

Veterans, Military and Government Affairs Committee

Senator Adam Driggs, Chairman



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VETERANS, MILITARY AND GOVERNMENT AFFAIRS COMMITTEE

LEGISLATION ENACTED

military preservation; land exchanges (S.B. 1001) – Chapter 278

SEE THE NATURAL RESOURCES AND TRANSPORTATION COMMITTEE.

department of veterans' services; continuation (S.B. 1058) – Chapter 13

Continues the Arizona Department of Veterans' Services and the Arizona Veterans' Service Advisory Commission for ten years until July 1, 2022. The committee of reference is required to hold a public hearing to review the Office of the Auditor General's (OAG) follow-up reports relating to the implementation of OAG's sunset review recommendations on or before December 31, 2013.

World War II memorial. (S.B. 1126) – Chapter 5 E

An emergency measure effective March 1, 2012, repealed from and after September 30, 2014, that authorizes the Arizona Department of Administration (ADOA) to provide for the placement of a World War II memorial in Wesley Bolin Plaza dedicated to the commencement of World War II at Pearl Harbor on December 7, 1941, and the signing of surrender by Japan on September 2, 1945.

Permits the Secretary of State to solicit and accept contributions, including in-kind contributions, to pay for the costs associated with the memorial. All monies are required to be placed in a separate account. Exempts the requirement to deposit monies into the state monument and memorial repair fund. The Secretary of State is required to enter into an interagency agreement with ADOA for the maintenance, repair, reconditioning or relocation of the memorial.

public fiduciaries; investigatory power (S.B. 1141) – Chapter 172

Grants public fiduciaries investigatory power to locate next of kin if a county is responsible for the burial or placement of a person's remains.

jurors; Arizona lengthy trial fund (S.B. 1142) – Chapter 179

Modifies the time that a juror begins receiving replacement or supplemental earnings from the Arizona Lengthy Trial Fund (Fund) from the fourth day of service to the first day, and requires a juror whose service lasts more than five days, and requests payment from the Fund, to disclose the amount their employer will pay during the term of service starting on the first day and thereafter.

tax credit; military family relief (S.B. 1190) – Chapter 281

SEE THE FINANCE COMMITTEE.

law enforcement; overtime compensation (S.B. 1197) – Chapter 144

Clarifies that any person engaged in law enforcement activities must be compensated for any hours worked in excess of 40 hours in a one-week period unless otherwise agreed to by the employer and the person engaged in law enforcement activities. Specifies that an employee may terminate an existing alternate work period agreement if the employee moves to a new position under the same employ and that preexisting labor agreements are not impacted.

veterans' donations fund; grants (S.B. 1291) – Chapter 151

Modifies the expenditure process for monies in the Veterans' Donation Fund (Fund) by removing the authority of the Director of the Department of Veterans' Services (Department) to use the monies in the Fund and, instead, allowing donations to be used as grants for the benefit of Arizona veterans. Requires the Department to adopt rules or policies for grants of less than \$5,000 that encourage as much competition as practicable, and specifies that grants of less than \$5,000 from the Fund are exempt from the grant solicitation requirements if the Department adopts rules or policies governing those grants.

veterans' organizations; solicitations (S.B. 1293) – Chapter 22

Removes the Arizona Department of Veterans' Services' approval authority for the solicitation of money or other support in the name of American veterans and requires veterans' organizations that solicit money or other support in Arizona for American veterans to register with the Secretary of State.

emergency management; relief; rules exemption (S.B. 1296) – Chapter 194

Exempts the administration of Public Assistance Program monies authorized for liabilities incurred for declared disasters from the Administrative Procedures Act.

broadband conduit installation; right-of-way; ADOT (S.B. 1402) – Chapter 195

Establishes the Digital Highways Act of 2012 by allowing the Arizona Department of Transportation (ADOT) to install broadband conduit as part of a covered rural highway construction project if funding is received by ADOT to cover costs. The Director of ADOT (Director) may: 1) coordinate with providers regarding the planning and relocation of broadband conduit and any related provider facilities within the right-of-way at the provider's expense, if future highway improvements make the relocations necessary; 2) limit provider access to any broadband facilities within the right-of-way for initial installation and infrequent access for maintenance purposes and take other actions necessary to maintain highway safety; and 3) install broadband conduit without regard to the timing of a related existing road construction project, based on a request and receipt of funding from State entities charged with the responsibility for broadband infrastructure and policy.

students; residency; military service (S.B. 1405) – Chapter 293

Clarifies that honorably discharged service members from the armed forces who are on active duty or reserve or National Guard status or who have retired from active duty or reserve or National Guard status are immediately classified as in-state students for tuition purposes.

fire districts; budget (NOW: fire districts; boundaries) (S.B. 1407) – Chapter 347

Makes the following changes relating to the procedures for creating or adjusting fire, sanitary or community park maintenance district boundaries:

Requires a petition to be signed by the owners of more than one-half of the taxed property units in the area of the proposed district and persons owning collectively more than one-half of the assessed valuation of the property in the area of the proposed district. Property exempt from taxation is prohibited from being considered in determining the total assessed valuation of the proposed district. Prohibits owners of property not subject to taxation from signing a petition. An error in the legal description of a proposed district does not invalidate the petition if when considered as a whole the information provided is sufficient to identify the property as illustrated in the required map.

