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ARIZONA FUNERAL, CEMETERY & CREMATION ASSOCIATION Legislative Report February 10, 2016

NOTE: The following bill summaries were not prepared by our office and do not constitute an official record of the Arizona Legislature. They are provided for the purpose of advising you as to the general content of the legislation and should not be relied upon as an accurate interpretation of the meaning or purpose of the bill or its applicability to you or your interests. To insure you obtain a correct interpretation of the legislation, it is important to read the bill in its entirety.

Posted Calendars and Committee Hearings

- H2475: FUNERAL ESTABLISHMENTS; PROCUREMENT ORGANIZATIONS
Hearing: House Commerce (Wednesday 02/10/16 at 9:30 AM, House Rm. 1)
- H2478: LICENSING; WAIVER OF RIGHTS; PROHIBITION
Calendar: 2/10 House Consent
- HCR2031: PERSONAL PROPERTY TAX; EXEMPTION
Hearing: House Appropriations (Wednesday 02/10/16 at 2:00 PM, House Rm. 1)
- S1372: WATER RESOURCES; SALT CEDAR APPROP
Hearing: Senate Water & Energy (Monday 02/15/16 at 2:00 PM, Senate Rm. 3)
Hearing: Senate Appropriations (Tuesday 02/16/16 at 2:00 PM, Senate Rm. 109)
- S1459: WATER IMPROVEMENT PROGRAM; GRANTS; COUNTY
Hearing: Senate Water & Energy (Monday 02/15/16 at 2:00 PM, Senate Rm. 3)

Bill Summaries

H2084: VOTER REGISTRATION RECORDS; DEATH RECORDS

The Department of Health Services is required to annually provide the Secretary of State with access to the statewide system of all records of all deaths and the Secretary of State may compare the records of deaths with the statewide voter registration database.

First sponsor: Rep. Stevens

| H2084 Daily History | Date | Action |
|---|------|--------------------------------------|
| VOTER REGISTRATION RECORDS; DEATH RECORDS | 2/4 | passed House 56-0; ready for Senate. |
| VOTER REGISTRATION RECORDS; DEATH RECORDS | 2/2 | from House rules okay. |
| VOTER REGISTRATION RECORDS; DEATH RECORDS | 2/1 | to House consent calendar. |
| VOTER REGISTRATION RECORDS; DEATH RECORDS | 1/28 | from House elect do pass. |
| VOTER REGISTRATION RECORDS; DEATH RECORDS | 1/13 | referred to House elect. |

H2217: TECH CORRECTION; WATER PROTECTION

Minor change in Title 45 (Waters) related to water protection. Apparent striker bus.

First sponsor: Rep. Kern

| H2217 Daily History | Date | Action |
|--|------|--------|
| No actions posted for this bill to date. | | |

H2281: PROHIBITED PESTICIDES

It is unlawful for a person to sell or use the pesticides clothianidin, imidacloprid or thiamethoxam in Arizona.

First sponsor: Rep. Mendez

| H2281 Daily History | Date | Action |
|--|------|--------|
| No actions posted for this bill to date. | | |

H2291: GROUNDWATER; WATERLOGGED AREA EXEMPTION; DATE

The exemption from any irrigation water duties or intermediate water duties for a person with an irrigation grandfathered right on irrigation acres in the management plans for the first through fourth management periods for the Phoenix Active Management Area (AMA) is extended to the fifth management period and terminates on December 31, 2024. The exemption from conservation requirements for the distribution of groundwater for specified companies and districts is also extended to the fifth management period for the Phoenix AMA and terminates on December 31, 2024. The exemption from groundwater withdrawal fees and water quality assurance fees for these areas is extended five years through 2024, from 2019.

First sponsor: Rep. Mitchell

| H2291 Daily History | Date | Action |
|---|------|--------|
| GROUNDWATER; WATERLOGGED AREA EXEMPTION; DATE 2/4 from House agri-water-land do pass. | | |
| GROUNDWATER; WATERLOGGED AREA EXEMPTION; DATE 1/21 referred to House agri-water-land. | | |

H2307: ANATOMICAL GIFTS; PROCUREMENT ORGANIZATIONS; LICENSURE

A person acting as an anatomical gift procurement organization in Arizona is required to be licensed by the Department of Health Services and pay all applicable license fees as prescribed by the Dept. Requirements for licensure and record keeping are established. The Dept is authorized to take various enforcement actions against a licensee in violation of statutory requirements and related rules adopted by the Dept.

