



# **2006 LEGISLATIVE SUMMARY**

## ***A Review of Laws Affecting Arizona Counties Enacted by the 47th Legislature Second Regular Session***

Prepared by:



**County Supervisors**  
ASSOCIATION



**2006 LEGISLATIVE SUMMARY**  
**Review of County Interest Laws Enacted by the 2006 Legislature**

This publication contains brief summaries, arranged by subject, of new laws impacting county government that were enacted by the Second Regular Session of Arizona's 47<sup>th</sup> Legislature.

The effective date for most new laws is September 21, 2006 (90 days after adjournment sine die). However, some bills contain an emergency clause making them effective upon the Governor's signature or filing with the Secretary of State's office. Measures containing appropriations or tax and fee increases are exempt from the constitutional 90-day wait period and also take effect upon being signed or filed. Others also have a delayed or retroactive implementation date.

During the course of the session, there were 1,453 bills introduced, and 438 of these bills were sent to Governor Napolitano for consideration. She signed 395 of the bills into law and allowed three to become law without her signature. The Governor vetoed 43 bills, raising her veto total to 127, a new record for an Arizona Governor.

These brief summaries are provided merely to help guide county officials to the full text of these new laws. Every attempt is made to ensure the accuracy of the summaries; however, we recommend a review of the measure in its entirety before enforcement or implementation. A table of contents organizes the bill summaries into subject area categories. Also, there is an index that is organized by bill number.

Copies of these new laws are available at the Arizona Legislative Information Services (ALIS) website: <http://www.azleg.state.az.us/SessionLaws.asp>. You may also contact CSA to obtain a copy.

At the end of each summary, you will find the initials of the CSA staff person who is the primary contact person for that measure. Staff initials are (CS) for Craig Sullivan, (TM) for Todd Madeksza, (JB) for Jessica Blazina, and (BL) for Beth Lewallen. If you have any questions about a bill, please contact us.

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**2006 LEGISLATIVE POLICY COMMITTEE**

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Executive Director



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## 2006 CSA POLICY GUIDELINES

- Preserve the authority of county boards of supervisors to exercise local control in order to enhance or maintain local public needs and conditions.
- Enable county boards of supervisors to finance critical public service programs, many of which are state and federally mandated, without fiscal restrictions or impositions.
- Enhance county boards of supervisors' authority to solve local problems based on implied powers unless explicitly prohibited.
- Oppose efforts that reduce state-shared revenues resulting in a negative fiscal impact to counties.



## STATUTORY PACKAGE

### **VETERANS; PROPER BURIAL (H 2061, Chapter 120, Laws 2006)**

Stipulates that the county, as the provider of last resort of burial services for indigent veterans and their spouses, require notification of the death to the Veteran's Administration and local veterans associations and offer them the opportunity to provide for the burial. If no other person or organization is found who is willing to make final arrangements, the county shall ensure burial is in a veteran's cemetery. Statute regarding reporting of the financial condition of a veteran and veteran burial places and expenses are repealed. Effective September 21, 2006. (JB)

Sponsor: Nelson

### **FLOOD CONTROL DISTRICTS (H 2316, Chapter 273, Laws 2006)**

Expands the powers of a county flood control district to include the authority to impose civil penalties for violations of its regulations and/or for damage to district facilities. The district's chief engineer is authorized to apply for search warrants from a court of general jurisdiction to determine if violations have occurred and may issue a notice of violation to anyone who engages in non-permitted development in an active floodplain or who has damaged or interfered with district facilities. Procedures are established whereby the person cited may request a hearing, and either party may subsequently appeal to a board of hearing review. For each day the violation continues, violators may be assessed a fine not to exceed that imposed for a class two misdemeanor. Effective September 21, 2006. (BL)

Sponsor: Barnes

### **WATER SERVICE PROVIDERS; CORPORATE DISSOLUTION (H 2428, Chapter 95, Laws 2006)**

Permits the assets of a domestic water or wastewater service provider that has been dissolved for three years to be transferred by the Arizona Corporation Commission (Commission) to a domestic water improvement district, a domestic wastewater improvement district or a municipality. The measure requires notification regarding the transfer of assets, an opportunity for objection and a public hearing before the transfer occurs. Also, the district or municipality is required to submit a written request to the Commission for the transfer of the assets. Dissolved entities whose assets have been transferred are prohibited from applying to the Commission for reinstatement. Effective September 21, 2006. (TM)

Sponsor: Mason

### **COMMUNITY PARKS MAINTENANCE DISTRICTS (H 2496, Chapter 210, Laws 2006)**

Removes the requirement that a Community Park Maintenance District (District) be located in more than one county and requires a District to obtain the approval of every Board affected by the formation of the District before circulating petitions for signatures to create the District. Effective September 21, 2006. (TM)

Sponsor: Nelson

### **LONG-TERM CARE; COUNTY ADJUSTMENTS (S 1299, Chapter 365, Laws 2006)**

Establishes an additional circuit breaker to the Arizona Long-Term Care System (ALTCS), which ensures that no county pays a per-capita ALTCS contribution greater than the statewide average. In FY07, provides a total of \$9,253,800 from the state general fund to cover reductions in ALTCS contributions for Cochise, Gila, Mohave, Pima, Pinal, Santa Cruz and Yavapai counties. Effective October 1, 2006. (BL)

Sponsor: Flake



## COMMUNITY COLLEGES

### **REGENTS; RURAL MEMBER (S 1058, Chapter 253, Laws 2006)**

Requires the Governor to appoint the next two non-student vacancies on the Arizona Board of Regents from a county with a population of less than 800,000. Effective September 21, 2006. (JB)

Sponsor: Flake

## COURTS AND CRIMINAL JUSTICE

### **LENGTHY TRIAL FUND; JUROR COMPENSATION (H 2133, Chapter 179, Laws 2006)**

Allows jurors to be eligible for earnings replacement monies after serving on a jury for more than five days. Effective September 21, 2006. (JB)

Sponsor: Nelson

### **PROSTITUTION; JAIL TIME (H 2307, Chapter 259, Laws 2006)**

Imposes minimum jail penalties for prostitution in relation to whether it is the first, second, third or fourth offense, and allows cities and towns to enact/enforce prostitution ordinances that provide a punishment that is at least as stringent as provided in law. The bill provides the following minimum jail penalties for prostitution:

- 15 consecutive days in jail for a first offense
- 30 consecutive days in jail for a second offense
- 60 consecutive days in jail for a third offense
- 180 consecutive days in jail for a fourth or subsequent offense

Effective September 21, 2006. (JB)

Sponsor: C. Gray

### **ILLEGAL ALIENS; SERIOUS FELONIES (H 2580, Chapter 380, Laws 2006)**

Provides additional circumstances under which a person may be excluded from bail and requires law enforcement agencies to determine a person's country of citizenship once the person has been brought to the agency for incarceration. When citizenship has been determined, the agency is required to notify the person's country of citizenship of the person's detention if the person is not a United States citizen. Effective September 21, 2006. (JB)

Sponsor: Pearce

### **CLASS 6 FELONIES; RECLASSIFICATION (H 2581, Chapter 195, Laws 2006)**

Amends statute pertaining to the classification of certain crimes, including a reduction to class 1 (highest) misdemeanor from class 6 (lowest) felony for shoplifting items worth less than \$1,000, failure to return leased or rented property, usury, forging messages, operating an unlicensed betting operation (bookies), and abandonment or legal neglect of a spouse. In statutes classifying theft of property or services, the threshold amounts are changed so that class 6 felony begins at \$1,000 (formerly \$250); class 5 felony at \$2,000 (formerly \$1,000), class 4 at \$3,000 (formerly \$2,000), class 3 at \$4,000 (formerly \$3,000). The threshold for class 2 felony remains \$25,000. Effective September 21, 2006. (JB)

Sponsor: Farnsworth



**ADULT PROBATION; COUNTY RESPONSIBILITY (H 2819, Chapter 261, Laws 2006)**

Excludes Maricopa County from the list of counties that receive funds from the Administrative Office of the Courts for juvenile and adult probation beginning July 1, 2006. Other counties may elect not to request funds. The probation surcharge levied on every fine and penalty by courts is doubled to \$10 from \$5. Maricopa County shall use revenue generated by the surcharge for adult and juvenile probation services in a ratio and manner determined by the Maricopa County board of supervisors. For any county which assumes financial responsibility for probation services, ratios of probationers to officers are removed, but the county must maintain appropriate ratios of officers to probationers consistent with evidence-based practices in differentiated case management, and will report its performance by October 1 annually. Also, the county's contributions to AHCCCS and ALTCS are reduced by an amount equal to what the county would have received for probation services; and the county's base expenditure limit shall be increased. Effective July 1, 2006. (JB)

Sponsor: Pearce

**CHOP SHOPS; VEHICLE THEFT (S 1027, Chapter 73, Laws 2006)**

Stipulates that the theft of an auto engine or transmission is a class 4 felony regardless of value. Further, definition of running a chop shop is expanded to include buying, selling, transferring or possessing a motor vehicle part from which the identification number has been removed, altered or destroyed. Effective September 21, 2006. (JB)

Sponsor: Jarrett

**ARIZONA CRIMINAL JUSTICE COMMISSION; DUTIES (S 1038, Chapter 28, Laws 2006)**

Allows the Arizona Criminal Justice Commission to accept and spend private grants and contributions to implement or prosecute any crime rather than only the serious offenses as defined in statute. Effective September 21, 2006. (JB)

Sponsor: Waring

**SERIOUS DRUG OFFENSES; DEFINITION (S 1048, Chapter 147, Laws 2006)**

Includes the attempt or conspiracy to commit a violation of various drug offenses as a serious drug offense. Effective September 21, 2006. (JB)

Sponsor: Huppenthal

**PRIOR CONVICTIONS AND ADMISSIONS; SENTENCING (S 1050, Chapter 148, Laws 2006)**

Stipulates that the court determines the aggravating circumstance of whether a person has been previously convicted of a felony, instead of trier of fact. Allows an aggravated sentence to be imposed in non-capital cases only if one or more (two or more if the case involves a list of specified crimes in A.R.S. §13-702.01) of the aggravating circumstances exists:

- Found to be true by the trier of fact,
- Admitted to by the defendant,
- Or if a previous felony conviction within the 10 years preceding the date of the offense is found to be true by the court.

Effective September 21, 2006. (JB)

Sponsor: Huppenthal

**PROBATION; EXTENSION (S 1053, Chapter 182, Laws 2006)**

Extends the term of probation for persons temporarily released from custody (and for whom community supervision is waived) by the amount of time of the temporary release. Effective September 21, 2006. (JB)

Sponsor: Huppenthal

**SELF-DEFENSE; HOME PROTECTION (S 1145, Chapter 199, Laws 2006)**

Prescribes that a person is justified in using physical or deadly force against another person who has entered a residence forcibly or unlawfully. The court shall award reasonable attorney fees



and other costs incurred by a defendant in a civil action if the court finds that the defendant is immune from prosecution. Removes provisions requiring defendant to retreat prior to using physical or deadly force. Effective April 24, 2006. (JB)

Sponsor: Bee

**CONSTABLE ETHICS COMMITTEE; MEMBERSHIP (S 1180, Chapter 280, Laws 2006)**

Provides for the annual election of a chairperson from among the members of the Constable Ethics Committee. The measure also eliminates the seat for the chairperson of the Arizona Commission on Judicial Conduct or their designee and membership for a superior court judge appointed by the Chief Justice of the Arizona Supreme Court. Allows for a county administrator or designee to be appointed by the County Supervisors Association and establishes an Ethics Committee Fund (Fund) with 80 percent of the fund designated for training, equipment, and related grants while the remaining 20 percent of the fund is designated for operating expenses. The Fund is funded by increases in writ fees established by the board of supervisors with caps set for various types of writs served. Effective September 21, 2006. (JB)

Sponsor: Jarrett

**AUTOMOBILE THEFT AUTHORITY; MEMBERSHIP; EXCEPTION (S 1181, Chapter 158, Laws 2006)**

Allows police chiefs, sheriffs and county attorneys to be represented by their designees for membership on the Automobile Theft Authority. The two county attorney members must represent both a county with a population of one million or more and a county of one million or less. Effective September 21, 2006. (JB)

Sponsor: Jarrett

**PROSTITUTION; HOUSE ABATEMENT (S 1260, Chapter 162, Laws 2006)**

Permits city attorneys to bring action against a property to prevent prostitution if there is reason to believe that prostitution is kept, maintained or exists there. Authority for county attorneys previously existed. Effective September 21, 2006. (JB)

Sponsor: Huppenthal

**MINIMUM CONSTABLE SALARIES (S 1279, Chapter 318, Laws 2006)**

Establishes \$15,000 as the maximum salary for constables in precincts with 5,000 registered voters. Existing maximum salaries are amended for precincts with 5,000-10,000 registered voters to \$23,500; 16,000 or more registered voters to \$61,208. Boards of supervisors retain the discretion for determining the salary of constables. Effective September 21, 2006. (JB)

Sponsor: Hale

**COMMUNITY NOTIFICATION; WARRANTS (S 1301, Chapter 201, Laws 2006)**

Authorizes a local law enforcement agency or DPS to request the county attorney to seek an arrest warrant against a convicted sex offender who has not registered with the sheriff within 10 days of sentencing or release as required by law. Removes the requirement that law enforcement agencies distribute fliers before obtaining an arrest warrant. Effective September 21, 2006. (JB)

Sponsor: Huppenthal

**CAPITAL DEFENDANTS; MENTAL EVALUATIONS (S 1305, Chapter 55, Laws 2006)**

Permits the defendant to object to an initial intelligence prescreening evaluation in a criminal case where the state seeks the death penalty while also allowing the defendant to object to the court appointing a prescreening psychological expert to determine the defendant's IQ if the state intended to seek the death penalty. It also eliminates the requirement for the trial court to appoint additional psychological experts to independently determine whether a defendant has mental retardation when the prescreening psychological expert determines the defendant's IQ to be 75 or less. Effective September 21, 2006. (JB)

Sponsor: Huppenthal

**SEX OFFENDERS; GPS MONITORING; APPROPRIATIONS (S 1371, Chapter 368, Laws 2006)**

Appropriates \$1.5 million in FY07 for the use of Global Positioning System (GPS) monitoring of convicted sex offenders and requires GPS monitoring of persons convicted of dangerous crimes against children for the duration of any imposed probation. Additionally establishes the 13-member Joint Legislative Study Committee on Global Positioning System Monitoring. The funding includes \$750,000 for the Arizona Department of Corrections and \$750,000 to the Supreme Court for monitoring programs.

