

Legislative Weekly Report 1/24/2020

54th Legislature - 2nd Regular Session, 2020

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AFCCA

Posted Calendars and Committee Hearings

H2054: GRRC; PETITION TO REQUEST REVIEW

Hearing: House Regulatory Affairs (Monday 01/27/20 at 2:00 PM, House Rm. 5)

H2101: APPROPRIATION; ARIZONA WATER PROTECTION FUND

Hearing: House Appropriations (Wednesday 01/29/20 at 2:00 PM, House Rm. 1)

H2115: JLAC; AUDITOR GENERAL

Hearing: House Government (Thursday 01/30/20 at 9:00 AM, House Rm. 1)

H2184: OCCUPATIONAL AND PROFESSIONAL LICENSURE; NOTICE

Hearing: House Regulatory Affairs (Monday 01/27/20 at 2:00 PM, House Rm. 5)

H2249: PERSONAL REPRESENTATIVES; FUNERAL DIRECTORS; PROHIBITION

Hearing: House Regulatory Affairs (Monday 01/27/20 at 2:00 PM, House Rm. 5)

H2309: GROUNDWATER; WATERLOGGED AREA EXEMPTION; DATE

Hearing: House Natural Resources, Energy & Water (Tuesday 01/28/20 at 2:00 PM, House Rm. 1)

H2403: SERVICE CONTRACTS; REFUNDS; ADMINISTRATIVE EXPENSES

Hearing: House Regulatory Affairs (Monday 01/27/20 at 2:00 PM, House Rm. 5)

H2671: WATER SUPPLY DEVELOPMENT FUND; APPROPRIATION

Hearing: House Natural Resources, Energy & Water (Tuesday 01/28/20 at 2:00 PM, House Rm. 1)

S1145: TEMPORARY IRRIGATION EFFICIENCY PROJECTS FUND

Hearing: Senate Water & Agriculture (Thursday 01/30/20 at 10:00 AM, Senate Rm. 3)

Bill Summaries

H2054: GRRC; PETITION TO REQUEST REVIEW

A person is permitted to petition the Governor's Regulator Review Council (GRRC) to request a review of an existing agency practice that involves interpreting a rule adopted by the agency, substantive policy statement, or final rule of an agency established under statute governing campaign finance, including the Citizens Clean Elections Act, based on the person's belief that the practice, policy, or rule does not meet the requirements of the Administrative Procedures Act, exceeds the agency's statutory authority or violates the state Constitution or the U.S. Constitution. If, after a public hearing, GRRC determines that the practice, policy, action or rule does not meet these requirements, GRRC is authorized to modify, revise or declare void any practice, policy, or rule.

First sponsor: Rep. Biasiucci (R - Dist 5)

Others: Rep. Bolick (R - Dist 20)

H2054 Daily History	Date	Action
GRRC; PETITION TO REQUEST REVIEW	1/13	referred to House reg affairs.

H2074: DEATH CERTIFICATES; GENDER

The person completing a death certificate is required to record the decedent's sex to reflect the decedent's gender identity. On being presented with a document memorializing a gender transition, a local registrar or the state registrar are required to amend the sex listed on a registered death certificate to reflect the decedent's gender identity.

First sponsor: Rep. Gabaldon (D - Dist 2)

Others: Rep. Jermaine (D - Dist 18), Rep. Rodriguez (D - Dist 27)

H2074 Daily History	Date	Action
No actions posted for this bill within the requested time frame.		

H2076: APPROPRIATION; DWR; ADDITIONAL STAFF

Makes a supplemental appropriation of \$6.1 million from the general fund in FY2020-21 to the Department of Water Resources to hire additional hydrologists, groundwater flow modelers and support staff members.

First sponsor: Rep. Gabaldon (D - Dist 2)

H2076 Daily History	Date	Action
No actions posted for this bill within the requested time frame.		

H2077: TELEPHONE SOLICITATIONS CALLS; DO-NOT-CALL LIST

Expands the list of information that a seller or solicitor is required to disclose to the consumer before beginning a solicitation or sales presentation over the telephone, to include that the consumer may request that the consumer's telephone number be added to the seller's or solicitor's entity specific do-not-call list. If the consumer makes this request, the seller or solicitor is required to immediately end the call and add the number to the list. A seller or solicitor who violates these requirements is subject to a civil penalty of up to \$1,000 for each violation.

