Action	3rd Read & Votes	Final Read & Votes	Committee Actions	COW Action	3rd Read & Votes	Final Read & Votes
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SB1046	early voting list; mailing ballot 1st Read: 01/14		2nd Read: 01/15					SPONSORS: UGENTI-RITA
	<b>JUD</b> 01/24 - DPA 4-3-0-0-0-0 <b>RULES</b> 01/28 - PFC	02/06 - DPA						
	Rep Caucus: 01/29 Dem Caucus: 01/29							

Comments: 1/17 Staff explained the bill and indicated the review was for informational purposes today, pending feedback from election officials. The Board discussed some of the concerns with the bill, potential unintended consequences and the need to ensure timeliness in our elections.

Summary: Requires all electors on Permanent Early Voting List (PEVL) to return an early ballot by mail and prohibits on-site drop off at an early voting location or in person on Election Day. An elector on PEVL that does not mail in the early ballot may vote a provisional ballot in person on Election Day at that elector's designated polling location.

SB1064	court security officers; certification; powers 1st Read: 01/16		2nd Read: 01/17		1st Read: 02/26		2nd Read: 02/27	SPONSORS: BORRELLI
	<b>GOV</b> 01/28 - DP 7-0-0-0-0-0 <b>RULES</b> 02/04 - PFC	CON CAL - 02/04 Object: No	02/11 - PASSED 30-0-0-0-0-0		<b>JUD</b> 03/13 - DPA 7-3-0-0-0-0 <b>RULES</b> None			
	Rep Caucus: 02/05 Dem Caucus: 02/05							

Comments: 3/29: Staff explained the bill was going to be further amended on the floor after struggling to pass the House Judiciary Committee. The amendment will remove language granting court security officers the status of law enforcement officers, but maintains the same duties of the officers originally agreed upon by the counties.

3/8: Staff explained concerns had been raised about the broad nature of the bill. However, the stakeholders have agreed to amendment language that would ease county concerns by more clearly defining the powers and duties of a court security officer. With the understanding that the amendment will be adopted, the LPC voted to take a NEUTRAL position on the bill.

Authorizes courts to employ certified court security officers that possess all of the law enforcement powers of a peace officer. Directs the courts to train and certify the court security officers. Prohibits the court security officers from being eligible for PSPRS or CORP.

### Senate Information

### House Information

Bills	Committee Actions	COW Action	3rd Read & Votes	Final Read & Votes	Committee Actions	COW Action	3rd Read & Votes	Final Read & Votes
SB1068	detention officers; arrest warrant; custody 1st Read: 01/16 <b>TPS</b> 01/30 - DPA 8-0-0-0-0-0 <b>RULES</b> 02/04 - PFC Rep Caucus: 02/05 Dem Caucus: 02/05	02/11 - DPA	2nd Read: 01/17 02/12 - PASSED 30-0-0-0-0-0		1st Read: 02/26 <b>PS</b> 03/20 - DP 6-0-0-0-1-0 <b>RULES</b> 04/01 - C&P 8-0-0-0-0-0 Maj Caucus: 04/02 Min Caucus: 04/02	CON CAL - 04/01 Object: No	2nd Read: 02/27	SPONSORS: LIVINGSTON
<p>Comments: 2/1: Staff noted this is an AACo bill gives detention officers the ability to execute an arrest warrant and is aimed at freeing up sworn sheriff deputies. The LPC voted to SUPPORT the bill.</p> <p>Summary: Extends when a detention officer may deliver a warrant to arrest a person to include: a hospital facility, justice or municipal court facility, or a person who is within a jail facility is who is found to have an outstanding warrant. In addition, a detention officer may take custody of a person whom a judicial officer remands into custody during a court proceeding.</p>								
SB1090	emergency voting procedures; board action 1st Read: 01/17 <b>JUD</b> 01/31 - DP 4-3-0-0-0-0 <b>RULES</b> 02/04 - PFC Rep Caucus: 02/05 Dem Caucus: 02/05	CON CAL - 02/04 Object: Yes 02/25 - DPA	2nd Read: 01/22 02/27 - PASSED 16-14-0-0-0-0		1st Read: 03/05 <b>ELECT</b> 03/19 - DPA 6-4-0-0-0-0 <b>RULES</b> 03/25 - C&P 7-0-0-0-1-0 Maj Caucus: 03/26 Min Caucus: 03/26		2nd Read: 03/06	SPONSORS: UGENTI-RITA
<p>Comments: 2/8: Staff explained the bill and recommend opposing the bill until an agreement can be worked out between the sponsor and AACo. The LPC voted to OPPOSE the bill.</p> <p>Summary: Requires electors requesting to vote early due to an emergency to sign an affidavit under penalty of perjury that it is an emergency. Requires the board of supervisors to designate emergency voting locations by resolution. Requires ID for early voters.</p> <p>AACo is working with the sponsor to finalize an amendment that will bring in language from the Senate Engrossed version of SB 1466 (Gray) last year.</p>								
SB1135	public records; responses 1st Read: 01/22 <b>GOV</b> None <b>RULES</b> None		2nd Read: 01/23					SPONSORS: BOWIE, JERMAINE, et al
<p>Comments: 2/1: Staff noted there have been concerns with the 10 day time frame and if it starts moving staff will reengage for a formal position.</p> <p>Establishes at least 10 business days must pass before a request is considered denied for failure to respond promptly to a request for a public record. Establishes that a response may include: 1) record in the form request; 2) notification that the request is under review; 3) notification of denial; and 4) notification that the record is not maintained and where the information may be found.</p>								