Effective September 21, 2006. (JB)

Sponsor: Waring

**CAPITAL CASE LITIGATION; PUBLIC DEFENDER (S 1376, Chapter 369, Laws 2006)**

Establishes the State Capital Post-Conviction Public Defender Office to represent any person who is not financially able to employ counsel in post conviction relief proceedings in state court after a judgment of death has been rendered. The Capital Post-Conviction Relief Public Defender is to be appointed by the Governor from a list of names submitted by the Nomination, Retention and Standards Commission on Indigent Defense. The bill appropriates \$220,000 from the state general fund in FY07 for establishing and managing the office. Counties will contribute 50 percent of the costs with a cap of \$30,000. Currently, counties apply to the Supreme Court for reimbursement of 50 percent of the expenses. Effective January 1, 2007. (JB)

Sponsor: Huppenthal

**DUI; PRIOR OFFENSES (S 1560, Chapter 395, Laws 2006)**

Changes penalties for DUI. The 60-month period within which a second or third DUI conviction results in enhanced penalties is extended to 84 months. Requires a second conviction carry a court order to perform community service, instead of leaving the requirement to the discretion of a judge. Effective September 21, 2006. (JB)

Sponsor: Waring

**SPECIAL DISTRICTS**

**COUNTY ISLAND FIRE DISTRICT; AGREEMENT (H 2145, Chapter 2, Laws 2006)**

Permitted a County Island Fire District (Districts) to be formed in locations consisting of all county islands located in an area within a 911 service provider district in which the largest city has a population between 395,000 and 500,000 persons and within the planning area of a town with a population of 100,000 or more people (Maricopa County). The measure exempted the Districts from the requirements to form other districts such as fire districts, community park maintenance districts, sanitary districts and hospital districts. The County was required to enter into an intergovernmental agreement with a city for emergency fire and medical services if the county island did not form a District and stipulated a county's liability if a city that entered into an intergovernmental agreement for providing emergency services was hindered in services as a



result of negligence by the county in enforcing building, zoning or other related codes in a county island receiving emergency services. Procedures for forming the District were outlined.

Districts were only authorized to receive emergency fire and medical services from an adjacent city or some other provider of emergency services. The District was not authorized to provide services by any other method. The measure outlined the costs that were to be associated with the provision of service on behalf of a city and authorized the Board to assess and levy a secondary property tax to pay the costs of service.

The measure was struck down in court as unconstitutional as "special legislation." An appeal is reportedly underway. (TM)

Sponsor: Biggs

**WATER INFRASTRUCTURE FINANCE; PAYMENT APPROVAL (H 2159, Chapter 239, Laws 2006)**

Limits the voter approval requirement for a loan repayment agreement to cities and towns that have over 50,000 persons and clarifies that cities and towns with a population under 50,000 may pledge revenue to the Water Infrastructure Finance Authority (WIFA) through a council vote that does not violate any covenant pertaining to the utility system or systems. WIFA's scope of authority is broadened to include wastewater improvement districts. Effective September 21, 2006. (TM)

Sponsor: Nelson

**COMMUNITY FACILITIES DISTRICTS; COUNTIES (H 2236, Chapter 132, Laws 2006)**

Permits county-formed Community Facilities Districts (CFD) to finance specified public infrastructure improvements (except school facilities) and to levy a property tax, call General Obligation (GO) bond elections, and issue GO bonds and revenue bonds after the board of supervisors declares the district formed upon receipt of a petition signed by one hundred percent of the property owners in the district. Effective September 21, 2006. (TM)

Sponsor: Konopnicki

**FLOOD CONTROL DISTRICTS (H 2316, Chapter 273, Laws 2006)**

Expands the powers of a county flood control district to include authority to impose civil penalties for violations of its regulations and/or for damage to district facilities. The district's chief engineer is authorized to apply for search warrants from a court of general jurisdiction to determine if violations have occurred, and may issue a notice of violation to anyone who engages in non-permitted development in an active floodplain or has damaged or interfered with district facilities. Procedures are established whereby the person cited may request a hearing, and either party may subsequently appeal to a board of hearing review. For each day the violation continues, violators may be assessed a fine not to exceed that imposed for a class two misdemeanor. Effective September 21, 2006. (BL)

Sponsor: Barnes

**AGRICULTURAL IMPROVEMENT DISTRICTS; ELECTORS; TRUSTS (H 2394, Chapter 69, Laws 2006)**

Expands the list of persons allowed to vote in agricultural improvement district elections to include those who hold the power of revocation over a revocable trust that is the owner of record of property within the district if shareholders of Salt River Project approve a similar change in its article of incorporation before Jan 1, 2008. Effective September 21, 2006. (TM)

Sponsor: Pearce

**COMMUNITY PARKS MAINTENANCE DISTRICTS (H 2496, Chapter 210, Laws 2006)**

Removes the requirement that a Community Park Maintenance District (District) be located in more than one county and requires a District to obtain the approval of every Board affected by the



formation of the District before circulating petitions for signatures to create the District. Effective September 21, 2006. (TM)  
Sponsor: Nelson

**WATER IMPROVEMENT DISTRICTS; NOTICE; COMMISSION (S 1249, Chapter 52, Laws 2006)**

Requires that a petition for a domestic water or wastewater improvement district specify if the district's boundaries are within the service territory of an existing or proposed domestic water or wastewater service provider and that the board of supervisors hold a hearing (and notify the Arizona Corporation Commission of such) regarding the establishment of a water improvement district that lies wholly or partially within the service territory of an existing or proposed domestic water or wastewater service provider. Effective September 21, 2006. (TM)  
Sponsor: Flake

**DOMESTIC WATER IMPROVEMENT DISTRICTS; WASTEWATER (S 1409, Chapter 57, Laws 2006)**

Allows a domestic water improvement district to also provide domestic wastewater service, subject to the authorization of the county board of supervisors, and provides that domestic wastewater improvement districts follow the same specifications of voter eligibility that apply to domestic water improvement districts. Effective September 21, 2006. (TM)  
Sponsor: Flake

**IRRIGATION WATER DELIVERY DISTRICTS; DISSOLUTION (H 2669, Chapter 140, Laws 2006)**

Prescribes that a County's board of supervisors is no longer required to approve a petition of dissolution of an irrigation water delivery district and an irrigation water delivery district may be dissolved when the owners of a majority of the land in the district have signed the petition for dissolution. Effective September 21, 2006. (TM)  
Sponsor: A. Aguirre

**FIRE DISTRICTS AMENDMENTS (S 1454, Chapter 315, Laws 2006)**

Updates fire districts statutes including requiring that within the district impact statement at its creation there be a description of the scope of services provided by the district within the first five years of operation. The measure also removes the requirement that the clerk of a board of supervisors mail written notice of the statement to each qualified elector within the boundaries of the district, and removes the ability of a person aggrieved by an annexation decision of the district board to appeal to a county board of supervisors.

Other requirements include:

- Mandates the number of signatures remain fixed upon the determination of that number
- Requires the signature petition to comply with the form in statute
- Removes the restriction requiring 100 or more qualified electors comprise a district for which a bond can be issued for expenses to be reasonably incurred
- Prohibits the creation of county islands via annexation by the fire district
- Allows the Attorney General, the county attorney or any other interested party to investigate the validity of an annexation upon receipt of a verified complaint to the superior court
- Clarifies that a county, state, or federal government is a property owner for the purpose of requesting amendments of inclusion
- Allows the definition of a property owner to include a county



- Provides a format/template for the Special Taxing District Creation Petition and the Special Taxing District Annexation Petition
- Stipulates that the board of supervisors provide notice of consolidation of fire districts with an accurate map depicting the proposed consolidation to each owner subject to changes in taxation by first class mail no less than 60 days before the election
- Outlines procedures for fire districts with over 50,000 persons to expand their board to seven members from five members by a majority vote of the board

The measure includes multiple provisions regarding expansion and mergers, public notice requirements, and provisions regarding the adoption and application of a fire code for that district. In most instances the role of the board of supervisors plays a streamlined role. For instance, the board of supervisors receives notice of a district's name change in this measure. The measure also requires the board of supervisors to call for an election to merge fire districts when a resolution is submitted from each district involved. The governing body of the fire districts must consider the board of supervisors' comments, take public testimony and subsequently adopt the resolution by a three-fourths vote and submit the document to its respective board of supervisors.

The measure maintains the board of supervisors' authority by requiring the board of supervisors make a call for an election to consolidate, that the fire districts reimburse the counties for the expenses of the election regardless of consolidation, and that the board of supervisors must certify that a majority of the voters approve of the consolidation within 14 days.

There are multiple other provisions in the bill, including provisions addressing potential lawsuits over county island fire districts (including allowing the board of supervisors to advance funds to the county island fire district for legal representation) and approval standards to exempt a fire district from election requirements pertaining to mergers and consolidations. Effective June 6, 2006. (TM)  
Sponsor: Bee

## **ELECTIONS**

### **VOTER REGISTRATION ROLLS; JUROR QUALIFICATIONS (H 2013, Chapter 116, Laws 2006)**

Requires the jury commissioner to notify the county recorder whenever a jury summons is returned by the post office as undeliverable. The recorder will send a follow-up notice to the voter and begin a process to determine whether the voter should be placed on the inactive voter list. Effective September 21, 2006. (JB)  
Sponsor: C. Gray

### **ELECTION OFFICER CERTIFICATION COMMITTEE; CONTINUATION (H 2441, Chapter 138, Laws 2006)**

Creates a new subsection of law dealing with the Election Officer Education, Training and Certification Advisory Committee and extends the committee's statutory life until January 1, 2016. Effective September 21, 2006. (JB)  
Sponsor: Farnsworth



**STATEWIDE VOTER DATABASE; ACCESS (H 2491, Chapter 192, Laws 2006)**

Requires recognized political parties request registration forms and access to statewide voter database information from the county recorder beginning January 1, 2008. If the recorder does not provide the requested information within three business days, the party may request the Secretary of State provide the materials. The Secretary of State may charge the county recorder a fee for each record provided. Further, June 1 is added to the list of dates by which the county recorder must count all registered voters during election years. Effective September 21, 2006. (JB)

Sponsor: Knaperek

**PRECINCT REGISTERS; VOTER REGISTRATION COUNT (H 2829, Chapter 144, Laws 2006)**

Requires the county recorder to provide a daily list of persons who have requested an early ballot and a weekly listing of voters who have returned the early ballots during the 33 days preceding an election and on request from a county or state chairman. Municipal registration for municipalities in which the county administers elections, county and state party chairmen shall request voter information and precinct lists from the municipality's clerk. If the clerk does not provide the requested information, the county recorder may furnish the request. Effective September 21, 2006. (JB)

Sponsor: Knaperek

**ELECTIONS; CANVAS DEADLINE (S 1037, Chapter 145, Laws 2006)**

Amends deadlines for election canvas results to require that the governing body meet within 20 days of the election (current statute requires a meeting within 15 days) and that the Secretary of State perform the official canvas on the fourth Monday following a general election (currently the third Monday). Persons not registered to vote may serve as election board workers if they meet certain conditions, including being a U.S. citizen and at least 16 years of age, supervised by a trained adult and submission of written permission from a parent. Schools are not required to reduce their average daily membership for students who volunteer as election workers. Effective September 21, 2006. (JB)

