

2009 Legislative Summary

ARIZONA STATE SENATE
Forty-Ninth Legislature, First Regular Session
Robert "Bob" Burns, President



CONVENED: January 12, 2009
ADJOURNED SINE DIE: July 1, 2009
GENERAL EFFECTIVE DATE: September 30, 2009

Arizona Senate Research Staff
Senate Building
1700 West Washington
Phoenix, Arizona 85007
www.azleg.gov

Front cover and inserts: Winged Victory. Image courtesy of Arizona State Library, Archives and Public Records, Archives Division, Phoenix, #03-7996



Arizona State Senate

October 18, 2009

Dear Reader:

The 2009 Legislative Summary, commonly referred to as the "Spiel," was prepared by the Senate Research Staff under the direction of Robert "Bob" Burns, Arizona Senate President.

The Senate Research Staff is a nonpartisan staff that provides professional analysis services to the Arizona Senate. It is comprised of full-time legislative committee research analysts and support staff, as well as session-only interns from the state's universities. The Senate Research Staff has existed as a professional staff at the Arizona Senate for over 30 years.

The Summary presents an overview of all legislation approved by the Legislature during the Forty-ninth Legislature, First Regular Session (2009), as well as the Forty-ninth Legislature, First, Second and Third Special Sessions (2009). Additional bill information can be obtained from the Arizona Legislature's website: www.azleg.gov.

To prepare this document, the Senate Research Staff relies on many individuals whose assistance is integral to the process of producing a high quality product and is deeply appreciated. On behalf of Senate Research Staff, I sincerely thank everyone who participated in producing this year's Spiel.

Kathi Knox
Senate Research Staff Director

Senate Research – Committee Staff

Administration:

Kathi Knox, Research Staff Director
Christina Estes-Werther, Deputy Staff Director
Janice Stell, Executive Assistant
Tracey Moulton, Administrative Assistant
Lindsay Young, Receptionist

Research Analysts:

Jake Agron, Retirement & Rural Development Committee
Barbara Barzee, Finance Committee
Bill Boyd, Government Institutions Committee
and Veterans & Military Affairs Committee
Tony DeMarco, Natural Resources, Infrastructure & Public Debt Committee
Christina Estes-Werther, Judiciary Committee
Garth Kamp, Commerce & Economic Development Committee
Stacey Morley, Education Accountability & Reform Committee
Amber O’Dell, Public Safety & Human Services Committee
Eden Rolland, Healthcare & Medical Liability Reform Committee
Katy Yanez, Appropriations Committee

Assistant Research Analysts:

Janice Almond
Dakotah Pratt-Hewitt
Jennifer Thomsen

TABLE OF CONTENTS

	<u>Page</u>
APPROPRIATIONS.....	1
COMMERCE & ECONOMIC DEVELOPMENT.....	62
EDUCATION ACCOUNTABILITY & REFORM	68
FINANCE	75
GOVERNMENT INSTITUTIONS	80
HEALTHCARE & MEDICAL LIABILITY REFORM	84
JUDICIARY	90
NATURAL RESOURCES, INFRASTRUCTURE & PUBLIC DEBT	96
PUBLIC SAFETY & HUMAN SERVICES	102
RETIREMENT & RURAL DEVELOPMENT	110
VETERANS & MILITARY AFFAIRS.....	113
RESOLUTIONS & MEMORIALS	115
BILL INDEX	117
CHAPTER INDEX.....	124
TITLE INDEX	130
KEYWORD INDEX.....	138

ACTION KEY

E - Emergency

W/O - Without Emergency

V/O - Veto Override

RFEIR – Requirements for Enactment; Initiative or Referendum

W/S - Without Signature

LIVS - Line Item Veto Signed

RFE - Requirements for Enactment

Appropriations Committee

Senator Russell Pearce, Chairman



Katy Yanez, Research Analyst
Janice Almond, Assistant Analyst

APPROPRIATIONS COMMITTEE

LEGISLATION ENACTED

~~technical correction; bonds; tax considerations~~ (NOW: capital outlay; FY 2009-2010) (S.B. 1027/H.B. 2634) – Chapter 10

Effective July 1, 2009, S.B. 1027 makes appropriations and session law changes related to capital outlay for the FY 2009-2010 state budget.

Building Renewal – Appropriates the following amounts in FY 2009-2010 to the selected agencies from the specified funds for major maintenance, building repair or building renewal:

Agency	Fund	Amount
Arizona Department of Administration (ADOA)	Capital Outlay Stabilization Fund	\$1,000,000
Arizona Department of Transportation (ADOT)	State Highway Fund	\$1,000,000
	State Aviation Fund	\$50,000
Arizona Exposition and State Fair Board	Arizona Exposition and State Fair Fund	\$1,832,900
Game and Fish Department (G&F)	Game and Fish Fund	\$473,200

Major Capital Projects – Appropriates the following amounts in FY 2009-2010 to the selected agencies from the specified funds for the following major capital projects:

Agency	Project	Fund	Amount
G&F	Regional (Pinetop) Office Canopies	Game and Fish Fund	\$30,000
G&F	Radio Tower	Watercraft Licensing Fund	\$250,000
G&F	Shooting Range Access Improvements	Game and Fish Fund	\$150,000
G&F	Statewide Preventative Maintenance	Game and Fish Fund	\$30,000
G&F	Ben Avery Improvements	Game and Fish Capital Improvement Fund	\$950,000
G&F	Regional (Kingman) Office Remodel/Expansion	Game and Fish Capital Improvement Fund	\$889,500
G&F	Regional (Pinetop) Office Paving Project	Game and Fish Fund	\$75,000
G&F	Silver Creek Hatchery Remodel/Expansion	Game and Fish Capital Improvement Fund	\$1,900,000
ADOT	Statewide Highway Construction	State Highway Fund	\$187,850,000
ADOT	Airport Planning and Development	State Aviation Fund	\$27,128,000

Miscellaneous – Reduces funding from the state General Fund (GF) to the Historical Advisory Commission from \$500,000 to \$50,000 for deposit into the Arizona Centennial Account.

Eliminates a \$450,000 appropriation to Legislative Council for State Capitol Building renovations.

APPROPRIATIONS COMMITTEE (Cont'd.)

Appropriates \$400,000 in FY 2009-2010 from the state GF to the Arizona Exposition and State Fair Fund for capital outlay projects to offset losses in pari-mutuel revenues.

Requires ADOA to report the status of project-specific full-time equivalent (FTE) positions in its annual capital budget request and allows ADOA to reassign FTE positions if funding is cost allocated among the projects receiving benefit. ADOA is also required to report any FTE position reallocations to the Joint Committee on Capital Review by December 31, 2009.

del federal monies; report (NOW: storage; firearms; motor vehicles) (S.B. 1168) – Chapter 177

Restricts, with specified exceptions, a property owner, tenant, employer or business entity from prohibiting a person from lawfully transporting or lawfully storing any firearm that is in the person's locked and privately owned motor vehicle or locked compartment on a motorcycle and not visible from the outside of the motor vehicle or motorcycle. Specifies that prohibiting firearms in parking lots is contrary to public policy, is null and void and does not have legal force or effect. States that the Legislature finds the Arizona and U.S. Constitutions protect an individual's right to bear arms in self-defense and to exercise and enforce the individual's fundamental right in the individual's movements throughout this state. The Legislature also finds that this right would be impaired if individuals are deprived of the means of self-defense in their personal motor vehicles by property owners, tenants, employers or business entities who are not unduly burdened by the presence of legally possessed and secure items within the motor vehicle.

vehicle impoundment; administrative towing fund (S.B. 1169) – Chapter 158

Retroactive to January 1, 2008, creates the Capitol Police Administrative Towing Fund (Fund). The Fund consists of monies from administrative fees relating to the removal, immobilization, impoundment, storage or release of a vehicle performed by the Capitol Police Department. Monies in the Fund may be used by the Capitol Police Department for law enforcement purposes and are administered by the Arizona Department of Administration. Prohibits administrative fees relating to an impoundment from being charged to a towing company that performs the removal, immobilization, impoundment, storage or release of a vehicle. Requires a person to obtain a bond before operating a tow truck for the purpose of towing vehicles. Requires abandoned vehicle reports and applications for transfer of ownership to be submitted electronically in a form prescribed by the Director of the Arizona Department of Transportation.

del technical correction; disincorporation (NOW: conformity; internal revenue code) (S.B. 1185/H.B. 2082) – Chapter 2 E

An emergency measure, effective April 2, 2009, that conforms Arizona income tax statutes with the 2009 Internal Revenue Code, retroactively and for tax year 2009. Temporarily modifies the state withholding tax rates for the following periods: 1) May through December 2009 and 2) January through June 2010. Requires the Department of Revenue to develop new withholding tables by March 15, 2010, and requires the state of Arizona to decouple from the federal withholding rates as of July 1, 2010.

APPROPRIATIONS COMMITTEE (Cont'd.)

fiduciary funds; deposits; technical correction- (NOW: general appropriations; FY 2009-2010) (S.B. 1188/H.B. 2633) – Chapter 11 LIVS

Effective July 1, 2009, makes state General Fund and other fund appropriations for FY 2009-2010 for the operation of state government. As transmitted to the Governor, S.B. 1188 included approximately \$8.4 billion in spending.

Line-item Vetoes – In her veto message the Governor states that the use of the line item veto reflects her view that a shutdown of government services is not in Arizona's best interest and that the public interest would not be well served by a complete or broader set of vetoes. Her vetoes included the restoration of lump sum reductions to the Departments of Economic Security, Environmental Quality, Health Services and the state university system. The Governor also line item vetoed the entire \$3.2 billion appropriation for K-12 education, along with provisions detailing legislative intent to disburse federal funds provided by the American Reinvestment and Recovery Act. (H.B. 2001 Forty-Ninth Legislature, Third Special Session restores FY 2009-2010 K-12 funding).

State Budget as Enacted – S.B. 1188 and H.B. 2643, Forty-Ninth Legislature, First Regular Session, along with H.B. 2001 and H.B. 2006, Forty-Ninth Legislature, Third Special Session represent the enacted FY 2009-2010 state budget. The Joint Legislative Budget Committee (JLBC) estimates that the combined effect of the line item veto results in a \$463 million state budget deficit for FY 2009-2010.

For complete information on the FY 2009-2010 budget as enacted, please see the summaries for H.B. 2643, Forty-Ninth Legislature, First Regular Session, and H.B. 2001 and H.B. 2006, Forty-Ninth Legislature, Third Special Session. Also refer to the *JLBC FY 2010 Appropriations Report* at <http://www.azleg.gov/jlbc.htm>.

nuclear emergency management; appropriations; assessments (S.B. 1316) – Chapter 73 E

An emergency measure, effective July 10, 2009, that appropriates \$1,523,108 in FY 2009-2010 and \$1,569,091 in FY 2010-2011 from the state General Fund (GF) to the Nuclear Emergency Management Fund to support the state response plan for commercial nuclear emergencies. Assesses the same amounts, plus interest, against consortiums of public service and municipal corporations engaged in constructing or operating a commercial nuclear generating station.

DUI; juvenile adjudication (PREV NOW: juvenile adjudication; DUI) (NOW: juvenile; adjudication; diversion) (S.B. 1420) – Chapter 189

Increases penalties for juveniles who are adjudicated delinquent for driving under the influence (DUI) offenses and makes changes relating to juveniles who are adjudicated delinquent and alleged to have committed an offense involving alcohol or drugs.

Currently, a juvenile must be incarcerated for 24 hours for a first offense DUI or extreme DUI and for 30 consecutive days for a second offense DUI or extreme DUI. S.B. 1420 increases the period of detainment for a DUI to 10 consecutive days for a first offense and 90 days for a second offense. A first extreme DUI requires 30 or 45 days of detention, depending on the juvenile's blood alcohol concentration (BAC). A juvenile adjudicated delinquent for a second offense extreme DUI is detained for 120 or 180 days, depending on the juvenile's BAC. In all cases, the judge may suspend

APPROPRIATIONS COMMITTEE (Cont'd.)

a portion of the sentence if the juvenile completes alcohol or other drug screening. The minimum fine for DUI offenses is increased from \$100 to \$250 and the juvenile or the juvenile's parents must pay the detention costs, subject to restrictions. Requires ignition interlock device installers to inform a juvenile's parent or guardian of certain information.

Prohibits juveniles who are alleged to have committed drug or alcohol related offenses and who have participated in a diversion or community based alternative program at least twice within 24 months from participating in a program. Requires a law enforcement agency or city or town prosecutor that establishes a diversion program, beginning January 1, 2011, to report the citation number, name and date of birth of each juvenile who participates in a program to the juvenile court. Requires the parents' recommendation to be included in a juvenile probation officer's disposition summary report. The court may order the juvenile on probation to submit to drug and alcohol testing. If the juvenile is found to have consumed any spirituous liquor or used a drug, the juvenile is in violation of probation and is subject to a list of possible consequences for the violation. Allows the Arizona Department of Juvenile Corrections to require the juvenile to complete alcohol or other drug screening, education or treatment and to submit to random drug and alcohol testing at least twice per week as a condition of the youth's conditional liberty.

~~jury duty; motor vehicle parking~~ (NOW: supplemental reductions; appropriations; FY 2008-2009 (H.B. 2028/S.B. 1189) – Chapter 5

Effective May 14, 2009, reduces state General Fund (GF) appropriations and makes current and future year appropriations in order to reconcile an anticipated FY 2008-2009 state GF shortfall. Estimated savings as a result of this legislation is \$650 million.

Universities – Reduces the FY 2008-2009 appropriation made to the Arizona Board of Regents (ABOR) by \$100 million and transfers the monies to the state GF. In turn, the same amount is appropriated to ABOR in FY 2009-2010.

K-12 Education – The FY 2008-2009 appropriation made to the Arizona Department of Education (ADE) for Basic State Aid and Additional State Aid is reduced by \$300 million. Conditioned on receiving \$250 million from the Federal Education Stabilization Fund (FESF), further reduces the FY 2008-2009 state GF appropriations made to the ADE by the same amount and transfers the monies to the state GF. States that in the same year, \$250 million is disbursed from the FESF to restore the funding reduction.

~~school districts; liability; immunity waiver~~ (NOW: school district balances; allocations) (H.B. 2029/S.B. 1190) – Chapter 6

Directs the Arizona Department of Education (ADE) to calculate the repayment of each school district's deferred May 15, 2009 apportionment of Basic State Aid and Additional State Aid (state aid) using a specified formula to reduce the amount of state aid received by each school district (See H.B. 2028/S.B. 1189). This does not apply to accommodation school districts. ADE is directed to deduct the amount of each school district's excess cash balances, after allowable adjustments. The bill requires each county treasurer and county school superintendent to provide ADE with information, upon request, necessary to make the directed calculations. The legislation allows school districts to budget for estimated interest and expenses resulting from the deferred payment and requires ADE to calculate and apportion monies to school districts for these costs. School districts

APPROPRIATIONS COMMITTEE (Cont'd.)

must include their calculated repayment amount in their revenue estimates used to calculate their FY 2009-2010 tax rates.

technical correction; cease; desist order (NOW: 2008-2009; appropriations; budget revisions (H.B. 2051/S.B. 1184) – Chapter 1

Effective March 12, 2009, makes session law changes to implement a revised FY 2008-2009 budget. Restores funding to specified agencies, reverts monies to specified funds and makes supplemental appropriations.

Supplemental Appropriations/Fund Restorations – In FY 2008-2009 restores the following amounts from the state General Fund (GF) to the sources indicated below:

Agency	Fund	Amount Restored	Comments
Arizona Department of Agriculture	Egg Inspection Fund	44,900	Fund Expenditure Reduction
	Arizona Federal-State Inspection Fund	516,100	
	Arizona Federal-State Inspection Fund	171,400	Fund Expenditure Reduction
Arizona Department of Environmental Quality	Clean Water Revolving Fund	10,700,000	
	Drinking Water Revolving Fund	5,000,000	
Department of Health Services	Nursing Care Institution Protection Fund	353,700	
Arizona Power Authority	Arizona Power Authority General Operating Fund	1,000,000	
	Fund Deposits Fund	1,000,000	

- Appropriates \$5,559,200 from the state GF and provides an additional \$20,433,800 in federal expenditure authority to the Arizona Health Care Cost Containment System (AHCCCS) to restore funding for Graduate Medical Education services.
- Appropriates \$2,500,800 from the state GF and provides \$9,657,300 in additional federal expenditure authority to AHCCCS to restore funding for Rural Hospital Reimbursement.
- Appropriates \$18,200,000 from Child Care and Development Fund to the Department of Economic Security to maintain existing child care services.
- Restores \$4,202,300 from the state GF to Maricopa County Special Health Care District for federal disproportionate share hospital (DSH) payments, and \$8,922,200 to AHCCCS to restore DSH payments to private hospitals.
- Appropriates in FY 2011-2012 through FY 2013-2014 the following amounts from the state GF to reimburse FY 2008-2009 fund transfers and acknowledges the exclusive purposes of the funds:
 - Arizona Property and Casualty Insurance Fund - \$4,659,666
 - Life and Disability Insurance Guaranty Fund - \$5,204,466

state treasurer; independent legal counsel (H.B. 2103) – Chapter 162

Adds the Office of the State Treasurer (Treasurer) to a list of agencies exempted from employing the state Attorney General's Office as legal counsel. The legislation also allows the Treasurer to enter into agreements with legal advisors with regard to the investment of treasury monies.

APPROPRIATIONS COMMITTEE (Cont'd.)

appropriations for named claimants (H.B. 2281/S.B. 1032) – Chapter 79

Effective July 10, 2009, H.B. 2281 is the annual general relief bill for named claimants. The act appropriates \$255,778.25 to the Arizona Department of Administration to pay various claims made against the state. Of that amount, \$209,160.35 is appropriated from the state General Fund and the remaining \$46,617.90 is appropriated from other funds.

premium tax credit; STO contribution (H.B. 2288/S.B. 1023) – Chapter 168

Creates a new premium tax credit for insurers who make a donation to a school tuition organization (STO) that provides scholarships to students of low-income families. Allows the credit to be carried forward for up to five years. Limits the amount of the credit to the total amount of the insurer's contributions for the tax year, as pre-approved by the Department of Revenue. A credit is not allowed if the insurer designates the contribution for a particular student. Requires the Departments of Insurance and Revenue to adopt rules and procedures to implement the credit. Stipulates that the requirements already existing in statute for the corporate income tax credit for contributions to STOs also apply to the premium tax credit for insurers that provide contributions to STOs. Eliminates the sunset date of June 30, 2011, for the corporate income tax credit for contributions to STOs.

state treasurer; management fees (H.B. 2425) – Chapter 89

Reduces the monthly management fee deducted by the State Treasurer (Treasurer) and directs monies collected from the fees to the Treasurer's annual operating budget. Requires that any excess management fees be deposited in the state General Fund.

civil air patrol; federal monies (H.B. 2482) – Chapter 107

Allows the Arizona Civil Air Patrol (CAP) to receive monies directly or indirectly from the United States Department of Homeland Security. States legislative intent recognizing the Arizona CAP as a critical and necessary part of Arizona's homeland security, disaster relief and emergency management infrastructure.

~~technical correction; abandoned vehicles; monies~~ (NOW: general appropriations; FY 2009-2010; trailer) (H.B. 2643/S.B. 1470) – Chapter 12 LIVS

Effective July 1, 2009, makes state General Fund (GF) and other fund (OF) appropriations for FY 2009-2010 for the operation of state government and makes various budget revisions and transfers. On June 4, 2009, the Arizona State Legislature passed a series of bills to enact the FY 2009-2010 state budget. S.B. 1188, Forty-Ninth Legislature, First Regular Session was the general appropriations act for that package.

H.B. 2643 amends S.B. 1188 to enact the FY 2009-2010 state budget. As transmitted to the Governor, H.B. 2643 in concert with S.B. 1188, included approximately \$8.4 billion in GF spending and the following major provisions:

- GF Agency Reductions - \$630 million
- Payment Deferrals - \$160 million

APPROPRIATIONS COMMITTEE (Cont'd.)

- OF Transfers to the GF - \$262 million
- Asset Sale/Lease Back - \$735 million
- Prison Concession Agreement - \$100 million
- Temporary Federal Assistance via the American Reinvestment Recovery Act (ARRA)
 - Enhanced Medicaid Match Rate - \$816 million
 - Stabilization Funds - \$311 million

Line-item Vetoes – In her veto message, the Governor states that the use of the line item veto reflects her view that a shutdown of government services is not in Arizona's best interest and that the public interest would not be well served by a complete or broader set of vetoes. The message further states that although H.B. 2643 reflects many improvements to S.B. 1188, it does not provide a comprehensive solution to the FY 2009-2010 fiscal crisis.

As with S.B. 1188, her vetoes included the restoration of lump sum reductions to the Departments of Economic Security, Environmental Quality, Health Services and the state university system. The Governor also line item vetoed the entire \$3.2 billion appropriation for K-12 education, along with provisions detailing legislative intent to disburse federal funds provided to the state by ARRA. (H.B. 2001 Forty-Ninth Legislature, Third Special Session restores FY 2009-2010 K-12 funding).

State Budget as Enacted – S.B. 1188 and H.B. 2643, Forty-Ninth Legislature, First Regular Session, along with H.B. 2001 and H.B. 2006, Forty-Ninth Legislature, Third Special Session represent the enacted FY 2009-2010 state budget. The Joint Legislative Budget Committee (JLBC) estimates that the combined effect of the line item veto results in a \$463 million state budget deficit for FY 2009-2010.

For complete information on the FY 2009-2010 budget as enacted, please see the summaries for S.B. 1188, Forty-Ninth Legislature, First Regular Session and H.B. 2001 and H.B. 2006 Forty-Ninth Legislature, Third Special Session. Also refer to the *JLBC FY 2010 Appropriations Report* at: <http://www.azleg.gov/jlbc.htm>.

LEGISLATION VETOED

~~technical correction; private funds; disposition~~ (NOW: budget reconciliation; criminal justice) (S.B. 1028/H.B. 2638) – VETOED

Makes necessary statutory and session law changes relating to the criminal justice system in order to reconcile the FY 2009-2010 budget.

Probation – Increases the surcharge imposed for criminal offenses and specified civil penalties. Raises the intensive probation fees and allows any amount of the fee to be used to supplement officer salaries and the probation department's programs and services. Makes conforming changes relating to the increase of probation supervision fees for adults supervised under the Interstate Compact. Increases the maximum number of probationers that a deputy adult probation officer is required to supervise and allows an intensive probation team to consist of two adult probation officers.

Courts – Changes, retroactively to July 1, 2009, in specified counties, the county's and

APPROPRIATIONS COMMITTEE (Cont'd.)

state's payment of the compensation and employee related expenditures of a justice of the peace and requires the county to pay 100 percent of the payment beginning July 1, 2010. Continues, in FY 2009-2010, the prohibition of state photo enforcement citations from being included in judicial productivity credit calculations. Suspends, in FY 2009-2010, the provisions relating to supplanting of state monies contained in various court funds and specifies reporting requirements for identification of any decrease in county funding related to these suspended provisions. Suspends, for FY 2009-2010, and requires, beginning FY 2010-2011, electronic submittal of various court reports.

Arizona Department of Corrections (ADC) – Requires, subject to certain conditions and timeframes, the issuance of a Request for Proposal (RFP) for health services, food and commissary contracts and a concession agreement that allows a private vendor to operate a prison facility, including the ability to operate a maximum security prison facility. Specifies requirements for the concession agreement, including the private operation of one or more prison complexes, the term length, cost efficiency savings, statutory exemptions, the review of the RFP by the Joint Committee on Capital Review and the deadline to award the agreement. Contains an intent clause relating to the privatization of prison operations. Requires, by May 1, 2010 and in consultation with ADC, the Arizona Department of Administration (ADOA) to enter into a lease-purchase finance agreement subject to requirements relating to the net available proceeds, the term length, the timing of the initial lease-purchase payment, and the use of ADC prison facilities as collateral. Specifies expenditure reporting requirements when ADC submits the FY 2010-2011 budget request. Allows, notwithstanding any other law, any monies deposited in the Transition Office Fund to be used for any costs to operate transition programs.

Department of Public Safety (DPS) – Establishes the Crime Laboratory Operations Fund consisting of the \$45 defensive driving surcharge and requires, subject to legislative appropriation, that the monies be used for crime laboratory services pursuant to a deposit schedule. Redistributes, for FY 2009-2010, the Criminal Justice Enhancement Fund (CJEF) monies deposited into the state General Fund to the Crime Laboratory Assessment Fund and specifies, notwithstanding DPS' required quarterly distribution, that the monies are for use by DPS and exempt from distribution to political subdivisions. Decreases, for FY 2009-2010, the appropriation to the Deoxyribonucleic Acid Identification System Fund. Suspends, for FY 2009-2010 and notwithstanding the payment installment schedule, the statutory caps limiting the level of Highway User Revenue Fund monies and State Highway Fund monies available to fund the DPS Highway Patrol costs.

Retirement – Changes retirement benefit computations for the Public Safety Personnel Retirement System relating to third party contracts and for the Corrections Officer Retirement Plan by restricting full-time dispatchers based on the date of employment and the entry into a joinder agreement.

Attorney General – Allows, for FY 2009-2010 and notwithstanding monies used for the consumer protection division, the Attorney General to use monies in the Consumer Protection-Consumer Fraud Revolving Fund for any operating expenses incurred by the Department of Law.

Miscellaneous – Requires deposit of the 11.70 percent of the CJEF to be directly distributed or deposited to the county sheriffs, instead of allocation to ADC. Requires, in FY 2009-2010, an agreement between the Drug and Gang Prevention Resource Center and the Arizona Criminal Justice Commission to fund the Arizona Youth Survey.

APPROPRIATIONS COMMITTEE (Cont'd.)

The Governor indicates in her veto message that S.B. 1028, along with the other FY 2009-2010 budget bills adopted by the Legislature, does not balance the state budget. Further, the budget bills would prevent the proper function of many critical components of state government, as well as undermine efforts to develop and encourage a prosperous future.

~~technical correction; budget estimates~~ (NOW: budget reconciliation; higher education) (S.B. 1029/H.B. 2640) – VETOED

Makes necessary statutory and session law changes relating to higher education in order to reconcile the FY 2009-2010 budget.

Community Colleges – Eliminates the requirement for community college annual reports to include individual course data and includes the reporting requirements, with some modifications, for dual enrollment programs. A community college governing board must publish its proposed budgets on its website. Effective July 1, 2010, eliminates the hold harmless provision and allows a community college's operating state aid to decrease if its enrollment declines and changes the eligibility threshold for growth funding from the highest level after FY 2003-2004 to any growth exceeding the currently funded enrollment level. In FY 2009-2010 suspends the operating state aid formula, funds dual enrollment at 50 percent, suspends capital outlay funding and allows community college districts to use capital outlay monies for operating expenses.

Universities – Identifies Arizona State University (ASU) West and the ASU Polytechnic campuses as separate budget units in the General Appropriations Act. Requires the ASU Tempe campus to provide administrative support to the ASU West campus and the ASU Polytechnic campus. The Arizona Board of Regents (ABOR) and the Auditor General must develop a uniform accounting and reporting system. Requires ABOR to include information on paid invited speakers and associated costs in its annual report. Limits the university Capital Improvement Lease-to-Own and bond fund to building renewal projects.

Repeals \$623.3 million of ABOR's \$800 million lease-to-own and bond transactions authority. Repeals the requirement for funding construction at the Phoenix biomedical campus with bond proceeds. Suspends the statutory requirement that the state provide a 2:1 ratio of state funding to student fees deposited into the Arizona Financial Aid Trust (AFAT) for FY 2009-2010. Appropriates \$100 million from the state General Fund in FY 2010-2011 and directs ABOR to distribute the monies to the universities in an amount equal to the reduction made by the General Appropriations Act.

Board of Medical Student Loans – Retroactively effective June 30, 2009, suspends the requirement that at least 50 percent of loan monies be apportioned to students attending private medical schools.

Arizona Commission for Postsecondary Education – Restricts Leveraging Education Assistance Partnership (LEAP) grants to Arizona residents demonstrating financial need and attending an approved Arizona university at least half-time.

Governor's Council on Workforce Policy (Council) – Changes the deadlines for the Council's written annual report from September 1 to December 1 and for each state agency and community college to submit its annual required information to the Council from August 1 to November 1.

APPROPRIATIONS COMMITTEE (Cont'd.)

The Governor indicates in her veto message that S.B. 1029, along with the other FY 2009-2010 budget bills adopted by the Legislature, does not balance the state budget. Further, the budget bills would prevent the proper function of many critical components of state government, as well as undermine efforts to develop and encourage a prosperous future.

~~tax exemption; technical correction~~ (NOW: budget reconciliation; assets) (S.B. 1031/H.B. 2637) – VETOED

Arizona Department of Administration (ADOA) – Authorizes ADOA to sell the State Agricultural Laboratory property and directs all proceeds from the sale be deposited in the state General Fund (GF). Mandates that prior to the sale, two independent appraisals and an independent title search be conducted and that the sale must occur before July 1, 2010, subject to review by the Joint Committee on Capital Review (JCCR).

Arizona Department of Public Safety (DPS) – Requires DPS to sell one of two twin engine airplanes and one helicopter, as determined by the Director, and directs all proceeds from the sale to be deposited in the state GF. Stipulates that the sale must occur before July 1, 2010 and is subject to review by JCCR.

The Governor indicates in her veto message that S.B. 1031, along with the other FY 2009-2010 budget bills adopted by the Legislature, does not balance the state budget. Further, the budget bills would prevent the proper function of many critical components of state government, as well as undermine efforts to develop and encourage a prosperous future.

~~school bonds; technical correction~~ (NOW: budget reconciliation; general government) (S.B. 1035/H.B. 2636) – VETOED

Makes statutory and session law changes relating to general government in order to reconcile the FY 2009-2010 state budget.

Arizona Department of Administration (ADOA) – Authorizes the Director of ADOA to prescribe procedures for agency directors to implement employee work hour reductions. Exempts the Director of ADOA from rule-making requirements. Repeals ADOA's authority to enter into a lease-purchase agreement for a state emergency operations center and requires ADOA to rebid the existing telecommunications contract by September 30, 2009.

Secretary of State (SOS) – Transfers the Arizona State Library, Archives and Public Records from the Legislature to the Secretary of State and modifies the composition of the library's oversight board. Allows the SOS to electronically publish the Landlord and Tenant Act. Requires the sale of specified property and classifies all new SOS employees as exempt from the state personnel system.

Taxes and Fees – Changes the timing of mutual fund notice filing fee deposits. Prohibits a state agency from adopting rules that would result in increased monetary or regulatory costs to other state agencies, political subdivisions or citizens in FY 2009-2010.

Makes numerous changes to development fees (impact fees) including a requirement that a municipality calculate development fees as it relates to the costs associated with infrastructure

APPROPRIATIONS COMMITTEE (Cont'd.)

improvements. Suspends, retroactive to June 1, 2009, a municipality's ability to collect development fees through June 30, 2012.

Requires, retroactive to June 1, 2009, voter approval for increases in local construction sales tax rates through June 30, 2012.

Funding – Eliminates state General Fund (GF) monies for initial nursing assistant certifications. Eliminates the \$25,000,000 advance to the 21st Century Fund and reduces by \$2,800,000 the state GF appropriation to the Military Installation Fund.

In FY 2009-2010 allows appropriations for all budget units to be limited to one year and limits the amount the State Treasurer can transfer from the Tourism Fund to no more than \$10,655,200. Modifies the cap for Aviation Fund grants from ten percent of the fund balance to ten percent of the average revenues of the previous three years. Reverts non-lapsing unexpended and unencumbered monies that remain at the end of FY 2009-2010 to the state GF. Requires all non-American Recovery and Reinvestment Act unrestricted federal monies received between July 1, 2009 and June 30, 2010 to be deposited into the state GF for the payment of essential government services.

Miscellaneous – Requires proof of citizenship for the receipt of federal, state and local benefits administered by the state or a political subdivision. Requires a copy of a foreclosure notice be sent to the tenants of rental properties.

The Governor indicates in her veto message that S.B. 1035, along with the other FY 2009-2010 budget bills adopted by the Legislature does not balance the state budget. Further, the budget bills would prevent the proper function of many critical components of state government, as well as undermine efforts to develop and encourage a prosperous future.

~~tax anticipation bonds; technical correction~~ (NOW: budget reconciliation; general revenues) (S.B. 1036/H.B. 2635) – VETOED

Makes necessary statutory and session law changes relating to general revenues in order to reconcile the FY 2009-2010 budget.

Department of Agriculture – Allows the Citrus, Fruit and Vegetable Advisory Council and the Agricultural Advisory Council to increase fees for services provided in FY 2009-2010, up to a total of \$389,000. Continues the fee increases authorized by Laws 2008, Chapter 291, for the Department of Agriculture in the amount of \$172,000 in FY 2009-2010.

Department of Education – Repeals the state equalization property tax rate. Specifies the official K-12 Qualifying Tax Rate (QTR) for FY 2009-2010, as adjusted for compliance with Truth in Taxation (TNT). The TNT calculation yields a FY 2009-2010 QTR of \$2.7452 for unified school districts and \$1.3726 for non-unified school districts.

State Lottery Commission – Transfers the following amounts of State Lottery revenues to the state General Fund (GF) prior to any distribution of those revenues to the following funds: 1) \$765,000 for the County Assistance Fund; 2) \$2.3 million for the Local Transportation Assistance Fund; and 3) \$990,000 for the Local Transportation Assistance Fund II.

APPROPRIATIONS COMMITTEE (Cont'd.)

Repeals the State Land Department's Community Protection Initiative Fund and the Department of Environmental Quality's Water Supply Fund Special Line Item from the list of recipients of Lottery Fund monies.

Department of Revenue – Accelerates by one or two years, depending on property type, the length of time for all property presumed to be abandoned and therefore unclaimed, except that the time period for traveler's checks is accelerated by 12 years and money orders by four years.

Transfers the function of tobacco tax enforcement from the Department of Revenue (DOR) to the Department of Liquor Licenses and Control. Allows the Legislature to appropriate monies from the Tobacco Tax and Healthcare Fund to the Department of Liquor Licenses and Control for the costs associated with tobacco tax enforcement. Redirects the \$662,800 appropriation made to DOR from the Tobacco Tax and Healthcare Fund to the Arizona Healthcare Cost Containment System (AHCCCS) and reduces the GF appropriation to AHCCCS by the same amount and instead appropriates monies to DOR.

Rio Nuevo Multipurpose Facilities District – Limits, retroactive to July 1, 2009, the monies paid to the Rio Nuevo Multipurpose Facilities District (District) to the following purposes until a Notice to Proceed is issued for a hotel and convention center located at the multipurpose facility site: 1) debt service for bonds issued by the District before January 1, 2009; 2) contractual obligations incurred by the District before June 1, 2009; 3) fiduciary, legal and administrative expenses of the District; and 4) the design and construction of the hotel and convention center located at the multipurpose facility site. The bill also contains requirements relating to transparency, compensation, audits and membership on the Board of Directors.

Taxes and Fees – Repeals the June 30, 2011 sunset date for the school tuition organization corporate income tax credit.

Sets the assessment ratio for all classes of property at ten percent for all secondary property taxes levied by counties, cities, towns, community college districts and school districts for voter-approved overrides and bond elections occurring after July 1, 2009.

Requires counties to distribute \$53 million of the counties' state shared Vehicle License Tax (VLT) monies to local school districts in FY 2009-2010. Requires incorporated cities and towns to distribute \$42 million of the cities' and towns' state shared VLT monies to local school districts in FY 2009-2010.

Allows a municipality to use development fee revenues for general municipal operating expenses in FY 2009-2010. Prohibits a municipality that uses development fee revenues for operating expenses from adjusting fees to recover revenues.

Sets the amount of the fee for a duplicate driver license as an amount determined by the Director of the Department of Transportation.

Repeals the fee raising authority, appropriations and rule making exemptions authorized by Laws 2008, Chapter 291, for the following entities: 1) Department of Public Safety; 2) Department of Economic Security; 3) Department of Health Services; 4) State Land Department; and 5) Radiation Regulatory Agency.

APPROPRIATIONS COMMITTEE (Cont'd.)

Continues to suspend the requirement that the Department of Insurance (DOI) revise fees so that revenues from fees collected by DOI are between 95 percent and 110 percent of DOI's state GF appropriation for FY 2009-2010.

Miscellaneous – Requires Maricopa County to transfer \$24,168,400 into the GF. Requires Pima County to transfer \$3,794,400 into the GF.

Allows 14 percent of the Residential Contractor's Recovery Fund's prior fiscal year revenues to be used for operation and administrative purposes in FY 2009-2010 instead of 10 percent of the fund balance.

Redirects to the state GF unclaimed property proceeds currently distributed to Racing Funds, the Housing Trust Fund and DOR.

Redistributes pari-mutuel revenues and proceeds to the state GF rather than to various Racing Funds.

Requires, beginning July 1, 2010, all revenues from the State Web Portal Fund to be deposited into the State Web Portal Fund.

The Governor indicates in her veto message that S.B. 1036, along with the other FY 2009-2010 budget bills introduced by the Legislature, does not balance the state budget. Further, the budget bills would prevent the proper function of many critical components of state government, as well as undermine efforts to develop and encourage a prosperous future.

~~technical correction; dry wells; regulation~~ (NOW: budget reconciliation; health and welfare) (S.B. 1145/H.B. 2641) – VETOED

Makes necessary statutory and session law changes relating to health and welfare in order to reconcile the FY 2009-2010 budget.

Arizona Health Care Cost Containment System (AHCCCS) – Repeals the KidsCare Parents program and the Temporary Medical Coverage program. Eliminates dentures as a medical service covered by AHCCCS health plans. For rates effective October 1, 2009, through September 30, 2010, prohibits AHCCCS from increasing provider rates above the rates in effect on September 30, 2008, and permits AHCCCS to reduce provider rates up to 5 percent. Suspends AHCCCS capitation payments to acute care health plans for the month or a portion of the month of June 2010. Exempts AHCCCS from ambulance rates established by the Department of Health Services (DHS) in FY 2009-2010. Permits AHCCCS to reduce by one level the thresholds beyond which patient costs are paid by reinsurance in contract year 2009-2010. Allows AHCCCS to reduce the risk contingency rate setting for all managed care organizations by 50 percent and to impose a 5.88 percent reduction on funding for all managed care organizations' administrative funding levels in contract year 2009-2010. Requires the AHCCCS Administration to report to the Governor, the President of the Senate and the Speaker of the House of Representatives by October 1, 2009, on hospital provider assessment methods. States the legislative intent for the AHCCCS Administration to comply with the federal False Claims Act, to maximize savings and to continue considering the best available technologies in detecting fraud in the Administration's programs.

APPROPRIATIONS COMMITTEE (Cont'd.)

County Contributions – Sets the county contributions for the Arizona Long-Term Care System (ALTCS) by county in FY 2009-2010, for total county ALTCS contributions of \$190,467,500 pursuant to the requirements of the American Recovery and Reinvestment Act (ARRA). Decreases Maricopa County's FY 2009-2010 acute care contribution by \$517,300 below FY 2008-2009. Continues FY 2009-2010 acute care contributions for all other counties and contributions for hospitalization and medical care at FY 2008-2009 levels. Continues to exclude, retroactive to June 30, 2004, county contributions for Proposition 204 administrative costs, hospitalization and medical care from county expenditure limitations. Pursuant to the requirements of ARRA, increases the percentage share of unexpended long-term care funds distributed to counties in FY 2008-2009 and FY 2009-2010, from 50 percent to 62.2 percent, and requires AHCCCS to transmit to counties by December 31, 2009, the portion of federal monies received for acute care savings in FY 2008-2009.

Disproportionate Share Hospital (DSH) Payments – Continues to require the Maricopa Special Health Care District (District) and the Arizona State Hospital (State Hospital) to provide a certified public expense (CPE) form for qualifying DSH expenditures. Requires the AHCCCS Administration to distribute \$4,202,300 to the District and deposit the remaining federal funds into the state General Fund. Prescribes procedures that apply if the CPE amount is less than estimated. Stipulates that the DSH payments include \$28,474,900 for the State Hospital and \$26,147,700 for private qualifying DSH hospitals.

State Employee Health Insurance – Beginning October 1, 2009, for purposes of health or accident insurance for full-time state officers or employees, defines *dependent* as: 1) a spouse; 2) a child under 19 years of age; 3) a child under 23 years of age who is also a full-time student. Continues to prohibit the Arizona Department of Administration from implementing a differentiated health insurance premium based on the integrated or nonintegrated status of a state employee health insurance provider.

Arizona Biomedical Research Commission (Commission) – Repeals \$1,000,000 appropriated to the Commission in FY 2009-2010 through FY 2011-2012.

Department of Health Services (DHS) – For purposes of determining eligibility for behavioral health services, defines *indigent persons*. Stipulates that the provision of behavioral health services to persons who are not indigent is subject to available appropriations. Requires DHS to allocate monies for behavioral health services according to specified priorities.

Requires DHS to establish an Arizona Poison Control System consisting of two poison control centers: 1) one center affiliated with the University of Arizona College of Pharmacy, to serve all counties outside of Maricopa County; 2) one center privately operated and located in Maricopa County, to serve Maricopa County.

Department of Economic Security (DES) – Requires DES to test and screen adult recipients who are otherwise eligible for Temporary Assistance for Needy Families (TANF) cash benefits for the illegal use of controlled substances. Requires recipients to pass the drug screening test to remain eligible. Permits DES to reduce the maximum income eligibility level for child care assistance programs and requires DES to notify the Joint Legislative Budget Committee of any change.

The Governor indicates in her veto message that S.B. 1145, along with other budget bills adopted by the Legislature, does not balance the state budget. Further, the budget bills would prevent

APPROPRIATIONS COMMITTEE (Cont'd.)

the proper function of many critical components of state government, as well as undermine the efforts to develop and encourage a prosperous future.

~~technical correction; deceptive mailings~~ (NOW: budget reconciliation; K-12) (S.B. 1187/H.B. 2639)
– VETOED

Makes necessary statutory and session law changes relating to K-12 education in order to reconcile the FY 2009-2010 budget.

K-12 Funding – Increases both charter school additional assistance amounts and school district transportation support level per route mile formula amounts by two percent and specifies the base level (per-pupil funding) for all public schools as \$3,201.89. Reduces the school district soft capital allocation and budget limits for all school districts by \$175 million statewide, but exempts school districts with a student count of 600 or less from 50 percent of the reduction. This reduction must be taken against administrative costs where possible. Allows school districts to expend soft capital monies for any capital or operating expense. Funds Joint Technological Education Districts (JTED) at 91 percent of the statutory formula but no JTED will receive less funding in FY 2009-2010 than it received in FY 2008-2009, except for certain adjustments. Requires Classroom Site Fund per pupil calculations to factor in prior years shortfalls or surpluses.

Makes changes to the Basic State Aid and Additional State Aid (state aid) apportionment schedule and directs the Arizona Department of Education (ADE) to disburse the August 2009 apportionment in equal amounts over the remaining months of FY 2009-2010. Prohibits basic state aid funding for early kindergarten students who repeat kindergarten, if the early kindergarten student is admitted after the effective date of this act. Repeals the rapid decline funding formula and the Local Education Accountability Program (LEAP).

Average Daily Membership (ADM) – Caps the ADM per-pupil amount at 1.0 unless otherwise specified in statute and specifies how the ADM must be apportioned between a school district, charter school or Arizona Online Instruction (formerly Technology Assisted Project Based Instruction).

K-12 Rollover – Defers, until July 1, 2010, \$602,627,700 of the state aid payments scheduled to be apportioned to school districts in May and June of 2010 and appropriates the same amount in FY 2010-2011 from the state General Fund to ADE, for the deferred payments, to be disbursed on July 1, 2010. Appropriates \$886,200 to offset any costs to school districts resulting from the deferred payments. School districts may budget for estimated amounts outside the district's Revenue Control Limit (RCL) for any interest expenses incurred due to the deferred payments.

Property Tax – County assessors must calculate and assign assessed values on Government Property Lease Excise Tax (GPLET) properties and report those values to ADE. GPLET assessed valuations must be included in calculating school district equalization assistance amounts. Removes school district Desegregation programs, the Transportation Revenue Control Limit (TRCL) and Career Ladder programs from the portion of the primary property tax rate used to calculate additional state aid (Homeowner's Rebate). A school district cannot increase their primary property tax rate if: 1) one-half the district's residential property combined primary property tax rate exceeds the Constitution's one percent cap and 2) the district's current primary property tax rate exceeds 150

APPROPRIATIONS COMMITTEE (Cont'd.)

percent of the K-12 Qualifying Tax Rate (QTR). Permanently caps school district Desegregation budgets at the FY 2008-2009 funding level.

Bonding and Overrides – Allows school districts to issue Class B bonds, if they mature within five years of issuance, for furniture, equipment and technology. Limits capital overrides to 10 percent of the RCL. The maximum budget increase for a maintenance and operations (M&O) override changes from 10 percent to 15 percent of the RCL and proceeds may be used for programs to improve pupil academic achievement. Establishes a special program override by expanding the scope of the K-3 override to include programs for kindergarten through grade 12 and removing existing restrictions. School districts requesting a special program override may request an M&O override of up to 10 percent of the RCL. Existing K-3 overrides continue for the length originally authorized, unless a subsequent M&O override equal to 15 percent of the RCL is approved by voters. Specifies the base level as \$3,291.42 for calculating a district's RCL to determine the maximum budget increase that can be requested in an FY 2009-2010 override election. School districts may conduct an election on the second Tuesday of March 2010 and submit one of the following to their voters: 1) a 15 percent M&O override which, if approved, replaces any previously approved M&O and K-3 override; 2) an additional 5 percent M&O or special program override, if voters authorized a 10 percent M&O override in November 2009; 3) a 17 percent M&O override for school districts with existing M&O and K-3 overrides, as of the effective date of this act which, if approved, replaces the existing overrides and continues for the duration of the previously approved K-3 override.

Arizona Online Instruction (AOI) – Renames the Technology Assisted Project Based Instruction (TAPBI) program to Arizona Online Instruction (AOI). Eliminates the cap on the number of school districts and charter schools authorized to participate upon approval from the State Board of Education (SBE) or State Board for Charter Schools (SBCS). Each new school participates on a probationary status and may apply for permanent status after demonstrating a program's academic integrity through improvement in academic achievement. The SBE or the SBCS must remove a school from the program if it fails to demonstrate improvement in academic achievement within three years. Removes existing annual reporting requirements and instructs the SBE and SBCS to develop new annual reporting mechanisms. ADM for participating students is calculated at 95 percent for full-time students and 85 percent for part-time students based on specified attendance requirements. Programs must include multiple diverse assessment measures and required assessments must be proctored.

Teacher Performance Pay – Participating school districts may increase their base level amount for Career Ladder by a maximum five percent and no new teachers may participate in FY 2009-2010. Repeals the Teacher Performance Pay funding formula established in FY 2008-2009.

Early Graduation Scholarship Program (EGSP) – Retroactive to September 26, 2008, new students who graduate a semester early are ineligible to participate in the EGSP, but existing qualified students may continue. Limits the EGSP to students admitted before July 1, 2009 and continues their funding, subject to sufficient available funds. Prohibits a school district or charter school from adjusting their FY 2009-2010 student count and per-pupil funding for early graduates. Prohibits ADE from transferring any monies for FY 2009-2010 to the Commission for Post Secondary Education for the EGSP.

School Districts and School District Governing Boards – In certain circumstances school districts offering voluntary full day kindergarten must also offer half-day kindergarten in each school. Eliminates the required annual report relating to construction services and deletes outdated

APPROPRIATIONS COMMITTEE (Cont'd.)

statutory language relating to district procedures for procuring construction services. Exempts Intergovernmental Agreements (IGAs) between school districts or between a school district and another governing body from competitive bidding and removes the requirement for IGAs to be filed with the Secretary of State (SOS) or the county recorder, effective December 31, 2009. Exempts school districts from competitive bidding for pupil placement in an ADE approved private school providing special education services according to the pupil's Individual Education Plan. All district construction projects must be insured but do not need separate policies for each project. Deletes duplicative language specifying the governing board must maintain its schools for 175 school days, 200 days or the equivalent.

Allows school districts to confidentially maintain all documentation regarding bullying, harassment, or intimidation of pupils. All pupil expulsion hearings may be conducted by an independent hearing officer. All school districts may apply to the SBE to conduct their own accounting independent of the county school superintendent. School districts may sell advertising space on their websites. Removes restrictions on the expenditures of revenue generated from the sale of advertising on school buses and athletic facilities.

Changes the amount required to conduct a public hearing before revising the district's budget if the budget exceeds the general budget limit from \$1,000 to one percent or \$100,000, whichever is less. Districts may not adjust their FY 2009-2010 RCL for Actual Utility costs. Repeals the Excess Utilities Funding Plan and reporting requirements effective in FY 2008-2009.

School District Personnel – Removes specified dates relating to school district notification requirements for employment contract renewals and general salary reductions. Teachers who lobby during regular school hours must reimburse the school district or charter school for expenditures related to providing substitute teachers. Changes time periods relating to teacher disciplinary actions, notifications and hearing requests. Retired teachers who return to school district employment are not entitled to due process. Removes the labeling of unprofessional conduct for teachers who fail to comply with the notification requirements for pupil disciplinary proceedings. Governing boards may establish a separate fund or trust account to fund postemployment benefits for employees, their spouses and dependents and must meet certain reporting requirements.

Prohibits the SBE from requiring a school district superintendent or business manager to obtain state certification. Governing boards may set the qualifications at a public meeting for their district superintendent. Non-certified superintendents must have a valid fingerprint clearance card. School districts may hire a business manager that has expertise in finance. Eliminates requirements relating to multi-hazard crisis training and real estate attorneys.

Audits – ADE or the Auditor General may conduct school district and charter school financial, program, compliance or ADM audits. Districts correcting ADM overpayments may petition SBE for a three year repayment extension. School districts whose most recent annual audit contained no significant negative findings may convert to biennial audits. Upon receipt of a significant negative finding a district must switch back to an annual audit; but if after two subsequent annual audits with no significant negative findings, a district may revert back to a biennial audit. Suspends performance audit requirements for the Arizona's Instrument to Measure Standards (AIMS) Intervention and Dropout Prevention programs for FY 2009-2010.

Charter School Tuition – A charter school may admit nonresident pupils if they charge tuition but a charter school may not charge tuition to Arizona residents.

APPROPRIATIONS COMMITTEE (Cont'd.)

Assessments – Specifies that passing the AIMS test in reading, writing and mathematics are the only content areas required for high school graduation. Any additional assessments adopted by the SBE for high school pupils must measure college and career readiness. Lifts the one-year limit on AIMS test contracts.

Establishes a nine-member Task Force on Assessments to Measure College and Career Readiness (Task Force) to examine and evaluate existing tests measuring college and career readiness that are used for admission to postsecondary institutions, or are used by postsecondary institutions to award academic credit or placement. A report is due by June 30, 2010. The Task Force must recommend a process to select one or more tests to be administered to ninth graders beginning in 2011 and to eleventh graders beginning in 2012. Repeals the Task Force on September 15, 2010.

Transportation School District – Allows a county school superintendent to suspend the Chevelon-Butte Unified School District and report the suspension to the county board of supervisors, until July 1, 2010. The county board of supervisors may declare the district lapsed and annex the territory to one or more adjoining school districts.

School Facilities Board (SFB) – Suspends the Building Renewal formula for FY 2009-2010. Removes the requirement to count kindergarten students as full ADM in determining minimum school facility adequacy requirements. Authorizes the SFB to enter into Qualified School Construction bonds, as authorized by the American Reinvestment and Recovery Act of 2009, lease-to-own agreements (LTO) of up to \$100,000,000 by December 31, 2009 for new construction projects. Funding priority will be given to districts whose projected FY 2009-2010 ADM exceeds their capacity. The SFB may not authorize or award funding for the design or construction or school site acquisitions of any new school facility in FY 2009-2010 beyond the authorized LTO proceeds. School districts must submit capital plans for review and the SFB may award new school facilities, subject to future appropriations. Additional funding may only be granted to new construction projects for geographic or site conditions.