### Senate Information

### House Information

Bills	Committee Actions	COW Action	3rd Read & Votes	Final Read & Votes	Committee Actions	COW Action	3rd Read & Votes	Final Read & Votes
SB1146	PSPRS; EORP; CORP; modifications 1st Read: 01/23 <b>FIN</b> 01/30 - DP 10-0-0-0-0-0 <b>RULES</b> 02/04 - PFC Rep Caucus: 02/05 Dem Caucus: 02/05	CON CAL - 02/04 Object: No	2nd Read: 01/24 02/07 - PASSED 30-0-0-0-0-0		1st Read: 02/26 <b>GOV</b> 03/07 - DP 8-1-0-0-2-0 <b>RULES</b> 03/18 - C&P 8-0-0-0-0-0 Maj Caucus: 03/19 Min Caucus: 03/19	CON CAL - 03/18 Object: No	2nd Read: 02/27 03/27 - PASSED 58-2-0-0-0-0	SPONSORS: LIVINGSTON Transmitted to Governor: 03/28 Signed: 04/01
<p>Comments: 2/1: Staff noted this bill attempts to rollback some major pension reforms done in 2011 in an effort to avoid additional lawsuits. The LPC voted to be NEUTRAL on the bill.</p> <p>Summary: Makes various changes to statutes governing EORP, CORP, and PSPRS, in an attempt rollback 2011 pension reform provisions.</p> <p>-Retroactive to July 20, 2011, permits an active elected official who became a member of EORP before January 1, 2012, or an active member who became a member of PSPRS or CORP before January 1, 2012 to redeem any amount of eligible prior service without having to have accrued any minimum amount of credited service in the plan.</p> <p>-Retroactive to July 1, 2017, for PSPRS or CORP members enrolled before July 1, 2017, specifies the discount rate is the assumed rate of return that is prescribed by the PSPRS Board.</p> <p>-By June 30, 2019, authorizes the PSPRS Board to choose to require interest to be paid on monies returned to members of a retirement plan or system under the jurisdiction of the board for the period of time between the transaction until a date to be determined by the PSPRS Board, but not later than the effective date of this legislation.</p>								

SB1164	ombudsman-citizens aide; executive session; access 1st Read: 01/23 <b>GOV</b> 02/04 - DP 7-0-0-0-0-0 <b>RULES</b> 02/11 - PFC Rep Caucus: 02/12 Dem Caucus: 02/12	CON CAL - 02/11 Object: No	2nd Read: 01/24 02/14 - PASSED 29-0-1-0-0-0		1st Read: 02/26 <b>GOV</b> 03/14 - DP 11-0-0-0-0-0 <b>RULES</b> 03/25 - C&P 7-0-0-0-1-0 Maj Caucus: 03/26 Min Caucus: 03/26	CON CAL - 03/25 Object: No	2nd Read: 02/27	SPONSORS: FARNSWORTH D. (16), CONTRERAS, et al
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Comments: 2/8: Staff described that the Ombudsman-Citizens Aide's office explained in the Senate Government committee that they view this as an authority they already have, but want it affirmed. Staff also mentioned there have been some concerns raised about this bill but they would continue to follow the issue. The LPC did not take a position.

Summary: Authorizes the The Obmudsman-Citizens Aide to access minutes and discussions made during executive session of a public body, when investigating alleged violations of public meeting law.

