

ARIZONA HOUSE OF REPRESENTATIVES
Fifty-second Legislature - First Regular Session

MAJORITY CAUCUS CALENDAR

March 24, 2015

BLUE SHEET #3 (concur/refuse)

BLUE SHEET #2 – HB2120 cosmetology board; director; licensing renewal **Gowan**
(concur/refuse)

Bill Number	Short Title	Committee	Date	Action
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Committee on Education

Chairman: Paul Boyer, LD20

Vice Chairman: Jay Lawrence, LD23

Analyst: Aaron Wonders

Intern: Joey Pickels

SB 1193 zoning; charter schools; land; facilities
(ED S/E: charter schools; performance; annual report)

SPONSOR: WARD, LD5

SENATE	3/4/2015	(26-4-0-0)
(No: DALESSANDRO, ABLESER, MIRANDA, MEZA)		
ED	3/18	DPA/SE (5-1-0-2-0)
(No: OTONDO; Abs: BOLDING, BOYER)		

SB 1259 technical correction; liquor licenses
~~–(Now: board or regents; report; posting)~~
(ED S/E: schools; teacher experience index; understatement)

SPONSOR: SHOOTER, LD13

SENATE	2/26/2015	(28-0-2-0)
(NV: WARD, ABLESER)		
ED	3/18	DPA/SE (6-0-0-2-0)
(Abs: COLEMAN, BOYER)		

Committee on Health

Chairman: Heather Carter, LD15

Vice Chairman: Regina Cobb, LD5

Analyst: Ingrid Garvey

Intern: Brennan Rohs

SB 1039 pharmacy board; regulation; transactions
(HEALTH S/E: health care sharing ministries; exemption)

SPONSOR: BARTO, LD15

SENATE	2/9/2015	(27-2-1-0)
(No: ALLEN, FARNSWORTH D; NV: ABLESER)		
HEALTH	3/17	DPA/SE (3-1-0-2-0)
(No: FRIESE; Abs: MEYER, BOYER)		

Committee on Judiciary

Chairman: Edwin W. Farnsworth, LD12

Analyst: Gina Kash

Vice Chairman: Sonny Borrelli, LD5

Intern: Morganne Barrett

SB 1419 theft; age-restricted materials; sentencing
(JUD S/E: liquor licenses; stores; proximity exemption)

SPONSOR: DIAL, LD18

SENATE 3/4/2015 (21-9-0-0)
(No: WARD,ALLEN,SMITH,BIGGS,GRIFFIN,FARNSWORTH
D,LESKO,BURGES,KAVANAGH)
JUD 3/18 DPA/SE (4-2-0-0-0)
(No: FRIESE,HALE)

Committee on Military Affairs and Public Safety

Chairman: Sonny Borrelli, LD5

Analyst: Casey Baird

Vice Chairman: Mark Finchem, LD11

Intern: Delaney Krauss

SB 1189 health insurance; interstate purchase
(MAPS S/E: firearm possession; setting aside conviction)

SPONSOR: WARD, LD5

SENATE 3/5/2015 (17-13-0-0)
(No: DALESSANDRO,CAJERO
BEDFORD,PANCRAZI,BEGAY,MCGUIRE,FARLEY,BRADLEY,CONTRE
RAS,HOBBS,ABLESER,MIRANDA,QUEZADA,MEZA)
MAPS 3/19 DPA/SE (6-1-0-2-0)
(No: MACH; Abs: BORRELLI,FINCHEM)

March 23, 2015 # 3

Senate has passed amended:

1. HB 2150 BARTON false claims; agriculture; technical correction CONCUR/REFUSE
16-12-2-0 _____ (Now: animal cruelty; livestock; poultry; violation)
FCC Conferees _____

2. HB 2214 PETERSEN notice; attorney general; trial court CONCUR/REFUSE
28-0-2-0 _____ (Now: majority vote calculation; municipal elections)
FCC Conferees _____

