



OFFICE OF PUBLIC AFFAIRS

2009 LEGISLATIVE REPORT



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49th LEGISLATURE FIRST REGULAR SESSION OVERVIEW

By the first week of the session, it was well known that Governor Napolitano would be leaving Arizona to become the Secretary of Homeland Security. This meant that the session would begin with Governor Napolitano and that Secretary of State Jan Brewer would take over as Governor during the session.

While the Governorship was changing hands budget projection for 2009 had fallen well short and the projection for the deficit in 2010 was mounting. This meant there would have to be a 2009 budget fix before the 2010 budget could even be discussed. During Governor Brewer's State of the State address she laid out her expectations of what a 2009 fix and a 2010 budget would look like, which included sending a constitutional provision to the voters on a temporary tax increase. This was met with extreme opposition by both democrats and republicans alike.

During this time the Senate decided it would not hear bills and solely focus on the budget. This turned out to be a major stumbling block for the legislative process, because the house continued to hear bills and transmit bills to the Senate. The joint appropriations committee convened and laid out chairman options for cuts to state government. These were options that democrats in both chambers and the Governor were adamantly against.

At the end of May, a joint democratic caucus announced their plan to fix the state's budget and how to raise revenues. This was opposed by both the Governor and republicans in both chambers. The democrat's position at the time was that they would not support any current budget options and would only support the one they presented. The democrats held this position through to the end of the regular session.

The process then took another turn when the house and senate passed a budget by the slimmest of margins and said that their intention was to not send that budget to the Governor, but to use it as a starting point for any negotiations moving forward. The Governor after reviewing the budget asked the Legislature to send the budget bills to her for an immediate veto. The Chambers refused and a lawsuit ensued, forcing the Supreme Court to make a ruling. The Supreme Court ruled that bills have to be sent upon passage, but that in this lone case the bills could be held until the June 30th deadline.

After much inaction, the senate hearings on non budget legislation began and the process started to move again. During this time there were meetings on the budget, but no movement from any of the negotiating parties. This lasted until the senate republicans put out a proposal on a flat tax the evening of June 28th. The original budget bills at this time had started to be amended to be

sent to the Governor. The Governor's only request was that if they were going to send the flat tax proposal to her desk that it be accompanied by the sales tax increase. This did not occur, resulting in the veto of the Budget Reconciliation Bills and a Line item veto of the Spending Bill on the legislative day of June 30th and the calendar day of July 1st.

On July 1st the Governor called a special session to convene on July 6th. The subject of the session was to send the Governor Budget Bills and a temporary tax increase that she would be willing to sign. In the first week of the special session the legislature sent the Governor bills that would fund K-12 and AHCCCS. These bills were necessary immediately so that the state would be eligible for stimulus money from the federal government. The Governor signed these bills upon receiving them.

During the seventh week of the special session the Legislature sent the Governor a budget that was identical to the one she had received at the end of the regular session. This budget did not include a tax increase ballot proposal, which the governor has 10 days to sign, veto, or allow the legislation to go into law without her signature.

2009 Budget Fix

The 2009 budget fix was proposed and passed in the second month of the session and was the first act of Governor Jan Brewer. The fix affected the university system in the following ways:

45th Day Enrollment

- As permanent law, change the full-time equivalent student enrollment count from the 21st day of the fall semester to the 45th day of the fall and spring semesters.
- As session law, specify that the change is not intended to increase the university lump sum reduction for FY 2009 above \$141.5 million.

University Debt Financing

- As permanent law, reduce the \$1,000,000,000 bonding authority cap to \$800,000,000 and reduce the allocation for the University of Arizona Biomedical Campus from \$470,000,000 to \$376,000,000.
- As session law, prohibit the Arizona Board of Regents from authorizing projects or issuing debt for FY 2009 for the remaining \$632,328,800 of the \$800,000,000 in bonding authority that was not submitted to JCCR by October 2, 2008.
- As session, continue to require the General Fund to receive \$57,000,000 from Lottery proceeds in FY 2010.