First sponsor: Rep. Kavanagh (R - Dist 23)

H2077 Daily History	Date	Action
No actions posted for this bill within the requested time frame.		

H2080: STATE DOCUMENTS; SEX IDENTIFICATION

A document issued by any agency, board, commission or department of the state of Arizona may only indicate an individual's sex as either male or female.

First sponsor: Rep. Fillmore (R - Dist 16)

H2080 Daily History	Date	Action
No actions posted for this bill within the requested time frame.		

H2101: APPROPRIATION; ARIZONA WATER PROTECTION FUND

Appropriates \$1 million from the general fund in FY2020-21 to the Arizona Water Protection Fund.

First sponsor: Rep. Griffin (R - Dist 14)
Others: Rep. Nutt (R - Dist 14)

H2101 Daily History	Date	Action
APPROPRIATION; ARIZONA WATER PROTECTION FUND	1/22	from House nat res-energy-water do pass.
APPROPRIATION; ARIZONA WATER PROTECTION FUND	1/21	House nat res-energy-water do pass; report awaited.
APPROPRIATION; ARIZONA WATER PROTECTION FUND	1/13	referred to House nat res-energy-water, appro.

H2115: JLAC; AUDITOR GENERAL

Various changes relating to government audits. 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 Auditor General staff and make records available in the form and at the time prescribed. The Attorney General is required to supervise the prosecution of all offenders of this requirement. Any officer or person who knowingly obstructs or misleads the Auditor General in the execution of his/her duties is guilty of a class 2 (mid-level) misdemeanor. Modifies the list of factors a committee of reference considers when determining the need for continuation or termination of an agency. Based on information provided by the Auditor General, for any legislative measure that requires the Auditor General to perform a special audit, the Joint Legislative Budget Committee staff is required to notify all members of the Legislature as soon as practicable of the cost to conduct a special audit. The Auditor General is required to conduct a performance audit of transportation excise tax revenues in the fifth year, instead of the tenth year, in which the tax is in effect in a county. The Auditor General is no longer required to prepare an annual written report to the Governor and the Joint Legislative Audit Committee. Deletes the requirements for community college district expenditure reporting to be done by fund and to include a reconciliation of expenditures to the expenditure limitation report.

First sponsor: Rep. Kern (R - Dist 20)

H2115 Daily History	Date	Action
JLAC; AUDITOR GENERAL 1/16 referred to House gov.		

H2116: BEREAVEMENT LEAVE; DEATH OF CHILD

Employers are required to grant up to 2 weeks of unpaid bereavement leave during any 12-month period for an "eligible employee" (defined) to attend the funeral or burial service of the employee's "child" (defined), make any arrangements resulting from the death of the employee's child, and/or grieve the death of the employee's child. If more than one child of an eligible employee dies within a 12-month period, the total amount of leave employers must grant is increased to 6 work weeks. Requirements for taking unpaid bereavement leave are specified. Employers are prohibited from taking any adverse employment action against an eligible employee who uses bereavement leave. The Industrial Commission is authorized to impose a civil penalty of up to \$500 for a first violation and up to \$1,000 for each subsequent violation.

First sponsor: Rep. Lawrence (R - Dist 23)

H2116 Daily History	Date	Action
BEREAVEMENT LEAVE; DEATH OF CHILD 1/13 referred to House com.		

H2122: TECH CORRECTION; WATER RESOURCES

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

First sponsor: Rep. Cook (R - Dist 8)
Others: Rep. Roberts (R - Dist 11)

H2122 Daily History	Date	Action
No actions posted for this bill within the requested time frame.		

H2138: COMMON LAW MARRIAGE CONFIRMATION; CAREGIVERS

If two persons live together in partnership for at least two consecutive years at the time of the death of one of the persons, the surviving person is permitted to apply to the clerk of the superior court in any county to receive a marriage license confirming a common law marriage. Evidence that the surviving person is required to provide is listed, including that the two persons are the parents of one or more children together, and that the surviving person acted as a caregiver to the deceased person. If the clerk finds that the surviving person has provided the evidence, the clerk is required to issue a marriage license confirming a common law marriage to the surviving person, dated on the date the persons began living together in partnership. Retroactive to September 1, 2017.