Sponsor: Waring

**ELECTION LAW REVISIONS (S 1041, Chapter 44, Laws 2006)**

Multiple changes to election laws, including requirement that the publicity pamphlet and sample ballot be mailed at least 35 days prior to an election is extended to all school board and bond elections. [Note: currently, for some elections, mailing could be 10 days before the election.] The jurisdiction must mail a copy of the pamphlet to each household with an elector (previously, one was mailed to each elector). Information in the pamphlet is expanded to include the date of the election and the voter's polling place. Additionally, authorization is given to the county recorder to date a person's voter registration as the date it was first received even if the original application was incomplete as long as the necessary information was supplied before 7:00 p.m. on election day. City elections in cities with a population of 175,000 or more must be held either on primary election day in September or general election day in November. Provision is made in statute for cases in which a polling place must be evacuated on election day. After the canvas, the ballots are to be kept in a secure location managed by the county treasurer (previously, in the treasurer's safe). Public notice of special district bond elections may be made via mail to each household in the district rather than via newspaper. Effective April 5, 2006. (JB)

Sponsor: Waring

**ELECTIONS REFORM; MANUAL COUNT (S 1557, Chapter 394, Laws 2006)**

Requires a hand recount must be performed for four races from the greater of 2 percent of the precincts or two precincts for each countywide primary, general, and presidential preference election. Alternate procedures are prescribed for a hand count of early ballots. If the difference between the hand count and the machine count exceeds a designated margin of difference as established by a newly formed seven-member Vote Count Verification Committee appointed by



the Secretary of State, another hand count is required. If the difference in the second hand count exceeds the designated margin of difference, a third is required with an expanded sample size. If the third hand count results in a difference greater than the designated margin, all ballots from that race shall be hand counted. In all hand counts, if the results are within the designated margin, the electronic tabulation shall stand as the official count for that race. If the margin in a final hand count exceeds the designated margin, repeated hand counts of all ballots for that race are performed until two counts agree, and that shall be the official count for that race. Effective June 28, 2006. (JB)

Sponsor: Johnson

## FINANCE AND TAXATION

### **TRANSACTION PRIVILEGE TAX; POSTAGE DEDUCTION (H 2089, Chapter 105, Laws 2006)**

Removes the sales of postage and freight from the transaction privilege tax base for the job printing classification, which includes printing, engraving, embossing and copying. Effective September 21, 2006. (BL)

Sponsor: Huffman

### **PROPERTY TAX EXEMPTION; HEALTH CARE (H 2175, Chapter 327, Laws 2006)**

Exempts from property taxation any property that is owned by a health care provider and used for a non-profit health care institution. Requires a county board of supervisors to refund taxes paid by these qualifying institutions since FY01 if the organization requests reimbursement. Retroactively effective to January 1, 2000. (BL)

Sponsor: Huffman

### **LOCAL WARRANT PAYMENT; DEFINITIONS (H 2348, Chapter 24, Laws 2006)**

Mandates that a paper reproduction of an electronic image of an original warrant (called a "substitute check") or a voucher (undefined) be honored and paid by municipalities or counties as if it were an original warrant. Effective September 21, 2006. (JB)

Sponsor: Nelson

### **SOLAR ENERGY TAX INCENTIVES (H 2429, Chapter 333, Laws 2006)**

Establishes a solar energy income tax credit program, solar energy tax credits for commercial and industrial projects, expands tax exemption limitations for retail and prime contracting classifications under the transaction privilege tax and prohibits property value from increasing due to the installation of solar energy systems for on-site consumption. Effective September 21, 2006. (BL)

Sponsor: Mason

### **COUNTY LONG-TERM OBLIGATIONS; PUBLIC HEARING (H 2432, Chapter 111, Laws 2006)**

Requires a board of supervisors in a county with a population of less than 500,000 to hold a public hearing before approving the issuance of revenue bonds, certificates of participation or any other long-term obligation not secured by the full faith and credit of the county. Effective September 21, 2006. (TM)

Sponsor: O'Halleran

### **VERIFICATION OF CLASS THREE PROPERTY (H 2474, Chapter 322, Laws 2006)**

Allows a County Assessor to enter into intergovernmental agreements with the Department of Revenue (DOR) for class three property information exchange purposes. Requires DOR to continuously monitor the County Assessor's procedures and practices for the verification of class three properties and the collection of penalties. In addition, requires DOR to submit annual



reports to the Governor and the legislature outlining county procedures for identification and reclassification of class three property, and may require a County Assessor to reclassify property and to assist in compiling the necessary information. Effective September 21, 2006. (BL)

Sponsor: Knaperek

**RESERVATION TELECOMMUNICATIONS LEGISLATIVE STUDY COMMITTEE (H 2689, Chapter 289, Laws 2006)**

Establishes the Reservation Telecommunications Legislative Study Committee, consisting of six legislators. The Committee is responsible for identifying methods to track tribal contributions to the state transaction privilege tax, for designing an appropriate distribution formula that is modeled after the current city and state shared revenue formula, and for recommending telecommunications legislation that incorporates its findings. The bill contains an emergency clause, and the committee is repealed on January 1, 2008. Effective September 21, 2006. (BL)

Sponsor: Kirkpatrick

**RIO NUEVO; SHARED REVENUE (H 2702, Chapter 376, Laws 2006)**

Extends the diversion of 50 percent of state Transaction Privilege Tax (TPT) revenues generated at the multipurpose facility site or in the construction of the facility to the county stadium district (TIF Financing) from ten years to 40 years and establishes a new baseline year beginning in the eleventh year of the district for the purposes of determining the amount of TPT revenues diverted to the district. The new baseline year is the tenth year of the district. The authority for the district to use district funds to acquire land by eminent domain is eliminated. Effective September 21, 2006. (TM)

Sponsor: Huffman

**TAX DECISIONS; DISTRIBUTION (H 2712, Chapter 244, Laws 2006)**

Requires several state agencies to provide information on any relevant ruling, decision, opinion, or other written resolution of a county tax dispute or appeal that involves substantive action by an agency. The information is to be submitted to the law libraries, state university Colleges of Law, the State Law Library, the Arizona State Library and any person who requests them, and to be published on their official website. Effective September 21, 2006. (BL)

Sponsor: Yarbrough

**TAX EXEMPTION; GOVERNMENT OWNED PROPERTY (H 2717, Chapter 323, Laws 2006)**

Eliminates property taxes for permanent improvements constructed on property owned by and leased from an agricultural improvement district. This legislation was introduced to ensure that property improvements on an agricultural improvement district's land are not subject to both property taxation and the Government Property Lease Excise Tax. Effective September 21, 2006. (BL)

Sponsor: Knaperek

**PROPERTY TAX ASSESMENT; VALUATION; APPEALS (H 2821, Chapter 143, Laws 2006)**

Amends the appeals procedures for property owners against a County Board of Equalization to permit appeals to be filed within 60 days after the decision or by December 15, whichever is later. Full cash value cannot be greater than market value regardless of the method prescribed to determine value for property tax purposes. Values furnished by the county assessor may not be changed after February 10 without the approval of the Property Tax Oversight Commission. Additionally, the Maricopa County Board of Supervisors is mandated to establish the Elderly Assistance Fund, which is to be used to reduce primary school district taxes, for senior citizens subject to a property tax freeze. When a real property tax lien is redeemed in a county that has established an Elderly Assistance Fund the county treasurer shall deposit an amount equal to the difference in the amount of prescribed interest and the amount of interest stated in the certificate of purchase into the elderly assistance fund. Effective September 21, 2006. (BL)

Sponsor: Burges



**TAX RELIEF; OMNIBUS (H 2876, Chapter 354, Laws 2006)**

Modifies property tax in the following ways:

- For FY07, requires municipalities, counties and community college districts to set their primary property levies at their FY06 primary property tax levy plus 2percent and taxes on new construction.
- Changes the name of the County Equalization Assistance for Education tax rate to the State Equalization Assistance property tax rate.
- Beginning July 1, 2007, requires secondary taxes for bonds, overrides and other special district taxes to only be conducted at the November general election.
- Modifies the information that is provided in the information pamphlet for bonds, overrides and other secondary taxes, and prescribes the information to be included.
- Beginning in FY06, reduces the individual income tax rate by 10% over a two year period.

Effective July 1, 2006.

Sponsor: Speaker Weiers

**STATE SERVICING BANKS; ELIGIBILITY (S 1022, Chapter 99, Laws 2006)**

Bids submitted by servicing banks for public monies must be evaluated based on response, price, services, qualifications and other scope of work factors that are detailed in the bid documents. Statute requiring that in the event of identical low bids the board must determine by lot which of the bidders should be chosen is eliminated. Effective September 21, 2006. (JB)

Sponsor: Waring

**ENTERPRISE ZONE; REAUTHORIZATION (S 1074, Chapter 387, Laws 2006)**

Continues the Enterprise Zone program and associated tax incentives to July 1, 2011, and stipulates that the business certification is terminated when a certified small manufacturing business is purchased by another entity or changes by more than 20 percent of the ownership interest. Effective June 30, 2006. (TM)

Sponsor: Martin

**PROPERTY TAX VALUATION; TELECOMMUNICATIONS COMPANIES (S 1390, Chapter 38, Laws 2006)**

Requires the Arizona Department of Revenue to consider a reduction in the value of an asset that result when rapid technological changes affect the rate at which value changes, or when factors external to the personal property items have a negative effect on the value. Effective September 21, 2006. (BL)

Sponsor: Martin

**PROPERTY TAX EXEMPTION; EDUCATIONAL INSTITUTIONS (S 1481, Chapter 392, Laws 2006)**

Establishes a property tax exemption for property owned by a non-profit religious or charitable organization that leases the property to a non-profit educational organization and is used for educational purposes through grade 12. Also, creates an exemption for low-income housing projects, when the project owner files proper evidence of non-profit status. Requires the property owner to notify the assessor in writing of any change in the ownership or use of the property. Effective September 21, 2006. (BL)

Sponsor: Martin

**JUDICIAL TAX APPEAL DETERMINATIONS; CARRYOVER (S 1502, Chapter 170, Laws 2006)**

Requires that, in the event of a judicial appeal of a county assessor property tax roll determination, the results be used in the next year's valuation of the property. Effective September 21, 2006. (BL)



## GENERAL GOVERNMENT

### **GOVERNMENT ANTI-IDENTIFICATION THEFT ASSESSMENT (H 2024, Chapter 117, Laws 2006)**

Requires state and local agencies to develop and establish procedures to ensure that any identifying or personal information collected or obtained is secure and cannot be accessed, viewed, or acquired except as authorized by law. Effective September 21, 2006. (JB)

Sponsor: Robson

### **VETERANS; PROPER BURIAL (H 2061, Chapter 120, Laws 2006)**

Stipulates that the county, as the provider of last resort of burial services for indigent veterans and their spouses, require notification of the Veteran's Administration and local veterans associations of the death and offer them the opportunity to provide for the burial. If no other person or organization is found who is willing to make final arrangements, the county shall ensure burial is in a veteran's cemetery. Statute regarding reporting of the financial condition of a veteran and veteran burial places and expenses are repealed. Effective September 21, 2006.

(JB)

Sponsor: Nelson

### **WEAPONS; MISCONDUCT; STORAGE; MAP POCKET (H 2076, Chapter 313, Laws 2006)**

Requires the operator of a public establishment or public event to provide temporary and secure storage if the operator requests that people not carry deadly weapons into the event. The storage must be readily accessible on entry into the establishment or event and allow for the immediate retrieval of the weapon upon exit. Effective September 21, 2006. (JB)

Sponsor: C. Gray

### **NUCLEAR FACILITY; EMERGENCY PLANNING ZONE (H 2134, Chapter 10, Laws 2006)**

Requires a legal description of an emergency planning zone for nuclear facilities (10 miles diameter) to be submitted to the county recorder. Effective September 21, 2006. (TM)

Sponsor: Nelson

### **BUILDING CONSTRUCTION; PROCEDURES (H 2136, Chapter 129, Laws 2006)**

Requires political subdivisions follow Title 34 statute relating to public construction projects, when a bond has been issued for such a purpose. Effective September 21, 2006. (TM)

Sponsor: Nelson

### **MUNICIPAL ANNEXATION; WAITING PERIOD (H 2212, Chapter 63, Laws 2006)**

Prohibits a city or town from filling a petition for annexation of territory for a period of at least 45 days after completion of an unsuccessful prior annexation attempt by the same city or town if any territory from the prior unsuccessful annexation attempt is included in the new petition, unless a property owner waives the requirement. Effective April 10, 2006. (TM)

Sponsor: McComish

### **IDENTIFYING INFORMATION; CODE ENFORCEMENT OFFICER (H 2220, Chapter 298, Laws 2006)**

Adds code enforcement officer to peace officers, justices, judges, commissioners, public defenders and prosecutors as officials that may request that the county recorder, county assessor, county treasurer and the Motor Vehicle Division prevent the general public from



accessing their residential address and telephone number through information obtained from the county recorder's office or made available on the Internet. Effective September 21, 2006. (TM)  
Sponsor: Nelson

**LOCAL WARRANT PAYMENT; DEFINITIONS (H 2348, Chapter 24, Laws 2006)**

Mandates that a paper reproduction of an electronic image of an original warrant (called a "substitute check") or a voucher (undefined) be honored and paid by municipalities or counties as if it were an original warrant. Effective September 21, 2006. (JB)  
Sponsor: Nelson

**COUNTY ASSESSORS; PROPERTY FUND; CONTINUATION (H 2349, Chapter 206, Laws 2006)**

Delays the repeal of the county assessors' property information storage and retrieval conversion and maintenance fund from 2006 until December 31, 2011. [Note: the fund's revenue comes from a surcharge on fees charged by the county recorder for recordation.] Effective September 21, 2006. (JB)  
Sponsor: Nelson

**COUNTY TREASURER; CORRECTIONS (H 2350, Chapter 134, Laws 2006)**

Makes multiple changes in statutes dealing with the county treasurer, including mandating that:

- the interest rate paid by the treasurer to taxpayers who have successfully appealed their assessment is the legal rate on the date the payment is rendered;
- the treasurer's authority to require electronic payment of taxes is extended to persons who pay taxes on 100 or more parcels; and,
- the costs of seizing and selling personal property are added to the list of circumstances for abating tax and removing tax liens.