### Senate Information

### House Information

Bills	Committee Actions	COW Action	3rd Read & Votes	Final Read & Votes	Committee Actions	COW Action	3rd Read & Votes	Final Read & Votes
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SB1165	prohibition; texting while driving NOW: texting while driving; prohibition 1st Read: 01/23							
	<b>TPS</b> 02/20 - DPA/SE 7-1-0-0-0-0 <b>RULES</b> 02/25 - PFC	03/04 - DPA	2nd Read: 01/24 03/04 - PASSED		1st Read: 03/05 <b>TRANS</b> 03/13 - DPA 5-1-0-1-0-0 <b>RULES</b> None		2nd Read: 03/06	

SPONSORS: BROPHY MCGEE, BRADLEY, et al

Comments: 2/8: Staff explained the bill noting it aligns with the December Distracted Driving Resolution passed by the Board. There will be two bills running concurrently, HB 2531 will be amended with the same language and run through the House. The LPC voted to SUPPORT the bill.

Summary: Requires anyone (with limited exceptions) operating a motor vehicle from using a handheld portable wireless communication device unless the vehicle is stopped or parked. Allows for the device to be mounted in the vehicle so the driver may tap or swipe to operate the device.

Makes the violation a primary petty offense. Fines for a violation are at least \$75 but not more than \$149 for the 1st violation and \$150 but not more than \$250 for a 2nd offense.

SB1203	axle fees; commercial vehicles; repeal 1st Read: 01/28							
	<b>TPS</b> 02/06 - DP 7-1-0-0-0-0 <b>APPROP</b> None <b>RULES</b> None		2nd Read: 01/29					

SPONSORS: LIVINGSTON

Comments: 2/8: Staff explained that this bill would be removing a fee that has the potential to fund transportation infrastructure along the Arizona-Mexico border, and was backed by Santa Cruz County during the 2018 legislative session. The LPC voted to OPPOSE the bill.

Summary: Repeals statute authorizing the Department of Transportation to establish axle fees on nonresidents operating a foreign vehicle or foreign vehicle combination that enters Arizona by crossing the border between Arizona and Mexico in the furtherance of a commercial enterprise.

SB1235	possessory improvements; government property; assessment 1st Read: 01/29							
	<b>FIN</b> 02/06 - DPA 9-0-1-0-0-0 <b>RULES</b> 02/11 - PFC	02/27 - DPA	2nd Read: 01/30 02/28 - PASSED		1st Read: 03/05 <b>WM</b> 03/13 - DP 10-0-0-0-0-0 <b>RULES</b> 03/18 - C&P 8-0-0-0-0-0	03/21 - DPA	2nd Read: 03/06	

SPONSORS: MESNARD

Rep Caucus: 02/19  
Dem Caucus: 02/19

Maj Caucus: 03/19  
Min Caucus: 03/19

Comments: 2/15 Staff noted this is an AACo proposal that would allow the county assessor to use a hybrid valuation for private property on leased government land. The LPC voted to SUPPORT the bill.

Summary: Allows improvements on possessory rights to be valued as real property, using a limited property value.