3. HB 2304 FARNSWORTH E aggravated assault; simulated deadly weapon CONCUR/REFUSE
24-4-2-0 _____
FCC Conferees _____

4. HB 2311 FARNSWORTH E judgment liens; recordation; real property CONCUR/REFUSE
28-0-2-0 _____
FCC Conferees _____

5. HB 2317 BARTON labeling; Arizona wine CONCUR/REFUSE
26-2-2-0 _____ (Now: Arizona wines; labeling)
FCC Conferees _____

6. HB 2322

WENINGER misbranded drugs; counterfeit marks; offense

CONCUR/REFUSE

28-0-2-0

FCC Conferees _____

March 18, 2015 # 2

Senate has passed amended:

1. HB 2085 BORRELLI private investigators; security guards; regulation CONCUR/REFUSE

28-1-1-0

FCC Conferees _____

2. HB 2086 BORRELLI fingerprint clearance cards; omnibus CONCUR/REFUSE

28-0-2-0

FCC Conferees _____

3. HB 2120 GOWAN cosmetology board; director; licensing renewal CONCUR/REFUSE

24-5-1-0

FCC Conferees _____

4. HB 2147 OLSON TPT; municipal tax; pole attachment CONCUR/REFUSE

29-0-1-0

FCC Conferees _____

5. HB 2212 PETERSEN licensing; accountability; enforcement; exceeding regulation CONCUR/REFUSE

21-8-1-0

FCC Conferees _____

6. HB 2410

STEVENS _____ municipalities; traffic citation quota; prohibition _____

CONCUR/REFUSE

29-0-1-0

FCC Conferees _____



HOUSE OF REPRESENTATIVES

SB 1193

zoning; charter schools; land; facilities

Sponsor: Senator Ward

DPA/SE Committee on Education

X Caucus and COW

House Engrossed

OVERVIEW

SB 1193 requires land and facilities that are owned, leased or operated by a charter school to be zoned the same as public schools.

Summary of the Proposed Strike-Everything Amendment to SB 1193

The proposed strike-everything amendment to SB 1193 requires charter school sponsors to consider progress towards academic performance expectations as one of the most important factors in determining charter renewal and submit an annual report to the Office of the Auditor General (OAG).

HISTORY

Arizona Revised Statutes § 15-183 requires an applicant seeking to establish a charter school to submit an application to a prospective sponsor that includes a detailed education plan, detailed business plan, detailed operational plan and any other materials required by the sponsor. The charter school sponsor may contract with a public body, private person or private organization to establish a charter school. A charter school may be sponsored by any of the following:

- A school district governing board.
 - Only for charter schools that began operations before July 1, 2013.
- The Arizona State Board of Education or State Board for Charter Schools.
- A university, community college or group of community colleges.

Charters are effective for 15 years from the first day of the Fiscal Year specified in the charter. At least 18 months prior to the charter expiration, the charter school receives notification from the sponsor and may apply for a renewal of the charter. The charter sponsor may deny the request for renewal if the charter holder has failed to meet or make sufficient progress towards the academic or operational performance expectations set forth in the performance framework, complete the obligations of the charter or comply with law. Additionally, charter sponsors are required to review the charter in five-year intervals and may revoke the charter at any time for breaches of the charter or failure to comply with the performance framework expectations.

PROVISIONS

1. Requires charter sponsors to consider making sufficient progress toward the academic performance expectations in the sponsor's performance framework as one of the most important factors in determining whether to renew or revoke a charter holder.
2. Requires charter sponsors to make an annual report to OAG by December 1 that includes:
 - a. The current number of charters authorized and the number of schools operated by authorized charter holders.
 - b. The academic and operational performance of the sponsor's charter portfolio as measured by the sponsor's adopted performance framework.

- c. The number of new charters approved, the number of charter schools closed and the reason for closures.
 - d. The sponsor's application, amendment, renewal and revocation processes, charter contract template and current performance framework.
3. Directs OAG to review all submitted annual reports for compliance.
 4. Instructs OAG to provide the report with OAG's findings to the Governor, Legislature and Secretary of State and make it publically available by December 31 each year.
 5. Directs the Legislature to consider revoking a sponsor's authority to sponsor charter schools if OAG finds significant non-compliance or reports a sponsor's failure to submit the report.