Miscellaneous – Grants a five-year period, instead of one or two-year period to Santa Cruz Union High School District and Red Mesa Unified School District to correct budget overexpenditures and to Blue Ridge Unified District and Snowflake Unified District to correct ADM overpayments. Allows Cave Creek Unified District to use remaining bond proceeds, approved by voters in November 2000, to modify an existing school facility rather than build a new school facility.

Requires the SBE to adopt rules for alternative certification of nontraditional foreign language teachers to pass a nationally-accredited test as a substitute for the education coursework/credit hours required for certification. School districts and charter schools may not adopt policies granting employment priority to teachers based on years of employment.

The Governor indicates in her veto message that S.B. 1187, along with the other FY 2009-2010 budget bills adopted by the Legislature, does not balance the state budget. Further the budget bills prevent the proper function of many critical components of state government, as well as undermine efforts to develop and encourage a prosperous future.

APPROPRIATIONS COMMITTEE (Cont'd.)

~~mine inspector; education; training; fees~~ (NOW: budget reconciliation; environment) (S.B. 1258/H.B. 2642) – VETOED

Makes necessary statutory and session law changes relating to the environment in order to reconcile the FY 2009-2010 budget.

Arizona Department of Agriculture – Requires livestock officers to inspect livestock within 48 hours of being advised an inspection is necessary. Repeals the Arizona Agricultural Protection Commission.

Arizona Department of Environmental Quality (ADEQ) – For FY 2009-2010, allows ADEQ to transfer \$6,531,000 from the Underground Storage Tank Revolving Fund Assistance Account for administrative costs associated with the leak prevention and used oil programs. Allows sanitary districts with a population of less than 50,000 and cities and towns of any size to accept loans through the Water Infrastructure Financing Authority (WIFA) without requiring an election. The loan must be financed with federal stimulus monies made available to WIFA. Requires the Agricultural Best Management Practices Committee to adopt dust control rules by June 1, 2010, for commercial farming and animal agriculture in future PM-10 nonattainment areas.

Arizona State Parks Board (Board) – Allows the Board to use investment earnings in the Land Conservation Fund's administrative account that exceed \$500,000 to operate state parks. For FY 2009-2010, the Board also may use \$692,100 from the Off-Highway Vehicle Recreation Fund and appropriated monies in State Parks Enhancement Fund for the operation of parks. Continues the transfer of \$3,000,000 from the Arizona State Parks Heritage Fund to the Fire Suppression Revolving Fund for FY 2009-2010.

Arizona State Land Department (ASLD) – Establishes the Trust Land Management Fund (TLMF) as a self-funding mechanism for the ASLD to manage state trust lands. The TLMF consists of a percentage of the annual proceeds from each beneficiary's sale of trust lands and natural products. For FY 2009-2010, appropriates \$9,773,500 from the TLMF to the ASLD, and requires the ASLD to revert \$3,819,700 to the state General Fund by October 1, 2009, and an additional \$3,257,800 by June 30, 2010.

Arizona Department of Water Resources (ADWR) – Requires ADWR to include separate accounting detail of the Nevada interstate water banking subaccount when making its budget request. Provides for an annual appropriation to the Arizona Water Protection Fund for FY 2009-2010.

The Governor indicates in her veto message that H.B. 2642 along with the other FY 2009-2010 bills does not balance the state budget. Further, the budget bills would prevent the proper function of many critical components of state government, as well as undermine efforts to develop and encourage a prosperous future.

~~state financial condition; state treasurer~~ (NOW: state budget reports; financial condition) (S.B. 1464) – VETOED

Requires the State Treasurer (Treasurer) to submit an annual financial condition statement to the Governor, the President of the Senate and the Speaker of the House of Representatives at

APPROPRIATIONS COMMITTEE (Cont'd.)

specified intervals, and requires the Arizona Departments of Administration and Revenue to provide the Treasurer with all pertinent information.

Requires the Governor's budget report to contain a statement and allows the Legislature to adopt a concurrent resolution comparing state expenditures to state revenues. Mandates that the Economics Estimates Commission determine and publish the percentage changes in that state's population and cost of living.

In her veto message the Governor states that the budgeting reforms outlined in this legislation fall short of a comprehensive solution. The letter further states that transferring the responsibility of forecasting revenues to the Treasurer's office does not encourage collaboration between the Executive and Legislative branches in their efforts to reach a consensus revenue estimate upon which budgets can be based.

~~revenue department; technical correction~~ (NOW: noncustodial federal monies; legislative appropriation) (H.B. 2369) – VETOED

Authorizes the Legislature to appropriate noncustodial federal monies and stipulates how the Legislature may appropriate those monies.

The Governor indicates in her veto message that H.B. 2369 complicates the administration of programs receiving federal funds and diverts the Legislature's attention away from addressing the state's fiscal problems. The Governor also states that Legislative appropriation of federal monies is not a solution to the current budget crisis.

~~technical correction; rebate set aside~~ (NOW: budget reconciliation; general revenues; trailer) (H.B. 2644/S.B. 1472) – VETOED

Conditioned on the enactment of S.B. 1036, Forty-Ninth Legislature, First Regular Session, makes necessary statutory and session law changes to S. B. 1036 relating to general revenues in order to reconcile the FY 2009-2010 state budget.

Corporation Commission – Redirects a portion of the fees collected for the annual report of domestic and foreign corporations from the state General Fund (GF) to the Public Access Fund for the Arizona Corporation Commission's (ACC) operating expenditures, effective retroactively to July 1, 2009.

Authorizes the ACC to adjust annual registration fees for securities dealers and salespersons and to deposit a portion of those fees in the Securities Regulation and Enforcement Fund (Fund). Stipulates that annual revenues collected in excess of the amount legislatively appropriated to the Fund be deposited into the state GF.

Authorizes the ACC to establish by order the annual registration fees for securities dealers and salesmen and exempts the ACC from rule making requirements one time for the purposes of setting the fees.

Department of Education – Transfers the repeal of the State Equalization Tax Rate and the setting of the official K-12 Qualifying Tax Rate from S.B. 1036 to the General Revenues Budget Reconciliation Bill (H.B. 2644).

APPROPRIATIONS COMMITTEE (Cont'd.)

Department of Revenue – Repeals the transfer of the function of tobacco tax enforcement from the Department of Revenue (DOR) to the Department of Liquor Licenses and Control. Eliminates the shift of Tobacco Tax and Healthcare Fund monies associated with the transfer.

Establishes the DOR Administrative Fund consisting of monies from unclaimed property. Transfers a portion of unclaimed property proceeds to the DOR Administrative Fund for payment of unclaimed property contract auditor fees if 12.5 percent of the total dollar value of recovered property exceeds \$1,770,000.

Continues the requirement that any Business Reengineering/Integrated Tax System (BRITS) contract extensions or modifications which increase the contractor's share of gain-sharing proceeds be subject to Joint Legislative Budget Committee (JLBC) review, effective retroactively to July 1, 2009. Stipulates that DOR may utilize up to \$2 million of state GF revenue deposits to pay for BRITS operational support costs, subject to JLBC review.

Taxes and Fees – Repeals the requirement that counties distribute \$53 million of the counties' state shared Vehicle License Tax (VLT) monies to local school districts in FY 2009-2010. Reduces municipal contributions of local VLT collections to be distributed to local school districts from \$42 million to \$22 million.

Requires nonresident taxpayers to prorate their standard deduction based on Arizona income as a percent of total income.

Restores the fee raising authority authorized by Laws 2008, Chapter 291, section 12, for the following state agencies and amounts in FY 2009-2010: 1) Department of Health Services – \$600,000; 2) State Land Department – \$600,000; and 3) Radiation Regulatory Agency – \$500,000.

Authorizes the Board of Nursing Care Administrators and Assisted Living Facility Managers (Board) to increase fees up to \$85,000 in FY 2009-2010 and appropriates revenue generated through increased fees to the Board.

Authorizes the Office of Pest Management (Office) to increase fees up to \$875,000 in FY 2009-2010 and appropriates revenue generated through increased fees to the Office.

Miscellaneous – Repeals the 10 percent single assessment ratio for all classes of property for all voter approved overrides and bond elections. Permanently sets the assessment ratio for Class One property at 16 percent for all prospective bond and override elections, beginning in tax year 2012.

Requires Maricopa County to transfer \$19,014,600 into the GF instead of \$24,169,400. Requires Pima County to transfer \$2,985,400 into the GF instead of \$3,794,400.

Modifies the redirection of unclaimed property proceeds by annually depositing the first \$10.5 million of collected proceeds into the Housing Trust Fund, effective retroactively to July 1, 2009. The second \$24.5 million of collected proceeds will be deposited into the DOR Administrative Fund, effective retroactively to July 1, 2009.

Modifies the renewal and expiration dates for licenses for professional and practical nurses.

APPROPRIATIONS COMMITTEE (Cont'd.)

Requires that any VLT revenues collected as a result of the optional five-year vehicle registration period which exceeds the amount that would have been collected had the vehicles been registered for two years be deposited into the GF instead of the State Highway Fund.

The Governor indicates in her veto message that H.B. 2644, along with the other FY 2009-2010 budget bills, does not balance the state budget. Further, the budget bills would prevent the proper function of many critical components of state government, as well as undermine efforts to develop and encourage a prosperous future.

~~technical correction; public roadways~~ (NOW: budget reconciliation; general government; trailer) (H.B. 2645 / S.B. 1473) – VETOED

Conditioned on the enactment of S.B. 1035, Forty-Ninth Legislature, First Regular Session, makes necessary statutory and session law changes to S. B. 1035 relating to general government in order to reconcile the FY 2009-2010 state budget.

Arizona Department of Administration (ADOA) – Eliminates ADOA's requirement to rebid existing telecommunication contracts by September 30, 2009.

Requires ADOA to allow vendors to demonstrate the availability and savings associated with business intelligence software, if the vendors agree to receive payment through the savings generated from the software. ADOA must quantify the savings from the implementation of the software and submit an annual report to the Joint Legislative Budget Committee (JLBC) and the Joint Legislative Audit Committee.

Liquor Licenses Fund (Fund) – Establishes the Fund and reverts any year-end balance over \$700,000 to the state General Fund. Allows for an additional \$700,000 to be deposited into the Fund in FY 2009-2010.

Taxes and Fees – Provides exemptions for state agencies who adopt rules that result in an increase in monetary or regulatory costs. Removes the moratorium on development fee collection and the requirement for voter approval for local construction sales tax increases. Adds additional provisions relating to development fees and construction sales tax rates.

Funding – Authorizes the sale of \$200 million board funding obligations by the Transportation Board to a financial institution if they are not first purchased by the State Treasurer. Allows the Arizona Department of Transportation (ADOT) to transfer \$10 million from subaccounts of the Statewide Transportation Acceleration Needs (STAN) account to restore funding for a project previously approved by the Transportation Board that was in an amount less than \$21,000,000.

Secretary of State – Repeals provisions relating to the classification of new employees and the transfer of the Arizona State Library, Archives and Public Records.

Miscellaneous – Modifies proof of citizenship requirements for the receipt of federal, state and local benefits to conform with federal requirements.

The Governor's veto message indicates that the measure, along with the other FY 2009-2010 budget bills, does not balance the state budget and prevents the proper function of many critical components of state government.

APPROPRIATIONS COMMITTEE (Cont'd.)

~~technical correction; state highways (NOW: state properties; trailer) (H.B. 2646 / S.B. 1474) – VETOED~~

Conditioned on the enactment of S.B. 1031, Forty-Ninth Legislature, First Regular Session, makes necessary statutory and session law changes to S.B. 1031 relating to the state properties. Excludes the two state trailers located on the State Agricultural Laboratory property from the sale of the land and eliminates the requirement for the sale of one of two twin engine airplanes and one helicopter by the Department of Public Safety.

The Governor indicates in her veto message that H.B. 2646, along with the other FY 2009-2010 budget bills adopted by the Legislature, does not balance the state budget. Further, the budget bills would prevent the proper function of many critical components of state government, as well as undermine efforts to develop and encourage a prosperous future.

~~technical correction; certificate of title (NOW: budget reconciliation; criminal justice; trailer) (H.B. 2647/S.B. 1475) – VETOED~~

Conditioned on the enactment of S.B. 1028, Forty-Ninth Legislature, First Regular Session, makes necessary statutory and session law changes to S.B. 1028, relating to the criminal justice system in order to reconcile the FY 2009-2010 state budget.

Arizona Department of Corrections (ADC) Health Care Services – Requires, under specified conditions, ADC to pay approved claims from a facility or provider based on the Arizona Health Care Cost Containment System Administration hospital reimbursement methodology or capped fee-for-service schedule. Requires, before October 1, 2009, ADC to issue a request for information (RFI) to privatize all correctional health services that are provided in a state owned and operated facility and specifies RFI reporting requirements to the Joint Legislative Budget Committee (JLBC). Specifies that ADC's requirement to issue request for proposals (RFP) to privatize all correctional health services applies to services that are provided in a state owned and operated facility and changes the date the RFP's must be submitted to JLBC. Allows ADC to use any nonappropriated state monies to pay inmate health care expenditures incurred during FY 2007-2008.

ADC Lease-Purchase Agreements – Makes numerous changes to the lease-purchase finance agreement (agreement) as follows: 1) changes the deadline for entering into an agreement or agreements; 2) changes the required amount of net available proceeds; 3) stipulates a maximum term; 4) requires the agreements to be through the sale and simultaneous lease purchase of an ADC facility or any other state owned facility; 5) allows any other state owned facility to be used as collateral; 6) specifies requirements relating to the state's obligations under any agreement; 7) exempts the agreement from the Arizona Procurement Code; 8) details the authority conferred for actions authorized; and 9) requires the state to maintain operations at any facility that is sold pursuant to an agreement.

ADC Concession Agreement – Removes the concession agreement RFI requirements to include the ability to operate a maximum security prison facility and requires reviews by the Joint Committee on Capital Review (JCCR). Exempts the Arizona State Prison complex at Yuma from the RFP requirement. Changes deadlines for JLBC's review of the RFP, JCCR's review of the concession agreement and the award of the concession agreement.

APPROPRIATIONS COMMITTEE (Cont'd.)

ADC Food and Commissary Contracts – Repeals the provisions relating to the RFP requirement to rebid the ADC food and commissary service contracts.

ADC Private Prison Beds – Requires ADC to issue an RFP and contract for 5,000 private prison beds in Arizona and specifies the following: 1) the permissible number of bidders; 2) the length of the contract period; 3) the RFP deadline for review by JLBC; 4) the contract award deadline; 5) quarterly reporting requirements to JLBC; 6) applicable contract provisions; and 7) statutory contract exemptions. Allows, in FY 2009-2010, ADC to use any nonappropriated monies for any start up and operating costs that are associated with the 4,000 new beds that were authorized in Laws 2007, Chapter 261.

Courts – Repeals the deposit schedule relating to the transfer of the \$45 defensive driving surcharge and requires, retroactive to July 1, 2009, deposit of a specified amount of revenue annually into the Crime Laboratory Operations Fund and all remaining revenue into the state General Fund. Continues, retroactive to July 1, 2009, the exclusion of state photo enforcement citations in the calculation of judicial productivity credits. Repeals the provisions relating to the compensation and employee related expenditures of a justice of the peace and continues, retroactive to July 1, 2009, the state's payment of 19.25 percent and the county's payment of 80.75 percent.

Retirement – Exempts, within the definition of compensation for the Public Safety Personnel Retirement System (PSPRS), third party contracts between agencies for law enforcement training, wildfire and emergency management activities.

Attorney General (AG) – Allows, for FY 2009-2010, the AG to use monies in the Collection Enforcement Revolving Fund for any operating expenses incurred by the Department of Law.

Board of Executive Clemency (Board) – Requires, retroactive to July 1, 2009 and for FY 2009-2010, the chairman of the Board to also act as the executive director and restricts the remaining members of the Board from working more than 30 hours per week and from eligibility for any state benefits.

The Governor indicates in her veto message that H.B. 2647, along with the other FY 2009-2010 budget bills adopted by the Legislature, does not balance the state budget. Further, the budget bills would prevent the proper function of many critical components of state government, as well as undermine efforts to develop and encourage a prosperous future.

~~technical correction; industrial development; insurance~~ (NOW: budget reconciliation; K-12 education; trailer) (H.B. 2648/S.B. 1480) - VETOED

Conditioned on the enactment of S.B. 1187, Forty-Ninth Legislature, First Regular Session, H.B. 2648 makes necessary statutory and session law changes to S. B. 1187 relating to K-12 education in order to reconcile the FY 2009-2010 state budget.

K-12 Funding – Increases additional assistance amounts for charter schools by two percent for FY 2009-2010 but directs the Arizona Department of Education (ADE) to proportionately reduce the amount of additional assistance charter schools will receive in FY 2009-2010 by \$5,000,000, beginning January 1, 2010. Increases the base level amount for all public schools by two percent for FY 2009-2010 but instructs ADE to use the base level amount of \$3,201.89 when calculating FY 2009-2010 school district and charter school base support levels. Delays the \$175 million soft capital

APPROPRIATIONS COMMITTEE (Cont'd.)

allocation and budget limit reduction until January 1, 2010. School districts and charter schools may charge tuition for early kindergarten students who repeat kindergarten and are ineligible for state aid. Clarifies the state aid apportionment schedule. Allows the State Board of Education (SBE) to make the currently-scheduled July 1, 2010 rollover payment no later than August 29, 2010.

Bonding and Overrides – Specifies ballot language for the continuation of an existing school district maintenance and operations (M&O) or special program budget override. School district governing boards may cancel a November 2009 override election no later than August 1, 2009. Extends the period a school district may issue new, voter-approved bonds from six years to ten years.

Arizona Online Instruction (AOI) – Eliminates the State Board for Charter Schools (SBCS) sponsorship requirement for all online schools. The SBE and the SBCS must develop standards for online course provider and online school approval. Clarifies state aid calculations for AOI pupils. Decreases the number of hours AOI high school students must attend to be considered a full-time student.

Teacher Performance Pay – Reinstates the Teacher Performance Pay funding formula established in FY 2008-2009.

Early Graduation Scholarship Program (EGSP) – Authorizes the Arizona Commission for Postsecondary Education to solicit and receive donations, federal grants, and other federal monies to support the EGSP in FY 2009-2010.

School District Personnel – Repeals language requiring teachers who engage in lobbying activities during regular school hours to reimburse the school district for expenditures related to providing substitute teachers. School district employment contracts may not include compensated days for *professional association activities* but employees may take compensated time for any personal or professional purpose. Eliminates restrictions on implementing general salary reductions for certified teachers employed for more than three years. Removes language requiring school districts to rehire certified teachers by seniority.

Audits – Eliminates the provision authorizing ADE to conduct school district and charter school program audits. Removes language allowing school districts correcting average daily membership (ADM) overpayments, who already received a one year extension, to petition SBE for an additional three year extension.

School Facilities Board (SFB) – Increases the time period, from December 31, 2009 to December 31, 2010, in which SFB may enter into a maximum of \$100 million in lease-to-own (LTO) agreements for new construction projects. The LTO agreements must be for Qualified School Construction bonds authorized by the American Recovery and Reinvestment Act of 2009.

Miscellaneous – Authorizes school districts and charter schools to charge tuition for full day kindergarten in FY 2009-2010 if they eliminated free full day kindergarten as part of their FY 2009-2010 budget reductions.

The Governor indicates in her veto letter that H.B. 2648, along with the other FY 2009-2010 budget bills adopted by the Legislature, does not balance the state budget. Further the budget bills would prevent the proper function of many critical components of state government, as well as undermine efforts to develop and encourage a prosperous future.

APPROPRIATIONS COMMITTEE (Cont'd.)

~~technical correction; open pit mining~~ (NOW: budget reconciliation; higher education; trailer) (H.B. 2649/S.B. 1477) - VETOED

Conditioned on the enactment of S.B. 1029, Forty-Ninth Legislature, First Regular Session, makes necessary statutory and session law changes to S.B. 1029 relating to higher education in order to reconcile the FY 2009-2010 state budget.

Community Colleges – Removes the delayed effective date of July 1, 2010 for changes to operating state aid funding relating to eliminating the hold harmless provision and the eligibility threshold for growth funding. Delays the effective date for funding dual enrollment at 50 percent until July 1, 2010. Prohibits students from being counted twice for state funding purposes in both a provisional and a traditional community college district in FY 2009-2010 and FY 2010-2011. A community college district that provides services to a provisional community college district may include these students in calculating their constitutional expenditure limitation only in FY 2009-2010 and FY 2010-2011.

Universities – Replaces the requirement for Arizona Board of Regents (ABOR) to include information on paid invited speakers and associated costs in its annual report with a separate current fiscal year report. Reinstates \$623.3 million of ABOR's lease-to-own (LTO) and bond transaction authority, for a total of \$800 million, including the required allocation of \$376 million to the Phoenix Biomedical Campus. Authorizes ABOR to enter into \$400 million in LTO and bond agreements for building renewal projects and new construction in FY 2009-2010. Limits state lottery distributions to the University Capital Improvement Lease-to-Own and Bond Fund (Fund) in FY 2009-2010 and FY 2010-2011 to a maximum of 80 percent of the \$167.7 million in currently authorized LTO and bond agreements. Permits up to \$800 million in state lottery distributions to the Fund in FY 2011-2012 for new LTO and bond agreements. Modifies the payment date for the \$100 million deferred in FY 2009-2010 by requiring one payment on October 1, 2010 instead of two equal payments on August 1 and September 1, 2010.

The Governor indicates in her veto message that H.B. 2649, along with the other FY 2009-2010 budget bills adopted by the Legislature, does not balance the state budget. Further, the budget bills would prevent the proper function of many critical components of state government, as well as undermine efforts to develop and encourage a prosperous future.

~~technical correction; health services; fees~~ (NOW: budget reconciliation; health; welfare; trailer) (H.B. 2650/S.B. 1471) – VETOED

Conditioned on the enactment of S.B. 1145, Forty-Ninth Legislature, First Regular Session, makes necessary statutory and session law changes to S.B. 1145 relating to health and welfare in order to reconcile the FY 2009-2010 budget.

Arizona Health Care Cost Containment System (AHCCCS) – Maintains income eligibility for KidsCare at 200 percent of the Federal Poverty Level. Specifies that the elimination of dentures as a covered health service is effective retroactively to July 1, 2009. Prohibits AHCCCS from increasing inpatient provider rates above the rates in effect on September 30, 2009. Allows AHCCCS to reduce noninstitutional provider rates by up to 5 percent. Requires AHCCCS to continue the phase-in of outlier cost-to-charge ratios through October 1, 2009.

APPROPRIATIONS COMMITTEE (Cont'd.)

Clarifies that the suspension of capitation payments to acute care health plans in June 2010 equals 100 percent of the payment for plans that have at least 100,000 members and 50 percent of the payment for plans that have less than 100,000 members. Specifies that delinquent payments to the plans bear interest at a rate of 0.5 percent.

Allows AHCCCS, subject to approval by the Centers for Medicare and Medicaid Services, to spend federal monies made available by local or tribal spending if the expenditure does not jeopardize receipt of enhanced funding available under the American Recovery and Reinvestment Act (ARRA). Instructs AHCCCS to reimburse counties for any portion of costs for administering Proposition 204 and the Medical Expense Deduction program to comply with ARRA requirements.

Department of Health Services (DHS) – Eliminates current fee limits set in statute for the licensure and certification of health care institutions, child care facilities and child care group homes. Permits DHS to establish and collect these fees by rule. Creates the Health Services Licensing Fund (Fund). Requires 90 percent of the collected fees to be deposited into the Fund and 10 percent to be deposited into the General Fund. Specifies the Fund is subject to legislative appropriation. Appropriates \$4,493,400 in FY 2009-2010 from the Fund to DHS for assurance and licensing expenditures. Exempts DHS from rulemaking requirements for eighteen months to establish new licensure and certification fees and allows DHS to continue charging current fees through December 31, 2009. States the intent of the Legislature that additional revenue generated from the fees from January 1, 2010 through June 30, 2010, not exceed \$5,000,000.

Revises session law to require cities and all counties to pay 100 percent of restoration to competency (RTC) costs and excludes these payments from county expenditure limitations in FY 2009-2010. Requires cities and counties to reimburse DHS for 25 percent of the costs of commitment of sexually violent persons in FY 2009-2010. Payment must be made within 30 days after a request for payment is made by DHS. Requires DHS to establish a list of priority behavioral health services, post the list on its website and provide at least 30 days notice before modifying the list.

The Governor states in her veto message that H.B. 2650, along with other FY 2009-2010 budget bills adopted by the Legislature, does not balance the state budget. Further, the budget would prevent the function of many critical components of state government, as well as undermine efforts to develop and encourage a prosperous future.

~~technical correction; national guard~~ (NOW: budget reconciliation; environment; trailer) (H.B. 2651/S.B. 1476) – VETOED

Conditioned on the enactment of S.B. 1258, Forty-Ninth Legislature, First Regular Session, makes necessary statutory and session law changes to S.B. 1258 relating to the environment in order to reconcile the FY 2009-2010 state budget.

Requires \$600,000 from the fees the Arizona State Land Department receives for applications and permits to be deposited into the Trust Land Management Fund in FY 2009-2010. Requires the transfer of \$1.5 million from the Arizona State Parks Heritage Fund to be made to the Fire Suppression Revolving Fund in two installments in FY 2009-2010. In addition to sanitary districts with a population less than 50,000 and cities and towns of any size, allows counties of any size to accept loans through the Water Infrastructure Financing Authority without requiring an

APPROPRIATIONS COMMITTEE (Cont'd.)

election through FY 2010-2011 if federal stimulus monies are used. Repeals provisions pertaining to the adoption of agricultural best management practices in future PM-10 nonattainment areas. Reinstates the Arizona Agricultural Protection Commission.

The Governor indicates in her veto message that H.B. 2651, along with the other FY 2009-2010 budget bills adopted by the Legislature does not balance the state budget. Further, the budget bills would prevent the proper function of many critical components of state government, as well as undermine the efforts to develop and encourage a prosperous future.

APPROPRIATIONS COMMITTEE (Cont'd.)

FIRST SPECIAL SESSION

LEGISLATION ENACTED

budget reductions and transfers; 2008-2009 – (S.B. 1001/H.B. 2001) – Chapter 1 (First Special Session)

Effective January 31, 2009, reduces state General Fund (GF) operating expenses, transfers monies from various other funds to the GF, reverts unspent and unencumbered balances, and delays and reduces appropriations in order to reconcile an anticipated FY 2008-2009 state GF shortfall of \$1.6 billion. Makes supplemental appropriations.

Appropriations Reductions – Reduces the FY 2008-2009 appropriations made from the state GF to the following budget units by the corresponding amounts listed below:

FY 2008-2009 General Fund Budget Reductions	
Arizona Department of Administration (ADOA)	(7,624,900)
Office of Administrative Hearings	(128,500)
Arizona Department of Agriculture	(1,164,000)
Arizona Health Care Cost Containment System (AHCCCS)	(24,931,100)
Arizona Commission on the Arts	(402,300)
Attorney General (AG)	(1,500,000)
State Capital Postconviction Defender Office	(87,100)
State Board for Charter Schools	(82,900)
Arizona Department of Commerce (ADOC)	(738,500)
Arizona Corporation Commission (ACC)	(428,100)
State Department of Corrections (ADC)	(21,851,900)
Arizona Criminal Justice Commission (ACJC)	(117,200)
Arizona State Schools for the Deaf and the Blind (ASDB)	(738,000)
Department of Economic Security (DES)	(83,301,400)
Arizona Department of Education (ADE)	(9,582,000)
Department of Emergency and Military Affairs	(1,352,600)
Arizona Department of Environmental Quality (ADEQ)	(4,088,300)
State Board of Equalization	(32,800)
Board of Executive Clemency	(50,000)
Department of Financial Institutions	(380,900)
Department of Fire, Building and Life Safety	(358,700)
Arizona Geological Survey	(110,300)
Government Information Technology Agency (GITA)	(2,193,900)
Office of the Governor	(351,100)

APPROPRIATIONS COMMITTEE (Cont'd.)

Office of Strategic Planning and Budgeting	(219,900)
Department of Health Services (DHS)	(26,157,500)
Arizona Historical Society	(324,100)
Prescott Historical Society	(76,300)
Arizona Commission of Indian Affairs	(23,400)
Department of Insurance	(737,000)
Judiciary – Supreme Court	(1,072,200)
Judiciary – Court of Appeals	(50,400)
Judiciary – Superior Court	(2,447,700)
Department of Juvenile Corrections (ADJC)	(2,500,000)
State Land Department	(2,944,800)
Legislature – Auditor General (OAG)	(1,750,300)
Legislature – Joint Legislative Budget Committee (JLBC)	(143,000)
Legislature – Legislative Council	(541,500)
Legislature – Arizona State Library, Archives and Public Records	(737,900)
Legislature – Senate	(401,200)
Department of Liquor Licenses and Control	(347,500)
State Mine Inspector	(62,400)
Department of Mines and Mineral Resources	(47,400)
Arizona Navigable Steam Adjudication Commission	(18,100)
State Board of Nursing	(69,700)
Arizona State Parks Board	(4,656,100)
Personnel Board	(37,200)
Arizona Pioneers' Home	(24,000)
Department of Public Safety (DPS)	(6,948,100)
Arizona Department of Racing	(262,300)
Radiation Regulatory Agency	(116,300)
State Real Estate Department	(423,700)
Arizona Department of Revenue (DOR)	(7,391,900)
School Facilities Board (SFB)	(394,900)
Secretary of State	(150,000)
State Board of Tax Appeals	(15,600)
Arizona Department of Transportation (ADOT)	(8,500)
State Treasurer	(275,400)
Arizona Board of Regents (ABOR) and All University Campuses	(141,500,000)
Department of Veterans' Services (DVS)	(210,000)
Department of Water Resources (ADWR)	(5,785,800)

APPROPRIATIONS COMMITTEE (Cont'd.)

Department of Weights and Measures	(159,400)
------------------------------------	-----------

Also, reduces the following amounts from FY 2008-2009 appropriations made to state agencies as permitted by the enactment of related budget reconciliation bills:

AHCCCS	(117,000)
Arizona Community Colleges	(9,000,000)
DES	(1,980,300)
ADE	(123,198,000)
DHS	(633,300)
Judiciary – Superior Court	(838,200)

Reduces in FY 2008-2009 the appropriation made to the Arizona Twenty-First Century Competitive Initiative Fund by \$22,500,000.

Fund Transfers – Transfers to the GF, before July 1, 2009, the following amounts of monies from the corresponding funds or sources:

Agency	Fund	FY 2008-2009 Change
ADOA	Automation Operations Fund	(629,900)
	Construction Insurance Fund	(2,304,900)
	Corrections Fund	(318,100)
	Motor Vehicle Pool Fund	(349,500)
	Risk Management Fund	(9,000,000)
	Telecommunications Fund	(1,496,100)
	Telecommunications Fund - Infrastructure Improvements Account	(3,328,000)
Arizona Department of Agriculture	Commercial Feed Fund	(129,700)
	Fertilizer Materials Fund	(140,000)
	Livestock Custody Fund	(122,500)
	Designated Fund	(258,600)
	Arizona Federal-State Inspection Fund	(516,100)
	Indirect Cost Recovery Fund	(171,600)
AHCCCS	AHCCCS Fund 2120	(1,963,300)
	Intergovernmental Services Fund	(1,147,700)
	Third Party Collections	(195,700)
Arizona Commission on the Arts	Arts Endowment Fund	(5,347,700)
AG	Antitrust Revolving Fund	(250,000)
Automobile Theft Authority	Automobile Theft Authority Fund	(300,800)
ADOC	Commerce Development Bond Fund	(1,142,700)

APPROPRIATIONS COMMITTEE (Cont'd.)

	Commerce and Economic Development Commission (CEDC) Fund	(5,374,700)
	Commerce Workshops Fund	(273,900)
	Greater Arizona Development Authority Revolving Fund	(3,158,000)
	Job Training Fund	(21,279,200)
	Military Installation Fund	(1,780,100)
ACC	Pipeline Safety Revolving Fund	(144,300)
	Public Access Fund	(239,200)
	Investment Management Regulatory and Enforcement Fund	(567,900)
	Securities Regulatory and Enforcement Fund	(357,700)
	Utility Regulation Revolving Fund	(891,100)
ADC	Arizona Correctional Industries Revolving Fund	(783,300)
	Special Services Fund	(909,400)
ACJC	Criminal Justice Enhancement Fund (CJEF)	(1,776,800)
	Driving Under the Influence Abatement Fund	(774,200)
Commission for the Deaf and Hard of Hearing	Telecommunications Fund for the Deaf	(1,182,300)
Drug and Gang Enforcement Resource Center	Drug and Gang Enforcement Resource Center Fund	(170,300)
DES	Children and Family Services Training Fund	(182,100)
	Domestic Violence Shelter Fund	(667,500)
	Long-term Care System Fund	(6,872,100)
	Spinal and Head Injuries Trust Fund	(439,100)
	Arizona Training Program at Phoenix Fund	(1,450,400)
	Industries for the Blind Fund	(266,600)
ADE	E-Learning Fund	(2,997,200)
ADEQ	Air Permits Administration Fund	(2,588,400)
	Air Quality Fund	(6,931,500)
	Emissions Inspection Fund	(5,600,000)
	Greenfields Program Fund	(165,000)
	Indirect Cost Recovery Fund	(2,761,500)
	Monitoring Assistance Fund	(449,100)
	Recycling Fund	(390,800)
	Underground Storage Tank (UST) Fund	(495,900)

APPROPRIATIONS COMMITTEE (Cont'd.)

	Voluntary Vehicle Repair and Retrofit Program Fund	(530,600)
	Water Quality Assurance Revolving Fund	(8,900,000)
	Water Quality Fee Fund	(500,000)
Arizona Exposition and Fair Board	Arizona Exposition and State Fair Fund	(1,817,900)
Department of Financial Institutions	Arizona Escrow Guarantee Fund	(1,922,200)
	Receivership Revolving Fund	(1,216,800)
Game and Fish Department	Watercraft Licensing Fund	(1,922,200)
	Wildlife Restoration and Enhancement Fund	(145,000)
GITA	Information Technology Fund	(31,200)
	State Web Portal Fund	(529,000)
	IGA and ISA Fund	(154,100)
GOV	Nonlapsing Fund	(567,600)
DHS	Child Fatality Review Fund	(186,900)
	Emergency Medical Services Operating Fund	(377,600)
	Environmental Lab Licensure Revolving Fund	(115,400)
	Indirect Cost Fund	(1,129,900)
	Newborn Screening Program Fund	(1,334,500)
	Nursing Care Institution Protection Fund	(353,700)
	Substance Abuse Services Fund	(204,300)
	Vital Records Electronic Systems Revolving Fund	(687,200)
Arizona Department of Housing	Housing Program Fund	(2,906,300)
	Housing Trust Fund	(17,562,000)
Industrial Commission	Industrial Commission Revolving Fund	(109,500)
	Industrial Commission Special Fund	(3,280,900)
Department of Insurance	Arizona Property and Casualty Insurance Guaranty Fund	(13,979,000)
	Life and Disability Insurance Guaranty Fund	(15,613,400)
	Insurance Examiners' Revolving Fund	(163,000)
Judiciary - Supreme Court	Alternative Dispute Resolution Fund	(218,200)
	State Aid to the Courts Fund	(719,000)
	CJEF	(1,048,200)
	Lengthy Trial Fund	(207,000)
	Confidential Intermediary and Fiduciary Fund	(134,600)

APPROPRIATIONS COMMITTEE (Cont'd.)

	Court Appointed Special Advocate Fund	(313,400)
	Defensive Driving School Fund	(168,800)
	Judicial Collection Enhancement Fund (JCEF)	(416,900)
Judiciary - Superior Court	CJEF	(1,048,200)
	Drug Treatment and Education Fund	(592,800)
	JCEF	(528,300)
ADJC	CJEF	(37,000)
State Land Department	Community Protection Initiative Fund	(940,200)
Auditor General	Nonlapsing Fund	(2,200,000)
Legislature - House of Representatives	Nonlapsing Fund	(4,000,000)
Legislature - JLBC	Nonlapsing Fund	(1,305,300)
Legislature - Legislative Council	Nonlapsing Fund	(967,700)
Legislature - Arizona State Library, Archives and Public Records	Records Services Fund	(261,800)
	Nonlapsing Fund	(121,000)
	State Library Fund	(100,000)
Arizona State Lottery Commission	State Lottery Fund	(4,898,500)
Parents Commission on Drug Education and Prevention	Drug Treatment and Education Fund	(828,100)
Arizona State Parks Board	Law Enforcement and Boating Safety Fund	(500,000)
	Off-highway Vehicle Recreation Fund	(436,300)
	State Lake Improvement Fund (SLIF)	(10,154,200)
	State Parks Enhancement Fund	(4,664,000)
Commission for Postsecondary Education	Early Graduation Scholarship Fund	(2,985,800)
Arizona Power Authority	Arizona Power Authority General Operating Fund	(1,000,000)
	Fund Deposits Fund	(1,000,000)
DPS	CJEF	(687,200)
	Peace Officers Training	(433,900)
	DPS Administration Fund	(685,400)
	DPS Licensing Fund	(196,400)
	Joint Fund	(1,489,000)
	Records Processing Fund	(324,600)
	Sex Offender Monitoring Fund	(50,000)
	Highway Patrol Fund	(1,490,800)

APPROPRIATIONS COMMITTEE (Cont'd.)

Arizona Department of Racing	Arizona Breeders' Award Fund	(204,700)
	County Fairs Racing Betterment Fund	(182,000)
DOR	Client County Equipment Capitalization Fund	(147,500)
	Escheated Estates Fund	(189,600)
	Estate and Unclaimed Property Fund	(1,125,000)
	Liability Set-off Fund	(123,500)
SFB	Building Renewal Grant Fund	(13,000,000)
	School Facilities Revenue Bond Debt Service Fund	(1,616,000)
	State School Trust Fund Revenue Bond Debt Service	(582,200)
Office of Tourism	Tourism Fund	(200,000)
ADOT	Transportation Department Equipment Fund	(3,978,500)
	Arizona Highways Magazine Fund	(1,056,700)
	Economic Strength Project Fund	(1,219,400)
	State Aviation Fund	(3,464,100)
	Vehicle Inspection and Title Enforcement Fund	(407,100)
DVS	Veterans' Cemetery Fund	(243,200)
ADWR	Arizona Water Banking Fund	(9,196,600)
	Arizona Water Protection Fund	(2,022,600)
	Indirect Cost Recovery Fund	(600,900)
	Arizona Water Quality Fund	(279,300)
	Augmentation and Conservation Assistance Fund	(354,700)
	Dam Repair Fund	(645,900)
Other	Budget Stabilization Fund	(130,000,000)

Transfers \$7,000,000 in interest earnings from the Early Childhood Development and Health Fund to the state GF. Reverts \$5,200,700 from ADOA to the Capital Outlay Stabilization Fund and reappropriates the monies to ADOA for operating expenses.

Expenditure Reductions and Transfers - Reduces expenditures and transfers the amounts listed below to the GF by July 1, 2009:

Agency	Fund	FY 2008-2009 Change
ADOA	Admin - AFIS II Collections Fund	(400,000)
	Air Quality Fund	(42,500)
	Automation Operations Fund	(1,210,600)
	Construction Insurance Fund	(672,800)
	Co-op State Purchasing Fund	(54,600)

APPROPRIATIONS COMMITTEE (Cont'd.)

	Corrections Fund	(137,600)
	Capital Outlay Stabilization Fund	(1,300,000)
	Motor Vehicle Pool Fund	(876,600)
	Personnel Division Fund	(935,600)
	Special Services Revolving Fund	(108,600)
	State Surplus Materials Fund	(213,400)
	Telecommunications Fund	(530,800)
Arizona Department of Agriculture	Designated Fund	(33,600)
	Egg Inspection Fund	(44,900)
	Arizona Federal-State Inspection Fund	(171,400)
AG	Collection Enforcement Revolving Fund	(248,200)
ADOC	CEDC Fund	(153,500)
	Commerce Workshops Fund	(25,800)
	GADA Revolving Fund	(27,800)
	Job Training Fund	(925,000)
	Military Installation Fund	(286,100)
ACC	Investment Management Regulatory and Enforcement Fund	(46,400)
	Securities Regulatory and Enforcement Fund	(197,300)
ADC	Alcohol Abuse Treatment Fund	(30,000)
	Indirect Cost Recovery Fund	(61,200)
	State DOC Revolving Transition Fund	(170,500)
ACJC	State Aid to Indigent Defense	(49,600)
Commission for the Deaf and Hard of Hearing	Telecommunications Fund for the Deaf	(272,100)
Drug and Gang Enforcement Resource Center	Drug and Gang Enforcement Resource Center Fund	(44,700)
DES	Domestic Violence Shelter Fund	(120,000)
	Long-Term Care System Fund	(1,434,000)
	Public Assistance Collections Fund	(25,800)
	Special Administration Fund	(78,700)
	Spinal and Head Injuries Trust Fund	(148,000)
ADE	Education Internal Services Fund	(426,000)
	Education Production Revolving Fund	(108,500)
	English Learner Classroom Personnel Fund	(11,100)
ADEQ	Air Quality Fund	(317,400)
	Indirect Cost Recovery Fund	(637,400)
	Monitoring Assistance Fund	(37,000)
	Recycling Fund	(116,300)
	Solid Waste Fee Fund	(75,200)

APPROPRIATIONS COMMITTEE (Cont'd.)

	UST Fund	(1,910,600)
	Voluntary Vehicle Repair and Retrofit Program Fund	(52,300)
Arizona Exposition and Fair Board	Arizona Exposition and State Fair Fund	(815,000)
Department of Financial Institutions	Revolving Fund	(60,400)
Game and Fish Department	Off-highway Vehicle Recreation Fund	(37,100)
	Watercraft Licensing Fund	(198,700)
GITA	Information Technology Fund	(184,100)
DHS	Emergency Medical Services Operating Fund	(299,200)
	Indirect Cost Fund	(453,800)
	Newborn Screening Program Fund	(340,300)
	Substance Abuse Services Fund	(125,000)
	Vital Records Electronic Systems Revolving Fund	(25,000)
Arizona Department of Housing	Housing Program Fund	(227,500)
	Housing Trust Fund	(3,229,500)
Industrial Commission	Industrial Commission Special Fund	(1,404,100)
Department of Insurance	Insurance Examiners' Revolving Fund	(241,200)
	Captive Insurance Regulatory and Supervision Fund	(25,500)
Judiciary - Supreme Court	Alternative Dispute Resolution Fund	(37,300)
	Court Appointed Special Advocate Fund	(172,500)
	CJEF	(152,700)
	Public Defender Training Fund	(35,500)
Judiciary - Superior Court	CJEF	(440,000)
	Drug Treatment and Education Fund	(197,400)
	JCEF	(171,100)
ADJC	CJEF	(34,300)
	Indirect Cost Recovery Fund	(37,000)
State Land Department	Fire Suppression Fund	(1,000,000)
Legislature - Arizona State Library, Archives and Public Records	Records Services Fund	(33,800)
	Nonlapsing Fund	(121,000)
	State Library Fund	(100,000)

APPROPRIATIONS COMMITTEE (Cont'd.)

Arizona State Lottery Commission	State Lottery Fund	(440,800)
Parents Commission on Drug Education and Prevention	Drug Treatment and Education Fund	(248,600)
Arizona State Parks Board	Heritage Fund	(1,909,300)
	Off-highway Vehicle Recreation Fund	(118,400)
	Reservation Surcharge Revolving Fund	(27,600)
	State Lake Improvement Fund	(207,500)
	State Park Enhancement Fund	(413,000)
Commission for Postsecondary Education	Early Graduation Scholarship Fund	(28,900)
DPS	Board of Fingerprinting Fund	(30,000)
	Public Safety Equipment Fund	(125,000)
	Records Processing Fund	(175,400)
Residential Utility Consumer Office	Residential Utility Consumer Office Revolving Fund	(122,000)
DOR	Estate and Unclaimed Property Fund	(170,200)
ADOT	Economic Strength Project Fund	(50,000)
	Arizona Highways Magazine Fund	(323,900)
	Motor Vehicle Liability Insurance Enforcement Fund	(121,000)
	Transportation Department Equipment Fund	(1,607,700)
DVS	Military Installation Fund	(1,729,100)
ADWR	Arizona Water Protection Fund	(175,600)
	Arizona Water Quality Fund	(28,100)
	Assured and Adequate Water Supply Fund	(56,200)
	Augmentation and Conservation Assistance Fund	(99,800)
	Indirect Cost Recovery Fund	(81,700)
	Well Administration and Enforcement	(39,400)
Department of Weights and Measures	Air Quality Fund	(78,400)

Personnel Expenditure Reductions - Reduces FY 2008-2009 appropriations made to state agencies for personnel expenses from the state GF to the following budget units by the corresponding amounts listed below:

FY 2008-2009 Personnel Expenditure Reductions	
ADOA	(441,200)
Office of Administrative Hearings	(38,300)
Arizona Department of Agriculture	(308,600)

APPROPRIATIONS COMMITTEE (Cont'd.)

AHCCCS	(1,746,400)
Arizona Commission on the Arts	(20,900)
State Capital Postconviction Defender Office	(24,800)
State Board for Charter Schools	(22,600)
ADOC	(134,700)
ACC	(147,500)
DES	(5,121,700)
ADE	(493,300)
Department of Emergency and Military Affairs	(165,800)
ADEQ	(305,700)
State Board of Equalization	(20,900)
Department of Financial Institutions	(123,500)
Department of Fire, Building and Life Safety	(99,800)
Arizona Geological Survey	(29,400)
GITA	(33,300)
OSPB	(79,000)
DHS	(1,328,600)
Prescott Historical Society	(23,400)
Arizona Historical Society	(89,000)
Department of Insurance	(215,900)
State Land Department	(504,600)
Legislature – OAG	(572,900)
Legislature – Legislative Council	(148,500)
Legislature – Arizona State Library, Archives and Public Records	(199,300)
Department of Liquor Licenses and Control	(95,500)
State Mine Inspector	(38,500)
Department of Mines and Mineral Resources	(17,400)
Arizona Navigable Steam Adjudication Commission	(2,600)
Arizona State Parks Board	(196,900)
Personnel Board	(6,100)
Commission for Postsecondary Education	(7,700)
DPS	(1,104,200)
Arizona Department of Racing	(80,800)
Radiation Regulatory Agency	(55,300)
State Real Estate Department	(126,100)
DOR	(2,093,500)
SFB	(56,800)

APPROPRIATIONS COMMITTEE (Cont'd.)

State Board of Tax Appeals	(10,800)
Office of Tourism	(100,600)
ADOT	(3,600)
State Treasurer	(78,300)
DVS	(218,000)
ADWR	(440,000)
Department of Weights and Measures	(46,300)

Reverts \$10,854,200 that was appropriated in FY 2008-2009 for personnel expenses from other state funds and non-federal appropriated funds to the GF.

ADOT – Requires ADOT in FY 2008-2009 to reduce expenditures from the State Highway Fund (SHF) by \$21,001,800, and deposits that amount into the state GF.

Reverts \$104,000,000 from the State Transportation Acceleration Needs Account to the state GF and deposits \$2,333,300 in FY 2008-2009 from Vehicle License Tax revenues into the state GF.

Federal Funds – Stipulates that if the state receives federal assistance through an increase in matching federal monies, the following amounts are reduced from GF appropriations made to state agencies in FY 2008-2009 and grants expenditure authority for federal Title XIX dollars be given in the same amounts:

AHCCCS	359,648,000
DES	59,623,900
DHS	80,728,100

capital outlay; reductions; transfers; 2008-2009. (S.B. 1002/H.B. 2001) – Chapter 2 (First Special Session)

Effective January 31, 2009, makes adjustments relating to capital outlay necessary to reconcile the FY 2008-2009 state budget.

Arizona Department of Administration (ADOA) – Reverts \$1,207,000 from an appropriation made to ADOA for renovations to the former state health laboratory to the state General Fund (GF), and \$3,200,000 from an appropriation made to ADOA for the Department of Corrections for prison cell lock and door replacement to the state GF.

Arizona Department of Transportation (ADOT) – Reverts a \$600,000 appropriation made to ADOT for Arizona-Mexico border agreements to the Safety Enforcement and Transportation Infrastructure Fund (SETIF) and transfers the same amount to the State Highway Fund (SHF).

Reverts a \$2,000,000 appropriation made to ADOT for the State Safety Inspection Station at the San Luis II Port of Entry to the SETIF and transfers the same amount to the SHF.

Reverts the following amounts appropriated to ADOT for non-highway capital projects to their funds of origin:

APPROPRIATIONS COMMITTEE (Cont'd.)

- a) A far southeast valley maintenance yard – \$2,350,000 to the SHF.
- b) Major maintenance and repair of ADOT buildings – \$2,974,200 to the SHF.
- c) De-icer buildings – \$3,675,000 to the SHF.
- d) Oil and asphalt storage tanks – \$2,754,000 to the SHF.
- e) Vehicle wash systems – \$4,096,300 to the SHF.
- f) Safford Vehicle Maintenance Shop – \$3,215,000 to the SHF.
- g) A far southeast valley multiuse facility:
 - i) \$5,190,000 to the SHF
 - ii) \$1,511,900 to the Arizona Highway User Revenue Fund (HURF).
- h) Surprise Motor Vehicle Division (MVD) Service Center – \$3,956,300 to the HURF.
- i) Payson MVD Service Center – \$2,145,300 to the HURF.
- j) Grand Canyon Airport water storage tank renovations – \$635,000 to the state GF.

Miscellaneous – Requires the deposit of \$34,468,000 in Vehicle License Tax monies received in FY 2008-2009 into the state GF rather than the SHF.

Reduces a \$1,000,000 appropriation in FY 2008-2009 to the Office of Tourism for distribution to the City of Yuma to build a Yuma Welcome Center by \$600,000.

Reverts \$393,200 from an appropriation made to the Prescott Historical Society for the construction of a maintenance facility to the state GF.

Reduces a \$1,500,000 appropriation in FY 2008-2009 to the Department of Public Safety for microwave communications upgrades by \$250,000.

Transfers a \$10,000,000 appropriation made to the Department of Veterans' Services for the construction of the Southern Arizona Veterans' Home in Tucson from FY 2008-2009 to FY 2009-2010.

revenues; budget reconciliation; 2008-2009 (S.B. 1003/H.B. 2003) – Chapter 3 (First Special Session)

Makes necessary statutory and session law changes relating to general revenues to reconcile the FY 2008-2009 state budget.

State Land Department – Transfers the sum of \$3,000,000 from the Arizona State Parks Board Heritage Fund to the Fire Suppression Revolving Fund. Requires the State Forester to reimburse the state General Fund (GF) any amounts transferred from the state GF in FY 2008-2009.

Arizona State Lottery Commission – Transfers the following amounts of State Lottery revenues to the state GF prior to any distribution of those revenues to the following funds: 1) \$382,500 for the County Assistance Fund; 2) \$1,150,000 for the Local Transportation Assistance Fund; and 3) \$475,000 for the Local Transportation Assistance Fund II.

State Parks Board – Appropriates all monies in excess of \$500,000 from the administration account of the Land Conservation Fund to the Arizona State Parks Board (Board) for the purpose of operating state parks.

APPROPRIATIONS COMMITTEE (Cont'd.)

Requires the Board to reimburse contractors for any costs incurred before February 1, 2009, if the Board has entered into an agreement with a contractor using monies from the State Lake Improvement Fund.