First sponsor: Rep. Lawrence (R - Dist 23)

H2138 Daily History	Date	Action
No actions posted for this bill within the requested time frame.		

H2158: WATER; WELL METERING; NONEXEMPT WELLS

A person who withdraws groundwater from any nonexempt well, instead of only those in active management areas, is required to use a water measuring device approved by the Department of Water Resources, unless another statutory exemption applies.

First sponsor: Rep. Engel (D - Dist 10)

H2158 Daily History	Date	Action
No actions posted for this bill within the requested time frame.		

H2159: WATER ADEQUACY REQUIREMENTS; STATEWIDE APPLICABILITY

County boards of supervisors are required, instead of permitted, to adopt regulations requiring all subdivisions to either have a determination of an adequate water supply from the Department of Water Resources or obtain a written commitment of water service for the subdivision from a municipal or private water company designated as having an adequate water supply by the Dept.

First sponsor: Rep. Engel (D - Dist 10)

H2159 Daily History	Date	Action
No actions posted for this bill within the requested time frame.		

H2160: ADJUDICATION AMENDMENTS; INTENT SECTION REPEAL

Repeals the legislative intent section of Laws 1995, Chapter 9 relating to general adjudication of water rights.

First sponsor: Rep. Engel (D - Dist 10)

H2160 Daily History	Date	Action
No actions posted for this bill within the requested time frame.		

H2161: IRRIGATION NON-EXPANSION AREAS; WATER SUPPLIES

Modifies the circumstances under which the Director of the Department of Water Resources is authorized to designate an area that is not in an active management area as a subsequent irrigation non-expansion area to require the Director to consider future demand for irrigation and non-irrigation uses of water and its effect on water supplies for currently irrigated lands and other uses.

First sponsor: Rep. Engel (D - Dist 10)

H2161 Daily History	Date	Action
No actions posted for this bill within the requested time frame.		

H2179: ALKALINE HYDROLYSIS FACILITIES; LICENSURE

The powers and duties of the State Board of Funeral Directors and Embalmers are expanded to include licensing and regulation of "alkaline hydrolysis facilities" and "alkaline hydrolysis operators" (both defined). Fees for an alkaline hydrolysis facility license or interim permit and for an alkaline hydrolysis operator license are in an amount to be determined by the Board. A person is prohibited from advertising or operating an alkaline hydrolysis facility without first obtaining an alkaline hydrolysis facility license issued by the board. Requirements for licensure for alkaline hydrolysis facilities and operators are specified. Licenses are nontransferable. Also, it is a class 2 (mid-level) misdemeanor for a person licensed by the Board to place human remains of one person, whether inside or outside of a container, in a location that is on top of human remains of another person.

First sponsor: Rep. Blanc (D - Dist 26)
Others: Rep. Engel (D - Dist 10), Rep. Rodriguez (D - Dist 27)

H2179 Daily History	Date	Action
No actions posted for this bill within the requested time frame.		

H2180: FUNERAL DIRECTORS BOARD; APPROPRIATION; INVESTIGATOR

The sum of \$55,000 and one FTE position are appropriated from the Board of Funeral Directors' and Embalmers' Fund to the Board for an investigator.

First sponsor: Rep. Blanc (D - Dist 26)
Others: Rep. Rodriguez (D - Dist 27)

H2180 Daily History	Date	Action
No actions posted for this bill within the requested time frame.		

H2181: ANIMAL CREMATORIES; LICENSURE; FUNERAL BOARD

Authority for licensure and regulation of animal crematories is transferred to the State Board of Funeral Directors and Embalmers, from the Arizona State Veterinary Medical Examining Board. Fees for an animal crematory license are in an amount to be determined by the Director of the State Board of Funeral Directors and Embalmers.

First sponsor: Rep. Blanc (D - Dist 26)
Others: Rep. Rodriguez (D - Dist 27)

H2181 Daily History	Date	Action
No actions posted for this bill within the requested time frame.		

