

AFCCA

Legislative Report

March 4, 2015

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As a reminder, copies of the bills and amendments can be found on the Arizona Legislative Information System "ALIS" website at www.azleg.state.az.us. If you need help navigating the website or want us to send hard copies of anything to you, we will be happy to do so. Please let us know if you have any questions, comments or concerns.

Posted Calendars and Committee Hearings

- [H2142](#): WATER INFRASTRUCTURE FINANCE AUTHORITY; PREPAYMENT
Hearing: [Senate Rules](#) (Wednesday 03/04/15, Senate Caucus Rm.)
Calendar: [3/4 Senate Caucus](#)
- [H2212](#): LICENSING; ACCOUNTABILITY; ENFORCEMENT; EXCEEDING REGULATION
Hearing: [Senate Rules](#) (Wednesday 03/04/15, Senate Caucus Rm.)
Calendar: [3/4 Senate Caucus](#)
- [H2508](#): NAVIGABLE STREAM ADJUDICATION COMMISSION; EXTENSION
Hearing: [Senate Rules](#) (Wednesday 03/04/15, Senate Caucus Rm.)
Calendar: [3/4 Senate Caucus](#)
- [H2661](#): MULTI-COUNTY WATER DISTRICTS; STORAGE TAX
Hearing: [Senate Finance](#) (Wednesday 03/04/15 at 9:00 AM, Senate Rm. 3)
- [HCR2037](#): STATE AUTHORITY; NONNAVIGABLE, INTRASTATE WATERS
Calendar: [3/4 House COW](#)
- [S1462](#): WATER SUPPLY DEVELOPMENT FUND; COMMITTEE
Calendar: [3/4 Senate COW](#)

Bill Summaries

[H2116](#): BURIAL INSTRUCTIONS

Prior to death, a decedent may direct in writing the disposition of his/her remains and specify funeral goods and services to be provided. These instructions may not be changed in any material way, except if required by law, and must be carried out on the decedent's death if the instructions are clear and complete and arrangements for payment have been made. Does not require a funeral establishment, crematory or cemetery to violate its written policies or procedures. Applies to funeral and disposition arrangements of a decedent that are made on or after the effective date of this legislation. AS PASSED HOUSE.

First sponsor: [Rep. Petersen](#)

H2116	Daily History	Date	Action
	BURIAL INSTRUCTIONS	2/26	passed House 55-3; ready for Senate.
	BURIAL INSTRUCTIONS	2/25	House COW approved with amend #4284 .
	BURIAL INSTRUCTIONS	2/24	from House rules okay.
	BURIAL INSTRUCTIONS	2/18	from House hel with amend #4284 .
	BURIAL INSTRUCTIONS	1/20	referred to House hel .

H2142: WATER INFRASTRUCTURE FINANCE AUTHORITY; PREPAYMENT

For financial assistance from the clean water revolving fund or drinking water revolving fund, the Water Infrastructure Finance Authority (WIFA) is prohibited from unilaterally amending the financial assistance agreement, loan or bond after its execution. WIFA is prohibited from imposing a redemption premium as a condition of refinancing or receiving prepayment on a financial assistance agreement, loan or bond if the agreement, loan or bond did not contain a redemption premium. Applies to all financial assistance agreements, loans or bonds issued or executed by WIFA before or after the effective date of this legislation. Emergency clause.

First sponsor: [Rep. Borrelli](#)

H2142 Daily History	Date	Action
WATER INFRASTRUCTURE FINANCE AUTHORITY; PREPAYMENT	2/24	from Senate water-energy do pass.
WATER INFRASTRUCTURE FINANCE AUTHORITY; PREPAYMENT	2/17	referred to Senate water-energy .
WATER INFRASTRUCTURE FINANCE AUTHORITY; PREPAYMENT	2/12	House COW approved. Passed House 42-16 ; ready for Senate.
WATER INFRASTRUCTURE FINANCE AUTHORITY; PREPAYMENT	2/9	from House rules okay.
WATER INFRASTRUCTURE FINANCE AUTHORITY; PREPAYMENT	2/5	from House agri-water-land do pass.
WATER INFRASTRUCTURE FINANCE AUTHORITY; PREPAYMENT	1/21	referred to House agri-water-land .