Department of Revenue – Establishes a tax amnesty period from May 1, 2009 through June 1, 2009, and sets forth requirements for application and completion of the program. Repeals the tax amnesty period on January 1, 2010.

Department of Transportation (ADOT) – Requires the ADOT to provide an optional five-year registration period for any vehicle not subject to annual emissions inspections. The optional five-year period is in addition to the current one-year and two-year registration options.

Miscellaneous – Allows agency directors to require agency covered employees to work reduced hours in order to comply with any reduction in appropriations for personnel expenses and related benefit costs for FY 2008-2009.

budget reconciliation; health; welfare; 2008-2009 (S.B. 1004/H.B. 2004) – Chapter 4 (First Special Session)

Makes necessary statutory and session law changes relating to health and welfare to reconcile the FY 2009-2010 state budget.

Arizona Health Care Cost Containment System (AHCCCS) – Requires the AHCCCS Administration to: 1) charge monthly premiums, up to the maximum amount allowed by federal law, to all populations of AHCCCS-eligible individuals who may be charged; and 2) establish a benchmark benefit package that is mandatory for AHCCCS-eligible individuals who are either childless adults or enrolled in the Transitional Medical Assistance Program. Makes the package optional for all other individuals eligible for AHCCCS. Exempts AHCCCS from rulemaking requirements for one year for purposes of implementing premiums and the benchmark benefit package. Implementation is subject to approval from the Centers for Medicaid and Medicare Services and on the condition that any change does not jeopardize the state's ability to receive enhanced federal matching funds.

Transfers \$45,793,300 from the Budget Neutrality Compliance Fund (BNCF) to the state General Fund (GF), consisting of the following monies: 1) \$27,962,800 transferred by Maricopa and Pima counties to the AHCCCS Administration for deposit into the BNCF; and 2) \$17,830,500 withheld from counties and deposited into the BNCF for the costs of the Arizona Long-Term Care System.

Transfers \$4,202,300 of disproportionate share hospital (DSH) payment funds from the Maricopa Special Health Care District to the state GF. Reverts \$8,922,200 of DSH funds appropriated in FY 2008-2009 from the AHCCCS acute care cost center to the state GF. Maintains DSH payments to the Arizona State Hospital and private hospitals.

Department of Health Services (DHS) – Repeals the Health Crisis Fund and reverts remaining monies to the state GF. Requires counties with populations of less than 800,000 to pay 50 percent of restoration to competency (RTC) costs. Continues to require cities and Maricopa and Pima counties to pay 86 percent of RTC costs.

APPROPRIATIONS COMMITTEE (Cont'd.)

Department of Economic Security (DES) – Repeals the General Assistance program. Permits DES to reduce the maximum income eligibility level for child care assistance programs and requires DES to notify the Joint Legislative Budget Committee of any change.

criminal justice; budget reconciliation; 2008-2009 (S.B. 1005/H.B. 2005) – Chapter 5 (First Special Session)

Makes necessary statutory and session law changes relating to the criminal justice system to reconcile the FY 2008-2009 budget by: 1) increasing the adult probation supervision fee by \$15; 2) allowing the full amount of the probation fee to be used to supplement monies for officer salaries and probation department services; and 3) requiring the local adult probation accounts to be charged for the county's portion of the risk management premium.

education budget reconciliation; 2008-2009. (S.B. 1006/H.B. 2006) – Chapter 6 (First Special Session)

Makes necessary statutory and session law changes relating to K-12 and higher education funding in order to reconcile the FY 2008-2009 budget.

K-12 Funding – Requires the Arizona Department of Education (ADE) to proportionately reduce school districts' base support level funding and budget limits for FY 2008-2009 by \$98,198,000 statewide. This reduction must be taken against administrative costs where possible. Requires ADE to reduce school districts soft capital allocation and budget limits for FY 2008-2009 by \$21,000,000 statewide. School districts with a student count of 600 or less are exempt from both reductions. Allows school districts to expend soft capital monies for any capital or operating expense in FY 2008-2009. Requires ADE to proportionately reduce charter schools' additional assistance funding by \$4,000,000 statewide in FY 2008-2009. Suspends certain requirements related to the aggregate expenditure limitation for school districts in FY 2008-2009.

Community Colleges – Permits community colleges to use capital outlay funding for operating expenses and to use operating funds for capital outlay expenses. Suspends the operating state aid and equalization aid formulas.

Universities – Changes the full-time equivalent student enrollment count from the twenty-first day of the fall semester to the forty-fifth day of the fall and spring semesters. Reduces the Arizona Board of Regents (ABOR) bonding authority from the University Capital Improvement Lease-to-Own and Bond Fund and prohibits the authorization of new projects or debt for the remaining bonding authority that has not received a favorable review from the Joint Committee on Capital Review. Reduces the amount of bond proceeds allocated to the Phoenix Biomedical Campus from \$470 million to \$376 million.

APPROPRIATIONS COMMITTEE (Cont'd.)

SECOND SPECIAL SESSION

LEGISLATION ENACTED

scholarships; disabled or displaced students (H.B. 2001/S.B. 1001) – Chapter 1 W/O (Second Special Session)

Establishes, beginning July 1, 2009, a corporate income tax credit and an insurance premium tax credit for donations made to a School Tuition Organization (STO) that provides scholarships or grants to disabled or displaced students in foster care. The amount of the credit is the total amount of the taxpayer's contribution to the STO, and the credits may be carried forward for five years. Total credits available in any fiscal year may not exceed \$5 million. Ninety percent of the contribution must be used to fund scholarships or grants for students who meet one of the following criteria: 1) attended a public school for the first 100 days of the prior fiscal year and transferred to a qualifying school; 2) received a scholarship or grant from the Displaced Pupils Choice Grants Program or the Arizona Scholarships for Students with Disabilities Program; or 3) meets either of the first two requirements and continues to attend a qualified school. The amount of the scholarship or grant is limited to the cost of tuition or 90 percent of the Base Support Level, whichever is less. Establishes notification and reporting requirements.

THIRD SPECIAL SESSION

LEGISLATION ENACTED

education; appropriations; 2009-2010 (H.B. 2001/S.B. 1013) – Chapter 1 (Third Special Session)

Effective July 8, 2009, makes state General Fund and Other Fund appropriations and transfers to the Superintendent of Public Instruction and the State Board of Education for K-12 education in FY 2009-2010 as follows:

Operating Lump Sum Appropriation	\$2,096,800
Basic State Aid*	\$3,283,073,800
Additional State Aid	\$404,880,500
Other State Aid to Districts	\$983,900
Arizona Structured English Immersion Fund	\$32,508,700
TOTAL	\$3,723,543,700
*Includes \$46,475,500 from the Permanent State School Fund	

K-12 education; budget reconciliation (H.B. 2002/S.B. 1016) – Chapter 2 E (Third Special Session)

An emergency measure, effective retroactively to June 30, 2009, that makes necessary statutory and session law changes relating to K-12 education in order to implement the FY 2009-2010 budget.

APPROPRIATIONS COMMITTEE (Cont'd.)

Specifies the increased FY 2009-2010 charter school additional assistance amounts. Increases the school district Transportation Support Level per route mile formula amount by 2 percent and specifies the base level (per-pupil funding) for all public schools as \$3,267.72 for FY 2009-2010. The Arizona Department of Education (ADE) must reduce the school district soft capital allocation and budget limits for all school districts by \$175 million statewide, until October 1, 2009.

Prohibits Basic State Aid and Additional State Aid (state aid) for early kindergarten students who repeat kindergarten, if the early kindergarten student is admitted after the effective date of this act. School districts and charter schools may charge tuition for early kindergarten students who repeat kindergarten and are ineligible for state aid.

Participating school districts may not exceed their FY 2008-2009 budget amounts for Career Ladder in FY 2009-2010. Caps school district Desegregation budgets at the FY 2008-2009 funding level until October 1, 2009. Districts may not adjust their FY 2009-2010 Revenue Control Limit for actual utility costs and exempts districts from the related reporting requirements.

health and welfare; budget reconciliation (H.B. 2003/S.B. 1014) – 3 E (Third Special Session)

An emergency measure, effective retroactively to July 1, 2009, that makes statutory and session law changes related to health and welfare in order to reconcile the FY 2009-2010 budget.

Sets the county contributions for Arizona Long-Term Care System (ALTCS) by county in FY 2009-2010. Total county contributions for the ALTCS are \$190,467,500, pursuant to the requirements of the American Recovery and Reinvestment Act (ARRA).

Increases the percentage share of unexpended long-term care funds distributed to counties pursuant to the requirements of ARRA in FY 2008-2009 and FY 2009-2010, from 50 percent to 62.2 percent.

Requires the Arizona Health Care Cost Containment System (AHCCCS) to transmit to counties by December 31, 2009, the portion of federal monies received pursuant to ARRA for acute care savings in FY 2008-2009.

Allows AHCCCS, subject to approval by the Centers for Medicare and Medicaid Services, to spend federal monies made available by local or tribal spending if the expenditure does not jeopardize receipt of enhanced funding available under ARRA.

Requires AHCCCS to reimburse counties for any portion of costs for administering Proposition 204 and the Medical Expense Deduction program to comply with the requirements of ARRA.

legislative subsistence payments; exception (H.B. 2004/S.B. 1015) – Chapter 4 E (Third Special Session)

An emergency measure, effective July 8, 2009, that limits during the Forty-Ninth Legislature, Third Special Session, subsistence payments for legislative members to those days that both houses of the Legislature convene and record attendance. The legislation clarifies that this act does not prohibit the presiding officer of either house of the Legislature from approving subsistence payments when a member acts on a legislative matter.

APPROPRIATIONS COMMITTEE (Cont'd.)

general appropriations; fiscal year 2009-2010 (H.B. 2006/S.B. 1020) – Chapter 11 LIVS (Third Special Session)

Effective September 4, 2009, H.B. 2006 makes state General Fund (GF) and other fund (OF) appropriations for FY 2009-2010 for the operation of state government. As background, effective July 1, 2009, S.B. 1188 and H.B. 2643, Forty-Ninth Legislature, First Regular Session, also make FY 2009-2010 state GF and OF appropriations for the operation of state government. S.B. 1188 and H.B. 2643 made various lump sum reductions to state agencies to help balance the FY 2009-2010 state budget. Though enacted, the Governor exercised her line item veto authority on S.B. 1188 and H.B. 2643 to eliminate lump sum reductions to the Arizona Departments of Economic Security (DES), Environmental Quality (ADEQ), Health Services (DHS) and the state university system. The Governor also line item vetoed the entire \$3.2 billion appropriation for K-12 education. Funding for K-12 education was restored by H.B. 2001, Forty-Ninth Legislature, Third Special Session. As transmitted to the Governor, H.B. 2006 restores lump sum reductions to DES, ADEQ, DHS and the state universities contained in S.B. 1188 and H.B. 2643 and contains new FY 2009-2010 appropriations for K-12 Education.

Federal Education Stabilization Fund (FESF) – Reduces by \$472,114,000 the FY 2009-2010 state GF appropriation made to Arizona Department of Education (ADE) for K-12 basic and additional state aid, if the state receives FESF monies, and transfers that amount to the state GF. States legislative intent that in FY 2009-2010 the same amount is disbursed from the FESF to school districts and charter schools to restore the funding reduction. Also, reduces by \$10,000,000 the state GF appropriation to the Arizona Board of Regents and transfers the amount to the state GF, if the state receives FESF monies.

Miscellaneous – Deposits \$43,170,600 of Vehicle License Tax monies into the state GF in FY 2009-2010. Requires every state GF supported agency, board, commission or other state entity to reduce full-time equivalent employees by five percent, on or before February 1, 2010. Reduces the FY 2009-2010 appropriation made to the Automobile Theft Authority (Authority), in addition to other reductions made to the Authority, by \$500,000 and transfers the monies to the state GF. Contains conditional appropriations.

State Budget as Enacted – S.B. 1188 and H.B. 2643 Forty-Ninth Legislature, First Regular session along with H.B. 2001 and H.B. 2006 Forty-Ninth Legislature, Third Special Session represent the enacted FY 2009-2010 state budget. The Joint Legislative Budget Committee estimates that the combined effect of the line item vetoes results in a \$463 million state budget deficit for FY 2009-2010.

Line-item Vetoes – In her veto message the Governor explains her line item vetoes to the DES (restoring the lump sum reductions) and ADE budgets and reiterates her position that education is a top priority for her administration. The message further explains that the veto to the K-12 appropriation is to restore education funding to the levels enacted in H.B. 2001, Forty-Ninth Legislature, Third Special Session and to ensure the appropriate application of federal stimulus dollars. The Governor further states that despite the enactment of the deepest spending cuts in state history, Arizona continues to experience a fiscal crisis unlike anything previously seen.

APPROPRIATIONS COMMITTEE (Cont'd.)

For complete information on the FY 2009-2010 budget as enacted, please see the summaries for S.B. 1188 and H.B. 2643 Forty-Ninth Legislature, First Regular Session and H.B. 2001 Forty-Ninth Legislature, Third Special Session. Also refer to the *JLBC FY 2010 Appropriations Report* at <http://www.azleg.gov/jlbc.htm>.

general government; budget reconciliation (H.B. 2008/S.B. 1024) – Chapter 7 (Third Special Session)

Makes statutory and session law changes relating to general government in order to reconcile the FY 2009-2010 state budget.

Establishing Lawful Presence – Requires a recipient of federal and state public benefits (benefit) to present specified documentation demonstrating lawful presence to the entity that administers the benefit. Requires applicants for benefits to sign a sworn affidavit attesting to the validity of the presented document. Establishes the failure to report violations of federal immigration law by an employee of the state that administers any federal or state public benefit as a class 2 misdemeanor.

Allows documentation of citizenship and legal residence to conform with Title XIX requirements for the purposes of administering the Arizona Health Care Cost Containment System and allows political subdivisions to accept forms of identification accepted by the federal government from tribal members, the elderly and the disabled.

Liquor Licenses Fund – Establishes the Liquor Licenses Fund (Fund) to be administered by the Department of Liquor Licenses and Control (Department) consisting of monies collected from license fees and penalties and stipulates that monies in the Fund in excess of the annual appropriation to the Department at the end of each fiscal year revert to the state General Fund (GF). Appropriates \$2,141,000 from the Fund in FY 2009-2010 to the Department for operating expenses.

Development Fees – Clarifies that development fees (impact fees) are for the benefit of the area from which they are assessed and requires, effective December 31, 2009, a municipality to forecast and consider other monies derived from a property owner when determining the extent of a burden imposed by a development.

Requires, effective December 31, 2009, a municipality's infrastructure improvement plan to estimate future necessary public services that will be required as a result of new development. The plan must include a comparison of the necessary public services provided to existing development and the necessary public services to be provided to new development.

Also, effective December 31, 2009, requires a municipality's development fee ordinance to prohibit the assessment of new or modified development fees for 24 months after a development receives final approval and stipulates that the 24-month period may not be extended by a renewal or amendment of a site plan.

Prohibits a county from assessing or collecting development fees from a school district or charter school that are not related to streets, water or sewer utility functions and prohibits a municipality from imposing any new or increasing any existing development fees from June 30, 2009 through June 30, 2011.

APPROPRIATIONS COMMITTEE (Cont'd.)

Suspends a municipality's ability to impose an increased construction tax from June 30, 2009 through June 30, 2011 and exempts, retroactive to June 29, 2009, a residential or commercial building that received approval prior to June 1, 2009, from any new building codes adopted by a municipality from June 30, 2009 through June 30, 2011.

Miscellaneous – Eliminates a FY 2009-2010 appropriation of \$25 million to the Arizona Twenty-First Century Competitive Initiative Fund.

Repeals, retroactive to September 29, 2009, the following requirements for a deficiency judgment on a single-one family or two-family trust property to be prohibited:

- a) a trustor must have lived at a property for at least six consecutive months;
- b) a certificate of occupancy must have been issued for the property; and
- c) a trustor must demonstrate that the trust property was utilized by the trustor for six consecutive months.

Eliminates the Department of Administration's (ADOA) ability to enter into a lease purchase agreement for the design and construction of a state emergency operations center and allows appropriations for all budget units in FY 2009-2010 to be limited to one fiscal year.

Reduces the appropriation to the Department of Commerce (ADOC) for the Military Installation Fund by \$2,800,000 in FY 2009-2010 and limits the aggregate amounts of liabilities incurred by the state during a declaration of emergency in FY 2009-2010 to \$2,900,000.

Requires nonlapsing, unexpended and unencumbered monies that remain at the close of FY 2009-2010 to be included in the state GF balance and requires unrestricted federal monies received from July 1, 2009, through June 30, 2010, to be deposited in the state GF.

Prohibits a state agency from conducting rulemaking that would result in increased monetary or regulatory costs on other state agencies, political subdivisions, businesses or individuals in FY 2009-2010 but allows rulemaking if authorized by the Governor after January 22, 2009, to comply with the FY 2009-2010 state budget, if the rules are needed to comply with the American Recovery and Reinvestment Act of 2009 (ARRA) or to eliminate or replace archaic or illegal rules.

Eliminates, for applicants for initial nursing assistant certification, state GF funding for federal criminal background checks.

Allows a state agency to require employees to work reduced hours in FY 2009-2010.

Changes, for FY 2009-2010, the timing of mutual fund notice filing fee deposits to the state GF from continuously deposited to February 1, 2010, and June 30, 2010.

Requires a copy of a foreclosure notice to be sent to a tenant of a rental property.

Grants the Director of the Department of Insurance (DOI) the discretion to allow a private mortgage insurance company to operate without meeting the minimum collateral to insured mortgage liability ratio to transact new business.

Expands the membership of a theme park district governing board to include:

- a) one member of the general public who resides in Apache, Coconino, Mohave, Navajo or

APPROPRIATIONS COMMITTEE (Cont'd.)

- Yavapai County, appointed by the Speaker;
- b) one member of the general public who resides in Maricopa County, appointed by the President; and
 - c) members of the Board of Directors who also serve on the governing body of a city establishing the district.

Increases, retroactive to June 30, 2009, agency contributions to the Personnel Division Fund from 1.07 percent to 1.10 percent of an agency's total payroll and requires that .03 percent of an agency's payment to be deposited in a separate subaccount for use by the State Personnel Board, subject to legislative appropriation.

Requires ADOA to enter into a contract with a vendor or vendors for the purchase of performance management software and stipulates that a vendor or vendors must agree to receive payment through savings realized through the use of the software.

Requires ADOA to provide a report detailing savings realized through the use of the performance management software to the Joint Legislative Budget Committee (JLBC) and the Joint Legislative Audit Committee.

Allows, in FY 2009-2010, ADOC to use monies appropriated from the state GF, monies from the Bond Fund, CEDC fund and State Lottery Fund to administer programs that attract and retain jobs in Arizona and to pay associated costs.

Allows, in FY 2009-2010, the DOI to use up to \$100,000 from the Captive Insurance Regulatory and Supervision Fund to administer its programs.

Allows the Director of the Department of Transportation to transfer \$10,000,000 from any of the subaccounts of the Statewide Transportation Acceleration Needs Account to restore funding for a previous approved project that was in an amount less than \$21,000,000.

assets; budget reconciliation (H.B. 2009 / S.B. 1023) – Chapter 8 (Third Special Session)

Authorizes the Arizona Department of Administration to sell the State Agricultural Laboratory property and directs all proceeds from the sale be deposited in the state General Fund. Mandates that prior to the sale, two independent appraisals and an independent title search be conducted and that the sale must occur before July 1, 2010, subject to review by the Joint Committee on Capital Review.

criminal justice; budget reconciliation (H.B. 2010/S.B. 1021) – Chapter 6 (Third Special Session)

Makes necessary statutory and session law changes relating to the criminal justice system to implement the FY 2009-2010 budget.

Probation – Increases the surcharge imposed for criminal offenses and specified civil penalties. Raises the intensive probation fees and allows any amount of the fee to be used to supplement officer salaries and the probation department's programs and services. Makes conforming changes relating to the increase of probation supervision fees for adults supervised under the Interstate Compact. Increases the maximum number of probationers that a deputy adult probation officer is required to supervise and allows an intensive probation team to consist of two adult

APPROPRIATIONS COMMITTEE (Cont'd.)

probation officers.

Courts – Changes, retroactively to July 1, 2009, in specified counties, the county and state's payment of the compensation and employee related expenditures of a justice of the peace. Continues, in FY 2009-2010, the prohibition of state photo enforcement citations from being included in judicial productivity credit calculations. Suspends, in FY 2009-2010, the provisions relating to supplanting of state monies contained in various court funds and specifies reporting requirements for identification of any decrease in county funding related to these suspended provisions. Suspends, for FY 2009-2010, and requires, beginning FY 2010-2011, electronic submittal of various court reports.

Arizona Department of Corrections (ADC) Concession Agreement – Requires, subject to certain conditions and timeframes, the Arizona Department of Administration (ADOA) to issue a request for information (RFI) and a request for proposal (RFP) for the purpose of identifying a concession agreement that allows a private vendor to operate a prison facility. Specifies various requirements including review of the RFP by the Joint Committee on Capital Review. Contains an intent clause relating to the privatization of prison operations.

ADC Lease-Purchase Agreements – Requires, by June 30, 2010, ADOA to enter into a lease-purchase finance agreement through the sale and simultaneous lease-purchase of an ADC facility or any other state owned facility. Specifies requirements relating to the net available proceeds, the term length and the timing of the initial lease-purchase payment.

ADC Private Prison Beds – Requires ADC to issue an RFP and contract for 5,000 private prison beds in Arizona and specifies the following: 1) the permissible number of bidders; 2) the length of the contract period; 3) the RFP deadline for review by the Joint Legislative Budget Committee (JLBC); 4) the contract award deadline; 5) the quarterly reporting requirements to JLBC; and 6) the applicable contract provisions and the statutory contract exemptions. Allows, in FY 2009-2010, ADC to use any nonappropriated monies for any start up and operating costs that are associated with the 4,000 new beds that were authorized in Laws 2007, Chapter 261.

ADC Health Care Services – Requires, under specified conditions, ADC to pay approved claims from a facility or provider based on the Arizona Health Care Cost Containment System Administration hospital reimbursement methodology or capped fee-for-service schedule. Requires, subject to certain deadlines, ADC to issue an RFI and an RFP to privatize all correctional health services that are provided in a state owned and operated facility and specifies reporting requirements to JLBC. Allows ADC to use any nonappropriated state monies to pay inmate health care expenditures incurred during FY 2007-2008.

ADC – Miscellaneous – Specifies expenditure reporting requirements when ADC submits the FY 2010-2011 budget request. Allows, notwithstanding any other law, any monies deposited in the Transition Office Fund to be used for any costs to operate transition programs.

Department of Public Safety (DPS) – Establishes the Crime Laboratory Operations Fund consisting of the \$45 defensive driving surcharge and requires, subject to legislative appropriation, that the monies be used for crime laboratory services pursuant to a deposit schedule. Redistributes, for FY 2009-2010, the Criminal Justice Enhancement Fund (CJEF) monies deposited into the state General Fund to the Crime Laboratory Assessment Fund and specifies, notwithstanding DPS' required quarterly distribution, that the monies are for use by DPS and exempt from distribution to

APPROPRIATIONS COMMITTEE (Cont'd.)

political subdivisions. Decreases, for FY 2009-2010, the appropriation to the Deoxyribonucleic Acid Identification System Fund. Suspend, for FY 2009-2010 and notwithstanding the payment installment schedule, the statutory caps limiting the level of Highway User Revenue Fund monies and State Highway Fund monies available to fund the DPS Highway Patrol costs.

Retirement – Changes retirement benefit computations for the Public Safety Personnel Retirement System by excluding certain types of third party contracts and for the Corrections Officer Retirement Plan by restricting full-time dispatchers based on the date of employment and the entry into a joinder agreement.

Attorney General (AG) – Allows, for FY 2009-2010, the AG to use monies in the Consumer Protection-Consumer Fraud Revolving Fund and the Collection Enforcement Revolving Fund for any operating expenses incurred by the Department of Law.

Board of Executive Clemency (Board) – Requires, retroactive to July 1, 2009 and for FY 2009-2010, the chairman of the Board to also act as the executive director and restricts the remaining members of the Board from working more than 30 hours per week and from eligibility for any state benefits.

Miscellaneous – Requires deposit of the 11.70 percent of the CJEF to be directly distributed or deposited to the county sheriffs, instead of allocated to ADC. Requires, in FY 2009-2010, an agreement between the Drug and Gang Prevention Resource Center and the Arizona Criminal Justice Commission to fund the Arizona Youth Survey.

K-12; budget reconciliation (H.B. 2011/S.B.1027) – Chapter 12 LIVS (Third Special Session)

Makes necessary statutory and session law changes relating to K-12 education in order to implement the FY 2009-2010 budget.

K-12 Funding – Makes changes to the Basic State Aid and Additional State Aid (state aid) apportionment schedule and details an alternate payment schedule for FY 2009-2010, if the effective date of this act prevents adhering to the new apportionment schedule. Repeals the rapid decline funding formula and the Local Education Accountability Program (LEAP).

Funds Joint Technological Education Districts (JTED) at 91 percent of the statutory formula but no JTED will receive less funding in FY 2009-2010 than it received in FY 2009, except for certain adjustments. Classroom Site Fund per pupil calculations must factor in prior years shortfalls or surpluses.

Average Daily Membership (ADM) – Caps the ADM per-pupil amount at 1.0 unless otherwise specified in statute and specifies how the ADM must be apportioned between a school district, charter school or Arizona Online Instruction (formerly Technology Assisted Project Based Instruction).

K-12 Rollover – Defers, until July 1, 2011, \$602,627,700 of the state aid payments scheduled to be apportioned to school districts in May and June of 2010. Appropriates \$602,627,700 in FY 2010-2011, from the state General Fund to the Arizona Department of Education (ADE), for the deferred payments, to be disbursed on July 1, 2010 and \$886,200 to offset any costs to school districts resulting from the deferred payments. School districts may budget for estimated amounts

APPROPRIATIONS COMMITTEE (Cont'd.)

outside the district's Revenue Control Limit (RCL) for any interest expenses incurred due to the deferred payments. Includes technical changes, retroactive to June 30, 2009, relating to the calculation of school district cash balances for the purposes of determining the amount of state aid each district will receive pursuant to the May 15 deferred payment.

Property Tax – County assessors must calculate and assign assessed values to Government Property Lease Excise Tax (GPLET) properties and report those values to ADE. GPLET assessed valuations must be included in calculating school district equalization assistance amounts. A school district cannot increase their primary property tax rate if: 1) one-half the district's combined residential primary property tax rate exceeds the Constitution's one percent cap; and 2) the district's current primary property tax rate exceeds 150 percent of the K-12 Qualifying Tax Rate (QTR). Permanently caps school district Desegregation budgets at the FY 2008-2009 funding level.

Bonding and Overrides – School districts may issue Class B bonds, if they mature within five years of issuance, for furniture, equipment and technology. Limits capital overrides to 10 percent of the RCL. The maximum budget increase for a maintenance and operations (M&O) override changes from 10 percent to 15 percent of the RCL and proceeds may be used for programs to improve pupil academic achievement. Establishes a special program override by expanding the scope of the K-3 override to include programs for kindergarten through grade 12 and removing existing restrictions. School districts requesting a special program override may request an M&O override of up to 10 percent of the RCL. Existing K-3 overrides continue for the length originally authorized, unless a subsequent M&O override equal to 15 percent of the RCL is approved by voters. Specifies the base level as \$3,291.42 for calculating a district's RCL to determine the maximum budget increase that can be requested in an FY 2009-2010 override election. School districts may conduct an election on the second Tuesday of March 2010 and submit one of the following to their voters: 1) a 15 percent M&O override which, if approved, replaces any previously approved M&O and K-3 override; 2) an additional 5 percent M&O or special program override, if voters authorized a 10 percent M&O override in November 2009; 3) a 17 percent M&O override for school districts with existing M&O and K-3 overrides, as of the effective date of this act which, if approved, replaces the existing overrides and continues for the duration of the previously approved K-3 override.

Teacher Performance Pay – Participating school districts may increase their base level amount for Career Ladder by a maximum five percent and no new teachers may participate in FY 2009-2010. Repeals the Teacher Performance Pay funding formula established in FY 2008-2009.

Early Graduation Scholarship Program (EGSP) – Retroactive to September 26, 2008, new students who graduate a semester early are ineligible to participate, but existing qualified students may continue. Limits the EGSP to students admitted before July 1, 2009 and continues their funding, subject to sufficient available funds. A school district or charter school may not adjust its FY 2009-2010 student count and per-pupil funding for early graduates. Prohibits ADE from transferring any monies for FY 2009-2010 to the Commission for Postsecondary Education for the EGSP. Authorizes the Arizona Commission for Postsecondary Education to solicit and receive donations, federal grants and other federal monies to support the EGSP in FY 2009-2010.

School Districts and School District Governing Boards – School districts offering voluntary full day kindergarten must also offer half-day kindergarten in each school in certain circumstances. Eliminates the required annual report relating to construction services and deletes outdated statutory language relating to district procedures for procuring construction services. Exempts Intergovernmental Agreements (IGAs) between school districts or between a school district and

APPROPRIATIONS COMMITTEE (Cont'd.)

another governing body from competitive bidding and removes the requirement for IGAs to be filed with the Secretary of State (SOS) or the county recorder, effective December 31, 2009. Exempts school districts from competitive bidding for pupil placement in an ADE approved private school providing special education services according to the pupil's Individual Education Plan. All district construction projects must be insured but do not need separate policies for each project. Deletes duplicative language specifying the governing board must maintain its schools for 175 school days, 200 days or the equivalent.

School districts may confidentially maintain all documentation regarding bullying, harassment, or intimidation of pupils. All pupil expulsion hearings may be conducted by an independent hearing officer. All school districts may apply to the SBE to conduct their own accounting independent of the county school superintendent. School districts may sell advertising space on their websites. Removes restrictions on the expenditures of revenue generated from the sale of advertising on school buses and athletic facilities.

Changes the amount required to conduct a public hearing before revising the district's budget if the budget exceeds the general budget limit from \$1,000 to one percent or \$100,000, whichever is less. Districts may not adjust their FY 2009-2010 RCL for Actual Utility costs. Repeals the Excess Utilities Funding Plan and reporting requirements effective in FY 2009. Authorizes districts to revise their budgets to conform to the provisions of this act by November 1, 2009.

School District Personnel – Removes specified dates relating to school district notification requirements for employment contract renewals and general salary reductions. Prohibits employment contracts from including compensated days for *professional association activities* but allows employees to use compensated leave for any lawful purpose. Eliminates restrictions on implementing general salary reductions for certified teachers employed for more than three years. Removes language requiring school districts to rehire certified teachers by seniority.

Changes time periods relating to teacher disciplinary actions, notifications and hearing requests. Retired teachers who return to school district employment are not entitled to due process. Removes the labeling of unprofessional conduct for teachers who fail to comply with the notification requirements for pupil disciplinary proceedings. Governing boards may establish a separate fund or trust account to fund postemployment benefits for employees, their spouses and dependents and must meet certain reporting requirements.

The SBE cannot require a school district superintendent or business manager to obtain state certification. Governing boards may set the qualifications at a public meeting for their district superintendent. Non-certified superintendents must have a valid fingerprint clearance card. School districts may hire a business manager that has expertise in finance. Eliminates requirements relating to multi-hazard crisis training and real estate attorneys.

School Districts and Charter Schools – Authorizes districts and charters to charge tuition for full-day kindergarten in FY 2009-2010 if they eliminated free full-day kindergarten as part of their FY 2009-2010 budget reductions. Prohibits districts and charters from adopting policies granting employment priority to teachers employed for three or more years over teachers employed for less than three years.

Audits – Permits ADE or the Auditor General to conduct school district and charter school financial, compliance or ADM audits, and further authorizes the Auditor General to conduct school

APPROPRIATIONS COMMITTEE (Cont'd.)

district and charter school program audits. School districts whose most recent annual audit contained no significant negative findings may convert to biennial audits. Upon receipt of a significant negative finding a district must switch back to an annual audit; but if after two subsequent annual audits with no significant negative findings, a district may revert back to a biennial audit. Suspends performance audit requirements for the Arizona's Instrument to Measure Standards (AIMS) Intervention and Dropout Prevention programs for FY 2009-2010.

Charter School Tuition – A charter school may admit nonresident pupils if they charge tuition but a charter school may not charge tuition to Arizona residents.

Assessments – Passing the AIMS test in reading, writing and mathematics are the only content areas required for high school graduation. Any additional assessments adopted by the SBE for high school pupils must measure college and career readiness. Lifts the one-year limit on AIMS test contracts.

Establishes a nine-member Task Force on Assessments to Measure College and Career Readiness (Task Force) to examine and evaluate existing tests measuring college and career readiness that are used for admission to postsecondary institutions, or are used by postsecondary institutions to award academic credit or placement. A report is due by June 30, 2010. The Task Force must recommend a process to select one or more tests to be administered to ninth graders beginning in 2011 and to eleventh graders beginning in 2012. Repeals the Task Force on September 15, 2010.

Transportation School Districts – Allows a county school superintendent to suspend the Chevelon-Butte Unified School District and report the suspension to the county board of supervisors, until July 1, 2010. The county board of supervisors may declare the district lapsed and annex the territory to one or more adjoining school districts.

School Facilities Board (SFB) – Suspends the Building Renewal formula for FY 2009-2010. Removes the requirement to count kindergarten students as full ADM in determining minimum school facility adequacy requirements. Authorizes the SFB to enter into Qualified School Construction bonds, as authorized by the American Reinvestment and Recovery Act of 2009, lease-to-own agreements (LTO) of up to \$100,000,000 by December 31, 2009 for new construction projects. Funding priority will be given to districts whose projected FY 2009-2010 ADM exceeds their capacity. The SFB may not authorize or award funding for the design or construction or school site acquisitions of any new school facility in FY 2009-2010 beyond the authorized LTO proceeds. School districts must submit capital plans for review and the SFB may award new school facilities, subject to future appropriations. Additional funding may only be granted to new construction projects for geographic or site conditions.

Miscellaneous – Repeals several provisions in the FY 2009-2010 budget enacted by Laws 2009, Third Special Session relating to the delayed implementation of funding reductions and restrictions for school districts and charter schools. Requires the SBE to adopt rules for alternative certification of nontraditional foreign language teachers to pass a nationally-accredited test as a substitute for the education coursework/credit hours required for certification. Suspends the Special Education Cost Study for two years.

Grants a five-year period, instead of one or two-year period to Santa Cruz Union High School District and Red Mesa Unified School District to correct budget overexpenditures and to Blue Ridge Unified District and Snowflake Unified District to correct ADM overpayments. Allows Cave Creek

APPROPRIATIONS COMMITTEE (Cont'd.)

Unified District to use remaining bond proceeds, approved by voters in November 2000, to modify an existing school facility rather than build a new school facility.

Line Item Vetos – In her veto letter, the Governor states she exercised her line item veto power in order to preserve maintenance-of-effort levels required by the American Recovery and Reinvestment Act of 2009. The line item veto restores K-12 funding to the levels enacted by H.B. 2001, Forty-Ninth Legislature, Third Special Session.

H.B. 2011 contained the following provisions which were line item vetoed by Governor Brewer: a) directed ADE to use the base level (per-pupil funding) of \$3,201.89 for all public schools, b) reduced the soft capital allocation and budget limits for all school districts by \$175 million statewide, and related implementation provisions, c) reduced charter school additional assistance amounts by \$5 million in FY 2009-2010, and d) removed school district Desegregation programs, the Transportation Revenue Control Limit (TRCL) and Career Ladder programs from the portion of the primary property tax rate used to calculate additional state aid (Homeowner's Rebate).

mail ballot elections; technical corrections (NOW: higher education; budget reconciliation) (H.B. 2012/ S.B. 1022) – Chapter 9 (Third Special Session)

Makes the necessary statutory and session law changes relating to higher education in order to implement the FY 2009-2010 budget.

Community Colleges – Eliminates the requirement for community college annual reports to include individual course data and includes the reporting requirements, with some modifications, for dual enrollment programs and general description of the tuition and fees for both credit and non-credit courses. A community college governing board must publish its proposed budgets on its website. Eliminates the hold harmless provision and allows a community college's operating state aid to decrease if its enrollment declines, effective July 1, 2010. Changes the eligibility threshold for growth funding from the highest level after FY 2003-2004 to any growth exceeding the currently funded enrollment level. Suspends the operating state aid formula and the capital outlay funding in FY 2009-2010. Funds dual enrollment at 50 percent, effective July 1, 2010. Allows community college districts to use capital outlay monies for operating expenses in FY 2009-2010. Prohibits students from being counted twice for state funding purposes in both a provisional and a traditional community college district in FY 2009-2010 and FY 2010-2011. A community college district that provides services to a provisional community college district, during that period, may include these students in calculating their constitutional expenditure limitation.

Universities – Identifies Arizona State University (ASU) West and the ASU Polytechnic campuses as separate budget units in the General Appropriations Act. Requires the ASU Tempe campus to provide administrative support to the ASU West campus and the ASU Polytechnic campus. The Arizona Board of Regents (ABOR) and the Auditor General must develop a uniform accounting and reporting system. Requires ABOR to submit a current fiscal year report by March 31, 2010 on paid invited speakers and associated costs to the Joint Legislative Budget Committee. Limits state lottery distributions to the University Capital Improvement Lease-to-Own and Bond Fund (Fund) in FY 2009-2010 and FY 2010-2011 to a maximum of 80 percent of the \$167.7 million in currently authorized lease-to-own (LTO) and bond agreements. Permits up to \$800 million in state lottery distributions to the Fund in FY 2011-2012 for new LTO and bond agreements.

APPROPRIATIONS COMMITTEE (Cont'd.)

Suspends the statutory requirement that the state provide a 2:1 ratio of state funding to student fees deposited into the Arizona Financial Aid Trust (AFAT) for FY 2009-2010. Defers, until October 1, 2010, \$100 million of the scheduled May and June, 2010 payments to ABOR for distribution to the universities, and directs ABOR to proportionally reduce each university's funding. Appropriates \$100 million from the state General Fund in FY 2010-2011 for the deferred FY 2009-2010 payments and directs ABOR to distribute the monies to the universities no later than October 1, 2010.

Board of Medical Student Loans – Effective retroactively to June 30, 2009, suspends the requirement for a minimum of 50 percent of loan monies be apportioned to students attending private medical schools.

Arizona Commission for Postsecondary Education – Restricts Leveraging Education Assistance Partnership (LEAP) grants to Arizona residents demonstrating financial need and attending an approved Arizona university at least half-time.

Governor's Council on Workforce Policy (Council) – Changes the deadlines for the Council's written annual report from September 1 to December 1 and for each state agency and community college to submit its annual required information to the Council from August 1 to November 1.

health and welfare; budget reconciliation (H.B. 2013/S.B. 1026) – Chapter 10 (Third Special Session)

H.B. 2013 makes necessary statutory and session law changes related to health and welfare to reconcile the FY 2009-2010 budget.

Arizona Health Care Cost Containment System (AHCCCS) – Repeals the KidsCare Parents program and the Temporary Medical Coverage program. Retroactive to September 30, 2009, eliminates dentures as a medical service covered by AHCCCS health plans. For rates effective October 1, 2009, through September 30, 2010, prohibits AHCCCS from increasing provider rates above the rates in effect on September 30, 2009, and permits AHCCCS to reduce provider rates up to 5 percent. Suspends AHCCCS capitation payments to acute care health plans in June 2010. Specifies that 100 percent of the payment will be suspended for plans with at least 100,000 members and 50 percent of the payment will be suspended for plans with less than 100,000 members. Charges interest on delinquent payments at a rate of 0.5 percent. Exempts AHCCCS from ambulance rates established by Department of Health Services in FY 2009-2010. Permits AHCCCS to reduce by one level the thresholds beyond which patient costs are paid by reinsurance in contract year 2009-2010. Allows AHCCCS to reduce the risk contingency rate setting for all managed care organizations by 50 percent and to impose a 5.88 percent reduction on funding for all managed care organizations administrative funding levels in contract year 2009-2010. Requires the AHCCCS Administration to report to the Governor, the President of the Senate and the Speaker of the House of Representatives by October 1, 2009, on hospital provider assessment methods. States the legislative intent for the AHCCCS Administration to comply with the federal False Claims Act, to maximize savings and to continue considering the best available technologies in detecting fraud in the Administration's programs.

County Contributions – Decreases Maricopa County's FY 2009-2010 acute care contribution by \$517,300 below FY 2008-2009. Continues FY 2009-2010 acute care contributions for all other

APPROPRIATIONS COMMITTEE (Cont'd.)

counties and contributions for hospitalization and medical care at FY 2008-2009 levels. Continues to exclude, retroactive to June 30, 2004, county contributions for Proposition 204 administrative costs and hospitalization and medical care from county expenditure limitations.

Disproportionate Share Hospital (DSH) Payments – Continues to require the Maricopa Special Health Care District (District) and the Arizona State Hospital (State Hospital) to provide a certified public expense (CPE) form for qualifying DSH expenditures. Requires the AHCCCS Administration to distribute \$4,202,300 to the District and deposit the remaining federal funds into the state General Fund. Prescribes procedures that apply if the CPE amount is less than estimated. Stipulates that the DSH payments include \$28,474,900 for the State Hospital and \$26,147,700 for private qualifying DSH hospitals.

State Employee Health Insurance – Retroactive to September 30, 2009, and beginning October 1, 2009, for purposes of health or accident insurance for full-time state officers or employees, defines *dependent* as: 1) a spouse; 2) a child under 19 years of age; 3) a child under 23 years of age who is also a full-time student. Continues to prohibit the Arizona Department of Administration from implementing a differentiated health insurance premium based on the integrated or nonintegrated status of a state employee health insurance provider.

Arizona Biomedical Research Commission (Commission) – Repeals \$1,000,000 appropriated to the Commission in FY 2009-2010 through FY 2011-2012.

Department of Health Services (DHS) – Eliminates current statutory fee limits for the licensure and certification of health care institutions, child care facilities and child care group homes. Permits DHS to establish and collect these fees by rule. Creates the Health Services Licensing Fund (Fund) and requires 90 percent of the collected fees to be deposited into the Fund and 10 percent to be deposited into the General Fund, beginning January 1, 2010. Specifies the Fund is subject to legislative appropriation. Appropriates \$4,493,400 in FY 2009-2010 from the Fund to DHS for assurance and licensing expenditures. Exempts DHS from rulemaking requirements for eighteen months to establish new licensure and certification fees and allows DHS to continue charging current fees through December 31, 2009. States the intent of the Legislature that additional revenue generated from the fees from January 1, 2010 through June 30, 2010, not exceed \$5,000,000.

Requires DHS to establish an Arizona Poison Control System consisting of two poison control centers: 1) one center affiliated with the University of Arizona College of Pharmacy, to serve all counties outside of Maricopa County; 2) one center privately operated in Maricopa County, to serve Maricopa County. Specifies that in addition to current duties, each poison control center is responsible for providing drug information services in its respective region.

Requires cities and all counties to pay 100 percent of restoration to competency (RTC) costs and excludes these payments from county expenditure limitations in FY 2009-2010. Requires cities and counties to reimburse DHS for 25 percent of the costs of commitment of sexually violent persons in FY 2009-2010. Payment must be made within 30 days after DHS makes a request for payment and may be made from any available source of county revenue.

Requires DHS to establish a list of priority behavioral health services, post the list on its website and provide at least 30 days notice before modifying the list. Specifies that behavioral health providers and contractors are not liable for failing or refusing to provide uncompensated or

APPROPRIATIONS COMMITTEE (Cont'd.)

underfunded nonemergency behavioral health services to persons who do not qualify for Medicaid and who are not seriously mentally ill.

Department of Economic Security (DES) – Enacts conforming changes to repeal the General Assistance program that was eliminated in FY 2008-2009. Requires DES to test and screen adult recipients who are otherwise eligible for Temporary Assistance for Needy Families (TANF) cash benefits for the illegal use of controlled substances. Requires recipients to pass the drug screening test to remain eligible. Permits DES to reduce the maximum income eligibility level for child care assistance programs and requires DES to notify the Joint Legislative Budget Committee of any change.

environment; budget reconciliation (H.B. 2014/S.B. 1028) – Chapter 5 (Third Special Session)

Makes statutory and session law changes relating to the environment to implement the FY 2009-2010 budget.

Arizona State Land Department (ASLD) – Retroactive to July 1, 2009, permanently establishes the Trust Land Management Fund (TLMF) as a self-funding mechanism for the ASLD to manage state trust lands. The TLMF consists of a percentage of the annual proceeds from the sale of trust lands and natural products. Requires \$600,000 from the fees the ASLD receives for applications and permits to be deposited into the TLMF in FY 2009-2010. Appropriates \$9,773,500 from the TLMF to the ASLD in FY 2009-2010, and requires the ASLD to revert \$3,819,700 to the state General Fund by October 1, 2009, and an additional \$3,257,800 by June 30, 2010.

Arizona Department of Environmental Quality (ADEQ) – For FY 2009-2010, allows ADEQ to transfer \$6,531,000 from the Underground Storage Tank Revolving Fund Assistance Account for administrative costs associated with the leak prevention and used oil programs. Through FY 2010-2011, allows sanitary districts with a population of less than 50,000 and municipalities and counties of any size to accept loans through the Water Infrastructure Financing Authority (WIFA) without requiring an election. The loan must be financed with federal stimulus monies made available to WIFA.

Arizona State Parks Board (Board) – Allows the Board to use investment earnings in the Land Conservation Fund's administrative account that exceed \$500,000 to operate state parks. For FY 2009-2010, the Board also may use \$692,100 from the Off-Highway Vehicle Recreation Fund and appropriated monies in State Parks Enhancement Fund for the operation of parks. Requires the transfer of \$3,000,000 (two installments of \$1,500,000) from the Arizona State Parks Heritage Fund to the Fire Suppression Revolving Fund in FY 2009-2010.

Miscellaneous – Requires the Arizona Department of Water Resources (ADWR) to include separate accounting detail of the Nevada interstate banking subaccount in ADWR's annual budget request. Requires Arizona Department of Agriculture livestock officers to inspect livestock within 48 hours, rather than 12.

APPROPRIATIONS COMMITTEE (Cont'd.)

LEGISLATION VETOED

~~common school districts; technical correction~~ (NOW: general revenues; budget reconciliation) (S.B. 1025) – VETOED (Third Special Session)

Makes necessary statutory and session law changes relating to general revenues in order to reconcile the FY 2009-2010 budget.

Department of Agriculture – Allows the Citrus, Fruit and Vegetable Advisory Council and the Agricultural Advisory Council to increase fees for services provided in FY 2009-2010, up to a total of \$389,000. Continues the fee increases authorized by Laws 2008, Chapter 291, for the Department of Agriculture in the amount of \$172,000 in FY 2009-2010.

Corporation Commission – Redirects a portion of the fees collected for the annual report of domestic and foreign corporations from the state General Fund (GF) to the Public Access Fund for the Arizona Corporation Commission's (ACC) operating expenditures, effective retroactively to July 1, 2009.

Authorizes the ACC to adjust annual registration fees for securities dealers and salespersons and to deposit a portion of those fees in the Securities Regulation and Enforcement Fund (Fund). Stipulates that annual revenues collected in excess of the amount legislatively appropriated to the Fund be deposited into the state GF.

Authorizes the ACC to establish by order the annual registration fees for securities dealers and salesmen and exempts the ACC from rule making requirements one time for the purposes of setting the fees.

Department of Education – Repeals the state equalization property tax rate. Specifies the official K-12 Qualifying Tax Rate (QTR) for FY 2009-2010, as adjusted for compliance with Truth in Taxation (TNT). The TNT calculation yields a FY 2009-2010 QTR of \$2.7452 for unified school districts and \$1.3726 for non-unified school districts.

State Lottery Commission – Transfers the following amounts of State Lottery revenues to the state General Fund (GF) prior to any distribution of those revenues to the following funds: 1) \$765,000 for the County Assistance Fund, 2) \$2.3 million for the Local Transportation Assistance Fund and 3) \$990,000 for the Local Transportation Assistance Fund II.

Repeals the State Land Department's Community Protection Initiative Fund and the Department of Environmental Quality's Water Supply Fund Special Line Item from the list of recipients of Lottery Fund monies.

Department of Revenue (DOR)– Accelerates by one or two years, depending on property type, the length of time for all property presumed to be abandoned and therefore unclaimed, except that the time period for traveler's checks is accelerated by 12 years and money orders by four years.

Establishes the DOR Administrative Fund consisting of monies from unclaimed property. Transfers a portion of unclaimed property proceeds to the DOR Administrative Fund for payment of

APPROPRIATIONS COMMITTEE (Cont'd.)

unclaimed property contract auditor fees if 12.5 percent of the total dollar value of recovered property exceeds \$1,770,000.

Continues the requirement that any Business Reengineering/Integrated Tax System (BRITS) contract extensions or modifications which increase the contractor's share of gain-sharing proceeds be subject to Joint Legislative Budget Committee (JLBC) review, effective retroactively to July 1, 2009. Stipulates that DOR may utilize up to \$2 million of state GF revenue deposits to pay for BRITS operational support costs, subject to JLBC review.

Rio Nuevo Multipurpose Facilities District – Limits, retroactive to July 1, 2009, the monies paid to the Rio Nuevo Multipurpose Facilities District (District) to the following purposes until a Notice to Proceed is issued for a hotel and convention center located at the multipurpose facility site: 1) debt service for bonds issued by the District before January 1, 2009; 2) contractual obligations incurred by the District before June 1, 2009; 3) fiduciary, legal and administrative expenses of the District; 4) the design and construction of the hotel and convention center located at the multipurpose facility site. The bill also contains requirements relating to transparency, compensation, audits and membership on the Board of Directors.

Miscellaneous – Requires incorporated cities and towns to distribute \$22 million of the cities' and towns' state shared Vehicle License Tax (VLT) monies to local school districts in FY 2009-2010.

Requires Maricopa County to transfer \$19,014,600 into the GF. Requires Pima County to transfer \$2,985,400 into the GF.

Allows 14 percent of the Residential Contractor's Recovery Fund's prior fiscal year revenues to be used for operation and administrative purposes in FY 2009-2010 instead of 10 percent of the fund balance.

Redistributes pari-mutuel revenues and proceeds to the GF rather than to various Racing Funds.

Requires, beginning July 1, 2010, all revenues from the State Web Portal Fund to be deposited into the State Web Portal Fund.

Permanently sets the assessment ratio for Class One property at 16 percent for all prospective bond and override elections, beginning in tax year 2012.

Redirects unclaimed property proceeds by annually depositing the first \$10.5 million of collected proceeds into the Housing Trust Fund, effective retroactively to July 1, 2009. The second \$24.5 million of collected proceeds will be deposited into the DOR Administrative Fund, effective retroactively to July 1, 2009.

Requires nonresident taxpayers to prorate their standard deduction based on Arizona income as a percent of total income.

Requires that any VLT revenues collected as a result of the optional five-year vehicle registration period which exceeds the amount that would have been collected had the vehicles been registered for two years be deposited into the GF instead of the State Highway Fund.

APPROPRIATIONS COMMITTEE (Cont'd.)

Taxes and Fees – Allows a municipality to use development fee revenues for general municipal operating expenses in FY 2009-2010. Prohibits a municipality that uses development fee revenues for operating expenses from adjusting fees to recover revenues.

Sets the amount of the fee for a duplicate driver license as an amount determined by the Director of the Department of Transportation.

Repeals the fee raising authority, appropriations and rulemaking exemptions authorized by Laws 2008, Chapter 291, for the following entities: 1) Department of Public Safety, 2) Department of Economic Security, 3) Department of Health Services, 4) State Land Department and 4) Radiation Regulatory Agency.

Restores the fee raising authority authorized by Laws 2008, Chapter 291, Section 12, for the following state agencies and amounts in FY 2009-2010: 1) Department of Health Services – \$600,000; 2) State Land Department – \$600,000; and 3) Radiation Regulatory Agency – \$500,000.