Allows a hearing on a petition to be postponed if a timely request to supplement petition signatures is made so that any supplemental petition signatures may be considered by the county board of supervisors (BOS). Prohibits a BOS from authorizing the circulation of petitions for more than one proposed new district of the same type in which any property owner's land is proposed for inclusion. A new petition cannot be circulated until the one-year period to submit signatures of the original petition circulation has expired or has otherwise been extinguished.

Procedures for Fire District Creation – Requires a person who desires to propose the creation of a fire district (district) to provide a legal description of the area proposed for inclusion in the district to the county assessor. Requires the county assessor to provide a detailed list of all taxed properties in the area proposed for inclusion in the district.

Requires a petition for the formation of a district to include a map and general description of a proposed district's boundaries which includes sufficient detail to permit a property owner to determine whether a particular property is within the proposed district.

Procedures for Fire District, Community Park Maintenance District and Sanitary District Boundary Changes – Requires a person who desires to propose a change in the boundaries of a district to provide a legal description of the area proposed for inclusion in the district to the county assessor. Requires the county assessor to provide a detailed list of the properties.

Requires a petition for the formation of a district to include a map and general description of a proposed districts boundaries that includes sufficient detail to permit a property owner to determine whether a particular property is within the proposed boundary change.

Procedures for Forming Noncontiguous County Island Fire Districts – Requires a person or persons who wish to petition for a noncontiguous county island fire district (district) to request and the county assessor to provide a map and a detailed list of all property parcels, which includes the assessed values of all county island areas that are contained within the municipal planning area of a city or other unincorporated area as required by statute.

Requires, within 60 days of receiving a map from the county assessor, the person proposing formation of a district to prepare and submit a district impact statement, which shall include the following: 1) a general description of the boundaries of the proposed district, a map of the area to be included, and a list of the parcels to be included in the district by assessor parcel number; 2) an estimate of the assessed valuation within the proposed district; 3) an estimate of the change in the property tax liability of a typical resident of the proposed district; 4) a list and explanation of benefits

that will result from the proposed district; 5) a list and explanation of the injuries that will result from the proposed district; 6) the names, addresses and occupations of the three proposed members of the district's organizing board of directors; and 7) a description of the scope of services to be provided by the district during its first five years of operation.

Requires, on receipt of the map and impact statement, a BOS to set a day for the hearing on the proposed district formation not more than 60 days from the date the map and impact statement are received.

Allows a district to expand its boundaries to include unincorporated parcels within a city or town's municipal planning area with the permission of the city or town.

honor and remember flag; half-staff (H.B. 2020) – Chapter 111

Requires the Honor and Remember flag to be displayed on or in front of the State Capitol building, county superior court buildings and the city or town hall of each incorporated city or town on any day when the United States flag is flown at half-staff due to the death of a member of the armed forces. Specifies that, notwithstanding any other law, the Honor and Remember flag must be displayed below the POW/MIA flag when displayed with the United States flag on a single staff.

~~technical correction; public health~~ (NOW: veterans; employment preference) (H.B. 2165) – Chapter 157

Requires any political subdivision in Arizona to give veterans entitled to federal retired pay for non-regular service, but for age, a five point lead on a passing score of an employment examination and the opportunity to apply for and receive employment.

state employee benefits; definition (H.B. 2283) – Chapter 40

Clarifies that the definition of *state employee*, for the purposes of determining retirement benefit eligibility, applies to judicial branch members who are paid through the Arizona Department of Administration.

lease of county property; requirements (H.B. 2389) – Chapter 254

Specifies that the appointment of an appraiser is not required for the lease of any land or building that is valued at or less than \$5,000 owned by or under the control of a county if the value of the land or building has been estimated and justified by a market analysis based on comparable sales.