H2212: LICENSING; ACCOUNTABILITY; ENFORCEMENT; EXCEEDING REGULATION

Statute prohibiting municipalities, counties, special taxing districts and state agencies from basing licensing decisions on requirements or conditions that are not specifically authorized by statute, rule, ordinance or code may be enforced in a private civil action and relief may be awarded against a municipality, county, special taxing district or the state. The court is required to award reasonable attorney fees, costs, damages and license application fees to a party that prevails in an action against the municipality, county, special taxing district or state. A municipal, county, special taxing district or state employee is prohibited from participating in violations of the statute. The language of these statutes must be prominently printed on all license applications. AS PASSED HOUSE.

First sponsor: [Rep. Petersen](#)

H2212 Daily History	Date	Action
LICENSING; ACCOUNTABILITY; ENFORCEMENT; EXCEEDING REGULATION	2/26	from Senate gov do pass.
LICENSING; ACCOUNTABILITY; ENFORCEMENT; EXCEEDING REGULATION	2/18	referred to Senate gov .
LICENSING; ACCOUNTABILITY; ENFORCEMENT; EXCEEDING REGULATION	2/17	passed House 42-16 ; ready for Senate.
LICENSING; ACCOUNTABILITY; ENFORCEMENT; EXCEEDING REGULATION	2/12	House COW approved with floor amend #4178 and #4179 and the rules tech amendment.
LICENSING; ACCOUNTABILITY; ENFORCEMENT; EXCEEDING REGULATION	2/9	from House rules with a technical amendment.
LICENSING; ACCOUNTABILITY; ENFORCEMENT; EXCEEDING REGULATION	1/29	withdrawn from House gov-higher ed .
LICENSING; ACCOUNTABILITY; ENFORCEMENT; EXCEEDING REGULATION	1/28	from House jud do pass.
LICENSING; ACCOUNTABILITY; ENFORCEMENT; EXCEEDING REGULATION	1/21	additionally referred to House gov-higher ed .
LICENSING; ACCOUNTABILITY; ENFORCEMENT; EXCEEDING REGULATION	1/20	referred to House jud .

H2263: EMERGENCY GROUNDWATER TRANSPORTATION; COLORADO RIVER

Groundwater that is withdrawn in a groundwater basin or sub-basin that is outside of an initial active management area (AMA) and that is adjacent or reasonably accessible to the Central Arizona Project canal system may be transported to an initial AMA if the AMA is at significant risk of forced reductions in deliveries of Colorado River water and the Governor issues a formal declaration of Colorado River water shortage emergency.

First sponsor: [Rep. Bowers](#)

H2263 Daily History	Date	Action
No actions posted for this bill to date.		

H2361: ASSURED WATER SUPPLY; ALT CERTIFICATE

The owner of land that has qualified as member land in a water conservation district and for which the Department of Water Resources has issued a certificate of assured water supply is authorized to apply to the Dept for a reissued certificate of assured water supply that is not based on the land qualifying as member land in the district. The Dept is required to grant the application if it determines that a list of specified conditions apply.

First sponsor: [Rep. Shope](#)

H2361 Daily History	Date	Action
ASSURED WATER SUPPLY; ALT CERTIFICATE 2/12 House agri-water-land held.		
ASSURED WATER SUPPLY; ALT CERTIFICATE <i>1/28</i> referred to House agri-water-land .		

H2369: 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. Steele](#)

H2369 Daily History	Date	Action
No actions posted for this bill to date.		

H2393: WATER SETTLEMENT ACT; REPLENISHMENT FORMULA

Modifies the calculations for the south side replenishment obligations, the municipal replenishment obligation for the western municipal protection zone, and the municipal and industrial replenishment obligation for the eastern protection zones north and south under the Gila River Indian Community Water Settlement Program.