Continues to suspend the requirement that the Department of Insurance (DOI) revise fees so that revenues from fees collected by DOI are between 95 percent and 110 percent of DOI's state GF appropriation for FY 2009-2010.

Authorizes the Board of Nursing Care Administrators and Assisted Living Facility Managers (Board) to increase fees up to \$85,000 in FY 2009-2010 and appropriates revenue generated through increased fees to the Board.

Authorizes the Office of Pest Management (Office) to increase fees up to \$875,000 in FY 2009-2010 and appropriates revenue generated through increased fees to the Office.

The Governor states in her letter that she vetoed S.B. 1025 due to a lack of a comprehensive state revenue strategy for FY 2009-2010 and future fiscal years. She states that she is willing to support a permanent repeal of the state equalization tax only as part of a comprehensive proposal that addresses the State's massive revenue shortfall. She also states that she is opposed to sweeping VLT monies from the cities to help balance the state budget deficit since the trigger included in the General Appropriation Act to repay the cities is dependent upon the successful passage of a sales tax referral and a referral was not included in the budget package. The Governor asks that the provisions in the bill relating to crucial state agency budgets and other non-tax issues relating to county fund transfers and Rio Nuevo reforms be sent to her as soon as possible in a special session.

Commerce & Economic Development Committee

Senator Barbara Leff, Chairman



Garth Kamp, Research Analyst
Dakotah Pratt-Hewitt, Assistant Analyst
Sharon Jundef, Intern

COMMERCE & ECONOMIC DEVELOPMENT COMMITTEE

LEGISLATION ENACTED

ambulances; certificates of necessity (NOW: eligibility determinations; AHCCCS.) (S.B. 1102/H.B. 2631) – Chapter 4 E

An emergency measure, effective April 24, 2009, that changes the period for determining the continued eligibility of childless Arizona Health Care Cost Containment System (AHCCCS) recipients who are at least 21 years old, from once every six months to once per year.

workers' compensation; charges; dispute resolution (NOW: workers' compensation omnibus) (S.B. 1262) – Chapter 184

Changes certain Department of Insurance filing schedules. Changes the penalties and specifies the terms for a civil action in cases of employer misrepresentation to an insurer. Allows, under specified circumstances, the Industrial Commission of Arizona to consider an employee's earning capacity based on wages from previously terminated employment and permits an employee to later establish that the reduced earning capacity is related to an industrial injury causing temporary or permanent partial disability. Requires physicians to provide information about certain off-label drug prescriptions upon request and to specify a treatment plan that addresses certain topics relating to prescription medication.

UCC; lost cashier's checks (S.B. 1265) – Chapter 66

Establishes that a claim to the amount of a lost, destroyed or stolen cashier's, teller's or certified check may be made if certain requirements are met. Prohibits a bank from imposing additional requirements on the claimant, including the requirement that a claimant post a bond or other form of security. Stipulates that an asserted claim has no legal effect for 90 days after the date of the check unless the check is presented for payment by the person entitled to enforce the check. Specifies that a bank is discharged of all liability upon payment to the claimant or the person entitled to enforce the check so long as the assertion of a claim meets statutory requirements.

Authorizes the treasurer of a county or a city to pay an original warrant based upon an electronic image provided by the servicing bank.

workers' compensation; drugs and alcohol (S.B. 1266) – Chapter 67

Repeals workers' compensation statutes relating to workplace injury due to drugs and alcohol. Removes the stipulation that an employee's drug or alcohol related injury or death is non-compensable if the employer has an established alcohol or drug testing program on file with the Industrial Commission of Arizona (ICA). Removes the requirement that an employer file a written certification annually with ICA.

COMMERCE & ECONOMIC DEVELOPMENT COMMITTEE (Cont'd.)

underground storage tanks; technical correction (NOW: custodial and janitorial services; transfer) (S.B. 1314) – Chapter 191

As session law, requires the Arizona Department of Administration (ADOA) to transfer monies received in FY 2009-2010 to state entities that occupy state owned or leased building space. The monies appropriated will be used to hire current or former state employees to provide custodial and janitorial services. ADOA is required to submit a monthly report to the Director of the Joint Legislative Budget Committee on the amount of monies transferred for custodial and janitorial services during the previous month.

license plates; state name (NOW: unemployment insurance; benefits) (S.B. 1322 / H.B. 2632) – Chapter 3 E

An emergency measure, effective April 24, 2009, that temporarily provides 13 to 20 weeks of additional unemployment benefits to workers who exhaust their regular benefits in a time of high unemployment. Stipulates that extended unemployment benefits are fully funded by federal monies. Terminates the program one month before the federal benefits expire or the week ending December 12, 2009, whichever is later.

renewable, high-wage industries incentives (S.B. 1403) – Chapter 96

Beginning January 1, 2010, establishes a renewable energy industries tax incentive program within the Arizona Department of Commerce (ADOC) to expand or locate qualified renewable energy operations (REO) in Arizona. The program terminates on January 1, 2016.

Income Tax Incentives

To qualify for the tax credit, a business must make new capital investment in manufacturing or in regional, national or global business headquarters as follows: a) at least 51 percent of new full-time employment positions (FTE) at the qualifying facility are paid a wage equaling or exceeding 125 percent of the median annual wage in this state; and b) the employer pays 80 percent or more of the premium for all FTE health insurance coverage. Establishes that the amount of the income tax credit is up to ten percent of the taxpayer's total capital investment if certain job to capital investment ratios are met. Specifies that the tax credits are refundable and requires the taxpayer to claim the tax credit in five equal installments over five consecutive taxable years. Caps the tax credits at \$70 million per taxable year and allows for unclaimed tax credit amounts to carry over to the next year.

Property Tax Incentives

Requires capital investment of \$25 million or more in facilities, equipment, land and infrastructure to qualify for property tax incentives. Allows a qualifying headquarters or manufacturing facility to be classified as class six property for: a) ten years, if 51 percent or more of the employees are paid an annual wage of 125 percent to 199 percent of the annual median wage in this state; or b) 15 years, if 51 percent or more of the employees are paid an annual wage of 200 percent or more of the annual median wage in this state. Allows up to ten percent of the aggregate full cash value of the property to consist of ancillary and intrinsic uses associated with the manufacturing process or headquarters operation for the purpose of property tax credit calculation.

COMMERCE & ECONOMIC DEVELOPMENT COMMITTEE (Cont'd.)

Miscellaneous

Specifies that ADOC will monitor participating REO's to ensure compliance. The Department of Revenue (DOR) will recapture tax credits already taken if the REO is deemed noncompliant.

charitable organizations; solicitations; disclosures (H.B. 2091) – Chapter 76

Effective January 1, 2010, states that it is unlawful for a charitable organization or other business entity to accept donations for the purpose of resale without clearly posting the following information at the collection site: 1) the name of the collection site's owner; and 2) the name of the charity that benefits financially. Specifies that an entity owns a collection site if it receives at least 51 percent of the proceeds generated by selling the collected donations.

loan originators; mortgage recovery fund. (H.B. 2143) – Chapter 163

Establishes a Mortgage Recovery Fund (Fund) consisting of monies received by the Superintendent of the Department of Financial Institutions (DFI) for the benefit of persons violated by any unlawful act, representation, transaction or conduct of a licensed loan originator. Loan originator licensing and administrative requirements conform with the federal Secure and Fair Enforcement for Mortgage Licensing Act of 2008.

Beginning July 1, 2010, prohibits a person from acting as a loan originator unless licensed and allows loan originator fees to be retained in a financial services fund. Specifies the application requirements for a loan originator's license and authorizes the Superintendent to deny, suspend or revoke a license under certain conditions.

Establishes guidelines in the event a consumer is harmed by a loan originator. Sets a five-year statute of limitations for an action seeking an order for payment from the Fund. Limits the Fund's liability for damages by specified amounts and requires that actions to recover from the Fund be brought by the Attorney General.

notification; complaint; registrar of contractors (H.B. 2173) – Chapter 99

Clarifies that the deadline for a new home buyer to file a written complaint with the Arizona Registrar of Contractors is two years after the close of escrow or actual occupancy, whichever is earlier. Modifies requirements relating to the display of contractor license numbers. Removes wrongful acts, while retaining fraudulent acts that injure a consumer, as grounds for suspension or revocation of a contractor's license.

~~state compensation fund; employer misrepresentation.~~ (NOW: corporations and LLC omnibus) (H.B. 2199) – Chapter 42

Modifies statute to conform regulations for corporations and limited liability companies (LLC). An LLC's articles of amendment or restated articles of organization do not require publication if a change is made to the name or address of members or the statutory agent or the business address. Allows the Arizona Corporation Commission (ACC) to serve notice by mail or through a process server and modifies certain requirements related to filing affidavits.

COMMERCE & ECONOMIC DEVELOPMENT COMMITTEE (Cont'd.)

Revises the LLC filing statutes to require the ACC to endorse only original articles of dissolution or a document required to bring an LLC into good standing. Specifies requirements and deadlines for publication of articles of dissolution by a corporation and an electric cooperative and for an application for withdrawal by foreign corporations. Specifies annual reporting requirements for electric cooperatives.

domestic microbreweries; production cap (H.B. 2301) – Chapter 81

Doubles the total number of gallons of beer a microbrewery may produce in one calendar year from 620,000 to 1,240,000.

~~technical correction; malpractice claim review (NOW: authorized presence; licensees) (H.B. 2306) – Chapter 137~~

Exempts a business licensee who has affirmatively established U.S. citizenship or federal non-expiring work authorization from providing subsequent documentation of that status upon renewal or reinstatement of the license. An individual who has a limited form of authorization that has expired is required to provide documentation of citizenship or alien status when seeking business license renewal or reinstatement from a state agency.

subdivision public reports (H.B. 2310) – Chapter 17

Decreases the time period the Arizona Department of Real Estate (ADRE) may determine the completeness of a subdivider's public report from 15 business days to 10 business days. Specifies that a public report is administratively complete if a certification or denial letter has not been issued by the Commissioner of ADRE within 10 business days of receipt of the report.

~~capital cases; aggravating factors (NOW: mortgage bankers; loan originators; fees) (H.B. 2318) – Chapter 139~~

Allows a licensed mortgage banker, who funds up to 150 loans a year, to apply for a conversion to a mortgage broker license upon licensure renewal. Grants the Superintendent of the Department of Financial Institutions the discretion to approve the conversion and allows the Superintendent to determine the application fees for a conversion. Changes the fee requirements for a loan originator license transfer from an annual renewal fee to an application fee.

schools; energy contracts (H.B. 2332) – Chapter 101

SEE EDUCATION ACCOUNTABILITY & REFORM COMMITTEE.

Arizona trust code (H.B. 2333) – Chapter 85

Modifies the Arizona Trust Code, including the following revisions: 1) adds limited liability companies to the types of entities that may be created during probate administration; 2) makes certain revisions to unitrust and irrevocable trust statutes; 3) prohibits written trust instruments from being amended orally; 4) exempts trust assets from certain creditor's claims; 5) allows a trustee reasonable compensation or fees; and 6) authorizes a trustee to amend a trust if the name of a beneficiary or trustee has been legally changed.

COMMERCE & ECONOMIC DEVELOPMENT COMMITTEE (Cont'd.)

uniform principal and income act (H.B. 2334) – Chapter 102

Modifies the Uniform Principal and Income Act (Act), which governs the accounting for trusts and estates, to comply with recent Internal Revenue Service rulings and court decisions. Stipulates trustee requirements and provides guidelines relating to allocations, accounting and administration of separate funds subject to the Act and establishes formulae to calculate fund value and taxable income determinations.

amendments; self-storage units (H.B. 2435) – Chapter 48

Makes procedural changes relating to delinquent rent on self-service storage units. Modifies the notice of default requirements sent to an occupant. Eliminates the requirement to publish a notice of property sale relating to a rent delinquent unit and describes a commercially reasonable sale.

liquor licenses; public recreation area (H.B. 2441) – Chapter 50

Specifies that consuming beer or wine in a public recreation area at a group event is lawful if a special event license or a wine festival license has been obtained.

scrap metal; theft; dealers (H.B. 2465) – Chapter 144

Prohibits a scrap metal dealer from knowingly purchasing certain metals in their original form, including aluminum or stainless steel beer kegs or catalytic converters. Penalizes, as a class 1 misdemeanor, the purchase or sale of a used catalytic converter, subject to certain exemptions.

Prescribes the value of ferrous metal or nonferrous metal at the time of theft as the fair market value of scrap metal in the locality and the repair or replacement value of any property damaged during the theft. Specifies certain circumstances in which an inference may arise regarding a person's awareness of the risk that scrap metal in the person's possession was stolen.

Effective September 1, 2010, specifies requirements for the Department of Public Safety (DPS) to establish electronic submission standards for scrap metal receipt records. Requires DPS to make scrap metal information submitted by dealers available to local law enforcement agencies via the Internet.

~~health insurance; purchase outside state~~ (NOW: commercial mortgage broker license) (H.B. 2486 / S.B. 1404) – Chapter 108

Establishes a commercial mortgage broker license and applies mortgage broker requirements to commercial mortgage brokers. Requires various license application fees and renewal fees to be paid to the Department of Financial Institutions. A person who only brokers commercial mortgage loans may obtain either a mortgage broker license or a commercial mortgage broker license. Clarifies that a person who brokers only residential mortgage loans must obtain only a mortgage broker license. Specifies requirements for a commercial mortgage broker license and exempts applicants from statutory continuing education requirements under specified circumstances.

COMMERCE & ECONOMIC DEVELOPMENT COMMITTEE (Cont'd.)

LEGISLATION VETOED

renewable energy production tax credit (H.B. 2341) – VETOED

Beginning January 1, 2010, creates a new individual and corporate income tax credit for the cost of the production of commercially marketed electricity from renewable sources, including wind, biomass and solar. In order to be eligible for the credit, the taxpayer must own a qualified energy generator that produces electricity for the first time between January 1, 2010 and December 30, 2020. The credit is limited to ten consecutive tax years, beginning with the year the generator first begins producing commercially marketable energy.

The amount of the credit is as follows: 1) for a generator using wind or biomass as a source of electricity, the amount of the credit allowed is one cent per megawatt hour, up to 400,000 megawatt hours per year; or 2) for a generator using solar as a source of electricity, the amount of credit begins at fifteen cents per kilowatt hour, and increases one half cent per year until it reaches four cents per kilowatt hour in its sixth year of operation. After the sixth year, it decreases one-half cent until the credit expires after the tenth year.

The Governor indicated in her veto letter that although she supports the concepts advanced by the legislation, there is no way to calculate how many new megawatt hours may be produced over the next ten years and that therefore the potential impact to tax revenue is unknown. The Governor also urged lawmakers to revisit the legislation by placing a reasonable cap on the amount of credit that can be claimed and that she will amend the call of the Forty-Ninth Legislature, Third Special Session to allow consideration of a revised version of the legislation.

Education Accountability & Reform Committee

Senator John Huppenthal, Chairman



Stacey Morley, Research Analyst

Jessica Helmers, Intern

EDUCATION ACCOUNTABILITY & REFORM COMMITTEE

LEGISLATION ENACTED

commission for postsecondary education; continuation (S.B. 1134) – Chapter 58

Continues the Arizona Commission for Postsecondary Education until July 1, 2019.

expenditure limitation; penalty waiver; Pima (S.B. 1146) – Chapter 59

SEE FINANCE COMMITTEE.

education; meetings; technical correction (NOW: education omnibus) (S.B. 1196) – Chapter 95

An omnibus bill packages together several measures into one bill as it relates to a single subject. S.B. 1196 is an omnibus bill that addresses issues related to public education.

State Board of Education (SBE) – Requires the SBE to establish a minimum score on one or more nationally recognized college entrance exams for the purposes of satisfying the Arizona Instrument to Measure Standards (AIMS) graduation requirement if a student has taken and failed to pass one or more portions of AIMS. The SBE must determine a district's equalization aid did not conform to statute in order for the SBE to reduce a district's state aid for overexpenditures but requires the district to reduce its budget limit to adjust for the overexpenditure. Allows the school district to request a hearing before the SBE to dispute a determination of overexpenditure rather than requiring a hearing for all overexpenditures. Requires the SBE to adopt rules regarding alternative certification for teachers of nontraditional foreign languages.

Arizona Department of Education (ADE) – Allows the Superintendent of Public Instruction (SPI) to establish an alternate performance pay system for ADE employees to improve employee productivity and morale. Requires ADE to notify the SBE when a school district's expenditures exceed its general budget limit. Clarifies that errors in calculating a district's or charter's budget limit does not require a reduction in state aid unless the error is in calculating the district's or charter's state aid. Adds ADE to sections authorizing the SBE to deny certification applications to conform to current practice. A school district may apply to ADE for further average daily membership (ADM) adjustments for natural disasters and hazardous material events.

Arizona Online Instruction (AOI) – Renames the Technology Assisted Project Based Instruction (TAPBI) program to Arizona Online Instruction (AOI). Eliminates the cap on enrollment and the number of school districts and charter schools authorized to participate upon approval from the SBE or State Board for Charter Schools (SBCS). Each new school participates in probationary status and may apply for permanent status after demonstrating its program's academic integrity through improvement in academic achievement. The SBE or the SBCS must remove a school from the program if it fails to demonstrate improvement in academic achievement within three years. Removes existing annual reporting requirements and instructs the SBE and SBCS to develop new annual reporting mechanisms. ADM for participating students is calculated at 95 percent for full-time students and 85 percent for part-time students based on specified attendance requirements. Programs must include multiple diverse assessment measures and required assessments must be proctored.

EDUCATION ACCOUNTABILITY & REFORM COMMITTEE (Cont'd.)

School District Governing Boards, School Districts and Schools – School district governing boards may submit up to three names to the county school superintendent for consideration in appointing someone to fill a vacant board seat within 30 days of notification of the vacancy. The county superintendent may, but is not required, to appoint someone from the submitted list. Allows a school district board with vacancies to attain a quorum with a majority of the remaining members, but a single member may not be a quorum. Allows school districts to give enrollment preference and reserve capacity for students whose parents are employed by, or at a school within, the district. Eliminates the requirement for teachers to keep a school register and instead requires them to take and maintain daily classroom attendance.

Parental Information Requests – Establishes a process for a parent or legal guardian to request information regarding their child's educational records, curriculum and learning material as follows: 1) the parent must submit a written request to the school principal or the district superintendent during regular business hours; 2) the principal or superintendent must either deliver the requested information or a written explanation for the denial; 3) if the request was denied or the information was not received within 15 days of the original request, the parent may submit a written request for the information to the school district governing board; 4) the school district governing board must consider the request at the next scheduled public meeting that the request can be properly noticed and placed on the agenda.

Charter Schools – Provides charter schools in compliance with statutory fingerprinting requirements the same rights and protections provided to compliant school districts. A charter school board with vacancies may attain a quorum with a majority of the remaining members, if permitted by the charter school's operating agreement. Permits charter schools to give enrollment preference to children of board members and employees of the charter holder and the school. Authorizes charter schools to provide instruction to a single gender, with permission of its sponsor. Allows charter schools to enter into contracts or agreements for joint purchasing of insurance.

Special Education – Makes changes to disability categories and Group B weights as follows: 1) renames preschool severe delay (P-SD) to early childhood severe delay (ECSD); 2) replaces the P-SD Group B weight with the ECSD Group B weight; 3) renames preschool moderate delay to developmental delay (DD) and includes children ages three through nine; 4) establishes a DD Group B weight but prohibits Group B funding for DD preschool children and allows Group A funding for DD programs; 5) incorporates preschool speech/language delay and specific learning disability for preschool children into speech/language impairment (SLI) and Group B funding for SLI preschool children.

Fingerprinting – Expands the list of individuals required to obtain identity verified fingerprint clearance cards to include students in a teacher preparation program, participants in field experience or student teaching, and tutors. Students in an Arizona teacher preparation program who student teach or engage in field experience in another state are not required to obtain an Arizona fingerprint clearance card.

Academic Receivership – Allows ADE to recommend to SBE to hold a public hearing to determine whether a district should be subject to an Alternative Operation Plan (AOP) if the district has at least half of its schools, with a minimum of six, designated as underperforming or failing. ADE and the SBE, prior to either making a hearing recommendation or placing a district on an AOP, must consider certain specified items. ADE must recommend three government, nonprofit or private

EDUCATION ACCOUNTABILITY & REFORM COMMITTEE (Cont'd.)

entities or individuals to manage the district's affairs to the SBE who appoints a manager from the list and specifies their scope of authority. The SBE may remove the manager for insufficient progress. The manager must review and investigate the district's educational affairs, submit a report to SBE of its findings and an AOP which must include a timeline and details on how the district administration transitions back to the governing board. Details the powers the SBE may give to the manager. Requires SBE to periodically review districts under an AOP to determine whether operating authority should be returned to the district governing board.

Employment Benefits – Allows districts currently offering postemployment benefits to deposit funds used for those benefits into other postemployment benefits (OPEB) funds, trust accounts or both. Prohibits legislative appropriations to fund these benefits. OPEB accounts must meet certain requirements and are not subject to reversion unless the account remains inactive for five years, at which time funds revert to the district's maintenance and operations fund. Specifies qualifications for investment managers and establishes their authority over funds. Restricts the amount that may be invested in equity securities to 30 percent. Districts must annually submit an actuarial study of existing and prospective OPEBs to the Joint Legislative Budget Committee.

Allows the Arizona State Retirement System to establish a supplemental employee deferral plan for public employees, other than state employees, to save additional tax-deferred money for retirement.

Insurance Pools – Allows a school district to contract with an insurance pool operated solely for charter schools. A trustee, board of trustees, or insurance pool contracting with a school district or charter school to provide a common self-insurance program must comply with all open meeting and public records laws and is subject to the same accounting, auditing and reporting requirements as insurance pools operated by two or more public agencies.

Arizona National Rankings – Requires ADE to collect, evaluate and assess existing studies and findings on national rankings and overall quality of Arizona schools and to submit a report to the Governor, the President of the Senate and the Speaker of the House of Representatives by December 1 of each year. ADE must present its findings at a public meeting for discussion and analysis.

K-3 Academic Gains Task Force – Establishes the Task Force for Measuring Academic Gains of K-3 Pupils (Task Force) to develop measures and tasks associated with measures of academic gains in math, reading and language for students in kindergarten through third grade. Requires ADE to develop the process, upon approval from SBE, for school districts and charter schools that choose to participate to improve their academic achievement profile. SBE must review and approve any testing process developed by the Task Force and ADE must maintain the integrity of any testing process used to measure the academic gains.

School Facilities Board (SFB) – Prohibits school districts from taking action at any time, rather than the current three-year time frame, to reduce pupil square footage or equipment without SFB notification and written approval. Allows the SFB to contract for construction project management services, school building assessments and services related to land acquisition and new school site development and to contract directly with construction project managers. Authorizes the SFB to access school district utility bills for data related to energy usage after giving written notice to each district and receiving no objection. Changes the due date, from September 1 to October 15, for school districts to submit their building renewal report. Allows monies from the New Schools Facilities Fund to be used for SFB contracted expenses. Requires the SFB to distribute monies

EDUCATION ACCOUNTABILITY & REFORM COMMITTEE (Cont'd.)

received from the State Land Department for public education leases to a school district that provided the funding for the lease, if the district is approved for a new school but received no award due to the new school construction moratorium in FY 2009-2010.

Arizona Commission for Postsecondary Education (ACPE) – Continues the ACPE until July 1, 2019 and repeals the ACPE on January 1, 2020.

Miscellaneous – Allows school districts and charter schools to begin reporting new student level data elements on July 1 of the year following the effective date of the law requiring the collection of the data. Exempts school districts and charter schools from municipal tax on the storage, use or consumption of personal property. Modifies the requirement for public universities in this state to offer the required classes on the U.S. and Arizona Constitutions rather than administer the exam. Allows Santa Cruz Valley Union High School and Red Mesa Unified School District five-year payback periods for overexpenditures. Makes numerous technical and conforming changes, repeals outdated and unnecessary sections and updates the school finance statutes.

~~technical correction; dental board powers (NOW: task force; special education) (S.B. 1197) – Chapter 62 E~~

An emergency measure, effective July 10, 2009, establishing the nine member Task Force on Best Practices in Special Education and Behavior Management (Task Force) appointed by the State Board of Education (SBE). The Task Force must examine, evaluate and make recommendations regarding the best practices for managing the behavior and discipline of pupils with disabilities. The recommendations must include a list of prohibited disciplinary actions, mandatory or recommended training for special education teachers and classroom aides and parental notice requirements concerning disciplinary actions. Requires the Task Force to submit its findings and recommendations to the SBE, the State Board for Charter Schools (SBCS), the Governor and the Legislature by August 20, 2009. The SBE and SBCS must make the Task Force's recommendations available to every school district and charter school in the state.

All school district and charter school governing boards must conduct a public meeting to review and consider the adoption of the Task Force's recommendations by June 30, 2010. School district and charter school governing boards may modify the recommendations to accommodate the needs and circumstance of each individual school district or charter school. Repeals the Task Force on September 15, 2010.

charter schools; charter renewal period (S.B. 1386) – Chapter 117

Allows a charter school operator to seek early renewal at any time but requires notice to the charter school's sponsor of the intent to seek early renewal at least nine months prior to the intended renewal application submission. The sponsor must review annual fiscal audits and performance data and the current contract before providing a renewal application. Renewal application submissions must also include a detailed business plan. Requires the sponsor to provide written notice of its consideration of a submitted application. Increases the period a charter school may be renewed from 15 to 20 years after a charter school's initial 15 year charter.

schools; gun safety instructors; certification (S.B. 1437) – Chapter 97

SEE PUBLIC SAFETY & HUMAN SERVICES COMMITTEE.

EDUCATION ACCOUNTABILITY & REFORM COMMITTEE (Cont'd.)

schools; juvenile probation officers (H.B. 2006) – Chapter 14

Allows a school district and charter school to enter into intergovernmental agreements to hire juvenile probation officers for law-related education programs. The school district or charter school must pay the costs associated with hiring a juvenile probation officer.

jury duty; motor vehicle parking (NOW: supplemental reductions; appropriations; FY 2008-2009 (H.B. 2028/S.B. 1189) – Chapter 5

SEE APPROPRIATIONS COMMITTEE.

school districts; liability; immunity waiver (NOW: school district balances; allocations) (H.B. 2029/S.B. 1190) – Chapter 6

SEE APPROPRIATIONS COMMITTEE.

schools; contractors; fingerprint clearance cards (H.B. 2031) – Chapter 75

SEE PUBLIC SAFETY & HUMAN SERVICES COMMITTEE.

charter schools; zoning (H.B. 2099) – Chapter 98

Classifies charter schools as public schools for zoning purposes and requires municipalities and counties to allow a charter school to operate where a school district may operate a school. The legislation applies municipal or county building codes to charter school construction and development and further stipulates that charter schools are subject to the same level of oversight, ordinances, limitations and requirements as district schools. Authorizes municipalities or counties to adopt zoning regulations to prohibit charter schools from operating in an existing single family residence located on less than one acre of property.

schools; energy contracts (H.B. 2332) – Chapter 101

Allows school districts to enter into energy performance and renewable energy power purchase contracts and utilize the savings resulting from these contracts. Provides contract implementation and reporting requirements.

Energy Performance Contracts (Contracts) and Renewable Energy Power Purchase Agreements (Agreements) – School districts retain savings resulting from Contracts and may utilize the savings for contract and project implementation but may not use the savings for excess utilities. No longer requires the qualified provider to perform an energy audit relating to the cost savings measures. Eliminates the requirement for competitive sealed bidding for qualified subcontractors. Expands the modifications to the energy baseline to include significant changes in the nature and intensity of energy use. The qualified provider and the school district must each perform a reasonable investigation to determine whether the measures in the Contract will result in the stated energy or water savings. Allows simplified energy performance contracts (Simplified Contracts) for projects under \$500,000, with certain exemptions. Expands the items that qualify as an energy cost savings measure. Exempts property procured through a Contract, Agreement or Simplified Contract from voter approval.

EDUCATION ACCOUNTABILITY & REFORM COMMITTEE (Cont'd.)

School District and Charter Schools Energy and Water Savings Accounts (Accounts) – Allows districts to establish Accounts consisting of a designated pool of capital investment monies to fund energy and water savings projects and allows funds from contracts between the district and utility, energy and water service providers to be deposited into the Account. Details authorized Account expenditures, investments, repayment schedules and reporting requirements. Authorizes school districts to deposit funding from the American Recovery and Reinvestment Act of 2008 into their energy and water savings account. Permits districts to obtain any required financing as part of the initial competitive bid.

Reporting – Requires districts to report specified project information to the Department of Commerce's (ADOC) Energy Office and the School Facilities Board (SFB). Replaces the Superintendent of Public Instruction with the SFB and adds the DOC Energy Office to the list of recipients receiving the provider's required study establishing the scope of the contract, the fixed cost savings guarantee amount and methodology for determining actual savings. The qualified provider must annually prepare a measurement and verification report in addition to an annual reconciliation of savings for the first three years of savings. Requires annual reports by school districts and the SFB and details reporting requirements, deadlines and distribution.

Miscellaneous – Modifies existing guidelines for standard appraisal of solar energy devices on property as it applies to grid-tied photovoltaic systems, under specified conditions. Establishes energy efficiency standards, effective January 1, 2012, for portable electric spas and pool pumps. Repeals all school district provisions from and after June 30, 2013, with certain exceptions.

public education; students' religious liberties (H.B. 2357/S.B. 1393) – Chapter 88

Prohibits public school districts from discriminating against students or parents based upon religious viewpoint or expression. Permits prayer, engagement in religious activities or expression to the same extent non-religious activities and expression are permitted. Allows students to wear clothing, jewelry and other apparel displaying religious messages or symbols to the same extent other clothing, jewelry and apparel displaying messages or symbols are permitted. Coursework involving a student's viewpoint must be evaluated based on ordinary, relevant academic standards and not on religious content or viewpoint. Public schools must adopt and implement a policy to comply with this act and other related statutory requirements.

Nothing in this act authorizes the state or its political subdivisions to require participation in prayer or other religious activities or violate any person's constitutional rights or limit the ability of public schools from adopting policies and procedures related to maintaining order and safety or student speech. A student or parent may initiate legal action to enforce these measures only after following the specified complaint process.

school board membership; family members (H.B. 2432) – Chapter 90

Prohibits *immediate family* members with the same *household residence* within four years from simultaneously running for nomination or election or serving on the same five-member school district governing board. Immediate family members with the same household residence within four years are eligible for nomination or election if the current board member is in the last year of the member's term of office. Permits the school district's qualified electors to enforce the eligibility requirements by bringing action in Superior Court. Defines *immediate family* and *household residence*.

EDUCATION ACCOUNTABILITY & REFORM COMMITTEE (Cont'd.)

LEGISLATION VETOED

technical correction; abandoned vehicles; monies (NOW: general appropriations; FY 2009-2010; trailer) (H.B. 2643/S.B. 1470) – Chapter 12 LIVS

SEE APPROPRIATIONS COMMITTEE.

technical correction; rebate set aside (NOW: budget reconciliation; general revenues; trailer) (H.B. 2644/S.B. 1472) – VETOED

SEE APPROPRIATIONS COMMITTEE.

technical correction; public roadways (NOW: budget reconciliation; general government; trailer) (H.B. 2645 / S.B. 1473) – VETOED

SEE APPROPRIATIONS COMMITTEE.

technical correction; state highways (NOW: state properties; trailer) (H.B. 2646 / S.B. 1474) – VETOED

SEE APPROPRIATIONS COMMITTEE.

technical correction; certificate of title (NOW: budget reconciliation; criminal justice; trailer) (H.B. 2647/S.B. 1475) – VETOED

SEE APPROPRIATIONS COMMITTEE.

technical correction; industrial development; insurance (NOW: budget reconciliation; K-12 education; trailer) (H.B. 2648/S.B. 1480) - VETOED

SEE APPROPRIATIONS COMMITTEE.

technical correction; open pit mining (NOW: budget reconciliation; higher education; trailer) (H.B. 2649/S.B. 1477) - VETOED

SEE APPROPRIATIONS COMMITTEE.

technical correction; health services; fees (NOW: budget reconciliation; health; welfare; trailer) (H.B. 2650/S.B. 1471) – VETOED

SEE APPROPRIATIONS COMMITTEE.

technical correction; national guard (NOW: budget reconciliation; environment; trailer) (H.B. 2651/S.B. 1476) – VETOED

SEE APPROPRIATIONS COMMITTEE.

Finance Committee

Senator Jim Waring, Chairman



Barbara Barzee, Research Analyst

Gilbert Cardenas, Intern

FINANCE COMMITTEE

LEGISLATION ENACTED

expenditure limitation; penalty waiver; Pima (S.B. 1146) – Chapter 59

Beginning July 1, 2009, requires the town of Pima to pay a statutory penalty over five years in equal installments for exceeding its expenditure limitation. Until June 30, 2019, provides an exemption from the existing state aid withholding penalty assessed to a community college district (District) that exceeds its aggregate expenditure limitation if the amount exceeded is due to the expenditure of revenues from a bookstore operated by the District. Stipulates a \$100 penalty for a violation of the exemption.

state treasurer; warrant notes (S.B. 1182) – Chapter 94

Allows the State Treasurer to issue warrant notes without divesting from Board Funding Obligations, monies in the Budget Stabilization Fund or operating monies invested in securities that are earning a rate of interest greater than the cost of issuing warrant notes.

~~technical correction; disincorporation~~ (NOW: conformity; internal revenue code) (S.B. 1185 / H.B. 2082) – Chapter 2 E

SEE APPROPRIATIONS COMMITTEE.

~~jail districts; property tax limit~~ (NOW: deficiency judgment; foreclosed properties) (S.B. 1271) – Chapter 68

Modifies the requirements which prohibit a deficiency judgment on a single one-family or two-family trust property of two and a half acres or less to include: 1) a requirement that the trustor utilized the trust property as a dwelling for at least six consecutive months, and 2) a requirement that a certificate of occupancy was issued for the trust property. Places responsibility on the trustor to demonstrate that the trust property was utilized by the trustor as a residence for six consecutive months.

income tax returns; penalties (S.B. 1373) – Chapter 116

Provides that a taxpayer who is penalized for filing an extension to file an income tax return without also paying at least 90 percent of the taxes due will not also be penalized for failure to pay 100 percent of taxes which are due.

renewable, high-wage industries incentives (S.B. 1403) – Chapter 96

SEE COMMERCE & ECONOMIC DEVELOPMENT COMMITTEE.

special districts; secondary levy limits (S.B. 1421) – Chapter 118

Imposes the following statutory secondary levy limit for fire districts, with the amount of the levy being the lesser of: 1) eight percent greater than the amount of the levy in the preceding tax

FINANCE COMMITTEE (Cont'd.)

year; or 2) \$3.25 per \$100 of assessed value. Allows the qualified electors of the fire district to authorize one, but not both, of the following options: 1) a permanent voter-approved override allowing annual levies without reference to the previous year's levy but within the \$3.25 maximum rate cap; or 2) if the net assessed valuation declines by 20 percent or more over two consecutive valuation years, a five-year voter-approved override allowing annual levies that are exempt from the \$3.25 maximum rate cap but allowing five percent growth greater than the amount of the levy in the preceding tax year. After the fifth year, the district would return to the eight percent levy limit, computed from the year preceding the override. Requires each fire district to report the total assessed value of all property annexed in the previous year to the Property Tax Oversight Commission (Commission) by February 10 of each year and requires the Commission to review each fire district's levy. Prohibits a fire district from levying property taxes in TY 2010 greater than 16 percent of that levied in TY 2008.

income tax credit review schedule (H.B. 2081) – Chapter 32

Repeals the current income tax credit review schedule and establishes a new automatic review schedule for selected income tax credits.

2009 tax corrections act (H.B. 2083) – Chapter 33

Corrects errors, obsolete language and blending problems in the tax statutes of the Arizona Revised Statutes. Makes other clarifications with respect to the tax statutes, including that: 1) the legal classification of property may be appealed, not just the valuation of property, and codifies current practice; 2) owner-occupied homeowner property limitations apply to all mobile homes; 3) a personal property appeal to the State Board of Equalization should be conducted in the same manner as real property appeals, as is consistent with current policy; and 4) the increases to the Research and Development tax credit approved in the 2008 session apply to taxable years, rather than calendar years.

insurance; actuarial opinions; financial audits (H.B. 2144) – Chapter 164

Establishes actuarial opinion and memorandum requirements for insurers and allows the Director of the Department of Insurance to adopt rules relating to those requirements. Requires all property and casualty insurance companies doing business in the state to file a statement of actuarial opinion made by an appointed actuary with an annual financial statement under standards set by the National Association of Insurance Commissioners (NAIC). Beginning January 1, 2010, subjects all insurers having \$1 million or more in direct premiums written in the state in any calendar year and more than 1,000 policy or certificate holders to the NAIC annual financial reporting model regulation for that calendar year.

insurance; network plan; definition (H.B. 2145) – Chapter 39

Expands the definition of *network plan* in disability statutes to include a health care insurer under which the financing and delivery of health care services are provided, in whole or in part, through a defined set of providers under contract with a hospital, medical, dental and optometric service corporation. Modifies health insurance statutes by updating the list of medical compendia used to identify the off-label prescription cancer drugs that applicable health insurance plans are required to cover.

FINANCE COMMITTEE (Cont'd.)

fire insurance; premium tax (NOW: fire insurance premium tax; report) (H.B. 2156) – Chapter 135

Allows insurers to rely in good faith on the annual report certified by the Fire Marshal when collecting fire insurance premium taxes. Requires the Fire Marshal to certify in the annual report sent to the Treasurer which properties are located in an incorporated city and town with their own fire services and which properties are located in an area served by a private fire company. Stipulates that an insurer is not subject to regulatory action relating to the calculation or submittal of fire insurance premium taxes which are based in good faith on the report. Allows a refund to be paid to an insurer for any excess amount of fire insurance premium taxes improperly paid by the insurer.

mandatory vehicle insurance; technical correction (NOW: mandatory vehicle insurance; financial responsibility) (H.B. 2224) – Chapter 165

Requires a person who has a third or subsequent failure to supply proof of financial responsibility within three years of an initial violation to submit proof of responsibility to the Arizona Department of Transportation before the driver license, registration and license plate are reinstated. Modifies a court's authority to reduce or waive a penalty for failure to produce proof of financial responsibility if the person has not been found in violation of the law within the past 24 months or more than once in the past 36 months *and* has also purchased a 6-month insurance policy.

fire district assistance tax; mergers (NOW: merger; fire district assistance tax) (H.B. 2285) – Chapter 100

Retroactive to January 1, 2008, adjusts the amount of Fire District Assistance Tax (FDAT) revenues that merged or consolidated fire districts can receive. The new amount is the sum of the average of the three previous yearly FDAT amounts received by each district instead of the sum of the last amount received by each district.

tax credit; charitable organizations (H.B. 2286 / S.B. 1019) – Chapter 80

Retroactive to January 1, 2009, expands the individual income tax credit for contributions that provide assistance to low income individuals and their households to include contributions to organizations that provide services to chronically ill or disabled children. Eliminates the requirement for taxpayers to establish a baseline year for eligibility for the income tax credit. Limits the credit to only a taxpayer who itemizes deductions. Establishes a certification process for qualifying charitable organizations at the Department of Revenue and requires charitable organizations currently certified to re-certify under the new requirements.

tax credits; withholding tax reduction (H.B. 2287) – Chapter 167

Allows an employer to reduce an employee's withholdings by the amount of credit that the employee will qualify for and plans on taking for contributions made to a school tuition organization, public school or charitable organization. In order to participate, the employee must submit a written request to the employer, stating the name and address of the qualifying organization and the amount of donation. The bill also outlines the responsibilities and requirements that apply to the employer.

premium tax credit; STO contribution (H.B. 2288 / S.B. 1023) – Chapter 168

SEE APPROPRIATIONS COMMITTEE.

FINANCE COMMITTEE (Cont'd.)

small special districts; financial review (H.B. 2312) – Chapter 18

Removes the requirement for a biennial financial review for a special taxing district with a budget of \$50,000 or less. Instead, financial reviews for small special taxing districts will only be performed at the request of the county board of supervisors or at the request of ten or more residents.

property valuation; telecommunications companies (H.B. 2314) – Chapter 169

Retroactive to January 1, 2009, reduces the minimum value of personal property for telecommunications companies. The bill maintains the current practice of establishing a minimum depreciation of 20 percent for buildings, but allows a reduced valuation to 10 percent of original costs for cables and other telecommunication equipment. Requires the Department of Revenue to use a straight line basis for determining the valuation of telecommunications property instead of the depreciation schedules adopted in 1993.

health insurance; small business coverage (H.B. 2323) – Chapter 84

Allows health insurers to issue individual health insurance contracts, policies or evidences of coverage that do not include specific coverage benefits that would otherwise be required.

Modifies the definition of *uninsured small business*. In order to be considered an *uninsured small business*, the business is not permitted to provide health insurance for six consecutive months, rather than 90 days.

health insurance; individuals; coverage exemptions (H.B. 2324 / S.B. 1325) – Chapter 9 W/S

Allows health insurers to issue individual health insurance contracts, policies or evidences of coverage that do not include specific coverage benefits that would otherwise be required.

charter schools; leased property (H.B. 2346) – Chapter 87

Allows the leased property of a non-profit charter school that is used for educational purposes to be classified as class nine with an assessment ratio of one percent of assessed value. Specifies that if only part of a parcel of real property is leased for the operation of a non-profit charter school, only the portion leased to the school for educational purposes qualifies as class nine property. Requires the property owner to file an affidavit with the county assessor stating that the non-profit charter school is the sole beneficiary of the change in the property tax classification and that the lease rate is consistent with the lease rate charged to other tenants.

general obligation bond requirements (H.B. 2360) – Chapter 140

Makes a variety of changes to the publicity pamphlet that the governing body of a political subdivision is required to publish and provide to registered voters when there is a bond election, including: 1) a requirement that if the approval of the bond exceeds the constitutional debt limit, the pamphlet must include a statement to that effect; 2) a requirement that the pamphlet must state not only the maximum number of years the bond issue may run but also the minimum number of years; 3) a requirement that the pamphlet contain a statement that the bonds will result in a property tax increase in the amount necessary to pay the annual debt service on the bonds; and 4) a requirement

FINANCE COMMITTEE (Cont'd.)

that the examples in the pamphlet show the estimated impact of the bonds, assuming that the assessed valuation of the property increases annually at 50 percent of the projected total annual increase in secondary assessed valuation. Specifies that an election for the refinancing of bonds previously approved by the voters is not required so long as the weighted average maturity of the refunding bonds is at least 75 percent of the weighted average maturity of all the bonds being refunded.

~~tax credit; coal consumption~~ (NOW: utilities; confidential information) (H.B. 2371) – Chapter 103

Allows the Department of Revenue to provide utility companies the name and address of hospitals and health care organizations who qualify for an exemption from the Transaction Privilege Tax on the purchase of energy.

~~regional transportation authorities; qualifying counties.~~ (H.B. 2480) – Chapter 52

Allows counties with a population greater than 200,000 but less than 400,000 to create a regional transportation authority (RTA) and allows the voters of those counties to approve levying the County Transportation Excise Tax. Modifies the population requirements for a county to form an Intergovernmental Public Transportation Authority. Modifies the distribution requirements for the Public Transportation Authority Fund and the Regional Transportation Fund.

~~voter registration; technical correction~~ (NOW: sports authority districts) (H.B. 2572) – Chapter 122

SEE GOVERNMENT COMMITTEE.

LEGISLATION VETOED

~~renewable energy production tax credit~~ (H.B. 2341) – VETOED

SEE COMMERCE & ECONOMIC DEVELOPMENT COMMITTEE.

Government Institutions Committee

Senator Jay Tibshraeny, Chairman



Bill Boyd, Research Analyst
Janice Almond, Assistant Analyst
Lori Sloat, Intern

GOVERNMENT INSTITUTIONS COMMITTEE

LEGISLATION ENACTED

emergency telecommunication services; administrative costs (S.B. 1048) – Chapter 112

Increases, from three to five percent, the amounts deposited annually in the Emergency Telecommunications Revolving Fund that the Arizona Department of Administration may use for administrative costs and local area network management contracts with public safety answering points.

population thresholds; counties (S.B. 1073) – Chapter 113

Adjusts county population thresholds to reflect population increases in Maricopa and Pima county.

deed restrictions; for sale signs (S.B. 1148) – Chapter 60

Stipulates, with certain exceptions, that an instrument of conveyance of real property may not contain any restrictions on the indoor or outdoor display of for sale signs or sign riders by the property owner. Requires signs offering property for sale conform to the industry standard size and excludes an instrument of conveyance of real property that does not already prohibit or restrict displays of for sale signs and riders.

convenience fee; definition (S.B. 1151) – Chapter 93

Expands the definition of *convenience fee* to include credit card transactions made through a voice response system.

~~trust lands; conservation; technical correction (NOW: elections; hospital districts) (S.B. 1155)~~ – Chapter 7 E

SEE PUBLIC SAFETY & HUMAN SERVICES COMMITTEE.

cooperative purchasing agreements (S.B. 1235) – Chapter 181

Clarifies that a cooperative purchasing agreement for the procurement of construction or professional services must comply with qualifications based selection laws.

weapons; peace officers; posse; reserves (S.B. 1242) – Chapter 182 E

An emergency measure, effective July 13, 2009, that allows a sheriff to authorize members of the sheriff's volunteer posse who have received specified firearms training to carry a deadly weapon without a concealed carry weapon (CCW) permit while on duty. Excludes certain law enforcement officers from CCW permit training requirements and exempts, subject to certain requirements, misconduct involving weapons violations relating to the carrying of a concealed deadly weapon without a permit. Requires, on request, the law enforcement agency or the sheriff to issue a photographic identification verifying the officer's service. Increases, from a class 3 to a class 2

GOVERNMENT INSTITUTIONS COMMITTEE (Cont'd.)

felony, the penalty for misconduct involving weapons related to terrorism. Specifies that, notwithstanding any other law and except for statutory restrictions, a peace officer shall not be prohibited from carrying a firearm if the peace officer is in compliance with specified firearm requirements.

open meeting law; minutes; notice (S.B. 1303) – Chapter 27

Clarifies the posting requirements for public meeting notices and codifies public meeting notice posting requirements for charter schools.

county merit system; hearing officers (NOW: project financing review; extension; repeal) (S.B. 1313) – Chapter 28

Extends a project financing pilot program for nonprofit senior housing to December 31, 2014.

emergency mutual aid agreements (S.B. 1323) – Chapter 29

Allows a county, city, town, private water or wastewater utility or special taxing district to enter into mutual aid agreements with other entities that provide water or wastewater. A mutual aid agreement must address responses to water and wastewater emergencies and must specify how the cost incurred by a responding service provider will be paid by a service provider that requests aid.

county supervisors; membership; number (NOW: county supervisors; membership) (H.B. 2101 / S.B. 1442) – Chapter 134

Lowers, from 200,000 to 175,000, the population requirement for a county to have a five-member board of supervisors (BOS) and call an election to change from a three-member to a five-member BOS. Contains, for a county with a three-member BOS that exceeds 175,000 persons according to the 2000 U.S. decennial census, an applicability clause specifying requirements relating to the election of two additional supervisors for a two-year term and the formation of five supervisorial districts.

reviser's technical corrections; 2009 (H.B. 2105) – Chapter 34

Makes technical corrections to the 2009 version of the Arizona Revised Statutes. Portions of the bill include various retroactive enactments.

state treasurer; investment pools (H.B. 2271) – Chapter 166

Allows the Treasurer to invest trust and treasury monies in long-term local government investment pools and requires the management fees collected from trust and treasury monies to be deposited according to the requirements relating to investment pools. Transfers and renumbers 41-177, to 35-326.01, relating to long-term government investment pools.

GOVERNMENT INSTITUTIONS COMMITTEE (Cont'd.)

~~community facilities districts; renewable energy~~ (NOW: county renewable energy incentive districts) (H.B. 2336) – Chapter 86

Allows a governing body of a city or town, or a county board of supervisors, to designate a renewable energy district (district) if all of the following apply: a) the proposed district consists of vacant or underused property, or other property deemed suitable by the governing body; b) the proposed district is located in an area compatible with the construction and operation of renewable energy equipment; and c) the proposed district does not conflict with the city's or town's general plan or a county's comprehensive plan.

Requires a governing body that establishes a district to adopt a renewable energy incentive plan which may include: a) expedited zoning or rezoning procedures; b) expedited processing of plans, proposals and permits; c) waivers or abatement of zoning fees, processing fees, improvement district fees and development fees; and d) waivers or abatement of development standards and procedural requirements.

Requires a county board of supervisors to hold an informational hearing regarding a proposed district and to notify the owners of property within a proposed district and within one mile of the district by first class mail at least 15 days prior to the hearing.

~~administrative rules oversight committee~~ (H.B. 2401) – Chapter 171

Establishes the Administrative Rules Oversight Committee (AROC) and states that AROC has oversight on any rules except those rules exempted by statute. Establishes AROC membership and requires Legislative Council to provide staff support.

~~dogs; cats; release from pound~~ (H.B. 2458) – Chapter 106

Restricts pounds and animal shelters from releasing impounded dogs and cats unless certain criteria are met. Requires animal shelters to hold impounded dogs and cats for at least 72 hours and make reasonable efforts to locate their owners prior to surgical sterilization. Eliminates nitrogen gas as a euthanizing agent.

~~voter registration; technical correction~~ (NOW: sports authority districts) (H.B. 2572) – Chapter 122

Allows the county board of supervisors in any county with a population between 500,000 and 2,000,000 to form a Sports Authority District (District) and ask voters to approve taxing and bonding authority for the purpose of financing stadiums, multipurpose facilities and youth sports facilities. Stipulates that the boundaries of the District are the entire county and that the board of supervisors will serve as the Board of Directors for the Authority. Stipulates that the District is a separate corporate and political body, independent of the state and county, with all the rights and powers of a municipal corporation, except to acquire property by eminent domain. Imposes, if approved by the voters, the following transaction privilege or excise taxes: car rentals (.35 percent), hotels/motels (.45 percent), amusements and sporting events (.35 percent), restaurants/bars (.25 percent), and retail activities (.15 percent). Reduces the tax rates by 50 percent and dedicates the revenues exclusively to youth and amateur sports if at least two Major League Baseball (MLB) franchises do not enter into 10-year binding contracts within six years after the District is established; reinstates the tax to the full amount if two franchises subsequently enter into 10-year contracts. Creates an Authority Board and

GOVERNMENT INSTITUTIONS COMMITTEE (Cont'd.)

establishes methods for the appointment of its members and their duties. Allows the Authority to acquire land or to construct, finance, improve and promote existing or proposed MLB spring training facilities, and allows revenues to be used to retain or attract MLB spring training operations. Requires the Authority to spend at least 10 percent of its General Fund revenues to promote youth sports and recreation. Requires an Auditor General performance audit in 2011 and every five years thereafter. Contains a conditional repeal if the election to levy taxes and issue bonds for the purpose of establishing the District fails.

library districts; county reimbursement (H.B. 2581) – Chapter 53

Includes county free library districts on the list of special taxing districts counties may receive reimbursement from for the costs of provided services.

LEGISLATION VETOED

consumer fireworks; novelties; sales (NOW: consumer fireworks) (H.B. 2258) – VETOED

Allows the sale of permissible consumer fireworks to the public, unless otherwise regulated by an incorporated city or town. Requires the State Fire Marshal to adopt rules relating to the sale of consumer fireworks and allows retail establishments that are in compliance with those rules to sell consumer fireworks. Prohibits the sale or authorization of the sale of consumer fireworks to anyone under the age of 16.

In her veto message, the Governor states her support for responsible fireworks usage, but fears the language contained in H.B. 2258 does not sufficiently address the fire risk to federal, state and county lands.