First sponsor: Rep. Cobb

| H2307 Daily History | Date | Action |
|--|------|--------|
| ANATOMICAL GIFTS; PROCUREMENT ORGANIZATIONS; LICENSURE 1/21 referred to House hel. | | |

H2316: APPROPRIATION; WATER PROJECTS; NAVAJO NATION

Appropriates \$3.4 million from the general fund in FY2016-17 to the Water Infrastructure Finance Authority for distribution to the Navajo Nation to plan and develop water supply and infrastructure projects necessary to support community growth and economic development on tribal land.

First sponsor: Rep. Hale

| H2316 Daily History | Date | Action |
|---|------|--------|
| APPROPRIATION; WATER PROJECTS; NAVAJO NATION 1/26 referred to House agri-water-land, appro. | | |

H2318: CENTRAL ARIZONA PROJECT BOARD; MEMBERSHIP

The board of directors of a multi-county water conservation district is required to include one nonvoting member who is appointed by the Governor from a list of three persons holding elected tribal office for an Indian tribe in Arizona. This member serves a four-year term or until s/he is no longer holding an elected tribal office, whichever occurs earlier. The initial term of this member begins on January 1, 2017.

First sponsor: Rep. Hale

| H2318 Daily History | Date | Action |
|--|------|--------|
| No actions posted for this bill to date. | | |

H2325: ENVIRONMENT; WATER QUALITY AMENDMENTS

Various changes to statutes relating to water quality. The maximum lead content for pipes, pipe fittings, and plumbing fittings and fixtures is set at a weighted average of 0.25 percent when used with respect to wetted surfaces, and must be calculated using a specified formula. The list of exemptions from the maximum lead content standards is expanded to include specified uses where water is not anticipated to be used for human consumption. Monies from fees for certification of operators of potable water systems and sewage treatment plants are deposited in the Water Quality Fee Fund, instead of the general fund.

First sponsor: Rep. Pratt

| H2325 Daily History | Date | Action |
|--|------|--------|
| ENVIRONMENT; WATER QUALITY AMENDMENTS 1/26 from House energy-env do pass. | | |
| ENVIRONMENT; WATER QUALITY AMENDMENTS 1/25 House energy-env do pass; report awaited. | | |
| ENVIRONMENT; WATER QUALITY AMENDMENTS 1/21 referred to House energy-env. | | |

H2331: SMALL WATER SYSTEMS FUND; APPROPRIATION

Appropriates \$500,000 from the general fund in FY2016-17 to the Small Water Systems Fund for emergency grants to interim operators of small water systems.

First sponsor: Rep. Barton

| H2331 Daily History | Date | Action |
|---|------|--------|
| SMALL WATER SYSTEMS FUND; APPROPRIATION 1/28 from House agri-water-land do pass. | | |
| SMALL WATER SYSTEMS FUND; APPROPRIATION 1/28 House agri-water-land do pass; report awaited. | | |
| SMALL WATER SYSTEMS FUND; APPROPRIATION 1/21 referred to House agri-water-land, appro. | | |

H2337: REGULATION; DEFICIENCIES; OPPORTUNITY TO CORRECT

The opportunity to correct deficiencies identified during an inspection is required to be granted liberally in order for the regulated person to achieve successful compliance with the rules rather than receiving sanctions.