First sponsor: [Rep. Pratt](#)

H2393 Daily History	Date	Action
WATER SETTLEMENT ACT; REPLENISHMENT FORMULA 3/3 from Senate water-energy do pass.		
WATER SETTLEMENT ACT; REPLENISHMENT FORMULA <i>3/2</i> Senate water-energy do pass; report awaited.		
WATER SETTLEMENT ACT; REPLENISHMENT FORMULA <i>2/23</i> referred to Senate water-energy .		
WATER SETTLEMENT ACT; REPLENISHMENT FORMULA <i>2/19</i> passed House 57-0 ; ready for Senate.		
WATER SETTLEMENT ACT; REPLENISHMENT FORMULA <i>2/19</i> House COW approved.		
WATER SETTLEMENT ACT; REPLENISHMENT FORMULA <i>2/17</i> stricken from House consent calendar by Hale.		
WATER SETTLEMENT ACT; REPLENISHMENT FORMULA <i>2/16</i> from House rules okay. To House consent calendar.		
WATER SETTLEMENT ACT; REPLENISHMENT FORMULA <i>2/12</i> from House agri-water-land do pass.		
WATER SETTLEMENT ACT; REPLENISHMENT FORMULA <i>1/28</i> referred to House agri-water-land .		

H2449: TECH CORRECTION; WATER PROTECTION

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

First sponsor: [Rep. Olson](#)

H2449 Daily History	Date	Action
TECH CORRECTION; WATER PROTECTION 3/2 retained on House COW calendar.		
TECH CORRECTION; WATER PROTECTION <i>2/24</i> from House rules okay.		
TECH CORRECTION; WATER PROTECTION <i>2/19</i> from House educ with amend #4327 .		
TECH CORRECTION; WATER PROTECTION <i>2/16</i> referred to House educ .		

H2508: NAVIGABLE STREAM ADJUDICATION COMMISSION; EXTENSION

The statutory life of the Arizona Navigable Stream Adjudication Commission is extended four years to June 30, 2020.

First sponsor: [Rep. Barton](#)

H2508 Daily History	Date	Action
NAVIGABLE STREAM ADJUDICATION COMMISSION; EXTENSION	2/24	from Senate water-energy do pass.
NAVIGABLE STREAM ADJUDICATION COMMISSION; EXTENSION	2/17	referred to Senate water-energy .
NAVIGABLE STREAM ADJUDICATION COMMISSION; EXTENSION	2/12	passed House 58-0 ; ready for Senate.
NAVIGABLE STREAM ADJUDICATION COMMISSION; EXTENSION	2/11	House COW approved.
NAVIGABLE STREAM ADJUDICATION COMMISSION; EXTENSION	2/9	from House rules okay.
NAVIGABLE STREAM ADJUDICATION COMMISSION; EXTENSION	2/5	from House agri-water-land do pass.
NAVIGABLE STREAM ADJUDICATION COMMISSION; EXTENSION	1/29	referred to House agri-water-land .

H2510: GROUNDWATER TRANSFERS; BASINS; WELL DEPTH

On request and based on special circumstances as determined by the Director of the Department of Water Resources, the Dept is permitted to authorize the withdrawal of groundwater from a depth greater than the statutory depth limit from the McMullen valley groundwater basin, the Butler Valley groundwater basin, or the Harquahala irrigation non-expansion area for specified purposes.

First sponsor: [Rep. Bowers](#)

H2510 Daily History	Date	Action
No actions posted for this bill to date.		

H2599: WATER SUPPLY DEVELOPMENT FUND; COMMITTEE

The qualifications of one of the members of the Water Supply Development Fund Committee of Authority are modified to require the member to represent municipalities with populations of less than 75,000 persons, increased from 50,000, from a county with a population of less than 500,000 persons.

First sponsor: [Rep. Borrelli](#)

H2599 Daily History	Date	Action
WATER SUPPLY DEVELOPMENT FUND; COMMITTEE	2/26	House COW approved.
WATER SUPPLY DEVELOPMENT FUND; COMMITTEE	2/24	from House rules okay.
WATER SUPPLY DEVELOPMENT FUND; COMMITTEE	2/19	from House agri-water-land do pass.
WATER SUPPLY DEVELOPMENT FUND; COMMITTEE	2/5	referred to House agri-water-land .