Healthcare & Medical Liability Reform Committee

Senator Carolyn Allen, Chairman



Eden Rolland, Research Analyst
Samantha Caplinger, Intern

HEALTHCARE & MEDICAL LIABILITY REFORM COMMITTEE

LEGISLATION ENACTED

burden of proof; emergency treatment. (S.B. 1018) – Chapter 110

Exempts physicians and hospitals that provide emergency treatment from liability for civil or other damages unless the elements of proof are established by clear and convincing evidence. Extends application of the existing clear and convincing evidence requirement in emergency labor and delivery cases to all emergency labor and delivery cases except those in which the patient's medical information is immediately, rather than reasonably, available to the physicians or health care facilities.

~~emergency medical services; records; confidentiality~~ (NOW: records; emergency medical services; confidentiality) (S.B. 1097) – Chapter 54

Directs the Department of Health Services (DHS) to notify emergency medical services personnel who are under investigation, at least 30 days before the date of a scheduled informal interview, of the right to submit a request to DHS for the name of the person who made the complaint and for documents relevant to the investigation. The person under investigation may request the information at least 10 days before the date of the interview. Requires DHS to release the complainant's name upon request unless DHS determines the release could result in substantial harm to any person or to the public health or safety. Requires DHS to also provide documents if requested, except as prohibited by state and federal privacy or confidentiality laws, and to redact personal identifying information. Prohibits persons who receive the information from copying or disseminating it except for the purpose of participating in the informal interview, an administrative proceeding or an appeal arising out of the investigation. Classifies unlawful copying or dissemination of the information as a class 3 misdemeanor.

biomedical research commission; continuation (S.B. 1100) – Chapter 55

Retroactive to July 1, 2009, the Arizona Biomedical Research Commission is continued until July 1, 2019.

~~ambulances; certificates of necessity~~ (NOW: eligibility determinations; AHCCCS.) (S.B. 1102/H.B. 2631) – Chapter 4 E

SEE COMMERCE & ECONOMIC DEVELOPMENT COMMITTEE.

partnership for nursing education (S.B. 1103) – Chapter 92

Extends the Arizona Partnership for Nursing Education Demonstration Project for five years, until June 30, 2015.

HEALTHCARE & MEDICAL LIABILITY REFORM COMMITTEE (Cont'd.)

AHCCCS; SCHIP; application process (NOW: assisted living managers; nursing administrators) (S.B. 1104) – Chapter 56

Eliminates statutory fee amounts charged by the Arizona Board of Examiners of Nursing Care Institution Administrators and Assisted Living Facility Managers (Board) and allows the Board to establish fees by rule. Requires the Board to limit by rule the percentage it may increase a fee above the previously established amount. Permits the Board to assess a fee for reviewing an individual's request for continuing education credit hours and specifies that the fees for reviewing continuing education programs or credit hours are charged by the credit hour.

nursing board; omnibus (S.B. 1105) – Chapter 150

Makes changes to the Arizona State Board of Nursing (Board) statutes, including the following:

Board Membership – Modifies the composition of the Board by: 1) increasing the total number of Board members from nine to eleven; 2) increasing the number of registered nurse Board members from five to six, including at least one registered nurse practitioner or clinical nurse specialist; and 3) including a nursing assistant or nursing assistant educator as a Board member. Modifies certain Board member qualifications.

Board Powers and Duties – Among other powers and duties, allows the Board to: 1) publish advisory opinions on nursing education; 2) issue limited certificates; 3) provide education about Board functions; 4) grant retirement status upon request to eligible nurses; and 5) accept and spend federal monies and private grants, gifts, contributions and devises. Requires the Board to adopt rules for: 1) nursing program standards; 2) approval and reapproval of nursing programs and refresher courses; 3) approval of credential evaluation services; and 4) certification and qualification of clinical nurse specialists.

Executive Director Powers and Duties – Among other powers and duties, allows the Executive Director to: 1) issue and renew permanent and temporary licenses, certificates and prescribing and dispensing authority; 2) accept the voluntary surrender of a nursing program's approval; 3) dismiss a complaint, close complaints resolved through settlement and issue letters of concern; and 4) enter into stipulated agreements for the treatment, rehabilitation and monitoring of a licensee's or certificate holder's abuse or misuse of a chemical substance. Authority is contingent in some cases on the issuance of a substantive policy statement by the Board. Requires the Executive Director to approve nursing assistant training programs.

Examinations, Licensure and License Renewal – Allows the Board to require additional education from a nursing licensure applicant if the applicant fails to pass the nursing exam within two years of completing a nursing program. Also allows the Board to require the retesting of licensure applicants if the security of the exam is compromised or the credibility of the results is in question. Clarifies the circumstances in which the Board may issue a temporary license or certificate. Requires any international license held by a graduate of an international nursing program who is applying for licensure in Arizona to be in good standing and of equivalent status to a license issued in the United States. Advances by three months the calendar deadlines on which license renewals and renewal fees are due, late renewal penalty fees are assessed and nonrenewed licenses expire.

HEALTHCARE & MEDICAL LIABILITY REFORM COMMITTEE (Cont'd.)

Investigations and Disciplinary Action – Allows the Board, its agents or employees to enter the premises of a regulated party to inspect and copy documents, reports or other specified materials during an investigation. Authorizes the Board to issue a subpoena for the purpose of requiring the attendance and testimony of witnesses or the production of documents or other physical evidence. A person may petition the Board within five days to revoke, limit or modify the subpoena. Permits the Board to issue a cease and desist order or take disciplinary action if investigation results show a regulated party committed an act of unprofessional conduct or violated law, Board rules or Board orders.

mental health services; court-ordered treatment (S.B. 1152) – Chapter 153

SEE JUDICIARY COMMITTEE.

~~trust lands; conservation; technical correction~~ (NOW: elections; hospital districts) (S.B. 1155) – Chapter 7 E

SEE PUBLIC SAFETY & HUMAN SERVICES COMMITTEE.

~~illegal aliens; enforcement; trespassing~~ (NOW: performance of abortion; non-physician; prohibition) (S.B. 1175) – Chapter 178

SEE PUBLIC SAFETY & HUMAN SERVICES COMMITTEE.

special health care districts; terms (S.B. 1330) – Chapter 115

Requires special health care districts with a population of less than two million persons to elect members of the district's board of directors to four year, nonstaggered terms. Conforms the election schedule for special health care districts with current statewide consolidated election dates.

afflicted persons; orders for transportation (S.B. 1336) – Chapter 157

Clarifies that a sheriff or law enforcement agency is not required to transport a person afflicted with tuberculosis to a designated health institution or facility, but may be required to oversee and ensure that transportation is provided by an appropriate entity. Requires a sheriff or law enforcement agency or officer to maintain custody of the afflicted person until the afflicted person is delivered to the designated institution or facility. Expands the list of persons or entities able to transport an afflicted person to include a physician, ambulance personnel, an ambulance service, guardian, conservator, parent, custodian, relative or friend.

dental assistants; community oral health (S.B. 1400) – Chapter 188

Permits affiliated dental hygienists to perform dental hygiene services on adults, in addition to children, in affiliated practice settings.

Adds the following requirements to the written affiliated practice relationship between a dentist and dental hygienist: 1) patients must be seen by a licensed dentist within 12 months after initial treatment by a dental hygienist; 2) patients who are 65 years of age or older must be seen by a licensed dentist after treatment; 3) a dental hygienist is prohibited from providing further services

HEALTHCARE & MEDICAL LIABILITY REFORM COMMITTEE (Cont'd.)

until a patient receives an examination and treatment by a licensed dentist; 4) if a patient presents with a complex medical history or medication regimen, the affiliated dental hygienist must consult with the affiliated dentist prior to providing treatment; and 5) patients must be informed that care provided by an affiliated dental hygienist cannot be billed or reimbursed as a dental examination.

Requires the patient to be directed to the affiliated dentist and the affiliated dentist to make any necessary referrals to other licensed dentists. Requires affiliated dentists to adopt standing orders that address the populations that may be treated by the affiliated dental hygienist and procedures that provide timely referral of patients. A dentist to whom a patient is referred must be geographically available to see the patient.

community colleges; bonds; technical correction (NOW: outdoor behavioral health; definition; requirements) (H.B. 2078) – Chapter 133 E

An emergency measure, effective July 13, 2009, that grants the Department of Health Services (DHS) the authority to license outdoor behavioral health care programs. Defines an *outdoor behavioral health care program* as a program that provides behavioral health services in an outdoor environment, as opposed to in a health care institution with facilities. Specifies that an outdoor behavioral health care program is subject to the same licensure regulations as a Level 2 behavioral health residential facility, with the exception of the facility standards, and must comply with national accreditation and personnel fingerprinting and background check requirements. Allows DHS to adopt rules specifying additional facility, equipment and sanitation standards. Permits DHS and other designated enforcement authorities to enter any area used by an outdoor behavioral health care program to inspect the premises and enforce compliance. Stipulates that government-operated programs, licensed day care centers, recreational outdoor activities and outdoor youth programs licensed by the Department of Economic Security are not subject to licensure as an outdoor behavioral health care program.

insurance; network plan; definition (H.B. 2145) – Chapter 39

SEE FINANCE COMMITTEE.

board of podiatry examiners; continuation (H.B. 2159) – Chapter 40

Retroactive to July 1, 2009, the Arizona State Board of Podiatry Examiners is continued until July 1, 2011.

pharmacists; administration of immunizations (NOW: administration of immunizations; pharmacists) (H.B. 2164) – Chapter 41

Allows pharmacists certified by the Board of Pharmacy (Board) to administer specified immunizations to adults without a prescription order. The pharmacist may also administer emergency medication to manage an acute allergic reaction resulting from an immunization. Specifies records and reporting requirements by requiring the pharmacist to: 1) report administration of an immunization to the patient's primary care provider, if available, and the Department of Health Services (DHS); 2) maintain a record of the immunization; and 3) participate in any federal reporting system. Requires DHS to establish and maintain a list of immunizations that may be administered by prescription only and to review new immunizations to determine if they should be added to the list.

HEALTHCARE & MEDICAL LIABILITY REFORM COMMITTEE (Cont'd.)

Requires the Board to develop rules and protocols for the administration of immunizations without a prescription. An Immunizations and Vaccines Advisory Committee (Advisory Committee) is established to assist the Board in developing rules and protocols and to make recommendations to DHS regarding the list of prescription-only immunizations. The Advisory Committee is repealed on January 1, 2012.

Permits DHS to release, from the Child Immunization Reporting System (System), the identifying information of an adult whose information is contained in the System, upon request by the adult.

psychologist examiners board; omnibus (H.B. 2206) – Chapter 160

Makes changes to the Arizona Board of Psychologist Examiners (Board) statutes including the following:

Education and Training Requirements – Modifies the education and training requirements for psychology licensure by: 1) allowing up to 1,500 hours of pre-internship supervised experiences to count toward the required total of 3,000 hours of supervised experiences; 2) specifying the acceptable activities and types of supervision that must be included in supervised pre-internship experiences, as well as the percentage of hours that must be dedicated to each; 3) limiting face-to-face supervision via visual telecommunication to 20 percent of the total face-to-face supervision hours; and 4) continuing to allow, until September 1, 2010, specific alternative qualifications to count toward licensure requirements for 1,500 hours of postdoctoral supervised experiences.

Board Procedures – Prohibits the Board from considering a complaint against a judicially appointed psychologist unless the court first finds a substantial basis for referring the complaint to the Board. Permits a psychologist licensed outside of Arizona to practice in Arizona for more than the current limit of 20 days if the psychologist is assisting in public service related to a disaster acknowledged by the Board. Allows licensure applicants and licensees to pay fees by credit, debit or charge card or by electronic funds transfer.

Substance Abuse Rehabilitation – Codifies the process whereby the Board and a psychologist may enter into a consent agreement for substance abuse treatment or rehabilitation if the psychologist is impaired by alcohol or illegal substances.

behavior analysts (H.B. 2207) – Chapter 161

Establishes clarifying administrative authority and procedures that enable the Board of Psychologist Examiners (Board) to regulate and license behavior analysts. Authorizes the Board to accept gifts, grants and other contributions from any public or private source. Stipulates that unless the Board receives \$36,000 by June 30, 2010, for the start-up costs of regulation, the requirement for the Board to regulate behavior analysts is repealed. Clarifies that monies for the licensure and regulation of behavior analysts are separate from monies for the licensure and regulation of psychologists and creates separate accounts within the Board of Psychologist Examiners Fund for this purpose. Exempts the Board from rulemaking requirements for a total of three years, rather than two. Delays the implementation of licensure requirements by the Board for behavior analysts by one year, until January 1, 2011.

HEALTHCARE & MEDICAL LIABILITY REFORM COMMITTEE (Cont'd.)

Clarifies that the Board may issue a reciprocal license to a behavior analyst who is licensed or certified as a behavior analyst by another state if the other state's license or certificate requirements are substantially equivalent to the requirements in Arizona. Specifies that the Board may not consider a complaint against a judicially appointed behavior analyst to present a charge of unprofessional conduct unless the court first finds that there is a substantial basis for referring the complaint to the Board. Establishes falsely representing oneself as a psychologist as an act of unprofessional conduct by a behavior analyst.

certified nursing assistants; pilot program (H.B. 2283) – Chapter 136

Retroactive to December 1, 2008, continues the Medication Technician Pilot Program for two years, until October 1, 2011.

health insurance; small business coverage (H.B. 2323) – Chapter 84

SEE FINANCE COMMITTEE

health insurance; individuals; coverage exemptions (H.B. 2324/S.B. 1325) – Chapter 9 W/S

SEE FINANCE COMMITTEE.

automated external defibrillators (H.B. 2399) – Chapter 47

Modifies protocols related to the use, deployment and oversight of automated external defibrillators (AEDs). Removes the requirement for a physician who has entered into an agreement with a person or entity who acquired an AED to oversee all aspects of public access to defibrillation, such as training, emergency medical services coordination, communications, protocols and AED deployment strategies. The person or entity who acquires an AED is required to submit a written report to the Bureau of Emergency Medical Services and Trauma Systems in the Department of Health Services, rather than the overseeing physician, within five days after the AED's use, and must ensure that the AED is maintained in good working order. Removes the restriction that limits the use of an AED to trained responders and instead allows lay persons and trained users to use an AED. A trained user who deploys an AED is not subject to civil liability for any personal injury that results from any act or omission that does not amount to willful misconduct or gross negligence.

partial-birth abortions; definition (H.B. 2400/S.B. 1138) – Chapter 170

SEE PUBLIC SAFETY & HUMAN SERVICES COMMITTEE.

abortion (H.B. 2564/S.B. 1206) – Chapter 172

SEE PUBLIC SAFETY & HUMAN SERVICES COMMITTEE.

living wills; health care directives (NOW: health care directives; guardian decision) (H.B. 2616/S.B. 1448) – Chapter 147

SEE PUBLIC SAFETY & HUMAN SERVICES COMMITTEE.

Judiciary Committee

Senator Jonathan Paton, Chairman



Christina Estes-Werther, Research Analyst

Dakotah Pratt-Hewitt, Assistant Analyst

Monica Pineda, Intern

JUDICIARY COMMITTEE

LEGISLATION ENACTED

~~sex offender registration; study committee~~ (NOW: sex offenders; probation; monitoring) (S.B. 1011)
– Chapter 125 E

An emergency measure, effective July 13, 2009, that establishes a 22-member Federal Sex Offender Registration Notification Act Study Committee (Committee) to examine the effectiveness of Arizona’s current sex offender laws, the standards set forth by the Adam Walsh Act (Act) and the impact on Arizona of adopting the federal standards of the Act. Requires the Committee to report its findings and recommendations to the Governor and the Legislature by December 31, 2009 and repeals the Committee on January 1, 2011. Narrows the requirement of global position system (GPS) or electronic monitoring to a registered level three sex offender serving a term of probation and specifies that the requirement does not preclude any other probationer from being subject to monitoring. Clarifies that the monthly probation fee is not subject to any surcharge.

organized retail theft (S.B. 1059) – Chapter 127

SEE PUBLIC SAFETY & HUMAN SERVICES COMMITTEE.

~~election law amendments~~ (NOW: amendments; election law) (S.B. 1074) – Chapter 149

Changes election law as follows: 1) expands by one week the time between a primary election and a general election and specifies that the change of the primary election date shall not invalidate petitions lawfully printed or circulated before the effective date of this act; 2) specifies county recorder requirements relating to precinct register data and requires early voter data to be included on the precinct lists; 3) bans restrictions on lawful distribution of a copy of the precinct list and establishes timeframes for the distribution of the precinct lists to a county or state chairman before an election; 4) changes early ballot delivery and distribution requirements and exempts the elections officer and the board of supervisors from having to mail a sample ballot to a registered voter who is on the permanent early voting list; 5) changes the hand count location and specifies that the hand count is not subject to live video requirements, but allows, subject to recording restrictions and removal procedures, the party representatives to record the hand count; 6) allows the cancellation of an election for a school district or community college board and specifies requirements relating to the appointment process, recall procedures if the election is cancelled and the filing deadline for a write-in candidate for a community college board office; 7) extends the deadlines for canvassing and filing of a school bond election; and 8) corrects a conflicting enactment with regard to the removal of petition signatures by repealing Laws 2008, Chapter 273.

domestic violence; dating relationships (S.B. 1088) – Chapter 129

Expands the definition of domestic violence to include a current or previous romantic or sexual relationship determined by specified factors. Allows the act to be cited as “Kaity’s Law.”

JUDICIARY COMMITTEE (Cont'd.)

elections; special districts; technical correction (NOW: secretary of state; elections; filing) (S.B. 1091) – Chapter 114 RFEIR

Changes election law as follows: 1) establishes a separate filing deadline for nomination petitions for independent presidential candidates; 2) changes petition circulator requirements for independent presidential candidates and initiative and referendum; 3) classifies petition signature fraud as a class 1 misdemeanor; 4) classifies engaging and participating in a pattern of petition signature fraud as a class 4 felony, subject to additional penalties and establishes requirements for the Secretary of State (SOS) to maintain an online list of convicted persons; 5) specifies that personal monies from a candidate or an individual who designates an exploratory committee is not subject to contribution limitations and removes related contribution limit exemptions and requirements; 6) decreases, by five days, the period of time for challenges or appeals relating to the county recorder's failure or refusal to certify signatures for an initiative and referendum petition or the SOS's failure to file the petition or proposal or transmit the facsimiles; 7) specifies eligible voters for referendum petitions against municipal actions; 8) states that the statewide database is a matter of statewide concern and restricts modification or regulation by a political subdivision; 9) changes, from daily to real time, the timing for electronic transmittal of voter registration information from the county recorders to the SOS; 10) requires, through electronic means or pamphlet form, the SOS and the county, city and town clerks to provide specified materials to each applicant who files an initiative and referendum; 11) allows the SOS to refuse to perform a service or refuse a filing under certain circumstances; 12) allows, by ordinance, a city that holds nonpartisan elections for a mayoral candidate or other office nominated by a city at large to provide for a minimum requirement of 1,000 signatures; and 13) removes requirements relating to ballot removal for poll list comparison, ballot destruction of excess ballots and the free delivery of a precinct list by the county recorder to the Arizona Legislative Council.

Transfers the Arizona State Library, Archives and Public Records (ASLAPR) from the Legislative Branch to the SOS and makes numerous changes to the function of the advisory board, the waiver of a rental payment for the use of library space and requirements relating to the sale or lease of state property by July 1, 2010 with proceeds deposited in the capital outlay stabilization fund. Allows the SOS to purchase a voice over internet protocol system for use by the Department of State (Department) to replace the existing telephone system and specifies exemptions relating to Department employees and ASLAPR purchases and contracts for goods and services.

Portions of the bill concerning conforming changes in the Citizen's Clean Election Act relating to contribution limitations are subject to the requirements for enactment for initiatives and referendums (Proposition 105), which requires the affirmative vote of at least three-fourths of the members of each house of the Legislature.

domestic violence; child custody (S.B. 1106) – Chapter 57

Expands the factors the court considers when determining custody to include whether there has been domestic violence or child abuse and exempts the court from having to consider which parent is more likely to allow the child contact with the other parent if there is a court determination that a parent is acting in good faith to protect the child from domestic violence or child abuse. Removes, in a paternity determination, the court's ability to issue a temporary order regarding custody and parenting time based on whether there is other clear and convincing evidence as determined by a court.

JUDICIARY COMMITTEE (Cont'd.)

handguns; restaurants; posting (NOW: restaurants; handguns; posting) (S.B. 1113) – Chapter 175

Firearms in Establishments

Allows, under specified circumstances, a person to carry a concealed handgun into the licensed premises of an on-sale retailer (an establishment that sells alcohol for consumption on or off the premises). Establishes requirements for the posting of signs prohibiting firearms and creates, under certain conditions, an affirmative defense for a person who carries a firearm into an establishment that has posted a sign prohibiting firearms. Creates new penalties for the possession of a firearm while on the licensed premises of an on-sale retailer if the possessor consumes alcohol or the licensee has posted a sign prohibiting firearms. Changes existing violations involving the possession of a firearm on the licensed premises of an on-sale retailer by exempting a licensee or employee from specified actions and removing, with certain exemptions, the requirement that a person knows possession is prohibited.

Misconduct Involving Weapons

Increases, from a class 3 to a class 2 felony, misconduct involving weapons that furthers or knowingly facilitates any act of terrorism. Makes changes to concealed carry weapons permit requirements for reserve officers and exempts, from a violation of misconduct involving weapons, specified law enforcement officers who carry a concealed deadly weapon without a permit.

animals; fighting (S.B. 1115) - Chapter 151

Expands, to all animals except for animals trained to protect livestock from predators, the offenses that currently apply to dog fighting, presence at a dog fight and theft of a dog for the purpose of fighting. Specifies inspection requirements for a person operating a kennel. Requires the Department of Agriculture to establish a registry of equine rescue facilities that meet certain requirements and specifies registration terms, including the adoption of rules and collection of fees. Classifies, as a class 1 misdemeanor, the offense of knowingly or intentionally tripping an equine for sport or entertainment, excluding certain activities or events.

city elections; nonpartisan primaries; districts (S.B. 1123) – Chapter 176

Prohibits, in a city or town election, any indication on the ballot of the source of the candidacy or support of the candidate. Specifies voter eligibility for any city or town council members elected by district, ward, precinct or other geographical designation in a primary, general, runoff or other election. Specifies that elections conducted by charter cities are a matter of statewide concern.

global position systems; committee extension (S.B. 1139) – Chapter 152

Extends the Joint Legislative Study Committee on Global Position System Monitoring to October 1, 2011.

mental health services; court-ordered treatment (S.B. 1152) – Chapter 153

Changes procedures for court-ordered treatment as follows: 1) exempts, from the spousal privilege, communication in a mental health hearing relating to the matters at issue in the hearing; 2) requires the court to order a hearing within six business days after a petition is filed; 3) allows the court to continue a hearing, subject to certain conditions and allows the patient to request an

JUDICIARY COMMITTEE (Cont'd.)

additional hearing if the patient is involuntarily hospitalized during the continuation period; 4) specifies requirements relating to the calculation of time by a defendant subject to a treatment order, proof of service for notice of hearing, the entry of stipulations on behalf of the patient and the waiver of the patient's presence if the patient chooses not to attend the hearing; 5) allows, subject to certain conditions, the admission of statements as evidence and a physician's affidavit as testimony; and 6) removes outdated language relating to the alienation of affections brought by a husband or wife.

federal monies; report (NOW: storage; firearms; motor vehicles) (S.B. 1168) – Chapter 177

SEE APPROPRIATIONS COMMITTEE.

weapons; peace officers; posse; reserves (S.B. 1242) – Chapter 182 E

SEE GOVERNMENT COMMITTEE.

justification; defensive display of firearm (S.B. 1243) – Chapter 183

Justifies, with exceptions, the defensive display of a firearm by a person against another, when and to the extent a reasonable person would believe that physical force is immediately necessary to protect himself against use or attempted use of unlawful physical or deadly force. Specifies that there is no requirement for the defensive display of a firearm before the use of physical force or threatened use of physical force by a person who is otherwise justified in the use or threatened use of physical force.

felony murder; drive by shooting (S.B. 1253) – Chapter 130

Expands the felony murder classification to include a drive by shooting.

anti-marital fact privilege; exception (S.B. 1254) – Chapter 155 E

An emergency measure, effective July 13, 2009, that allows a spouse to be examined as a witness for or against the other in a prosecution involving certain criminal offenses if, during the investigation and before testifying, the testifying spouse voluntarily makes a statement relating to the events that gave rise to the prosecution. Allows the act to be cited as "Heather's Law."

human trafficking; violation (NOW: violation; human trafficking) (S.B. 1281) – Chapter 185

Changes the classification of sex trafficking by: 1) criminalizing the engagement of a person in any sexually-explicit performance; 2) requiring deception, instead of fraud, as the means a person uses to intentionally cause an adult to engage in sex trafficking; and 3) expanding to include the trafficking of a person, subject to certain requirements, with the knowledge that the other person will engage in any prostitution or sexually-explicit performance. Changes the classification of trafficking of persons for forced labor or services by expanding the definition and exempting ordinary household chores and reasonable disciplinary measures between a parent and child.

smuggling; definitions (NOW: smuggling; classification; definitions) (S.B. 1282) – Chapter 186

Classifies, as a class 3 felony subject to early release restrictions, human smuggling that involves the use or threatened use of deadly physical force.

JUDICIARY COMMITTEE (Cont'd.)

~~DUI; juvenile adjudication (PREV NOW: juvenile adjudication; DUI) (NOW: juvenile; adjudication; diversion) (S.B. 1420) – Chapter 189~~

SEE APPROPRIATIONS COMMITTEE.

applicability; self-defense (S.B. 1449) – Chapter 190 W/O

SEE PUBLIC SAFETY & HUMAN SERVICES COMMITTEE.

~~cold case reporting; victim reports (NOW: cold case register; victim report) (S.B. 1459) – Chapter 132~~

Requires a law enforcement agency to: 1) establish and maintain a cold case register for a period of three years, unless extended by request; 2) provide victim notice of the register, agency contact information and any new developments or reviews of the cold case; 3) encourage registrants to contact the law enforcement agency with new information related to the cold case; 4) give priority to any cold case that is associated with a name in the register unless there is a compelling reason to give priority to an unregistered cold case; and 5) include supplements to the police report when providing victim notice. Specifies that the cold case register is not a public record and is exempt from public records requirements.

local elections; signature requirements (H.B. 2048) – Chapter 16

Allows, by ordinance, a city that holds nonpartisan elections for a mayoral candidate or other office nominated by a city at large to provide that the minimum number of signatures be 1,000 signatures or five percent of the vote in the city, whichever is less, but not more than ten percent of the vote in the city.

criminal sentencing (H.B. 2315) – Chapter 82 E

An emergency measure, effective July 10, 2009, that changes, from years to calendar years, the sentences for a person convicted of specified drug offenses involving methamphetamine and second degree murder and requires that the minimum term is the presumptive term for a person convicted of a dangerous offense. Reorganizes into a chart format specified sentences for a person convicted of multiple drug offenses.

fiduciaries (H.B. 2317) – Chapter 138

Prohibits a person whose license as a fiduciary has been suspended or revoked to serve as an agent in any capacity, unless the person is reinstated and in good standing or is related to the principal by blood, adoption or marriage. Changes, from certified to licensed, the Arizona Supreme Court's appointment of a fiduciary and lists the fiduciaries subject to the appointment.

partial-birth abortions; definition (H.B. 2400/S.B. 1138) – Chapter 170

SEE PUBLIC SAFETY & HUMAN SERVICES COMMITTEE.

JUDICIARY COMMITTEE (Cont'd.)

reckless driving; prior convictions (H.B. 2530) – Chapter 121

Requires, in applying the 24-month provision to prior convictions, the dates of the commission of the offense to be the determining factor, irrespective of the sequence in which the offenses were committed.

prohibited possessors; persistently, acutely disabled (H.B. 2532) – Chapter 145

Expands the definition of a *prohibited possessor* to include a person found to be persistently or acutely disabled or gravely disabled and whose right to possess a firearm has not been restored. Allows a person with a mental disorder who was subject to a treatment order to request the court to restore the person's right to possess a firearm and establishes a hearing process, which includes the application requirements, burden of proof and evidentiary requirements. Specifies that a finding that the person no longer suffers from the mental disorder only restores the person's right to possess a firearm and requires the court to grant access to the person's name, date of birth, social security number and date of commitment to comply with background checks and permit issuance. Restricts a security guard applicant from receiving an agency license if the applicant is found to be persistently or acutely disabled or gravely disabled.

smuggling; use of weapon; classification (H.B. 2569) – Chapter 146

Classifies, as a class 2 felony, human smuggling if it involves the use of a deadly weapon or dangerous instrument.

civil liability; affirmative defenses (H.B. 2610) – Chapter 123

SEE PUBLIC SAFETY & HUMAN SERVICES COMMITTEE.

~~voter identification; military identification~~ (NOW: voter identification; valid forms) (H.B. 2627) – Chapter 173 E - RFEIR

An emergency measure, effective July 13, 2009, subject to the requirements for enactment for initiatives and referendums (Proposition 105), which requires the affirmative vote of at least three-fourths of the members of each house of the Legislature, that codifies the acceptable forms of identification for a voter to obtain a regular ballot. Expands, subject to certain requirements, the acceptable forms of identification to include a photographic identification, a U.S. military identification card, a U.S. passport or any mailing that is "Official Election Material" and specifies that identification is deemed valid unless it can be determined on its face that it has expired. Specifies that an elector without acceptable identification is only eligible to vote a provisional ballot or a conditional provisional ballot. Corrects a dual enactment with regard to the procedure for obtaining a ballot by repealing Laws 2003, Chapter 260.

Natural Resources, Infrastructure & Public Debt Committee

Senator John Nelson, Chairman



Tony DeMarco, Research Analyst
Jennifer Thomsen, Assistant Analyst
Brooke Baumer, Intern

NATURAL RESOURCES, INFRASTRUCTURE & PUBLIC DEBT COMMITTEE

LEGISLATION ENACTED

animals; fighting (S.B. 1115) – Chapter 151

SEE JUDICIARY COMMITTEE.

vehicle impoundment; administrative towing fund (S.B. 1169) – Chapter 158

SEE APPROPRIATIONS COMMITTEE.

department of environmental quality; continuation (S.B. 1157) – Chapter 23

Retroactive to July 1, 2009, the Arizona Department of Environmental Quality (ADEQ) is continued until July 1, 2014. Requires the State House of Representatives' Committee on Environment and the State Senate's Committee on Natural Resources, Infrastructure and Public Debt (or other successor committees) to conduct a hearing to review the status of ADEQ in 2011.

towing companies; release of vehicles (S.B. 1180) – Chapter 61

Allows a person to choose any repair facility for a vehicle that is towed after an accident. Contains various procedural requirements for vehicle repair facilities. Requires a vehicle repair facility to provide a detailed written statement of all towing, storage and related fees to an insurance company at no cost after the release of a vehicle. Establishes an initial violation as a petty offense and a second violation within 36 months as a class 3 misdemeanor.

recreational corridor districts; termination date (S.B. 1183) – Chapter 179

Extends the deadline to form recreational corridor channelization districts through July 1, 2015.

water exchange contracts; technical correction (NOW: Dust control; best management practices) (S.B. 1225 /H.B. 2181) – Chapter 180

Requires the Agricultural Best Management Practices Committee (Committee) to adopt dust control rules by June 30, 2010, for animal agriculture operations in regulated areas of Maricopa County. Retroactive to July 1, 2009, stipulates that rules for animal agriculture and commercial farming in future PM-10 nonattainment areas must be adopted through the Committee's best management practices process. Adds five members to the Committee.

aggregate mine reclamation; fees (NOW: mining omnibus) (S.B. 1256) – Chapter 63

Authorizes the Arizona State Mine Inspector to: 1) collect education and training fees to train miners in Arizona; and 2) charge a fee to the owner or operator of an aggregate exploration operation or aggregate mining unit when a substantial change to an approved reclamation plan is submitted.

NATURAL RESOURCES, INFRASTRUCTURE & PUBLIC DEBT COMMITTEE (Cont'd.)

Allows the Board of Governors of the Arizona Department of Mines and Mineral Resources to apply for and accept monies from independent agencies, foundations and other organizations to promote the research and development of mining and mineral industries in Arizona. Monies received from contracts must be deposited into a separate account of the Mines and Mineral Resources Fund.

aggregate mine reclamation; initiation; extension (S.B. 1259) – Chapter 64

Allows the Arizona State Mine Inspector (Inspector) to grant an extension to reclamation requirements that apply to aggregate mining if an owner or operator demonstrates a reasonable likelihood that mining will resume. The Inspector may consider the demand for sand and gravel and changing market conditions when deciding whether to grant an extension. The extension applies to aggregate mining units and exploration operations.

aggregate mine reclamation law; exemption (S.B. 1260) – Chapter 65 W/O

Exempts aggregate mining units that are intermittently used from regulatory and reclamation provisions, with conditions. These conditions include, but are not limited to, the requirements that the unit lie outside the exterior boundaries of an incorporated city or town and be used for a specific governmental project. Requires the area to be reclaimed when the project is completed.

vehicle accident reports (S.B. 1289) – Chapter 131 E

An emergency measure, effective July 13, 2009, pertaining to the release of personal identifying information contained in vehicle accident reports. Upon request, allows a copy of an unredacted accident report to be provided to the following parties who have a connection to the accident: 1) someone who was personally involved in the accident or their representative; 2) a licensed insurance company that is involved in a claims investigation; and 3) an attorney or private investigator who is working on the case. A licensed insurer who is investigating fraudulent claims may also receive a copy of the unredacted report.

wildfire suppression; payment of claims (S.B. 1290) – Chapter 26

Requires the State Forester to: 1) pay correct and complete claims for wildfire suppression on nonfederal lands within 30 days of the claim being filed; and 2) process and forward correct and complete claims for wildfire suppression on federal lands to the appropriate federal agency within 30 days of the claim being filed. In addition, the Arizona Department of Administration is required to issue a certificate of claim to the holder of an unpaid claim for fires on nonfederal lands if there is insufficient funding in the Fire Suppression Revolving Fund.

~~transportation system database; reporting date~~ (NOW: certificates of title; electronic system) (S.B. 1293) – Chapter 70

Beginning June 1, 2010, requires the Director of the Arizona Department of Transportation to record certificates of title for newly issued, transferred and corrected certificates through electronic media. Certificates of title for mobile homes are exempt from the requirement.

state land sales; default (S.B. 1294) – Chapter 71

Modifies procedures regarding late payments for the sale and lease of state lands. For state lands that are purchased, allows the State Land Commissioner to require, when determining the terms

NATURAL RESOURCES, INFRASTRUCTURE & PUBLIC DEBT COMMITTEE (Cont'd.)

of the sale, that the total purchase price be paid within 30 days of the auction of the land. Also subjects the certificate of purchase to automatic cancellation if all delinquent payments have not been made within a specified time period.

For state lands that are leased, prescribes a penalty for delinquent lease payments and requires the State Treasurer to determine the interest rate.

flood control districts; remainder parcels (S.B. 1297) – Chapter 72

Allows a flood control district that takes a portion of a parcel of land through eminent domain to acquire the remainder of the parcel, with conditions. Authorizes the district to sell the remainder parcel or exchange it for other properties needed for flood control use.

geospatial data; geographic information council (S.B. 1318) – Chapter 74

Establishes the Arizona Geographic Information Council (Council) within the Arizona State Land Department, and prescribes its duties in statute. The Council was created in 1989 by Executive Order. Updates terminology relating to geographic information systems, and provides specifications for geospatial data sharing among public agencies.

ADOT omnibus (NOW: omnibus; ADOT) (S.B. 1320) – Chapter 187

Makes changes to the Arizona Department of Transportation (ADOT) statutes and other conforming changes to comply with various federal regulations. The major provisions include:

Federal Conformity and Compliance Provisions

Low Emission and Energy Efficient Vehicles (LEEEV) – Conforms statute with the federal definition for LEEEV, and replaces references to *hybrid vehicles* with LEEEV in statutes that pertain to High Occupancy Vehicle (HOV) lanes. Modifies HOV statutes as follows: 1) requires ADOT to develop procedures to monitor the impact of single lane occupancy vehicles authorized to drive in HOV lanes; 2) restricts the use of HOV lanes to certain prioritized vehicles; 3) prescribes lane degradation criteria; and 4) modifies HOV lane signage requirements.

Motor Vehicle Head and Tail Lamps – Decreases the minimum height requirement for head lamps on motor vehicles from 24 to 22 inches from level ground. In addition, increases the maximum height requirement for tail lamps on motor vehicles from 60 to 72 inches from level ground.

Commercial Driver Licenses – Allows a court to require a driver who must have a commercial driver license (CDL) to attend defensive driving school as part of a sentence. Increases from 90 to 180 days, the period a CDL holder is prohibited from driving a commercial motor vehicle because of an out-of-service order violation. Increases to \$2,500, the civil penalty for an initial out-of-service violation, and specifies a \$5,000 penalty for subsequent violations. Increases the maximum civil penalty from \$11,000 to \$25,000 for a motor carrier who violates an out-of-service order. Requires a court to transmit abstracts of records to ADOT for civil traffic violations relating to photo enforcement that are committed by CDL holders. Modifies bonding requirements for interstate users.

**NATURAL RESOURCES, INFRASTRUCTURE & PUBLIC DEBT COMMITTEE
(Cont'd.)**

Rest Areas – Establishes a State Certified Rest Area Program (Program) to allow ADOT to contract with a third party or other governmental entity for rest area certification. Allows ADOT to enter into revenue-sharing agreements with third parties to sponsor signs at rest areas. Authorizes ADOT to adopt rules for the Program and for sign sponsorship.

Other Provisions

Special License Plates – Redirects monies for the Gold Star Family plates. Establishes special plates for the Arizona Professional Football Club and Emergency Medical Services, and creates respective funds.

Joint Legislative Review Committee (Committee) on Transportation between Sonora, Mexico and Arizona – Establishes the Committee, prescribes duties and outlines membership, including term limits. Requires an annual report.

Arizona International Development Authority (AIDA) – Modifies statutes pertaining to AIDA. Transfers the administration support of AIDA from the Arizona Department of Commerce to ADOT. Terminates AIDA on July 1, 2019.

Photo Enforcement – Exempts a vehicle in use by a first responder in the line of duty from photo enforcement action.

Other Offenses – Modifies reckless driving statutes. Reduces the violation of obscuring the state's name on license plates to a secondary offense.

municipalities; exchange of real property (H.B. 2014) – Chapter 15

Allows a municipality to exchange a parcel of real property that it owns for another parcel that is located *outside* its corporate boundaries. A city or town previously had the authority to only exchange real property that was within its limits. Conditions must be met for the exchange to occur regardless of the parcel's location.

license plate commission repeal (H.B. 2123) – Chapter 37

Repeals the License Plate Commission (Commission). Requires the Arizona Department of Transportation (ADOT) to continue to issue Commission-created license plates to applicants. Allows the Director of ADOT to combine requests for a Commission-created special plate and a personalized special plate. An organization may redesign its respective special plate if the new design is approved by ADOT and the organization pays for the implementation of the redesigned plate. Requires donations collected from fees for a redesigned special plate to be distributed according to a written resolution from the entity that paid for the redesign of the plate.

motorcycle safety council (H.B. 2133) – Chapter 38

SEE PUBLIC SAFETY & HUMAN SERVICES COMMITTEE.

NATURAL RESOURCES, INFRASTRUCTURE & PUBLIC DEBT COMMITTEE (Cont'd.)

wildlife; aquatic invasive species (H.B. 2157) – Chapter 77

Allows the Director of the Arizona Game and Fish Department to establish an Aquatic Invasive Species Program. Prohibits a person from possessing, importing, shipping or transporting an aquatic invasive species (species) into or within the state. Also prohibits the release, placement or planting of a species into waters or any water treatment facility, as well as the sale, barter, purchase or exchange of a species. A person who violates these prohibitions is subject to a civil penalty of not more than \$500. Knowingly placing, planting, releasing or selling, purchasing, bartering or exchanging a species is a class 2 misdemeanor. Exempts the owner or operator of facilities, equipment and structures related to the delivery of water, a water treatment or distribution facility, a drainage, wastewater collection, treatment or disposal facility, a public or private aquarium and education or research institution holding a permit, and any stock pond or livestock water or distribution facility from the species prohibition provisions.

county stormwater management; reference correction. (H.B. 2202) – Chapter 43

Corrects a reference to the Arizona Administrative Code relating to stormwater discharges that do not require Arizona Pollutant Discharge Elimination System permits.

~~accountable health plans; technical correction~~ (NOW: special license plates) (H.B. 2222) – Chapter 44

SEE RETIREMENT & RURAL DEVELOPMENT COMMITTEE.

~~mandatory vehicle insurance; technical correction~~ (NOW: mandatory vehicle insurance; financial responsibility) (H.B. 2224) – Chapter 165

SEE FINANCE COMMITTEE.

biodiesel fuel dispensers; labeling (H.B. 2330) – Chapter 46

Modifies biodiesel labeling requirements to conform with federal regulations. Requires product transfer documents to indicate the percent by volume of biodiesel in diesel fuel.

school crossings; signs (NOW: STAN; repayment) (H.B. 2388) – Chapter 105

SEE RETIREMENT & RURAL DEVELOPMENT COMMITTEE.

~~ADOT; transportation facility pilot projects~~ (NOW: transportation; public-private partnerships) (H.B. 2396) – Chapter 141

Authorizes the Arizona Department of Transportation (ADOT) to enter into Public-Private Partnership (PPP) agreements for the construction, financing, operation and maintenance of transportation projects in Arizona (e.g. private roadways). Other units of government, as defined, also may enter into PPP agreements with ADOT approval. Requires ADOT to provide for the development of eligible facilities using a variety of project delivery methods and forms of agreement.

PPP Agreements – Allows ADOT to prescribe the provisions contained in the agreement. The agreement may authorize the private partner to collect user fees and tolls. Permits other agreement specifications pertaining to the relationship between ADOT and the private partner regarding the risks of the project, development costs and financial responsibility for cost overruns. Limits the term of any PPP agreement to 50 years.

NATURAL RESOURCES, INFRASTRUCTURE & PUBLIC DEBT COMMITTEE (Cont'd.)

Project Procurement – Requires ADOT, when issuing a request for services, to establish determination factors and the manner in which the proposal will be evaluated. Exempts procurement of services, selection of agreements and administration of revenues from applicable state or local laws regarding public bidding or other procurement procedures and provisions otherwise applicable to public works, services or utilities. Allows ADOT to grant a stipend to an unsuccessful bidder, with conditions. ADOT may consider and review unsolicited proposals.

Project Financing – Authorizes ADOT to issue toll revenue bonds, secured only by those monies that are pledged as repayment for the bonds. Allows federal, state and local monies to be combined with private sector monies for any project purpose.

special license plates; maintenance (NOW: mass appraisal guidelines; state lands) (H.B. 2419/S.B. 1307) – Chapter 142

Prescribes notification and other procedural requirements for the Arizona State Land Commissioner (Commissioner) to follow when conducting mass appraisals. Requires the Commissioner to notify affected parties 60 days before a mass appraisal will be conducted. Prescribes valuation factors for the Commissioner to consider in land appraisal.

As session law, allows an affected party to request a site-specific appraisal at their own expense if the appraisal causes a change in the rental and fees on an existing lease. This applies only to those appraisals conducted between January 1, 2007 and September 30, 2009.

enhanced driver licenses; prohibition (H.B. 2426) – Chapter 143

SEE RETIREMENT & RURAL DEVELOPMENT COMMITTEE.

drought emergency groundwater transfers (H.B. 2440) – Chapter 49

Retroactive to May 1, 2009, allows groundwater to be transported away from a groundwater basin that is outside an Active Management Area if certain emergencies exist. An application to transfer water must be submitted to the Director of the Arizona Department of Water Resources and may be approved only if specific requirements, outlined in the legislation, are met. Repeals the authority to transfer groundwater outside basin boundaries on May 1, 2010.

LEGISLATION VETOED

multiple sclerosis awareness special plates (S.B. 1017) – VETOED

Creates the Multiple Sclerosis Awareness, Arizona Masonic Fraternity, Hunger Relief and Childhood Cancer Research special license plates. Outlines disbursement for funds collected through fees from each special license plate. Modifies the In God We Trust special license plate donation requirements.

The Governor indicates in her veto message that the bill contains problematic language relating to the distribution of monies from the Childhood Cancer and Rare Childhood Disease Research Fund. The Governor also indicates that the language may violate Arizona's constitutional gift clause.

Public Safety & Human Services Committee

Senator Linda Gray, Chairman



**Amber O'Dell, Research Analyst
Christina Myren, Intern**

PUBLIC SAFETY & HUMAN SERVICES COMMITTEE

LEGISLATION ENACTED

driving under the influence; methadone (S.B. 1003) – Chapter 124

Specifies that a person who drives with a prescription drug in the person's body is only exempt from a charge of driving under the influence (DUI) if the person used the drug as prescribed.

board of fingerprinting; hearings (S.B. 1009) – Chapter 21

Permits the Board of Fingerprinting (Board) to require good cause exception applicants to disclose evidence related to substantiated allegations of vulnerable adult abuse or neglect to determine the applicant's successful rehabilitation. Allows the Board to deny a good cause exception if the applicant fails to appear at the hearing without good cause.

family law rules; conforming statutes (S.B. 1010) – Chapter 22

Conforms the marital and domestic relations statutes to the Arizona Rules of Family Law Procedure, rather than the Arizona Rules of Civil Procedure.

dispersing unlawful assembly; peace officers (S.B. 1015) – Chapter 174

Adds peace officers to the list of officials who must issue a dispersal order or make arrests when persons are unlawfully or riotously assembled.

adoption; consent (S.B. 1016) – Chapter 109

Permits the court to waive the requirement for the Department of Economic Security to consent to an adoption if the court determines that waiving the requirement is clearly in the child's best interest. The court must hold a hearing on actual notice to all persons who may be adversely affected.

child safety (S.B. 1047) – Chapter 126

Expands the definition of *child abuse* to include unreasonable confinement of a child, and the definition of *neglect* to include: 1) permitting a child to enter or remain in a structure where certain chemicals or equipment for manufacturing a dangerous drug are present; 2) a determination by a health professional that a newborn infant was prenatally exposed to drugs not as the result of medical treatment; 3) diagnosis by a health professional of an infant under one year of age with clinical findings consistent with fetal alcohol syndrome or effects; 4) deliberate exposure of a child to certain sexual acts or materials; or 5) specified sexual acts committed by the child's parent, guardian or custodian with reckless disregard to whether the child is physically present. Outlines the basis for a health professional's determination of prenatal drug exposure.

Modifies requirements for entry of abuse and neglect information into the Child Protective Services (CPS) case management system. Extends the time limit for a CPS worker to submit a written report of the investigation from 21 days to 45 days after receipt of the initial information. If

PUBLIC SAFETY & HUMAN SERVICES COMMITTEE (Cont'd.)

the court finds a child dependent based on an allegation of abuse or neglect, CPS must record a substantiated finding in the case management system, and the person does not have the right to a hearing prior to the entry. If a person who requests a hearing regarding a substantiated finding fails to appear, the hearing must be vacated and a substantiated finding will be entered, except in specified circumstances.

fingerprint clearance cards (S.B. 1049) – Chapter 8 E

An emergency measure, effective June 29, 2009, that creates a fingerprint clearance card specifically for foster and adoptive parents, child care personnel, applicants for child care licensure and group home certification, Child Protective Services workers, Department of Economic Security (DES) contract providers, home and community based service providers, adult developmental home and child developmental foster home licensees, child care home providers, all other DES employees who are required to have cards and the members and personnel of the Board of Fingerprinting (Level I Card). Grandfathers current card holders unless they commit a precluding offense after the effective date of the act. Modifies the lists of offenses, with regard to the current card, that preclude an applicant from receiving a Level I Card, as follows: 1) specifies that felony domestic violence, indecent exposure, child neglect and offenses involved in contributing to the delinquency of a minor are unappealable offenses, instead of appealable; 2) stipulates that felony offenses related to drugs, alcohol or assault are unappealable, if committed within five years before the date of application; 3) moves, from the list of appealable to the list of unappealable offenses, manslaughter, negligent homicide and terrorism; and 4) adds the offense of aiming a laser pointer at a police officer to the appealable list.

organized retail theft (S.B. 1059) – Chapter 127

Establishes the offense of organized retail theft as a class 4 felony. Specifies that a person commits organized retail theft if the person does one of the following without paying the purchase price: 1) removes merchandise from a retail establishment with the intent to resell or trade the merchandise; or 2) uses an artifice, instrument, container, device or other article to facilitate the removal of merchandise from a retail establishment.

law enforcement officers; discipline procedures (S.B. 1062) – Chapter 128

Allows a law enforcement or probation officer a period of time to consult with the officer's representative and to make a statement of less than five minutes addressing specific facts or related policies at the conclusion of an interview if the officer's employer reasonably believes the interview could result in the dismissal, demotion or suspension of the officer. Limits the ability of an employer to modify appeals decisions regarding disciplinary action. An employer or person acting on the employer's behalf may only amend, modify, reject or reverse a decision made by a hearing officer, administrative law judge or appeals board if both parties were able to equally participate in the hearing, the decision was arbitrary or without reasonable justification and the employer or person acting on the employer's behalf states the reason for the amendment, modification, rejection or reversal. Prohibits the employer from including investigation information in the public portion of the officer's personnel file until the investigation is complete or the employer has discontinued the investigation. The investigation is not complete until the conclusion of the appeals process.

domestic violence; dating relationships (S.B. 1088) – Chapter 129

SEE JUDICIARY COMMITTEE.

PUBLIC SAFETY & HUMAN SERVICES COMMITTEE (Cont'd.)

domestic violence; child custody (S.B. 1106) – Chapter 57

SEE JUDICIARY COMMITTEE.

~~trust lands; conservation; technical correction~~ (NOW: elections; hospital districts) (S.B. 1155) – Chapter 7 E

An emergency measure, effective June 17, 2009, that allows a hospital district with a population of less than 20,000 persons to hold a mail ballot election on any Tuesday on or before June 30, 2009 without prior approval from the county board of supervisors to authorize the imposition of a secondary property tax for the operation and maintenance of a hospital or urgent care center.

~~illegal aliens; enforcement; trespassing.~~ (NOW: performance of abortion; non-physician; prohibition) (S.B. 1175) – Chapter 178

Prohibits persons who are not physicians from performing surgical abortions.

children; foster care; rights (S.B. 1209) – Chapter 159

Outlines the rights of foster children, including appropriate care and treatment, according to the best judgment of the foster parent, in a safe, healthy and comfortable placement; protection from harm; and appropriate privacy. Specifies that the child has the right to know what will happen to the child and the child's family under certain circumstances and, whenever possible, to be placed with a foster family that can accommodate the child's communication needs. Prescribes requirements for discipline, clothing, education, food, training in hygiene, privacy of personal information, visitation with the child's family and contact and communication with a caseworker, judge and attorney, among others. The child may attend activities of the child's choice, as appropriate, and have personal possessions and space. The child must be able to participate in the child's service and permanency planning, if age appropriate. A foster child must receive a copy and may report a violation of these rights. Requires the foster parent to have full access to the child's records under certain circumstances.

A foster child who is 16 years of age or older may attend preparation for adult living classes and activities, as appropriate, and receive necessary personal information within 30 days of leaving foster care. The child must have a transition plan that includes career planning and assistance in enrolling in an educational or job training program and help obtaining a social security number, a birth certificate, independent residency and a driver license, except the foster parent has discretion to determine if the child is responsible and mature enough to become a licensed driver.

This legislation does not establish any cause of action on behalf of any person.