AMENDMENTS

Committee on Education

1. The proposed strike-everything amendment was adopted.



HOUSE OF REPRESENTATIVES

SB 1259

NOW: board of regents; report; posting

Sponsor: Senator Shooter

DPA/SE Committee on Education

X Caucus and COW

House Engrossed

OVERVIEW

SB 1259 requires the Arizona Board of Regents to display the annual report on the state progress of the universities in a prominent location on its website.

Summary of the Proposed Strike-Everything Amendment to SB 1259

The proposed strike-everything amendment to SB 1259 permits school districts that meet specified requirements to submit corrections to their Teacher Experience Index (TEI) and receive adjusted state aid in Fiscal Year (FY) 2015.

HISTORY

Arizona K-12 schools determine their budget capacity through a statutory funding formula that attempts to equalize per-pupil funding. The funding formula is composed of transportation funding, capital funding and a base level funding amount per student. The Base Support Level (BSL) is a component of the funding a school receives for maintenance and operations and is calculated by multiplying the Base Level by the school's weighted student count, adjustments for performance pay and TEI. TEI funding is computed to provide additional monies to school districts with teacher experience levels that are higher than the state average. The formula increases a district's BSL by 2.25% for each year that the district's average teacher experience exceeds that of the state average. Districts with below average teacher experience levels do not receive any funding increase, but are not penalized by a funding decrease.

School districts must submit TEI information by October 15 of each year to the Arizona Department of Education (ADE). Upon receiving their preliminary TEI from ADE, districts may submit corrections between February 1 and March 1. ADE is required to report each school district's final TEI for the fiscal year by March 15. ADE may recalculate a school district's allocation if it is determined that the submitted data resulted in an overstatement of TEI for the fiscal year.

PROVISIONS

1. Permits, as session law, a school district to submit corrections to TEI data, revise its FY 2015 budget and receive adjusted state aid if the following conditions exist:
 - a. The school district's Average Daily Membership was between 135 and 150 in School Year 2014.
 - b. The school district is a common school district.
 - c. The TEI in FY 2014 was greater than 1.1 and the current TEI is 1.0 or less.
 - d. The school district received basic state aid in FYs 2014 and 2015.
 - e. The school district submitted the required TEI data by October 15, 2014, and the TEI is greater than 1.0.

AMENDMENTS

Committee on Education

1. The proposed strike-everything amendment was adopted.



HOUSE OF REPRESENTATIVES

SB 1039

pharmacy board; regulation; transactions

Sponsor: Senator Barto

DPA S/E Committee on Health

X Caucus and COW

House Engrossed

OVERVIEW

SB 1039 makes various changes to the statutes relating to the Arizona State Board of Pharmacy.

Summary of the Proposed Strike-Everything Amendment

The proposed strike-everything amendment to SB 1039 modifies the definition of *health care sharing ministry*.

HISTORY

Arizona Revised Statutes § 20-122 states that a health care sharing ministry's practices do not constitute the transaction of insurance business in Arizona. *Health care sharing ministry*, in part, is defined as a faith-based nonprofit organization that is exempt from federal income tax and that limits its participants to those who are of a similar faith. 26 U.S. Code § 5000A(d)(2)(B) in part, defines *health care sharing ministry* as an organization described in section 501(c)(3) that is exempt from taxation under section 501, has members which share a common set of ethical or religious beliefs and shares medical expenses among members in accordance with those beliefs without regard to the state in which a member resides or is employed.

PROVISIONS

1. Alters limitations of participants in a *health care sharing ministry* to those who share a common set of ethical or religious beliefs.
2. Stipulates that a *health care sharing ministry* must meet the requirements of federal law (26 United States Code Section 5000A(d)(2)(B)).
3. Makes technical and conforming changes.

AMENDMENTS

Committee on Health

1. The strike-everything amendment was adopted.



HOUSE OF REPRESENTATIVES

SB 1419

theft; age-restricted materials; sentencing
Sponsors: Senators Dial: Burges, Shooter

DPA/SE Committee on Judiciary

X Caucus and COW

House Engrossed

OVERVIEW

SB 1419 prescribes a civil penalty for the offense of theft involving age-restricted material.