H2183: FUNERAL ESCORTS; FUNERAL BOARD LICENSURE

Responsibility for licensing funeral escort vehicles and military escort vehicles is transferred to the State Board of Funeral Directors and Embalmers, from the sheriff in each county. The Board is required to license funeral escort vehicles, military escort vehicles, drivers of funeral escort vehicles and drivers of military escort vehicles as prescribed by the Board by rule. The Board is authorized to establish and collect a fee for licensing funeral escort vehicles, military escort vehicles, drivers of funeral escort vehicles and drivers of military escort vehicles

in an amount to be determined by the Board. A motor vehicle liability insurance policy for a funeral escort business or for a nonprofit corporation that provides military processions is required to list the State Board of Funeral Directors as the certificate holder on the certificate of liability insurance.

First sponsor: Rep. Blanc (D - Dist 26)
Others: Rep. Rodriguez (D - Dist 27)

H2183 Daily History	Date	Action
No actions posted for this bill within the requested time frame.		

H2184: OCCUPATIONAL AND PROFESSIONAL LICENSURE; NOTICE

A regulating entity under Title 32 (Professions and Occupations) is required to prominently print a specified notice regarding reciprocity on all license and certificate applications, regulating entity websites and other communications, including communications with any person seeking licensing or certification.

First sponsor: Rep. Petersen (R - Dist 12)

H2184 Daily History	Date	Action
OCCUPATIONAL AND PROFESSIONAL LICENSURE; NOTICE 1/21 referred to House reg affairs.		

H2212: APPROPRIATION; DEQ; TESTING; REMEDIATION

Appropriates \$500,000 from the general fund in FY2020-21 to the Department of Environmental Quality to test public water systems for perfluoroalkyl and polyfluoroalkyl substances and assist public water systems in remediating perfluoroalkyl and polyfluoroalkyl substances levels that exceed the health advisory level determined by the U.S. Environmental Protection Agency.

First sponsor: Rep. Gabaldon (D - Dist 2)

H2212 Daily History	Date	Action
No actions posted for this bill within the requested time frame.		

H2213: WQARF; APPROPRIATION

Makes a supplemental appropriation of \$20 million from the general fund in FY2020-21 to the Water Quality Assurance Revolving Fund.

First sponsor: Rep. Gabaldon (D - Dist 2)

H2213 Daily History	Date	Action
No actions posted for this bill within the requested time frame.		

H2226: WATER MEASURING DEVICES; REPORT

If the Director of the Department of Water Resources determines it necessary for water management purposes, in areas outside of an active management area and for a well that has a pump with a maximum capacity of more than 35 gallons per minute, the Director is authorized to require the use of a water measuring device and to require an annual report that includes the quantity of groundwater delivered during the calendar year. The Director is required to provide 60 days' notice of any water measuring device requirement and for good cause may extend the time for compliance. The director is authorized to enforce these requirements by issuing a cease and desist order at an administrative hearing, except that civil penalties cannot be awarded. In any action to enforce these requirements, the prevailing party must be awarded attorney fees and costs.

First sponsor: Rep. Kavanagh (R - Dist 23)

H2226 Daily History	Date	Action
No actions posted for this bill within the requested time frame.		

H2249: PERSONAL REPRESENTATIVES; FUNERAL DIRECTORS; PROHIBITION

A funeral director who has control of the decedent's remains is prohibited from having priority for appointment as a personal representative of the decedent as a creditor.

First sponsor: Rep. Bolick (R - Dist 20)

H2249 Daily History	Date	Action
PERSONAL REPRESENTATIVES; FUNERAL DIRECTORS; PROHIBITION 1/21 referred to House reg affairs.		

H2309: GROUNDWATER; WATERLOGGED AREA EXEMPTION; DATE

The exemption from irrigation water duties for persons entitled to use groundwater under an irrigation grandfathered right is extended ten years, to December 31, 2034. The exemption from any applicable conservation requirements for the distribution of groundwater for the Arlington Canal Company, the Buckeye Water Conservation and Drainage District and the St. John's Irrigation District is extended ten years, to December 31, 2034. The Director of the Department of Water Resources is required to submit a recommendation to the Governor and the Legislature by November 15, 2031 regarding extending these exemptions.