CPS information (S.B. 1246) – Chapter 154

Requires the court to consider whether an open proceeding could cause specific material harm to a criminal investigation when deciding whether to close proceedings related to dependent children, permanent guardianships and termination of parental rights. Permits any person to request to inspect court records involving the disclosure of Child Protective Services (CPS) information regarding a case of child abuse, abandonment or neglect that has resulted in a fatality or near fatality,

PUBLIC SAFETY & HUMAN SERVICES COMMITTEE (Cont'd.)

or request a transcript to be made of a closed proceeding. Requires the court, if it allows inspection or releases a transcript, to redact certain information related to privacy, safety interests and confidentiality laws. Limits proceedings any person may request to be reopened to closed cases relating to child abuse, abandonment or neglect that have resulted in a fatality or near fatality.

CPS information; redactions; challenges (S.B. 1285) – Chapter 69

Specifies that legislators have standing to bring or join special actions in the superior court regarding the release of Child Protective Services (CPS) information or to challenge the redaction of released CPS information on fatalities or near fatalities caused by abuse, abandonment or neglect.

safe haven providers; placement protocols (S.B. 1326) – Chapter 156

Establishes protocols for safe have providers. Requires all providers to transport an infant to a hospital, report certain information to Child Protective Services (CPS) and complete the Arizona Health Care Cost Containment System (AHCCCS) application on behalf of the infant. If the provider is a private child welfare agency, adoption agency or church that is associated with an agency, the agency may take custody of and place the child for adoption. In all other cases, CPS must contact adoption agencies on a rotating list within eight hours until CPS contacts an agency that agrees to take custody of and place the infant for adoption. To be placed on the rotating list, the adoption agency must be a nonprofit agency that does not specialize in international adoptions and has a 24-hour emergency contact number. An agency that agrees to take custody of a safe haven infant must do so within 24 hours after the hospital completes the physical examination and comply with all state and federal laws regarding adoption and placement of children. CPS must take custody of the infant if no agency takes custody within 48 hours or the infant is abused or older than 72 hours of age. Allows a health care provider to make treatment decisions for the infant before CPS or an agency takes custody and exempts the provider from liability for good faith medical decisions. Requires the entity or individual that ultimately takes custody of the infant to compensate the hospital for the medical examination and treatment provided to the infant, if the child is determined ineligible for AHCCCS or if AHCCCS does not reimburse the hospital. Modifies the signage requirements and list of safe haven providers.

schools; gun safety instructors; certification (S.B. 1437) – Chapter 97

Allows firearm safety instructors for the Arizona Gun Safety Program Course to be certified by a national association of firearms owners, in addition to the Arizona Game and Fish Department.

applicability; self-defense (S.B. 1449) – Chapter 190 W/O

Applies, retroactively, specified statutory changes relating to justification defenses to all cases in which the defendant did not plead guilty or no contest that were submitted to the fact finder after April 24, 2006. States that the Legislature intended to make Laws 2006, Chapter 199, effective retroactively to all cases in which the defendant did not plead guilty or no contest in cases that were pending at the time it was signed into law by the Governor on April 24, 2006, regardless of when the conduct underlying the charges occurred.

PUBLIC SAFETY & HUMAN SERVICES COMMITTEE (Cont'd.)

schools; contractors; fingerprint clearance cards (H.B. 2031) – Chapter 75

Requires contractors, subcontractors, vendors and their employees who are contracted to provide services on a regular basis at individual schools to have fingerprint clearance cards (cards). School district governing boards must adopt policies by December 31, 2009 that may exempt persons from the requirement who are unlikely to have independent access to or unsupervised contact with pupils as part of their normal job duties. Exempts persons who participate in certain teacher preparation programs but who do not participate in field experience or student teaching in Arizona from the requirement to receive a card. Employees or applicants for employment who are dismissed for failing to immediately report an arrest or charge of an offense which precludes the person from obtaining a card are not entitled to a hearing under due process for teachers.

motorcycle safety council (H.B. 2133) – Chapter 38

Extends the Motorcycle Safety Council and its funding source, mandatory deposits from motorcycle registration fees, until July 1, 2016.

~~child care facilities; licensure; exemptions~~ (NOW: exemptions; licensure; child care facilities) (H.B. 2265) – Chapter 78

Allows facilities that are exempt from being licensed as child care facilities because children may come and go at their own volition to require the children to document their entrance and departure from the facilities without affecting their exempt status.

vulnerable adults; financial exploitation (H.B. 2344) – Chapter 119

Modifies theft with regard to a vulnerable adult and the possible civil penalties for a person in a position of trust and confidence who commits financial exploitation of a vulnerable adult. To be considered theft, the person no longer must take control of a vulnerable adult's property through intimidation or deception, but instead must take control of the property without lawful authority. States that taking property without adequate consideration may give rise to an inference that the person intended to deprive the vulnerable adult of the property, but specifies affirmative defenses if the property was given consistent with a pattern of gift giving that existed before the adult became vulnerable or the superior court approved the transaction before it occurred. If a person commits theft or financial exploitation of a vulnerable adult, the person is subject to actual damages. Gives the court discretion to award additional damages in an amount up to two times the amount of actual damages and to order the person to forfeit all or a portion of the person's benefits with respect to the estate of the vulnerable adult. Also allows the court to revoke a disposition or appointment of property that is made in a governing instrument, a provision in a governing instrument that confers a power of appointment on the person and a nomination or appointment of the person to serve in any fiduciary or representative capacity. The court may also sever the interests of the person and the vulnerable adult in property held by them as joint tenants or community property with the right of survivorship, and transform the interests into tenancies in common. Outlines who has priority to file a civil action. Adds a person who is in a confidential relationship with the vulnerable adult to the definition of *position of trust and confidence*.

PUBLIC SAFETY & HUMAN SERVICES COMMITTEE (Cont'd.)

foster parents; participation (H.B. 2375) – Chapter 104

Reduces the amount of time a foster child must have resided in a receiving foster home or shelter care facility, from 30 days to 10 days within the last six months, for the home or facility to be included in the child's periodic review hearing.

partial-birth abortions; definition (H.B. 2400/S.B. 1138) – Chapter 170

Modifies the definition of partial-birth abortion as an abortion in which the person performing the abortion deliberately and intentionally vaginally delivers a living fetus until, in the case of a headfirst presentation, the entire fetal head is outside the body of the mother or, in the case of a breech presentation, any part of the fetal trunk past the naval is outside the body of the mother for the purpose of performing an overt act that the person knows will kill the partially delivered living fetus and the person performs that overt act, other than completion of delivery, that kills the fetus. There is an exception to the partial-birth abortion ban if performing the partial-birth abortion is necessary to save the life of the mother because of a physical illness, physical injury or life-endangering physical condition caused by or arising from the pregnancy itself. Requires a person who performs a partial-birth abortion to be fined or imprisoned not more than two years, or both, but allows a defendant accused of performing the partial-birth abortion to seek a hearing before the board that licensed the physician whether the physician's conduct was necessary to save the life of the mother. The board's findings are admissible, in the court's discretion, at the defendant's trial.

~~mandatory fingerprinting; central state repository (NOW: fingerprinting; arrest; procedures) (H.B. 2449)~~ – Chapter 120

Effective January 1, 2010, establishes a mechanism to fingerprint persons arrested for felony, domestic violence, sexual or driving under the influence (DUI) offenses when the law enforcement officer releases the person from custody in lieu of taking the person to the police station. Prohibits a law enforcement officer from releasing the person until the person provides a right index fingerprint to the arresting agency, and requires the arresting agency to provide the person a mandatory fingerprint compliance form that includes instructions on reporting for ten-print fingerprinting. An arresting authority, however, may instead transfer an arrestee to a booking agency for ten-print fingerprinting and obtain a process control number. The arresting authority must provide a document that indicates proof of the fingerprinting and informs the person that the document must be presented to the court. If the defendant does not present a mandatory fingerprint compliance form or the court did not receive a process control number, the court must order the defendant to be ten-print fingerprinted within 20 calendar days or remand the defendant into custody for fingerprinting.

developmental disabilities; program plans; burial (H.B. 2461) – Chapter 51

Requires a developmentally disabled person's individual program plan to include provisions relating to the person's burial arrangements. Specifies that the state is not financially responsible for the burial costs and outlines when monies set aside for burial arrangements will be considered as income or resources for eligibility determinations for other government programs.

abortion (H.B. 2564/S.B. 1206) – Chapter 172

Makes various changes to abortion statutes. Requires parental consent to be notarized for a pregnant, unemancipated minor to obtain an abortion. If the minor is seeking a judicial bypass of the

PUBLIC SAFETY & HUMAN SERVICES COMMITTEE (Cont'd.)

parental consent requirement, the minor must prove by clear and convincing evidence that she is sufficiently mature and capable of giving informed consent without consulting her parent or guardian based on her experience level, perspective and judgment. Outlines relevant factors for the court to consider when making the determination. Allows the minor's parents to bring a civil action in superior court to obtain relief for a violation of the parental consent law.

Requires a woman to give informed consent before an abortion is performed. The physician must inform the woman at least 24 hours before the abortion of the name of the physician who will perform the abortion, the nature of the procedure, the associated medical risks of the abortion and carrying the child to term, alternatives to the procedure and the probable gestational age and anatomical and physiological characteristics of the unborn child. The physician or another health professional must also inform the woman that medical assistance benefits may be available, the father of the child must support the child, it is unlawful for a person to coerce the woman to undergo an abortion and the woman is free to withhold or withdraw her consent. The information must be provided individually and in a private room. If a medical emergency compels an abortion the physician must inform the woman, before the abortion if possible, of the medical indications that support the physician's judgment that an abortion is necessary to prevent the woman's death or substantial and irreversible impairment of a major bodily function. A physician who knowingly violates the informed consent law commits an act of unprofessional conduct and is subject to license suspension or revocation. The woman and, under certain circumstances, the father or maternal grandparents of the unborn child may file a civil action for a violation of the informed consent law.

Prohibits an individual who is not a physician from performing a surgical abortion and specifies that pharmacies, hospitals, health professionals and their employees are not required to facilitate or participate in the provision of an abortion, abortion medication or emergency contraception.

civil liability; affirmative defenses (H.B. 2610) – Chapter 123

Modifies presumptions in civil liability cases. In a product liability action, prohibits any change made in the warnings after the product was first sold by the defendant from being admissible as direct evidence of a defect. Includes in the current civil liability presumption a case in which a victim or officer threatens to use or uses a police tool product under certain circumstances. Expands the injuries that allow the use of the presumption to include if a person intentionally or knowingly caused a certain type of disfigurement or impairment of any body organ or part or a fracture of any body part of another person. Stipulates, in specified situations, that any warning or instruction that accompanies a police tool product is presumed not to be defective. Requires the court to award costs and attorney fees if the court grants a motion by a party to dismiss or a motion for summary judgment.

~~living wills; health care directives~~ (NOW: health care directives; guardian decision) (H.B. 2616 / S.B. 1448) – Chapter 147

Prohibits a surrogate who is not a patient's agent or guardian to approve the permanent withdrawal of the artificial administration of food or fluid and adds a requirement for the petition for the appointment of a guardian. If a petition is filed to challenge the decision of a guardian to permanently withdraw the artificial administration of food and fluid from a patient who is in an irreversible coma or persistent vegetative state, establishes a rebuttable presumption that a patient who does not have a valid living will, power of attorney or other health care directive has directed the

PUBLIC SAFETY & HUMAN SERVICES COMMITTEE (Cont'd.)

patient's health care providers to provide the patient with food and fluid to a degree that is sufficient to sustain life, and that the provision is in the patient's best interests. Outlines circumstances when the presumption is rebutted, including: 1) situations in which the provision of food or fluid is not medically possible or would hasten death or the patient is incapable of absorbing the food or fluid; or 2) the court finds by clear and convincing evidence that the patient is in an irreversible coma or persistent vegetative state and, while competent, the patient manifested the intent that medically invasive life prolonging treatment not be administered in those situations. Prohibits permanent withdrawal of food or fluid pending a decision on the merits of the case by the court of appeals or a decision on a petition by the Supreme Court.

~~dependent children; relatives; disclosure~~ (NOW: relatives; disclosure; dependent children) (H.B. 2622) – Chapter 148

Effective January 1, 2010, requires the parent or guardian of a child removed from the child's home to provide information to the Department of Economic Security (DES) or the court regarding relatives or others with significant relationships with the child. Requires the removal notice and dependency petition to include notification of this requirement. The court must order the parent or guardian to provide the information at the preliminary protective hearing and initial dependency hearing. Also, at the initial dependency hearing and each periodic review hearing the court must determine whether DES has identified and assessed placement of the child with a relative or other person with a significant relationship with the child. If the court determines that termination of parental rights or permanent guardianship is clearly in the child's best interests and the child has been placed in a prospective permanent placement, H.B. 2622 allows removal of the child from the placement to occur only under specified circumstances.

Retirement & Rural Development Committee

Senator Ron Gould, Chairman



**Jake Agron, Research Analyst
Dan Benson, Intern**

RETIREMENT & RURAL DEVELOPMENT COMMITTEE

LEGISLATION ENACTED

public retirement plans; federal changes (H.B. 2110) – Chapter 35

Conforms the Public Safety Personnel Retirement System (PSPRS), Corrections Officer Retirement Plan (CORP) and Elected Officials' Retirement Plan (EORP) statutes to the Internal Revenue Code (IRC). Modifies maximum annual pension limitations as indexed for inflation by specific amounts. Caps a member's annual compensation at certain amounts for purposes of benefit calculation and requires that annual compensation limits be adjusted in accordance with the IRC.

Requires an active member who volunteers or is ordered to complete military service to make contributions to receive credit for that period of military service. Increases the number of months of credited service an active military member may receive upon returning to work. Redeemable military service eligibility includes the National Guard.

Decreases the amount of time a PSPRS retiree must wait to return to work.

ASRS; LTD amendments (H.B. 2118) – Chapter 36

Long Term Disability Program

Conforms Long Term Disability (LTD) program definitions to the Arizona State Retirement System (ASRS) defined benefit plan statutes and requires the ASRS Board to determine the employer LTD contribution rate on an annual basis instead of a biennial basis. Specifies that LTD contributions by the employer to the LTD Trust Fund be used for member benefits or to pay for LTD program expenses. Stipulates that ASRS provide a preliminary and final report of each valuation year to the Governor, the Speaker of the House of Representatives and the President of the Senate on the LTD contribution rate for the ensuing fiscal year.

Employer Payment for Ineligible Persons

Requires an employer that employs and makes contributions for a person who does not meet ASRS membership criteria to pay an unfunded liability resulting to ASRS if ASRS or a court determines that ASRS must pay a benefit to the person. Stipulates that if an employer does not remit the unfunded liability to ASRS for including an unauthorized employee in ASRS within 90 days, then the amount owed accrues interest until paid in full. Provides a mechanism to determine the amount in a person's ASRS account, interest and unfunded liability as it pertains to employer payment for ineligible persons.

Dual Employment / Return to Work

Beginning January 1, 2010, precludes any salary or wages received from a second employer to be counted toward a member's calculated compensation unless the member works at least 20 weeks per fiscal year and at least 20 hours per week in that second employment and grandfathers an employee who was working less than the required amount of hours anytime between 2005 and 2009 and continues to work until January 1, 2012.

RETIREMENT & RURAL DEVELOPMENT COMMITTEE (Cont'd.)

Enables a retired member to immediately receive retirement benefits if the member begins or returns to employment in a position that satisfies certain requirements.

Miscellaneous

Beginning July 1, 2010, requires a member to have five years of service credit in ASRS before initiating a service purchase and stipulates that a member's rights in a former retirement system are terminated once a transfer in service credit is completed from a charter city to a state retirement system. Eliminates the requirement that a member's monthly annuity not exceed 80 percent of that member's average monthly compensation used to calculate a normal retirement benefit. Exempts the Director and all staff employed by the Director from the State Personnel Administration and Personnel Board provisions and the state compensation limitations.

~~accountable health plans; technical correction~~ (NOW: special license plates) (H.B. 2222) – Chapter 44

Creates the Arizona Professional Football Club special plate and the Emergency Medical Services special plate. Redirects monies from the Veterans' Donations Fund subaccount comprising of monies from the Gold Star Family special plate to be used to construct and maintain the Enduring Freedom Memorial in Wesley Bolin Plaza.

~~county offices; business periods~~ (NOW: county operation; management) (H.B. 2236) – Chapter 45 E

An emergency measure, effective July 10, 2009, that modifies statutes governing Arizona counties. Enables the County Employee Merit System Commission (Commission) to appoint hearing officers to conduct hearings and take evidence on behalf of the Commission and specifies the procedural roles and duties of the hearing officer and the Commission related to the hearings. Allows all county boards of supervisors, rather than just those counties with a population exceeding 300,000, to spend their public funds on group health and accident insurance premiums for retired county employees and prohibits the use of state public funds for that purpose. Directs county offices, except for the sheriff's office, to be open for at least 40 hours per week and at least 32 hours per week if there is a legal holiday that week, and allows county offices to set the hours of operation.

CORP; omnibus amendments (H.B. 2326) – Chapter 83

Modifies statute regarding the Corrections Officer Retirement Plan (CORP). Retroactive to January 1, 2009, allows a retired CORP member to return to work in a designated position while still receiving the member's pension payment provided the member returns to work at least 12 months after beginning retirement. Between July 1, 2009, and June 30, 2011, provides a window for certain part-time employees to qualify as members of CORP.

Local Boards

Requires a local board to be fully constituted within 60 days after an employer's effective date of participation in a plan unless certain exceptions apply. Delegates that local boards: a) prescribe procedures for claimants to follow when filing applications for benefits; b) receive and review the actuarial valuation of a plan for members; and c) receive and review reports from the Fund Manager on the financial condition of the fund. Stipulates that CORP employers are required

RETIREMENT & RURAL DEVELOPMENT COMMITTEE (Cont'd.)

to pay the fees of the medical board, the local board's independent legal counsel, and other necessary administrative expenses.

Violations Against the Plan

Classifies, as a class 6 felony, knowingly making a false statement or falsification of a record of the plan with the intent to defraud. A person who defrauds the plan or who takes, converts, steals or embezzles money from the plan is subject to prosecutorial and civil actions.

Surviving Spouse and Children

Requires a surviving spouse to have been married for at least two consecutive years to a retired member at the time of the member's death in order to receive a surviving spouse's pension. Specifies conditions for a dependent to receive a surviving child pension.

~~school crossings; signs~~ (NOW: STAN; repayment) (H.B. 2388) – Chapter 105

Requires a city or town to repay monies received from a subaccount of the Statewide Transportation Acceleration Needs Account within 15 years. The requirement to repay within 15 years applies to monies that the city or town receives before, on and after September 30, 2009.

enhanced driver licenses; prohibition (H.B. 2426) – Chapter 143

Prohibits Arizona from participating in the implementation of an Enhanced Driver License (EDL) program to meet the requirements of the federal Western Hemisphere Travel Initiative or the REAL ID Act of 2005. The Arizona Department of Transportation is required to report any attempts to implement EDLs by the U.S. Department of Homeland Security to the Governor and Legislature.

Veterans & Military Affairs Committee

Senator Jack Harper, Chairman



Bill Boyd, Research Analyst
Lori Sloat, Intern

VETERANS & MILITARY AFFAIRS

LEGISLATION ENACTED

adjutant general retirement (S.B. 1008) – Chapter 20

Adjusts the retirement age for the state Adjutant General to conform to the retirement age provided by federal law.

enduring freedom memorial; public monies. (S.B. 1020) – Chapter 111 E

An emergency measure, effective July 10, 2009, that allows monies from the Veterans' Donation Fund to be used to complete the Enduring Freedom Memorial and extends to December 31, 2013, the deadline to complete a Bill of Rights Memorial to be located in Wesley Bolin Plaza.

military family relief fund (S.B. 1176) – Chapter 24 E

An emergency measure, effective July 9, 2009, that allows active and retired senior enlisted military personnel to serve on the Military Family Relief Fund Advisory Committee (Committee) and allows the Committee to establish a subcommittee to review, evaluate and make recommendations to the Committee regarding applications for assistance.

Allows widows, widowers or dependent children of service members who died while serving in a combat zone to apply for a stipend of up to \$10,000 for living expenses. An immediate family member may apply for the cost of living near a medical facility where a service member is being treated for the duration of the service members' treatment.

Stipulates that military members of an applying family must have been deceased, wounded, injured or become seriously ill after September 11, 2001, and must have: a) deployed from a military base in Arizona; b) entered military service in Arizona; c) been a member of the Arizona National Guard; or d) claimed Arizona as their home of record.

Allows the Director of the Arizona Department of Veterans' Services to use five percent of the donations received by the Military Family Relief Fund (Fund) for administrative purposes and clarifies that donations to the Fund that qualify as a tax credit are subject to statutory limitations on those tax credits.

homeland security councils; coordinating; advisory (S.B. 1178) – Chapter 25

Eliminates the Department of Homeland Security Coordinating Council and establishes the Senior Advisory Committee (Committee) to enhance integration of disciplines involved in homeland security and allows Legislative members of the Committee to assign proxies.

Increases Regional Advisory Council (RAC) membership to 14 and members' terms to three years and modifies qualifications for members. Stipulates that, of the members of a RAC, only a county sheriff, a mayor and a county supervisor may assign proxies.

VETERANS & MILITARY AFFAIRS COMMITTEE (Cont'd.)

health spa contracts; military members (S.B. 1407) – Chapter 30

Allows a military member serving on active duty deployed outside the state to cancel or suspend a health spa membership contract and prohibits a health spa from charging fees or altering a member's financial terms upon reinstatement of a suspended membership contract.

A request to cancel or suspend a health spa membership must be provided in writing and include an official copy of the member's military orders or written verification from their commanding officer.

Arizona medal of honor (S.B. 1429) – Chapter 31

Creates the Arizona Gold Star Military Medal and establishes procedures and guidelines for awarding the medal.

state monuments; repair fund; purpose. (H.B. 2001) – Chapter 13

Extends to December 31, 2013, the deadline for completion of a Bill of Rights Memorial in Wesley Bolin Plaza. Specifies that monies required to be deposited in the State Monument and Memorial Repair Fund by the proponents of a monument or memorial are dedicated to the maintenance of that monument or memorial.

honorary diplomas; war veterans (H.B. 2450) – Chapter 19

Requires the State Board of Education to adopt rules that provide for the presentation of honorary high school diplomas to veterans who live in Arizona and served in World War I, World War II, the Korean Conflict or the Vietnam Conflict.

in-state tuition; veterans (H.B. 2495) – Chapter 91

Classifies an honorably discharged military person who served on an Arizona military installation in Arizona as an in-state student, regardless of the length of time the person was domiciled in the state.

LEGISLATION VETOED

~~state monuments; repair fund; purpose.~~ (NOW: political signs; tampering) (S.B. 1022) – VETOED

Specifies the following apply to the state or any city, town or county: 1) prohibiting the removal of a political sign under certain conditions, unless the placement of the sign is deemed an emergency; 2) allowing the adoption of policies that prohibit the installation of a sign on structures owned by the jurisdiction; and 3) providing notification guidelines relating to the removal, relocation or prohibition of signs.

In her veto message, the Governor states that a government worker relocating a political sign would violate state laws prohibiting public monies from being used to influence election outcomes. Additionally, it would prevent a city, town or county from removing a sign that poses a clear traffic risk until proper notification was given.

Resolutions & Memorials



RESOLUTIONS & MEMORIALS

statewide strategy; restoring Arizona's forests (S.C.M 1002)

Urges the Director of the United States Forest Service (Director) and the Governor of Arizona to validate and institutionalize the agreements reached in two studies, the *Statewide Strategy for Restoring Arizona's Forests* and the *Analysis of Small-Diameter Wood Supply in Northern Arizona*. The studies identified several strategies associated with forest restoration, fire management and the development of multi-year forest stewardship contracts. The memorial also encourages the Director and the Governor to identify federal appropriations needed to support forest restoration in Arizona.

~~technical correction; military personnel~~ (NOW: American Sovereignty Restoration Act) (S.C.R. 1004)

Describes the Legislature's support of the federal American Sovereignty Restoration Act and any similar Congressional measure that would dissolve U.S. membership in the United Nations. The Legislature's support for the dissolution of membership is contingent upon the U.S. ceasing to use its veto authority on the U.N. Security Council to protect allies.

secret ballot; fundamental right (S.C.R. 1026)

Subject to voter approval at the next general election, constitutionally guarantees the right of individuals to vote by secret ballot where local, state or federal law requires elections for public offices or for ballot measures, or requires designations or authorizations for employee representation. Requires the Secretary of State to submit the proposition to the voters at the next general election. Becomes effective if approved by the voters and on proclamation of the Governor.

death resolution; Jake Flake (S.C.R. 1045)

Expresses the Legislature's sincere gratitude for the Honorable Jake Flake's years of dedicated service to the State of Arizona. Extends the Legislature's deepest sympathies to his family and friends.

national day of the cowboy (S.R. 1003)

Expresses the Senate's support for the designation of July 25, 2009 as National Day of the Cowboy and encourages Arizona's citizens to celebrate the day with appropriate ceremonies and activities.

state land; natural resources (H.C.M. 2006)

Urges Congress to refrain from passing legislation that would: 1) withdraw Arizona land from mining; and 2) designate wilderness areas in Arizona unless Arizona's congressional delegation unanimously supports the legislation. Requests the Bureau of Land Management and the United States Forest Service to allow public access to public lands under their jurisdiction for mining, grazing, recreation or other uses.

RESOLUTIONS & MEMORIALS (Cont'd.)

opposing federal firearms legislation (H.C.M. 2009)

Urges the U.S. Congress to oppose to the passage of the Firearm Licensing and Record of Sale Act of 2009 or similar federal legislation that would affect an individual's right to keep and bear arms.

~~state trust lands; technical correction~~ (NOW: health care services; direct purchase) (H.C.R. 2014)

Subject to voter approval at the next general election, amends the Arizona Constitution to state that no law or rule may compel participation in any health care system or prohibit the direct sale or purchase of lawful health care services. Requires the Secretary of State to submit the proposition to the voters at the next general election. Becomes effective if approved by the voters and on proclamation of the Governor.

~~justices and judges; senate confirmation~~ (NOW: discrimination; preferential treatment; prohibition) (H.C.R. 2019)

Subject to voter approval at the next general election, constitutionally prohibits the state or its political subdivisions, including universities and school districts, from granting preferential treatment to or discriminating against any individual or group based on race, sex, color, ethnicity or national origin for the purpose of public employment, education or contracting. Specifies that the prohibition does not apply if: 1) qualifications based on sex are necessary for the normal operation of public employment, education or contracting; 2) actions must be taken to establish or maintain federal program eligibility; and 3) any court order or consent decree that is already in force by the effective date would be invalidated. Becomes effective if approved by the voters and on proclamation of the Governor.

~~initiative and referendum; voter approval~~ (NOW: Arizona's water protection) (H.C.R. 2030)

Urges the United States Congress to oppose federal legislation that would expand the federal Point Source Discharge Programs and limit states' authority to regulate pollutants in certain water courses. Also, declares that the Arizona Legislature opposes any changes to the federal Clean Water Act that would force Arizona and other states to relinquish their authority over certain waters.

~~repeal business personal property tax~~ (NOW: state veterans' cemetery; Tucson) (H.C.R. 2034)

Expresses the Legislature's support for a state veterans' cemetery in Tucson and pledges the Legislature's assistance to acquire and prepare the property. Requests the financial support of the U.S. Department of Veterans Affairs.

David Hurt; death resolution (H.R. 2001)

Expresses the House of Representatives' sincere regret at the passing of Master Sgt. David L. Hurt, who died as the result of injuries sustained while serving in Operation Enduring Freedom. Extends deepest sympathies to his surviving family members.



Bill Number Index

BILL INDEX (Cont'd.)

BILL INDEX

BILL NUMBER	CHAPTER NUMBER	SHORT TITLE	PAGE NUMBER
SB 1003	124	driving under the influence; methadone	102
SB 1008	20	adjutant general retirement	113
SB 1009	21	board of fingerprinting; hearings	102
SB 1010	22	family law rules; conforming statutes	102
SB 1011 E	125	sex offender registration; study committee (NOW: sex offenders; probation; monitoring)	90
SB 1015	174	dispersing unlawful assembly; peace officers	102
SB 1016	109	adoption; consent	102
SB 1018	110	burden of proof; emergency treatment.	84
SB 1020 E	111	enduring freedom memorial; public monies.	113
SB 1027	10	technical correction; bonds; tax considerations (NOW: capital outlay; FY 2009-2010)	1
SB 1047	126	child safety	102
SB 1048	112	emergency telecommunication services; administrative costs	80
SB 1049 E	8	fingerprint clearance cards	103
SB 1059	127	organized retail theft	103
SB 1062	128	law enforcement officers; discipline procedures	103
SB 1073	113	population thresholds; counties	80
SB 1074	149	election law amendments (NOW: amendments; election law)	90
SB 1088	129	domestic violence; dating relationships	90
SB 1091 RFEIR	114	elections; special districts; technical correction (NOW: secretary of state; elections; filing)	91
SB 1097	54	emergency medical services; records; confidentiality (NOW: records; emergency medical services; confidentiality)	84
SB 1100	55	biomedical research commission; continuation	84
SB 1102 E	4	ambulances; certificates of necessity (NOW: eligibility determinations; AHCCCS.)	62
SB 1103	92	partnership for nursing education	84
SB 1104	56	AHCCCS; SCHIP; application process (NOW: assisted living managers; nursing administrators)	85
SB 1105	150	nursing board; omnibus	85
SB 1106	57	domestic violence; child custody	91
SB 1113	175	handguns; restaurants; posting (NOW: restaurants; handguns; posting)	92
SB 1115	151	animals; fighting	92
SB 1123	176	city elections; nonpartisan primaries; districts	92
SB 1134	58	commission for postsecondary education; continuation	68
SB 1139	152	global position systems; committee extension	92
SB 1146	59	expenditure limitation; penalty waiver; Pima	75
SB 1148	60	deed restrictions; for sale signs	80
SB 1151	93	convenience fee; definition	80
SB 1152	153	mental health services; court-ordered treatment	92
SB 1155 E	7	trust lands; conservation; technical correction (NOW: elections; hospital districts)	104
SB 1157	23	department of environmental quality; continuation	96
SB 1168	177	federal monies; report (NOW: storage; firearms; motor vehicles)	2
SB 1169	158	vehicle impoundment; administrative towing fund	2
SB 1175	178	illegal aliens; enforcement; trespassing- (NOW: performance of abortion; non-physician; prohibition)	104
SB 1176 E	24	military family relief fund	113
SB 1178	25	homeland security councils; coordinating; advisory	113
SB 1180	61	towing companies; release of vehicles	96

BILL INDEX (Cont'd.)

BILL NUMBER	CHAPTER NUMBER	SHORT TITLE	PAGE NUMBER
SB 1182	94	state treasurer; warrant notes	75
SB 1183	179	recreational corridor districts; termination date	96
SB 1185 E	2	technical correction; disincorporation (NOW: conformity; internal revenue code)	2
SB 1188 LIVS	11	fiduciary funds; deposits; technical correction (NOW: general appropriations; FY 2009-2010)	3
SB 1196	95	education; meetings; technical correction (NOW: education omnibus)	68
SB 1197 E	62	technical correction; dental board powers (NOW: task force; special education)	71
SB 1209	159	children; foster care; rights	104
SB 1225	180	water exchange contracts; technical correction (NOW: Dust control; best management practices)	96
SB 1235	181	cooperative purchasing agreements	80
SB 1242 E	182	weapons; peace officers; posse; reserves	80
SB 1243	183	justification; defensive display of firearm	93
SB 1246	154	CPS information	104
SB 1253	130	felony murder; drive by shooting	93
SB 1254 E	155	anti-marital fact privilege; exception	93
SB 1256	63	aggregate mine reclamation; fees (NOW: mining omnibus)	96
SB 1259	64	aggregate mine reclamation; initiation; extension	97
SB 1260 W/O	65	aggregate mine reclamation law; exemption	97
SB 1262	184	workers' compensation; charges; dispute resolution (NOW: workers' compensation omnibus)	62
SB 1265	66	UCC; lost cashier's checks	62
SB 1266	67	workers' compensation; drugs and alcohol	62
SB 1271	68	jail districts; property tax limit (NOW: deficiency judgment; foreclosed properties)	75
SB 1281	185	human trafficking; violation (NOW: violation; human trafficking)	93
SB 1282	186	smuggling; definitions (NOW: smuggling; classification; definitions)	93
SB 1285	69	CPS information; redactions; challenges	105
SB 1289 E	131	vehicle accident reports	97
SB 1290	26	wildfire suppression; payment of claims	97
SB 1293	70	transportation system database; reporting date (NOW: certificates of title; electronic system)	97
SB 1294	71	state land sales; default	97
SB 1297	72	flood control districts; remainder parcels	98
SB 1303	27	open meeting law; minutes; notice	81
SB 1313	28	county merit system; hearing officers (NOW: project financing review; extension; repeal)	81
SB 1314	191	underground storage tanks; technical correction (NOW: custodial and janitorial services; transfer)	63
SB 1316 E	73	nuclear emergency management; appropriations; assessments	3
SB 1318	74	geospatial data; geographic information council	98
SB 1320	187	ADOT omnibus (NOW: omnibus; ADOT)	98
SB 1322 E	3	license plates; state name (NOW: unemployment insurance; benefits)	63
SB 1323	29	emergency mutual aid agreements	81
SB 1326	156	safe haven providers; placement protocols	105
SB 1330	115	special health care districts; terms	86
SB 1336	157	afflicted persons; orders for transportation	86
SB 1373	116	income tax returns; penalties	75
SB 1386	117	charter schools; charter renewal period	71
SB 1400	188	dental assistants; community oral health	86

BILL INDEX (Cont'd.)

BILL NUMBER	CHAPTER NUMBER	SHORT TITLE	PAGE NUMBER
SB 1403	96	renewable, high-wage industries incentives	63
SB 1407	30	health spa contracts; military members	114
SB 1420	189	DUI; juvenile adjudication (NOW: juvenile; adjudication; diversion)	3
SB 1421	118	special districts; secondary levy limits	75
SB 1429	31	Arizona medal of honor	114
SB 1437	97	schools; gun safety instructors; certification	105
SB 1449 W/O	190	applicability; self-defense	105
SB 1459	132	cold case reporting; victim reports (NOW: cold case register; victim report)	94
HB 2001	13	state monuments; repair fund; purpose.	114
HB 2006	14	schools; juvenile probation officers	72
HB 2014	15	municipalities; exchange of real property	99
HB 2028	5	jury duty; motor vehicle parking (NOW: supplemental reductions; appropriations; FY 2008-2009)	4
HB 2029	6	school districts; liability; immunity waiver (NOW: school district balances; allocations)	4
HB 2031	75	schools; contractors; fingerprint clearance cards	106
HB 2048	16	local elections; signature requirements	94
HB 2051	1	technical correction; cease; desist order (NOW: 2008-2009; appropriations; budget revisions)	5
HB 2078 E	133	community colleges; bonds; technical correction (NOW: outdoor behavioral health; definition; requirements)	87
HB 2081	32	income tax credit review schedule	76
HB 2083	33	2009 tax corrections act	76
HB 2091	76	charitable organizations; solicitations; disclosures	64
HB 2099	98	charter schools; zoning	72
HB 2101	134	county supervisors; membership; number (NOW: county supervisors; membership)	81
HB 2103	162	state treasurer; independent legal counsel	5
HB 2105	34	reviser's technical corrections; 2009	81
HB 2110	35	public retirement plans; federal changes	110
HB 2118	36	ASRS; LTD amendments	110
HB 2123	37	license plate commission repeal	99
HB 2133	38	motorcycle safety council	106
HB 2143	163	loan originators; mortgage recovery fund.	64
HB 2144	164	insurance; actuarial opinions; financial audits	76
HB 2145	39	insurance; network plan; definition	76
HB 2156	135	fire insurance; premium tax (NOW: fire insurance premium tax; report)	77
HB 2157	77	wildlife; aquatic invasive species	100
HB 2159	40	board of podiatry examiners; continuation	87
HB 2164	41	pharmacists; administration of immunizations (NOW: administration of immunizations; pharmacists)	87
HB 2173	99	notification; complaint; registrar of contractors	64
HB 2199	42	state compensation fund; employer misrepresentation. (NOW: corporations and LLC omnibus)	64
HB 2202	43	county stormwater management; reference correction.	100
HB 2206	160	psychologist examiners board; omnibus	88
HB 2207	161	behavior analysts	88
HB 2222	44	accountable health plans; technical correction (NOW: special license plates)	111
HB 2224	165	mandatory vehicle insurance; technical correction (NOW: mandatory vehicle insurance; financial responsibility)	77
HB 2236 E	45	county offices; business periods (NOW: county operation; management)	111

BILL INDEX (Cont'd.)

BILL NUMBER	CHAPTER NUMBER	SHORT TITLE	PAGE NUMBER
HB 2265	78	child care facilities; licensure; exemptions (NOW: exemptions; licensure; child care facilities)	106
HB 2271	166	state treasurer; investment pools	81
HB 2281	79	appropriations for named claimants	6
HB 2283	136	certified nursing assistants; pilot program	89
HB 2285	100	fire district assistance tax; mergers (NOW: merger; fire district assistance tax)	77
HB 2286	80	tax credit; charitable organizations	77
HB 2287	167	tax credits; withholding tax reduction	77
HB 2288	168	premium tax credit; STO contribution	6
HB 2301	81	domestic microbreweries; production cap	65
HB 2306	137	technical correction; malpractice claim review (NOW: authorized presence; licensees)	65
HB 2310	17	subdivision public reports	65
HB 2312	18	small special districts; financial review	78
HB 2314	169	property valuation; telecommunications companies	78
HB 2315 E	82	criminal sentencing	94
HB 2317	138	fiduciaries	94
HB 2318	139	capital cases; aggravating factors (NOW: mortgage bankers; loan originators; fees)	65
HB 2323	84	health insurance; small business coverage	78
HB 2324 W/S	9	health insurance; individuals; coverage exemptions	78
HB 2326	83	CORP; omnibus amendments	111
HB 2330	46	biodiesel fuel dispensers; labeling	100
HB 2332	101	schools; energy contracts	72
HB 2333	85	Arizona trust code	65
HB 2334	102	uniform principal and income act	66
HB 2336	86	community facilities districts; renewable energy (NOW: county renewable energy incentive districts)	82
HB 2344	119	vulnerable adults; financial exploitation	106
HB 2346	87	charter schools; leased property	78
HB 2357	88	public education; students' religious liberties	73
HB 2360	140	general obligation bond requirements	78
HB 2371	103	tax credit; coal consumption (NOW: utilities; confidential information)	79
HB 2375	104	foster parents; participation	107
HB 2388	105	school crossings; signs (NOW: STAN; repayment)	112
HB 2396	141	ADOT; transportation facility pilot projects (NOW: transportation; public-private partnerships)	100
HB 2399	47	automated external defibrillators	89
HB 2400	170	partial-birth abortions; definition	107
HB 2401	171	administrative rules oversight committee	82
HB 2419	142	special license plates; maintenance (NOW: mass appraisal guidelines; state lands)	101
HB 2425	89	state treasurer; management fees	6
HB 2426	143	enhanced driver licenses; prohibition	112
HB 2432	90	school board membership; family members	73
HB 2435	48	amendments; self-storage units	66
HB 2440	49	drought emergency groundwater transfers	101
HB 2441	50	liquor licenses; public recreation area	66
HB 2449	120	mandatory fingerprinting; central state repository (NOW: fingerprinting; arrest; procedures)	107
HB 2450	19	honorary diplomas; war veterans	114
HB 2458	106	dogs; cats; release from pound	82

BILL INDEX (Cont'd.)

BILL NUMBER	CHAPTER NUMBER	SHORT TITLE	PAGE NUMBER
HB 2461	51	developmental disabilities; program plans; burial	107
HB 2465	144	scrap metal; theft; dealers	66
HB 2480	52	regional transportation authorities; qualifying counties.	79
HB 2482	107	civil air patrol; federal monies	6
HB 2486	108	health insurance; purchase outside state (NOW: commercial mortgage broker license)	66
HB 2495	91	in-state tuition; veterans	114
HB 2530	121	reckless driving; prior convictions	95
HB 2532	145	prohibited possessors; persistently, acutely disabled	95
HB 2564	172	abortion	107
HB 2569	146	smuggling; use of weapon; classification	95
HB 2572	122	voter registration; technical correction (NOW: sports authority districts)	82
HB 2581	53	library districts; county reimbursement	83
HB 2610	123	civil liability; affirmative defenses	108
HB 2616	147	living wills; health care directives (NOW: health care directives; guardian decision)	108
HB 2622	148	dependent children; relatives; disclosure (NOW: relatives; disclosure; dependent children)	109
HB 2627 E RFEIR	173	voter identification; military identification (NOW: voter identification; valid forms)	95
HB 2643 LIVS	12	technical correction; abandoned vehicles; monies (NOW: general appropriations; 2009-2010; trailer)	6

MEMORIALS & RESOLUTIONS

BILL NUMBER	SHORT TITLE	PAGE NUMBER
SCM 1002	statewide strategy; restoring Arizona's forests	115
SCR 1004	technical correction; military personnel (NOW: American Sovereignty Restoration Act)	115
SCR 1026	secret ballot; fundamental right	115
SCR 1045	death resolution; Jake Flake	115
SR 1003	national day of the cowboy	115
HCM 2006	state land; natural resources	115
HCM 2009	opposing federal firearms legislation	116
HCR 2014	state trust lands; technical correction (NOW: health care services; direct purchase)	116
HCR 2019	justices and judges; senate confirmation (NOW: discrimination; preferential treatment; prohibition)	116
HCR 2030	initiative and referendum; voter approval (NOW: Arizona's water protection)	116
HCR 2034	repeal business personal property tax (NOW: state veterans' cemetery; Tucson)	116
HR 2001	David Hurt; death resolution	116

BILL INDEX (Cont'd.)

VETOES

BILL NUMBER	SHORT TITLE	PAGE NUMBER
SB1017	multiple sclerosis awareness special plates	101
SB1022	state monuments; repair fund; purpose. (NOW: political signs; tampering)	114
SB1028	technical correction; private funds; disposition (NOW: budget reconciliation; criminal justice)	7
SB1029	technical correction; budget estimates (NOW: budget reconciliation; higher education)	9
SB1031	tax exemption; technical correction (NOW: budget reconciliation; assets)	10
SB1035	school bonds; technical correction (NOW: budget reconciliation; general government)	10
SB1036	tax anticipation bonds; technical correction (NOW: budget reconciliation; general revenues)	11
SB1145	technical correction; dry wells; regulation (NOW: budget reconciliation; health and welfare)	13
SB1187	technical correction; deceptive mailings (NOW: budget reconciliation; K-12)	15
SB1188	fiduciary funds; deposits; technical correction (NOW: general appropriations; FY 2009-2010)	3
SB1258	mine inspector; education; training; fees (NOW: budget reconciliation; environment)	19
SB1464	state financial condition; state treasurer (NOW: state budget reports; financial condition)	19
HB2258	consumer fireworks; novelties; sales (NOW: consumer fireworks)	83
HB2341	renewable energy production tax credit	67
HB2369	revenue department; technical correction (NOW: noncustodial federal monies; legislative appropriation)	20
HB2644	technical correction; rebate set aside (NOW: budget reconciliation; general revenues; trailer)	20
HB2645	technical correction; public roadways (NOW: budget reconciliation; general government; trailer)	22
HB2646	technical correction; state highways (NOW: state properties; trailer)	23
HB2647	technical correction; certificate of title (NOW: budget reconciliation; criminal justice; trailer)	23
HB2648	technical correction; industrial development; insurance (NOW: budget reconciliation; K-12 education; trailer)	24
HB2649	technical correction; open pit mining (NOW: budget reconciliation; higher education; trailer)	26
HB2650	technical correction; health services; fees (NOW: budget reconciliation; health; welfare; trailer)	26
HB2651	technical correction; national guard (NOW: budget reconciliation; environment; trailer)	27

BILL INDEX (Cont'd.)**FIRST SPECIAL SESSION**

BILL NUMBER	CHAPTER NUMBER	SHORT TITLE	PAGE NUMBER
SB 1001	1	budget reductions and transfers; 2008-2009	29
SB 1002	2	capital outlay; reductions; transfers; 2008-2009.	40
SB 1003	3	revenues; budget reconciliation; 2008-2009.	41
SB 1004	4	budget reconciliation; health; welfare; 2008-2009	42
SB 1005	5	criminal justice; budget reconciliation; 2008-2009.	43
SB 1006	6	education; budget reconciliation; 2008-2009.	43

SECOND SPECIAL SESSION

BILL NUMBER	CHAPTER NUMBER	SHORT TITLE	PAGE NUMBER
HB 2001 W/O	1	scholarships; disabled or displaced students	44

THIRD SPECIAL SESSION

BILL NUMBER	CHAPTER NUMBER	SHORT TITLE	PAGE NUMBER
HB 2001	1	education; appropriations; 2009-2010	44
HB 2002 E	2	K-12 education; budget reconciliation	44
HB 2003 E	3	health and welfare; budget reconciliation	45
HB 2004 E	4	legislative subsistence payments; exception	45
HB 2006 LIVS	11	general appropriations; fiscal year 2009-2010	46
HB 2008	7	general government; budget reconciliation	47
HB 2009	8	assets; budget reconciliation	49
HB 2010	6	criminal justice; budget reconciliation	49
HB 2011 LIVS	12	K-12; budget reconciliation	51
HB 2012	9	higher education; budget reconciliation	55
HB 2013	10	health and welfare; budget reconciliation	56
HB 2014	5	environment; budget reconciliation	58

THIRD SPECIAL SESSION – VETOED

BILL NUMBER	SHORT TITLE	PAGE NUMBER
SB 1025	common school districts; technical correction(NOW: general revenues; budget reconciliation)	59



Chapter Index

CHAPTER INDEX (Cont'd.)

CHAPTER INDEX

E - Emergency

W/O - Without Emergency

V/O - Veto Override

RFEIR – Requirements for Enactment; Initiative or Referendum

W/S - Without Signature

LIVS - Line Item Veto Signed

RFE - Requirements for Enactment

CHAPTER NUMBER	BILL NUMBER	SHORT TITLE	PAGE NUMBER
1	HB 2051	technical correction; cease; desist order (NOW: 2008-2009; appropriations; budget revisions)	5
2	SB 1185 E	technical correction; disincorporation (NOW: conformity; internal revenue code)	2
3	SB 1322 E	license plates; state name (NOW: unemployment insurance; benefits)	63
4	SB 1102 E	ambulances; certificates of necessity (NOW: eligibility determinations; AHCCCS.)	62
5	HB 2028	jury duty; motor vehicle parking (NOW: supplemental reductions; appropriations; FY 2008-2009)	4
6	HB 2029	school districts; liability; immunity waiver (NOW: school district balances; allocations)	4
7	SB 1155 E	trust lands; conservation; technical correction (NOW: elections; hospital districts)	104
8	SB 1049 E	fingerprint clearance cards	103
9	HB 2324 W/S	health insurance; individuals; coverage exemptions	78
10	SB 1027	technical correction; bonds; tax considerations (NOW: capital outlay; FY 2009-2010)	1
11	SB 1188 LIVS	fiduciary funds; deposits; technical correction (NOW: general appropriations; FY 2009-2010)	3
12	HB 2643 LIVS	technical correction; abandoned vehicles; monies (NOW: general appropriations; 2009-2010; trailer)	6
13	HB 2001	state monuments; repair fund; purpose.	114
14	HB 2006	schools; juvenile probation officers	72
15	HB 2014	municipalities; exchange of real property	99
16	HB 2048	local elections; signature requirements	94
17	HB 2310	subdivision public reports	65
18	HB 2312	small special districts; financial review	78
19	HB 2450	honorary diplomas; war veterans	114
20	SB 1008	adjutant general retirement	113
21	SB 1009	board of fingerprinting; hearings	102
22	SB 1010	family law rules; conforming statutes	102
23	SB 1157	department of environmental quality; continuation	96
24	SB 1176 E	military family relief fund	113
25	SB 1178	homeland security councils; coordinating; advisory	113
26	SB 1290	wildfire suppression; payment of claims	97
27	SB 1303	open meeting law; minutes; notice	81
28	SB 1313	county merit system; hearing officers (NOW: project financing review; extension; repeal)	81
29	SB 1323	emergency mutual aid agreements	81
30	SB 1407	health spa contracts; military members	114
31	SB 1429	Arizona medal of honor	114
32	HB 2081	income tax credit review schedule	76
33	HB 2083	2009 tax corrections act	76
34	HB 2105	reviser's technical corrections; 2009	81

CHAPTER INDEX (Cont'd.)

CHAPTER NUMBER	BILL NUMBER	SHORT TITLE	PAGE NUMBER
35	HB 2110	public retirement plans; federal changes	110
36	HB 2118	ASRS; LTD amendments	110
37	HB 2123	license plate commission repeal	99
38	HB 2133	motorcycle safety council	106
39	HB 2145	insurance; network plan; definition	76
40	HB 2159	board of podiatry examiners; continuation	87
41	HB 2164	pharmacists; administration of immunizations (NOW: administration of immunizations; pharmacists)	87
42	HB 2199	state compensation fund; employer misrepresentation. (NOW: corporations and LLC omnibus)	64
43	HB 2202	county stormwater management; reference correction.	100
44	HB 2222	accountable health plans; technical correction (NOW: special license plates)	111
45	HB 2236 E	county offices; business periods (NOW: county operation; management)	111
46	HB 2330	biodiesel fuel dispensers; labeling	100
47	HB 2399	automated external defibrillators	89
48	HB 2435	amendments; self-storage units	66
49	HB 2440	drought emergency groundwater transfers	101
50	HB 2441	liquor licenses; public recreation area	66
51	HB 2461	developmental disabilities; program plans; burial	107
52	HB 2480	regional transportation authorities; qualifying counties.	79
53	HB 2581	library districts; county reimbursement	83
54	SB 1097	emergency medical services; records; confidentiality (NOW: records; emergency medical services; confidentiality)	84
55	SB 1100	biomedical research commission; continuation	84
56	SB 1104	AHCCCS; SCHIP; application process (NOW: assisted living managers; nursing administrators)	85
57	SB 1106	domestic violence; child custody	91
58	SB 1134	commission for postsecondary education; continuation	68
59	SB 1146	expenditure limitation; penalty waiver; Pima	75
60	SB 1148	deed restrictions; for sale signs	80
61	SB 1180	towing companies; release of vehicles	96
62	SB 1197 E	technical correction; dental board powers (NOW: task force; special education)	71
63	SB 1256	aggregate mine reclamation; fees (NOW: mining omnibus)	96
64	SB 1259	aggregate mine reclamation; initiation; extension	97
65	SB 1260 W/O	aggregate mine reclamation law; exemption	97
66	SB 1265	UCC; lost cashier's checks	62
67	SB 1266	workers' compensation; drugs and alcohol	62
68	SB 1271	jail districts; property tax limit (NOW: deficiency judgment; foreclosed properties)	75
69	SB 1285	CPS information; redactions; challenges	105
70	SB 1293	transportation system database; reporting date (NOW: certificates of title; electronic system)	97
71	SB 1294	state land sales; default	97
72	SB 1297	flood control districts; remainder parcels	98
73	SB 1316 E	nuclear emergency management; appropriations; assessments	3
74	SB 1318	geospatial data; geographic information council	98
75	HB 2031	schools; contractors; fingerprint clearance cards	106
76	HB 2091	charitable organizations; solicitations; disclosures	64
77	HB 2157	wildlife; aquatic invasive species	100

CHAPTER INDEX (Cont'd.)