2009 Bills Enacted and Proposed with University Impact 49th LEGISLATURE FIRST REGULAR SESSION

213 bills were passed by the legislature, 22 were vetoed and 191 will become law. Of the 191 only 3 bills will affect the university. Unless otherwise specified, these laws go into effect on September 30, 2009.

ENACTED BILLS

HB2495: IN-STATE TUITION; VETERANS Amends statute to extend residency for in-state tuition to persons serving at an Arizona military installation at the time of their honorable discharge. First sponsor: Rep. Fleming Others: Rep. Antenori, Rep. Brown, Rep. Chad Campbell, Rep. Chabin, Rep. Crandall, Rep. Crump, Rep. Deschene, Rep. Garcia, Rep. Gowan, Rep. Lesko, Rep. Lopes, Rep. McGuire, Rep. Meza, Rep. Pancrazi, Rep. Patterson, Rep. Stevens, Rep. Waters. Chapter 91, Laws 2009, First Regular Session. **Signed into by the Governor.**

SB1103: PARTNERSHIP FOR NURSING EDUCATION Extends the sunset of the Arizona Partnership for Nursing Education Demonstration Project, funded in the 2005 higher education budget reconciliation bill (Laws 2005, Chapter 330, Sec 15), for one year to June 30, 2011. First Sponsor: Sen. C. Allen. Chapter 92, Laws 2009, First Regular Session. **Signed into law by Governor.**

SB1168 (STORAGE; FIREARMS; MOROR VEHICLES) prohibits property owners or business entities from enforcing a policy or rule that does not permit persons to carry firearms in their personal vehicles as long as the vehicle is locked (or the storage location of the firearm is locked) and the firearm is not visible from the outside. Property owners may enforce a policy or rule restricting firearms in vehicles if they provide temporary and secure firearm storage or a parking facility that is secured by a locked fence. Chapter 177, Laws 2009, First Regular Session. **Signed by the Governor.**

ALL PROPOSED BILLS

HB2026: PEACE OFFICERS; FIREARMS; SCHOOL GROUNDS Defines “political subdivision” to include school districts, charter schools, community colleges and state universities in the statute prohibiting various governmental units from banning peace officers from carrying firearms. First Sponsor: Rep. Kavanagh. **Bill failed to advance.**

HB2093: UNIVERSITIES; ADVISORY BOARDS Creates an advisory board for each public university comprised of 5 members (1 appointed by the Senate President, 1 appointed by the House Speaker and 3 appointed by the Governor) with 8 year terms. If ABOR declines to follow

a written recommendation of an advisory board, ABOR must allow an opportunity for public comment on the recommendation and adopt a resolution that sets forth the reasons ABOR has declined to follow the recommendation. First Sponsor: Rep. Nichols; Others: Rep. Ableser. **Bill failed to advance.**

HB2108: WICHE STUDENT LOANS; REPAYMENT (SEE ALSO SB1370) Requires a student to fully repay the amount of the grant contract under the WICHE Professional Student Exchange Program if the student fails to fulfill his/her obligation to return to the state to practice (current law requires 1/2 of the sum to be repaid). First sponsor: Rep. Ableser. **Held in the Senate.**

HB2175: EASTERN ARIZONA COLLEGE Allows EAC to offer 4-year baccalaureate degrees beginning in FY10. Requires EAC to submit a budget by October 1, 2009, that estimates the FTSE counts for 300 and 400 level courses that will be offered. FTSE counts for upper division are determined by dividing the enrolled credit hours by 24, rather than by 30 as current law for lower division. Also sets differential state aid amounts per FTSE for vocational, 100 and 200 level courses (\$2,200) and 300 and 400 level courses (\$5,564). Requires these amounts to be adjusted annually by the CPI. Prohibits state aid for dual enrollment for “nonacademic” classes. Tuition amounts must be less than those at state universities. Restricts EAC’s property tax rate to \$1.00 for FY10 through FY15. These property tax revenues can only be spent on capital. Gives the Graham County Community College District until June 30, 2014, to decide whether to continue as a community college district and discontinue the tax levy or to dissolve the district and transfer governance authority to ABOR. Establishes a base amount of operating and capital state aid appropriation of \$16.9 million until the new formulas exceed that amount. The bill is silent on equalization aid. The bill contains blank appropriations for supplemental funding and campus housing. First Sponsor: Rep. Konopnicki. **Bill failed to advance.**