H2631: VETERAN EDUCATION; TUITION GRANTS; CEMETERIES

Beginning with the fall semester of 2015, the Arizona Board of Regents is required to establish a Post-9/11 Veteran Education Relief Program to provide tuition grants to "qualifying military veterans" (defined) who are pursuing a first baccalaureate degree at a university under the jurisdiction of ABOR after the benefits under the federal Post-9/11 Veterans Educational Assistance Act of 2008 are no longer available. Program requirements are specified, and the Program terminates on July 1, 2025. Each calendar quarter, 40 percent of any balance in the Military Family Relief Fund is transferred to ABOR for the Program, and 10 percent must be distributed to entities that operate cemeteries in Arizona for military veterans.

First sponsor: [Rep. Thorpe](#)

H2631 Daily History	Date	Action
VETERAN EDUCATION; TUITION GRANTS; CEMETERIES	2/11	referred to House mil-pub .

H2660: DOMESTIC WATER IMPROVEMENT DISTRICTS; DIRECTORS

The county board of supervisors is required to make an order calling an election to decide whether to reorganize a domestic water improvement district with a district board consisting of three members as a district with a board consisting of five members when a petition containing the signatures of 25 percent of the qualified voters residing in the district is filed with the board. The election may be held on any consolidated election date, and the district is required to reimburse the county for the expenses of the district election. The ballot must also allow each voter to indicate their choice for two additional district board members in the event of reorganization.

First sponsor: [Rep. Barton](#)

H2660 Daily History	Date Action
DOMESTIC WATER IMPROVEMENT DISTRICTS; DIRECTORS 3/3 from Senate water-energy do pass.	
DOMESTIC WATER IMPROVEMENT DISTRICTS; DIRECTORS 3/2 Senate water-energy do pass; report awaited.	
DOMESTIC WATER IMPROVEMENT DISTRICTS; DIRECTORS 2/23 referred to Senate water-energy .	
DOMESTIC WATER IMPROVEMENT DISTRICTS; DIRECTORS 2/19 passed House 57-0 ; ready for Senate.	
DOMESTIC WATER IMPROVEMENT DISTRICTS; DIRECTORS 2/16 from House rules okay. To House consent calendar.	
DOMESTIC WATER IMPROVEMENT DISTRICTS; DIRECTORS 2/12 from House agri-water-land do pass.	
DOMESTIC WATER IMPROVEMENT DISTRICTS; DIRECTORS 2/10 referred to House agri-water-land .	

H2661: MULTI-COUNTY WATER DISTRICTS; STORAGE TAX

The maximum tax for water storage levied on the assessed valuation of property in a multi-county water conservation district is 4 cents per \$100 of assessed valuation in the district through December 31, 2024. Beginning January 1, 2015, the maximum tax levy is 3 cents per \$100 of assessed valuation in the district. Statute authorizing the tax is repealed on January 2, 2030, instead of January 2, 2017.

First sponsor: [Rep. Barton](#)

H2661 Daily History	Date Action
MULTI-COUNTY WATER DISTRICTS; STORAGE TAX 3/4 Senate fin do pass; report awaited.	
MULTI-COUNTY WATER DISTRICTS; STORAGE TAX 3/3 from Senate water-energy do pass.	
MULTI-COUNTY WATER DISTRICTS; STORAGE TAX 3/2 Senate water-energy do pass; report awaited.	
MULTI-COUNTY WATER DISTRICTS; STORAGE TAX 2/23 referred to Senate water-energy, fin .	
MULTI-COUNTY WATER DISTRICTS; STORAGE TAX 2/19 passed House 57-0 ; ready for Senate.	
MULTI-COUNTY WATER DISTRICTS; STORAGE TAX 2/19 House COW approved.	
MULTI-COUNTY WATER DISTRICTS; STORAGE TAX 2/17 stricken from House consent calendar by Ugenti.	
MULTI-COUNTY WATER DISTRICTS; STORAGE TAX 2/16 from House rules okay. To House consent calendar.	
MULTI-COUNTY WATER DISTRICTS; STORAGE TAX 2/12 from House agri-water-land do pass.	
MULTI-COUNTY WATER DISTRICTS; STORAGE TAX 2/10 referred to House agri-water-land .	