First sponsor: Rep. Norgaard

| H2337 Daily History | Date | Action |
|---|------|--------|
| REGULATION; DEFICIENCIES; OPPORTUNITY TO CORRECT 2/4 from House gov-higher ed with amend #4098. | | |
| REGULATION; DEFICIENCIES; OPPORTUNITY TO CORRECT 2/4 House gov-higher ed amended; report awaited. | | |
| REGULATION; DEFICIENCIES; OPPORTUNITY TO CORRECT 1/25 referred to House gov-higher ed. | | |

H2391: MUNICIPALITIES; WATER RATES; REQUIREMENTS

Every fee or service charge demanded or received by municipalities for water and wastewater services is required to be attributable to and defray or cover the expense of service for which the fee or service charge is assessed. A fee or charge may not be assessed or collected for the purpose of defraying or covering the municipality's cost of purchasing or otherwise acquiring a water or wastewater corporation or business. Any water or wastewater rate, rate component, fee or service charge assessed to fund new infrastructure or capital improvements is required to comply with statute regulating municipal development fees.

First sponsor: Rep. Bowers

| H2391 Daily History | Date | Action |
|---|------|--------|
| MUNICIPALITIES; WATER RATES; REQUIREMENTS 2/8 from House energy-env with amend #4137. | | |
| MUNICIPALITIES; WATER RATES; REQUIREMENTS 2/1 referred to House energy-env. | | |

H2475: FUNERAL ESTABLISHMENTS; PROCUREMENT ORGANIZATIONS

It is a class 2 (mid-level) misdemeanor for a funeral establishment or Board of Funeral Directors and Embalmers licensee to hold a pecuniary or proprietary interest in a procurement organization. Some exceptions.

First sponsor: Rep. Norgaard

| H2475 Daily History | Date | Action |
|--|------|--------|
| FUNERAL ESTABLISHMENTS; PROCUREMENT ORGANIZATIONS 2/10 from House com do pass. | | |
| FUNERAL ESTABLISHMENTS; PROCUREMENT ORGANIZATIONS 2/1 referred to House com. | | |

H2478: LICENSING; WAIVER OF RIGHTS; PROHIBITION

State agencies, counties, municipalities and special taxing districts are prohibited from requiring a waiver of a right granted by the state Constitution or state law as a condition of approving a license.

First sponsor: Rep. Petersen

| H2478 Daily History | Date | Action |
|--|------|--------|
| LICENSING; WAIVER OF RIGHTS; PROHIBITION 2/8 from House rules okay. To House consent calendar. | | |
| LICENSING; WAIVER OF RIGHTS; PROHIBITION 2/3 from House com do pass. | | |
| LICENSING; WAIVER OF RIGHTS; PROHIBITION 1/25 referred to House com. | | |
| LICENSING; WAIVER OF RIGHTS; PROHIBITION 1/25 referred to House com. | | |

H2505: TECH CORRECTION; POWER AUTHORITY; WATER

Minor change in Title 30 (Power) related to the Arizona Power Authority. Apparent striker bus.

First sponsor: Rep. Carter

| H2505 Daily History | Date | Action |
|--|------|--------|
| No actions posted for this bill to date. | | |

H2613: REGULATORY BOARDS; LICENSING; REVISIONS

Eliminates state licensing for assayers, geologists, landscape architects, cremationists, professional driver training school instructors, athletic trainers, and citrus fruit packers. A person is permitted to practice athletic training in Arizona if the person operates under the supervision of a licensed physician and is certified by a national accredited athletic training program. Repeals the Board of Athletic Training. A person is prohibited from using the words "professional geologist" or "professional landscape architect" unless the person has either a valid certificate of qualification in that field that is issued by a national bureau of registration or certification or a degree or certificate from an accredited educational institution in that field. Removes a landscape architect and a geologist or assayer from the Board of Technical Registration and replaces them with two addition public members. The Department of Administration is required to conduct a study relating to the transfer of all non-health regulatory boards in Title 32 (Professions and Occupations) to a new licensing and regulatory division in the Dept, and to report its findings and recommendations to the Governor and the Legislature by October 1, 2016. Due to voter protection, one section of this legislation containing technical and conforming changes only requires the affirmative vote of at least 3/4 of the members of each house of the Legislature for passage.