HB2244: PHYSICIAN RECRUITMENT AND RETENTION FUND Establishes the Arizona Physician Recruitment and Retention Fund, to be administered by ABOR, to fund grants of up to \$50,000 per person for licensed physicians who either begin practicing medicine in Arizona after practicing in another state or who demonstrate a commitment to practice medicine in Arizona for at least 10 years. Upon enactment, all unexpended and unencumbered monies from appropriations to the University of Arizona for the Phoenix medical campus are transferred to the Fund. First sponsor: Rep. Tobin. **Bill failed to advance.**

HB2246: UNIVERSITY FUNDING EQUALIZATION PLANS Requires the Board, by Sept. 1, 2009, to conduct or contract for a financial analysis of each state university to determine the amount of state funding provided to each full-time student. Requires the Board to report the highest level of state funding per FTE, classified as the “core support level”, to the JLBC. Beginning FY11, a university that receives state funding per full-time student in an amount less than the core support level must submit a 5-year equalization plan to the Board and a request for equalization assistance for that fiscal year. First sponsor: Rep. Ableser; Others: Rep. Driggs, Sen. Burton Cahill, Rep. Waters, Rep. Nichols, Rep. Biggs, Rep. Hendrix, Rep. Mason. **Bill failed to advance.**

HB2279: STATE DEBT; EXPENDITURES; REPORT Requires the JLBC to analyze state debt, terms of financing, the impact of the debt on taxes and expenditures, the appropriate revenue streams dedicated for repayment and the total amount of state debt. Requires the Department of Revenue to provide JLBC with information on outstanding indebtedness and debt limitations that pertain to the state's debt and expenditures. First sponsor: Rep. Kavanagh. **Held in the Senate**

HB2280: STATE BUDGET; REVENUES; EXPENDITURE; REPORT Requires that the Governor's annual budget report to the Legislature include on its first page a statement whether the total amount of state revenue will or will not exceed the amount of state revenues appropriated for the current fiscal year, adjusted for changes in population and inflation. Requires the Legislature to adopt a statement within the General Appropriations Act that the appropriated amount will or will not exceed the amount of revenue appropriated for the current fiscal year, adjusted for changes in population and inflation. The duties of the Economic Estimates Commission are expanded to include establishing the percentage change in population and cost of living to be used to comply with the above requirements. First sponsor: Rep. Kavanagh. Scheduled on Senate Appropriations Agenda 6/23 with strike everything amendment re: illegal aliens; trespass; enforcement. **Failed in the House**

HB2293: TEACHER LOAN PROGRAMS; GEOGRAPHIC SHORTAGES Expands the current math, science and special education teacher loan program administered by ABOR to include teaching in any subject in an area of shortage as a means for qualifying for a loan. Clarifies that a recipient teaching in an area of shortage does not lose eligibility for grant forgiveness, if an area of shortage no longer experiences a teacher shortage. Allows a loan recipient to switch disciplines without penalty (i.e., switching from math to science or science to teaching in an area of shortage still fulfills the contract). Sponsor: Rep. Schapira. **Bill failed to advance.**

HB2300: CENTENNIAL SCHOLARS PROGRAM Establishes a Centennial Scholar Program, effective July 1, 2011, to provide scholarships for tuition and fees at Arizona community colleges and universities. Includes general eligibility requirements for scholarships. Establishes a fund for the scholarships to be administered by the Commission on Post Secondary Education. First sponsor: Rep. Schapira; Others: Rep. Meza, Sen. Burton Cahill, Rep. Ableser, Rep. Waters, Sen. Aguirre, Rep. McGuire, Rep. Pancrazi, Rep. Young Wright, Rep. Patterson, Rep. Chabin. **Bill failed to advance.**