### Senate Information

### House Information

Bills	Committee Actions	COW Action	3rd Read & Votes	Final Read & Votes	Committee Actions	COW Action	3rd Read & Votes	Final Read & Votes
SB1236	tax liens; fees; certificate expiration 1st Read: 01/29 <b>FIN</b> 02/06 - DP 9-0-1-0-0-0 <b>RULES</b> 02/11 - PFC Rep Caucus: 02/19 Dem Caucus: 02/19	CON CAL - 02/11 Object: No	2nd Read: 01/30 02/20 - PASSED 30-0-0-0-0-0		1st Read: 02/26 <b>WM</b> 03/13 - DP 10-0-0-0-0-0 <b>RULES</b> 03/18 - C&P 8-0-0-0-0-0 Maj Caucus: 03/19 Min Caucus: 03/19	CON CAL - 03/18 Object: No	2nd Read: 02/27	SPONSORS: MESNARD
<p>Comments: 2/15 Staff explained this is an AACo bill to provide clarity that outstanding fees to a parcel are able to be recouped by the county as part of a tax lien sale. The LPC voted to SUPPORT the bill.</p> <p>Summary: Includes any outstanding fees attached to a parcel in the aggregate tax lien sale amount.</p>								
SB1241	state parks board; heritage fund 1st Read: 01/29 <b>NRE</b> 02/06 - DP 7-0-0-0-0-0 <b>APPROP</b> 02/19 - DP 8-1-0-0-0-0 <b>RULES</b> 02/25 - PFC Rep Caucus: 02/26 Dem Caucus: 02/26	CON CAL - 02/25 Object: No	2nd Read: 01/30 02/28 - PASSED 30-0-0-0-0-0		1st Read: 03/05 <b>NREW</b> 03/19 - DP 10-0-0-0-3-0 <b>RULES</b> None		2nd Read: 03/06	SPONSORS: BROPHY MCGEE, BOYER, et al
<p>Comments: 3/8: Staff explained the the Stake Parks Heritage Fund was swept and repealed during the Great Recession and that this bill is attempting to reestablish the Fund, but clarified that the bill contains no appropriation. The LPC voted to SUPPORT the bill.</p> <p>Establishes the Arizona State Parks Heritage Fund, consisting of legislative appropriations, grants and donations to benefit State Parks, historic preservation projects, non-motorized trails and environmental education projects.</p>								
SB1248	property taxes; valuation; property modifications 1st Read: 01/30 <b>FIN</b> 02/20 - DPA 8-2-0-0-0-0 <b>RULES</b> 02/27 - PFC Rep Caucus: 02/27 Dem Caucus: 02/27	02/27 - RETAINED 02/28 - DPA	2nd Read: 01/31 03/04 - PASSED 19-11-0-0-0-0		1st Read: 03/06 <b>WM</b> 03/13 - DPA 8-2-0-0-0-0 <b>RULES</b> None		2nd Read: 03/07	SPONSORS: LEACH
<p>Comments: 3/8: Staff explained that CSA had received a lot of concerns regarding the bill in its original form and that the bill had been amended to try and ease some concerns of the Assessors. The LPC exclaimed there were still concerns after the adoption of the amendment. The LPC voted to OPPOSE the bill.</p> <p>The bill modifies the circumstances under which a property's LPV is established at or at a percentage of its FCV. This includes 1) modifications to a property whereby the total added value from the project equals at least 20% of the FCV of the property in the current tax year, 2) the subdivision of a property, and 3) the splitting or consolidation of a property whereby the total value increase is equal to or greater than 20% of the FCV in the preceding valuation year.</p>								

### Senate Information

### House Information

Bills	Committee Actions	COW Action	3rd Read & Votes	Final Read & Votes	Committee Actions	COW Action	3rd Read & Votes	Final Read & Votes
SB1285	construction contracts; public works; payments 1st Read: 01/30 <b>GOV</b> 02/11 - DP 7-0-0-0-0-0 <b>RULES</b> 02/18 - PFC Rep Caucus: 02/19 Dem Caucus: 02/19	CON CAL - 02/18 Object: Yes 02/25 - DPA	2nd Read: 01/31 02/27 - PASSED 30-0-0-0-0-0		1st Read: 03/05 <b>COM</b> 03/12 - DPA 9-0-0-0-0-0 <b>RULES</b> 03/18 - C&P 8-0-0-0-0-0 Maj Caucus: 03/19 Min Caucus: 03/19	03/21 - RET ON CAL		
<p>Comments: 3/29: Staff noted that feedback has been provided to the subcontractors and we are waiting to hear if they are willing to make any changes and encouraged Supervisors to share their concerns with the bill as drafted. 3/15 Staff shared that an amendment was added to restore counties ability to retain up to 10% of progress payments instead of 5% and we are working on getting an amendment for the floor to address our other issues. 2/21 Staff explained the bill noting some of the concerns that have come up are reduction in the progress payments being withheld, lack of clarity in the payment structure to the subcontractor, and reduce the counties ability to have the prime hold the subcontractor accountable for the workman ship. The Board noted that the construction business has a lot of protracted legal issues and it is something we don't want to get caught in the middle. The Board voted to OPPOSE the bill and seek amendments.</p> <p>Summary: The bill changes the payment and complaint process requirements on public construction contracts. Some of the changes include 1) modifying the amount withheld from the progress payments until completion from 10 percent to 5 percent; 2) giving both the contractor and subcontractor ability to require progress payments from the county; and 3) requires the county to specify the reason for not approving a progress payments.</p>								

SB1292	misconduct involving weapons; classification 1st Read: 01/30 <b>JUD</b> 02/21 - DP 4-3-0-0-0-0 <b>RULES</b> 02/27 - PFC Rep Caucus: 02/27 Dem Caucus: 02/27	03/05 - RETAINED  03/11 - RETAINED	2nd Read: 01/31					SPONSORS: GOWAN
<p>Comments: 2/8: Staff noted the police organizations and current feedback from Sheriff's note that they are opposed to the reducing the penalty as it strips away counties ability to keep our buildings safe. The LPC noted they are opposed to the idea of the bill but did not take a position.</p> <p>Summary: The classification for misconduct involving weapons for entering any public establishment or attending any public event and carrying a deadly weapon after a reasonable request by the operator of the establishment or sponsor of the event to remove the weapon and pace it in temporary secure storage is reduced to a petty offense, from a class 1 (highest) misdemeanor. The classification for misconduct involving weapons for entering an election polling place on election day carrying a deadly weapon is reduced to a class 3 (lowest) misdemeanor, from a class 1 (highest) misdemeanor.</p>								