HCR2037: STATE AUTHORITY; NONNAVIGABLE, INTRASTATE WATERS

The 2016 general election ballot is to carry the question of whether to amend the state Constitution to prohibit any federal agency or official from enforcing any federal regulation that purports to regulate non-navigable, intrastate waters or waterways within Arizona unless that regulation is clearly authorized by an act of the U.S. Congress, and to prohibit the state, state agencies and political subdivisions from using any personnel or resources to enforce, administer or cooperate with any federal action or program that purports to regulate non-navigable, intrastate waters or waterways within Arizona, with some exceptions.

First sponsor: [Rep. Barton](#)

HCR2037 Daily History	Date Action
STATE AUTHORITY; NONNAVIGABLE, INTRASTATE WATERS 3/3 from House rules with a technical amendment.	
STATE AUTHORITY; NONNAVIGABLE, INTRASTATE WATERS 2/19 from House agri-water-land do pass.	
STATE AUTHORITY; NONNAVIGABLE, INTRASTATE WATERS 2/16 referred to House agri-water-land .	

S1041: SIMULCAST RACING; PARI-MUTUEL WAGERING (TECH CORRECTION; GROUNDWATER PERMITS)

Simulcast racing is permitted to occur at the same time as live racing if agreed to by written contract between all the racing permittees in the same county. AS PASSED SENATE.

First sponsor: [Sen. Pierce](#)

S1041 Daily History	Date Action
SIMULCAST RACING; PARI-MUTUEL WAGERING 3/3 referred to House rural-econ.	
SIMULCAST RACING; PARI-MUTUEL WAGERING 2/26 passed Senate 26-2 ; ready for House.	
SIMULCAST RACING; PARI-MUTUEL WAGERING 2/25 Senate COW approved with amend #4202 . NOTE SHORT TITLE CHANGE.	
TECH CORRECTION; GROUNDWATER PERMITS 2/24 from Senate rules okay.	
TECH CORRECTION; GROUNDWATER PERMITS 2/16 from Senate nat res with amend #4202 .	
TECH CORRECTION; GROUNDWATER PERMITS 2/11 further referred to Senate nat res .	
TECH CORRECTION; GROUNDWATER PERMITS 1/13 referred to Senate rules only.	

S1045: TECH CORRECTION; POWER AUTHORITY; WATER

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

First sponsor: [Sen. Pierce](#)

S1045 Daily History	Date	Action
TECH CORRECTION; POWER AUTHORITY; WATER	1/13	referred to Senate rules only.

S1078: OFFICE OF PEST MANAGEMENT

Various changes related to pest management, including specifying that a termite action report is required for termite action only and not for all wood-destroying organisms. AS PASSED SENATE.

First sponsor: [Sen. Griffin](#)

S1078 Daily History	Date	Action
OFFICE OF PEST MANAGEMENT	2/26	from House agri-water-land do pass.
OFFICE OF PEST MANAGEMENT	2/18	referred to House agri-water-land .
OFFICE OF PEST MANAGEMENT	2/16	passed Senate 29-0 ; ready for House.
OFFICE OF PEST MANAGEMENT	2/12	Senate COW approved with floor amend #4182 .
OFFICE OF PEST MANAGEMENT	2/10	from Senate rules okay.
OFFICE OF PEST MANAGEMENT	2/9	to Senate consent calendar. Stricken from consent calendar by Griffin.
OFFICE OF PEST MANAGEMENT	2/3	from Senate com-work dev do pass.
OFFICE OF PEST MANAGEMENT	2/2	Senate com-work dev do pass; report awaited.
OFFICE OF PEST MANAGEMENT	1/20	referred to Senate com-work dev .

S1110: UNLAWFUL EMPLOYEE TERMINATION; FAMILY EMERGENCY

It is unlawful for an employer to terminate or threaten to terminate an employee for being notified by a school or law enforcement officer of an emergency regarding the employee's child or for leaving work to attend to the child's emergency, except in cases of excessive abuse of this protection.