HB2386: FIREARMS; PROHIBITION; POSTSECONDARY INSTITUTIONS Expands the definition of school in statutes dealing with misconduct involving weapons, to include postsecondary educational institutions. Differentiates criminal classification of a violation of carrying a weapon onto school grounds to classify violations at a postsecondary institution a class 6 felony and classify violations at a K-12 school as a class 1 misdemeanor. First sponsor: Rep. Ableser. **Bill failed to advance.**

HB2387: UNLAWFUL HAZING; SCHOOLS Prohibits hazing by persons who attend, work at or volunteer at an educational institution. First sponsor: Rep. Ableser. **Bill failed to advance.**

HB2438: COLLEGES; TRANSFER ARTICULATION; DIRECT EQUIVALENCY

Amends statutes requiring transfer articulation between community colleges and universities to allow up to 90 credits to transfer, including 300-level courses. Requires that if a university does not accept credit for a community college course, it must notify the college with specific recommendation so that the course may be accepted as a direct equivalent of the university course. First sponsor: Rep. Kavanagh. **Held in the House.**

HB2457: UNIVERSITY ATHLETIC FACILITIES DISTRICT Modifies current statute to allow counties containing a state university to form “university stadium districts” permitted to collect fees equivalent to a property tax on all commercial development within designated areas inside the District and issue bonds for the construction, maintenance and management of athletic facilities on campus. First sponsor: Rep. Nichols; Others: Rep. Ableser, Rep. Barnes, Rep. Court, Rep. Crandall, Rep. Driggs, Rep. Goodale, Rep. Konopnicki, Rep. Lujan, Rep. Mason, Rep. Meyer, Rep. Murphy, Rep. Reagan, Rep. Schapira, Rep. Sinema, Rep. Tobin, Sen. Burton Cahill, Sen. Leff, Sen. Paton, Sen. Pierce, Sen. Tibshraeny, Sen. Verschoor. **Held in the Senate.**

HB2495: IN-STATE TUITION; VETERANS Amends statute to extend residency for in-state tuition to persons serving at an Arizona military installation at the time of their honorable discharge. First sponsor: Rep. Fleming Others: Rep. Antenori, Rep. Brown, Rep. Chad Campbell, Rep. Chabin, Rep. Crandall, Rep. Crump, Rep. Deschene, Rep. Garcia, Rep. Gowan, Rep. Lesko, Rep. Lopes, Rep. McGuire, Rep. Meza, Rep. Pancrazi, Rep. Patterson, Rep. Stevens, Rep. Waters. Chapter 91, Laws 2009, First Regular Session. **Signed into by the Governor.**

HB2509: INTERGOVERNMENTAL AGREEMENTS; SEPARATE LEGAL ENTITIES

Allows local governments to form a separate legal entity for the purpose of procurement pursuant to an intergovernmental agreement. First sponsor: Rep. Pratt Others: Rep. Brown, Rep. Burges, Rep. Mason, Sen. S. Allen, Sen. Rios. **Bill failed to advance.**

HB2521: UNIVERSITY TUITION; FUND SWEEPS; PROHIBITION Prohibits the Board of Regents from transferring tuition revenue to the state General Fund.

First sponsor: Rep. Waters Others: Rep. Ableser, Rep. Chad Campbell, Rep. Chabin, Rep. Crandall, Rep. Deschene, Rep. Farley, Rep. Fleming, Rep. Garcia, Rep. Goodale, Rep. Heinz, Rep. Lopes, Rep. Lujan, Rep. McGuire, Rep. Meyer, Rep. Meza, Rep. Miranda, Rep. Pancrazi, Rep. Patterson, Rep. Schapira, Rep. Sinema. **Bill failed to advance.**

HB2541: BUDGETS; POSTING ON WEBSITES Requires all government entities, including school districts and community colleges, to post their budgets on their official website. First sponsor: Rep. Biggs. **Bill failed to advance.**