First sponsor: Rep. Petersen

| H2613 Daily History | Date | Action |
|--|------|--------|
| REGULATORY BOARDS; LICENSING; REVISIONS 2/8 referred to House com. | | |

H2622: WATER; IMPROVEMENT DISTRICTS; TAX LIMIT

The list of special taxing districts where a majority of the real property owners in the district may petition the district board to apportion the tax among the lots in the district according to the area in square feet of each lot is expanded to include domestic wastewater improvement districts. In a domestic water improvement district or domestic wastewater improvement district that assesses and levies its taxes based on the square footage of the property, the governing body of the district in its discretion is authorized to establish by resolution a limit on the amount of tax that may be assessed and collected by the district from any single parcel of real property in the district.

First sponsor: Rep. Barton

| H2622 Daily History | Date Action |
|--|-------------|
| WATER; IMPROVEMENT DISTRICTS; TAX LIMIT 2/8 referred to House agri-water-land. | |

HCR2031: PERSONAL PROPERTY TAX; EXEMPTION

The 2016 general election ballot is to carry the question of whether to amend the state Constitution to prohibit the Legislature from levying a tax on the first \$2.4 million of full cash value of personal property that is initially acquired during or after tax year 2016 and that is used for agricultural purposes or in trade or business. The Legislature is permitted to provide by law for increasing \$2.4 million exempt amount.

First sponsor: Rep. Mesnard

| HCR2031 Daily History | Date Action |
|--|-------------|
| PERSONAL PROPERTY TAX; EXEMPTION 2/10 House appro do pass; report awaited. | |
| PERSONAL PROPERTY TAX; EXEMPTION 1/28 from House gov-higher ed do pass. | |
| PERSONAL PROPERTY TAX; EXEMPTION 1/28 House gov-higher ed do pass; report awaited. | |
| PERSONAL PROPERTY TAX; EXEMPTION 1/21 referred to House gov-higher ed, appro. | |

S1016: WATER & ENERGY IMPROVEMENT DISTRICTS

Adds a new article to Title 48 (Special Taxing Districts) establishing and regulating water and energy improvement districts. The governing body of a local government is authorized to adopt a resolution establishing a district after following specified steps. Once a district is formed, the local government is authorized to hire a program administrator and staff, contract for professional services, impose fees and assessments to offset the costs of administering a program, and issue bonds or notes to finance qualified projects. Contains a legislative intent section.

First sponsor: Sen. Sherwood

| S1016 Daily History | Date Action |
|---|-------------|
| WATER & ENERGY IMPROVEMENT DISTRICTS 1/11 referred to Senate water-energy, fin. | |

S1086: TECH CORRECTION; ASSISTANT FUNERAL DIRECTOR

Minor change in Title 32 (Professions and Occupations) related to assistant funeral directors. Apparent striker bus.

First sponsor: Sen. Shooter

| S1086 Daily History | Date Action |
|---|-------------|
| TECH CORRECTION; ASSISTANT FUNERAL DIRECTOR 1/12 referred to Senate rules only. | |

S1099: TECH CORRECTION; INDIGENT CARE; RECORDS

Minor change in Title 11 (Counties) related to records of indigent care. Apparent striker bus.

First sponsor: Sen. Barto

| S1099 Daily History | Date Action |
|---|-------------|
| TECH CORRECTION; INDIGENT CARE; RECORDS 1/13 referred to Senate rules only. | |

S1145: TECH CORRECTION; WATER RESOURCES

Minor change in Title 45 (Waters) related to the Department of Water Resources. Apparent striker bus.

First sponsor: Sen. Pierce

| S1145 Daily History | Date Action |
|--|-------------|
| TECH CORRECTION; WATER RESOURCES 1/19 referred to Senate rules only. | |

S1146: TECH CORRECTION; ACTIVE MANAGEMENT AREAS

Minor change in Title 45 (Waters) related to Active Management Areas. Apparent striker bus.

First sponsor: Sen. Pierce

| S1146 Daily History | Date Action |
|--|-------------|
| TECH CORRECTION; ACTIVE MANAGEMENT AREAS 1/19 referred to Senate rules only. | |

S1191: WATER PROTECTION FUND; CONSERVATION; SUPPLY

The list of projects that the Arizona Water Protection Fund Commission is required to give priority in funding to is expanded to include projects that increase the supply of water. Removes the cap of five percent of the monies spent in any fiscal year being spent in water conservation programs outside of active management areas.