### Senate Information

### House Information

Bills	Committee Actions	COW Action	3rd Read & Votes	Final Read & Votes	Committee Actions	COW Action	3rd Read & Votes	Final Read & Votes
SB1332	alternative fuel vehicles; VLT 1st Read: 01/31 <b>TPS</b> 02/13 - DPA 7-0-1-0-0-0 <b>RULES</b> 02/18 - PFCA Rep Caucus: 02/19 Dem Caucus: 02/19	02/21 - DPA	2nd Read: 02/04 02/25 - PASSED 29-0-1-0-0-0		1st Read: 03/06 <b>WM</b> 03/13 - DP 8-0-0-1-1-0 <b>RULES</b> 03/18 - C&P 8-0-0-0-0-0 Maj Caucus: 03/19 Min Caucus: 03/19	CON CAL - 03/18 Object: No	SPONSORS: LIVINGSTON, BIASIUCCI 2nd Read: 03/07	

Comments: 3/8: Staff explained that the bill was amended to have new alternative fuel vehicles begin paying full VLT starting in 2023, rather than 2024. The LPC took no action on this item.

2/8: Staff explained that this was for information only and that this bill would repeal provisions of Laws 2018, Chapter 265 that increased the VLT revenues that counties would receive in FY20 and FY21. However, the taxing of alternative fuel vehicles at the same level as traditional vehicles would increase VLT revenues in the long-run. The LPC took no action on this item.

**Summary:**

As amended by Senate Transportation: For alternative fuel vehicles initially registered in 2022, sets the value of the vehicle at 20% of the base retail value. For alternative fuel vehicles initially registered in 2023 and beyond, VLT is assessed the same as traditionally powered vehicles (at 60% of the base retail value). Original Bill: For the separate vehicle license tax classification for motor vehicles powered by alternative fuels, the motor vehicle value for the first 12 months of the life of a motor vehicle registered in Arizona before January 1, 2022 is one percent of the manufacturer's base retail price, instead of the value for motor vehicles powered by alternative fuels that are purchased on or after January 1, 2020 being a percentage of the manufacturer's base retail price as set by the Dept. Establishes new calculations for the motor vehicle value of vehicles that are initially registered in Arizona in 2022 and 2023. From 2024 forward, requires that alternative fuel vehicles pay the same VLT as traditional vehicles.

Effective January 1, 2020.

SB1441	county officers; confidentiality; e-mail 1st Read: 02/05 <b>GOV</b> 02/11 - DP 7-0-0-0-0-0 <b>RULES</b> 02/18 - PFC Rep Caucus: 02/19 Dem Caucus: 02/19	CON CAL - 02/18 Object: No	2nd Read: 02/06 02/21 - PASSED 30-0-0-0-0-0		1st Read: 02/26 <b>GOV</b> 03/07 - DP 9-0-0-0-2-0 <b>RULES</b> 03/18 - C&P 8-0-0-0-0-0 Maj Caucus: 03/19 Min Caucus: 03/19	CON CAL - 03/18 Object: No	SPONSORS: PRATT 2nd Read: 02/27	
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Comments: 2/15 Staff noted this is an AACo bill focused on protecting constituents who opt-in to receive services via email from having their email addresses spammed. The LPC voted to SUPPORT the bill.

Summary: Requires county assessors and county treasurers to maintain the confidentiality of e-mail addresses provided by county residents who request to receive information and notices from these county offices by e-mail. Specifies this does not limit or prohibit the public from inspecting or copying other records pursuant to public records law that contain e-mail addresses provided by county residents.

### Senate Information

### House Information

Bills	Committee Actions	COW Action	3rd Read & Votes	Final Read & Votes	Committee Actions	COW Action	3rd Read & Votes	Final Read & Votes
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SB1444	state lake improvement fund; counties				SPONSORS: BORRELLI			
	1st Read: 02/05		2nd Read: 02/06		1st Read: 03/14		2nd Read: 03/18	
	<b>APPROP</b> 02/12 - DP 6-3-0-0-0-0	CON CAL - 02/18 Object: Yes	03/04 - PASSED		<b>GOV</b> 03/28 - FAILED 3-8-0-0-0-0			
	<b>RULES</b> 02/18 - PFC	02/28 - DP	17-13-0-0-0-0		<b>RULES</b> None			
	Rep Caucus: 02/19 Dem Caucus: 02/19							

Comments: 3/29: Staff explained the strike-everything amendment to SB 1444 was killed by the House Government Committee 3-8 and urged Supervisors to reach out to the legislators on the committee that voted no and thank them for their support.

