

COMMITTEE ON EMPLOYMENT AND REGULATORY AFFAIRS

Representative Bob Robson, Chairman
Representative Justin Olson, Vice-Chairman
Sarah Wharton, Legislative Research Analyst



* Strike-Everything Amendment
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[P 105] Proposition 105 Clause
[P 108] Proposition 108 Clause
[LIV] Line Item Veto

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HB 2024 – Chapter 277 – ASRS; amendments

Makes changes to ASRS relating to administration, distribution of benefits, Long Term Disability, employer collections, service purchase and benefit transfers. Makes federal conforming changes consistent with The Uniformed Services Employment and Reemployment Rights Act. Requires benefit transfers from charter cities to conform to PSPRS and CORP transfer guidelines, as outlined in current statute. Terminates an alternate payee's benefit under a Qualified Domestic Relations Order if the alternate payee predeceases the member. Prohibits a member from receiving a benefit from two systems for the same period of time, and institutes a twelve-month disability filing window.

HB 2169 – Chapter 87 – dental board; fees

Establishes fee regulations for the triennial licensure of dentists, dental hygienists and the certification of denturists based on the maximum fee allowed to cover the SBDE's anticipated expenditures for the following three fiscal years. Stipulates that the fee can not vary during the three year time-frame unless a license expires.

HB 2423 – Chapter 116 – *attorney general's office; contracts

Provides guidelines and requirements for the AG's Office when entering into contingency fee contracts with private attorneys. Requires the AG to make a written determination before entering into a contingency fee contract, that the fee representation is both cost effective and in the public interest. Specifies that the AG must to request proposals from private attorneys based on the determination unless the AG determines that the request is not feasible based on the circumstances. Prohibits the state from entering into a contract for contingency services unless certain requirements have been met. Requires the AG to submit a report to the Legislature each year regarding the contingency fee contracts entered into for the previous year.

HB 2468 – Chapter 199 – cosmetologist licenses; board powers; duties

Makes various changes to statutes regarding The Arizona Board of Cosmetology's terms, powers, and licensure. Delegates authority to its executive director to issue licenses to applicants who meet the requirements. Requires reciprocity license applicants to complete a class relating to infection protection and a class relating to law review that is given by the Board or its designee.

HB 2477 – Chapter 301 – *witness; representation; law enforcement officers

Allows law enforcement officers who are witnesses relating to an investigation that could lead to another officer's dismissal, demotion or suspension to have a representative available during the interview, and permits the witness officer to discuss the interview with their employee representative or the representative's legal counsel. Stipulates that all information obtained in the interview is considered proprietary and confidential and shall remain so until the subject of the interview is served with a notice of investigation by the employer and any admonitions ordered by the employer are redacted.

HB 2520 – Chapter 118 – professional boards; actions; public access

Specifies that complaints, non-disciplinary orders and actions, advisory letters, and letters of concern issued by health and non-health regulatory boards and commissions be open to inspection by any person at all times during office hours.

HB 2541 – Chapter 336 – *employee drug testing; medical marijuana

Allows employers to take action against employees who are believed, in good faith, to be impaired at work due to prescribed, illegal or synthetic drug use and provides that employers are not obligated to keep employees in safety-sensitive positions if they are drug users or show symptoms of impairment. Additionally, it permits an employer to use the medical marijuana verification system to verify a registry identification card that is provided to the employer by an employee or applicant that has received a conditional offer of employment.

HB 2619 – Chapter 218 – *unemployment; special assessment

Requires employers to pay a special assessment for calendar years 2011 and 2012, which will be used to pay outstanding loan balances related to Arizona's Unemployment Insurance Program. Contains a legislative intent clause relating to the purpose of the assessment, and repeals the assessment as well as the Assessment Fund on January 1, 2013.

SB 1120 – Chapter 183 – chiropractic services; business entities

Requires business entities that offer chiropractic services to register with the State Board of Chiropractic Examiners and stipulates that the services must be provided by a licensed chiropractic doctor. Establishes a Class 6 felony for a business entity that fails to comply with the registration requirements.