Effective September 21, 2006. (JB)

Sponsor: Nelson

**STATE BOARD OF EQUALIZATION; MEMBERS (H 2377, Chapter 332, Laws 2006)**

Establishes membership standards for the State Board of Equalization (Board), prohibiting any member other than the chairperson from being employed by a county assessor or attorney, Department of Revenue (DOR) or the Attorney General within two years before appointment to the Board. Also, outlines guidelines for creating three-member and five-member panels when members have been employed by a county assessor, attorney, DOR or the Attorney General in the last four years. Effective September 21, 2006. (BL)

Sponsor: Paton

**PERSONAL IDENTIFYING INFORMATION RECORDS; DISPOSAL (H 2484, Chapter 208, Laws 2006)**

Stipulates that an entity must not knowingly discard or dispose of records or documents without redacting the information or destroying the records or documents if the records or documents contain an individual's first and last name or first initial and last name in combination with a complete corresponding:

- social security number
- credit card, charge card or debit card number
- retirement account number
- savings, checking or securities entitlement account number
- driver license number or non operating identification license number

Allows the county attorney or the Attorney General to enforce record disposal requirements in the following manner:

- by a county attorney in the county in which the records or documents were wrongfully discarded or disposed
- by a county attorney, if it is a multi-county violation by the same entity and after filing a notice of intent to enforce the law and sending a copy of the notice to the other county attorneys where violations have occurred, requesting that the actions be consolidated by the Attorney General

Outlines a civil penalty for a violation of improper discarding or disposal of records or documents as follows:

- \$500 for a first violation
- \$1,000 for a second violation
- \$5,000 for a third or subsequent violation

States that an entity shall be deemed in compliance with this legislation if it maintains and complies with the entity's procedures that are consistent with the requirements of this legislation. Effective October 1, 2006. (JB)  
Sponsor: McComish

**SEXUALLY ORIENTED BUSINESS; LOCATION; PENALTY (H 2490, Chapter 227, Laws 2006)**

Prohibits an adult oriented business from being located within ¼ mile of a child care facility, a private, public or charter school, a public playground or recreational facility, a residence, or a place of worship, and makes a violation a class 1 misdemeanor. Effective April 26, 2006. (TM)  
Sponsor: Knaperek

**SUBSTANCE ABUSE TREATMENT; APPROPRIATIONS (H 2554, Chapter 337, Laws 2006)**

The Addiction Reduction and Recovery Fund (fund) is established and is administered by the Director of Department of Health Services (DHS) through Regional Behavioral Health Authorities (RBHAs) for rural detoxification programs and for substance abuse and addiction prevention programs. RBHAs shall make efforts to partner with community and faith-based organizations to implement the rural detoxification programs. The money in the fund is continuously appropriated. The measure has a sunset date of June 30, 2008. The measure appropriates:

- \$2.5 million from the state general fund in FY07 to the fund, and appropriates these funds to DHS for rural detoxification programs and follow-up services;
- \$3 million to the Arizona Criminal Justice Commission for distribution to each county board of supervisors based on population for increased methamphetamine interdiction efforts including abuse or educational programs, but not for any media advertising that refers to any elected official, or an agency or political subdivision. No county may receive less than \$50,000;
- \$2 million for the Arizona Families F.I.R.S.T. program; and,
- \$500,000 to the DHS for comprehensive curriculum based methamphetamine prevention services.

Effective June 21, 2006. (TM)  
Sponsor: Anderson

**COUNTIES; CENSUS BOUNDARY PROGRAM; PARTICIPATION (H 2570, Chapter 175, Laws 2006)**

Requires counties to submit precinct boundary lines for the voting tabulation district and block boundary suggestion program that is administered by the Redistricting Data Office of the United State Census Bureau in preparation for the 2010 U.S. Census. Effective September 21, 2006. (JB)  
Sponsor: Chase



**FIREARMS; POSSESSION; STORAGE (H 2649, Chapter 288, Laws 2006)**

With the exception of the legislature, local governments and state agencies are prohibited from enacting or implementing any law or ordinance relating to the possession or storage of firearms except what is necessary to implement provisions specified in statute. State, county and municipal judicial departments, law enforcement agencies and prosecutorial agencies may continue to prohibit deadly weapons. Political subdivisions of the state may continue to impose waiting periods for businesses that obtain second hand firearms. Effective September 21, 2006. (JB)

Sponsor: Murphy

**LICENSING PROCEDURES; CABLE TELEVISION (H 2812, Chapter 3, Laws 2006)**

Modifies the requirements for counties and municipalities and cable operators to negotiate franchise agreements. The bill prohibits a licensing authority from levying a tax, rent, fee or charge on a cable operator for the use of public streets, roads or alleys to provide cable service and limits the total rates of the license fee and any TPT taxes on gross revenue levied or assessed by a licensing authority to a maximum rate of 5 percent. The measure requires any reduction in the amount of fees, taxes or other charges paid to be passed on to subscribers and prohibits a licensing authority from requiring a cable operator to provide in-kind services, make in-kind payments or pay a fee in addition to the license fee except that a licensing authority may require a cable operator to provide channel capacity limited to:

- Two channels of public, educational or government access (PEG) programming in the basic tier of the cable television system; and,
- Two channels of noncommercial governmental programming, at least one of which may be programmed by the federal government, in the digital programming tier of the cable television system.

Effective September 21, 2006. (TM)

Sponsor: Nelson

**ANIMAL WELFARE; RESCUE; BEASTIALITY (S 1160, Chapter 295, Laws 2006)**

Establishes that it is a class 6 felony to commit the act of bestiality or to cause another person to engage in the act except that the penalty is raised to a class 3 felony if the other person is a minor. The liability for any expenses incurred by the state or any political subdivision for rescuing animals that have been cruelly treated or neglected belong on the owner, if the owner has been convicted of cruelty to animals. The measure exempts the certain acts from the classification of bestiality, including accepted veterinary medical practices by a licensed veterinarian or veterinary technician, insemination of animals by the same species, bred for commercial purposes and accepted animal husbandry practices that provide necessary care for animals bred for commercial purposes. Effective September 21, 2006. (TM)

Sponsor: Bee

**PERSONAL IDENTIFYING INFORMATION; RECORDED DOCUMENTS (S 1219, Chapter 183, Laws 2006)**

Prohibits documents that are made public via a web site from containing more than five of an individual's social security number, or a person's credit, charge or debit card number, retirement account numbers or savings, checking or securities entitlement account numbers. Violations of the statute result in a \$500 civil penalty. County agencies and entities that only courier or transmit the information are exempted in statute. Effective September 21, 2006. (TM)

Sponsor: Leff

**ARIZONA DEPARTMENT OF HOMELAND SECURITY (S 1264, Chapter 317, Laws 2006)**

Establishes the Arizona Department of Homeland Security. This Department will perform duties that were previously conducted by the Arizona Office of Homeland Security, which was created through executive order in March, 2003. The legislation outlines the duties of the Department, which include receipt of federal homeland security grants and distribution of these monies to local



governments; the Department is also required to assist in the development of regional response plans. The bill also adds the Department of Homeland Security Regional Advisory Council, which is comprised of five councils that represent various counties. Membership of each council includes a county sheriff and a county supervisor and its responsibilities include developing plans for Arizona homeland security. Effective September 21, 2006. (BL)

Sponsor: R. Burns

**PERSONAL INFORMATION; SECURITY BREACH; NOTIFICATION (S 1338, Chapter 232, Laws 2006)**

Requires a business or governmental entity conducting business in Arizona to notify state residents of a breach of their security system when personal information of the individuals has been compromised. Effective January 1, 2007. (TM)

Sponsor: Huppenthal

**OMBUDSMAN-CITIZENS AIDE; PUBLIC ACCESS LAWS (S 1407, Chapter 370, Laws 2006)**

Appropriates \$185,000 from the state general fund in FY07 to the Office of the Ombudsman-Citizens' Aide and requires the Ombudsman-Citizens' Aide to appoint two assistants for education and investigation duties relating to public access laws and "public bodies." Effective September 21, 2006. (TM)

Sponsor: R. Burns

**BOARD OF SUPERVISORS; ACCOMMODATION SCHOOLS (S 1551, Chapter 178, Laws 2006)**

Prohibits a county board of supervisors, until July 1, 2010, from providing necessary expenses from the Special County School Reserve Fund without an intergovernmental agreement with the county school superintendent delineating the county's responsibilities for financial contributions to an accommodation school budget, including any conditions related to the expenditures and any financial reporting required of the county school superintendent. The county school superintendent must provide by April 1 an annual report to the county board of supervisors on the county school superintendent's plans for the provision of accommodation school services for the next school year and the projected number of students at each accommodation school in the district. Additionally, the county school superintendent must annually provide by June 1 the county board of supervisors with estimated revenues from the state and any other financial information the county board of supervisors may request. The bill also establishes the 12-member Study Committee, delineates its composition and charges the Study Committee with:

- Electing a chairperson from among its membership;
- Reviewing the formation and operation of accommodation school districts and making recommendations on governance and financing;
- Examining statutes relevant to the formation and operation of county accommodation school districts and make recommendations for statutory changes; and,
- Submitting a report summarizing its findings and recommendations to the Governor and the Legislature by December 15, 2007.

Effective September 21, 2006. (JB)

Sponsor: Flake



## HEALTH AND HUMAN SERVICES

### **HOMELESSNESS TRUST FUND; REPEAL; APPROPRIATION (H 2594, Chapter 243, Laws 2006)**

Eliminates the Homeless Trust Fund, and the remaining balance of \$850,000 is appropriated to the Department of Economic Security for distribution to counties for services to homeless persons and the working poor. Maricopa County receives \$400,000, Pima County receives \$200,000, and the remaining counties share \$250,000. Effective September 21, 2006. (BL)

Sponsor: Boone

### **AHCCCS; PACE PROGRAM (S 1137, Chapter 307, Laws 2006)**

Establishes the Comprehensive Care for the Elderly (CCE) program as an alternative for Arizona Long-Term Care System (ALTCS) members who live in the area of a CCE program, and allows ALTCS program contractors to offer CCE programs instead of the traditional ALTCS service delivery mode. A CCE organization is required to provide the same services that are provided to ALTCS members, but must also provide case management to coordinate services and promote access to all necessary medical, social and other services. Effective September 21, 2006. (BL)

Sponsor: Leff

### **STATE HOSPITAL; CAPACITY (S 1195, Chapter 159, Laws 2006)**

Establishes a permanent patient wait list for the Arizona State Hospital (ASH), in the event that the facility exceeds its funded capacity. ASH has maintained a wait list since 1998, but had to obtain authorization annually from the legislature. Requires the Department of Health Services (DHS) to include representatives of the county boards of supervisors in the determination of funded capacity for ASH, and requires county board of supervisors to work with DHS, the superior court and the Prosecuting Attorneys' Advisory Council to create a contingency plan which outlines placement of patients in case of an emergency or unforeseen event. Effective April 17, 2006. (BL)

Sponsor: C. Allen

### **STRUCTURAL PEST CONTROL; LICENSURE EXEMPTION (S 1221, Chapter 263, Laws 2006)**

Exempts persons who conduct lawn, garden, shrub or tree maintenance and who apply herbicides for the purpose of weed control from licensure by the Structural Pest Control Commission, and outlines the conditions under which the exemption does not apply. The exemption is invalid when herbicides not available to the general public are labeled as "restricted use" or "danger," when sterilants are used, when herbicides are applied on school property, or when an individual offers weed control as their primary service, uses application equipment holding more than eight gallons of liquid herbicide, uses more than 25 pounds of nonliquid herbicide, or does not follow directions. Effective September 21, 2006. (BL)