SUMMARY OF PROPOSED STRIKE-EVERYTHING AMENDMENT TO SB 1419

The proposed strike-everything amendment to SB 1419 permits certain grocery stores with limited liquor sales to be located and operate in proximity to a school or church.

HISTORY

Arizona Revised Statutes (A.R.S.) Title 4, delegates the power to regulate, license and investigate the production, sale and distribution of alcoholic beverages to the Department of Liquor Licenses and Control (Department). The Arizona State Liquor Board operates separately from the Department, consisting of seven members appointed by the governor and confirmed by the Senate to three year terms. In order to regulate alcoholic beverages throughout the state, the Department issues 19 different license types, each of them subject to specific requirements.

Current law prohibits retail liquor licenses from being issued for any premises that are within 300 horizontal feet of a church, school or fenced recreational area adjacent to a school at the time of the original application. Current exemptions to this rule include: restaurant licenses; special event licenses; hotel-motel licenses; government licenses; the playing area of a golf course; and beer and wine licenses at a not-for-profit performing arts theatre with a permanent seating capacity of at least 250 persons.

PROVISIONS

1. Exempts from the 300 foot restriction on licensing near a school or church, any grocery store with retail space of at least 4,500 square feet that meets all of the following conditions:
 - a. offers fresh produce;
 - b. does not hold multiple active licenses pursuant to Title 4; and
 - c. does not provide drive-through service for spirituous liquor sales.
2. Requires a grocery store that meets the proposed requirements to submit the building plans of the store to the director.
3. Allows a grocery store to continue to hold a previously issued beer and wine bar or liquor store license if the store continues to derive less than 60 percent of its gross revenue from the sale of spirituous liquor.
4. Specifies that the director may revoke or deny the license if the director determines that the primary purpose of the grocery store is to sell spirituous liquor.
5. Allows the director discretion to conduct random audits of grocery stores to ensure compliance with the revenue requirement.
6. Makes a technical change.

AMENDMENTS

Committee on Judiciary

1. Adopted the proposed strike-everything amendment.



HOUSE OF REPRESENTATIVES

SB 1189

health insurance; interstate purchase
Sponsors: Senators Ward, Burges; Pierce

DPA/SE Committee on Military Affairs and Public Safety

X Caucus and COW

House Engrossed

OVERVIEW

SB 1189 allows insurers authorized to issue policies in another state to issue a health or sickness policy in Arizona, provided certain conditions are met.

Summary of the Proposed Strike-Everything Amendment to SB 1189

The proposed strike-everything amendment to SB 1189 automatically restores an individual's firearm rights if his or her judgment of guilt for certain felony convictions is set aside.

HISTORY

An individual who is convicted of a criminal offense may apply to have his or her judgment of guilt set aside after completing the terms of the individual's probation or sentence. The individual is released from penalties and disabilities resulting from the conviction if the judgment of guilt is set aside, with the exception of certain penalties imposed by the Department of Transportation or the Game and Fish Commission. Additionally, an individual who is convicted of a dangerous criminal offense, a criminal offense that requires the individual to register as a sex offender or that is sexually motivated, a criminal offense in which the victim is under the age of 15, or various traffic-related criminal offenses may not apply to have his or her judgment of guilt set aside (Arizona Revised Statutes [A.R.S.] § 13-907).

An individual who is convicted of a felony offense has certain civil rights suspended, including the right to vote, hold public office, serve as a juror, and possess a firearm. An individual who is convicted of a non-dangerous or non-serious felony offense must wait two years from the time of discharge from probation or imprisonment before becoming eligible to have his or her firearm rights restored. An individual who is convicted of a serious felony offense must wait 10 years before his or her firearm rights are restored, and an individual who is convicted of a dangerous felony offense has his or her firearm rights permanently revoked (A.R.S. §§ 13-904, 13-905, and 13-906).

PROVISIONS

1. Restores the firearm rights of an individual who is convicted of a non-serious, non-dangerous felony offense automatically if his or her judgment of guilt is set aside, waiving the two-year waiting period.
2. Makes conforming changes.

AMENDMENTS

Committee on Military Affairs and Public Safety

1. The proposed strike-everything amendment was adopted.