Strike-everything amendment brings in language from HB 2001, which requires a board of supervisors to accept, without interference, all federal grant, award or other monies intended to supplement the approved budget of a law enforcement or prosecution agency.

3/15 HB 2001: Staff noted, thanks to support from the Supervisors in getting Legislators and Sheriffs to oppose, the bill did not receive an Appropriations Committee hearing and is therefore dead. Staff will continue to monitor legislation to make sure the issue doesn't pop up once again in some form.

1/17 HB 2001: Staff explained the bill substantially erodes the Board's ability to provide proper oversight of public dollars. The Board voted to OPPOSE the bill.

2/15 staff provided the bill for information only and explained the majority of the State Lake Improvement Fund (SLIF) revenues come from a percentage of the gas tax and 15 percent of watercraft license fees. The LPC noted additional details would be needed before weighing in on the bill. In addition there was discussion on impact to rural counties who have a large number of out of town visitors at their lakes without corresponding gas purchases. The LPC did not take a position on the bill.

Summary: The Arizona State Parks Board is required to separately account for monies that are collected in each county and distributed in the SLIF. The Board is required to distribute SLIF monies to each county on a quarterly basis in an amount that corresponds to the monies collected in that county. Counties are required to use the SLIF monies for a list of specified purposes.

SB1445	parks board; deputy; senate confirmation				SPONSORS: BORRELLI			
	NOW: pipeline valuation		2nd Read: 02/06		1st Read: 03/07		2nd Read: 03/11	
	<b>NRE</b> 02/20 - DPA/SE 6-1-0-0-0-0	02/28 - DPA	03/04 - PASSED		<b>WM</b> 03/20 - DP 9-0-0-0-1-0	CON CAL - 03/25		
	<b>RULES</b> 02/27 - PFC		29-1-0-0-0-0		<b>RULES</b> 03/25 - C&P 7-0-0-0-1-0	Object: Yes		
	Rep Caucus: 02/27 Dem Caucus: 02/27							

Comments: 3/8: Staff explained the background of the Transwestern Pipeline Company v. DOR lawsuits and that the lawsuits had ultimately favored the Transwestern Pipeline Company, resulting in refunds from all entities that levy a property tax on the pipeline. It was explained that the issue is recurring because DOR is unable to account for economic obsolescence in the valuation of a pipeline and that this bill would correct that. The LPC voted to SUPPORT the bill.

Requires DOR, in determination of the value of a pipeline, to provide adjustments for economic obsolescence.

### Senate Information

### House Information

Bills	Committee Actions	COW Action	3rd Read & Votes	Final Read & Votes	Committee Actions	COW Action	3rd Read & Votes	Final Read & Votes
SB1448	alarm systems; low-voltage electric fences 1st Read: 02/05 <b>TPS</b> 02/13 - DP 7-0-1-0-0-0 <b>RULES</b> 02/18 - PFC Rep Caucus: 02/19 Dem Caucus: 02/19	CON CAL - 02/18 Object: No	2nd Read: 02/06 02/21 - PASSED 28-2-0-0-0-0		1st Read: 03/05 <b>RA</b> 03/18 - DP 5-1-0-0-1-0 <b>RULES</b> 03/25 - C&P 7-0-0-0-1-0 Maj Caucus: 03/26 Min Caucus: 03/26	CON CAL - 03/25 Object: No	SPONSORS: FARNSWORTH E. (12) 2nd Read: 03/06	

Comments: 2/15 Staff explained this would not impact agricultural or residential properties, but is intended for commercial properties with an enclosed electric fence connected to a larger alarm system. The LPC did not take action on the bill.

Summary: For the purpose of regulation of alarm agents and alarm businesses, the definition of "alarm" or "alarm system" is expanded to include a "low-voltage electric fence" (defined as a fence with an electric fence energizer that is powered by a commercial storage batter with a rated voltage of up to 12 volts and that produces an electric charge on contact with the fence, and that meets other specified requirements). The regulation of low-voltage electric fence alarm systems is of statewide concern and is not subject to further regulation by a county, municipality or other political subdivision.