HB2607: SCHOOLS; DISRUPTION; INTERFERENCE; CONCEALED FIREARMS

Prohibits educational institutions from banning a person from carrying a weapon on school grounds if the possessor has a valid concealed carry permit. First sponsor: Rep. Biggs Others: Rep. Ash, Rep. Crump, Rep. Seel, Sen. S. Allen, Sen. Gould, Sen. Pearce. **Bill failed to advance.**

HCR2002: REGENTS; ELIMINATION; REPLACEMENT Proposes a constitutional amendment to abolish the Board of Regents and create separate governing boards for each institution. The new boards would be comprised of 5 members (1 appointed by the Senate President, 1 appointed by the House Speaker and 3 appointed by the Governor) with 8 year terms. Sponsor: Rep. Nichols. **Bill failed to advance.**

HCR2015: LEASED EDUCATIONAL PROPERTY; PROPERTY TAX Proposes an amendment to the Constitution to appear on the 2010 ballot to exempt from property taxes any property that is leased to school districts or charter schools and used for educational instruction and support. First sponsor: Rep. Mason Others: Rep. Driggs, Rep. Goodale. **Bill failed to advance.**

HCR2020: STATE APPROPRIATION LIMIT; REDUCTION Proposes an amendment to the Constitution to appear on the 2010 ballot to reduce the state appropriation limit to 6.4% of the total personal income for the state for that fiscal year from 7%. Additionally, any state resident has standing to bring a civil action in superior court to enforce compliance. If state revenue collections exceed the maximum allowable under the new appropriation limit, the excess shall be distributed as a tax refund in a manner prescribed by law. First sponsor: Rep. Montenegro Others: Rep. Antenori, Rep. Gowan. **Bill failed to advance.**

HCR2025: STATE EXPENDITURE LIMITATION; REDUCTION Proposes an amendment to the Constitution to appear on the 2010 ballot to reduce the state expenditure limit to 6.8% from 7.0% of total personal income. Adjustments to the limit to account for transference of funding responsibilities between levels of government are no longer allowed. The only exclusions allowed are deposits to the Budget Stabilization Fund and payments to make up for deferrals of payments of state aid to schools. Effective July 1, 2011. First sponsor: Rep. Kavanagh. **Bill failed to advance.**

HCM2002: DREAM ACT; URGING ADOPTION Urges Congressional adoption of the Development, Relief and Education for Alien Minors (DREAM) Act, that would create an exception in immigration statutes to allow undocumented students who meet certain criteria and graduate annually from US high schools to apply for legal residency. First sponsor: Rep. Ableser; Others: Rep. Chad Campbell, Rep. Cloves Campbell, Sen. Burton Cahill, Rep. Fleming, Rep. Patterson. **Bill failed to advance.**

SB1001: WEB & VIDEO CONFERENCE SOFTWARE Requires the purchase, training and usage of on-line Web and video conference software by statewide governmental agencies. Requires that software purchased have the capability to calculate cost savings from using Web and video conferencing software. Establishes a Web and Video Conferencing Savings Committee consisting of three members from the House, three members from the Senate, and five members appointed by the Governor to collect and compile the reported cost savings of each government entity. Self-repeals 12/31/13. First Sponsor: Sen. Waring. Awaits action by Senate Rules Committee. **Held in the Senate**

SB1103: PARTNERSHIP FOR NURSING EDUCATION Extends the sunset of the Arizona Partnership for Nursing Education Demonstration Project, funded in the 2005 higher education budget reconciliation bill (Laws 2005, Chapter 330, Sec 15), for one year to June 30, 2011. First Sponsor: Sen. C. Allen. Chapter 92, Laws 2009, First Regular Session. **Signed into law by Governor.**

SB1135: TEACHER STUDENT LOAN PROGRAM; EXPANSION Expands the Math/Science/Special Education teacher loan program to include any regionally or nationally accredited public or private postsecondary or vocational program. First sponsor: Sen. Huppenthal. Scheduled on Senate Committee of the Whole Calendar 6/18. **Held in the House.**