First sponsor: Sen. Griffin

| S1191 Daily History | Date Action |
|---|-------------|
| WATER PROTECTION FUND; CONSERVATION; SUPPLY 2/8 passed Senate 21-9; ready for House. | |
| WATER PROTECTION FUND; CONSERVATION; SUPPLY 2/2 from Senate rules okay. | |
| WATER PROTECTION FUND; CONSERVATION; SUPPLY 2/1 to Senate consent calendar. | |
| WATER PROTECTION FUND; CONSERVATION; SUPPLY 1/26 from Senate water-energy do pass. | |
| WATER PROTECTION FUND; CONSERVATION; SUPPLY 1/25 Senate water-energy do pass; report awaited. | |
| WATER PROTECTION FUND; CONSERVATION; SUPPLY 1/20 referred to Senate water-energy. | |

S1192: ARIZONA WATER PROTECTION FUND; APPROPRIATION

Appropriates \$1 million from the general fund in FY2016-17 to the Arizona Water Protection Fund.

First sponsor: Sen. Griffin

| S1192 Daily History | Date Action |
|--|-------------|
| ARIZONA WATER PROTECTION FUND; APPROPRIATION 2/3 from Senate appro do pass. | |
| ARIZONA WATER PROTECTION FUND; APPROPRIATION 1/26 from Senate water-energy do pass. | |
| ARIZONA WATER PROTECTION FUND; APPROPRIATION 1/25 Senate water-energy do pass; report awaited. | |
| ARIZONA WATER PROTECTION FUND; APPROPRIATION 1/20 referred to Senate water-energy, appro. | |

S1248: BODY OF WATER; AGGREGATE MINING

The list of bodies of water exempt from the prohibition on using any water to fill or refill all or a portion of a body of water is expanded to include a body of water within the boundaries of the exempted area delineated on the map of the Phoenix Active Management Area filed with the Secretary of State's office and the body of water meets all of a list of specified requirements, including that the body of water is established as the result of aggregate mining.

First sponsor: Sen. Shooter

| S1248 Daily History | Date Action |
|---|-------------|
| BODY OF WATER; AGGREGATE MINING 1/26 referred to Senate rules only. | |

S1259: GROUNDWATER; EXTINGUISHMENT CREDITS; PINAL AMA

The Department of Water Resources is prohibited from adopting or implementing any administrative rule in the Pinal Active Management Area that reduces the amount or quantity of credits for the extinguishment of irrigation grandfathered rights. Applies to any rule adopted before or after the effective date of this legislation.

First sponsor: Sen. McGuire

| S1259 Daily History | Date Action |
|--|-------------|
| GROUNDWATER; EXTINGUISHMENT CREDITS; PINAL AMA 1/26 referred to Senate water-energy. | |

S1268: ADEQUATE WATER SUPPLY REQUIREMENTS; MUNICIPALITIES

The Department of Water Resources is no longer required to give written notice of county adequate water supply ordinances to the mayors of all municipalities in the county, and municipalities that receive the notice are no longer required to comply with specified adequate water supply requirements. Applies to any municipality that received a notice from the Dept before the effective date of this act that the county in which the municipality is located enacted an adequate water supply ordinance

affecting the municipality, and those municipalities are no longer bound by that county's adequate water supply ordinance. Does not apply to any municipality that adopts its own adequate water supply ordinance before, on or after the effective date of this act.

First sponsor: Sen. Griffin

| S1268 Daily History | Date Action |
|---|--|
| ADEQUATE WATER SUPPLY REQUIREMENTS; MUNICIPALITIES 2/9 | from Senate water-energy with amend #4138. |
| ADEQUATE WATER SUPPLY REQUIREMENTS; MUNICIPALITIES 1/26 | referred to Senate water-energy. |

S1270: PEST MANAGEMENT DIVISION

Responsibility for regulating pest management and pest management services is transferred to the newly established Pest Management Division in the Department of Agriculture, and the Office of Pest Management is repealed. Pest management statutes are transferred and renumbered. The Pest Management Fund is renamed the Pest Management Trust Fund, and the Fund is no longer required to deposit 10 percent of revenues in the general fund. The Pest Management Advisory Committee is renamed the Pest Management Division Council, and additional requirements for the Council are specified. Retroactive to July 1, 2016.