Sponsor: Leff

### **LONG-TERM CARE; COUNTY ADJUSTMENTS (S 1299, Chapter 365, Laws 2006)**

Establishes an additional circuit breaker to the Arizona Long-Term Care System (ALTCS), which ensures that no county pays a per-capita ALTCS contribution greater than the statewide average. In FY07, provides a total of \$9,253,800 from the state general fund to cover reductions in ALTCS contributions for Cochise, Gila, Mohave, Pima, Pinal, Santa Cruz and Yavapai counties. Effective October 1, 2006. (BL)

Sponsor: Flake



**PESTICIDES; CHILDCARE FACILITIES; NOTIFICATION (S 1350, Chapter 311, Laws 2006)**

Requires individuals licensed under the Structural Pest Control Commission to notify child care facilities before any pesticide application, in the same manner as currently required for school notification. Expands the types of pesticide applications that are exempt from notification requirements, and applies the same conditions to nonresidual pesticide applications performed by public health agencies that currently apply to emergency pesticide applications. Effective January 2, 2007. (BL)

Sponsor: C. Allen

**STRUCTURAL PEST CONTROL; REGULATION; EXEMPTIONS (S 1388, Chapter 88, Laws 2006)**

Stipulates that a utility and its employees are exempt from licensure by the Structural Pest Control Commission if pest control services are immediately necessary for an employee's health and safety, so the employee may continue working, or if a qualifying party ensures that employees are properly trained, supervised and equipped. Effective September 21, 2006. (BL)

Sponsor: Leff

**HOME COOKING SCHOOLS; REGULATION; EXEMPTION (S 1554, Chapter 272, Laws 2006)**

Requires the Department of Health Services to establish rules that exempt from regulation non-hazardous foods that are served at a non-commercial social event, employee-conducted function, or prepared at a home cooking school. Provides that until such rules are established, a home cooking school is exempt if only one meal per day is served to no more than 15 students, and if students are notified that the school is not regulated by a health department. Effective April 11, 2006. (BL)

Sponsor: Flake

## LAND USE

**MILITARY AIRPORT DISCLOSURE; RESIDENTIAL PROPERTY (H 2060, Chapter 90, Laws 2006)**

Requires a seller of residential property to provide written disclosure to a buyer if the property is located in the vicinity of a military airport or ancillary military facility, unless the disclosure was already provided in a public report. Effective January 1, 2007. (TM)

Sponsor: Nelson

**MINED LAND RECLAMATION (H 2317, Chapter 267, Laws 2006)**

Prohibits any county zoning ordinance from regulating mined land reclamation activities, and adds mined land reclamation to the statutory definitions of "mine" and "mining." Effective September 21, 2006. (BL)

Sponsor: Barnes

**FIRE SUPPRESSION; LAND DEPARTMENT; APPROPRIATION (H 2395, Chapter 269, Laws 2006)**

Appropriates \$6.2 million in FY06 to the State Land Department from the state general fund for fire suppression activities: \$4 million for outstanding expenses owed to political subdivisions, and \$2.2 million for new activities. Effective September 21, 2006. (BL)

Sponsor: Pearce

**EARTH FISSURE MAPS (H 2639, Chapter 339, Laws 2006)**

Requires the State Land Department to create earth fissure maps based on information provided by the Arizona Geological Survey. The Arizona Department of Real Estate and the Arizona



Geological Survey are required to make the maps available to the public. The measure makes appropriations to the Land Department and to the Geological Survey for earth fissure map purposes. Effective September 21, 2006. (TM)

Sponsor: Nelson

**LICENSING PROCEDURES; CABLE TELEVISION (H 2812, Chapter 3, Laws 2006)**

Modifies the requirements for counties and municipalities and cable operators to negotiate franchise agreements. The bill prohibits a licensing authority from levying a tax, rent, fee or charge on a cable operator for the use of public streets, roads or alleys to provide cable service and limits the total rates of the license fee and any TPT taxes on gross revenue levied or assessed by a licensing authority to a maximum rate of 5 percent. The measure requires any reduction in the amount of fees, taxes or other charges paid to be passed on to subscribers and prohibits a licensing authority from requiring a cable operator to provide in-kind services, make in-kind payments or pay a fee in addition to the license fee except that a licensing authority may require a cable operator to provide channel capacity limited to:

- Two channels of public, educational or government access (PEG) programming in the basic tier of the cable television system; and,
- Two channels of noncommercial governmental programming, at least one of which may be programmed by the federal government, in the digital programming tier of the cable television system.

Effective September 21, 2006. (TM)

Sponsor: Nelson

**LOT SPLITS; FISSURES; RECORDED DISCLOSURE (S 1255, Chapter 36, Laws 2006)**

Requires that sellers of lands that do not require a public report to note on the affidavit of disclosure if the property is subject to fissures or expansive soils, if the information is known.

Effective September, 21 2006. (TM)

Sponsor: Flake

**COUNTY DEVELOPMENT FEES; REPORT (S 1413, Chapter 223, Laws 2006)**

Requires that counties assessing development fees submit an annual report accounting for the collection and use of the fees collected. Failure to submit a report will result in the inability to collect such fees.

Stipulates that the report include:

- Amount charged or assessed for each type of development fee
- Account balances at the beginning and end of the fiscal year
- Interest earned annually in each account
- The amount of development fees used to repay county bonds that were used to pay for a capital improvement project that is subject to assessments and monies advanced by the county to pay for a capital improvement project that is subject to assessments
- Development fees spent on each project
- Physical location of each capital improvement project

Effective September 21, 2006. (TM)

Sponsor: Bee

**ARIZONA TRAIL (S 1468, Chapter 374, Laws 2006)**

This bill establishes the Arizona Trail as a state scenic trail in honor of Congressman Bob Stump, and appropriates \$500,000 from the state general fund to the Arizona Trail Fund for maintaining and preserving the trail. It also encourages counties to adapt their general and comprehensive plans to preserve the trail right-of-way and acquire property to ensure the trail's continued existence in a permanent location. Effective September 21, 2006. (BL)

Sponsor: C. Allen



**COPPER STATE PARK (S 1550, Chapter 393, Laws 2006)**

Establishes plans for a rock climbing park in Gila County, and authorizes the Arizona State Parks Board to perform necessary actions to make the park available to the public. Effective September 21, 2006. (BL)

Sponsor: Flake

**LAW ENFORCEMENT AND EMERGENCY SERVICES**

**MEXICO ENTRY; MINORS (H 2387, Chapter 174, Laws 2006)**

Authorizes municipal police or a county sheriff to prevent a minor from entering Mexico from this state if the minor is unaccompanied by a parent/guardian or does not have written consent from a parent/guardian. The peace officer's authority is only to prevent entry and does not extend to detaining the minor. Effective September 21, 2006. (JB)

Sponsor: Pierce

**CIVIL LIABILITY; PRESUMPTIONS; POLICE TOOLS (S 1072, Chapter 254, Laws 2006)**

Establishes presumptions that apply to civil liability actions or claims if a person is harmed while attempting to commit, committing or fleeing after having committed or attempted to commit a felony criminal act. Effective September 21, 2006. (JB)

Sponsor: Martin

**ARIZONA DEPARTMENT OF HOMELAND SECURITY (S 1264, Chapter 317, Laws 2006)**

Establishes the Arizona Department of Homeland Security. This Department will perform duties that were previously conducted by the Arizona Office of Homeland Security, which was created through executive order in March, 2003. The legislation outlines the duties of the Department, which include receipt of federal homeland security grants and distribution of these monies to local governments; the Department is also required to assist in the development of regional response plans. The bill also adds the Department of Homeland Security Regional Advisory Council, which is comprised of five councils that represent various counties. Membership of each council includes a county sheriff and a County Supervisor and its responsibilities include developing plans for Arizona homeland security. Effective September 21, 2006. (BL)

Sponsor: R. Burns

**RETIREMENT AND PERSONNEL**

**ASRS; BENEFIT ELECTION; SPOUSAL NOTIFICATION (H 2082, Chapter 103, Laws 2006)**

Requires Arizona State Retirement System members to notify their current spouse before naming a beneficiary or contingent annuitant other than their current spouse. Effective September 21, 2006. (JB)

Sponsor: Konopnicki

**ASRS; LOCAL TERMINATION INCENTIVE PROGRAM (H 2103, Chapter 106, Laws 2006)**

Amends statutes regarding the employer retirement incentive option, replacing the word "retirement" with the word "termination" in all cases. Effective September 21, 2006. (JB)

Sponsor: McClure

**PSPRS; CORP; EORP CONTINUATION (H 2113, Chapter 125, Laws 2006)**

Extends until July 1, 2016 the Arizona State Retirement System, Public Safety Personnel Retirement System, Elected Officials Retirement Plan, and the Corrections Officer Retirement Plan. Retroactive to July 1, 2006. (JB)

Sponsor: McClure

**CREDITED SERVICE TRANSFER; ASRS (H 2163, Chapter 257, Laws 2006)**

Permits a county employee that joins the Arizona State Retirement System to transfer pretax assets from an existing retirement plan or program to pay the cost of transferred credited service if on or before the transfer the existing plan or program is irrevocably terminated. Delayed repeal on June 30, 2007. Effective May 8, 2006. (JB)

Sponsor: Carpenter

**ASRS; DEFERRED RETIREMENT; REPEAL (H 2340, Chapter 12, Laws 2006)**

Repeals the Arizona State Retirement System's Modified Deferred Retirement Option Plan (Modified DROP). Effective September 21, 2006. (JB)

Sponsor: McClure

**CORP; RETURN TO WORK (H 2482, Chapter 241, Laws 2006)**

Permits a retired corrections officer to become employed again by a Corrections Officer Retirement Plan employer and continue to receive their pension if the employment occurs at least 90 days after retirement and involves substantial direct inmate contact. The retired member shall not contribute to the fund and not accrue credited service in the new position. Further, if employment occurs before 90 days from retirement, the member's pension is suspended until employment ceases. Effective September 21, 2006. (JB)

Sponsor: Chase

**CORP; MEMBERSHIP EXPANSION (S 1142, Chapter 308, Laws 2006)**

Allows probation, surveillance and juvenile detention officers employed by the judiciary to participate in the Corrections Officer Retirement Plan. Effective September 21, 2006. (JB)

Sponsor: Johnson

**ASRS; OPTIONAL FORMS OF RETIREMENT (S 1167, Chapter 309, Laws 2006)**

Limits the ability of future Arizona State Retirement System (ASRS) retired members to rescind the election of and choose a different optional form of retirement benefit only once after retirement benefits have commenced. According to ASRS, the measure will offset a potential \$29 million in increased employee and employer contributions. Effective September 21, 2006. (JB)

Sponsor: Martin

**ASRS; FEDERAL CONFORMING CHANGES (S 1168, Chapter 157, Laws 2006)**

Conforms state pension plans to federal changes in section 401 (a) (9) of the Internal Revenue Code and applies to employees called to military service, changing beneficiaries, and determining required minimum distributions for years beginning January 1, 2006. Effective September 21, 2006. (JB)

Sponsor: Martin



**LAW ENFORCEMENT AGENCIES; RETIREMENT CREDENTIALS (S 1258, Chapter 37, Laws 2006)**

Requires a law enforcement agency to issue photographic identification to officers retiring honorably. The agency is not obligated to revoke or modify the identification based on conduct that the agency becomes aware of or that occurs after the officer has separated from the agency. Effective September 21, 2006. (JB)

Sponsor: Huppenthal

**SPECIAL RETIREMENT PLANS; AMORTIZATION (S 1357, Chapter 251, Laws 2006)**

Establishes a minimum employer contribution rate for public retirement plans at 10 percent for the Elected Officials Retirement Plan, eight percent for the Public Safety Personnel Retirement System and six percent for Corrections Officer Retirement Plan. In years where a fund's value exceeds actuarial requirements, one-half of the excess must be deposited into a stabilization fund which can be drawn on in years when the fund has a valuation asset deficiency and an unfunded actuarial accrued liability. Effective May 2, 2006. (JB)

Sponsor: Huppenthal

**PUBLIC RETIREMENT PLANS; ADMINISTRATION AMENDMENTS (S 1359, Chapter 264, Laws 2006).**

Amends statutes dealing with public retirement systems. Prohibits public employees from being held liable for acts based on good faith reliance on written opinions of private attorneys who were authorized by any of the retirement plans. A person who defrauds, steals or embezzles money from any of the three specialized retirement plans (Elected Officials Retirement Plan (EORP), the Public Safety Personnel Retirement System (PSPRS) and the Corrections Officer Retirement Plan (CORP)) is subject to a civil suit in superior court, and if the plan prevails, the person's nonexempt personal property may be seized, s/he is liable for attorney fees and costs, and, if the person is a member, future benefits may be offset by a court ordered judgment. When transferring credits to any of the three plans, the actuarial present value amount of the person's projected benefits must be calculated to the extent funded on a market value basis with the most recent actuarial valuation. For the PSPRS, definitions are changed to clarify that psychological conditions are not considered "catastrophic disability" and to remove the exclusion that had applied to an "accidental disability." The list of permissible investments is expanded to include "exchange traded funds" based on a publicly recognized index, and such entities as joint ventures, partnerships, and limited liability partnerships. Beginning on July 1 of the first fiscal year following actuarial determination that the CORP plan is funded at 100 percent, the term "base salary" for public safety officers is defined as regular compensation before extras such as overtime, shift differential, holiday pay, longevity pay, or fringe benefits are applied. Effective September 21, 2006. (JB)