First sponsor: Rep. Dunn (R - Dist 13)

H2309 Daily History	Date	Action
GROUNDWATER; WATERLOGGED AREA EXEMPTION; DATE 1/22 referred to House nat res-energy-water.		

H2359: LICENSE DENIAL PROHIBITED; DRUG CONVICTIONS

State agencies are prohibited from denying a regular or provisional "occupational license" (defined) to an otherwise qualified applicant who has been convicted of a drug offense.

First sponsor: Rep. Toma (R - Dist 22)

H2359 Daily History	Date	Action
LICENSE DENIAL PROHIBITED; DRUG CONVICTIONS 1/21 referred to House reg affairs.		

H2403: SERVICE CONTRACTS; REFUNDS; ADMINISTRATIVE EXPENSES

Administrative expenses associated with the cancellation of a service contract are prohibited from exceeding \$75 or 10 percent of the purchase price of the contract, whichever is less, and are prohibited from exceeding the amount of the pro rata refund due to the service contract holder. Service contracts are required to disclose whether the contract covers or excludes preexisting conditions.

First sponsor: Rep. Grantham (R - Dist 12)

H2403 Daily History	Date	Action
SERVICE CONTRACTS; REFUNDS; ADMINISTRATIVE EXPENSES 1/22 referred to House reg affairs.		

H2440: DEATH BENEFIT; TRANSITIONAL HOUSING BENEFIT

In addition to any other death benefit, if a law enforcement officer or firefighter is killed in the line of duty, the state will pay to the decedent's surviving spouse or surviving dependent a transitional housing benefit payment that covers the cost of a residential mortgage loan or lease agreement for one year for a primary residence. The benefit payments cannot exceed \$5,000 and must be deposited into a third-party managed escrow account. Appropriates \$500,000 from the general fund in FY2020-21 to the newly established Transitional Housing Benefit Fund to pay for the benefit established by this legislation.

First sponsor: Rep. Finchem (R - Dist 11)
Others: Rep. Cobb (R - Dist 5), Sen. Gowan (R - Dist 14), Rep. Payne (R - Dist 21)

H2440 Daily History	Date	Action
No actions posted for this bill within the requested time frame.		

H2515: CHLORPYRIFOS; PROHIBITION

It is unlawful for a person to sell or use the pesticide chlorpyrifos in Arizona.

First sponsor: Rep. Lieberman (D - Dist 28)
Others: Sen. Alston (D - Dist 24), Rep. Blanc (D - Dist 26), Sen. Bradley (D - Dist 10), Rep. Butler (D - Dist 28), Rep. Cano (D - Dist 3), Rep. Chavez (D - Dist 29), Rep. Longdon (D - Dist 24)

H2515 Daily History	Date	Action
No actions posted for this bill within the requested time frame.		

H2613: WATER RESOURCES ANNUAL REPORT

The deadline for the Department of Water Resources to provide the Governor and the Legislature with an annual operations report is moved to August 15 of each year, from July 1. The report must be made available to the public on the Dept's website.

First sponsor: Rep. Dunn (R - Dist 13)

H2613 Daily History	Date	Action
No actions posted for this bill within the requested time frame.		

H2618: DEPARTMENT OF WATER RESOURCES; CONTINUATION

The statutory life of the Department of Water Resources is extended eight years to July 1, 2028. Retroactive to July 1, 2020.

First sponsor: Rep. Griffin (R - Dist 14)

H2618 Daily History	Date	Action
No actions posted for this bill within the requested time frame.		

H2655: ENFORCEMENT; IMMIGRATION LAWS; EMPLOYER SANCTIONS

An official of the state, a county, municipality, or other political subdivision who intentionally or knowingly violates statute prohibiting the limitation or restriction of enforcement of federal immigration law is guilty of a class 1 (highest) misdemeanor, must be removed from office by judgment of the court, and is required to pay a fine of at least \$2,500. On a finding that an employer intentionally or knowingly employed an unauthorized alien, the court is required to order the appropriate agencies to permanently revoke all licenses held by the employer specific to the business location where the unauthorized alien performed work. Previously, licenses were suspended for a first violation and revoked for a second violation. An employer who violates the requirement to verify the employment eligibility of an employee through the e-verify program is guilty of a class 1 (highest) misdemeanor and is required to pay a fine of at least \$2,500.

