

Federalism, Mandates & Fiscal Responsibility Committee

Senator Judy Burges, Chairman



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FEDERALISM, MANDATES & FISCAL RESPONSIBILITY COMMITTEE

LEGISLATION ENACTED

private property; acquisition; United States (NOW: conservation easements; tax classification; registry) (S.B. 1432) – Chapter 168

Establishes, effective January 1, 2017, Class Two (C) as a subclass of Class Two property for the purposes of taxation. Specifies that Class Two (C) property consists of real property that is currently burdened by a conservation easement. Requires a county assessor to periodically verify the status of properties classified as Class Two (C) and revise information in the registry as necessary. Requires a county assessor to maintain a public digital registry of each parcel of property classified as Class Two (C) property that shall consist of the following: 1) the name of the owner or owners of the property; 2) the date the conservation easement was created; 3) whether the easement is perpetual or limited in duration; and 4) the date or conditions under which the conservation easement terminates.

private lands; use; enjoyment (S.B. 1433) – Chapter 169

Prohibits the reclassification of trust lands for conservation purposes from restricting or unreasonably limiting the use or enjoyment of private lands. Requires any lease or sale of trust lands to include a condition requiring that permanent access to and use and enjoyment of private lands be allowed.

municipalities; property sale threshold; election (H.B. 2146) – Chapter 62

Increases the value threshold for municipal property whose sale is subject to voter approval in a special election from more than \$500,000 to more than \$1,500,000. Eliminates the process for the disincorporation and reincorporation of a municipality.

wild horses; management; prohibition (H.B. 2340) – Chapter 136

Prohibits a person from harassing, shooting, injuring, killing or slaughtering a horse that is part of the Salt River horse herd. Allows the Department of Agriculture (Department) or a County Sheriff to provide authorization to interact with Salt River horses for humane purposes only. Requires the Department to attempt to prove ownership of a horse with any brand or other mark indicating ownership before providing written authorization to interact with the Salt River horse herd. Allows public or private officials to address incidents that compromise the safety of either the Salt River horse herd or the public, provided that they receive authorization from the Department or a County Sheriff. Conditions the implementation of the provisions of the bill on the Department entering into an agreement with the U.S. Forest Service to address issues relating to the Salt River horse herd. States that a person found in violation of the above provisions is guilty of a Class 1 misdemeanor.

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postsecondary campuses; public forums; activities (NOW: public forums; activities; postsecondary campuses) (H.B. 2548) – Chapter 249

SEE THE EDUCATION COMMITTEE.

national monuments; justification; litigation (H.B. 2585) – Chapter 265

Requires the Arizona State Land Department (SLD) to maintain a catalog of each existing or newly created national monument in this state. Requires SLD to request the following information for each national monument from the federal government for inclusion in the catalog: 1) detailed accounting of each individual item to be protected; 2) the precise global positioning system location of each item to be protected; 3) the square footage that each item to be protected occupies; 4) the total square footage of the parcel of land comprising the national monument; and 5) a peer-reviewed justification for the protection of the object by the federal government. Requires SLD to: 1) determine whether the limits of a parcel comprising a national monument in this state are confined to the smallest area compatible with the proper care and management of the objects to be protected by the national monument; and 2) notify the Attorney General if they are not. Allows the Attorney General, upon receipt of notification, to commence an action to confine the limits of the parcel comprising the national monument to the smallest area compatible with the proper care and management of the objects to be protected by the national monument.

AHCCCS; provider participation; exclusions (H.B. 2599) – Chapter 302

Provides grounds for excluding an individual or entity from participation in the Arizona Health Care Cost Containment System (AHCCCS). Allows AHCCCS, in its sole discretion, to exclude from participation in the system any individual or entity that has done any of the following: 1) met any basis for permissive exclusion under federal law; 2) committed any act prohibited under the state public health and safety statutes; 3) been found liable for neglect of a patient that results in death or injury; 4) engaged in the unlawful disposal of medical waste in violation of law; 5) submitted a claim for a procedure performed in association with an abortion in violation of law; 6) failed to segregate taxpayer dollars from abortions as specified; or 7) failed to comply with federal or state law requiring mandatory reporting.

Requires the Director of AHCCCS to adopt rules prescribing procedures for determining the length of exclusion, appeals and reinstatement.

campuses; free speech zone; prohibition (H.B. 2615) – Chapter 250

SEE THE EDUCATION COMMITTEE.

Israel; boycotts; contracts; investments (H.B. 2617) – Chapter 46

Prohibits a public entity from entering into a contract with a company to acquire or dispose of services, supplies, information technology or construction unless the contract includes a written certification that the company is not currently engaged in, and agrees for the duration of

FEDERALISM, MANDATES & FISCAL RESPONSIBILITY COMMITTEE (Cont'd)

the contract to not engage in, a boycott of Israel. Prohibits a public entity from adopting a procurement, investment or other policy that has the effect of inducing or requiring a person or company to boycott Israel. Defines *public entity* as this state, a political subdivision of this state or an agency, board, commission or department of this state or a political subdivision of this state.

Requires each public fund, by April 1 of each year, to prepare a list of restricted companies and to provide a copy of such a list on request. Requires a public fund to notify each company that is included on the list that the company is subject to divestment by the State Treasurer and the retirement systems. Specifies that if a company that receives notice of its inclusion on the list submits a written certification to the public fund that it has ceased its boycott of Israel and will not engage in a boycott of Israel for the period of time that the State Treasurer or a retirement system invests in the company, then the public fund shall remove the company from the list. Defines *public fund* as the State Treasurer or a retirement system.

LEGISLATION VETOED

~~absence of state elected officials~~ (NOW: state elected officials; absence; protection) (S.B. 1156)
– VETOED

Requires the Secretary of State, the Attorney General or the State Treasurer, on a rotating basis, to be excused and absent from the vicinity of the seat of government during any of the following: 1) the inauguration of state elected officials; 2) the annual Governor's State of the State Address; or 3) any other state address by the Governor or gubernatorial event where members of the Executive Department participate or are in attendance. Requires the Department of Public Safety to coordinate an off-site location for the excused and absent elected official.

The Governor indicates in his veto message that he is confident in the capabilities of the state's law enforcement professionals to detect threats and protect state elected officials.