Sponsor: Huppenthal

**TRANSPORTATION AND PUBLIC WORKS**

**STATE HIGHWAY FUND BONDS (H 2206, Chapter 284, Laws 2006)**

Removes statutory cap (currently set at \$1.3 billion) on Highway User Revenue Fund (HURF) parity bonds issued by the State Transportation Board. The State Transportation Board issues HURF Bonds to accelerate the construction of highway construction projects throughout Arizona. The pledged revenues for the bond issues are the HURF funds deposited in the State Highway Fund. The bonds are an obligation of the State Transportation Board and are not obligations of the State of Arizona. They do not constitute a legal debt of the state, and payment is not enforceable from any revenue other than HURF. Effective September 21, 2006. (TM)

Sponsor: Biggs



**VEHICLE LENGTH (H 2335, Chapter 226, Laws 2006)**

Increases the limit of the length of vehicles including farm vehicles, horse trailers, power units or wheeled equipment to 65 feet from 40 feet, if used in combination with two units. Effective September 21, 2006. (TM)

Sponsor: McClure

**COMMERCIAL VEHICLES; EXHAUST SYSTEMS (H 2691, Chapter 277, Laws 2006)**

Requires the exhaust systems of commercial motor vehicles to be properly equipped with sound reduction devices. Effective September 21, 2006. (TM)

Sponsor: McCune-Davis

**UNDERGROUND FACILITIES; MARKING PROCEDURES (H 2708, Chapter 235, Laws 2006)**

Removes the exemption for underground facilities operators from marking sewer systems installed before December 31, 2005. The bill clarifies that homeowners' associations that own underground sewer facilities located in a public right-of-way are not responsible for marking underground facilities by including them in the definition of "person" and exempting them from the definition of "underground facilities operators," and prohibits a building official or political subdivision from requiring the installation of one or more sewer clean-outs for the purposes of locating an underground facility except as required by building code. The measure also exempts underground facilities installed within single family residential property that are beneath a pool, permanent pool decking or a permanent building from the requirement that the facilities be installed with a detectable underground location device, and exempts homeowners' associations from liability for excavating in an express or implied private property utility easement under specified circumstances. Effective September 21, 2006. (TM)

Sponsor: Tully

**PUBLIC CONSTRUCTION CONTRACTS (H 2715, Chapter 141, Laws 2006)**

Permits all counties, for no more than five construction projects, to consider criteria other than just the lowest responsible bidder when entering into public construction contracts. Effective September 21, 2006. (TM)

Sponsor: A. Aguirre

**STOPPING VEHICLES ON HIGHWAYS (S 1166, Chapter 84, Laws 2006)**

Allows public transportation vehicles to stop on a controlled access highway if the local authority that has jurisdiction over the location conducts a traffic and engineering study that finds the safest place to pick up and drop off passengers. Effective September 21, 2006. (BL)

Sponsor: Verschoor

**ESCORT VEHICLE (S 1218, Chapter 219, Laws 2006)**

Requires a local authority that issues excess size and weight permits to electronically submit the local authority's ordinances and rules relating to excess size and weight permits in a format prescribed by the Arizona Department of Transportation (ADOT) Director and requires the Department to make those requirements public.

The measure prohibits a law enforcement officer from issuing a citation or detaining a motor carrier that is traveling on streets or roadways controlled by a local authority and if the local authority does not issue excess size and weight permits, and ADOT refuses to issue an excess size and weight permit for operation on streets and roadways under the local authority's jurisdiction, and the motor carrier is in compliance with ADOT's rules governing the movement of excess size and weight vehicles. Effective September 21, 2006. (TM)

Sponsor: Verschoor

**SINGLE SOLICITATION; CONSTRUCTION SERVICES (S 1292, Chapter 163, Laws 2006)**

Extends the authority of a county or special taxing district to procure multiple contracts for professional services to job-order contracting for horizontal construction. Effective September 21, 2006. (TM)

Sponsor: Verschoor

**FLEET REQUIREMENTS; TAX INCENTIVES; BIODIESEL (S 1346, Chapter 388, Laws 2006)**

Allows all motor vehicle fleets under the statutory alternative fuel mandates to meet the requirements by using clean-burning fuel equivalents of one vehicle equivalent for every 450 gallons of neat biodiesel, or 2,250 gallons of diesel fuel substitute and one vehicle equivalent for every 530 gallons of ethanol blend E85 or methanol blend M85 fuel. Effective September 21, 2006. (BL)

Sponsor: Huppenthal

**WATER**

**WATER SERVICE PROVIDERS; CORPORATE DISSOLUTION (H 2428, Chapter 95, Laws 2006)**

Permits the assets of a domestic water or wastewater service provider that has been dissolved for three years to be transferred by the Arizona Corporation Commission (Commission) to a domestic water improvement district, a domestic wastewater improvement district or a municipality. The measure requires notification regarding the transfer of assets, an opportunity for objection and a public hearing before the transfer occurs. Also, the district or municipality is required to submit a written request to the Commission for the transfer of the assets. Dissolved entities whose assets have been transferred are prohibited from applying to the Commission for reinstatement. Effective September 21, 2006. (TM)

Sponsor: Mason

**AFFIDAVIT OF DISCLOSURE; WATER SERVICE (H 2431, Chapter 96, Laws 2006)**

Sellers of five or fewer lots in unincorporated areas must disclose if the property is served by a well, private water company or municipal provider, and that Arizona Department of Water Resources (ADWR) may not have made a water supply determination and advises the buyer to contact the water provider for more information. Effective September 21, 2006. (TM)

Sponsor: Mason

**EMERGENCY WATER TRANSFERS; DROUGHT (H 2436, Chapter 97, Laws 2006)**

Creates specific ways in which groundwater may be transported away from a groundwater basin that is outside an Active Management Area in a declared water shortage emergency. Requires county permission before water is drawn from a well and moved across county boundaries, and requires a county plan for productive use of the transferred groundwater. Effective April 30, 2006 through April 30, 2007. (BL)

Sponsor: O'Halleran

**GRAY WATER USE; INCENTIVES (H 2518, Chapter 228, Laws 2006)**

Allows gray water to be considered in the determination of an assured water supply and permits the Department of Environmental Quality (DEQ) to consider gray water when calculating wastewater treatment systems. Prohibits cities, towns or counties from limiting gray water use authorized by a permit issued by DEQ. Effective September 21, 2006. (BL)

Sponsor: C. Gray

**SMALL WATER SYSTEMS; INTERIM OPERATORS (H 2521, Chapter 194, Laws 2006)**

Permits the Arizona Water Infrastructure Finance Authority (WIFA) to administer the Small Water Systems Fund and to give emergency grants to interim operators or managers of small water systems when making repairs to or rehabilitating the public water system in order to correct or avoid interruption in water service. Effective April 24, 2006. (TM)

Sponsor: Alvarez

**IRRIGATION WATER DELIVERY DISTRICTS; DISSOLUTION (H 2669, Chapter 140, Laws 2006)**

Prescribes that a County's board of supervisors is no longer required to approve a petition of dissolution of an irrigation water delivery district and an irrigation water delivery district may be dissolved when the owners of a majority of the land in the district have signed the petition for dissolution. Effective September 21, 2006. (TM)

Sponsor: A. Aguirre

**ARIZONA WATER SETTLEMENTS ACT; IMPLEMENTATION (H 2835, Chapter 114, Laws 2006)**

Implements provisions related to the state's commitment to firm Indian settlement water. Included is increased authority for the Arizona Water Banking Authority to store water at recharge facilities for Indian firming, to enter into agreements with the federal and Indian governments for storage and recovery of Indian firming water, to enter into leasing agreements with Indians communities for non-Indian agricultural priority or Indian priority Central Arizona Project water, to use sources of water other than Colorado River water, and to import water for Indian firming. Effective September 21, 2006. (BL)

Sponsor: Speaker Weiers

**MULTISPECIES CONSERVATION PROGRAMS; FEES (S 1256, Chapter 54, Laws 2006)**

Clarifies that fees assessed for the Lower Colorado River Multispecies Conservation Program do not apply to users of Colorado River water who already pay fees and are current in their payments under agreements with a multi-county water conservation district. Effective September 21, 2006. (BL)

Sponsor: Flake

**WELL DRILLING; TIME EXTENTION (S 1334, Chapter 56, Laws 2006)**

Allows the Director of the Arizona Department of Water Resources to extend the time period for drilling a replacement well to more than one year, but not more than five years of the date the drilling card was issued, if the proposed well is a non-exempt well within an Active Management Area and is a replacement well in approximately the same area as the original well. In addition, evidence must show that either the state or a political subdivision of the state has or is to acquire control of the land where the original well is located or the original well is inoperable due to extraordinary physical circumstances beyond the control of the owner. The bill contains a conditional enactment clause based on final federal regulations relating to a Colorado River water determination. Effective September 21, 2006. (BL)

Sponsor: Flake



## STATE BUDGET AND TAX REDUCTION PACKAGE

### HEALTH AND WELFARE; BUDGET RECONCILIATION (H 2371, Chapter 331, Laws 2006)

Makes statutory and session law changes related to health and welfare issues necessary to implement the FY07 budget, and contains appropriations to the Arizona Health Care Cost Containment System (AHCCCS), the Department of Economic Security and Department of Health Services (DHS) related to the budget.

Effective July 1, 2006. County-related provisions are outlined below.

Sponsor: Tully

- Arizona Long-Term Care System (ALTCS)  
Sets the FY07 county contributions to the ALTCS program at \$244,880,500. (Note: these statutory amounts do not reflect the \$9.3 million in relief provided by S.B. 1299.)
- AHCCCS ACUTE Care Contributions  
Continues the FY07 county acute care contributions and related requirements at FY06 levels (total county acute care contributions of \$59,222,500), but decreases Maricopa County's FY07 acute care contribution by \$767,000 pursuant to the stated legislative intent that the contribution be reduced by an inflation index.
- Disproportionate Uncompensated Care (DUC) Pool  
Continues mandated county contributions to the DUC Pool from all counties at FY06 levels. (A total of \$2.6 million.)
- Vital Records  
Requires DHS to reduce fees for vital records so that the Vital Records Electronic Systems Fund generates no more than \$500,000 in revenue for FY07, but creates a separate funding stream for county vital records programs and allows local registrars to set their own fees for vital records services.
- Arizona State Hospital/Restoration to Competency (RTC)  
Continues to require Maricopa and Pima counties to pay 86 percent of RTC expenses, but eliminates the requirement that rural counties pay for RTC costs. House Bill 2863 appropriates money to cover RTC contributions for those counties. In addition, this bill requires DHS to report by July 1, 2007 on whether it intends to privatize the Arizona State Hospital.

### GENERAL APPROPRIATIONS; FISCAL YEAR 2006-2007 (H 2863, Chapter 344, Laws 2006)

Makes appropriations from the state general fund and other funds for the operation of state government in FY07.

Effective July 1, 2006. County-related provisions are outlined below.

Sponsor: Speaker Weiers

- Air Quality  
Appropriates \$1.7 million from the state general fund to Maricopa, Pima and Pinal counties for air quality programs. (Maricopa: \$948,000; Pima: \$268,300; Pinal: \$87,000; Pima Association of Governments: \$373,000.) Also, appropriates \$165,000 to counties for use in compliance with particulate matter standards, and specifies qualified uses for the funding.