SB1150: STATE BOARD OF INVESTMENT; MEMBERSHIP The five-person State Board of Investment adds a sixth member by adding a third public member. The new person must have "verifiable financial expertise and experience with endowment beneficiaries." First sponsor: Sen. Tibshraeny. Scheduled on the Senate Finance Agenda 6/18. **Held in the Senate.**

SB1168 (STORAGE; FIREARMS; MOTOR VEHICLES) prohibits property owners or business entities from enforcing a policy or rule that does not permit persons to carry firearms in their personal vehicles as long as the vehicle is locked (or the storage location of the firearm is locked) and the firearm is not visible from the outside. Property owners may enforce a policy or rule restricting firearms in vehicles if they provide temporary and secure firearm storage or a parking facility that is secured by a locked fence. Chapter 177, Laws 2009, First Regular Session. **Signed by the Governor.**

SB1174: STATE EMPLOYEE HEALTH INSURANCE; COVERAGE Defines a dependent in statutes pertaining to health care benefits for state employees to specifically exclude domestic partners. First sponsor: Sen. Pearce. Bill failed to advance. **Held in the Senate.**

SB1270: FIREARMS POSSESSION; CONCEALED WEAPONS PERMIT Amends current statute to allow persons with a concealed carry permit to carry a firearm except in enumerated locations. First sponsor: Sen. S. Allen Others: Rep. Antenori, Rep. Ash, Rep. Barnes, Rep. Biggs, Rep. Burges, Rep. Crump, Rep. Gowan, Rep. Kavanagh, Rep. McGuire, Rep. McLain, Rep. Montenegro, Rep. Murphy, Rep. Nichols, Rep. Quelland, Rep. Seel, Sen. Gould, Sen. L. Gray, Sen. C. Gray, Sen. Nelson, Sen. Pearce, Sen. Verschoor. Scheduled on Senate Judiciary Committee Agenda 6/19. **Held in the Senate.**

SB 1272 & SB1276: COMMUNITY COLLEGES; RESEARCH; ROYALTY INCOME Allows community college governing boards to enter into agreements to pursue research and development, to organize a corporation to pursue product development, or to establish patent policies regarding research conducted by the college. First sponsor: Sen. L. Gray. Bill failed to advance, but content amended onto another bill not listed (SB1272). **Both were held in the Senate**

SB1286: UNIVERSITIES; INTERNATIONAL BACCALAUREATE CREDITS Requires the universities to accept all college level credits earned in international baccalaureate programs by students accepted for admission at that university. First sponsor: Sen. Gorman. Bill failed to advance. **Held in the Senate.**

SB1295: ~~GAME & FISH COMMISSION; BISON~~ NOW: GOVERNMENT PROPERTY LEASE TAX REFORMS Makes various changes to statutes governing government property lease excise tax and contains requirements for all new leases entered into beginning January 1, 2010. First sponsor: Sen. Nelson. Scheduled on Senate Rules Committee Agenda 6/18. **Held in the Senate.**

SB1331: ~~PRIME CONTRACTING DEDUCTION; UNIVERSITY IMPROVEMENTS~~ NOW: STATE EMPLOYEE COMPENSATION For FY 2009-2010, reduces salaries of full-time state employees with compensation greater than \$100,000. Sponsor: Sen. Pearce. Awaits action by the Senate Rules Committee. **Held in the Senate**

SB1370: WICHE STUDENT LOANS; REPAYMENT (SEE ALSO HB2108) Requires a student to fully repay the amount of the grant contract under the WICHE Professional Student Exchange Program if the student fails to fulfill his/her obligation to return to the state to practice (current law requires 1/2 of the sum to be repaid). First sponsor: Sen. Aboud. Scheduled on Senate Committee of the Whole Calendar 6/18. **Passed the Senate/held in the House**