First sponsor: [Sen. Ableser](#)

S1110 Daily History	Date	Action
UNLAWFUL EMPLOYEE TERMINATION; FAMILY EMERGENCY	1/22	referred to Senate com-work dev .

S1147: WATER PROTECTION FUND; APPROP (~~TECH CORRECTION; WATER PROTECTION~~)

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

First sponsor: [Sen. Griffin](#)

S1147 Daily History	Date	Action
WATER PROTECTION FUND; APPROP	2/25	Senate COW approved with amend #4276. NOTE SHORT TITLE CHANGE.
TECH CORRECTION; WATER PROTECTION	2/24	from Senate rules okay.
TECH CORRECTION; WATER PROTECTION	2/18	from Senate appro with amend #4276 .
TECH CORRECTION; WATER PROTECTION	2/11	further referred to Senate appro .
TECH CORRECTION; WATER PROTECTION	1/22	referred to Senate rules only.

S1199: TECH CORRECTION; GROUNDWATER PERMITS

Minor change in Title 45 (Waters) related to groundwater permits. Apparent striker bus.

First sponsor: [Sen. Griffin](#)

S1199 Daily History	Date	Action
TECH CORRECTION; GROUNDWATER PERMITS	1/27	referred to Senate rules only.

S1262: TECH CORRECTION; WATER RESOURCES

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

First sponsor: [Sen. Shooter](#)

S1262 Daily History	Date	Action
TECH CORRECTION; WATER RESOURCES 1/29 referred to Senate rules only.		

[S1263](#): TECH CORRECTION; ASST FUNERAL DIRECTORS

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

First sponsor: [Sen. Shooter](#)

S1263 Daily History	Date	Action
TECH CORRECTION; ASST FUNERAL DIRECTORS 1/29 referred to Senate rules only.		

[S1457](#): TECH CORRECTION; ACTIVE MANAGEMENT AREAS

Minor change in Title 45 (Waters) related to active management areas. Apparent striker bus.

First sponsor: [Sen. Ward](#)

S1457 Daily History	Date	Action
TECH CORRECTION; ACTIVE MANAGEMENT AREAS 2/3 referred to Senate rules only.		

[S1462](#): WATER SUPPLY DEVELOPMENT FUND; COMMITTEE

The qualifications of one of the members of the Water Supply Development Fund Committee of Authority are modified to require the member to represent municipalities with populations of less than 75,000 persons, increased from 50,000, from a county with a population of less than 500,000 persons.

First sponsor: [Sen. Ward](#)

S1462 Daily History	Date	Action
WATER SUPPLY DEVELOPMENT FUND; COMMITTEE 2/24 from Senate rules okay.		
WATER SUPPLY DEVELOPMENT FUND; COMMITTEE 2/17 from Senate water-energy with amend #4238 .		
WATER SUPPLY DEVELOPMENT FUND; COMMITTEE 2/9 Senate water-energy held.		
WATER SUPPLY DEVELOPMENT FUND; COMMITTEE 2/3 referred to Senate water-energy .		

[SCR1015](#): STATE AUTHORITY; NONNAVIGABLE; INTRASTATE WATERS

The 2016 general election ballot is to carry the question of whether to amend the state Constitution to prohibit any federal agency or official from enforcing any federal regulation that purports to regulate non-navigable, intrastate waters or waterways within Arizona unless that regulation is clearly authorized by an act of the U.S. Congress, and to prohibit the state, state agencies and political subdivisions from using any personnel or resources to enforce, administer or cooperate with any federal action or program that purports to regulate non-navigable, intrastate waters or waterways within Arizona, with some exceptions.

First sponsor: [Sen. Pierce](#)

SCR1015 Daily History	Date	Action
STATE AUTHORITY; NONNAVIGABLE; INTRASTATE WATERS 2/16 from Senate nat res do pass.		
STATE AUTHORITY; NONNAVIGABLE; INTRASTATE WATERS 2/3 referred to Senate nat res .		