~~unlawful practices; motor vehicle repair~~ (NOW: separate segregated funds; solicitations) (H.B. 2394) – Chapter 98

Eliminates the limitation on the number of written solicitations for contributions an insurer or an insurer's separate segregated fund can make during the calendar year, and expands the list of those who may be solicited in writing for contributions to include families of licensed insurance producers.

veteran benefits; reservists (H.B. 2428) – Chapter 241

Modifies various statutory provisions relating to the Military Family Relief Fund (MFRF) and government employees authorized for leave of absence for federal training as follows: 1) excludes public employees serving in a United States military auxiliary force from being granted a

leave of absence for federal training purposes; 2) eliminates the eligibility of service members who entered active duty service from the State of Arizona after September 11, 2001, from the MFRF, unless their home of record is claimed as Arizona; 3) specifies that service members must have been deployed from a military base in Arizona to be eligible for the MFRF; 4) adds military reserve unit commanders to the membership of the Military Family Relief Advisory Committee (Committee); 5) clarifies the status of a service member as either on Active Duty, National Guard or Reserves; 6) conforms the repeal date of MFRF and the Committee to December 31, 2018; and 7) requires the Arizona Department of Transportation to issue driver licenses with a veteran designation upon the request of an applicant who has provided satisfactory proof of veteran status.

animals; seizure; hearing; forfeiture (H.B. 2462) – Chapter 73

Requires a peace officer, county enforcement agent or animal control officer who is authorized to lawfully seize an animal to post a notice of seizure in a conspicuous place where the animal was found or personally deliver the notice to the owner. Requires the owner to request a postseizure hearing by signing a declaration of ownership within 10 days after the date of notice to the court and to post a bond of \$25 per animal. Upon receiving the hearing request, a justice of the peace or city magistrate must set a hearing date within 15 business days. If the owner fails to post the bond, request a hearing or attend a hearing, the animal will be deemed abandoned and all rights transferred to the seizing agency.

Clarifies that if an animal is deemed not to be vicious, a justice of the peace or city magistrate can order that animal to be returned to the owner. However, if the owner fails to appear at a disposition hearing, the animal can be forfeited and transferred to a legally incorporated humane society, county animal shelter or approved rescue agency and made available for adoption or humane destruction.

fire, building; life safety; continuation (H.B. 2476) – Chapter 54

Continues, retroactive to July 1, 2012, the Department of Fire, Building and Life Safety for two years until July 1, 2014.

state emergency council; report; posting (H.B. 2592) – Chapter 307 E

An emergency measure, effective May 7, 2012, that requires the State Emergency Council's annual report to the Legislature to be posted in a prominent location on the Department of Emergency and Military Affairs' (DEMA) website. Also, requires DEMA, within 90 days after monies are awarded by the Governor for certain emergencies, to post the amount of monies awarded, who received the monies and how the monies were spent in a prominent location on its official website.

Allows DEMA to use monies that were previously obligated but not used for a declared emergency or disaster to be reallocated towards an outstanding obligation for another declared emergency or disaster and to remain available for expenditure for the outstanding obligation. The reallocation of monies does not apply toward the \$4 million liability limit of the fiscal year in which the monies were reallocated or in which the monies are spent.

veteran supportive campuses (H.B. 2602) – Chapter 80

Requires, rather than allows, the Department of Veterans' Services (Department) to: a) maintain a list of certified Arizona Veteran Supportive Campuses (AVSC) on the Department's website; and b) make a reasonable effort to notify postsecondary institutions and any other appropriate entities of the opportunity to be certified as an AVSC. Also requires each AVSC to include the number of graduating veterans from its campus in its biannual report to the Department.

law enforcement dogs; biting (H.B. 2605) – Chapter 74

Exempts law enforcement dogs from statutory requirements regarding the reporting, handling and destruction of biting animals if a bite occurs while the dog is under law enforcement supervision and the care of a licensed veterinarian. Law enforcement agencies are required to notify the county enforcement agent if a dog exhibits abnormal behavior and make the dog available for examination at any reasonable time.

appointment; ombudsman-citizens aide (H.B. 2851) – Chapter 107 E

An emergency measure, effective March 27, 2012, that appoints Dennis Wells as the Ombudsman-Citizens' Aide for a term ending July 1, 2017.

urging adoption; veterans remembered flag (S.C.M. 1007)

SEE THE MEMORIALS AND RESOLUTIONS SECTION.

military bases; exemption from ESA (S.C.M. 1008)

SEE THE MEMORIALS AND RESOLUTIONS SECTION.

honoring Anthem veterans' memorial (S.C.R. 1010)

SEE THE MEMORIALS AND RESOLUTIONS SECTION.

United States Merchant Marine (S.C.R. 1033)

SEE THE MEMORIALS AND RESOLUTIONS SECTION.

Unmanned aircraft systems (H.C.R. 2024)

SEE THE MEMORIALS AND RESOLUTIONS SECTION.