SB1388: GRADUATION REQUIREMENT; COLLEGE ENTRANCE EXAM Allows a minimum score on one or more nationally recognized college entrance exams, as determined by the State Board of Education, to be substituted for passing scores on the AIMS test in order to satisfy high school graduation requirements. First sponsor: Sen. Huppenthal Others: Sen. S. Allen, Sen. Gould, Sen. L. Gray, Sen. Harper, Sen. Melvin, Sen. Pierce, Sen. Verschoor. **Bill failed to advance.**

SB1399: GPLET REFORM: Makes various changes to statutes governing government property lease excise tax, and contains requirements for all new leases entered into beginning January 1, 2010. First sponsor: Sen. Chevront. Scheduled on Senate Rules Committee Agenda 6/18 . **Held in the Senate**

SB1458: PROCUREMENT; CONSTRUCTION; SPECIALIZED SERVICES Proposes various changes in procurement procedures for state construction contracts, including a requirement that a contractor for rail systems must perform at least 30% of the work with its own personnel. The term used to describe a construction contract in which one party both designs and builds a project is changed to "two-step design-build" from "design-build." A "one-step design-build" contract is also added to define those contracts in which the contracting agency may let separate contracts for pre-construction (including design) services and construction services. The definition of "construction-manager-at-risk" contracts is changed to permit one-step design-build contracts. The state agency is also authorized to award in a single procurement process multiple contracts to different entities for the same project, based on demonstrated competence and experience. Procedures for bid evaluation are prescribed. More. First sponsor: Sen. Huppenthal. **Bill failed to advance.**

SB1461: STATE AGENCY BUDGETS; REVIEW Creates new session law to request that the Governor direct the Office of Strategic Planning and Budgeting to review each agency's budget to find efficiencies that may yield significant cost savings and submit a preliminary report by Jan. 11, 2010 and a final report by Dec. 1, 2010. First sponsor: Sen. Gorman Last action: **Bill failed to advance.**

SB1463: PUBLIC INFRASTRUCTURE; PUBLIC-PRIVATE PARTNERSHIPS Sets procedures by which public entities may enter into public-private partnerships for any project initiated either by the public or private entity. Contains an emergency clause. First sponsor: Sen. Gorman. Last action: **Bill failed to advance.**

SCR1006: STATE APPROPRIATION LIMIT; REDUCTION Proposes an amendment to the Constitution to appear on the 2010 ballot to reduce the maximum amount that the Legislature may appropriate in any fiscal year to 6.4% of the total personal income of the state from 7%. Effective for fiscal years beginning July 1, 2011. State revenue in excess of appropriations in any fiscal year must be paid as a refund to individuals who filed tax returns for that year. Also gives any resident of this state legal standing to bring a civil action in superior court to enforce compliance. First sponsor: Sen. Pearce Others: Rep. Burges, Rep. Court, Rep. Kavanagh, Rep. Montenegro, Sen. S. Allen, Sen. Gorman, Sen. Gould, Sen. Verschoor Last action: Scheduled on the Senate Rules Agenda 6/18. **Failed in the Senate**

SCR1031: DISCRIMINATION; PREFERENTIAL TREATMENT; PROHIBITION Proposes an amendment to the Constitution to appear on the 2010 ballot to prohibit discrimination or preferential treatment on the basis of race, sex, color, ethnicity or national origin in the areas of public employment, public education or public contracting. First sponsor: Sen. Pearce Others: Rep. Crump, Rep. Montenegro, Rep. Seel, Rep. Stevens, Sen. S. Allen, Sen. Gorman, Sen. Harper. ****This bill passed the legislature and will go on the 2010 ballot. HOWEVER - State law prohibits anyone acting on behalf of a university to use university system resources to influence the outcome of elections (ARS 15-1633). Vetoed by Governor.**

SCR1043: TECHNOLOGY TRANSFER; STATE UNIVERSITIES Proposes an amendment to the Constitution on the 2010 ballot to permit the state to take an ownership stake or equity share in a private company in return for technology or intellectual property created at or acquired by one of the state's universities. First sponsor: Sen. Melvin Others: Sen. Huppenthal. **Bill failed to advance.**