First sponsor: Rep. Thorpe (R - Dist 6)

H2655 Daily History	Date	Action
No actions posted for this bill within the requested time frame.		

H2671: WATER SUPPLY DEVELOPMENT FUND; APPROPRIATION

Appropriates \$50 million from the general fund in FY2020-21 to the Water Supply Development Revolving Fund.

First sponsor: Rep. Griffin (R - Dist 14)

Others: Rep. Bowers (R - Dist 25)

H2671 Daily History	Date	Action
WATER SUPPLY DEVELOPMENT FUND; APPROPRIATION 1/22 referred to House nat res-energy-water, appro.		

H2672: WATER RIGHTS

A person, the state or a political subdivision with a better right to appropriate water may not prevent the exercise of a junior right to that water unless preventing the exercise of the junior right would produce water for beneficial use for the better right holder.

First sponsor: Rep. Griffin (R - Dist 14)

H2672 Daily History	Date	Action
No actions posted for this bill within the requested time frame.		

S1118: TECH CORRECTION; ESTATES

Minor change in Title 14 (Trusts and Estates) related to venue for probate and administration. Apparent striker bus.

First sponsor: Sen. Borrelli (R - Dist 5)

S1118 Daily History	Date	Action
TECH CORRECTION; ESTATES 1/13 referred to Senate rules.		

S1119: TECH CORRECTION; INDIGENT CARE; RECORDS

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

First sponsor: Sen. Borrelli (R - Dist 5)

S1119 Daily History	Date	Action
TECH CORRECTION; INDIGENT CARE; RECORDS 1/13 referred to Senate rules.		

S1136: APPRENTICESHIPS; FUNERAL DIRECTORS; EMBALMERS; CREMATIONISTS

An applicant for licensure as an intern by the Board of Funeral Directors and Embalmers may complete a U.S. Department of Labor-approved apprenticeship program or a Department of Economic Security-approved apprenticeship program in funeral directing and embalming, in lieu of the requirement to be a graduate of an accredited or provisionally accredited school of mortuary science. An applicant for a cremationist license may complete a U.S. Department of Labor-approved apprenticeship program or a Department of Economic Security-approved apprenticeship program in cremation, in lieu of the requirement to meet the education requirements prescribed by the Board.

First sponsor: Sen. Pace (R - Dist 25)

S1136 Daily History	Date Action
APPRENTICESHIPS; FUNERAL DIRECTORS; EMBALMERS; CREMATIONISTS 1/16 referred to Senate com.	

S1145: TEMPORARY IRRIGATION EFFICIENCY PROJECTS FUND

Modifies the requirements for an irrigation district to qualify for funding from the Temporary Groundwater and Irrigation Efficiency Projects Fund so that the requirement that the district did not deliver surface water other than Central Arizona Project water in calendar year 2017 applies only to irrigation districts located in the Phoenix Active Management Area.

First sponsor: Sen. Kerr (R - Dist 13)

S1145 Daily History	Date Action
TEMPORARY IRRIGATION EFFICIENCY PROJECTS FUND 1/21 referred to Senate water-agri.	

S1181: FORT DEFIANCE VETERANS CEMETERY; APPROPRIATION

Appropriates \$30,000 from the general fund in FY2020-21 to the Department of Veterans' Services to distribute to the Navajo Nation for costs associated with improvements to the Fort Defiance veterans memorial cemetery.

First sponsor: Sen. Peshlakai (D - Dist 7)
 Others: Sen. Alston (D - Dist 24), Rep. Andrade (D - Dist 29), Sen. Bowie (D - Dist 18), Sen. Bradley (D - Dist 10), Sen. Contreras (D - Dist 19), Sen. Gonzales (D - Dist 3), Rep. A. Hernandez (D - Dist 3), Rep. Jermaine (D - Dist 18), Rep. Longdon (D - Dist 24), Sen. Navarrete (D - Dist 30), Sen. Rios (D - Dist 27), Sen. Steele (D - Dist 9), Rep. Teller (D - Dist 7)

S1181 Daily History	Date Action
FORT DEFIANCE VETERANS CEMETERY; APPROPRIATION 1/22 referred to Senate appro.	