SB1460	TPT; digital goods and services 1st Read: 02/11 <b>FIN</b> 02/13 - DPA 6-4-0-0-0-0 <b>RULES</b> 02/25 - PFC Rep Caucus: 03/12 Dem Caucus: 03/12		2nd Read: 02/12				SPONSORS: UGENTI-RITA	
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Comments: 3/15: Staff noted that the idea of an amendment that satisfied our concerns was rejected by the bill proponents, with no current communication going on between both sides, thus holding up the bill. Staff also explained that the Senate President has stated she will not put the bill up for a vote without confirmation that the bill has the votes to pass. It seems unlikely at this time that 16 supporting votes exist and staff will continue to speak with the concerned Senators to ensure they do not support the bill in its current form.

3/8: Staff explained that conversations had been taking place with ATRA and the League in understanding the impacts of the bill and seeking to ease concerns. Staff noted one of the biggest concerns with the bill is that the new tax classification is not structured in a traditional TPT model and states only two things are taxable, while everything else is not taxable in the bill. This is opposite of the traditional manner in which all things are taxable, unless specifically exempted. Staff explained ATRA was unwilling to address this issue, but that there was potentially an amendment coming to fruition in the Senate that would address our concerns. The LPC voted to OPPOSE the bill in its current form, but left open the ability for staff to advocate from a neutral position if Senate Leadership supports the proposed amendment.

2/8: Staff explained that due to advances in technology, things that were once taxable in tangible form are now in an electronic format and there are differing opinions on how they should be taxed. The bill also attempts to draw a line between what is a good and what is a service. Staff reminded the committee that CSA took a position of opposition to this bill in 2018, but that this version was slightly different. The LPC did not take a position.

Summary: Excludes the sale, lease, licensing, purchase or use of "digital services" from TPT and use tax. Establishes the digital goods classification of TPT, comprised of the business of selling, leasing or licensing the use of "prewritten computer software" or providing "specified digital goods". Establishes a list of exemptions from the digital goods classification. Levies an excise tax on using or consuming prewritten computer software and specified digital goods in Arizona as a percentage of the acquisition price, which applies to any purchaser that purchases these items for resale but that subsequently uses or consumes the items. Describes how prewritten computer software and specified digital goods are sourced.

**Senate Information**

**House Information**

Bills	Committee Actions	COW Action	3rd Read & Votes	Final Read & Votes	Committee Actions	COW Action	3rd Read & Votes	Final Read & Votes
SB1519	flood control districts; procedures 1st Read: 02/06 <b>WAG</b> 02/21 - DPA 4-3-0-0-0-0 <b>RULES</b> None		2nd Read: 02/07					SPONSORS: KERR

Comments: 2/15 Staff explained some of the concerns with the bill including restricting a flood control district's ability to consider the impact to adjacent private property, the impact to federal flood insurance rates, and rule-making requirements. The LPC expressed their concern with the legislation noting it would increase costs and create havoc. The LPC voted to OPPOSE the bill.

Summary: Makes significant changes to a flood control districts ability to restrict extraction of aggregate, floodplain use permits, rule making procedures, substantive policy statements and licensing time frames.



**COUNTY SUPERVISORS ASSOCIATION  
LEGISLATIVE POLICY COMMITTEE**

*(Teleconference Made Available)*

County Supervisors Association

1905 West Washington

Phoenix, Arizona

**MINUTES**

**March 29, 2019**

<b>Call to Order:</b>	Russell McCloud	9:00 a.m.
<b>Present In Person:</b>	Russell McCloud	Yuma County
<b>Present Telephonically:</b>		
	Alton Joe Shepherd	Apache County
	Ann English	Cochise County
	Liz Archuleta	Coconino County
	Tommie Martin	Gila County
	Jim Palmer	Graham County
	Richard Lunt	Greenlee County
	D. L. Wilson	La Paz County
	Clint Hickman	Maricopa County
	Jean Bishop	Mohave County
	Jason Whiting	Navajo County
	Pete Rios	Pinal County
	Rudy Molera	Santa Cruz County
	Jack Smith	Yavapai County
<b>Absent:</b>	Sharon Bronson	Pima County
<b>Proxy:</b>	Matt Ryan	Coconino County

**Others present telephonically:** Paul David, Duce Minor, Lynne Pancrazi, Ryan Patterson, Kay Gale, Paul Melcher, Paul Watson, Angelica Terrazas, Yvonne Ortega

**Others present in person:** Mark Barnes, Rebecca Beebe, Penny Adams, Robin Hillyard, Vanessa Fielder, Michael Madden, Alexis Pagel

CSA President Russell McCloud welcomed everyone. Penny Adams called roll and a quorum was present.