- Courts and Probation  
Appropriates \$418,500 to the Arizona Supreme Court for rural state aid to courts for counties with less than 500,000 persons. Also, states that the receipt of state probation monies by counties is contingent on the county maintenance of FY04 expenditure levels for each probation program, and that state probation monies are not intended to supplant county dollars for probation programs. Clarifies that Maricopa County will cover costs of its adult probation, as outlined in H.B. 2819.
- Fire Suppression  
Appropriates \$1.6 million from the state general fund to the State Land Department for fire suppression activities.
- Health Care  
Appropriates funding from the state general fund to the DHS for the following county-related items:
  - \$1.6 million for RTC costs of rural counties. (County responsibility for RTC expenses is outlined in H.B. 2371.)
  - \$460,300 to provide one public health nurse and one sanitarian in counties with populations of less than 500,000 persons. The monies are to be divided equally among eligible counties on a non-matching basis, and will revert back to the state if not utilized for the prescribed purposes.
  - \$67,900 to provide counties of less than 500,000 persons with matching monies for local health work. The funding is to be distributed on an equal matching basis according to the proportion of funding each county received in FY03.
  - \$200,000 to five counties for reimbursement to county public health departments, according to A.R.S. § 36-189. (Coconino: \$36,220; Gila: \$5,440; Mohave: \$30,780; Yavapai: \$25,820; Yuma: \$101,740.)
  - \$10,426,600 for community health centers, at least \$564,000 of which shall be distributed to Yavapai County for county primary care programs.
  - \$583,000 to counties for high risk perinatal services, to be distributed on a pass-through basis with consideration to population, need and amount received in prior years.
  - \$37,468,900 to the Arnold v. Sarn case for the population covered by the Arnold v. Sarn lawsuit in Maricopa County, and for seriously mentally ill persons that meet the same criteria as those covered by that lawsuit in counties with populations of less than two million persons.
  - Appropriates \$4.8 million from the state general fund to AHCCCS to continue payments to six counties that are eligible for the hold harmless payments implemented with Proposition 204. (Graham: \$234,200; Greenlee: \$234,400; La Paz: \$159,700; Pima: \$3,817,800; Santa Cruz: \$214,800; Yavapai: \$164,700.)
- Statewide Transportation Acceleration Needs (STAN) Account  
Appropriates \$307 million to the STAN account, which was created in H.B. 2865. Of the total appropriation, \$245 million is from the state general fund and \$62 million is from the State Highway Fund.

- Water Studies  
Appropriates \$1.9 million from the state general fund to the Department of Water Resources for rural water studies.

**SUPPLEMENTAL APPROPRIATIONS; BUDGET RECONCILIATION (H 2864, Chapter 316, Laws 2006)**

Makes supplemental appropriations to state agencies in FY06. Requires AHCCCS to make additional disproportionate share payments of \$16 million to qualifying county operated hospitals, and requires the State Treasurer to withhold that amount from Maricopa County's transaction privilege tax revenues.

Effective June 8, 2006.

Sponsor: Speaker Weiers

**CAPITAL OUTLAY; FISCAL YEAR 2006-2007 (H 2865, Chapter 345, Laws 2006)**

Makes session law changes related to capital outlay necessary to implement the FY07 state budget.

Effective July 1, 2006. County-related provisions are outlined below.

Sponsor: Pierce

- State Highway Construction  
Appropriates \$226,273,000 from the State Highway Fund for the planning and construction of state highways.
- Statewide Transportation Acceleration Needs (STAN) Account  
Creates the STAN account as a separate account of the State Highway Fund, outlines funding sources for the account and specifies that the funds are to be used for transportation projects contained in the regional transportation plan of a county or the Arizona Department of Transportation's (ADOT) long-range statewide transportation plan. Allocates 60 percent of monies to Maricopa County, 16 percent of monies to Pima County and 24 percent of monies to all other counties, and requires a regional planning agency in Maricopa and Pima counties to establish a process for review and approval of projects. In rural counties, ADOT will cooperate with the metropolitan planning organization or the council of governments to develop requests for expenditures of monies. House Bill 2863 directs a total of \$307 million to STAN in FY07.

**ENVIRONMENTAL PROTECTION; BUDGET RECONCILIATION (H 2869, Chapter 349, Laws 2006)**

Outlines clean burning fuel equivalents that can be used to meet alternative fuel mandates for motor vehicle fleets, and suspends the statutory requirement (A.R.S. § 45-2112) that \$5 million be deposited annually from the state general fund to the Water Protection Fund. Effective July 1, 2006.

Sponsor: Boone

**STATE GOVERNMENT; BUDGET RECONCILIATION (H 2870, Chapter 350, Laws 2006)**

Makes additional appropriations to state government.

Effective July 1, 2007. County-related provisions are outlined below.

Sponsor: Pierce

- AHCCCS  
Provides \$5,200,000 from the state general fund, and \$5,200,000 from federal expenditure authority for the hiring of staff to verify citizenship of AHCCCS participants. A total of \$3,400,000 from both funds are designated as one-time monies.

- Arizona 2-1-1 System  
Allocates \$1.9 million from the state general fund for the 2-1-1 phone system, \$900,000 of which is to be used for one-time funding.
- Centennial Celebration  
Appropriates \$2.5 million from the state general fund to Legislative Council for a statewide plan, activities, and projects relating to the Arizona centennial celebration, and mandates that the appropriated funds may not be spent until \$5 million in matching funds have been met.
- Out-of-County Tuition Assistance  
Appropriates \$1 million from the state general fund to the state treasurer for a one-time distribution to Apache County (\$466,000), Greenlee County (\$382,800), and Santa Cruz County (\$151,200) to reduce the community college out-of-county reimbursement obligation.
- Seriously Mentally Ill Housing  
Appropriates \$2.5 million in one-time monies from the state general fund for funding for housing costs for the seriously mentally ill population in Maricopa County.
- Summer Youth Employment  
Provides \$1 million from the state general fund for summer youth employment and training programs.
- Water Research Institute  
Appropriates \$1.5 million from the state general fund for research on water issues, to be divided equally between the three state universities for regional projects.

**GENERAL REVENUES; BUDGET RECONCILIATION (H 2871, Chapter 351, Laws 2006)**

Specifies that up to \$18 million of lottery funds are to be deposited in the Local Transportation Assistance Fund after the state general fund receives \$37 million of those funds. Effective July 1, 2006.

Sponsor: Speaker Weiers

**HIGHER EDUCATION; BUDGET RECONCILIATION (H 2873, Chapter 352, Laws 2006)**

From FY07 - FY12, requires the Gila County Provisional Community College District to annually reimburse the state \$72,364 from operating state aid amounts for monies distributed from Workforce Development funding. Specifies that the funds are to be deposited in the Classroom Site Fund. Effective July 1, 2006.

Sponsor: Pierce

**TAX RELIEF; OMNIBUS (H 2876, Chapter 354, Laws 2006)**

Modifies property tax in the following ways:

- For FY07, requires municipalities, counties and community college districts to set their primary property levies at their FY06 primary property tax levy plus 2 percent and taxes on new construction.
- Changes the name of the County Equalization Assistance for Education tax rate to the State Equalization Assistance property tax rate.
- Beginning July 1, 2007, requires secondary taxes for bonds, overrides and other special district taxes to only be conducted at the November general election.
- Modifies the information that is provided in the information pamphlet for bonds, overrides and other secondary taxes, and prescribes the information to be included.

Beginning in FY06, reduces the individual income tax rate by 10 percent over a two year period. Effective July 1, 2006.

Sponsor: Speaker Weiers

## ARIZONA ASSOCIATION OF COUNTIES LEGISLATIVE PACKAGE

### **COUNTY ASSESSORS; PROPERTY FUND; CONTINUATION (H 2349, Chapter 206, Laws 2006)**

Delays the repeal of the county assessors' property information storage and retrieval conversion and maintenance fund from 2006 until December 31, 2011. [Note: the fund's revenue comes from a surcharge on fees charged by the county recorder for recordation.] Effective September 21, 2006. (JB)

Sponsor: Nelson

### **COUNTY TREASURER; CORRECTIONS (H 2350, Chapter 134, Laws 2006)**

Makes multiple changes in statutes dealing with the county treasurer, including the interest rate paid by the treasurer to taxpayers who have successfully appealed their assessment is the legal rate on the date the payment is rendered; the treasurer's authority to require electronic payment of taxes is extended to persons who pay taxes on 100 or more parcels, and the costs of seizing and selling personal property are added to the list of circumstances for abating tax and removing tax liens. Effective September 21, 2006. (JB)

Sponsor: Nelson

### **PRECINCT REGISTERS; VOTER REGISTRATION COUNT (H 2829, Chapter 144, Laws 2006)**

Requires the county recorder to provide a daily list of persons who have requested an early ballot and a weekly listing of voters who have returned the early ballots during the 33 days preceding an election and on request from a county or state chairman. Municipal registration for municipalities in which the county administers elections, county and state party chairmen shall request voter information and precinct lists from the municipality's clerk. If the clerk does not provide the requested information, the county recorder may furnish the request. Effective September 21, 2006. (JB)

Sponsor: Knaperek

### **STATE SERVICING BANKS; ELIGIBILITY (S 1022, Chapter 99, Laws 2006)**

Bids submitted by servicing banks for public monies must be evaluated based on response, price, services, qualifications and other scope of work factors that are detailed in the bid documents. Statute requiring that in the event of identical low bids the board must determine by lot which of the bidders should be chosen is eliminated. Effective September 21, 2006. (JB)

Sponsor: Waring

### **ELECTIONS; CANVAS DEADLINE (S 1037, Chapter 145, Laws 2006)**

Amends deadlines for election canvas results to require that the governing body meet within 20 days of the election (current statute requires a meeting within 15 days) and that the Secretary of State perform the official canvas on the fourth Monday following a general election (currently the third Monday). Persons not registered to vote may serve as election board workers if they meet certain conditions, including being a U.S. citizen and at least 16 years of age, supervised by a trained adult and submission of written permission from a parent. Schools are not required to reduce their average daily membership for students who volunteer as election workers. Effective September 21, 2006. (JB)

Sponsor: Waring



**ELECTION LAW REVISIONS (S 1041, Chapter 44, Laws 2006)**

Multiple changes to election laws, including requirement that the publicity pamphlet and sample ballot be mailed at least 35 days prior to an election is extended to all school board and bond elections. [Note: currently, for some elections, mailing could be 10 days before the election.] The jurisdiction must mail a copy of the pamphlet to each household with an elector (previously, one was mailed to each elector). Information in the pamphlet is expanded to include the date of the election and the voter's polling place. Additionally, authorization is given to the county recorder to date a person's voter registration as the date it was first received even if the original application was incomplete as long as the necessary information was supplied before 7:00 p.m. on election day. City elections in cities with a population of 175,000 or more must be held either on primary election day in September or general election day in November. Provision is made in statute for cases in which a polling place must be evacuated on election day. After the canvass, the ballots are to be kept in a secure location managed by the county treasurer (previously, in the treasurer's safe). Public notice of special district bond elections may be made via mail to each household in the district rather than via newspaper. Effective April 5, 2006. (JB)

Sponsor: Waring

**REFERENDA**

**MUNICIPAL DEBT; CAPACITY (H.C.R. 2001, 2006 GENERAL ELECTION BALLOT)**

Question to allow political subdivisions of the state (cities, towns, school districts, and counties) to incur debt up to 20 percent of the taxable property value (instead of the current 6 percent cap) of the taxable property value within the city or town for public safety, law enforcement, fire and emergency service facilities, as well as streets and transportation facilities. However, no political subdivision may incur debt exceeding 15 percent of the taxable property value. However, the Constitution allows political subdivisions to become indebted up to 20 percent for sewers, lights, water supplies, and the acquisition of land for parks and preserves. (BL)

Sponsor: Nelson

**NO BAIL; UNDOCUMENTED IMMIGRANTS (H.C.R. 2028, 2006 GENERAL ELECTION BALLOT)**

Question from the 47<sup>th</sup> Legislature, First Regular Session (2005) to amend the constitution to expand the list of offenses for which bail is not a right, to include "serious felony offenses" if the person charged is in the U.S. illegally. (JB)

Sponsor: Pearce

**ENGLISH AS OFFICIAL LANGUAGE (H.C.R. 2036, 2006 GENERAL ELECTION BALLOT)**

Question repealing the existing Article XXVIII of the Arizona Constitution regarding English as the official language of Arizona and creating a new Article providing that English is the official language, requiring government officials to preserve, protect and enhance the role of English and requiring official functions of government to be conducted in English. (JB)

Sponsor: Pearce

**STATE TRUST LAND REFORM (H.C.R. 2045, 2006 GENERAL ELECTION BALLOT)**

Question allowing urban state trust land to be conveyed to a county, city or town for permanent conservation, and up to 400,000 acres of rural state trust land to be conveyed for permanent conservation to the county in which the land is located. In addition, allows state trust land to be granted for public rights-of-way and easements established and maintained before January 1,



1968, without advertisement or auction and without further payment to a federal, state or local governmental entity, in a manner prescribed by law. (TM)  
 Sponsor: Nelson

**LOCAL GOVERNMENT; LEVY LIMITS; REBASE (H.C.R. 2056, 2006 GENERAL ELECTION BALLOT)**

Question amending the Constitution to limit local jurisdictions property tax increases to 2 percent growth annually, plus taxes on new construction, using the actual levy in 2005 as the base year, beginning in 2007. Voters in these jurisdictions are allowed to approve amounts in excess of the limit. (CS)  
 Sponsor: Robson

**STANDING; FEDERAL VIOLATION; DAMAGES (S.C.R. 1001, 2006 GENERAL ELECTION BALLOT)**

Question to prohibit persons who are present in Arizona in violation of federal immigration laws from being awarded punitive damages in any state court action. Plaintiffs would still be allowed to recover actual damages regardless of their immigration status. (JB)  
 Sponsor: Harper

**PUBLIC PROGRAMS; CITIZENS (S.C.R. 1031, 2006 GENERAL ELECTION BALLOT)**

Question prohibiting adults who are not citizens or legal residents of the United States from taking classes offered by the Arizona Department of Education (ADE) Division of Adult Education (Division) or receiving child care assistance from the Arizona Department of Economic Security (DES) and requiring certain biannual reporting to the Joint Legislative Budget Committee (JLBC) and prohibiting in-state student or county resident status to persons who are not citizens or who lack lawful immigration status pursuant to federal law. (JB)  
 Sponsor: Martin

**METHAMPHETAMINE; PROBATION INELIGIBILITY (S.C.R. 1033, 2006 GENERAL ELECTION BALLOT)**

Question to prevent a person convicted of drug charges involving methamphetamine from being eligible for probation under the Drug Medicalization, Prevention, and Control Act of 1996 (DMPCA). The DMPCA was an initiative proposal known as Proposition 200 approved by the voters. It required persons who are convicted of personal possession or use of a controlled substance or drug paraphernalia be eligible for probation. This would exempt an offense of personal possession or use of a controlled substance or drug paraphernalia involving methamphetamine from eligibility for probation under DMPCA. (JB)  
 Sponsor: Bennett

**VETOED LEGISLATION**

**SUPREME COURT OPINION; SINGLE SUBJECT (H 2373, VETOED)**

Initiative petition organizers must submit to the Secretary of State petitions with at least 10 percent of the number required for ballot certification by March 1 of the year in which the measure would appear on the ballot. The Secretary of State shall count the signatures with no regard for validity. If the 10 percent threshold is reached, the Secretary of State shall send a copy of the initiative language to the Supreme Court and Legislative Council for analysis. Legislative Council shall file a memorandum outlining the issues to be determined within 15 days of receipt. The Court has 50 calendar days to rule whether the measure complies with the single-subject rule.