First sponsor: Sen. Griffin

| S1270 Daily History | Date Action |
|-------------------------------|---|
| PEST MANAGEMENT DIVISION 2/9 | from Senate rules with a technical amendment. |
| PEST MANAGEMENT DIVISION 2/1 | from Senate nat res do pass. |
| PEST MANAGEMENT DIVISION 1/26 | referred to Senate nat res. |

S1334: STATE EMPLOYEES; MEET AND CONFER

State agencies and departments are recognized as the sole and exclusive authority with respect to determining the manner in which that entity's activities are conducted and administered. Department employees cannot engage in a sickout, work slowdown or strike. The recognized employee organization and any state department are required to meet and confer on a regular basis, at least once every 2 years, to discuss employment conditions. If an agreement is reached, it must be submitted to the Governor for consideration, and the final decision by the Governor is binding.

First sponsor: Sen. Quezada

| S1334 Daily History | Date Action |
|---------------------------------------|-------------------------|
| STATE EMPLOYEES; MEET AND CONFER 1/27 | referred to Senate gov. |

S1372: WATER RESOURCES; SALT CEDAR APPROP

Appropriates \$200,000 from the general fund in FY2016-17 to the Department of Water Resources for distribution to the City of Buckeye for payment of costs incurred by the City for research and studies associated with acquiring federal and state permits for the removal of salt cedar trees from the Gila River.

First sponsor: Sen. Pancrazi

| S1372 Daily History | Date Action |
|---|---|
| WATER RESOURCES; SALT CEDAR APPROP 1/28 | referred to Senate appro, water-energy. |

S1375: TELEPHONE SOLICITATIONS

For the purpose of statues regulating telephone solicitations, the definition of "telephone solicitation" is modified to mean any voice communication that is to or from a person located in Arizona, instead of to a telephone number in Arizona. A seller or solicitor is prohibited from initiating an outbound telephone solicitation call to any telephone number on the national do-not-call registry, instead of an intrastate call to any telephone number in Arizona.

First sponsor: Sen. Lesko

| S1375 Daily History | Date | Action |
|------------------------------|------|-----------------------------------|
| TELEPHONE SOLICITATIONS 2/9 | | from Senate com-work dev do pass. |
| TELEPHONE SOLICITATIONS 1/28 | | referred to Senate com-work dev. |

S1400: WATER BANKING AUTHORITY; REPORT

The due date for the annual report of the Water Banking Authority is moved to March 1, from July 1.

First sponsor: Sen. Griffin

| S1400 Daily History | Date | Action |
|-------------------------------------|------|----------------------------------|
| WATER BANKING AUTHORITY; REPORT 2/1 | | referred to Senate water-energy. |

S1459: WATER IMPROVEMENT PROGRAM; GRANTS; COUNTY

County boards of supervisors are permitted to establish a program to allow persons to make gifts, grants or donations for the purpose of providing financial assistance to qualified owners of residential real property for making improvements to an existing drinking water well or providing for a water delivery system for the residence. The board is required to designate an entity to operate the program. Program requirements are specified.

First sponsor: Sen. Griffin

| S1459 Daily History | Date | Action |
|---|------|----------------------------------|
| WATER IMPROVEMENT PROGRAM; GRANTS; COUNTY 2/2 | | referred to Senate water-energy. |

SCR1004: CONSTITUTIONAL PROPERTY TAX EXEMPTIONS

The 2016 general election ballot is to carry the question of whether to amend the state Constitution to consolidate and reorganize provisions relating to exemptions from property taxation. Sections of the state Constitution relating to property tax exemptions are repealed and replaced. Impossible to determine new provisions without a line by line comparison.

First sponsor: Sen. Burges

| SCR1004 Daily History | Date | Action |
|---|------|-------------------------|
| CONSTITUTIONAL PROPERTY TAX EXEMPTIONS 1/20 | | referred to Senate fin. |