**CSA Legislative Agenda**

- 1) CSA Legislative Budget Priorities. Vanessa Fielder reported that this week CSA continued advocacy efforts on ADJC and EORP.
  - a) SB 1140 county contributions; committed youth; repeal. Vanessa reported that the ADJC fee repeal continues to be part of the budget discussions.
  - b) HB 2429 appropriations; EORP contributions; counties and SB 1293 approp; EORP contributions; counties. Vanessa stated that CSA sent a 12-county letter to all members of the house and senate urging their support for the ongoing EORP relief. She thanked supervisors for their action. She reported that SB 1293 passed House Government last week 7-1 and is scheduled in House Appropriations next Wednesday. CSA will send an action alert asking counties to reach out to the committee members.

Vanessa thanked supervisors for their advocacy efforts and noted that since committee meetings are mostly completed, it is an excellent time to reach out to legislators and promote the counties' budget items as the budget discussions escalate. She added it is important to relay that the

relief needs to be ongoing. Vanessa commented that once the Finance Advisory Committee meets on April 11, more should be learned about how the state plans to treat the \$132 million loss in year-to-date revenues.

- c) [Taxation of Online Remote Purchases/Digital Goods](#). Michael Madden stated that SB 1460 and HB 2702 aren't moving in their original bill forms, but could be included in the budget or larger tax package on income tax conformity. He urged supervisors to contact their legislators. Discussion followed.
- 2) S/E [HB 2467 committee; west basin water users](#). Robin Hillyard reported the bill passed caucus this week and is pending Senate Third Read.
- 3) [SB 1084 funeral; last illness; expenses; lien](#). Robin reported the bill passed House Judiciary 10-0 and will need to go to Rules next.

At the request of President McCloud, Supervisor Jack Smith described the process of selecting Representative Stringer's replacement. He noted that once the person is approved at the special board meeting scheduled before next Wednesday's board meeting, that person will be immediately sworn into office.

### **Legislative Bills For Discussion**

- 1) [HB 2318 ADOT; consulting with third parties / S/E HB 2318 texting while driving; prohibiting; enforcement](#). Robin Hillyard reported this is a mirror bill to SB 1165 as it passed House Transportation. CSA had approved it since it reflected the resolution passed by the CSA board. She noted that SB 1141 is still in play and does not contradict HB 2318. SB 1141 is pending Rules.
- 2) [HB 2493 appraisal methods; solar energy devices](#). Michael Madden reported HB 2493 is related to the Arizona Department of Revenue (ADOR) / Solar City lawsuit. He noted that ADOR will need to calculate potential refunds and the individual entities that collected property tax on the solar devices would issue the refunds. Discussion followed.
- 3) [HB 2556 agricultural property; uses; rural activities](#). Michael reported on HB 2556 and noted that CSA will participate in a conference call later today with stakeholders. Supervisor Jack Smith moved to oppose HB 2556. Supervisor Ann English seconded the motion. Discussion followed. Supervisor Jack Smith amended his motion to oppose HB 2556 in its current form and have CSA pursue an amendment. Supervisor Ann English approved the amended motion and seconded it. Discussion occurred. The motion passed unanimously.
- 4) [HB 2646 department of agriculture; application review](#). Robin reported it passed the House 60-0 and is pending Senate Third Read.
- 5) [SB 1064 court security officers; certification; powers](#). Michael reported CSA currently has a neutral position on this bill. CSA has been working with the courts on an amendment that is agreeable to all parties. He reported the bill needs to go through House Rules and caucus before it can be amended on the floor. Discussion followed.
- 6) [SB 1285 construction contracts; public works; payments](#). Robin reported the information provided from the counties has been supplied to the subcontractors. CSA will continue to work toward getting counties' concerns addressed.
- 7) [SB 1444 state lake improvement fund; counties / S/E SB 1444 law enforcement; prosecution; grants; acceptance](#). Michael thanked supervisors for their advocacy toward opposing this bill. The strike everything was defeated yesterday 3-8. He suggested counties thank the legislators involved. Discussion followed.

### **Other Legislative Issues**

[HB 2026 public resources; influencing elections; penalties](#). Michael Madden reported this bill will not be moving as is.

[HB 2190 CORP; accidental disability; definition](#). Michael reported the bill passed the House this week and is scheduled for Senate Appropriations next Tuesday. He said CSA will be meeting with committee members early next week and urged supervisors to sign in in opposition to the bill.

[SB 1147 municipal economic development; sale; lease](#). Robin Hillyard reported CSA had concerns with a striker to the bill and will bring the bill back next week for consideration.

**Next Meeting Date and Time**

President Russell McCloud noted the next meeting will be held on Friday, April 5, at 9:00 a.m.

**Other Business and Adjournment**

President Russell McCloud thanked everyone for their participation. There being no further business, President McCloud adjourned the meeting at 9:46 a.m.