CHAPTER NUMBER	BILL NUMBER	SHORT TITLE	PAGE NUMBER
78	HB 2265	child care facilities; licensure; exemptions (NOW: exemptions; licensure; child care facilities)	106
79	HB 2281	appropriations for named claimants	6
80	HB 2286	tax credit; charitable organizations	77
81	HB 2301	domestic microbreweries; production cap	65
82	HB 2315 E	criminal sentencing	94
83	HB 2326	CORP; omnibus amendments	111
84	HB 2323	health insurance; small business coverage	78
85	HB 2333	Arizona trust code	65
86	HB 2336	community facilities districts; renewable energy (NOW: county renewable energy incentive districts)	82
87	HB 2346	charter schools; leased property	78
88	HB 2357	public education; students' religious liberties	73
89	HB 2425	state treasurer; management fees	6
90	HB 2432	school board membership; family members	73
91	HB 2495	in-state tuition; veterans	114
92	SB 1103	partnership for nursing education	84
93	SB 1151	convenience fee; definition	80
94	SB 1182	state treasurer; warrant notes	75
95	SB 1196	education; meetings; technical correction (NOW: education omnibus)	68
96	SB 1403	renewable, high-wage industries incentives	63
97	SB 1437	schools; gun safety instructors; certification	105
98	HB 2099	charter schools; zoning	72
99	HB 2173	notification; complaint; registrar of contractors	64
100	HB 2285	fire district assistance tax; mergers (NOW: merger; fire district assistance tax)	77
101	HB 2332	schools; energy contracts	72
102	HB 2334	uniform principal and income act	66
103	HB 2371	tax credit; coal consumption (NOW: utilities; confidential information)	79
104	HB 2375	foster parents; participation	107
105	HB 2388	school crossings; signs (NOW: STAN; repayment)	112
106	HB 2458	dogs; cats; release from pound	82
107	HB 2482	civil air patrol; federal monies	6
108	HB 2486	health insurance; purchase outside state (NOW: commercial mortgage broker license)	66
109	SB 1016	adoption; consent	102
110	SB 1018	burden of proof; emergency treatment.	84
111	SB 1020 E	enduring freedom memorial; public monies.	113
112	SB 1048	emergency telecommunication services; administrative costs	80
113	SB 1073	population thresholds; counties	80
114	SB 1091	elections; special districts; technical correction (NOW: secretary of state; elections; filing)	91
115	SB 1330	special health care districts; terms	86
116	SB 1373	income tax returns; penalties	75
117	SB 1386	charter schools; charter renewal period	71
118	SB 1421	special districts; secondary levy limits	75
119	HB 2344	vulnerable adults; financial exploitation	106
120	HB 2449	mandatory fingerprinting; central state repository (NOW: fingerprinting; arrest; procedures)	107
121	HB 2530	reckless driving; prior convictions	95

CHAPTER INDEX (Cont'd.)

CHAPTER NUMBER	BILL NUMBER	SHORT TITLE	PAGE NUMBER
122	HB 2572	voter registration; technical correction (NOW: sports authority districts)	82
123	HB 2610	civil liability; affirmative defenses	108
124	SB 1003	driving under the influence; methadone	102
125	SB 1011 E	sex offender registration; study committee (NOW: sex offenders; probation; monitoring)	90
126	SB 1047	child safety	102
127	SB 1059	organized retail theft	103
128	SB 1062	law enforcement officers; discipline procedures	103
129	SB 1088	domestic violence; dating relationships	90
130	SB 1253	felony murder; drive by shooting	93
131	SB 1289 E	vehicle accident reports	97
132	SB 1459	cold case reporting; victim reports (NOW: cold case register; victim report)	94
133	HB 2078 E	community colleges; bonds; technical correction (NOW: outdoor behavioral health; definition; requirements)	87
134	HB 2101	county supervisors; membership; number (NOW: county supervisors; membership)	81
135	HB 2156	fire insurance; premium tax (now: fire insurance premium tax; report)	77
136	HB 2283	certified nursing assistants; pilot program	89
137	HB 2306	technical correction; malpractice claim review (NOW: authorized presence; licensees)	65
138	HB 2317	fiduciaries	94
139	HB 2318	capital cases; aggravating factors (NOW: mortgage bankers; loan originators; fees)	65
140	HB 2360	general obligation bond requirements	78
141	HB 2396	ADOT; transportation facility pilot projects (NOW: transportation; public-private partnerships)	100
142	HB 2419	special license plates; maintenance (NOW: mass appraisal guidelines; state lands)	101
143	HB 2426	enhanced driver licenses; prohibition	112
144	HB 2465	scrap metal; theft; dealers	66
145	HB 2532	prohibited possessors; persistently, acutely disabled	95
146	HB 2569	smuggling; use of weapon; classification	95
147	HB 2616	living wills; health care directives (NOW: health care directives; guardian decision)	108
148	HB 2622	dependent children; relatives; disclosure (NOW: relatives; disclosure; dependent children)	109
149	SB 1074	election law amendments (NOW: amendments; election law)	90
150	SB 1105	nursing board; omnibus	85
151	SB 1115	animals; fighting	92
152	SB 1139	global position systems; committee extension	92
153	SB 1152	mental health services; court-ordered treatment	92
154	SB 1246	CPS information	104
155	SB 1254 E	anti-marital fact privilege; exception	93
156	SB 1326	safe haven providers; placement protocols	105
157	SB 1336	afflicted persons; orders for transportation	86
158	SB 1169	vehicle impoundment; administrative towing fund	2
159	SB 1209	children; foster care; rights	104
160	HB 2206	psychologist examiners board; omnibus	88
161	HB 2207	behavior analysts	88
162	HB 2103	state treasurer; independent legal counsel	5
163	HB 2143	loan originators; mortgage recovery fund.	64

CHAPTER INDEX (Cont'd.)

CHAPTER NUMBER	BILL NUMBER	SHORT TITLE	PAGE NUMBER
164	HB 2144	insurance; actuarial opinions; financial audits	76
165	HB 2224	mandatory vehicle insurance; technical correction (NOW: mandatory vehicle insurance; financial responsibility)	77
166	HB 2271	state treasurer; investment pools	81
167	HB 2287	tax credits; withholding tax reduction	77
168	HB 2288	premium tax credit; STO contribution	6
169	HB 2314	property valuation; telecommunications companies	78
170	HB 2400	partial-birth abortions; definition	107
171	HB 2401	administrative rules oversight committee	82
172	HB 2564	abortion	107
173	HB 2627 E RFEIR	voter identification; military identification (NOW: voter identification; valid forms)	95
174	SB 1015	dispersing unlawful assembly; peace officers	102
175	SB 1113	handguns; restaurants; posting (NOW: restaurants; handguns; posting)	92
176	SB 1123	city elections; nonpartisan primaries; districts	92
177	SB 1168	federal monies; report (NOW: storage; firearms; motor vehicles)	2
178	SB 1175	illegal aliens; enforcement; trespassing- (NOW: performance of abortion; non-physician; prohibition)	104
179	SB 1183	recreational corridor districts; termination date	96
180	SB 1225	water exchange contracts; technical correction (NOW: Dust control; best management practices)	96
181	SB 1235	cooperative purchasing agreements	80
182	SB 1242 E	weapons; peace officers; posse; reserves	80
183	SB 1243	justification; defensive display of firearm	93
184	SB 1262	workers' compensation; charges; dispute resolution (NOW: workers' compensation omnibus)	62
185	SB 1281	human trafficking; violation- (NOW: violation; human trafficking)	93
186	SB 1282	smuggling; definitions (NOW: smuggling; classification; definitions)	93
187	SB 1320	ADOT omnibus (NOW: omnibus; ADOT)	98
188	SB 1400	dental assistants; community oral health	86
189	SB 1420	DUI; juvenile adjudication (NOW: juvenile; adjudication; diversion)	3
190	SB 1449 W/O	applicability; self-defense	105
191	SB 1314	underground storage tanks; technical correction (NOW: custodial and janitorial services; transfer)	63

CHAPTER INDEX (Cont'd.)

FIRST SPECIAL SESSION

CHAPTER NUMBER	BILL NUMBER	SHORT TITLE	PAGE NUMBER
1	SB 1001	budget reductions and transfers; 2008-2009	29
2	SB 1002	capital outlay; reductions; transfers; 2008-2009.	40
3	SB 1003	revenues; budget reconciliation; 2008-2009.	41
4	SB 1004	budget reconciliation; health; welfare; 2008-2009	42
5	SB 1005	criminal justice; budget reconciliation; 2008-2009.	43
6	SB 1006	education; budget reconciliation; 2008-2009.	43

SECOND SPECIAL SESSION

CHAPTER NUMBER	BILL NUMBER	SHORT TITLE	PAGE NUMBER
1	HB 2001 W/O	scholarships; disabled or displaced students	44

THIRD SPECIAL SESSION

CHAPTER NUMBER	BILL NUMBER	SHORT TITLE	PAGE NUMBER
1	HB2001	education; appropriations; 2009-2010	44
2	HB2002 E	K-12 education; budget reconciliation	44
3	HB2003 E	health and welfare; budget reconciliation	45
4	HB2004 E	legislative subsistence payments; exception	45
5	HB2014	environment; budget reconciliation	58
6	HB2010	criminal justice; budget reconciliation	49
7	HB2008	general government; budget reconciliation	47
8	HB2009	assets; budget reconciliation	49
9	HB2012	higher education; budget reconciliation	55
10	HB2013	health and welfare; budget reconciliation	56
11	HB2006 LIVS	general appropriations; fiscal year 2009-2010	46
12	HB2011 LIVS	K-12; budget reconciliation	51



A.R.S. Title Index

TITLE INDEX

E - Emergency

W/O - Without Emergency

V/O - Veto Override

RFEIR – Requirements for Enactment; Initiative or Referendum

W/S - Without Signature

LIVS - Line Item Veto Signed

RFE - Requirements for Enactment

A.R.S. TITLE	BILL NUMBER	CHAPTER NUMBER	SHORT TITLE	PAGE NUMBER
3	SB 1115	151	animals; fighting	92
4	HB 2441	50	liquor licenses; public recreation area	66
	HB 2301	81	domestic microbreweries; production cap	65
	SB 1113	175	handguns; restaurants; posting (NOW: restaurants; handguns; posting)	92
5	HB 2157	77	wildlife; aquatic invasive species	100
	HB 2572	122	voter registration; technical correction (NOW: sports authority districts)	82
	SB 1113	175	handguns; restaurants; posting (NOW: restaurants; handguns; posting)	92
6	HB 2486	108	health insurance; purchase outside state (NOW: commercial mortgage broker license)	66
	HB 2318	139	capital cases; aggravating factors (NOW: mortgage bankers; loan originators; fees)	65
	HB 2143	163	loan originators; mortgage recovery fund.	64
8	SB 1049 E	8	fingerprint clearance cards	103
	SB 1285	69	CPS information; redactions; challenges	105
	HB 2315 E	82	criminal sentencing	94
	HB 2375	104	foster parents; participation	107
	SB 1016	109	adoption; consent	102
	SB 1047	126	child safety	102
	HB 2622	148	dependent children; relatives; disclosure (NOW: relatives; disclosure; dependent children)	109
	SB 1246	154	CPS information	104
	SB 1326	156	safe haven providers; placement protocols	105
	SB 1209	159	children; foster care; rights	104
	SB 1420	189	DUI; juvenile adjudication (NOW: juvenile; adjudication; diversion)	3
9	HB 2014	15	municipalities; exchange of real property	99
	SB 1265	66	UCC; lost cashier's checks	62
	HB 2336	86	community facilities districts; renewable energy (NOW: county renewable energy incentive districts)	82
	HB 2156	135	fire insurance; premium tax (NOW: fire insurance premium tax; report)	77
	SB 1123	176	city elections; nonpartisan primaries; districts	92
	SB 1320	187	ADOT omnibus (NOW: omnibus; ADOT)	98
10	HB 2105	34	reviser's technical corrections; 2009	81
	HB 2199	42	state compensation fund; employer misrepresentation. (NOW: corporations and LLC omnibus)	64
11	HB 2236 E	45	county offices; business periods (NOW: county operation; management)	111
	HB 2581	53	library districts; county reimbursement	83
	SB 1265	66	UCC; lost cashier's checks	62
	HB 2336	86	community facilities districts; renewable energy (NOW: county renewable energy incentive districts)	82

TITLE INDEX (Cont'd.)

A.R.S. TITLE	BILL NUMBER	CHAPTER NUMBER	SHORT TITLE	PAGE NUMBER
11	SB 1196	95	education; meetings; technical correction (NOW: education omnibus)	68
	HB 2458	106	dogs; cats; release from pound	82
	SB 1073	113	population thresholds; counties	80
	HB 2101	134	county supervisors; membership; number (NOW: county supervisors; membership)	81
	SB 1115	151	animals; fighting	92
	SB 1113	175	handguns; restaurants; posting (NOW: restaurants; handguns; posting)	92
	SB 1242 E	182	weapons; peace officers; posse; reserves	80
12	HB 2173	99	notification; complaint; registrar of contractors	64
	SB 1018	110	burden of proof; emergency treatment.	84
	HB 2344	119	vulnerable adults; financial exploitation	106
	HB 2610	123	civil liability; affirmative defenses	108
	SB 1152	153	mental health services; court-ordered treatment	92
	SB 1168	177	federal monies; report (NOW: storage; firearms; motor vehicles)	2
13	SB 1049 E	8	fingerprint clearance cards	103
	HB 2315 E	82	criminal sentencing	94
	HB 2344	119	vulnerable adults; financial exploitation	106
	HB 2449	120	mandatory fingerprinting; central state repository (NOW: fingerprinting; arrest; procedures)	107
	SB 1011 E	125	sex offender registration; study committee (NOW: sex offenders; probation; monitoring)	90
	SB 1059	127	organized retail theft	103
	SB 1088	129	domestic violence; dating relationships	90
	SB 1253	130	felony murder; drive by shooting	93
	SB 1459	132	cold case reporting; victim reports (NOW: cold case register; victim report)	94
	HB 2465	144	scrap metal; theft; dealers	66
	HB 2532	145	prohibited possessors; persistently, acutely disabled	95
	HB 2569	146	smuggling; use of weapon; classification	95
	SB 1115	151	animals; fighting	92
	SB 1152	153	mental health services; court-ordered treatment	92
	SB 1254 E	155	anti-marital fact privilege; exception	93
	SB 1326	156	safe haven providers; placement protocols	105
	HB 2400	170	partial-birth abortions; definition	107
	SB 1015	174	dispersing unlawful assembly; peace officers	102
	SB 1113	175	handguns; restaurants; posting (NOW: restaurants; handguns; posting)	92
	SB 1242 E	182	weapons; peace officers; posse; reserves	80
	SB 1243	183	justification; defensive display of firearm	93
	SB 1281	185	human trafficking; violation (NOW: violation; human trafficking)	93
	SB 1282	186	smuggling; definitions (NOW: smuggling; classification; definitions)	93
14	HB 2333	85	Arizona trust code	65
	HB 2334	102	uniform principal and income act	66
	HB 2344	119	vulnerable adults; financial exploitation	106
	HB 2317	138	fiduciaries	94
	HB 2616	147	living wills; health care directives (NOW: health care directives; guardian decision)	108
15	HB 2006	14	schools; juvenile probation officers	72
	HB 2450	19	honorary diplomas; war veterans	114
	HB 2105	34	reviser's technical corrections; 2009	81

TITLE INDEX (Cont'd.)

A.R.S. TITLE	BILL NUMBER	CHAPTER NUMBER	SHORT TITLE	PAGE NUMBER
15	SB 1146 HB 2031 HB 2357 HB 2432 HB 2495 SB 1196 SB 1437 HB 2099 HB 2332 SB 1386 SB 1074	59 75 88 90 91 95 97 98 101 117 149	expenditure limitation; penalty waiver; Pima schools; contractors; fingerprint clearance cards public education; students' religious liberties school board membership; family members in-state tuition; veterans education; meetings; technical correction (NOW: education omnibus) schools; gun safety instructors; certification charter schools; zoning schools; energy contracts charter schools; charter renewal period election law amendments (NOW: amendments; election law)	75 106 73 73 114 68 105 72 72 71 90
16	HB 2048 HB 2105 SB 1091 RFEIR SB 1074 HB 2627 E RFEIR	16 34 114 149 173	local elections; signature requirements reviser's technical corrections; 2009 elections; special districts; technical correction (NOW: secretary of state; elections; filing) election law amendments (NOW: amendments; election law) voter identification; military identification (NOW: voter identification; valid forms)	94 81 91 90 95
17	HB 2157	77	Wildlife; aquatic invasive species	100
19	HB 2105 SB 1091 RFEIR SB 1074	34 114 149	reviser's technical corrections; 2009 elections; special districts; technical correction (NOW: secretary of state; elections; filing) election law amendments (NOW: amendments; election law)	81 91 90
20	HB 2324 W/S HB 2145 HB 2323 HB 2156 HB 2144 HB 2288 SB 1262	9 39 84 135 164 168 184	health insurance; individuals; coverage exemptions insurance; network plan; definition health insurance; small business coverage fire insurance; premium tax (NOW: fire insurance premium tax; report) insurance; actuarial opinions; financial audits premium tax credit; STO contribution workers' compensation; charges; dispute resolution (NOW: workers' compensation omnibus)	78 76 78 77 76 6 62
23	SB 1322 E SB 1266 SB 1262	3 67 184	license plates; state name (NOW: unemployment insurance; benefits) workers' compensation; drugs and alcohol workers' compensation; charges; dispute resolution (NOW: workers' compensation omnibus)	63 62 62
25	SB 1010 SB 1106 HB 2333	22 57 85	family law rules; conforming statutes domestic violence; child custody Arizona trust code	102 91 65
26	SB 1008 SB 1323	20 29	adjutant general retirement emergency mutual aid agreements	113 81
27	SB 1256 SB 1259 SB 1260 W/O	63 64 65	aggregate mine reclamation; fees (NOW: mining omnibus) aggregate mine reclamation; initiation; extension aggregate mine reclamation law; exemption	96 97 97
28	HB 2123 HB 2133	37 38	license plate commission repeal motorcycle safety council	99 106

TITLE INDEX (Cont'd.)

A.R.S. TITLE	BILL NUMBER	CHAPTER NUMBER	SHORT TITLE	PAGE NUMBER
28	HB 2222	44	accountable health plans; technical correction (NOW: special license plates)	111
	HB 2480	52	regional transportation authorities; qualifying counties.	79
	SB 1180	61	towing companies; release of vehicles	96
	SB 1293	70	transportation system database; reporting date (NOW: certificates of title; electronic system)	97
	HB 2388	105	school crossings; signs (NOW: STAN; repayment)	112
	HB 2482	107	civil air patrol; federal monies	6
	SB 1073	113	population thresholds; counties	80
	HB 2530	121	reckless driving; prior convictions	95
	SB 1003	124	driving under the influence; methadone	102
	SB 1289	131	vehicle accident reports	97
	HB 2396	141	ADOT; transportation facility pilot projects (NOW: transportation; public-private partnerships)	100
	HB 2426	143	enhanced driver licenses; prohibition	112
	SB 1169	158	vehicle impoundment; administrative towing fund	2
	HB 2224	165	mandatory vehicle insurance; technical correction (NOW: mandatory vehicle insurance; financial responsibility)	77
	SB 1113	175	handguns; restaurants; posting (NOW: restaurants; handguns; posting)	92
	SB 1320	187	ADOT omnibus (NOW: omnibus; ADOT)	98
	SB 1420	189	DUI; juvenile adjudication (NOW: juvenile; adjudication; diversion)	3
29	HB 2199	42	state compensation fund; employer misrepresentation. (NOW: corporations and LLC omnibus)	64
32	HB 2310	17	subdivision public reports	65
	HB 2083	33	2009 tax corrections act	76
	HB 2164	41	pharmacists; administration of immunizations (NOW: administration of immunizations; pharmacists)	87
	HB 2173	99	notification; complaint; registrar of contractors	64
	SB 1018	110	burden of proof; emergency treatment.	84
	HB 2532	145	prohibited possessors; persistently, acutely disabled	95
	SB 1105	150	nursing board; omnibus	85
	HB 2206	160	psychologist examiners board; omnibus	88
	HB 2207	161	behavior analysts	88
	SB 1400	188	dental assistants; community oral health	86
33	HB 2435	48	amendments; self-storage units	66
	SB 1148	60	deed restrictions; for sale signs	80
	SB 1271	68	jail districts; property tax limit (NOW: deficiency judgment; foreclosed properties)	75
34	HB 2332	101	schools; energy contracts	72
	SB 1320	187	ADOT omnibus (NOW: omnibus; ADOT)	98
35	HB 2105	34	reviser's technical corrections; 2009	81
	HB 2425	89	state treasurer; management fees	6
	SB 1151	93	convenience fee; definition	80
	SB 1182	94	state treasurer; warrant notes	75
	HB 2360	140	general obligation bond requirements	78
	HB 2396	141	ADOT; transportation facility pilot projects (NOW: transportation; public-private partnerships)	100

TITLE INDEX (Cont'd.)

A.R.S. TITLE	BILL NUMBER	CHAPTER NUMBER	SHORT TITLE	PAGE NUMBER
35	HB 2103 HB 2271	162 166	state treasurer; independent legal counsel state treasurer; investment pools	5 81
36	SB 1102 E SB 1049 E HB 2164 HB 2399 HB 2461 SB 1097 SB 1104 HB 2265 HB 2078 E HB 2317 HB 2532 HB 2616 SB 1152 SB 1336 HB 2564 SB 1175	4 8 41 47 51 54 56 78 133 138 145 147 153 157 172 178	ambulances; certificates of necessity (NOW: eligibility determinations; AHCCCS.) fingerprint clearance cards pharmacists; administration of immunizations (NOW: administration of immunizations; pharmacists) automated external defibrillators developmental disabilities; program plans; burial emergency medical services; records; confidentiality (NOW: records; emergency medical services; confidentiality) AHCCCS; SCHIP; application process (NOW: assisted living managers; nursing administrators) child care facilities; licensure; exemptions (NOW: exemptions; licensure; child care facilities) community colleges; bonds; technical correction (NOW: outdoor behavioral health; definition; requirements) fiduciaries prohibited possessors; persistently, acutely disabled living wills; health care directives (NOW: health care directives; guardian decision) mental health services; court-ordered treatment afflicted persons; orders for transportation abortion illegal aliens; enforcement; trespassing- (NOW: performance of abortion; non-physician; prohibition)	62 103 87 89 107 84 85 106 87 94 95 108 92 86 107 104
37	SB 1290 SB 1294 SB 1318 HB 2419	26 71 74 142	wildfire suppression; payment of claims state land sales; default geospatial data; geographic information council special license plates; maintenance (NOW: mass appraisal guidelines; state lands)	97 97 98 101
38	SB 1303 HB 2110 HB 2133 HB 2326 SB 1196 SB 1062 SB 1113 SB 1242 E	27 35 36 83 95 128 175 182	open meeting law; minutes; notice public retirement plans; federal changes motorcycle safety council CORP; omnibus amendments education; meetings; technical correction (NOW: education omnibus) law enforcement officers; discipline procedures handguns; restaurants; posting (NOW: restaurants; handguns; posting) weapons; peace officers; posse; reserves	81 110 106 111 68 103 92 80
41	SB 1049 E HB 2001 SB 1009 SB 1157 SB 1176 E SB 1178 SB 1429 HB 2105 HB 2159	8 13 21 23 24 25 31 34 40	fingerprint clearance cards state monuments; repair fund; purpose. board of fingerprinting; hearings department of environmental quality; continuation military family relief fund homeland security councils; coordinating; advisory Arizona medal of honor reviser's technical corrections; 2009 board of podiatry examiners; continuation	103 114 102 96 113 113 114 81 87

TITLE INDEX (Cont'd.)

A.R.S. TITLE	BILL NUMBER	CHAPTER NUMBER	SHORT TITLE	PAGE NUMBER
41	HB 2222	44	accountable health plans; technical correction (NOW: special license plates)	111
	HB 2330	46	biodiesel fuel dispensers; labeling	100
	SB 1100	55	biomedical research commission; continuation	84
	SB 1134	58	commission for postsecondary education; continuation	68
	HB 2031	75	schools; contractors; fingerprint clearance cards	106
	SB 1196	95	education; meetings; technical correction (NOW: education omnibus)	68
	SB 1403	96	renewable, high-wage industries incentives	63
	SB 1020 E	111	enduring freedom memorial; public monies.	113
	SB 1048	112	emergency telecommunication services; administrative costs	80
	SB 1073	113	population thresholds; counties	80
	SB 1091	114	elections; special districts; technical correction (NOW: secretary of state; elections; filing)	91
	RFEIR			
	HB 2449	120	mandatory fingerprinting; central state repository (NOW: fingerprinting; arrest; procedures)	107
	HB 2306	137	technical correction; malpractice claim review (NOW: authorized presence; licensees)	65
	SB 1169	158	vehicle impoundment; administrative towing fund	2
	HB 2103	162	state treasurer; independent legal counsel	5
	HB 2271	166	state treasurer; investment pools	81
	HB 2401	171	administrative rules oversight committee	82
	SB 1235	181	cooperative purchasing agreements	80
	SB 1320	187	ADOT omnibus (NOW: omnibus; ADOT)	98
	SB 1420	189	DUI; juvenile adjudication (NOW: juvenile; adjudication; diversion)	3
42	SB 1185 E	2	technical correction; disincorporation (NOW: conformity; internal revenue code)	2
	HB 2083	33	2009 tax corrections act	76
	HB 2480	52	regional transportation authorities; qualifying counties.	79
	HB 2346	87	charter schools; leased property	78
	SB 1196	95	education; meetings; technical correction (NOW: education omnibus)	68
	SB 1403	96	renewable, high-wage industries incentives	63
	HB 2332	101	schools; energy contracts	72
	HB 2371	103	tax credit; coal consumption (NOW: utilities; confidential information)	79
	SB 1373	116	income tax returns; penalties	75
	SB 1421	118	special districts; secondary levy limits	75
	HB 2396	141	ADOT; transportation facility pilot projects (NOW: transportation; public-private partnerships)	100
	HB 2287	167	tax credits; withholding tax reduction	77
	HB 2314	169	property valuation; telecommunications companies	78
43	SB 1185 E	2	technical correction; disincorporation (NOW: conformity; internal revenue code)	2
	HB 2081	32	income tax credit review schedule	76
	HB 2286	80	tax credit; charitable organizations	77
	SB 1196	95	education; meetings; technical correction (NOW: education omnibus)	68
	SB 1403	96	renewable, high-wage industries incentives	63
	HB 2287	167	tax credits; withholding tax reduction	77

TITLE INDEX (Cont'd.)

A.R.S. TITLE	BILL NUMBER	CHAPTER NUMBER	SHORT TITLE	PAGE NUMBER
43	HB 2288	168	premium tax credit; STO contribution	6
44	SB 1407	30	health spa contracts; military members	114
	HB 2091	76	charitable organizations; solicitations; disclosures	64
	HB 2332	101	schools; energy contracts	72
	HB 2465	144	scrap metal; theft; dealers	66
46	SB 1049 E	8	fingerprint clearance cards	103
	HB 2344	119	vulnerable adults; financial exploitation	106
47	SB 1265	66	UCC; lost cashier's checks	62
48	HB 2312	18	small special districts; financial review	78
	HB 2480	52	regional transportation authorities; qualifying counties.	79
	HB 2581	53	library districts; county reimbursement	83
	SB 1297	72	flood control districts; remainder parcels	98
	HB 2285	100	fire district assistance tax; mergers (NOW: merger; fire district assistance tax)	77
	SB 1330	115	special health care districts; terms	86
	SB 1421	118	special districts; secondary levy limits	75
	SB 1183	179	recreational corridor districts; termination date	96
49	HB 2202	43	county stormwater management; reference correction.	100
	SB 1073	113	population thresholds; counties	80
	SB 1225	180	water exchange contracts; technical correction (NOW: Dust control; best management practices)	96

FIRST SPECIAL SESSION

A.R.S. TITLE	BILL NUMBER	CHAPTER NUMBER	SHORT TITLE	PAGE NUMBER
12	SB 1005	5	criminal justice; budget reconciliation; 2008-2009.	43
13	SB 1005	5	criminal justice; budget reconciliation; 2008-2009.	43
15	SB 1006	6	education; budget reconciliation; 2008-2009.	43
28	SB 1003	3	revenues; budget reconciliation; 2008-2009.	41
36	SB 1004	4	budget reconciliation; health; welfare; 2008-2009	42
46	SB 1004	4	budget reconciliation; health; welfare; 2008-2009	42

SECOND SPECIAL SESSION

A.R.S. TITLE	BILL NUMBER	CHAPTER NUMBER	SHORT TITLE	PAGE NUMBER
20	HB 2001 W/O	1	scholarships; disabled or displaced students	44
43	HB 2001 W/O	1	scholarships; disabled or displaced students	44

THIRD SPECIAL SESSION

A.R.S. TITLE	BILL NUMBER	CHAPTER NUMBER	SHORT TITLE	PAGE NUMBER
1	HB 2008	7	general government; budget reconciliation	47
3	HB 2014	5	environment; budget reconciliation	58

TITLE INDEX (Cont'd.)

A.R.S. TITLE	BILL NUMBER	CHAPTER NUMBER	SHORT TITLE	PAGE NUMBER
4	HB 2008	7	general government; budget reconciliation	47
8	HB 2010	6	criminal justice; budget reconciliation	49
9	HB 2008	7	general government; budget reconciliation	47
11	HB 2008 HB 2011 LIVS	7 12	general government; budget reconciliation K-12; budget reconciliation	47 51
12	HB 2010 HB 2013	6 10	criminal justice; budget reconciliation health and welfare; budget reconciliation	49 56
13	HB 2010	6	criminal justice; budget reconciliation	49
15	HB 2002 E HB 2014 HB 2012 HB 2011 LIVS	2 5 9 12	K-12 education; budget reconciliation environment; budget reconciliation higher education; budget reconciliation K-12; budget reconciliation	44 58 55 51
20	HB 2008	7	general government; budget reconciliation	47
21	HB 2010	6	criminal justice; budget reconciliation	49
23	HB 2013	10	health and welfare; budget reconciliation	56
25	HB 2010	6	criminal justice; budget reconciliation	49
28	HB 2010	6	criminal justice; budget reconciliation	49
31	HB 2010	6	criminal justice; budget reconciliation	49
32	HB 2008	7	general government; budget reconciliation	47
33	HB 2008	7	general government; budget reconciliation	47
35	HB 2013	10	health and welfare; budget reconciliation	56
36	HB 2008 HB 2013	7 10	general government; budget reconciliation health and welfare; budget reconciliation	47 56
37	HB 2014	5	environment; budget reconciliation	58
38	HB 2010 HB 2013 HB 2011 LIVS	6 10 12	criminal justice; budget reconciliation health and welfare; budget reconciliation K-12; budget reconciliation	49 56 51
41	HB 2014 HB 2010 HB 2008 HB 2012 HB 2013 HB 2011 LIVS	5 6 7 9 10 12	environment; budget reconciliation criminal justice; budget reconciliation general government; budget reconciliation higher education; budget reconciliation health and welfare; budget reconciliation K-12; budget reconciliation	58 49 47 55 56 51
42	HB 2011 LIVS	12	K-12; budget reconciliation	51
45	HB 2014	5	environment; budget reconciliation	58
46	HB 2013	10	health and welfare; budget reconciliation	56
48	HB 2008	7	general government; budget reconciliation	47



Keyword Index

KEYWORD INDEX (Cont'd.)

KEYWORD INDEX

E - Emergency

W/O - Without Emergency

V/O - Veto Override

RFEIR – Requirements for Enactment; Initiative or Referendum

W/S - Without Signature

LIVS - Line Item Veto Signed

RFE - Requirements for Enactment

KEYWORD	BILL NUMBER	CHAPTER	SHORT TITLE	PAGE NUMBER
911	SB 1048	112	emergency telecommunication services; administrative costs	80
abortion	SB 1175	178	illegal aliens; enforcement; trespassing. (NOW: performance of abortion; non-physician; prohibition)	104
	HB 2400	170	partial-birth abortions; definition	107
	HB 2564	172	abortion	107
active management area	HB 2440	49	drought emergency groundwater transfers	101
Administration, Department of (ADOA)	SB 1031	VETOED	tax exemption; technical correction (NOW: budget reconciliation; assets)	10
	SB 1035	VETOED	school bonds; technical correction (NOW: budget reconciliation; general government)	10
	SB 1048	112	emergency telecommunication services; administrative costs	80
	SB 1169	158	vehicle impoundment; administrative towing fund	2
	SB 1290	26	wildfire suppression; payment of claims	97
	SB 1314	191	underground storage tanks; technical correction (NOW: custodial and janitorial services; transfer)	63
	SB 1464	VETOED	state financial condition; state treasurer (NOW: state budget reports; financial condition)	19
	HB 2645	VETOED	technical correction; public roadways (NOW: budget reconciliation; general government; trailer)	22
	HB 2646	VETOED	technical correction; state highways (NOW: state properties; trailer)	23
Administrative Rules Oversight Committee	HB 2401	171	administrative rules oversight committee	82
adoption	SB 1016	109	adoption; consent	102
	SB 1326	156	safe haven providers; placement protocols	105
agriculture	SB 1115	151	animals; fighting	92
	SB 1225	180	water exchange contracts; technical correction (NOW: Dust control; best management practices)	96
	SB 1258	VETOED	mine inspector; education; training; fees (NOW: budget reconciliation; environment)	19
AHCCCS	SB 1102	4 (E)	ambulances; certificates of necessity (NOW: eligibility determinations; AHCCCS.)	62

KEYWORD INDEX (Cont'd.)

KEYWORD	BILL NUMBER	CHAPTER	SHORT TITLE	PAGE NUMBER
AHCCCS (cont'd.)	SB 1145	VETOED	technical correction; dry wells; regulation (NOW: budget reconciliation; health and welfare)	13
	SB 2051	1	technical correction; cease; desist order (NOW: 2008-2009; appropriations; budget revisions)	5
	SB 2650	VETOED	technical correction; health services; fees (NOW: budget reconciliation; health; welfare; trailer)	26
air quality	SB 1225	180	water exchange contracts; technical correction (NOW: Dust control; best management practices)	96
alcoholic beverages	SB 1113	175	handguns; restaurants; posting (NOW: restaurants; handguns; posting)	92
	HB 2301	81	domestic microbreweries; production cap	65
	HB 2441	50	liquor licenses; public recreation area	66
animals	SB 1115	151	animals; fighting	92
	SB 1225	180	water exchange contracts; technical correction (NOW: Dust control; best management practices)	96
	HB 2157	77	wildlife; aquatic invasive species	100
	HB 2458	106	dogs; cats; release from pound	82
appraisals	HB 2419	142	special license plates; maintenance (NOW: mass appraisal guidelines; state lands)	101
appropriation	SB 1027	10	technical correction; bonds; tax considerations (NOW: capital outlay; FY 2009-2010)	1
	SB 1028	VETOED	technical correction; private funds; disposition (NOW: budget reconciliation; criminal justice)	7
	SB 1029	VETOED	technical correction; budget estimates (NOW: budget reconciliation; higher education)	9
	SB 1031	VETOED	tax exemption; technical correction (NOW: budget reconciliation; assets)	10
	SB 1035	VETOED	school bonds; technical correction (NOW: budget reconciliation; general government)	10
	SB 1036	VETOED	tax anticipation bonds; technical correction (NOW: budget reconciliation; general revenues)	11
	SB 1145	VETOED	technical correction; dry wells; regulation (NOW: budget reconciliation; health and welfare)	13
	SB 1187	VETOED	technical correction; deceptive mailings (NOW: budget reconciliation; K-12)	15
	SB 1188	11 (LIVS)	fiduciary funds; deposits; technical correction (NOW: general appropriations; FY 2009-2010)	3

KEYWORD INDEX (Cont'd.)

KEYWORD	BILL NUMBER	CHAPTER	SHORT TITLE	PAGE NUMBER
appropriation (cont'd.)	SB 1258	VETOED	mine inspector; education; training; fees (NOW: budget reconciliation; environment)	19
	SB 1316	73 (E)	nuclear emergency management; appropriations; assessments	3
	HB 2028	5	jury duty; motor vehicle parking (NOW: supplemental reductions; appropriations; FY 2008-2009)	4
	HB 2051	1	technical correction; cease; desist order (NOW: 2008-2009; appropriations; budget revisions)	5
	HB 2281	79	appropriations for named claimants	6
	HB 2369	VETOED	revenue department; technical correction (NOW: noncustodial federal monies; legislative appropriation)	20
	HB 2643	12 (LIVS)	technical correction; abandoned vehicles; monies (NOW: general appropriations; 2009-2010; trailer)	6
	HB 2644	VETOED	technical correction; rebate set aside (NOW: budget reconciliation; general revenues; trailer)	20
	HB 2645	VETOED	technical correction; public roadways (NOW: budget reconciliation; general government; trailer)	22
	HB 2647	VETOED	technical correction; certificate of title (NOW: budget reconciliation; criminal justice; trailer)	23
	HB 2648	VETOED	technical correction; industrial development; insurance (NOW: budget reconciliation; K-12 education; trailer)	24
	HB 2649	VETOED	technical correction; open pit mining (NOW: budget reconciliation; higher education; trailer)	26
	HB 2650	VETOED	technical correction; health services; fees (NOW: budget reconciliation; health; welfare; trailer)	26
HB 2651	VETOED	technical correction; national guard (NOW: budget reconciliation; environment; trailer)	27	
assisted living	SB 1104	56	AHCCCS; SCHIP; application process (NOW: assisted living managers; nursing administrators)	85
Attorney General	HB 2103	162	state treasurer; independent legal counsel	5
Auditor General	HB 2572	122	voter registration; technical correction (NOW: sports authority districts)	82
automotive insurance	SB 1180	61	towing companies; release of vehicles	96
	HB 2224	165	mandatory vehicle insurance; technical correction (NOW: mandatory vehicle insurance; financial responsibility)	77
aviation	HB 2482	107	civil air patrol; federal monies	6
baseball	HB 2572	122	voter registration; technical correction (NOW: sports authority districts)	82

KEYWORD INDEX (Cont'd.)

KEYWORD	BILL NUMBER	CHAPTER	SHORT TITLE	PAGE NUMBER
behavioral health professionals	HB 2078	133 (E)	community colleges; bonds; technical correction (NOW: outdoor behavioral health; definition; requirements)	87
	HB 2207	161	behavior analysts	88
biomedical research	SB 1100	55	biomedical research commission; continuation	84
board of supervisors	HB 2101	134	county supervisors; membership; number (NOW: county supervisors; membership)	81
bonds	SB 1169	158	vehicle impoundment; administrative towing fund	2
	HB 2360	140	general obligation bond requirements	78
	HB 2572	122	voter registration; technical correction (NOW: sports authority districts)	82
budget	SB 1028	VETOED	technical correction; private funds; disposition (NOW: budget reconciliation; criminal justice)	7
	SB 1029	VETOED	technical correction; budget estimates (NOW: budget reconciliation; higher education)	9
	SB 1031	VETOED	tax exemption; technical correction (NOW: budget reconciliation; assets)	10
	SB 1035	VETOED	school bonds; technical correction (NOW: budget reconciliation; general government)	10
	SB 1036	VETOED	tax anticipation bonds; technical correction (NOW: budget reconciliation; general revenues)	11
	SB 1145	VETOED	technical correction; dry wells; regulation (NOW: budget reconciliation; health and welfare)	13
	SB 1187	VETOED	technical correction; deceptive mailings (NOW: budget reconciliation; K-12)	15
	SB 1188	11(LIVS)	fiduciary funds; deposits; technical correction (NOW: general appropriations; FY 2009-2010)	3
	SB 1258	VETOED	mine inspector; education; training; fees (NOW: budget reconciliation; environment)	19
	SB 1464	VETOED	state financial condition; state treasurer (NOW: state budget reports; financial condition)	19
	HB 2028	5	jury duty; motor vehicle parking (NOW: supplemental reductions; appropriations; FY 2008-2009)	4
HB 2029	6	school districts; liability; immunity waiver (NOW: school district balances; allocations)	4	
HB 2051	1	technical correction; cease; desist order (NOW: 2008-2009; appropriations; budget revisions)	5	

KEYWORD INDEX (Cont'd.)

KEYWORD	BILL NUMBER	CHAPTER	SHORT TITLE	PAGE NUMBER
budget (cont'd.)	HB 2643	12 (LIVS)	technical correction; abandoned vehicles; monies (NOW: general appropriations; 2009-2010; trailer)	6
	HB 2644	VETOED	technical correction; rebate set aside (NOW: budget reconciliation; general revenues; trailer)	20
	HB 2645	VETOED	technical correction; public roadways (NOW: budget reconciliation; general government; trailer)	22
	HB 2646	VETOED	technical correction; state highways (NOW: state properties; trailer)	23
	HB 2647	VETOED	technical correction; certificate of title (NOW: budget reconciliation; criminal justice; trailer)	23
	HB 2648	VETOED	technical correction; industrial development; insurance (NOW: budget reconciliation; K-12 education; trailer)	24
	HB 2649	VETOED	technical correction; open pit mining (NOW: budget reconciliation; higher education; trailer)	26
	HB 2650	VETOED	technical correction; health services; fees (NOW: budget reconciliation; health; welfare; trailer)	26
	HB 2651	VETOED	technical correction; national guard (NOW: budget reconciliation; environment; trailer)	27
burial	HB 2461	51	developmental disabilities; program plans; burial	107
business license	HB 2306	137	technical correction; malpractice claim review (NOW: authorized presence; licensees)	65
campaign finance	SB 1091	114 (RFEIR)	elections; special districts; technical correction (NOW: secretary of state; elections; filing)	91
capital outlay	SB 1027	10	technical correction; bonds; tax considerations (NOW: capital outlay; FY 2009-2010)	1
capitol police	SB 1169	158	vehicle impoundment; administrative towing fund	2
cashier's check	SB 1265	66	UCC; lost cashier's checks	62
charitable organizations	HB 2091	76	charitable organizations; solicitations; disclosures	64
	HB 2286	80	tax credit; charitable organizations	77
	HB 2287	167	tax credits; withholding tax reduction	77
charter schools	SB 1187	VETOED	technical correction; deceptive mailings (NOW: budget reconciliation; K-12 education; meetings; technical correction)	15
	SB 1196	95	technical correction (NOW: education omnibus)	68
	SB 1197	62 (E)	technical correction; dental board powers (NOW: task force; special education)	71
	SB 1303	27	open meeting law; minutes; notice	81
	SB 1386	117	charter schools; charter renewal period	71
	HB 2006	14	schools; juvenile probation officers	72

KEYWORD INDEX (Cont'd.)

KEYWORD	BILL NUMBER	CHAPTER	SHORT TITLE	PAGE NUMBER
charter schools (cont'd.)	HB 2031	75	schools; contractors; fingerprint clearance cards	106
	HB 2099	98	charter schools; zoning	72
	HB 2332	101	schools; energy contracts	72
	HB 2346	87	charter schools; leased property	78
	HB 2357	88	public education; students' religious liberties	73
	HB 2648	VETOED	technical correction; industrial development; insurance (NOW: budget reconciliation; K-12 education; trailer)	24
child care facilities	HB 2265	78	child care facilities; licensure; exemptions (NOW: exemptions; licensure; child care facilities)	106
child custody	SB 1106	57	domestic violence; child custody	91
	SB 1326	156	safe haven providers; placement protocols	105
	HB 2622	148	dependent children; relatives; disclosure (NOW: relatives; disclosure; dependent children)	109
Child Protective Services (CPS)	SB 1047	126	child safety	102
	SB 1246	154	CPS information	104
	SB 1285	69	CPS information; redactions; challenges	105
	SB 1326	156	safe haven providers; placement protocols	105
civil air patrol	HB 2482	107	civil air patrol; federal monies	6
cold case	SB 1459	132	cold case reporting; victim reports (NOW: cold case register; victim report)	94
Commerce, Department of (ADOC)	SB 1403	96	renewable, high-wage industries incentives	63
commercial vehicles	SB 1320	187	ADOT omnibus (NOW: omnibus; ADOT)	98
communicable disease	SB 1336	157	afflicted persons; orders for transportation	86
community colleges	SB 1029	VETOED	technical correction; budget estimates (NOW: budget reconciliation; higher education)	9
	SB 1146	59	expenditure limitation; penalty waiver; Pima	75
	HB 2649	VETOED	technical correction; open pit mining (NOW: budget reconciliation; higher education; trailer)	26
consumer fraud	SB 1028	VETOED	technical correction; private funds; disposition (NOW: budget reconciliation; criminal justice)	7
continuation	SB 1100	55	biomedical research commission; continuation	84
	SB 1134	58	commission for postsecondary education; continuation	68
	SB 1157	23	department of environmental quality; continuation	96
	SB 1183	179	recreational corridor districts; termination date	96
	HB 2133	38	motorcycle safety council	106
	HB 2159	40	board of podiatry examiners; continuation	87

KEYWORD INDEX (Cont'd.)

KEYWORD	BILL NUMBER	CHAPTER	SHORT TITLE	PAGE NUMBER
continuation (cont'd.)	HB 2283	136	certified nursing assistants; pilot program	89
contractor	HB 2031	75	schools; contractors; fingerprint clearance cards	106
cooperative purchasing agreements	SB 1235	181	cooperative purchasing agreements	80
Corporation Commission, Arizona (ACC)	HB 2199	42	state compensation fund; employer misrepresentation. (NOW: corporations and LLC omnibus)	64
	HB 2644	VETOED	technical correction; rebate set aside (NOW: budget reconciliation; general revenues; trailer)	20
corporations	HB 2199	42	state compensation fund; employer misrepresentation. (NOW: corporations and LLC omnibus)	64
corrections and revisions	HB 2105	34	reviser's technical corrections; 2009	81
	HB 2202	43	county stormwater management; reference correction.	100
Corrections, Arizona Department of (ADC)	SB 1028	VETOED	technical correction; private funds; disposition (NOW: budget reconciliation; criminal justice)	7
	HB 2647	VETOED	technical correction; certificate of title (NOW: budget reconciliation; criminal justice; trailer)	23
counties	SB 1028	VETOED	technical correction; private funds; disposition (NOW: budget reconciliation; criminal justice)	7
	SB 1036	VETOED	tax anticipation bonds; technical correction (NOW: budget reconciliation; general revenues)	11
	SB 1073	113	population thresholds; counties	80
	SB 1074	149	election law amendments (NOW: amendments; election law)	90
	SB 1145	VETOED	technical correction; dry wells; regulation (NOW: budget reconciliation; health and welfare)	13
	HB 2101	134	county supervisors; membership; number (NOW: county supervisors; membership)	81
	HB 2202	43	county stormwater management; reference correction.	100
	HB 2236	45 (E)	county offices; business periods (NOW: county operation; management)	111
	HB 2336	86	community facilities districts; renewable energy (NOW: county renewable energy incentive districts)	82
	HB 2581	53	library districts; county reimbursement	83
HB 2644	VETOED	technical correction; rebate set aside (NOW: budget reconciliation; general revenues; trailer)	20	

KEYWORD INDEX (Cont'd.)

KEYWORD	BILL NUMBER	CHAPTER	SHORT TITLE	PAGE NUMBER
counties (cont'd.)	HB 2647	VETOED	technical correction; certificate of title (NOW: budget reconciliation; criminal justice; trailer)	23
courts	SB 1010	22	family law rules; conforming statutes	102
	SB 1028	VETOED	technical correction; private funds; disposition (NOW: budget reconciliation; criminal justice)	7
	SB 1088	129	domestic violence; dating relationships	90
	SB 1106	57	domestic violence; child custody	91
	SB 1152	153	mental health services; court-ordered treatment	92
	SB 1246	154	CPS information	104
	HB 2224	165	mandatory vehicle insurance; technical correction (NOW: mandatory vehicle insurance; financial responsibility)	77
	HB 2315	82 (E)	criminal sentencing	94
	HB 2317	138	fiduciaries	94
	HB 2344	119	vulnerable adults; financial exploitation	106
	HB 2449	120	mandatory fingerprinting; central state repository (NOW: fingerprinting; arrest; procedures)	107
	HB 2530	121	reckless driving; prior convictions	95
	HB 2532	145	prohibited possessors; persistently, acutely disabled	95
	HB 2564	172	abortion	107
	HB 2610	123	civil liability; affirmative defenses	108
	HB 2622	148	dependent children; relatives; disclosure (NOW: relatives; disclosure; dependent children)	109
HB 2647	VETOED	technical correction; certificate of title (NOW: budget reconciliation; criminal justice; trailer)	23	
cowboy	SR 1003	--	national day of the cowboy	115
credit card fee	SB 1151	93	convenience fee; definition	80
death resolution	SCR 1045	--	death resolution; Jake Flake	115
	HR 2001	--	David Hurt; death resolution	116
defibrillators	HB 2399	47	automated external defibrillators	89
deficiency judgments	SB 1271	68	jail districts; property tax limit (NOW: deficiency judgment; foreclosed properties)	75
dental hygienists	SB 1400	188	dental assistants; community oral health	86
dentists	SB 1400	188	dental assistants; community oral health	86
developmental disabilities	HB 2461	51	developmental disabilities; program plans; burial	107
disability	HB 2118	36	ASRS; LTD amendments	110
	HB 2286	80	tax credit; charitable organizations	77
	HB 2532	145	prohibited possessors; persistently, acutely disabled	95
discrimination	HCR 2019	--	justices and judges; senate confirmation (NOW: discrimination; preferential treatment; prohibition)	116

KEYWORD INDEX (Cont'd.)

KEYWORD	BILL NUMBER	CHAPTER	SHORT TITLE	PAGE NUMBER
DNA	SB 1028	VETOED	technical correction; private funds; disposition (NOW: budget reconciliation; criminal justice)	7
domestic violence	SB 1088	129	domestic violence; dating relationships	90
	SB 1106	57	domestic violence; child custody	91
drive by shooting	SB 1253	130	felony murder; drive by shooting	93
driver license	SB 1320	187	ADOT omnibus (NOW: omnibus; ADOT)	98
	HB 2224	165	mandatory vehicle insurance; technical correction (NOW: mandatory vehicle insurance; financial responsibility)	77
driving under the influence (DUI)	SB 1003	124	driving under the influence; methadone	102
	SB 1420	189	DUI; juvenile adjudication (NOW: juvenile; adjudication; diversion)	3
driving, reckless	HB 2530	121	reckless driving; prior convictions	95
drugs	SB 1003	124	driving under the influence; methadone	102
	SB 1262	184	workers' compensation; charges; dispute resolution (NOW: workers' compensation omnibus)	62
	SB 1420	189	DUI; juvenile adjudication (NOW: juvenile; adjudication; diversion)	3
	HB 2145	39	insurance; network plan; definition	76
Economic Security, Department of (DES)	SB 1016	109	adoption; consent	102
	SB 1188	11(LIVS)	fiduciary funds; deposits; technical correction (NOW: general appropriations; FY 2009-2010)	3
	HB 2622	148	dependent children; relatives; disclosure (NOW: relatives; disclosure; dependent children)	109
	HB 2643	12 (LIVS)	technical correction; abandoned vehicles; monies (NOW: general appropriations; 2009-2010; trailer)	6
Education, Arizona Department of (ADE)	SB 1188	11 (LIVS)	fiduciary funds; deposits; technical correction (NOW: general appropriations; FY 2009-2010)	3
	SB 1196	95	education; meetings; technical correction (NOW: education omnibus)	68
	HB 2028	5	jury duty; motor vehicle parking (NOW: supplemental reductions; appropriations; FY 2008-2009)	4
	HB 2643	12 (LIVS)	technical correction; abandoned vehicles; monies (NOW: general appropriations; 2009-2010; trailer)	6
Education, State Board of (SBE)	SB 1196	95	education; meetings; technical correction (NOW: education omnibus)	68
	HB 2450	19	honorary diplomas; war veterans	114
elections	SCR 1026	--	secret ballot; fundamental right	115
	SB 1074	149	election law amendments (NOW: amendments; election law)	90

KEYWORD INDEX (Cont'd.)