SB 1169 – Chapter 145 – *scope of practice; nursing; abortion

Prohibits the Arizona State Board of Nursing from having the authority to decide the scope of practice relating to abortion and maintains that the authority of the Board to make scope of practice determinations is and has always been limited to the authority delegated to the Board by the legislature. Asserts that any rule, advisory opinion or other actions taken by the Board relating to abortion and the scope of practice of nurses licenses is rescinded and not valid.

SB 1196 – Chapter 207 – optional retirement plans; community colleges

Requires a community college district governing board to make contributions from publicly appropriated monies to be at least equal to the contributions prescribed by ASRS.

SB 1317 – Chapter 347 – PSPRS; CORP; EORP; administration

Makes various changes to PSPRS relating to administration. Prohibits retroactive payments of a pension more than 90 days after the date of the person's application for benefits. Increases the number of days allotted for the transfer of employer and employee contributions from five to 10 working days and includes a penalty on the employer of 10% per year, compounded annually, for each day after the allotted 10 days. Specifies that provisions related to retired members or survivors of PSPRS, CORP, or EORP who opt to purchase individual health care coverage through the former employer do not apply to retired members or survivors who are reemployed and who participate in healthcare coverage by their new employer.

SB 1403 – Chapter 23 – *mandatory project labor agreements; prohibition

Prohibits agencies and political subdivisions of this state and the ACC from granting public works contracts based on the applicant's negotiation with or participation in a labor union. Specifies that private parties are not prohibited from entering into individual collective bargaining relationships through this bill, and does not interfere with any activity currently protected by law.

SB 1539 – Chapter 298 – CORP; designated position; waiver

Permits corrections employees with at least five years of service under CORP and who are transferred or promoted to temporarily fill an ASRS designated position to maintain active status in CORP without any time limitations.

SB 1609 – Chapter 357 – retirement systems; plans; plan design

Makes changes to the existing contribution and benefit structures for ASRS, PSPRS, CORP, and EORP. Changes the cost-of-living adjustment (COLA) formula based on investment earnings as well as the funded rate of the plan, and changes COLA eligibility to age 55. Removes double employer contributions for PSPRS, CORP, and EORP. Institutes pension forfeiture regulations for members who commit a class 5 felony or higher. Creates the option for the award of an ad-hoc cola with JLBC approval, and creates a study committee on future pension reform issues.

ASRS

- Adds an Alternate Contribution Rate (ACR) for return to work employees, effective July 1, 2012.
- Eliminates the points system and changes age and service requirements.
- Adds court commissioners and future PSPRS fund managers to ASRS prospectively.

EORP

- Increases contribution rates by 3% for the first year, and 1.5% for the 2 following years.
- Institutes an ACR. The employer must pay no less than 10%.
- Makes changes to final average salary calculation formulas.
- Changes survivor benefits to 50% of the member's benefit.
- Changes normal retirement eligibility and eliminates early retirement.
- Stipulates that terminated members will receive only employee contributions if they choose to withdraw their funds.

PSPRS

- Increases normal retirement eligibility and makes changes to early retirement.
- Institutes an ACR. The employer must pay no less than 8%.
- Changes deferred retirement option plans for members with less than 20 years of service as of January 1, 2012, and prospectively phases out the program for new members.
- Increases contribution rates by 1% for the first year, and then .9, .8, .7 and .6 for the following 4 years.
- Makes changes to the formulas for final average salary calculation.
- Stipulates that terminated members will receive only employee contributions if they choose to withdraw their funds.

CORP

- Institutes an ACR. Employer must pay no less than 6%.
- Makes changes to the formulas for final average salary calculation.
- Increases normal retirement eligibility and makes changes to early retirement.
- Stipulates that terminated members will receive only employee contributions if they choose to withdraw their funds.