Enactment conditional on voter approval of a constitutional amendment to establish a procedure for the Supreme Court to determine whether an initiative contains more than one subject. (JB)  
Sponsor: Knaperek

**COUNTY SUPERVISORS; MEMBERSHIP; NUMBER (H 2575, VETOED)**

Requires that counties with populations of at least 165,000 as of the 2000 decennial census and that currently have a board of three supervisors begin the process to elect two additional supervisors in the next presidential election. Counties that have less than 165,000 but more than 100,000 are required to call an election to decide whether or not to go to a five-member board. (TM)  
Sponsor: Chase

**IMMIGRATION LAW; EMPLOYMENT; ENFORCEMENT (H 2577, VETOED)**

The comprehensive illegal immigration measure was offered by the legislature as a step towards addressing current public concern and sentiment regarding illegal immigration in Arizona.

The bill contained multiple provisions, including:

- Makes employment eligibility document forgery a class 3 felony.
- Requires, beginning January 1, 2007, an agency, department, board or commission of the state or a county (Agency) to notify the Attorney General that the Agency has determined, after an investigation that is initiated by the Agency or by a private party's written complaint to the Agency, that an employer who operates an Arizona business or enterprise knowingly employs an unauthorized worker.
- Prescribes penalties for employers violating provisions of the measure to include:
  - a civil penalty of \$2,000 per illegal employee - not to exceed \$10,000 on a first offense;
  - a class 1 misdemeanor, and the possibility of a suspended business license and an additional assessment of \$4,000 for each illegal employee for a second offense within one year; and,
  - a class 1 misdemeanor and requires the court to sentence the employer to serve six months in jail, the maximum as allowed by law and the possibility of a suspended or revoked business license and an additional assessment of \$6,000 per illegal employee if there is a third violation within a year.

Additionally, a citizen's ombudsman was set up and funded to investigate reports of illegal hiring, audit requirements were spelled out for the Attorney General and license issuing agencies and an indemnification clause for an employer if any administrative or judicial action is brought against the employer as a result of any employer action under the act. Additional provisions were included in H 2577.

Other provisions like a border fence and additional funds for counties for incarceration and enforcement were discussed after the veto of H 2577 was issued. (TM)  
Sponsor: Pearce

**TRESPASSING BY ILLEGAL ALIENS (S 1157, VETOED)**

Establishes the crime of trespassing by illegal aliens and permits a peace officer to question a person about his or her immigration status in certain situations and provides the public employee and public entity qualified immunity for questioning immigration status. Prescribes penalties for trespassing by illegal aliens as progressively a class 1 misdemeanor for a first offense; a class 6 felony for a second or subsequent offense and a class 2 felony for any offense if the defendant also is in possession of a dangerous drug, a precursor chemical used in manufacturing

methamphetamine, a deadly weapon, dangerous instrument or property used for the purpose of committing an act of terrorism. (TM)  
Sponsor: Leff

**PUBLIC HEALTH SERVICES DISTRICT (S 1217, VETOED)**

Eliminates the ability of a county board of supervisors to establish a public health services district by unanimous vote. (TM)  
Sponsor: Martin

**PUBLIC FUNDS; ABORTION; PROHIBITION (S 1325, VETOED)**

Prohibits the expenditure of public funds to pay the costs associated with a political subdivision's health insurance plan that covers abortion-related services. (BL)  
Sponsor: Johnson

**EMERGENCY; CONFISCATION OF FIREARMS; PROHIBITION (S 1425, VETOED)**

Prohibits the Governor, the Adjutant General or any other official or person from placing any additional restriction on the lawful possession, transfer, sale, transport, carrying, storage, display or use of firearms or ammunition components during a state of emergency declared by the Governor. (TM)  
Sponsor: Martin

**WATER UTILITY SYSTEMS; VALUATIONS (S 1432, VETOED)**

Prescribes a maximum property valuation of \$500 for land, buildings, improvements and personal property used for a water utility system, regardless of the number of parcels involved and allows a county assessor to divide the tax assessment amount per parcel, provided the maximum assessment does not exceed \$500. The requirement that DOR annually determine the valuation of property used in the operation of a water utility system is eliminated. (TM)  
Sponsor: Martin

**LOCAL PLANNING; RESIDENTIAL HOUSING INCENTIVES (S 1479, VETOED)**

Prohibits a city, town or county from requiring that land use regulations, or general or specific plan provisions, be designated for sale to a specific class of purchasers. Allows a city, town or county to use their authority in these areas to implement an incentive, density bonus or other voluntary regulation or condition designed to increase the supply of moderate to lower-cost housing units. (BL)  
Sponsor: Bee

**PROPERTY TAX VALUATION; PIPELINES (S 1543, VETOED)**

Prohibits the Department of Revenue from assigning a value to personal property construction work in progress until it is placed in commercial service, and excludes certain costs (including mapping and environmental costs) from being part of the Arizona allocation factor. The bill also establishes an obsolescence adjustment and modifies the valuation calendar for pipelines. (BL)  
Sponsor: Martin

**FISCAL YEAR 2006-2007 ENACTED BUDGET**

**COUNTY COSTS**

	HURF /1	RESTORATION TO COMPETENCY /2	ALTCS/3	ACUTE CARE	PROP. 204 ADMINISTRATION	DUC Pool
APACHE	(\$60,740)	\$0	(\$575,600)	(\$268,800)	(\$83,451)	(\$87,300)
COCHISE	(\$69,653)	\$0	(\$5,499,700)	(\$2,214,800)	(\$155,661)	(\$162,700)
COCONINO	(\$83,088)	\$0	(\$1,727,000)	(\$742,900)	(\$153,560)	(\$160,500)
GILA	(\$33,524)	\$0	(\$2,531,400)	(\$1,413,200)	(\$63,070)	(\$65,900)
GRAHAM	(\$20,620)	\$0	(\$959,300)	(\$536,200)	(\$44,840)	(\$46,800)
GREENLEE	(\$7,427)	\$0	(\$215,200)	(\$190,700)	(\$11,520)	(\$12,000)
LA PAZ	(\$31,555)	\$0	(\$811,200)	(\$212,100)	(\$23,876)	(\$24,900)
MARICOPA	(\$755,727)	(\$871,560)	(\$145,459,800)	(\$31,192,200)	\$0	\$0
MOHAVE	(\$100,778)	\$0	(\$7,729,400)	(\$1,237,700)	(\$176,233)	(\$187,400)
NAVAJO	(\$70,772)	\$0	(\$2,381,000)	(\$310,800)	(\$117,480)	(\$122,800)
PIMA	(\$348,824)	(\$2,065,592)	(\$40,304,200)	(\$14,951,800)	(\$1,067,652)	(\$1,115,900)
PINAL	(\$108,465)	\$0	(\$10,309,600)	(\$2,715,600)	(\$208,907)	(\$218,300)
SANTA CRUZ	(\$26,093)	\$0	(\$1,912,400)	(\$482,800)	(\$49,372)	(\$51,600)
YAVAPAI	(\$92,547)	\$0	(\$8,838,500)	(\$1,427,800)	(\$197,336)	(\$206,200)
YUMA	(\$90,172)	\$0	(\$6,372,400)	(\$1,325,100)	(\$175,942)	(\$183,900)
	<b>(\$1,899,986)</b>	<b>(\$2,937,152)</b>	<b>(\$235,626,700)</b>	<b>(\$59,222,500)</b>	<b>(\$2,531,900)</b>	<b>(\$2,646,200)</b>

**COUNTY BENEFITS**

	OUT-OF- COUNTY TUITION ASSISTANCE /4	AIR QUALITY FUNDING /5	PROP. 204 HOLD HARMLESS /6	SUMMER YOUTH EMPLOYMENT /7
APACHE	\$466,000			\$10,903
COCHISE				\$19,292
COCONINO				\$19,506
GILA				\$8,245
GRAHAM			\$234,200	\$5,299
GREENLEE	\$382,800		\$234,400	\$1,338
LA PAZ			\$159,700	\$3,167
MARICOPA		\$948,000		\$175,000
MOHAVE				\$25,890
NAVAJO				\$15,804
PIMA		\$268,300	\$3,817,800	\$275,000
PINAL		\$87,000		\$29,923
SANTA CRUZ	\$151,200		\$214,800	\$6,196
YAVAPAI			\$164,700	\$28,035
YUMA				\$26,402
	<b>\$1,000,000</b>	<b>\$1,303,300</b>	<b>\$4,825,600</b>	<b>\$650,000</b>



FOOTNOTES

- 1 FIGURES REPRESENT THE COUNTY SHARE OF \$10 MILLION SHIFTED FROM HURF TO THE DEPARTMENT OF PUBLIC SAFETY. COUNTY IMPACT IS BASED ON FORMULAIC CALCULATIONS USED BY THE ARIZONA DEPARTMENT OF TRANSPORTATION. (H.B. 2863, SECTION 27, CONTAINS THE \$10 MILLION SHIFT TO DPS.)
- 2 REFLECTS LEGISLATIVE CHANGE TO REDUCE RURAL COUNTIES' CONTRIBUTION TO RTC FROM 50% TO 0%. MARICOPA AND PIMA IMPACTS ARE BASED ON INFORMATION PROVIDED BY THE DHS FROM FY05 COSTS. THIS DOES NOT INCLUDE COSTS THAT MARICOPA COUNTY INCURS THROUGH ITS OWN RTC PROGRAM. (H.B. 2371, SECTION 26)
- 3 COUNTY ALTCS CONTRIBUTIONS, OUTLINED IN H.B. 2371, SECTION 19, INCREASED BY 12% OVER FY06. THESE FIGURES INCLUDE THE IMPACT OF S.B. 1299, WHICH PROVIDED \$9.3 MILLION IN ALTCS RELIEF FOR COCHISE, GILA, MOHAVE, PIMA, PINAL, SANTA CRUZ AND YAVAPAI COUNTIES IN FY07.
- 4 THE STATE TREASURER WILL DISTRIBUTE THIS \$1 MILLION IN FY07 FOR A ONE-TIME FUNDING REDUCTION FOR COMMUNITY COLLEGE OUT-OF-COUNTY REIMBURSEMENT OBLIGATIONS PURSUANT TO A.R.S. § 15-1469. (H.B. 2870, SECTION 16)
- 5 THIS FUNDING IS APPROPRIATED TO COVER COSTS ASSOCIATED WITH OPERATING AIR QUALITY PROGRAMS IN MARICOPA, PIMA AND PINAL COUNTIES. IN ADDITION, THE PIMA ASSOCIATION OF GOVERNMENTS RECEIVES \$373,000. (H.B. 2863, SECTION 13)
- 6 THE LEGISLATURE CONTINUED FUNDING TO EIGHT COUNTIES THAT BEGAN RECEIVING "HOLD HARMLESS" PAYMENTS WITH THE IMPLEMENTATION OF PROP. 204. (H.B. 2863, SECTION 3)
- 7 THE LEGISLATURE RESTORED SUMMER YOUTH EMPLOYMENT PROGRAM FUNDING FOR FY07. THESE FIGURES REFLECT FY05 DISTRIBUTION AMOUNTS; IN ADDITION, PHOENIX AND MESA RECEIVE A COMBINED TOTAL OF \$350,000. (H.B. 2870, SECTION 19)



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