KEYWORD	BILL NUMBER	CHAPTER	SHORT TITLE	PAGE NUMBER
elections (cont'd.)	SB 1091	114 (RFEIR)	elections; special districts; technical correction (NOW: secretary of state; elections; filing)	91
	SB 1123	176	city elections; nonpartisan primaries; districts	92
	SB 1155	7 (E)	trust lands; conservation; technical correction (NOW: elections; hospital districts)	104
	SB 1330	115	special health care districts; terms	86
	HB 2048	16	local elections; signature requirements	94
	HB 2101	134	county supervisors; membership; number (NOW: county supervisors; membership)	81
	HB 2360	140	general obligation bond requirements	78
	HB 2432	90	school board membership; family members	73
HB 2572	122	voter registration; technical correction (NOW: sports authority districts)	82	
HB 2627	173 (E) (RFEIR)	voter identification; military identification (NOW: voter identification; valid forms)	95	
emergency medical services	SB 1018	110	burden of proof; emergency treatment.	84
	SB 1097	54	emergency medical services; records; confidentiality (NOW: records; emergency medical services; confidentiality)	84
	HB 2399	47	automated external defibrillators	89
emergency planning & response	SB 1316	73 (E)	nuclear emergency management; appropriations; assessments	3
	HB 2440	49	drought emergency groundwater transfers	101
	HB 2482	107	civil air patrol; federal monies	6
eminent domain	SB 1297	72	flood control districts; remainder parcels	98
employment	SB 1168	177	federal monies; report (NOW: storage; firearms; motor vehicles)	2
	SB 1262	184	workers' compensation; charges; dispute resolution (NOW: workers' compensation omnibus)	62
energy performance contracts	HB 2332	101	schools; energy contracts	72
Environmental Quality, Arizona Department of (ADEQ)	SB 1157	23	department of environmental quality; continuation	96
	SB 1188	11 (LIVS)	fiduciary funds; deposits; technical correction (NOW: general appropriations; FY 2009-2010)	3
	SB 1258	VETOED	mine inspector; education; training; fees (NOW: budget reconciliation; environment)	19
	HB 2202	43	county stormwater management; reference correction.	100
	HB 2643	12 (LIVS)	technical correction; abandoned vehicles; monies (NOW: general appropriations; 2009-2010; trailer)	6
excise tax	HB 2480	52	regional transportation authorities; qualifying counties.	79

KEYWORD INDEX (Cont'd.)

KEYWORD	BILL NUMBER	CHAPTER	SHORT TITLE	PAGE NUMBER
excise tax (cont'd.)	HB 2572	122	voter registration; technical correction (NOW: sports authority districts)	82
expenditure limit	SB 1146	59	expenditure limitation; penalty waiver; Pima	75
federal conformity	SB 1008	20	adjutant general retirement	113
	SB 1320	187	ADOT omnibus (NOW: omnibus; ADOT)	98
	HB 2110	35	public retirement plans; federal changes	110
	HB 2144	164	insurance; actuarial opinions; financial audits	76
	HB 2145	39	insurance; network plan; definition	76
	HB 2330	46	biodiesel fuel dispensers; labeling	100
federal funds	SB1145	VETOED	technical correction; dry wells; regulation (NOW: budget reconciliation; health and welfare)	13
	HB 2051	1	technical correction; cease; desist order (NOW: 2008-2009; appropriations; budget revisions)	5
	HB 2369	VETOED	revenue department; technical correction (NOW: noncustodial federal monies; legislative appropriation)	20
	HB 2482	107	civil air patrol; federal monies	6
	HB 2650	VETOED	technical correction; health services; fees (NOW: budget reconciliation; health; welfare; trailer)	26
	HCM 2006	--	state land; natural resources	115
fiduciaries	HB 2317	138	fiduciaries	94
Financial Institutions, Department of	HB 2143	163	loan originators; mortgage recovery fund.	64
	HB 2318	139	capital cases; aggravating factors (NOW: mortgage bankers; loan originators; fees)	65
	HB 2486	108	health insurance; purchase outside state (NOW: commercial mortgage broker license)	66
fingerprinting	SB 1009	21	board of fingerprinting; hearings	102
	SB 1049	8 (E)	fingerprint clearance cards	103
	HB 2031	75	schools; contractors; fingerprint clearance cards	106
	HB 2449	120	mandatory fingerprinting; central state repository (NOW: fingerprinting; arrest; procedures)	107
fire	SCM 1002	--	statewide strategy; restoring Arizona's forests	115
	SB 1290	26	wildfire suppression; payment of claims	97
fireworks	HB 2258	VETOED	consumer fireworks; novelties; sales (NOW: consumer fireworks)	83
flood control	SB 1297	72	flood control districts; remainder parcels	98
for sale signs	SB 1148	60	deed restrictions; for sale signs	80
foreclosure	SB 1271	68	jail districts; property tax limit (NOW: deficiency judgment; foreclosed properties)	75
Forester, State	SB 1290	26	wildfire suppression; payment of claims	97
forests	SCM 1002	--	statewide strategy; restoring Arizona's forests	115

KEYWORD INDEX (Cont'd.)

KEYWORD	BILL NUMBER	CHAPTER	SHORT TITLE	PAGE NUMBER
foster care	SB 1209	159	children; foster care; rights	104
	HB 2375	104	foster parents; participation	107
fraud	SB 1091	114 (RFEIR)	elections; special districts; technical correction (NOW: secretary of state; elections; filing)	91
	HB 2173	99	notification; complaint; registrar of contractors	64
fuel	HB 2330	46	biodiesel fuel dispensers; labeling	100
game and fish	HB 2157	77	wildlife; aquatic invasive species	100
geographic information council	SB 1318	74	geospatial data; geographic information council	98
Governmental Mall Commission	SB 1020	111 (E)	enduring freedom memorial; public monies.	113
	HB 2001	13	state monuments; repair fund; purpose.	114
GPS monitoring	SB 1011	125 (E)	sex offender registration; study committee (NOW: sex offenders; probation; monitoring)	90
	SB 1139	152	global position systems; committee extension	92
guardian	HB 2616	147	living wills; health care directives (NOW: health care directives; guardian decision)	108
guns	SB 1113	175	handguns; restaurants; posting (NOW: restaurants; handguns; posting)	92
	SB 1168	177	federal monies; report (NOW: storage; firearms; motor vehicles)	2
	SB 1242	182 (E)	weapons; peace officers; posse; reserves	80
	SB 1243	183	justification; defensive display of firearm	93
	SB 1437	97	schools; gun safety instructors; certification	105
	HCM 2009	--	opposing federal firearms legislation	116
	HB 2532	145	prohibited possessors; persistently, acutely disabled	95
harassment	SB 1088	129	domestic violence; dating relationships	90
health care directives	HB 2616	147	living wills; health care directives (NOW: health care directives; guardian decision)	108
health care licensure	HB 2078	133 (E)	community colleges; bonds; technical correction (NOW: outdoor behavioral health; definition; requirements)	87
	HB 2206	160	psychologist examiners board; omnibus	88
	HB 2207	161	behavior analysts	88
health care professionals	SB 1104	56	AHCCCS; SCHIP; application process (NOW: assisted living managers; nursing administrators)	85
	SB 1105	150	nursing board; omnibus	85
	SB 1400	188	dental assistants; community oral health	86
	HB 2206	160	psychologist examiners board; omnibus	88
	HB 2207	161	behavior analysts	88
	HB 2283	136	certified nursing assistants; pilot program	89
	HB 2564	172	abortion	107
health insurance	HCR 2014	--	state trust lands; technical correction (NOW: health care services; direct purchase)	116

KEYWORD INDEX (Cont'd.)

KEYWORD	BILL NUMBER	CHAPTER	SHORT TITLE	PAGE NUMBER
health insurance (cont'd.)	HB 2145	39	insurance; network plan; definition	76
	HB 2324	9 (W/S)	health insurance; individuals; coverage exemptions	78
Health Services, Department of (DHS)	SB 1017	VETOED	multiple sclerosis awareness special plates	101
	SB 1097	54	emergency medical services; records; confidentiality (NOW: records; emergency medical services; confidentiality)	84
	SB 1188	11 (LIVS)	fiduciary funds; deposits; technical correction (NOW: general appropriations; FY 2009-2010)	3
	HB 2078	133 (E)	community colleges; bonds; technical correction (NOW: outdoor behavioral health; definition; requirements)	87
	HB 2164	41	pharmacists; administration of immunizations (NOW: administration of immunizations; pharmacists)	87
	HB 2399	47	automated external defibrillators	89
	HB 2643	12 (LIVS)	technical correction; abandoned vehicles; monies (NOW: general appropriations; 2009-2010; trailer)	6
Homeland Security, Department of	SB 1178	25	homeland security councils; coordinating; advisory	113
hospital	SB 1018	110	burden of proof; emergency treatment.	84
	HB 2051	1	technical correction; cease; desist order (NOW: 2008-2009; appropriations; budget revisions)	5
	HB 2371	103	tax credit; coal consumption (NOW: utilities; confidential information)	79
housing	SB 1313	28	county merit system; hearing officers (NOW: project financing review; extension; repeal)	81
human smuggling	SB 1282	186	smuggling; definitions (NOW: smuggling; classification; definitions)	93
	HB 2569	146	smuggling; use of weapon; classification	95
identification	HB 2426	143	enhanced driver licenses; prohibition	112
	HB 2627	173 (E) (RFEIR)	voter identification; military identification (NOW: voter identification; valid forms)	95
immunizations	HB 2164	41	pharmacists; administration of immunizations (NOW: administration of immunizations; pharmacists)	87
impact fees	SB 1035	VETOED	school bonds; technical correction (NOW: budget reconciliation; general government)	10
	HB 2645	VETOED	technical correction; public roadways (NOW: budget reconciliation; general government; trailer)	22
income tax	SB 1185	2 (E)	technical correction; disincorporation (NOW: conformity; internal revenue code)	2
	SB 1373	116	income tax returns; penalties	75
	SB 1403	96	renewable, high-wage industries incentives	63

KEYWORD INDEX (Cont'd.)

KEYWORD	BILL NUMBER	CHAPTER	SHORT TITLE	PAGE NUMBER
income tax (cont'd.)	HB 2081	32	income tax credit review schedule	76
	HB 2286	80	tax credit; charitable organizations	77
	HB 2287	167	tax credits; withholding tax reduction	77
	HB 2288	168	premium tax credit; STO contribution	6
	HB 2341	VETOED	renewable energy production tax credit	67
Industrial Commission of Arizona	SB 1262	184	workers' compensation; charges; dispute resolution (NOW: workers' compensation omnibus)	62
	SB 1266	67	workers' compensation; drugs and alcohol	62
insurance	SB 1289	131 (E)	vehicle accident reports	97
	HB 2144	164	insurance; actuarial opinions; financial audits	76
	HB 2145	39	insurance; network plan; definition	76
	HB 2156	135	fire insurance; premium tax (NOW: fire insurance premium tax; report)	77
	HB 2236	45 (E)	county offices; business periods (NOW: county operation; management)	111
	HB 2288	168	premium tax credit; STO contribution	6
	HB 2323	84	health insurance; small business coverage	78
	HB 2324	9 (W/S)	health insurance; individuals; coverage exemptions	78
Insurance, Department of (DOI)	SB 1262	184	workers' compensation; charges; dispute resolution (NOW: workers' compensation omnibus)	62
	HB 2144	164	insurance; actuarial opinions; financial audits	76
	HB 2288	168	premium tax credit; STO contribution	6
Internal Revenue Code	SB 1185	2 (E)	technical correction; disincorporation (NOW: conformity; internal revenue code)	2
investments	HB 2271	166	state treasurer; investment pools	81
janitorial services	SB 1314	191	underground storage tanks; technical correction (NOW: custodial and janitorial services; transfer)	63
justices of the peace	SB 1028	VETOED	technical correction; private funds; disposition (NOW: budget reconciliation; criminal justice)	7
	HB 2647	VETOED	technical correction; certificate of title (NOW: budget reconciliation; criminal justice; trailer)	23
justification	SB 1243	183	justification; defensive display of firearm	93
	SB 1449	190 (W/0)	applicability; self-defense	105
Land Department, State	SB 1258	VETOED	mine inspector; education; training; fees (NOW: budget reconciliation; environment)	19

KEYWORD INDEX (Cont'd.)

KEYWORD	BILL NUMBER	CHAPTER	SHORT TITLE	PAGE NUMBER
Land Department, State (cont'd.)	SB 1294	71	state land sales; default	97
	SB 1318	74	geospatial data; geographic information council	98
	HB 2419	142	special license plates; maintenance (NOW: mass appraisal guidelines; state lands)	101
	HB 2651	VETOED	technical correction; national guard (NOW: budget reconciliation; environment; trailer)	27
law enforcement agencies	SB 1062	128	law enforcement officers; discipline procedures	103
	SB1242	182 (E)	weapons; peace officers; posse; reserves	80
	SB 1336	157	afflicted persons; orders for transportation	86
	SB 1459	132	cold case reporting; victim reports (NOW: cold case register; victim report)	94
	HB 2449	120	mandatory fingerprinting; central state repository (NOW: fingerprinting; arrest; procedures)	107
liability	SB 1018	110	burden of proof; emergency treatment.	84
	HB 2399	47	automated external defibrillators	89
	HB 2610	123	civil liability; affirmative defenses	108
Library Archives and Public Records, Arizona State (ASLAPR)	SB 1091	114 (RFEIR)	elections; special districts; technical correction (NOW: secretary of state; elections; filing)	91
library districts	HB 2581	53	library districts; county reimbursement	83
license plates	SB 1017	VETOED	multiple sclerosis awareness special plates	101
	SB 1320	187	ADOT omnibus (NOW: omnibus; ADOT)	98
	HB 2123	37	license plate commission repeal	99
	HB 2222	44	accountable health plans; technical correction (NOW: special license plates)	111
	HB 2224	165	mandatory vehicle insurance; technical correction (NOW: mandatory vehicle insurance; financial responsibility)	77
limited liability company	HB 2199	42	state compensation fund; employer misrepresentation. (NOW: corporations and LLC omnibus)	64
Liquor Licenses and Control, Department of	SB 1113	175	handguns; restaurants; posting (NOW: restaurants; handguns; posting)	92
marriage	SB 1010	22	family law rules; conforming statutes	102
	SB 1254	155 (E)	anti-marital fact privilege; exception	93
medal of honor	SB 1429	31	Arizona medal of honor	114
medical education	HB 2051	1	technical correction; cease; desist order (NOW: 2008-2009; appropriations; budget revisions)	5
memorials	SCM 1002	--	statewide strategy; restoring Arizona's forests	115
	HCM 2006	--	state land; natural resources	115
	HCM 2009	--	opposing federal firearms legislation	116
mental health	SB 1152	153	mental health services; court-ordered treatment	92
	HB 2532	145	prohibited possessors; persistently, acutely disabled	95

KEYWORD INDEX (Cont'd.)

KEYWORD	BILL NUMBER	CHAPTER	SHORT TITLE	PAGE NUMBER
microbrewery	HB 2301	81	domestic microbreweries; production cap	65
military	SB 1008	20	adjutant general retirement	113
	SB 1176	24 (E)	military family relief fund	113
	SB 1407	30	health spa contracts; military members	114
	SB 1429	31	Arizona medal of honor	114
	HB 2495	91	in-state tuition; veterans	114
	HB 2627	173 (E) (RFEIR)	voter identification; military identification (NOW: voter identification; valid forms)	95
Mine Inspector, State	SB 1256	63	aggregate mine reclamation; fees (NOW: mining omnibus)	96
	SB 1259	64	aggregate mine reclamation; initiation; extension	97
	SB 1260	65 (W/O)	aggregate mine reclamation law; exemption	97
Mines and Mineral Resources, Department of	SB 1256	63	aggregate mine reclamation; fees (NOW: mining omnibus)	96
mining	SB 1259	64	aggregate mine reclamation; initiation; extension	97
	SB 1260	65 (W/O)	aggregate mine reclamation law; exemption	97
minors	SB 1420	189	DUI; juvenile adjudication (NOW: juvenile; adjudication; diversion)	3
mobile homes	SB 1293	70	transportation system database; reporting date (NOW: certificates of title; electronic system)	97
monument	SB 1020	111 (E)	enduring freedom memorial; public monies.	113
	HB 2001	13	state monuments; repair fund; purpose.	114
	HB 2222	44	accountable health plans; technical correction (NOW: special license plates)	111
mortgage broker	HB 2318	139	capital cases; aggravating factors (NOW: mortgage bankers; loan originators; fees)	65
	HB 2486	108	health insurance; purchase outside state (NOW: commercial mortgage broker license)	66
mortgage fraud	HB 2143	163	loan originators; mortgage recovery fund.	64
motorcycle	HB 2133	38	motorcycle safety council	106
municipalities	SB 1036	VETOED	tax anticipation bonds; technical correction (NOW: budget reconciliation; general revenues)	11
	SB 1123	176	city elections; nonpartisan primaries; districts	92
	SB 1146	59	expenditure limitation; penalty waiver; Pima	75
	HB 2014	15	municipalities; exchange of real property	99
	HB 2048	16	local elections; signature requirements	94
	HB 2644	VETOED	technical correction; rebate set aside (NOW: budget reconciliation; general revenues; trailer)	20
named claimants	HB 2281	79	appropriations for named claimants	6
notices	SB 1303	27	open meeting law; minutes; notice	81

KEYWORD INDEX (Cont'd.)

KEYWORD	BILL NUMBER	CHAPTER	SHORT TITLE	PAGE NUMBER
nurses/nursing	SB 1103	92	partnership for nursing education AHCCCS; SCHIP; application process	84
	SB 1104	56	(NOW: assisted living managers; nursing administrators)	85
	SB 1105	150	nursing board; omnibus	85
	SB 1175	178	illegal aliens; enforcement; trespassing. (NOW: performance of abortion; non-physician; prohibition)	104
	HB 2644	VETOED	technical correction; rebate set aside (NOW: budget reconciliation; general revenues; trailer)	20
online instruction	SB 1197	62 (E)	technical correction; dental board powers (NOW: task force; special education)	71
	HB 2028	5	jury duty; motor vehicle parking (NOW: supplemental reductions; appropriations; FY 2008-2009)	4
	HB 2648	VETOED	technical correction; industrial development; insurance (NOW: budget reconciliation; K-12 education; trailer)	24
open meeting law	SB 1303	27	open meeting law; minutes; notice	81
parents	SB 1106	57	domestic violence; child custody	91
Parks Board, State	SB 1258	VETOED	mine inspector; education; training; fees (NOW: budget reconciliation; environment)	19
peace officers	SB 1015	174	dispersing unlawful assembly; peace officers	102
	SB 1113	175	handguns; restaurants; posting (NOW: restaurants; handguns; posting)	92
	SB 1242	182 (E)	weapons; peace officers; posse; reserves	80
	HB 2610	123	civil liability; affirmative defenses	108
pharmacy	HB 2164	41	pharmacists; administration of immunizations (NOW: administration of immunizations; pharmacists)	87
photo radar	SB 1028	VETOED	technical correction; private funds; disposition (NOW: budget reconciliation; criminal justice)	7
	SB 1320	187	ADOT omnibus (NOW: omnibus; ADOT)	98
	HB 2647	VETOED	technical correction; certificate of title (NOW: budget reconciliation; criminal justice; trailer)	23
physicians	SB 1018	110	burden of proof; emergency treatment.	84
	SB 1152	153	mental health services; court-ordered treatment	92
	SB 1175	178	illegal aliens; enforcement; trespassing. (NOW: performance of abortion; non-physician; prohibition)	104
podiatry	HB 2159	40	board of podiatry examiners; continuation	87
political signs	SB 1022	VETOED	state monuments; repair fund; purpose. (NOW: political signs; tampering)	114

KEYWORD INDEX (Cont'd.)

KEYWORD	BILL NUMBER	CHAPTER	SHORT TITLE	PAGE NUMBER
postsecondary education	SB 1029	VETOED	technical correction; budget estimates (NOW: budget reconciliation; higher education)	9
	SB 1134	58	commission for postsecondary education; continuation	68
	SB 1196	95	education; meetings; technical correction (NOW: education omnibus)	68
premium tax	HB 2156	135	fire insurance; premium tax (NOW: fire insurance premium tax; report)	77
private prisons	SB 1028	VETOED	technical correction; private funds; disposition (NOW: budget reconciliation; criminal justice)	7
	HB 2647	VETOED	technical correction; certificate of title (NOW: budget reconciliation; criminal justice; trailer)	23
probation	SB 1011	125 (E)	sex offender registration; study committee (NOW: sex offenders; probation; monitoring)	90
	SB 1028	VETOED	technical correction; private funds; disposition (NOW: budget reconciliation; criminal justice)	7
	SB 1420	189	DUI; juvenile adjudication (NOW: juvenile; adjudication; diversion)	3
probation officers	SB 1028	VETOED	technical correction; private funds; disposition (NOW: budget reconciliation; criminal justice)	7
	HB 2006	14	schools; juvenile probation officers	72
procurement	SB 1235	181	cooperative purchasing agreements	80
property	SB 1148	60	deed restrictions; for sale signs	80
	SB 1271	68	jail districts; property tax limit (NOW: deficiency judgment; foreclosed properties)	75
	HB 2014	15	municipalities; exchange of real property	99
	HB 2486	108	health insurance; purchase outside state (NOW: commercial mortgage broker license)	66
property tax	SB 1036	VETOED	tax anticipation bonds; technical correction (NOW: budget reconciliation; general revenues)	11
	SB 1155	7 (E)	trust lands; conservation; technical correction (NOW: elections; hospital districts)	104
	SB 1403	96	renewable, high-wage industries incentives	63
	SB 1421	118	special districts; secondary levy limits	75
	HB 2314	169	property valuation; telecommunications companies	78
	HB 2346	87	charter schools; leased property	78
	HB 2360	140	general obligation bond requirements	78
	HB 2644	VETOED	technical correction; rebate set aside (NOW: budget reconciliation; general revenues; trailer)	20

KEYWORD INDEX (Cont'd.)

KEYWORD	BILL NUMBER	CHAPTER	SHORT TITLE	PAGE NUMBER
prostitution	SB 1281	185	human trafficking; violation (NOW: violation; human trafficking)	93
psychologists	HB 2206	160	psychologist examiners board; omnibus	88
	HB 2207	161	behavior analysts	88
public monies	HB 2396	141	ADOT; transportation facility pilot projects (NOW: transportation; public-private partnerships)	100
public records	SB 1246	154	CPS information	104
	SB 1285	69	CPS information; redactions; challenges	105
public safety employees	SB 1028	VETOED	technical correction; private funds; disposition (NOW: budget reconciliation; criminal justice)	7
	SB 1062	128	law enforcement officers; discipline procedures	103
	HB 2646	VETOED	technical correction; state highways (NOW: state properties; trailer)	23
Public Safety, Department of (DPS)	SB 1028	VETOED	technical correction; private funds; disposition (NOW: budget reconciliation; criminal justice)	7
	SB 1031	VETOED	tax exemption; technical correction (NOW: budget reconciliation; assets)	10
	SB 1289	131 (E)	vehicle accident reports	97
	HB 2465	144	scrap metal; theft; dealers	66
public-private partnerships	HB 2396	141	ADOT; transportation facility pilot projects (NOW: transportation; public-private partnerships)	100
Real Estate, Arizona Department of	HB 2310	17	subdivision public reports	65
Regents, Board of	SB 1029	VETOED	technical correction; budget estimates (NOW: budget reconciliation; higher education)	9
	HB 2649	VETOED	technical correction; open pit mining (NOW: budget reconciliation; higher education; trailer)	26
Registrar of Contractors	HB 2173	99	notification; complaint; registrar of contractors	64
religious liberties	HB 2357	88	public education; students' religious liberties	73
renewable energy	SB 1403	96	renewable, high-wage industries incentives	63
	HB 2332	101	schools; energy contracts	72
	HB 2336	86	community facilities districts; renewable energy (NOW: county renewable energy incentive districts)	82
	HB 2341	VETOED	renewable energy production tax credit	67
resolutions	SR 1003	--	national day of the cowboy	115
	SCR 1004	--	technical correction; military personnel (NOW: American Sovereignty Restoration Act)	115
	SCR 1026	--	secret ballot; fundamental right	115
	HCR 2014	--	state trust lands; technical correction (NOW: health care services; direct purchase)	116

KEYWORD INDEX (Cont'd.)

KEYWORD	BILL NUMBER	CHAPTER	SHORT TITLE	PAGE NUMBER
resolutions (cont'd.)	HCR 2019	--	justices and judges; senate confirmation. (NOW: discrimination; preferential treatment; prohibition)	116
	HCR 2030	--	initiative and referendum; voter approval (NOW: Arizona's water protection)	116
	HCR 2034	--	repeal business personal property tax (NOW: state veterans' cemetery; Tucson)	116
Retirement Plan, Corrections Officer (CORP)	SB 1028	VETOED	technical correction; private funds; disposition (NOW: budget reconciliation; criminal justice)	7
	HB 2110	35	public retirement plans; federal changes	110
	HB 2326	83	CORP; omnibus amendments	111
Retirement Plan, Elected Officials' (EORP)	HB 2110	35	public retirement plans; federal changes	110
Retirement System, Arizona State (ASRS)	HB 2118	36	ASRS; LTD amendments	110
Retirement System, Public Safety Personnel (PSPRS)	SB 1028	VETOED	technical correction; private funds; disposition (NOW: budget reconciliation; criminal justice)	7
	HB 2110	35	public retirement plans; federal changes	110
	HB 2647	VETOED	technical correction; certificate of title (NOW: budget reconciliation; criminal justice; trailer)	23
return to work	HB 2118	36	ASRS; LTD amendments	110
Revenue, Department of (DOR)	SB 1036	VETOED	tax anticipation bonds; technical correction (NOW: budget reconciliation; general revenues)	11
	SB 1185	2 (E)	technical correction; disincorporation (NOW: conformity; internal revenue code)	2
	SB 1373	116	income tax returns; penalties	75
	SB 1403	96	renewable, high-wage industries incentives	63
	SB 1464	VETOED	state financial condition; state treasurer (NOW: state budget reports; financial condition)	19
	HB 2083	33	2009 tax corrections act	76
	HB 2286	80	tax credit; charitable organizations	77
	HB 2288	168	premium tax credit; STO contribution	6
	HB 2314	169	property valuation; telecommunications companies	78
	HB 2371	103	tax credit; coal consumption (NOW: utilities; confidential information)	79
	HB 2644	VETOED	technical correction; rebate set aside (NOW: budget reconciliation; general revenues; trailer)	20
roads and highways	SB 1320	187	ADOT omnibus (NOW: omnibus; ADOT)	98

KEYWORD INDEX (Cont'd.)

KEYWORD	BILL NUMBER	CHAPTER	SHORT TITLE	PAGE NUMBER
roads and highways (cont'd.)	HB 2388	105	school crossings; signs (NOW: STAN; repayment)	112
	HB 2396	141	ADOT; transportation facility pilot projects (NOW: transportation; public-private partnerships)	100
rule making	HB 2401	171	administrative rules oversight committee	82
safe haven	SB 1326	156	safe haven providers; placement protocols	105
scholarships	SB 1187	VETOED	technical correction; deceptive mailings (NOW: budget reconciliation; K-12)	15
	HB 2648	VETOED	technical correction; industrial development; insurance (NOW: budget reconciliation; K-12 education; trailer)	24
school budgets	SB 1187	VETOED	technical correction; deceptive mailings (NOW: budget reconciliation; K-12)	15
	HB 2029	6	school districts; liability; immunity waiver (NOW: school district balances; allocations)	4
	HB 2648	VETOED	technical correction; industrial development; insurance (NOW: budget reconciliation; K-12 education; trailer)	24
school district receivership	SB 1196	95	education; meetings; technical correction (NOW: education omnibus)	68
school districts	SB 1187	VETOED	technical correction; deceptive mailings (NOW: budget reconciliation; K-12)	15
	SB 1196	95	education; meetings; technical correction (NOW: education omnibus)	68
	SB 1197	62 (E)	technical correction; dental board powers (NOW: task force; special education)	71
	HB 2006	14	schools; juvenile probation officers	72
	HB 2029	6	school districts; liability; immunity waiver (NOW: school district balances; allocations)	4
	HB 2031	75	schools; contractors; fingerprint clearance cards	106
	HB 2332	101	schools; energy contracts	72
	HB 2432	90	school board membership; family members	73
	HB 2648	VETOED	technical correction; industrial development; insurance (NOW: budget reconciliation; K-12 education; trailer)	24
School Facilities Board	SB 1187	VETOED	technical correction; deceptive mailings (NOW: budget reconciliation; K-12)	15
	SB 1196	95	education; meetings; technical correction (NOW: education omnibus)	68
	HB 2648	VETOED	technical correction; industrial development; insurance (NOW: budget reconciliation; K-12 education; trailer)	24
school safety	SB 1437	97	schools; gun safety instructors; certification	105

KEYWORD INDEX (Cont'd.)

KEYWORD	BILL NUMBER	CHAPTER	SHORT TITLE	PAGE NUMBER
school tuition organizations (STOs)	SB 1036	VETOED	tax anticipation bonds; technical correction (NOW: budget reconciliation; general revenues)	11
	HB 2287	167	tax credits; withholding tax reduction	77
	HB 2288	168	premium tax credit; STO contribution	6
schools	HB 2287	167	tax credits; withholding tax reduction	77
scrap metal	HB 2465	144	scrap metal; theft; dealers	66
Secretary of State	SB 1035	VETOED	school bonds; technical correction (NOW: budget reconciliation; general government)	10
	SB 1091	114 (RFEIR)	elections; special districts; technical correction (NOW: secretary of state; elections; filing)	91
	HB 2627	173 (E) (RFEIR)	voter identification; military identification (NOW: voter identification; valid forms)	95
	HB 2645	VETOED	technical correction; public roadways (NOW: budget reconciliation; general government; trailer)	22
self-defense	SB 1449	190 (W/O)	applicability; self-defense	105
self-storage	HB 2435	48	amendments; self-storage units	66
sentencing	SB 1282	186	smuggling; definitions (NOW: smuggling; classification; definitions)	93
	HB 2315	82 (E)	criminal sentencing	94
	HB 2530	121	reckless driving; prior convictions	95
sex offender	SB 1011	125 (E)	sex offender registration; study committee (NOW: sex offenders; probation; monitoring)	90
special education	SB 1197	62 (E)	technical correction; dental board powers (NOW: task force; special education)	71
special plates	SB 1017	VETOED	multiple sclerosis awareness special plates	101
	SB 1320	187	ADOT omnibus (NOW: omnibus; ADOT)	98
	HB 2123	37	license plate commission repeal	99
	HB 2222	44	accountable health plans; technical correction (NOW: special license plates)	111
special taxing districts	SB 1155	7 (E)	trust lands; conservation; technical correction (NOW: elections; hospital districts)	104
	SB 1183	179	recreational corridor districts; termination date	96
	SB 1297	72	flood control districts; remainder parcels	98
	SB 1323	29	emergency mutual aid agreements	81
	SB 1330	115	special health care districts; terms	86
	SB 1421	118	special districts; secondary levy limits	75
	HB 2285	100	fire district assistance tax; mergers (NOW: merger; fire district assistance tax)	77
	HB 2312	18	small special districts; financial review	78
SB 2480	52	regional transportation authorities; qualifying counties.	79	

KEYWORD INDEX (Cont'd.)

KEYWORD	BILL NUMBER	CHAPTER	SHORT TITLE	PAGE NUMBER
special taxing districts (cont'd.)	HB 2581	53	library districts; county reimbursement	83
sports authority district	HB 2572	122	voter registration; technical correction (NOW: sports authority districts)	82
spousal privilege	SB 1152	153	mental health services; court-ordered treatment	92
	SB 1254	155 (E)	anti-marital fact privilege; exception	93
state aid	HB 2029	6	school districts; liability; immunity waiver (NOW: school district balances; allocations)	4
state land	SB 1294	71	state land sales; default	97
	HB 2419	142	special license plates; maintenance (NOW: mass appraisal guidelines; state lands)	101
state property	SB 1031	VETOED	tax exemption; technical correction (NOW: budget reconciliation; assets)	10
	HB 2646	VETOED	technical correction; state highways (NOW: state properties; trailer)	23
State Treasurer	SB 1182	94	state treasurer; warrant notes	75
	SB 1464	VETOED	state financial condition; state treasurer (NOW: state budget reports; financial condition)	19
	HB 2103	162	state treasurer; independent legal counsel	5
	HB 2271	166	state treasurer; investment pools	81
	HB 2425	89	state treasurer; management fees	6
student loans	SB 1029	VETOED	technical correction; budget estimates (NOW: budget reconciliation; higher education)	9
task force	SB 1196	95	education; meetings; technical correction (NOW: education omnibus)	68
tax incentive	HB 2081	32	income tax credit review schedule	76
	HB 2286	80	tax credit; charitable organizations	77
	HB 2288	168	premium tax credit; STO contribution	6
	HB 2341	VETOED	renewable energy production tax credit	67
taxation	SB 1036	VETOED	tax anticipation bonds; technical correction (NOW: budget reconciliation; general revenues)	11
	SB 1185	2 (E)	technical correction; disincorporation (NOW: conformity; internal revenue code)	2
	SB 1373	116	income tax returns; penalties	75
	SB 1421	118	special districts; secondary levy limits	75
	HB 2081	32	income tax credit review schedule	76
	HB 2083	33	2009 tax corrections act	76
	HB 2156	135	fire insurance; premium tax (NOW: fire insurance premium tax; report)	77
	HB 2285	100	fire district assistance tax; mergers (NOW: merger; fire district assistance tax)	77
	HB 2286	80	tax credit; charitable organizations	77
	HB 2287	167	tax credits; withholding tax reduction	77
	HB 2288	168	premium tax credit; STO contribution	6
	HB 2314	169	property valuation; telecommunications companies	78
	HB 2344	119	vulnerable adults; financial exploitation	106
HB 2346	87	charter schools; leased property	78	

KEYWORD INDEX (Cont'd.)

KEYWORD	BILL NUMBER	CHAPTER	SHORT TITLE	PAGE NUMBER
taxation (cont'd.)	HB 2360	140	general obligation bond requirements tax credit; coal consumption	78
	HB 2371	103	(NOW: utilities; confidential information)	79
	HB 2480	52	regional transportation authorities; qualifying counties.	79
	HB 2572	122	voter registration; technical correction (NOW: sports authority districts)	82
	HB 2644	VETOED	technical correction; rebate set aside (NOW: budget reconciliation; general revenues; trailer)	20
teachers	SB 1187	VETOED	technical correction; deceptive mailings (NOW: budget reconciliation; K-12)	15
	SB 1196	95	education; meetings; technical correction (NOW: education omnibus)	68
	HB 2648	VETOED	technical correction; industrial development; insurance (NOW: budget reconciliation; K-12 education; trailer)	24
telecommunications	HB 2314	169	property valuation; telecommunications companies	78
theft	SB 1059	127	organized retail theft	103
	HB 2344	119	vulnerable adults; financial exploitation	106
	HB 2465	144	scrap metal; theft; dealers	66
tobacco products	SB 1036	VETOED	tax anticipation bonds; technical correction (NOW: budget reconciliation; general revenues)	11
	HB 2644	VETOED	technical correction; rebate set aside (NOW: budget reconciliation; general revenues; trailer)	20
tourism	HB 2572	122	voter registration; technical correction (NOW: sports authority districts)	82
trafficking	SB 1281	185	human trafficking; violation. (NOW: violation; human trafficking)	93
transportation	SB 1320	187	ADOT omnibus (NOW: omnibus; ADOT)	98
	SB 1336	157	afflicted persons; orders for transportation	86
	HB 2388	105	school crossings; signs (NOW: STAN; repayment)	112
	HB 2396	141	ADOT; transportation facility pilot projects (NOW: transportation; public-private partnerships)	100
	HB 2426	143	enhanced driver licenses; prohibition	112
	HB 2480	52	regional transportation authorities; qualifying counties.	79
Transportation, Arizona Department of (ADOT)	SB 1017	VETOED	multiple sclerosis awareness special plates	101
	SB 1169	158	vehicle impoundment; administrative towing fund	2
	SB 1293	70	transportation system database; reporting date (NOW: certificates of title; electronic system)	97
	SB 1320	187	ADOT omnibus (NOW: omnibus; ADOT)	98
	HB 2123	37	license plate commission repeal	99

KEYWORD INDEX (Cont'd.)

KEYWORD	BILL NUMBER	CHAPTER	SHORT TITLE	PAGE NUMBER
Transportation, Arizona Department of (ADOT) (cont'd.)	HB 2222	44	accountable health plans; technical correction (NOW: special license plates)	111
	HB 2224	165	mandatory vehicle insurance; technical correction (NOW: mandatory vehicle insurance; financial responsibility)	77
	HB 2396	141	ADOT; transportation facility pilot projects (NOW: transportation; public-private partnerships)	100
	HB 2426	143	enhanced driver licenses; prohibition	112
	HB 2645	VETOED	technical correction; public roadways (NOW: budget reconciliation; general government; trailer)	22
trusts	SB 1271	68	jail districts; property tax limit (NOW: deficiency judgment; foreclosed properties)	75
	HB 2333	85	Arizona trust code	65
	HB 2334	102	uniform principal and income act	66
tuition	HB 2495	91	in-state tuition; veterans	114
unemployment insurance	SB 1322	3 (E)	license plates; state name (NOW: unemployment insurance; benefits)	63
United Nations	SCR 1004	--	technical correction; military personnel (NOW: American Sovereignty Restoration Act)	115
universities	SB 1029	VETOED	technical correction; budget estimates (NOW: budget reconciliation; higher education)	9
	HB 2649	VETOED	technical correction; open pit mining (NOW: budget reconciliation; higher education; trailer)	26
urban revenue sharing	HB 2051	1	technical correction; cease; desist order (NOW: 2008-2009; appropriations; budget revisions)	5
utility service	HB 2371	103	tax credit; coal consumption (NOW: utilities; confidential information)	79
vehicle license tax (VLT)	SB 1036	VETOED	tax anticipation bonds; technical correction (NOW: budget reconciliation; general revenues)	11
	HB 2644	VETOED	technical correction; rebate set aside (NOW: budget reconciliation; general revenues; trailer)	20
vehicles	SB 1168	177	federal monies; report (NOW: storage; firearms; motor vehicles)	2
	SB 1169	158	vehicle impoundment; administrative towing fund	2
	SB 1180	61	towing companies; release of vehicles	96
	SB 1289	131 (E)	vehicle accident reports	97
	SB 1293	70	transportation system database; reporting date (NOW: certificates of title; electronic system)	97
	SB 1320	187	ADOT omnibus (NOW: omnibus; ADOT)	98
veterans	SB 1176	24 (E)	military family relief fund	113
	SB 1407	30	health spa contracts; military members	114

KEYWORD INDEX (Cont'd.)

KEYWORD	BILL NUMBER	CHAPTER	SHORT TITLE	PAGE NUMBER
veterans (cont'd.)	SB 1429	31	Arizona medal of honor repeal business personal property tax	114
	HCR 2034	--	(NOW: state veterans' cemetery; Tucson)	116
	HB 2222	44	accountable health plans; technical correction	111
	HB 2495	91	(NOW: special license plates) in-state tuition; veterans	114
victims	SB 1459	132	cold case reporting; victim reports (NOW: cold case register; victim report)	94
	HB 2610	123	civil liability; affirmative defenses	108
voting	SCR 1026	--	secret ballot; fundamental right election law amendments	115
	SB 1074	149	(NOW: amendments; election law)	90
	SB 1123	176	city elections; nonpartisan primaries; districts	92
	HB 2627	173 (E) (RFEIR)	voter identification; military identification (NOW: voter identification; valid forms)	95
vulnerable adults	SB 1009	21	board of fingerprinting; hearings	102
	HB 2344	119	vulnerable adults; financial exploitation	106
water	SB 1323	29	emergency mutual aid agreements	81
	HCR 2030	--	initiative and referendum; voter approval	116
	HB 2202	43	(NOW: Arizona's water protection) county stormwater management; reference correction.	100
	HB 2440	49	drought emergency groundwater transfers	101
Water Resources, Arizona Department of (ADWR)	SB 1258	VETOED	mine inspector; education; training; fees (NOW: budget reconciliation; environment)	19
	HB 2440	49	drought emergency groundwater transfers	101
weapons	SB 1113	175	handguns; restaurants; posting (NOW: restaurants; handguns; posting)	92
	SB 1242	182 (E)	weapons; peace officers; posse; reserves	80
	SB 1243	183	justification; defensive display of firearm	93
	HB 2569	146	smuggling; use of weapon; classification	95
withholding tax	SB 1185	2 (E)	technical correction; disincorporation (NOW: conformity; internal revenue code)	2
workers' compensation	SB 1262	184	workers' compensation; charges; dispute resolution (NOW: workers' compensation omnibus)	62
	SB 1266	67	workers' compensation; drugs and alcohol	62
zoning	HB 2099	98	charter schools; zoning	72

KEYWORD INDEX (Cont'd.)

FIRST SPECIAL SESSION

KEYWORD	BILL NUMBER	CHAPTER NUMBER	SHORT TITLE	PAGE NUMBER
AHCCCS	SB 1004	4	budget reconciliation; health; welfare; 2008-2009	42
appropriation	SB 1001	1	budget reductions and transfers; 2008-2009	29
	SB 1002	2	capital outlay; reductions; transfers; 2008-2009.	40
	SB 1003	3	revenues; budget reconciliation; 2008-2009.	41
	SB 1004	4	budget reconciliation; health; welfare; 2008-2009	42
	SB 1005	5	criminal justice; budget reconciliation; 2008-2009.	43
	SB 1006	6	education; budget reconciliation; 2008-2009.	43
budget	SB 1001	1	budget reductions and transfers; 2008-2009	29
	SB 1002	2	capital outlay; reductions; transfers; 2008-2009.	40
	SB 1003	3	revenues; budget reconciliation; 2008-2009.	41
	SB 1004	4	budget reconciliation; health; welfare; 2008-2009	42
	SB 1005	5	criminal justice; budget reconciliation; 2008-2009.	43
	SB 1006	6	education; budget reconciliation; 2008-2009.	43
capital outlay	SB 1002	2	capital outlay; reductions; transfers; 2008-2009.	40
charter schools	SB 1006	6	education; budget reconciliation; 2008-2009.	43
community colleges	SB 1006	6	education; budget reconciliation; 2008-2009.	43
Counties	SB 1005	5	criminal justice; budget reconciliation; 2008-2009.	43
Courts	SB 1005	5	criminal justice; budget reconciliation; 2008-2009.	43
Economic Security, Department of (DES)	SB 1004	4	budget reconciliation; health; welfare; 2008-2009	42
federal funds	SB 1001	1	budget reductions and transfers; 2008-2009	29
Health Services, Department of (DHS)	SB 1004	4	budget reconciliation; health; welfare; 2008-2009	42
Land Department, State	SB 1003	3	revenues; budget reconciliation; 2008-2009.	41
lottery	SB 1003	3	revenues; budget reconciliation; 2008-2009.	41
Parks Board, State	SB 1003	3	revenues; budget reconciliation; 2008-2009.	41
probation	SB 1005	5	criminal justice; budget reconciliation; 2008-2009.	43

KEYWORD INDEX (Cont'd.)

KEYWORD	BILL NUMBER	CHAPTER NUMBER	SHORT TITLE	PAGE NUMBER
Revenue, Department of (DOR)	SB 1003	3	revenues; budget reconciliation; 2008-2009.	41
school budgets	SB 1006	6	education; budget reconciliation; 2008-2009.	43
school districts	SB 1006	6	education; budget reconciliation; 2008-2009.	43
Transportation, Arizona Department of (ADOT)	SB 1001	1	budget reductions and transfers; 2008-2009	29
	SB 1003	3	revenues; budget reconciliation; 2008-2009.	41
universities	SB 1006	6	education; budget reconciliation; 2008-2009.	43
vehicle license tax (VLT)	SB 1001	1	budget reductions and transfers; 2008-2009	29

SECOND SPECIAL SESSION

KEYWORD	BILL NUMBER	CHAPTER NUMBER	SHORT TITLE	PAGE NUMBER
disability	HB 2001	1 (W/O)	scholarships; disabled or displaced students	44
Education, State Board of (SBE)	HB 2001	1 (W/O)	scholarships; disabled or displaced students	44
foster care	HB 2001	1 (W/O)	scholarships; disabled or displaced students	44
income tax	HB 2001	1 (W/O)	scholarships; disabled or displaced students	44
premium tax	HB 2001	1 (W/O)	scholarships; disabled or displaced students	44
schools	HB 2001	1 (W/O)	scholarships; disabled or displaced students	44
school tuition organizations (STOs)	HB 2001	1 (W/O)	scholarships; disabled or displaced students	44
tax incentive	HB 2001	1 (W/O)	scholarships; disabled or displaced students	44
taxation	HB 2001	1 (W/O)	scholarships; disabled or displaced students	44

THIRD SPECIAL SESSION

KEYWORD	BILL NUMBER	CHAPTER NUMBER	SHORT TITLE	PAGE NUMBER
Administration, Department of (ADOA)	HB 2008	7	general government; budget reconciliation	47
	HB 2009	8	assets; budget reconciliation	49

KEYWORD INDEX (Cont'd.)

KEYWORD	BILL NUMBER	CHAPTER NUMBER	SHORT TITLE	PAGE NUMBER
agriculture	HB 2014	5	environment; budget reconciliation	58
AHCCCS	HB 2003	3 (E)	health and welfare; budget reconciliation	45
	HB 2008	7	general government; budget reconciliation	47
	HB 2013	10	health and welfare; budget reconciliation	56
appropriation	HB 2001	1	education; appropriations; 2009-2010	44
	HB 2002	2 (E)	K-12 education; budget reconciliation	44
	HB 2003	3 (E)	health and welfare; budget reconciliation	45
	HB 2006	11 (LIVS)	general appropriations; fiscal year 2009-2010	46
	HB 2008	7	general government; budget reconciliation	47
	HB 2010	6	criminal justice; budget reconciliation	49
	HB 2011	12 (LIVS)	K-12; budget reconciliation	51
	HB 2012	9	higher education; budget reconciliation	55
	HB 2013	10	health and welfare; budget reconciliation	56
	HB 2014	5	environment; budget reconciliation	58
budget	SB 1025	VETOED	common school districts; technical correction (NOW: general revenues; budget reconciliation)	59
	HB 2001	1	education; appropriations; 2009-2010	44
	HB 2002	2 (E)	K-12 education; budget reconciliation	44
	HB 2003	3 (E)	health and welfare; budget reconciliation	45
	HB 2004	4 (E)	legislative subsistence payments; exception	45
	HB 2006	11 (LIVS)	general appropriations; fiscal year 2009-2010	46
	HB 2008	7	general government; budget reconciliation	47
	HB 2010	6	criminal justice; budget reconciliation	49
	HB 2011	12 (LIVS)	K-12; budget reconciliation	51
	HB 2012	9	higher education; budget reconciliation	55
charter schools	HB 2002	2 (E)	K-12 education; budget reconciliation	44
	HB 2011	12 (LIVS)	K-12; budget reconciliation	51
Commerce, Department of (ADOC)	HB 2008	7	general government; budget reconciliation	47
community colleges	HB 2012	9	higher education; budget reconciliation	55
Consumer fraud	HB 2010	6	criminal justice; budget reconciliation	49
Corporation Commission, Arizona (ACC)	SB 1025	VETOED	common school districts; technical correction (NOW: general revenues; budget reconciliation)	59
Corrections, Arizona Department of (ADC)	HB 2010	6	criminal justice; budget reconciliation	49

KEYWORD INDEX (Cont'd.)

KEYWORD	BILL NUMBER	CHAPTER NUMBER	SHORT TITLE	PAGE NUMBER
Counties	HB 2010	6	criminal justice; budget reconciliation	49
	HB 2013	10	health and welfare; budget reconciliation	56
Courts	HB 2010	6	criminal justice; budget reconciliation	49
DNA	HB 2010	6	criminal justice; budget reconciliation	49
Education, Arizona Department of (ADE)	HB 2006	11 (LIVS)	general appropriations; fiscal year 2009-2010	46
Environmental Quality, Arizona Department of (ADEQ)	HB 2006	11 (LIVS)	general appropriations; fiscal year 2009-2010	46
Health Services, Department of (DHS)	HB 2014	5	environment; budget reconciliation	58
	HB 2006	11 (LIVS)	general appropriations; fiscal year 2009-2010	46
	HB 2013	10	health and welfare; budget reconciliation	56
Insurance, Department of (DOI)	HB 2008	7	general government; budget reconciliation	47
justices of the peace	HB 2010	6	criminal justice; budget reconciliation	49
Land Department, State	HB 2014	5	environment; budget reconciliation	58
legislature	HB 2004	4 (E)	legislative subsistence payments; exception	45
Liquor Licenses and Control, Department of	HB 2008	7	general government; budget reconciliation	47
Parks Board, State	HB 2014	5	environment; budget reconciliation	58
photo radar	HB 2010	6	criminal justice; budget reconciliation	49
postsecondary education	HB 2012	9	higher education; budget reconciliation	55
private prisons	HB 2010	6	criminal justice; budget reconciliation	49
probation	HB 2010	6	criminal justice; budget reconciliation	49
probation officers	HB 2010	6	criminal justice; budget reconciliation	49
property tax	SB 1025	VETOED	common school districts; technical correction (NOW: general revenues; budget reconciliation)	59
Public Safety, Department of (DPS)	HB 2010	6	criminal justice; budget reconciliation	49
Regents, Board of Regents, Board of (cont'd.)	HB 2006	11 (LIVS)	general appropriations; fiscal year 2009-2010	46
	HB 2012	9	higher education; budget reconciliation	55
Registrar of Contractors	SB 1025	VETOED	common school districts; technical correction (NOW: general revenues; budget reconciliation)	59
Retirement System, Public Safety Personnel (PSPRS)	HB 2010	6	criminal justice; budget reconciliation	49
Revenue, Department of (DOR)	SB 1025	VETOED	common school districts; technical correction (NOW: general revenues; budget reconciliation)	59
school budgets	HB 2002	2 (E)	K-12 education; budget reconciliation	44
	HB 2011	12 (LIVS)	K-12; budget reconciliation	51
school districts	HB 2002	2 (E)	K-12 education; budget reconciliation	44
	HB 2011	12 (LIVS)	K-12; budget reconciliation	51
School Facilities Board	HB 2011	12 (LIVS)	K-12; budget reconciliation	51
schools	HB 2001	1	education; appropriations; 2009-2010	44

KEYWORD INDEX (Cont'd.)

KEYWORD	BILL NUMBER	CHAPTER NUMBER	SHORT TITLE	PAGE NUMBER
school tuition organizations (STOs)	HB 2001	1	education; appropriations; 2009-2010	44
scholarships	HB 2011	12 (LIVS)	K-12; budget reconciliation	51
state property	HB 2009	8	assets; budget reconciliation	49
student loans	HB 2012	9	higher education; budget reconciliation	55
Superintendent of Public Instruction	HB 2001	1	education; appropriations; 2009-2010	44
taxation	SB 1025	VETOED	common school districts; technical correction (NOW: general revenues; budget reconciliation)	59
teachers	HB 2011	12 (LIVS)	K-12; budget reconciliation	51
unclaimed property	SB 1025	VETOED	common school districts; technical correction (NOW: general revenues; budget reconciliation)	59
universities	HB 2012	9	higher education; budget reconciliation	55
vehicle license tax (VLT)	SB 1025	VETOED	common school districts; technical correction (NOW: general revenues; budget reconciliation)	59
	HB 2006	11 (LIVS)	general appropriations; fiscal year 2009-2010	46
Water Resources, Arizona Department of (ADWR)	HB 2014	5	environment; budget reconciliation	58